

LEGISLATIVE #

120220A

ORDINANCE NO. 120220

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2
3 **An ordinance amending the Zoning Map Atlas of the City of Gainesville,**
4 **Florida, by rezoning approximately 24 acres of property located in the**
5 **vicinity of the 3500-3700 blocks of SW Williston Road, north side, west of**
6 **SW 41st Boulevard, as more specifically described in this ordinance, from the**
7 **Alachua County Highway oriented business services (BH) zoning district to**
8 **the City of Gainesville General office (OF) zoning district; providing**
9 **directions to the City Manager; providing a severability clause; providing a**
10 **repealing clause; and providing an effective date.**

11
12 **WHEREAS,** notice was given as required by law that the Zoning Map Atlas of the City
13 of Gainesville, Florida, be amended by rezoning certain property from the Alachua County
14 Highway oriented business services (BH) zoning district to the City of Gainesville General office
15 (OF) zoning district; and

16 **WHEREAS,** notice was given as required by law and a public hearing was held by the
17 City Plan Board on August 25, 2011; and

18 **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10
19 inches long was placed in a newspaper of general circulation and provided the public with at
20 least seven (7) days advance notice of the first public hearing to be held in the City Hall
21 Auditorium, First Floor, City Hall, City of Gainesville; and

22 **WHEREAS,** a second advertisement no less than two columns wide by 10 inches long
23 was placed in the aforesaid newspaper and provided the public with at least five (5) days advance
24 notice of the second public hearing; and

25 **WHEREAS,** the public hearings were held pursuant to the notices described above at
26 which hearing the parties in interest and all others had an opportunity to be and were, in fact,
27 heard; and

28 **WHEREAS,** the City Commission finds that the rezoning of the property described

1 herein will be consistent with the City of Gainesville Comprehensive Plan when the amendment
2 adopted by City of Gainesville Ordinance No. 120221 becomes effective as provided therein.

3 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
4 **CITY OF GAINESVILLE, FLORIDA:**

5 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
6 following property from the Alachua County Highway oriented business services (BH) zoning
7 district to the City of Gainesville General office (OF) zoning district:

8 See legal description attached as Exhibit "A" and made a part hereof as if set
9 forth in full. The existing Alachua County zoning district on the property is
10 depicted on the map attached as Exhibit "B." The new City of Gainesville
11 zoning district on the property is depicted on the map attached as Exhibit
12 "C." In the event of conflict or inconsistency, Exhibit "A" shall prevail over
13 Exhibits "B" and "C."

14
15 **Section 2.** The City Manager is authorized and directed to make the necessary changes to
16
17 the Zoning Map to comply with this ordinance.

18 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
19 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
20 finding shall not affect the other provisions or applications of this ordinance that can be given
21 effect without the invalid or unconstitutional provision or application, and to this end the
22 provisions of this ordinance are declared severable.

23 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
24 such conflict hereby repealed.

25 **Section 5.** This ordinance shall become effective immediately upon final adoption;
26 however, the rezoning shall not become effective until the amendment to the City of Gainesville
27 Comprehensive Plan adopted by Ordinance No. 120221 becomes effective as provided therein.

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29 **PASSED AND ADOPTED** this _____ day of _____, 2013
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CRAIG LOWE
MAYOR

Attest: Approved as to form and legality:

By: _____
KURT LANNON
CLERK OF THE COMMISSION

By: _____
NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2013.

This ordinance passed on second reading this _____ day of _____, 2013.

LEGAL DESCRIPTION

Approximately 23 acre parcel north of and adjacent to Williston Road and West of and adjacent to S. W. 41st Blvd.

A tract of land situated in the Gary Grant, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the G. I. F. Clark Grant, Township 10 South, Range 19 East, and run South 39d 54'06" East, 699.83 feet; to the Point of Beginning, thence run North 66d 30'53" East, 545.94 feet; thence run North 53d 48'44" East, 933.64 feet to the Easterly corner of that certain tract of land as described in Official Records Book 2092 Page 33, said corner being on the Westerly right-of-way line of S. W. 41st Blvd., thence run Southeasterly along said Westerly right-of-way line along the arc of a curve through a central angle of 07d 09'58", an arc distance of 292.91 feet, said curve having a radius of 2341.83 and being subtended by a chord having a bearing and distance of South 36d 18'33" East, 292.71 feet, thence run along said Westerly right-of-way line, South 39d 53'32" East to the intersection with the Northerly right-of-way line of S. W. Williston Road (State Road 121), thence run along said right-of-way line, South 43d 30'34" West, 533.47 feet, thence run South 50d 03'40" West to the intersection of the Northerly right-of-way line of S. W. Williston Road with the Northeasterly boundary of the G. I. F. Clark Grant, thence run North 39d 04'56" West, 854.10 feet along said Northeasterly Boundary of the G. I. F. Clark Grant to the Point of Beginning, containing 23.97 acres more or less.

Exhibit "A" to Ordinance No. 120220

City of Gainesville Zoning Districts

- BUS General Business
- BT Tourist-Oriented Business
- BI Business Industrial

- Historic Preservation/Conservation District
- Special Area Plan
- - - - - Division line between two zoning districts
- City Limits

Alachua County Zoning Districts

- A Agricultural
- R-1A Single Family Residential (1-4 units per acre)
- R-1B Single Family Residential (4-8 units per acre)
- BH Highway Oriented Business
- BR-1 Business, Retail Sales/Service
- PD Planned Development
- MS Manufacturing/Services
- MP Manufacturing/Processing

Area under petition consideration



EXISTING ZONING

Exhibit "B" to Ordinance No. 120220

Name

Petition Request

Map(s)

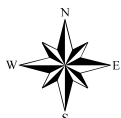
Petition Number

City of Gainesville, applicant

Rezone from Alachua County Highway Oriented Business Services (BH) to City of Gainesville General Office district (OF).

4745

PB-11-50 ZON



No Scale

City of Gainesville Zoning Districts

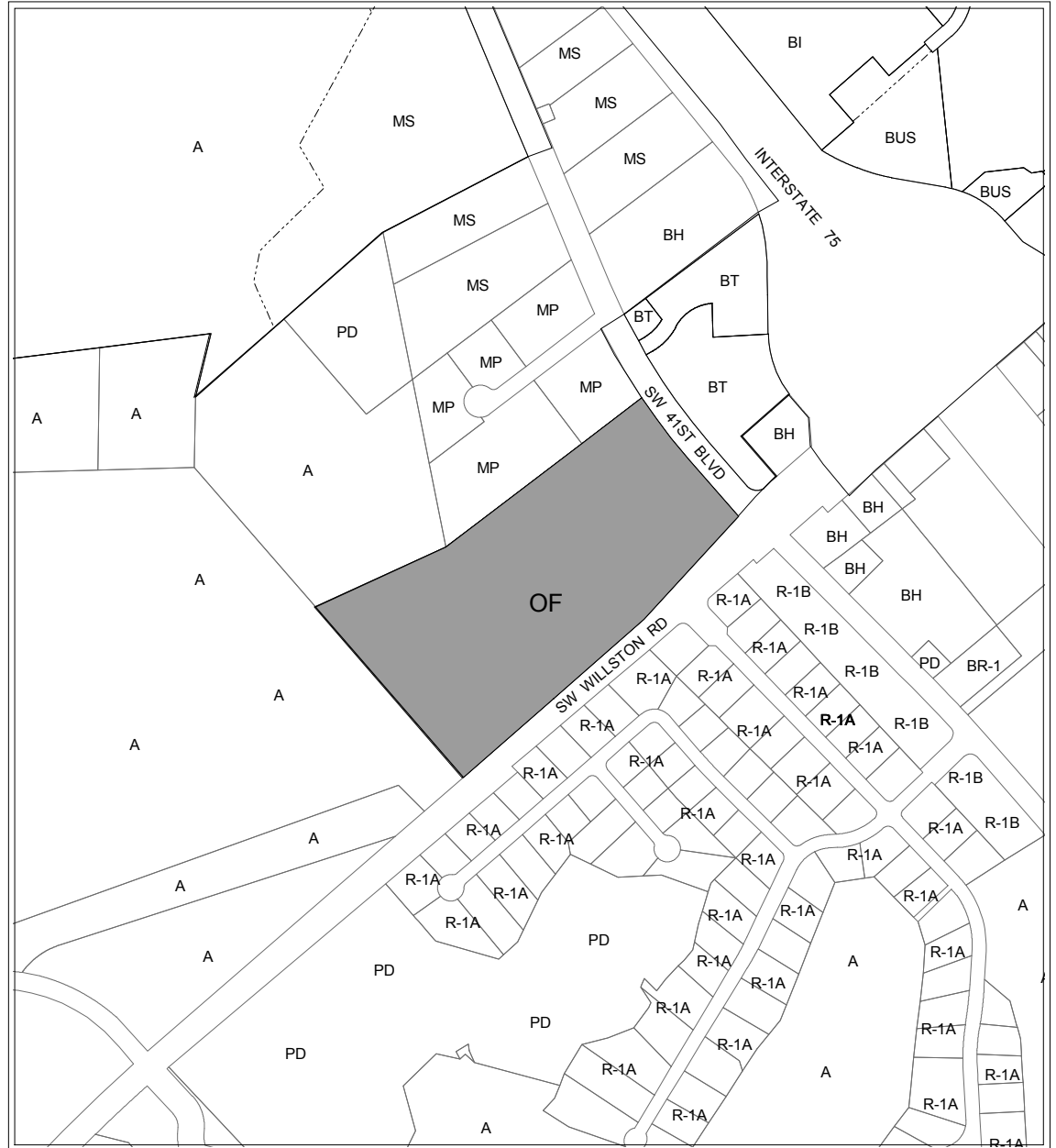
- BUS General Business
- BT Tourist-Oriented Business
- BI Business Industrial
- OF Office

- Historic Preservation/Conservation District
- Special Area Plan
- - - - - Division line between two zoning districts
- City Limits

Alachua County Zoning Districts

- A Agricultural
- R-1A Single Family Residential (1-4 units per acre)
- R-1B Single Family Residential (4-8 units per acre)
- BH Highway Oriented Business
- BR-1 Business, Retail Sales/Service
- PD Planned Development
- MS Manufacturing/Services
- MP Manufacturing/Processing

Area under petition consideration



PROPOSED ZONING

	Name	Petition Request	Map(s)	Petition Number
 No Scale	City of Gainesville, applicant	Rezone from Alachua County Highway Oriented Business Services (BH) to City of Gainesville General Office district (OF).	4745	PB-11-50 ZON

Exhibit "C" to Ordinance No. 120220