

ORDINANCE NO. 080438
0-08-85

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from “BUS: General business district” to “BA: Automotive-oriented business district”; located in the vicinity of 2120 and 2140 Northeast 2nd Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, by initiation of a petition by the property owner, publication of notice of a public hearing was given that the Zoning Map Atlas be amended by rezoning certain property within the City from the zoning category of “BUS: General business district” to “BA: Automotive-oriented business district”; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on September 22, 2008; and

WHEREAS, the City Commission finds that the rezoning of the property described herein will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

WHEREAS, at least ten (10) days notice has been given of the public hearings once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the City Commission meeting room, First Floor, City Hall, in the City of Gainesville; and

WHEREAS, notice has also been given by mail to the owner whose property will be

1 regulated by the adoption of this Ordinance, at least ten (10) days prior to the adoption of this
2 ordinance; and

3 **WHEREAS**, the Public Hearing was held pursuant to the published and mailed notice
4 described above at which hearing the parties in interest and all others had an opportunity to be
5 and were, in fact, heard.

6 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
7 **CITY OF GAINESVILLE, FLORIDA:**

8 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
9 following described property from the zoning category of "BUS: General business district" to
10 "BA: Automotive-oriented business district":

11 See Legal Description attached hereto as Exhibit "A", and made a part
12 hereof as if set forth in full.
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14 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
15 the Zoning Map to comply with this Ordinance.

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

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

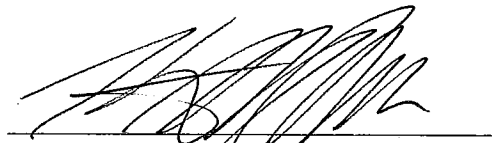
1 **Section 5.** This ordinance shall become effective immediately upon final adoption.

2 **PASSED AND ADOPTED** this 5th day of February, 2009.

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5 PEGEEN HANRAHAN, MAYOR
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7 ATTEST:

Approved as to form and legality:

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12 KURT LANNON,
13 CLERK OF THE COMMISSION
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18 MARION J. RADSON, CITY ATTORNEY
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20 FEB - 5 2009
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22 This ordinance passed on first reading this 15th day of January, 2009.
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24 This ordinance passed on second reading this 5th day of February, 2009
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(AS PER O. R. BOOK 2033, PAGES 1598 & 1600):

A parcel of land situated in Lot 1 of McCoy's Commercial Park, a subdivision as per plat recorded in Plat Book "H", Page 9, of the public records of Alachua County, Florida, said parcel of land being more particularly described as follows:

Commence at the Southeast corner of Lot 1 of said McCoy's Commercial Park and run North 25 deg. 40 min. 32 sec. East, along the West right-of-way line of Northeast 2nd Street, 158.21 feet to the POINT OF BEGINNING; thence continue North 25 deg. 40 min. 32 sec. East, along said right-of-way line, 37.97 feet; thence run Northeasterly along said right-of-way line with a curve concave Northwesterly, said curve having a central angle of 10 deg. 46 min. 14 sec., a radius of 728.94 feet, a length of 137.03 feet and a chord bearing and distance of North 20 deg. 17 min. 25 sec. East, 136.83 feet; thence leave said right-of-way line and run North 89 deg. 45 min. 28 sec. West, 207.28 feet; thence run South 25 deg. 40 min. 32 sec. West, 125.00 feet; thence run South 75 deg. 33 min. 28 sec. East, 203.94 feet to the POINT OF BEGINNING.

ALSO TOGETHER WITH:

(AS PER O. R. BOOK 2097, PAGE 1195):

Parcel 3 of Lot 1 of McCoy's Commercial Park, a parcel of land situated in Lot 1 of McCoy's Commercial Park, a subdivision as recorded in Plat Book "H", Page 9, of the public records of Alachua County, Florida, said parcel of land being more particularly described as follows:

Begin at the Southeast corner of Lot 1 of said McCoy's Commercial Park and run North 25 deg. 40 min. 32 sec. East along the West right-of-way line of Northeast 2nd Street, 158.21 feet; thence run North 75 deg. 36 min. 05 sec. West, 203.94 feet; thence run South 25 deg. 40 min. 32 sec. West, 118.33 feet to the South line of said Lot 1; thence run South 84 deg. 19 min. 28 sec. East, along the South line of said Lot 1, 200 feet to the POINT OF BEGINNING.

