

D R A F T

5/3/2011

ORDINANCE NO. 100865

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4 **An ordinance of the City of Gainesville, Florida, amending the Zoning**  
5 **Map Atlas and rezoning certain property within the City, as more**  
6 **specifically described in this Ordinance, from the zoning category of**  
7 **“BA: Automotive-oriented business district” to “BUS: General**  
8 **business district”;** located in the vicinity of 1703 North Main Street;  
9 **providing a severability clause; providing a repealing clause; and**  
10 **providing an immediate effective date.**

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

17 **WHEREAS**, notice was given and publication made as required by law and a public  
18 hearing was held by the City Plan Board on March 24, 2011; and

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

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

25 **WHEREAS**, notice has also been given by mail to the property owners whose land the  
26 City will redesignate by enactment of this Ordinance, at least ten days prior to the adoption of this

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1 ordinance; and

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

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

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

10           See Legal Description attached hereto as Exhibit "A", and made a part hereof  
11 as if set forth in full.

12  
13           **Section 2.** The City Manager is authorized and directed to make the necessary changes in  
14 the Zoning Map to comply with this Ordinance.

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

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

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

2           **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2011.

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\_\_\_\_\_  
CRAIG LOWE, MAYOR

7   ATTEST:

Approved as to form and legality:

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10

11 \_\_\_\_\_  
12 KURT LANNON,  
13 CLERK OF THE COMMISSION

\_\_\_\_\_  
MARION J. RADSON, CITY ATTORNEY

14  
15

16           This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2011.

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18           This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2011.

19  
20   MJR/afm

EXHIBIT A  
LEGAL DESCRIPTION

OR Book 2109 Page 1566

Commence at the Southeast corner of the Northeast 1/4 of Section 32, Township 9 South, Range 20 East, and run North  $1^{\circ}09'14''$  W along the East line of said Section 230 feet to the Point of Beginning; thence run S  $89^{\circ}14'16''$  W 602.25 feet to the East right-of-way of North Main Street; thence run N  $0^{\circ}59'14''$  W along said right-of-way 53.4 feet to the P.C. of a curve having a radius of 1869.86 feet; a total central angle of  $25^{\circ}40'$  and being concave to the East; thence run Northeasterly along said right-of-way curve an arc distance of 196.23 feet; thence run N  $89^{\circ}15'16''$  E 591.27 feet to the East line of Section 32; thence run S  $1^{\circ}09'14''$  E along said East line 245.7 feet to the Point of Beginning; all being and lying in Section 32, Township 9 South, Range 20 East, Gainesville, Alachua County, Florida.

RECORDER'S MEMO: LEGIBILITY  
OF WRITING, TYPING OR PRINTING  
UNSATISFACTORY IN THIS DOCUMENT  
WHEN RECEIVED