

ORDINANCE NO. 120797

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.24 acres of property generally located in the 3600 block of SW 40th Boulevard, as more specifically described in this ordinance, from Alachua County Highway oriented business services district (BH) to City of Gainesville Business industrial district (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, notice was given as required by law that the Zoning Map Atlas of the City of Gainesville, Florida, be amended by rezoning certain property from Alachua County Highway oriented business services district (BH) to City of Gainesville Business industrial district (BI); and

WHEREAS, notice was given as required by law and a public hearing was held by the City Plan Board on January 24, 2013; and

WHEREAS, at least thirty (30) days' notice has been given by mail to each real property owner whose land will be redesignated by enactment of this ordinance and whose address is known by reference to the latest ad valorem tax records, notifying such property owners of this proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

WHEREAS, at least ten (10) days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

WHEREAS, the public hearing was held pursuant to the notice described above at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard; and

1 **WHEREAS**, the City Commission finds that the rezoning of the property described
2 herein will be consistent with the City of Gainesville Comprehensive Plan when City of
3 Gainesville Ordinance No. 120796 becomes effective as provided therein.

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

6 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
7 following property from Alachua County Highway oriented business services district (BH) to
8 City of Gainesville Business industrial district (BI):

9 See legal description attached as Exhibit "A" and made a part hereof as if set
10 forth in full. The location of the property is shown on Exhibit "B" for visual
11 reference. In the event of conflict or inconsistency, Exhibit "A" shall prevail
12 over Exhibit "B."

13 **Section 2.** The City Manager or designee is authorized and directed to make the
14 necessary changes to the Zoning Map Atlas 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 this ordinance that can be given
18 effect without the invalid or unconstitutional provision 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.

22 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
23 the rezoning shall not become effective until the amendment to the City of Gainesville
24 Comprehensive Plan adopted by Ordinance No. 120796 becomes effective as provided therein.

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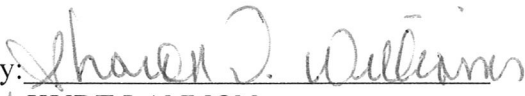
PASSED AND ADOPTED this 1st day of August, 2013.



EDWARD B. BRADDY
MAYOR

Attest:

Approved as to form and legality:

By: 

KURT LANNON
CLERK OF THE COMMISSION

By: 

for/ NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on this 1st day of August, 2013

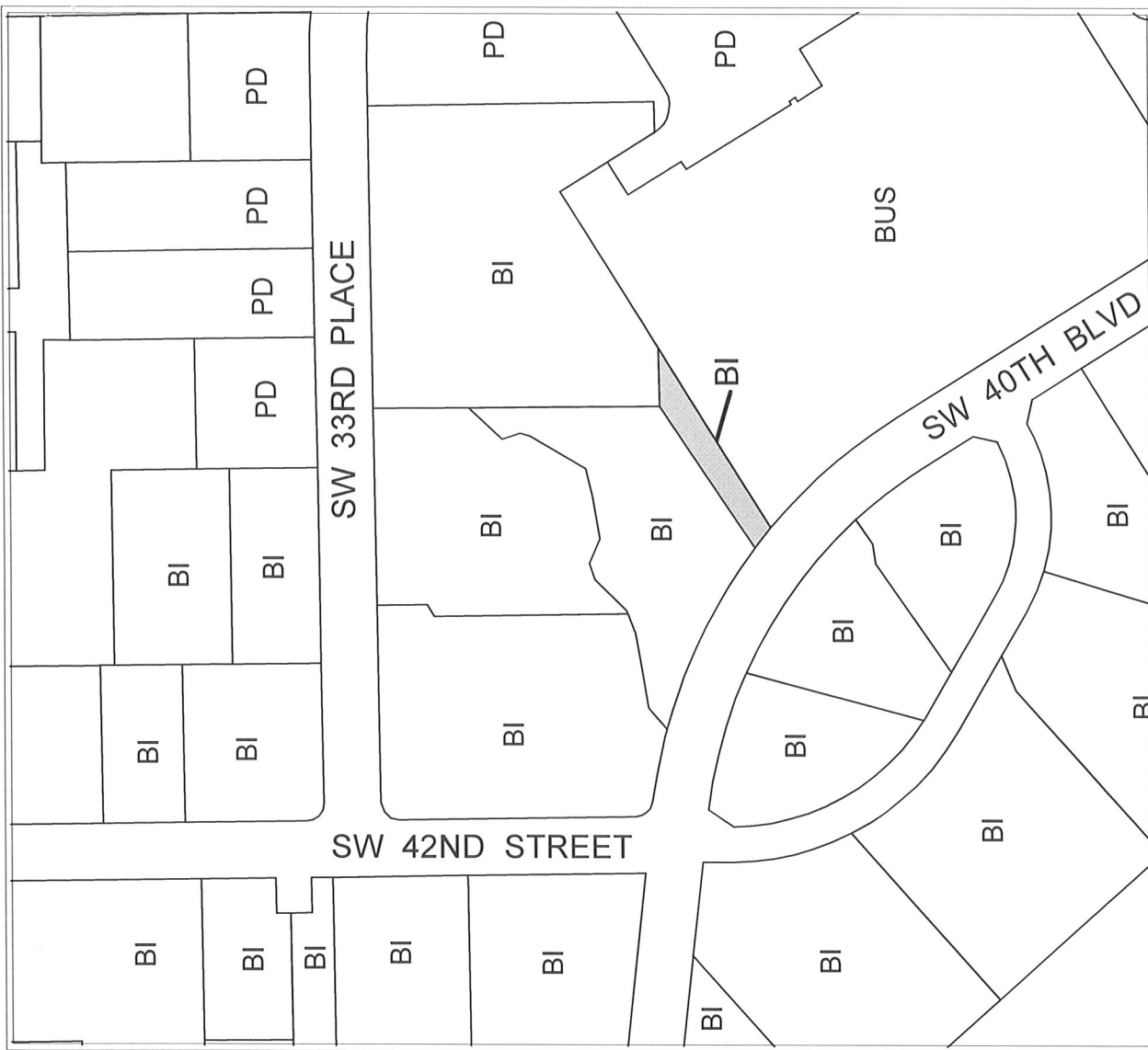
LEGAL DESCRIPTION

A Parcel of Land situated in Section 14, Township 10 South, Range 19 East, Alachua County, Florida being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southwest quarter (1/4) of said Section 14, and run North 89 deg. 11 min. 20 sec. East along the North line of the Southwest quarter (1/4) of said Section 14. A distance of 1416.44 feet; thence run South 00 deg. 25 min. 02 sec. East, a distance of 445.92 feet to the point of beginning; thence run north 89 deg. 11 min. 20 sec. East, A distance of 83.00 feet; thence run South 57 deg. 58 min. 54 sec. West, a distance of 299.48 feet to a point on the Northeasterly right-of-way line of Southwest 40th Boulevard, said point lying on a curve concave Southwesterly and having a radius of 756.20 feet; thence run Northwesterly along said Northeasterly right-of-way line and along the arc of said curve through a central angle of 02 deg. 52 min. 58 sec., an arc length of 38.05 feet and a chord bearing and distance of North 51 deg. 34 min. 51 sec. West, 38.04 feet; thence departing from said Northeasterly right-of-way line run North 56 deg. 16 min. 54 sec. East, a distance of 241.33 feet to the point of beginning.

City of Gainesville Zoning Districts

- BUS General Business
- BI Business Industrial
- PD Planned Development



Area under petition consideration





Exhibit "B" to Ordinance No. 120797

PROPOSED ZONING

Name	Petition Request	Map(s)	Petition Number
City Plan Board, applicant	Rezone from Alachua County Highway oriented business (BH) to City of Gainesville Business industrial (BI)	4444	PB-12-168 ZON