

1    **ORDINANCE NO. 120934**

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3            **An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 2.8 acres of property generally located at 1303 NE 23<sup>rd</sup> Avenue, as more specifically described in this ordinance, from 4 Public services and operations district (PS) to Educational services district 5 (ED); providing directions to the City Manager; providing a severability 6 clause; providing a repealing clause; and providing an effective date.**

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10            **WHEREAS**, notice was given as required by law that the Zoning Map Atlas of the City  
11 of Gainesville, Florida, be amended by rezoning certain property from Public services and  
12 operations district (PS) to Educational services district (ED); and

13            **WHEREAS**, notice was given as required by law and a public hearing was held by the  
14 City Plan Board on February 28, 2013; and

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

19            **WHEREAS**, the public hearings were held pursuant to the notice described above at  
20 which hearings the parties in interest and all others had an opportunity to be and were, in fact,  
21 heard; and

22            **WHEREAS**, the City Commission finds that the rezoning of the property described  
23 herein will be consistent with the City of Gainesville Comprehensive Plan when City of  
24 Gainesville Ordinance No. 120933 becomes effective as provided therein.

25            **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
26 **CITY OF GAINESVILLE, FLORIDA:**

27            **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
28 following property from Public services and operations district (PS) to Educational services

1 district (ED):

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

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**Section 2.** The City Manager or designee is authorized and directed to make the necessary changes to the Zoning Map Atlas to comply with this ordinance.

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

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

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**Section 5.** This ordinance shall become effective upon final adoption; however, the rezoning shall not become effective until the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 120933 becomes effective as provided therein.

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**PASSED AND ADOPTED** this 6th day of June, 2013

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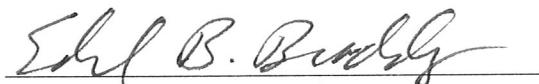
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EDWARD B. BRADDY  
MAYOR

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ATTEST:


APPROVED AS TO FORM AND LEGALITY:

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By:   
KURT LANNON  
CLERK OF THE COMMISSION

By:   
NICOLLE M. SHALLEY  
CITY ATTORNEY

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This ordinance passed on first reading this 16th day of May, 2013.

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This ordinance passed on second reading this 6th day of June, 2013.

**Legal Description**

LOTS 8, 9, 10, 11, 12, 13, 14, 31 AND THE NORTH 70.53 FEET OF LOTS 29 AND 30 AND INCLUDED STREETS WITHIN, OF THIRD ADDITION TO CAROL ESTATES, A SUBDIVISION AS PER A PLAT THEREOF RECORDED IN PLAT BOOK 'E', PAGE 99 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

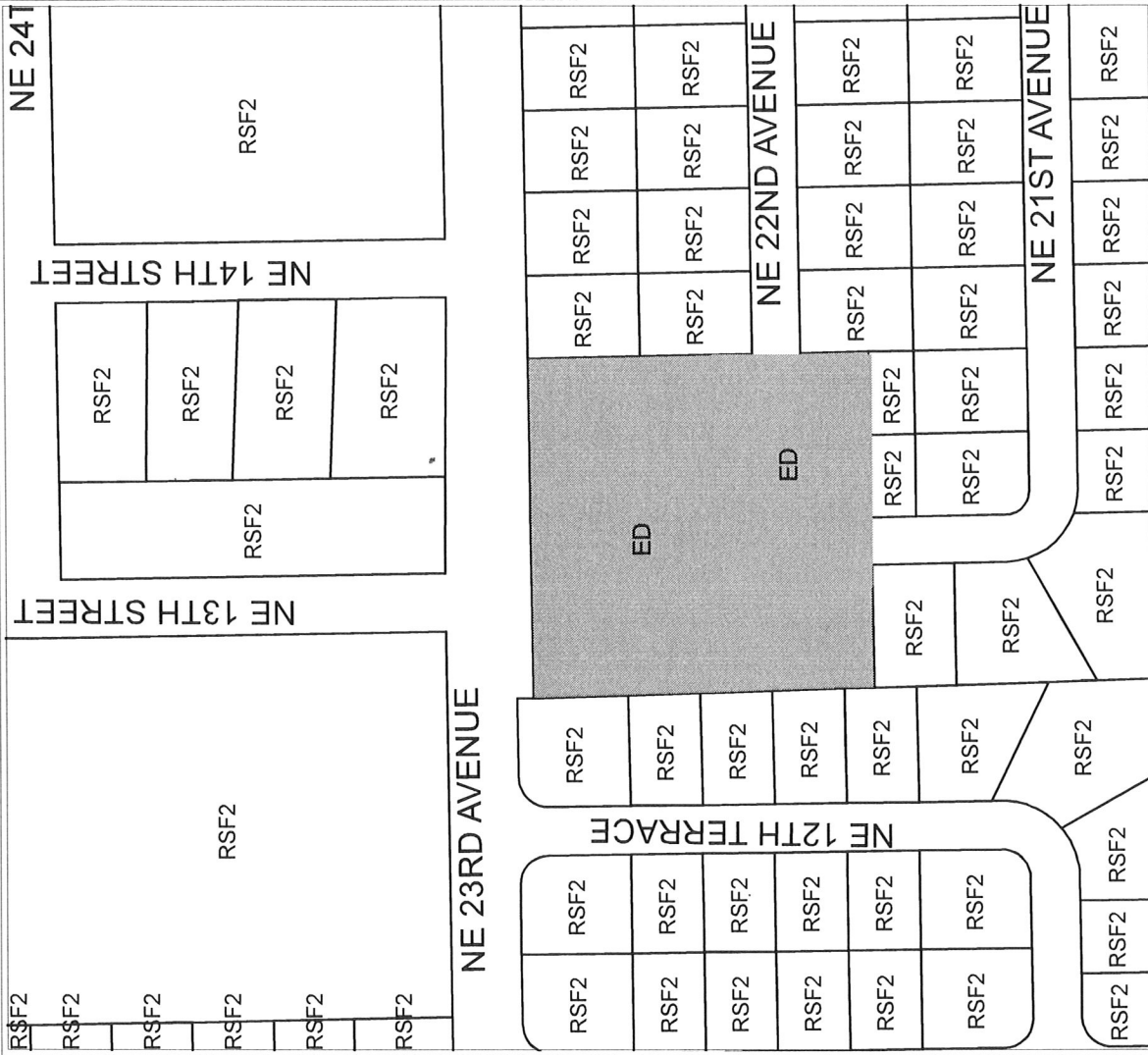
Exhibit "A" to Ordinance No. 120934

# City of Gainesville Zoning Districts

RSF-2 4.6 units/acre Single-Family Residential  
ED Educational Services

RSF-2  
ED

Exhibit "B" to Ordinance No. 120934



Area under petition consideration

----- Division line between two zoning districts

## PROPOSED ZONING

Name	Petition Request	Map(s)	Petition Number
Eng, Denman & Associates, agent for ABC Appletree Inc	Rezone property from Public Services and Operations district (PS) to Education (ED)	3753	PB-13-008 ZON

