

**Legislative #**

**130431A**

**ORDINANCE NO. 130431**

**An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 9.78 acres of tax parcel no. 07877-001-004 generally located at 820 NW 53<sup>rd</sup> Avenue, as more specifically described in this ordinance, from Planned Development District (PD) to General Industrial District (I-2); 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 Planned Development District (PD) to General Industrial District (I-2); and

**WHEREAS**, notice was given as required by law and a public hearing was held by the City Plan Board on October 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

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

1 herein is consistent with the City of Gainesville Comprehensive Plan.

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

4 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
5 following property from Planned Development District (PD) to General Industrial District (I-2):

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

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

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

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18 such conflict hereby repealed.

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

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**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
EDWARD B. BRADY  
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 this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

## LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

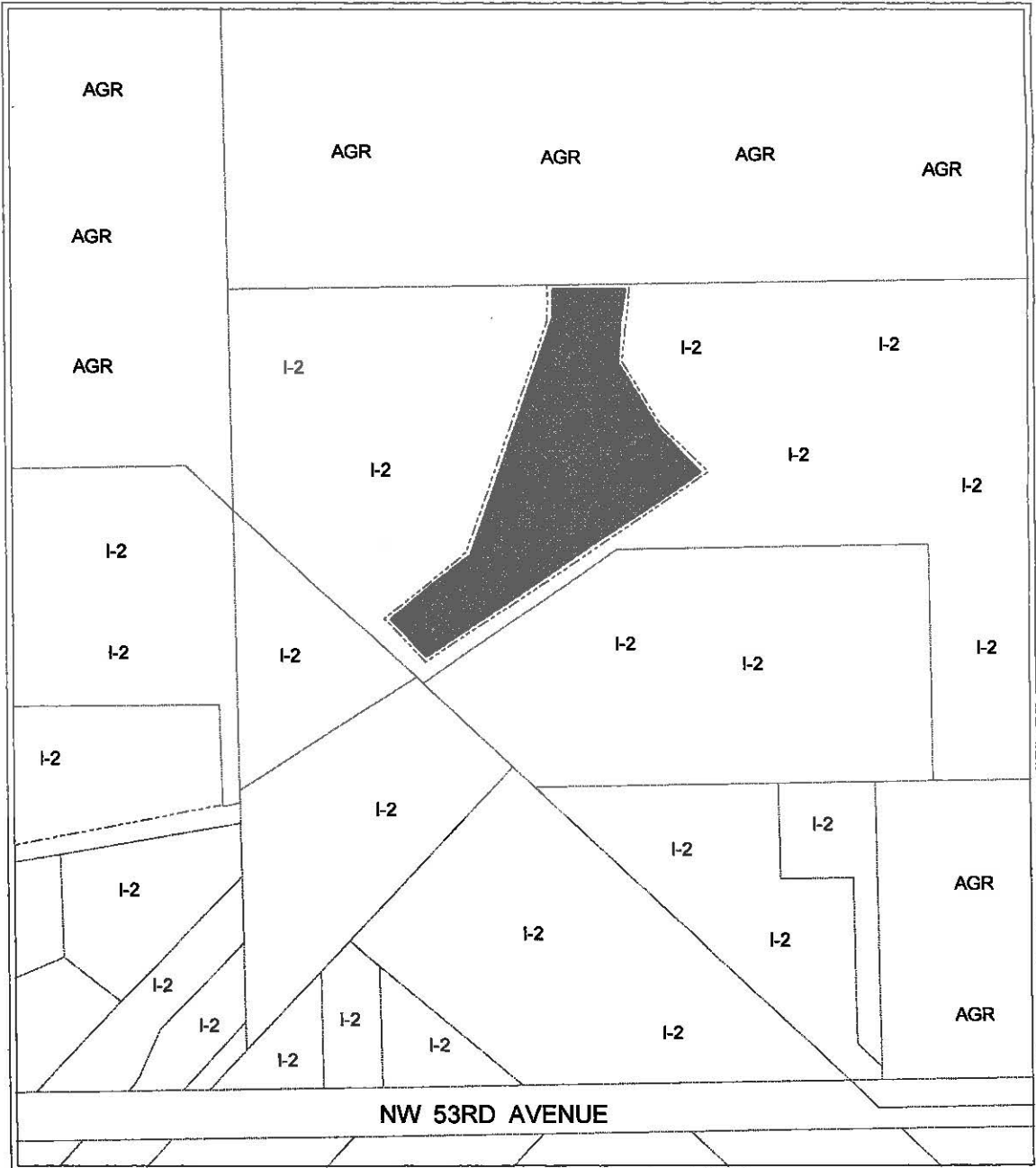
COMMENCE AT A CONCRETE MONUMENT (NO IDENTIFICATION) MARKING THE SOUTHWEST CORNER OF SAID SECTION 17, FOR A POINT OF REFERENCE; THENCE N.00°06'15"E., ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 1972.70 FEET TO A CONCRETE MONUMENT (NO IDENTIFICATION) MARKING THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF A 100' WIDE ROADWAY EASEMENT, AS PER OFFICIAL RECORDS BOOK 2753, PAGE 700 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE S.45°38'54"E., ALONG THE SOUTHWESTERLY LINE OF SAID ROADWAY EASEMENT, A DISTANCE OF 743.70 FEET; THENCE DEPARTING SAID SOUTHWESTERLY LINE, N.56°02'42"E., A DISTANCE OF 61.27 FEET TO THE POINT OF BEGINNING; THENCE N.45°38'54"W., A DISTANCE OF 149.97 FEET; THENCE N.42°32'31"E., A DISTANCE OF 322.95 FEET; THENCE N.23°55'31"E., A DISTANCE OF 899.95 FEET TO THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 17; THENCE S.89°39'37"E., ALONG SAID NORTH LINE, A DISTANCE OF 197.50 FEET; THENCE DEPARTING SAID NORTH LINE S.10°55'19"W., A DISTANCE OF 244.98 FEET; THENCE S.31°14'54"E., A DISTANCE OF 209.41 FEET; THENCE S.43°01'13"E., A DISTANCE OF 209.32 FEET; THENCE S.56°02'42"W., A DISTANCE OF 1059.23 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 9.784 ACRES, MORE OR LESS.

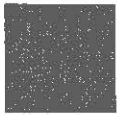
# City of Gainesville Zoning Districts

AGR      Agricultural  
 PD      Planned Development  
 I-2      General Industrial

Exhibit "B" to Ordinance No. 130431



*Area under petition consideration*



--- Division line between two zoning districts  
 — City Limits

## PROPOSED ZONING

 No Scale	Name	Petition Request	Petition Number
	City of Gainesville, agent for ADC Development & Investment Group, LLC	Rezone a portion of tax parcel #07877-001-004 from Planned Development district (PD) to General Industrial district (I-2).	PB-13-92 ZON