

**ORDINANCE NO. 050489**  
**0-06-07**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City from “I-1: Limited industrial district” to “BUS: General business district”; located in the vicinity of 309 Northeast 39th Avenue; 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 “I-1: Limited industrial district” to “BUS: General 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 October 20, 2005; 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, as applicable; 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 regulated by the adoption of this Ordinance, at least ten days prior to the adoption of this

1 ordinance; and

2           **WHEREAS**, the Public Hearing was held pursuant to the published and mailed notice  
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 “I-1: Limited industrial district” to  
9 “BUS: General business district”:

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

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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 section, sentence, clause or phrase of this ordinance is held to be invalid  
16 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way  
17 affect the validity of the remaining portions of this ordinance.

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19 such conflict hereby repealed.

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


**PASSED AND ADOPTED** this 13th day of February, 2006.

  
PEGEEN HANRAHAN, MAYOR

ATTEST:

Approved as to form and legality:

  
KURT LANNON,  
CLERK OF THE COMMISSION

  
MARION J. RADSON, CITY ATTORNEY  
FEB 14 2005

This ordinance passed on first reading this 23rd day of January, 2006.

This ordinance passed on second reading this 13th day of February, 2006.

MJR/afm

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**Legal Description**

**Parcel # 08210-002-001**

Gainesville Industrial Park Plat Book F – 34 North 200.91 feet of Lot 2. Official Records Book 1067 page 797 LESS Right-of-Way Official Records book 1581 page 2164.

**EXHIBIT "A"**