

ORDINANCE NO. 070907
0-08-11

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from “Planned Development” to “UMU-1: Urban mixed use district 1”; located in the vicinity of 1331 SW 13th Street; retaining the Special Area Plan for Southwest 13th Street Overlay District classification; 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 “Planned Development” to “UMU-1: Urban mixed use district 1”; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on January 17, 2008; 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

1 regulated by the adoption of this Ordinance, at least ten days prior to the adoption of this
2 ordinance; and

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

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

8 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
9 following described property from the zoning category of “Planned Development” to “UMU-1:
10 Urban mixed use district 1”:

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

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

16 **Section 3.** The Special Area Plan for Southwest 13th Street Overlay District
17 classification shall be retained and shall remain in full force and effect.

18 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
19 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
20 finding shall not affect the other provisions or applications of the ordinance which can be given
21 effect without the invalid or unconstitutional provisions or application, and to this end the
22 provisions of this ordinance are declared severable.

Exhibit A

That part of the D. L. Clinch Grant in Township 10 South, Range 20 East, Gainesville, Alachua County, Florida, being more particularly described as follows: Commence at the Northwest corner of Section 8, Township 10 South, Range 20 East, for a point of reference; thence run South, a distance of 2363.50 feet to a point on the East right of way line of U. S. Highway No. 441, Section 2601-107 (SW 13th Street), for a point of beginning; from the said point of beginning, thence run East perpendicular to the said East right of way line, a distance of 325 feet, more or less, to an intersection with a creek centerline; thence run Southwesterly along the said creek centerline, a distance of 152 feet, more or less, to an intersection with a line that runs South, a distance of 144.80 feet, and East perpendicular to the said East right of way line; from the said point of beginning, thence run West perpendicular to the said East right of way line, a distance of 280 feet, more or less, to an intersection with the said East right of way line; thence run North along the said East right of way line, a distance of 144.80 feet to the point of beginning.