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3 **ORDINANCE NO. 150749**

4 **An ordinance amending the Zoning Map Atlas of the City of Gainesville,**  
5 **Florida, by rezoning approximately 0.627 acres of property generally located**  
6 **at 1947 N Main Street, as more specifically described in this ordinance, from**  
7 **General Business (BUS) to Automotive-Oriented Business District (BA);**  
8 **providing directions to the City Manager; providing a severability clause;**  
9 **providing a repealing clause; and providing an effective date.**

10 **WHEREAS,** by initiation of the subject property's owner(s) or a person having a legal or  
11 equitable interest therein, this ordinance amends the Zoning Map Atlas of the City of Gainesville  
12 by rezoning the subject property from General Business (BUS) to Automotive-Oriented Business  
13 District (BA); and

14 **WHEREAS,** the City Plan Board, which acts as the local planning agency pursuant to  
15 Section 163.3174, Florida Statutes, held a public hearing on February 25, 2016, and voted to  
16 recommend that the City Commission approve this rezoning; and

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

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

24 **WHEREAS,** the City Commission finds that the rezoning of the property described  
25 herein is consistent with the City of Gainesville Comprehensive Plan.

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

28 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the

1 following property from General Business (BUS) to Automotive-Oriented Business District  
2 (BA):

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

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

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

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

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

18 **PASSED AND ADOPTED** this 5th day of May, 2016.

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\_\_\_\_\_  
LAUREN POE  
MAYOR

26 Attest:

Approved as to form and legality:

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By:   
\_\_\_\_\_  
KURT LANNON  
CLERK OF THE COMMISSION

By:   
\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

33 This ordinance passed on first reading this 21st day of April, 2016.  
34 This ordinance passed on second reading this 5<sup>th</sup> day of May, 2016.

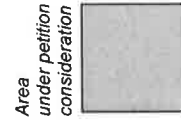
## **LEGAL DESCRIPTION**

(Parcel 10072-002-002)

A tract of land situated in Lot 2 of McCOY'S COMMERCIAL PARK, a Subdivision as recorded in Plat Book "H", Page 9, of the Public Records of Alachua County, Florida, said tract of land being more particularly described as follows: Begin at the Southwest corner of Lot 2 of said McCOY'S COMMERCIAL PARK and run North 25° 40' 32" East along the East Right-of-Way line of North Main Street, 150.00 feet; thence leave the East Right-of-Way line of said North Main Street and run South 64° 19' 28" East 300.00 feet; thence run South 25° 40' 32" West 23.75 feet; thence run North 89° 47' 21" West 30.46 feet to the South line of said Lot 2; thence run along the South line of said Lot 2 with the following courses and distances; North 89° 47' 21" West 215.00 feet; North 00° 08' 16" West 15.00 feet; North 89° 47' 21" West 79.59 feet, to the point of beginning; said tract of land containing 0.627 acres, more or less.

### City of Gainesville Zoning Districts

- RMF5 12 units/acre Residential Low Density
- RMF6 8-15 units/acre Multiple-Family Medium Density Residential
- PD Planned Development
- BUS General Business
- BA Automotive-Oriented Business
- MU1 8-30 units/acre Mixed Use Low Intensity
- W Warehousing and Wholesaling
- I1 Limited Industrial
- CON Conservation



----- Division line between two zoning districts



## PROPOSED ZONING

Name	Petition Request	Petition Number
Warren Mackm agent for Helika Properties	Rezone from BUS, General business district to BA, Automotive-oriented business district	PB-15-155 ZON



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Area under petition consideration

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Division line between two zoning districts

### EXISTING ZONING

Name	Petition Request	Petition Number
Warren Mackm agent for Helika Properties	Rezone from BUS, General business district to BA, Automotive-oriented business district	PB-15-155 ZON



No Scale