1	ORDINANCE NO. 120617
2 3 4 5 6 7 8 9	An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 3.88 acres of property generally located at 1961 North Main Street, as more specifically described in this ordinance, from Automotive-oriented business district (BA) to General business district (BUS); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.
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, as more specifically described
12	in this ordinance, from Automotive-oriented business district (BA) to General business district
13	(BUS); and
14	WHEREAS, notice was given as required by law and a public hearing was held by the
15	City Plan Board on December 3, 2012; and
16	WHEREAS, at least ten (10) days notice has been given once by publication in a
17	newspaper of general circulation notifying the public of this proposed ordinance and of public
18	hearings in the City Hall Auditorium, First Floor, City Hall, in the City of Gainesville; and
19	WHEREAS, public hearings were held pursuant to the notice described above at which
20	hearings the parties in interest and all others had an opportunity to be and were, in fact, heard;
21	and
22	WHEREAS, the City Commission finds that the rezoning of the property described
23	herein is consistent with the City of Gainesville Comprehensive Plan.
24	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
25	CITY OF GAINESVILLE, FLORIDA:
26	Section 1. The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
27	following property from Automotive-oriented business district (BA) to General business district
28	(BUS):

See legal description attached as Exhibit "A" and made a part hereof as if set 1 2 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 3 over Exhibit "B." 4 5 **Section 2.** The City Manager is authorized and directed to make the necessary changes to 6 7 the Zoning Map to comply with this ordinance. 8 9 **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 10 finding shall not affect the other provisions or applications of this ordinance that can be given 11 12 effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable. 13 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of 14 such conflict hereby repealed. 15 **Section 5.** This ordinance shall become effective immediately upon final adoption. 16 17 **PASSED AND ADOPTED** this 21st day of February, 2013. 18 19 20 21 22 **MAYOR** 23 24 ATTEST: APPROVED AS TO FORM AND LEGALITY: 25 26 27 28 KURT LANWON NICOLLE M. SHALLEY 29 30 CLERK OF THE COMMISSION **CITY ATTORNEY** 31 This ordinance passed on first reading this 7th day of February, 2013. 32 33 This ordinance passed on second reading this 21<sup>st</sup> day of February, 2013. 34

## **Legal Description**

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:

Commence at the Southwest corner of said Lot 2 of McCOY'S COMMERCIAL PARK, and run North 25 deg. 40' 32" East along the East right-of-way line of North Main Street, 150.00 feet to the Point of Beginning; thence continue along the East right-of-way line of North Main Street, the following courses and distances; North 25 deg. 40' 32" East 258.70 feet; South 64 deg. 19' 28" East 15.00 feet; North 25 deg. 40' 32" East 10.00 feet; thence leave said right-of-way line and run South 64 deg. 19' 28" East 585.00 feet to the West right-of-way line of N.E. 2<sup>nd</sup> Street; thence run South 25 deg. 40' 32" West along said right-of-way line 156.89 feet; thence continue Southwesterly along said right-of-way line along a curve concave Southeasterly, said curve having a central angle of 03 deg. 44' 34", a radius of 1,944.86 feet, a length of 127.04 feet, and a chord bearing and distance of South 23 deg. 48' 15" West 127.02 feet; thence run North 68 deg. 04' 02" West 332.36 feet; thence run South 89 deg. 47' 21" East 30.46 feet; thence run North 25 deg. 40' 32" East 23.75 feet; thence run North 64 deg. 19' 28" West 300.00 feet to the Point of Beginning, said tract of land containing 3.879 acres more or less.

Parcel: 10072-002-000

Exhibit "A" to Ordinance No. 120617

