



City of Gainesville

Department of Sustainable Development

April 16, 2021

FJD ENTERPRISES OF FLORIDA LLC
2573 NW 140TH TER
GAINESVILLE, FL 32606

RE: 1516 N Main St

Please be advised that the use of this property for outdoor storage and display would be a nonconforming use and is not permitted.

Per Section 30-10.5 of the City's Land Development Code, certain nonconforming uses that have been established as a legal nonconforming use may continue indefinitely as long as the use is not abandoned. "Abandoned" means to cease the use for a continuous period equaling or exceeding nine months. City staff, after a review of relevant evidence, has determined that the use at this subject property has been inactive for a continuous period equaling or exceeding nine months and has therefore been abandoned. Consequently, this property may no longer be used for outdoor storage and display.

Per Section 30-10.5, a hearing to consider this matter will be held by the City Plan Board at its next regularly scheduled meeting:

Thursday April 22nd, 2021

6:30 p.m.

Location: City Hall Auditorium / Zoom (Link to be provided upon request)

The purpose of this hearing is for the City Plan Board to make a final decision regarding whether or not the use of the property for outdoor storage and display has been abandoned and therefore is no longer permitted. Per Section 30-10.5, the property owner has the burden to present relevant evidence to establish that the use has not been abandoned. Relevant evidence can include public records, utility records, property records, verified personal records, or other general research and documentation. The intent of the owner or user shall not be relevant in determining whether the use has been abandoned. The time period of any legal proceedings related to change of ownership, including foreclosures or bankruptcies, shall not be used in any calculation of the time period for abandonment. Following the close of the public hearing, the City Plan Board shall render its decision no later than 30 calendar days after the date of the hearing.

Reinstatement of abandoned legally nonconforming use. A legally nonconforming use that has been deemed abandoned in accordance with Section 30-10.5, and thereby lost its status as a legally nonconforming use, may be reinstated as a legally nonconforming use in accordance with the terms of Section 30-10.5.E. This option may be explored following the final determination by the City Plan Board.

Please contact our office if you have any questions or would like to participate in this meeting virtually via Zoom.

Sincerely,

Andrew Persons
Interim Director
Department of Sustainable Development