



Legislation Text

File #: 000378, **Version:** 0

GIOVANNA HOLBROOK v. BOARD OF ADJUSTMENT, CITY OF GAINESVILLE/ALACHUA COUNTY CIRCUIT; CASE NO.: 00-1838-CA (B)

The City Commission authorize the City Attorney to represent the City in the case styled Giovanna Holbrook v. Board of Adjustment/City of Gainesville; Case No.: 00-1838-CA.

On May 4, 2000, the Board of Adjustment approved a petition filed by Suk Yoon reinstating a nonconforming use on a parcel of land (an auto repair facility) zoned MU-1 and located at 915 East University Avenue, Gainesville. This petition was seeking approval to operate a full service automobile repair facility. The petition was granted based on the fact that the business would not be suitable for any other permitted uses. Ms. Holbrook, who lives within 300 feet of the property, requested a rehearing, but the motion was denied.

On June 5, 2000, Ms. Holbrook filed a Petition for Writ of Certiorari objecting to the reinstatement of the nonconforming use, and petitioning the Court to quash the decision of the Board of Adjustment. Holbrook argues, among other things, that there was insufficient evidence to support the board's decision to reestablish the nonconforming use.

The circuit court has entered an order requiring the City to file a response to the petition by September 6, 2000. The issue before the court is whether the Board of Adjustments was correct in reinstating the permit for the nonconforming use of this land.