

ORDINANCE 98-02 (PA-98-01)
COUNTY INITIATED/RONALD R. BAKER/BURT K. ROGERS

Request: Approval of an Ordinance of the County of Manatee, Florida, amending Manatee County Ordinance 89-01, as amended, the Manatee County Comprehensive Plan; providing for a Small Scale Amendment to the Future Land Use Map (Sheet 19) from RES-9 (Residential, 9 du/acre) to R/O/R (Retail/Office/Residential) for certain land located at 510353rd Avenue East, consisting of ± 1.0 ACRE; providing for severability; and providing for an effective date.

P.C.: 02/12/98 - *recommended adoption*

B.O.C.C.: 02/24/98

App. Rec.: 09/11/97

Type of Amendment: Future Land Use Map (Sheet 19)

RECOMMENDED MOTION:

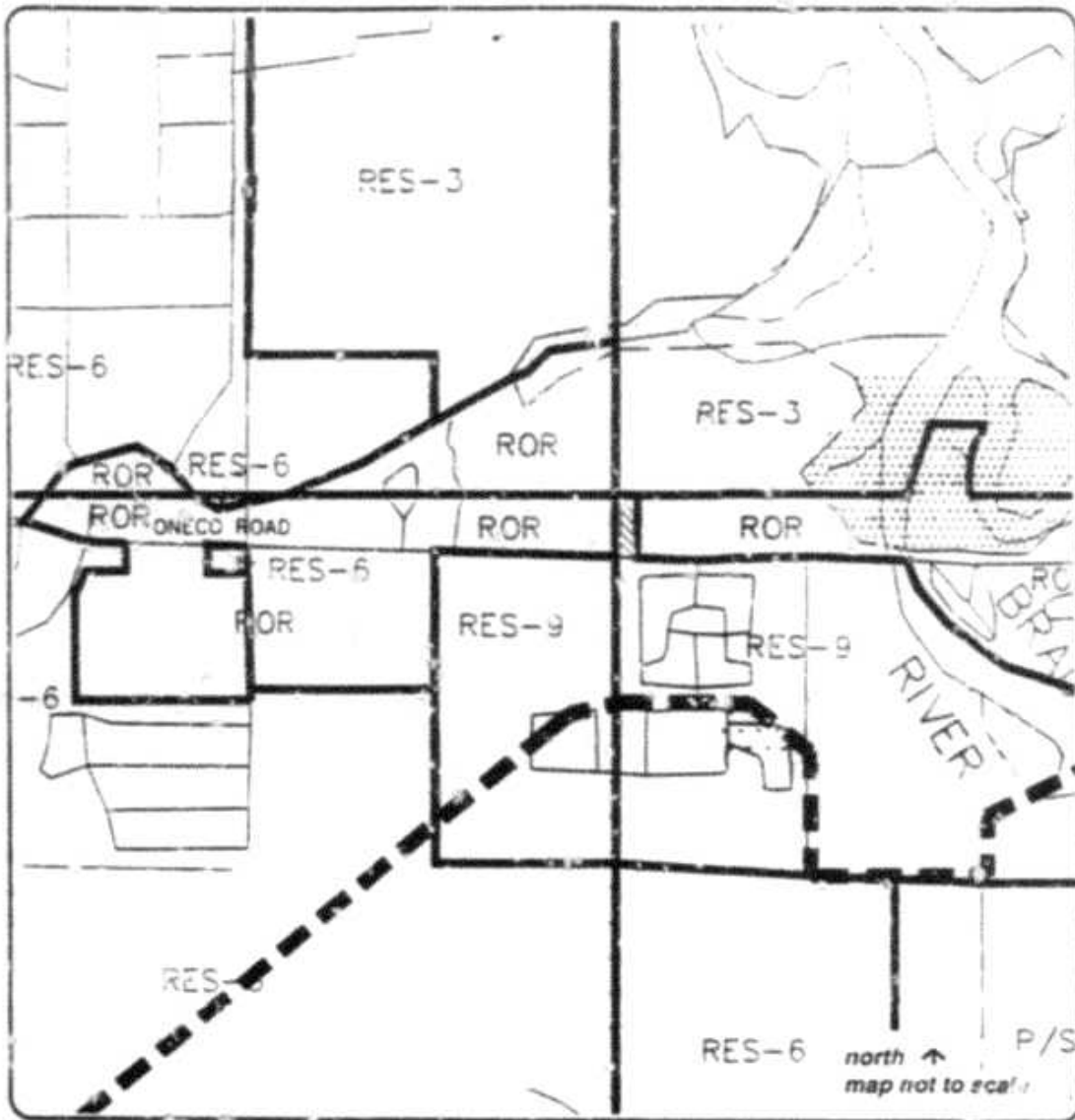
** Amended motion attached*

Based upon the evidence presented, comments made at the Public Hearing, the technical support documents, the action of the Planning Commission, and finding the request to be CONSISTENT with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, I move to ADOPT Manatee County Ordinance 98-02 [Plan Amendment PA-98-01], as recommended by the Planning Commission.

(COMMISSIONER BRUCE)

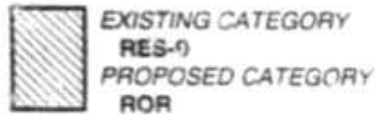
2/24/98 - Cont'd to 3/24/98, @ 9 AM

<Per Q. Update - Cont'd because not advertised for 2/24/98? There is (NO) ad.



Future Land Use Map

Future Land Use Map
Sheet No. 19



SECTION-TOWNSHIP-RANGE

15-35-18

CASE NO

PA-98-01 ORD. 98-02

REQUESTED BY:

COUNTY INITIATED

PROPERTY OWNER(S):

RONALD R. BAKER/BURT K. ROGERS

COMMISSIONER

BRUCE

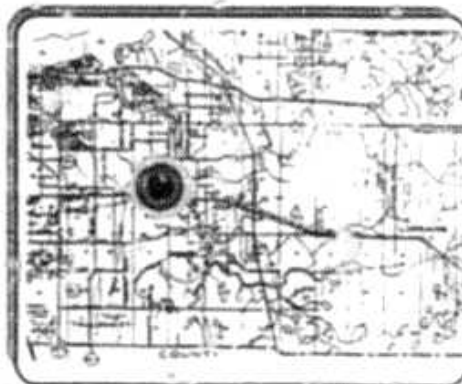
TAX ID:

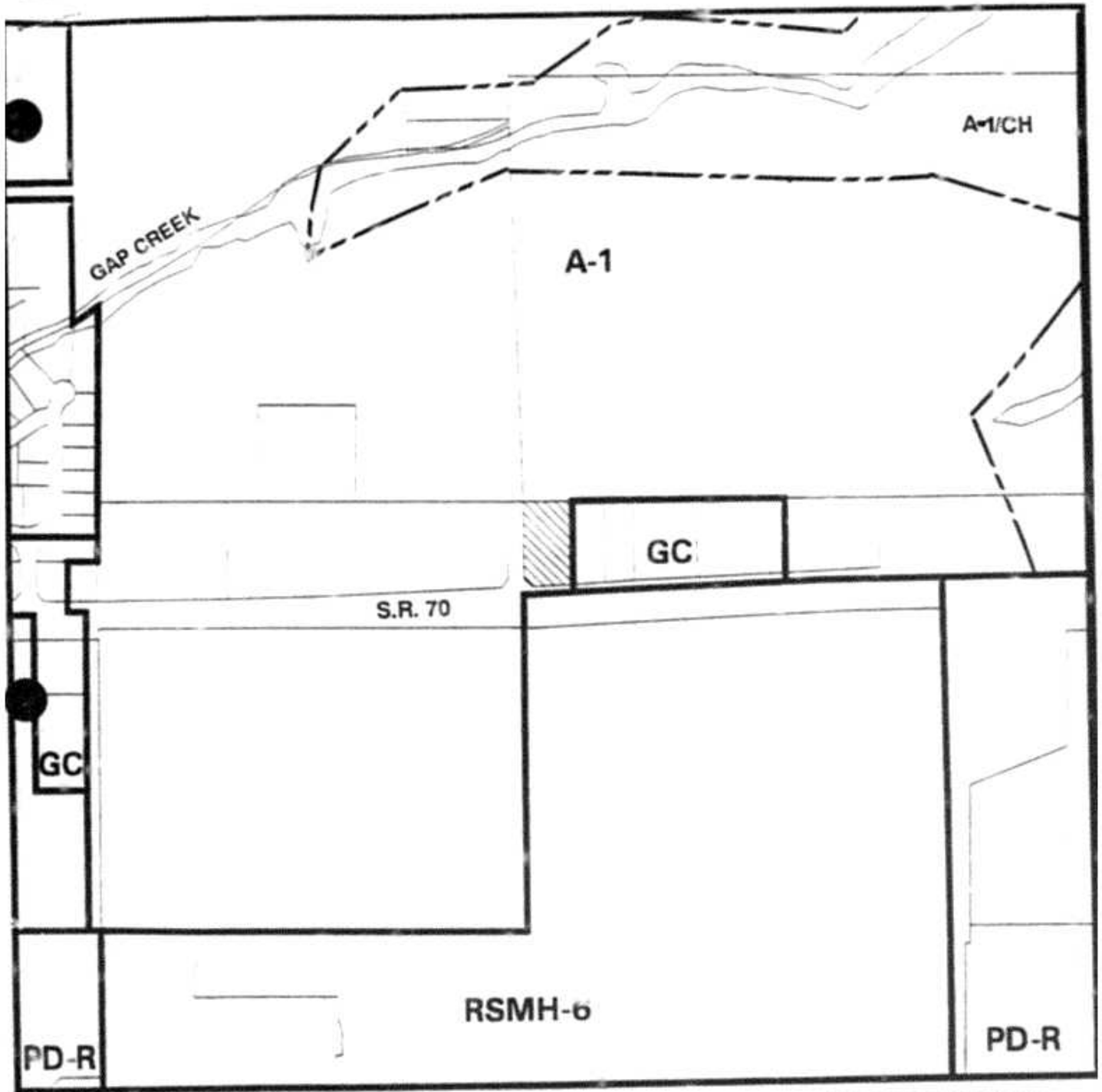
173201005

ACRES

± 1

site
location
map





Project Number: PA-98-01 ORD. 98-02

Tax I.D.: 173201005

Proposed Use: EXISTING USE

Existing FLUC: RES-9

Existing Zoning: A-1

Proposed Zoning: ROR

Setback: 1.0

Special Zone: X

Drainage Basin: N/A

Commissioner: BRUCE

Map Prepared: 12/18/97

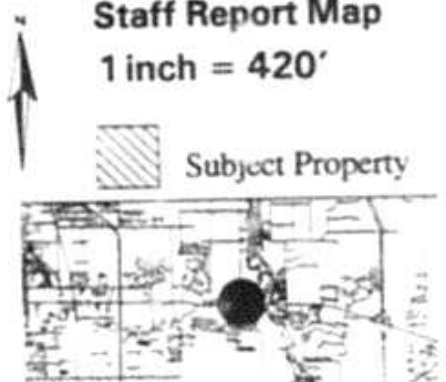
Requested By: COUNTY INITIATED

Manatee County Staff Report Map

1 inch = 420'



Subject Property



PLAN AMENDMENT SUMMARY SHEET

NAME: County Initiated Amendment to the Future Land Use Map of the Future Land Use Element of the Manatee County Comprehensive Plan.

APPLICANT: County Initiated

CASE NO.: PA-98-01
ORDINANCE 98-02

REQUEST: Approval of a small scale amendment to the Future Land Use Map (Sheet 19) of the Future Land Use Element of the Comprehensive Plan from RES-9 to R/O/R (\pm 1.0 acres).

**STAFF
RECOMMENDS:** Approval

REQUEST, LOCATIONAL INFORMATION, AND LAND USE CHARACTERISTICS

- The request is for a plan amendment for the property along the north side of State Road 70 at the northeast corner of the State Road 70 and 51st Street East intersection, at 5103 53rd Avenue East.
- The parcel is developed with a lawn mower repair and service business (Braden River Power Equipment).
- To the NORTH is Braden River park, a Manatee County District park.
- To the EAST is Shepard's Furniture store, a commercial use.
- To the SOUTH is the Westwinds Village Mobile Home Park
- To the WEST is 51st Street East and the Florida Highway Patrol Station

SUMMARY:

The requested plan amendment is to correct an oversight on the Future Land Use Map to properly reflect the existing commercial use (a lawn mower sales and service business). The County agreed to initiate the Future Land Use Map Amendment and rezone of the property as part of the Settlement Agreement between Manatee County

and the owners arising from the right-of-way taking process for the widening of State Road 70 (Case No. 95-2480). The Settlement Agreement does not suggest or require any particular action to be taken on this Comprehensive Plan Amendment and, therefore, this proposal should be given the standard review by the Board.

The property was granted Special Exception status (SE-1268) in 1979 for a retail garden nursery in the A-2 (Agricultural Fringe) district. An amendment to the Special Exception was granted to permit a retail lawn and garden center in 1980. The business became a legal non-conforming use when the property was rezoned to A-1 (Suburban Agricultural) in 1981. The A-1 zoning designation does not allow retail lawn and garden centers, thereby making the business a non-conforming use. The business has changed over time from a lawn and garden center to a lawn mower sales and service business (Braden River Power Equipment).

The site does not meet the commercial locational criteria. Therefore, a Future Land Use Map Amendment to R/O/R is proposed to allow continuation of the existing use.

POSITIVE ASPECTS OF THE APPLICATION

- The proposed Future Land Use designation (R/O/R) is a logical extension of the R/O/R parcels to the east.
- The potential uses under the R/O/R Future Land Use designation are compatible with the surrounding uses.

NEGATIVE ASPECTS OF THE APPLICATION

- The proposed Future Land Use designation allows a wider variety of uses and associated impacts to traffic.
- A site plan has not been included to indicate any potential future changes to the site.

MITIGATING FACTORS OF THE APPLICATION

- The existing use, the lawn mower repair and service business, has been in operation for over 6 years.

PLAN AMENDMENT DETAILED REVIEW

LAND PLANNING ANALYSIS:

1. General Information

The property is located within the county's developing urban core, along the north side of State Road 70 at the northeast corner of the State Road 70 (Principal Arterial - Urban) and 51st Street East (not classified) intersection. The street address is 5103 53rd Avenue East. The site is \pm 1.0 acre.

2. Site and Vicinity Characteristics

The existing use is the Braden River Power Equipment. This business is classified as "Retail Sales, General" according to the LDC. There is a 4,000 \pm square foot building on site.

3. Existing Future Land Use Designations and Zoning

	F.L.U.C.	Zoning
Site	RES-9	A-1
North	RES-3	A-1
East	R/O/R	GC
South	RES-9	RSMH-6
West	R/O/R	A-1

4. Surrounding Land Use

The property to the north is Braden River Park, a Manatee County District Park. The property to the south is the Westwinds Village Mobile Home Park. The property to the east is Shepard's Furniture store and the property to the west is the Florida Highway Patrol Station.

5. Development History

The property was granted Special Exception status (SE-1268) in 1979 for a retail garden nursery in the A-2 (Agricultural Fringe) district. An amendment to the Special Exception was granted to permit a retail lawn and garden center in 1980. The business

became a legal non-conforming use when the property was rezoned to A-1 (Suburban Agricultural) in 1981. The A-1 zoning designation does not allow retail lawn and garden centers, thereby making the business a non-conforming use. The business has changed over time from a lawn and garden center to a lawn mower sales and service business (Braden River Power Equipment). A lawn mower repair and service business is not a principal use in the A-1 zoning district.

The County agreed to initiate this plan amendment as part of the settlement agreement between Manatee County and the owners arising from the Right-of-Way taking process for the widening of State Road 70 (Case No. 95-2480). The Settlement Agreement does not suggest or require any particular action to be taken on this Comprehensive Plan Amendment and, therefore, this proposal should be given the standard review by the Board.

The site does not meet the commercial locational criteria. Therefore, a Future Land Use Map Amendment to R/O/R is proposed to allow continuation of the existing use.

6. Existing & Proposed Public Facilities

The proposed plan amendment will not conflict with existing or planned public improvements. The plan amendment will not adversely affect traffic patterns, congestion, population density, or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, or other public facilities and services will be increased. The applicant is advised that studies (solid waste, waste water, traffic) and additional on-site or off-site improvements may be required as the property is further developed.

The existing use is served by County water and has an on-site septic system. County sewer service is available. State Road 70 is being widened at this time and properties along the roadway are having frontage taken. Approximately 27' of Right-of-Way was taken from the front of the subject property.

The roadway has adequate capacity and is operating at or above the adopted level of service standard "D" at this time. The site is not served by mass transit service (MCAT) at this time.

7. Soils and Topography

The subject site is level and contains the following soil type: 20 - Eugallie fine sand. This is a nearly level, poorly drained soil in broad areas of flatwoods. Slopes are smooth and range from 0 to 2 percent.

8. Flood Prone Areas/S.L.O.S.H./Hurricane Evacuation

According to FEMA Map Number 1204530334 C (dated July 15, 1992), the subject site lies in Zone "X". This zone is an area of minimal flooding, lying outside the 500-year flood plain.

Storm surge inundation levels described by the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) model are ranked from a Tropical Storm as generating the lowest flood water surge, through Category 1 to Category 5 hurricanes, with a Category 5 hurricane generating the highest flood water surge. Based on the 1991 Hurricane Storm Tide Atlas, prepared by the TBRPC, the site is not within any surge zone.

The Manatee County Hurricane Evacuation Plan Map identifies five evacuation areas listed from A to E, with Evacuation Area A to be the first area evacuated and each successive area to be evacuated as storm conditions dictate. The subject parcel is located within Evacuation Area B.

9. Beach Accessibility Evaluation

The subject site is inland, therefore beach access considerations are not applicable.

10. Historic Resources

The site has no known archaeological or historic resources according to An Archaeological Resource Inventory and Archaeological Site Predictive Model for Manatee County, Florida by Piper Archaeology/Janus Research.

11. Habitat for Endangered, Threatened, or Special Concern Species

No endangered, threatened, or species of special concern are known to inhabit the site. The potential appears low for these as well as other species as the site is subject to considerable continuous human intrusion.

12. Other Natural Resources

A review of the Strategic Habitats Maps prepared by the Florida Game & Fresh Water Fish Commission, indicates the site is not within an area of strategic habitat value and contains few biodiversity features. In addition, the site contains no wetlands or critical uplands.

13. Urban Sprawl Re-Analysis

The site is within the South Central County (Subarea C-2) of the Manatee County Land Use Needs Analysis. The proposed plan amendment will transfer 1.0 acre from RES-9 to R/O/R. The R/O/R FLUC limits the potential residential density to 9 dwelling units per acre, the same potential density as the existing RES-9 FLUC. Therefore, there is no effect on the buildout projections.

14. Relationship to Population Projections

The existing use is a commercial business and has no population or residential use currently associated with it. The current FLUC is RES-9 (Residential-9 dwelling units per acre) which allows the potential for residential development. Therefore, the parcel could potentially generate a population of 16 based upon 1.88 persons per dwelling unit. The proposed FLUC (R/O/R) also allows for maximum development of 9 dwelling units per acre, generating the same maximum number of persons.

15. Ability to Meet Housing Needs

The existing use is a commercial business. The subject site has no residential housing currently associated with it. The existing and proposed FLUC's permit residential development at the same density. Therefore, there is no effect on the housing needs projections. Due to the size of the site, location, road widening, and adjacent uses, redevelopment of this site for residential uses is unlikely.

16. Consistency of the Proposed Amendment with the Comprehensive Plan

The proposed plan amendment to R/O/R appears to be consistent with the following policies:

Policy 2.1.3.1, Permit the consideration of new nonresidential development in areas which are internal to, or are contiguous expansions of, existing areas of nonresidential development, if such expansions are compatible with existing and future areas of residential development.

The proposed plan amendment is consistent with this policy as the use and proposed FLUC are contiguous to existing like uses.

Policy 2.2.1.16 and policies beneath, which identifies the intent, range, and density/intensity of potential uses for the R/O/R FLUC.

The proposed plan amendment is consistent with this policy as the existing use corresponds with the intent, range of potential uses (small commercial), and density/intensity (potential 9 units/acre residential and FAR of 0.10) of the proposed FLUC.

Objective 2.6.4, Compatible land uses when adjacent: required compatibility of adjacent land uses following plan adoption.

The proposed plan amendment is a logical extension of the R/O/R to the east. The proposed plan amendment would permit uses that already exist on the subject parcel and adjacent parcels to the east. These potential uses in the R/O/R FLUC are compatible with the surrounding uses and FLUC designation.

Policy 2.10.2.1, Establishes limits, for future land use categories, on the range of commercial uses, and gross building square footage of commercial projects which may be considered for approval to ensure that "scale" of commercial development is generally consistent with surrounding residential character.

The proposed plan amendment would be classified as a Small Commercial Use (±4,000 square feet) and is eligible for consideration in the R/O/R FLUC.

Policy 2.10.2.3.2, Require that all proposed small commercial uses can be directly accessed from at least one roadway shown on the Roadway Functional Classification Map as collector or higher, at time of review for issuance of a Certificate of Use and Density/Intensity Compliance, as described in Policies 2.2.1.2 and 2.2.1.3.

The proposed plan amendment is consistent with this policy as the use is accessed from a roadway, State Road 70, shown on the Roadway Functional Classification Map (Principal Arterial - Urban).

The amendment is also consistent with the mapping methodology established in the Technical Support Document (TSD) of the Comprehensive Plan. The methodology included recognition of existing development on the Future Land Use Map. It appears an oversight in the mapping of this parcel has been demonstrated.

17. COMPREHENSIVE PLAN INFRASTRUCTURE AND LEVEL OF SERVICE ANALYSIS

- A. Traffic Circulation Re-analysis - See attachment #1
- B. Sanitary Sewer Re-analysis - See attachment #1
- C. Potable Water Re-analysis - See attachment #1
- D. Solid Waste Re-analysis - See attachment #1
- E. Drainage Re-analysis - See attachment #1
- F. Mass Transit Re-analysis - See attachment #1
- G. Recreation and Open Space Re-analysis - See attachment #1

ATTACHMENTS:

- 1. Development Review Committee Comments
- 2. Consistency with State Comprehensive Plan
- 3. Settlement Agreement

MANATEE COUNTY PLANNING DEPARTMENT
GROWTH MANAGEMENT SECTION
DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENTS
(941) 749-3070

DATE: SEPTEMBER 26, 1997

PROJECT NAME: RONALD R. BAKER/BURT K ROGERS/COUNTY INITIATED
PA-98-01

SITE ADDRESS 5103 53RD AVE E. S.R. 70

PLANNER: MISTY SERVIA (x)6839

TRANSPORTATION
ENGINEER: HUSHAM ABDULSATTAR (x)6863

CONCURRENCY: MICKI RYAN (x)6904 / ELIZABETH RIBBLE (x)6865

112

[PLEASE NOTE: THESE COMMENTS ARE BASED ON INFORMATION
SUBMITTED AND ARE SUBJECT TO REVIEW AS APPLICABLE]
(FYI: THE ENGINEER ON THIS CASE IS CHRIS MOWBRAY)

CONCURRENCY/TRANSPORTATION RELATED COMMENTS:

- I. This submittal may proceed when the comments listed below and the comments issued by the other DRC members are satisfactorily addressed.

N/A

- II. We offer the following suggestions, comments and concerns for this proposal; however, these do not necessarily require a revision to your application at this time:

S.R. 70/53rd Avenue East, between 301 Blvd. and U.S. 301, is currently undergoing roadway improvement. The existing 2-lanes will be expanded to a 6-lane divided facility. Therefore, based on the scheduled roadway improvements, S.R. 70/53rd Avenue East has adequate capacity and is operating at or above the adopted level of service standard "D" at this time. However, applicant is advised that capacity is not reserved at this stage, nor is capacity guaranteed as being available at time of actual development.

Pursuant to the "Concurrency Transportation Link Sheet" for this segment of SR 70, the generalized tables (valid July 7, 1997 - October 6, 1997) reflect a pm peak hour base/existing count of 1811 trips with 1910 trips currently reserved. To maintain the required Level of Service Standard of "D", the total existing and reserved trips cannot exceed 5000 pm peak hour trips.

BAKER/ROGERS REZONE

E-97-09

PAGE 2

Applicant is advised that studies (solid waste, waste water and/or traffic) may be required as the property is developed.

Additional on-site and/or off-site improvements may be required as the property is developed.

III. General Information

A "Deferral and Acknowledgement of Eventual Requirement for Concurrency Certification" has been received. Applicant is advised that when seeking further development approval(s) for this project, the "Deferral" does not exempt applicant from the requirement for a Certificate of Level of Service Compliance.

If there are any questions pertaining to concurrency and/or transportation, please contact Micki Ryan at 749-3070 extension 6904.

MR

RIGHT-OF-WAY RELATED COMMENTS:

- I. This submittal may proceed when the comments listed below and the comments issued by the other DRC members are satisfactorily addressed.

N/A

- II. We offer the following suggestions, comments and concerns for this proposal; however, these do not necessarily require a revision to your application at this time:

N/A

III. General Information

As designated on the Manatee County Right-of-Way Needs Map in this location, SR 70 requires a right-of-way of 150 feet (75' half-width right-of-way) with the existing half width adjacent to this proposed development of 72 feet north of the centerline.

As this is a state road (SR 70), applicant is advised that additional right-of-way may be required for future roadway improvements. Please contact the Land Acquisition Division of Florida Department of Transportation at (800) 292-3368 for additional information.

If there are any questions pertaining to the right-of-way comments, please contact Micki Ryan at 749-3070 extension 6904.

cc: Concurrency File



MEMORANDUM

DATE: December 19, 1997

TO: John Osborne, Planner
Planning Department

FROM: William C. O'Shea, Environmental Manager *WCO*
Environmental Management Department

SUBJECT: Development Review Comments
Baker Property PA-98-06 (Ord. 58-02)

The Environmental Management Department has reviewed the above referenced proposed Plan Amendment, and offers the following comments:

This proposal is to change the future land use category of 1.0 acres from RLS-9 to ROR. We have no comments to offer at this time.

If you have any questions or comments, please call me at extension 5980.

WCO:hs

cc: Douglas D. Means

MANATEE COUNTY HEALTH DEPT.
410 6th Ave. E., Bradenton, FL. 34208
ENVIRONMENTAL HEALTH SERVICES DEVELOPMENT REVIEW COMMENTS

DATE: 12/19/97

PROJECT NO. PA-98-06

PROJECT NAME: Baker Property

- XX 1. County Water - County Sewer.
- ___ 2. Permit for Water Distribution System is required prior to start of construction.
- ___ 3. Permit for Water Treatment Plant is required prior to start of construction.
- ___ 4. County Water - Private Package Sewage Treatment Plant.
- ___ 5. County Water - Septic Tank.
- ___ 6. Private Well - Septic Tank.
- ___ 7. On-Site Sewage disposal system of adequate size currently being utilized.
- ___ 8. Abandoned septic tanks shall be pumped out, bottoms ruptured, and filled with clean sand or other suitable material (permit required from Manatee County Health Dept. unless permitted by County Public Works).
- ___ 9. Size, type and location of septic system shall be based on site survey, soil log and plan review conducted by this department or a Florida Registered Engineer.
- ___ 10. 75 feet separation between private potable well and septic system.
- ___ 11. 100 feet separation required between limited use public potable well and the septic system.
- ___ 12. 200 feet separation required between public potable well and the septic system.
- ___ 13. Any existing wells to be located, the casing extended above existing grade, marked and capped for future use.
- ___ 14. When lake water is utilized for landscape irrigation, a separate color-coded irrigation system shall be installed & written information stating that "the water is not for human consumption" shall be provided to the residents.
- ___ 15. All wells in the area to be developed/excavated shall be identified by the engineer of record and plugged with neat cement from bottom to top by a Florida Licensed Well Driller prior to development or excavation.
- ___ 16. All requirements of Chapter 10D-13, F. A. C. shall be met prior to approval/licensure as a public food service establishment.
- ___ 17. Any food service, e.g., coffee sales, requires installation of a three-compartment sink and separate hand washing sink.

- ___ 18. Adequate sanitary facilities shall be provided on a business per business basis.
- ___ 19. Adequate sanitary facilities shall be/have been provided for employees/patrons.
- ___ 20. Any food service facility for the consumption of food on the premises shall have a urinal in the men's room, in addition to the toilet and hand washing sink.
- ___ 21. Adequate sanitary facilities, e.g., portable toilets, shall be provided for employees.
- ___ 22. Inspection and approval is required from Dept. of Agriculture and Consumer Services, Bureau of Food & Meat Inspection, Lab Complex M-A, 3125 Conner Blvd., Tallahassee, FL 32399-1650, Ph: 904-488-3951 or 1-800-435-7352.
- ___ 23. Inspection and approval is required from Dept. of Business & Professional Regulations, Restaurant Program, 4100 Center Pointe Dr., Suite 107, Ft. Myers, FL 33916, Ph: 813-278-7355 or 1-800-226-7359.
- ___ 24. A properly sized grease interceptor of not less than 750 gallon capacity shall be located external to the structure.
- ___ 25. Dumpster unit shall be located on a curbed and elevated concrete pad, sloped to a drain, equipped with a grit interceptor with a removable bucket, connected to sanitary sewer, and equipped with a hose bibb on site.
- ___ 26. Industrial wastes are to be handled in accordance with all Federal, State, and Local Regulations.
- ___ 27. A grease-grit interceptor shall be provided.
- ___ 28. Waste water from car wash shall be handled as specified by Manatee County Environmental Management Department.
- ___ 29. Fuel tanks shall be registered with the Department of Environmental Management and comply with Chapters 17-761 and 17-762, F.A.C.
- ___ 30. To facilitate handling and maintenance, dumpster units shall be placed on concrete pads, the locations to be reviewed by Manatee County Public Works Dept.
- ___ 31. Disposal of biohazardous/biomedical waste shall be in accordance with Chapter 10D-104, F.A.C.
- ___ 32. Florida Administrative Code requires adequate sanitary facilities be provided in recreational areas.
- ___ 33. Swimming pools shall meet the standards in Chapter 10D-5, F.A.C.
- ___ 34. All requirements of Chapter 10M-12, F.A.C., shall be met prior to licensure as a Day Care Center.

- 35. Inspection and approval required from Health Care Administration, 7827 N Dale Mabry, Tampa, FL, prior to licensure, (e.g., nursing homes, ACLFs) 813-975-4255
- 36. Inspection and approval required from Department of Children & Families, 3536th Ave West, Bradenton, FL 34205, Phone number 941-741-3140
- 37. Aircraft hangers: There will be no mechanical work performed at the location, nor retail sales.
- 38. A hair strainer shall be provided in the sink.
- 39. Water, sewer, and sanitary facilities are not required in electronic switching stations with no permanent or part-time employees.
- XX 40. Rezone: This 1 acre(s) to be rezoned to R/O/R. Future use of the property shall conform to all aspects of the Florida Administrative Code with respect to sanitary sewage disposal and water supply.
- 41. Additional Comments:

Signed:



Gary Cochran
Environmental Specialist II

(DRC)

CONSISTENCY OF THE LOCAL COMPREHENSIVE
PLAN AMENDMENT WITH THE STATE
COMPREHENSIVE PLAN

NOTE: All State goals and policies taken from Chapter 187.201, Florida Statutes.

PA(EAR)-98-06 (Manatee County Ordinance 98-02)

The proposed amendment is consistent with the following goals and policies of the State Comprehensive Plan:

Chapter 187.201 (16)(a)
(18)(a)
(18)(b)(2)
(20)(b)(14)

ATTACHMENT #2



Office of
**MANATEE COUNTY
ATTORNEY**

* Board Certified City, County & Local Government Law

Teddy N. Williams, Jr., County Attorney
Paul G. Bangsi, Senior Assistant County Attorney *
Mark P. Barneby, Senior Assistant County Attorney *
William C. Henry, Senior Assistant County Attorney for Risk Management
Patricia McVoy, Senior Assistant County Attorney *
Mitchell O. Palmer, Senior Assistant County Attorney
Jeffrey N. Steinsnyder, Senior Assistant County Attorney *

September 9, 1997

By hand-delivery

MEMORANDUM

TO: Robert Pederson, Planning Department

FROM: Mitchell O. Palmer, Senior Assistant County Attorney *MOP 9/9/97*

RE: Manatee County v. Burt K. Rogers, et al., Case No. CA 95-2480;
eminent domain: County-initiated rezone of Baker property

Enclosed, for your files, is a copy of the Stipulated Final Judgment entered by Circuit Judge Paul Logan on August 26, 1997, in the above matter. Part II of the Judgment is that which concerns your Department.

In accordance with the Judgment, please promptly commence a County-initiated proposed rezone of the subject property, from A-1 to GC.

If I can provide you with any additional necessary information, please let me know.

MOP/kc
Enclosure

cc: Carol B. Clarke, AICP, Director, Planning Department
Mark A. Nelson, Esquire

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA

Filed: 5/1/95
Manatee County, Florida
Case No. CA-95-2480

Date: 5/1/95
Time: 1:30
By: J. S. [unclear]
- Rec'd by: [unclear]
- Rec'd by: [unclear]
- Rec'd by: [unclear]

MANATEE COUNTY, a political
subdivision of the State of
Florida,

Petitioner,

v.

BURT K. ROGERS, et al.,

Defendants.

Case No. CA-95-2480

EMINENT DOMAIN PROCEEDING

Parcel 111

STIPULATED FINAL JUDGMENT

THIS CAUSE having come on upon joint motion for the entry of this Stipulated Final Judgment made by the Petitioner and the Defendant set forth hereinbelow, and it appearing to the Court that the parties were authorized to enter into such stipulation and the Court finding that the compensation to be paid by the Petitioner is full, just and reasonable, and the Court being fully advised in the premises, it is therefore,

ORDERED AND ADJUDGED

PART I

That the Defendant RONALD R. BAKER shall have and recover of and from the Petitioner the aggregate sum of \$125,000.00 in full payment for Parcel 111, and for damages resulting to the remainder, if less than the entire property was taken, and for all other claims or damages of any nature, including statutory interest, but excluding attorney's fees, costs and expenses.

IT IS FURTHER ORDERED that by virtue of the Defendant's previous motion to Withdraw Funds and the Defendant's previous receipt of the sum of \$38,054.00, Final Judgment is hereby entered for the difference of \$86,946.00, for which let execution issue.

PART II

That the Petitioner has agreed to and shall expeditiously initiate and process, in good faith, a proposed rezone of the Defendant's remaining property which is the subject of this action, from its current zoning designation of A-1 (Suburban Agricultural) to GC (General Commercial), at no cost to Defendant BAKER.

PART III

IT IS FURTHER ORDERED that, pursuant to Section 73.092, Florida Statutes (1995), the law firm of Harlee, Porges, Hamlin, Knowles, Bald & Prouty, P.A. shall have and recover of and from the Petitioner the aggregate sum of \$29,352.18 for attorney's fees (including a fee for nonmonetary benefits), for which let execution issue.

PART IV

IT IS FURTHER ORDERED that the Court reserves jurisdiction for the purpose of taxing the Defendant's reasonable costs and expenses against Petitioner MANATEE COUNTY.

PART V

IT IS FURTHER ORDERED that the Order of Taking entered by the Court on October 3, 1995, is hereby reconfirmed.

PART VI

IT IS FURTHER ORDERED that the Petitioner's satisfaction of the monetary aspect of this Judgment shall be by way of a check in the amount of \$116,298.13, payable to Trust Account of Harlee, Porges, Hamlin, Knowles, Bald & Prouty, P.A., for appropriate distribution. Said check shall be delivered within thirty (30) days of the Petitioner's receipt of a fully executed copy of this Stipulated Final Judgment

DONE AND ORDERED in chambers at the Manatee County Courthouse, Bradenton, Florida, this 26 day of Aug 1997


CIRCUIT COURT JUDGE

MOTION

The parties, by and through the undersigned, respectfully move for entry of the foregoing Stipulated Final Judgment.



MITCHELL O. PALMER
Senior Assistant County Attorney
P. O. Box 1000
Bradenton, Florida 34206
(941) 746-3750
Attorney for Petitioner
Manatee County, Florida
Florida Bar No. 351873

Dated: 8/22/97



MARK A. NELSON, Esquire
Harlee, Porges, et al.
P. O. Box 9520
Bradenton, Florida 34206
(941) 748-3770
Attorney for Defendant
Ronald R. Baker
Florida Bar No. 705799

Dated: 8/25/97

Copies furnished to:
Mitchell O. Palmer, Esquire
Mark A. Nelson, Esquire

ORDINANCE 98-02

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN: PROVIDING FOR A SMALL SCALE AMENDMENT TO THE FUTURE LAND USE MAP (SHEET 19) FROM RES-9 (RESIDENTIAL, 9 DU/ACRE) TO R/O/R (RETAIL/OFFICE/RESIDENTIAL) FOR CERTAIN LAND LOCATED AT 5103 53RD AVENUE EAST, CONSISTING OF ± 1.0 ACRES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes empowers the Board of County Commissioners of the County of Manatee to prepare and enforce comprehensive plans for the development of the county; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, titled "The Local Government Comprehensive Planning and Land Development Regulation Act," empowers and requires the Board of County Commissioners of the County of Manatee (a) to plan for the county's future development and growth, (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the county, (c) to implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations, and (d) to establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of said Act; and

WHEREAS, Manatee County Ordinance 89-01 was adopted pursuant to general law for the purpose of providing a framework for land use and development in the unincorporated area of Manatee County; and

WHEREAS, Sections 163.3184 and 163.3187, Florida Statutes, titled "Process for Adoption of Comprehensive Plan or Amendment Thereto," and "Amendment of Adopted Comprehensive Plan," respectively, empowers the local government to develop and adopt comprehensive plan amendments; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, as amended, empowers the local government to adopt small scale amendments, waiving the objections, recommendations and comments review; and

WHEREAS, the proposed amendment encompasses 10 acres or less and meets the requirements to qualify for adoption as small area plan amendment under Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Manatee County Planning Commission has been established pursuant to Manatee County Ordinance 90-01; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the Board of County Commissioners of the County of Manatee, Florida by Ordinance 90-01 duly designated said Planning Commission as the Local Planning Agency for the unincorporated area of Manatee County; and

WHEREAS, the Manatee County Planning Commission, empowered by the above cited laws and ordinances, considered an amendment to the Manatee County Comprehensive Plan, altering Sheet 19 of the Future Land Use Map in the Future Land Use Element, as referenced in the Title of this ordinance, in order to more adequately address Manatee County's future development and growth; and

WHEREAS, the minimum statutory and plan administration requirements for public participation have been met or exceeded; and

WHEREAS, on February 12, 1998, the Manatee County Planning Commission, after due public notice, held a public hearing to consider the amendment, and forwarded its recommendation to the Board of County Commissioners as required by law; and

WHEREAS, after due public notice, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing on February 24, 1998 to consider the amendment and adopted the amendment in accordance with Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Board of County Commissioners further considered all oral and written comments received during said public hearings, including appropriate changes to the Technical Support Document as needed, and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners has determined that the growth and development provisions initially approved are no longer appropriate because an oversight has been demonstrated from the right-of-way taking process for the widening of State Road 70; and

WHEREAS, the land uses in the R/O/R (Retail/Office/Residential) Future Land Use Category of the proposed plan amendment have been found by the Board of County Commissioners to be generally compatible with other land uses in the area; and found to be consistent with the goals, objectives, and policies of the Comprehensive Plan; and

WHEREAS, in exercise of said authority, the Board of County Commissioners of the County of Manatee has determined it necessary and desirable to adopt said amendment of the comprehensive plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest, overcome present deficiencies and deal effectively with future problems that may result from the use and development of land within Manatee County; and

WHEREAS, the Technical Support Document for the Manatee County Comprehensive Plan includes background material and justification for the amendment to the Comprehensive Plan; and

WHEREAS, all applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to Chapter 163, Florida Statutes, and the Plan Format and Administration Section of the Manatee County Comprehensive Plan; and

WHEREAS, this Plan Amendment has been adopted pursuant to the alternative process for amendment of an adopted Comprehensive Plan as provided in Section 163.3189, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County that:

Section 1. Purpose and Intent

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out, in the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended. The amendment has been determined to be an oversight consistent with the above referenced Florida Statutes.

Section 2. Findings:

Based upon the findings made relative to this proposed map amendment to the Comprehensive Plan, it has been determined that the existing Future Land Use Map sought to be amended is no longer in the best interest of the public and should be amended as described in Section 3 below.

Section 3. Map Amendment:

The Manatee County Comprehensive Plan, Ordinance 89-01, shall be amended by changing the Future Land Use classification of the property, generally shown on the map as Attachment "A" hereto, and more specifically identified below in this Section 3, from RES-9 (Residential, 9 du/acre) to R/O/R (Retail/Office/Residential). The legal description of the property affected is more particularly described as follows:

Legal Description:

THE W 155 FT OF ALL THAT PART OF N 1/2 OF SEC 15, LYING N OF ONECO-ARCADIA RD & W OF BRADEN RIVER LESS RD R/W DESC IN DB 309 P 365 & DB 379 P 545 AS DESC IN (969/1131); ALSO LESS: PARCEL 111; COM AT THE NW COR OF SD SEC 15; TH ALG THE W BDRY OF SD SEC 15, S 00 DEG 24 MIN 04 SEC W, 285.48 FT TO THE N EXSTG R/W LN FOR SR 70 (PER 1316-101) FOR A POB; TH ALG SD W BDRY N 00 DEG 24 MIN 04 SEC E, 49.04 FT; TH S 48 DEG 45 MIN 39 SEC E, 35.83 FT; TH N 87 DEG 56 MIN 12 SEC E, 128.01 FT; TH S 00 DEG 24 MIN 04 SEC W, 26.69 FT TO SD N EXSTG R/W LN & TO THE BEG OF A CURVE CONCAVE NLY; TH ALG SD N EXSTG R/W LN, THE ARC OF SD CURVE TO THE RIGHT, HAVING A RAD OF 11414.16 FT, A C/A

OF 00 DEG 46 MIN 42.2 SEC. AN ARC LENGTH OF 155.06 FT. THE CHORD FOR WHICH BEARS S 88 DEG 45 MIN 58 SEC W. TO THE END OF SD CURVE & TO THE POB. CONT 4323 SF.

Section 4. Severability:

If any part, section, subsection, or other portion of this Ordinance, or any application thereof to any person or circumstance is declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect. The Board declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision or application.

Section 5. Effective Date:

The effective date of this small scale development plan amendment shall be 31 days after adoption unless the amendment is challenged pursuant to Section 163.3187(3), F.S. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Community Affairs, or the Administration Commission, finding the amendment in compliance with Section 163.3184, F.S.

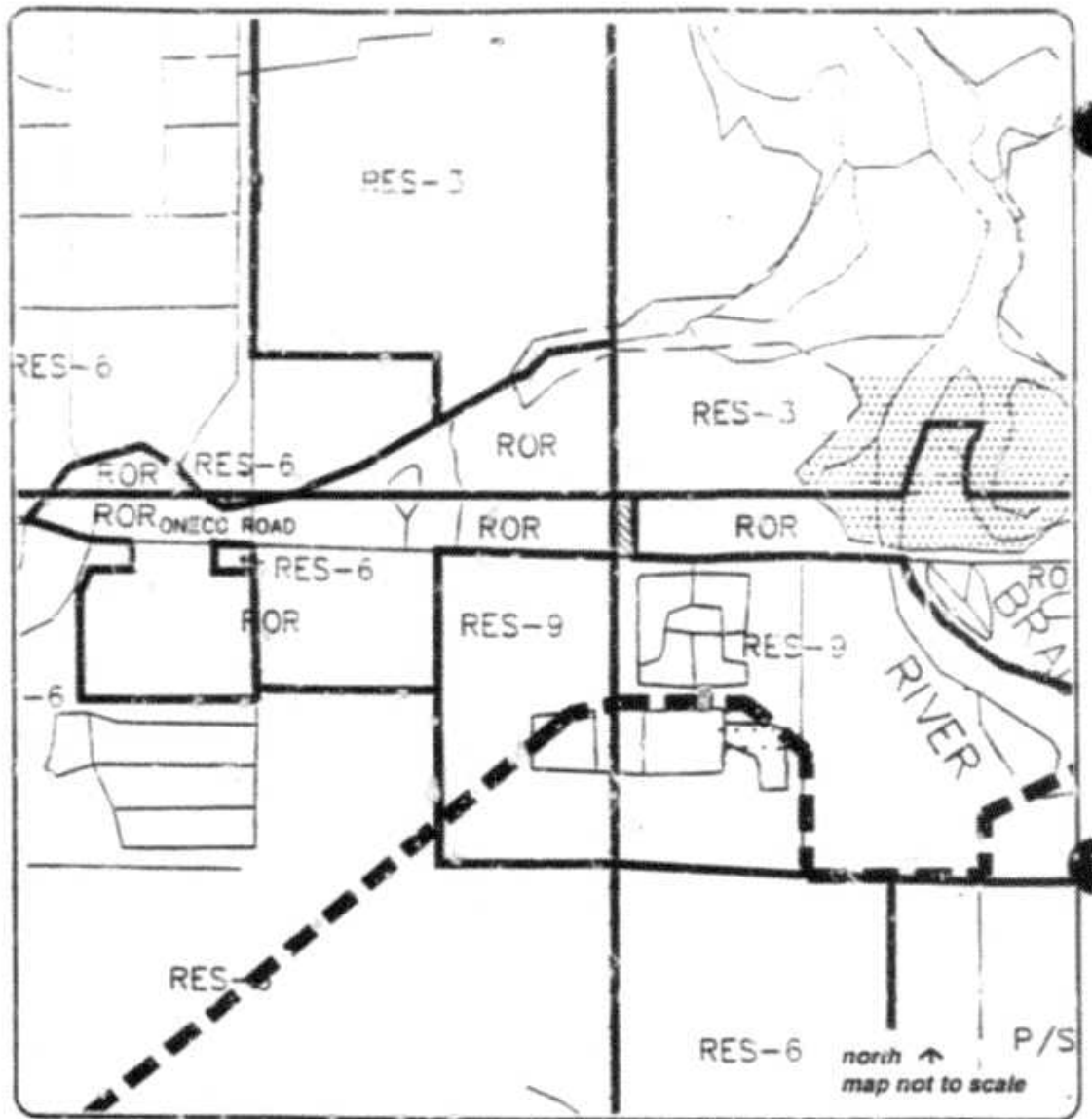
PASSED AND DULY ADOPTED, with a quorum present and voting this 24th day of February, 1990.

**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: _____
Chairman



ATTEST: R. B. SHORE
Clerk of the Circuit Court

By: _____



Future Land Use Map

Future Land Use Map
Sheet No. 19

 EXISTING CATEGORY
 RES-9
 PROPOSED CATEGORY
 ROR

SECTION - TOWNSHIP-RANGE
15-35-18

CASE NO.

PA-98-01 ORD. 98-02

REQUESTED BY:

COUNTY INITIATED

PROPERTY OWNER(S):

RONALD R. BAKER/BURT K. ROGERS

COMMISSIONER:

BRUCE

TAX ID.

173201005

ACRES
± 1

site
location
map



REVISED RECOMMENDED MOTIONS:

- #1. Ordinance 98-02 (PA-98-01) - County Initiated/Ronald R. Baker & Burt K. Rogers

I move to CONTINUE the public hearing for Ordinance 98-02 (PA-98-01) to March 24, 1998 at 9:00 a.m., or as soon thereafter as same may be heard, in these Chambers.

- #2. Z-97-09 - County Initiated/Ronald L. Baker & Burt K. Rogers

I move to CONTINUE the public hearing for Z-97-09 to April 28, 1998 at 9:00 a.m., or as soon thereafter as same may be heard, in these Chambers.

- #5. PDGC-97-01(Z) - Bradenton Country Club

REVISED RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, I move to ADOPT Manatee County Zoning Ordinance No. PDGC-97-01(Z) with stipulation #1,

AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND
NOTIFICATION BY U.S. MAIL TO CONTIGUOUS PROPERTY OWNERS

STATE OF FLORIDA

COUNTY OF MANATEE

BEFORE ME, the undersigned authority, personally appeared JOHN OSBORNE, who, after having first been duly sworn and put upon oath, says as follows:

1. That he/she is the MANATEE COUNTY EMPLOYEE (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Comprehensive Plan No. Ordinance 98-02 (PA-98-01) - Ronald L. Baker/Burt K. Rogers (County Initiated), to be heard before the Manatee County Planning Commission at a public hearing to be held on February 12, 1998, and to be heard before the Manatee County Board of County Commissioners at a public hearing to be held on February 24, 1998 and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein, and they are true to the best of his/her knowledge, information and belief.

2. That the Affiant has caused the required public notice sign to be posted pursuant to Manatee County Ordinance No. 90-01, on the property identified in said application, and said sign was conspicuously posted 5 feet from the front property line on the 28 day of January, 1998.

3. That the Affiant has caused the mailing of the required letter of notification to contiguous property owners pursuant to Manatee County Ordinance No. 90-01, by U.S. Mail, on the ___ day of ___, 1998, and attaches hereto, as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice.

4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01, as it relates to the required public notice may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.

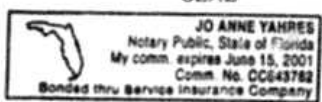
[Signature]
Property Owner/Agent Signature

SIGNED AND SWORN TO before me on January 30, 1998 (date)
by JOHN OSBORNE (name of
affiant). He is personally known to me or has produced _____ (type
of identification) as identification and who did take an oath.

[Signature]
Signature of Person Taking Acknowledgement

JO ANNE YAHRES
Type Name

NOTARY PUBLIC
Title or Rank



My Commission Expires:

Serial Number, if any

Commission No.:

**AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND
NOTIFICATION BY U.S. MAIL TO CONTIGUOUS PROPERTY OWNERS**

STATE OF FLORIDA

COUNTY OF MANATEE

BEFORE ME, the undersigned authority, personally appeared LETTIE WILLIS, who, after having first been duly sworn and put upon oath, says as follows:

1. That he/she is the MANATEE COUNTY EMPLOYEE (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Comprehensive Plan No. Ordinance 98-02 (PA-98-01) - Ronald L. Baker/Burt K. Rogers (County Initiated), to be heard before the Manatee County Planning Commission at a public hearing to be held on February 12, 1998, and to be heard before the Manatee County Board of County Commissioners at a public hearing to be held on February 24, 1998 and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein, and they are true to the best of his/her knowledge, information and belief.

2. That the Affiant has caused the required public notice sign to be posted pursuant to Manatee County Ordinance No. 90-01, on the property identified in said application, and said sign was conspicuously posted feet from the front property line on the day of , 1998.

3. That the Affiant has caused the mailing of the required letter of notification to contiguous property owners pursuant to Manatee County Ordinance No. 90-01, by U.S. Mail, on the 25 day of JANUARY, 1998, and attaches hereto, as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice.

4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01, as it relates to the required public notice, may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.



Property Owner/Agent Signature

SIGNED AND SWORN TO before me on January 30, 1998 (date)
by LETTIE WILLIS (name of affiant). He/she is personally known to me or has produced _____ (type of identification) as identification and who did take an oath.



Signature of Person Taking Acknowledgement

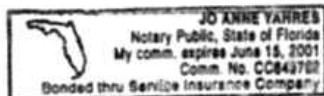
JO ANNE YARBROS

Type Name

NOTARY PUBLIC

Title or Rank

SEAL



My Commission Expires:

Serial Number, if any

Commission No.:

Address List Verification Report

17343.0500/4	ACIERSTI, DANIEL E * RS	5316 53RD AVE E #02	BRADENTON, FL 34203	ONTARIO HWY 566	CANADA
17343.0625/9	AIKEN, ELISE RS	5316 53RD AVE E #013	BRADENTON, FL 34203	ONTARIO L6Y 4V1	CANADA
17343.1900/4	ALBERT, JOSEPH V	5316 53RD AVE E #018	BRADENTON, FL 34203		
17343.1975/2	ALBERT, CATHERINE E	5316 53RD AVE E #034	BRADENTON, FL 34203		
17343.1900/5	ALLEN, RICHARD F * TE RS	5316 53RD AVE E #017	BRADENTON, FL 34203		
17343.1750/4	ANGLUT, DONALD *	P O BOX 202	ORLANDO, IN 46776-0202		
17343.0885/9	ANDRE, JACK E * TE RS	5316 53RD AVE E #142	BRADENTON, FL 34203-5606		
17343.1095/4	ANDRES, OTTO J * TE RS	2350 BRIDLETON CIR Apt 13	BRADENTON, FL 34203-5606		
17343.0175-3	ANDREWS, CLARENCE J * TE RS	39 VIVIAN CRESCENT	S' BRISBACH		
17343.1120/4	APPL, NICHOLAS	5316 53RD AVE E #116	BRADENTON, FL 34203		
17343.1010/4	ARBITAGE, MARY H	5316 53RD AVE E #019	BRADENTON, FL 34203		
17343.1145/7	ARNOUD, NORVAL D * TE RS	5316 53RD AVE E #121	BRADENTON, FL 34203		
17343.1325/5	ARONOFF, ELIZABETH E RS	5316 53RD AVE E #014	BRADENTON, FL 34203		
17343.0105/2	BAICO, GERALD F * TE RS	5316 53RD AVE E #019	BRADENTON, FL 34203		
17343.1355/2	BAIRD, THEODORE C	5316 53RD AVE E #020	BRADENTON, FL 34203		
17343.1505/6	BAKER, JAMES E * TE RS	5316 53RD AVE E #020	BRADENTON, FL 34203		
17343.0505/4	BANKER, ROBERT J	5316 53RD AVE E #020	BRADENTON, FL 34203		
17343.0940/2	BARNET, CHARLES * TE RS	5316 53RD AVE E #06	BRADENTON, FL 34203		
17343.1015/2	BARTON, FLORENCE J	5316 53RD AVE E #013	BRADENTON, FL 34203		
17343.1745/4	BEHRENDORF, MARTIN R	5316 53RD AVE E #08	BRADENTON, FL 34203		
17343.1300/0	BELLING, ACRES H	5316 53RD AVE E #025	BRADENTON, FL 34203		
17343.0610/1	BELL, ERIC E	5316 53RD AVE E #08	BRADENTON, FL 34203		
17343.1295/0	BEUBER, BEATRICE V	44 WEBSTER RD	BRADENTON, FL 34203		
17343.0650/7	BISSONNETTE, CHARLES J * TE RS	5316 53RD AVE E #017	BRADENTON, FL 34203		
17343.1585/4	BLACK, VIRGINIA L	51 BIRCHMOUNT PL #014	ACTION		
17343.1050/9	BLAIR, JAMES * TE RS	5316 53RD AVE E #047	BRADENTON, FL 34203		
17343.0245/6	BLANK, ELI * TE RS	5316 53RD AVE E #022	BRADENTON, FL 34203		
17343.2155/5	BIZZARDI, WILLARD E * TE RS	5316 53RD AVE E #02	BRADENTON, FL 34203		
17343.1715/7	BOEREMA, JOHN P * TE RS	5316 53RD AVE E #02	BRADENTON, FL 34203		
17343.0440/0	BOERER, JOHN P * TE RS	5316 53RD AVE E #02	BRADENTON, FL 34203		
17343.1775/1	BOEREMA, KENNETH V	5316 53RD AVE E #014	BRADENTON, FL 34203		
17343.0465/0	BOES, ELEANORE P	5316 53RD AVE E #19	BRADENTON, FL 34203-5608		
17343.1085/5	BOEFJ, ELEANORE P	5316 53RD AVE E #19	BRADENTON, FL 34203		
17343.2140/7	BOHNETT, LEE W * TE RS	5316 53RD AVE E #242	BRADENTON, FL 34203		
17343.1175/4	BOHN, EDWARD * TE RS	5316 53RD AVE E #24	BRADENTON, FL 34203		
17343.1540/9	BOESVOLD, DR. V O L * TE RS	708 ST JOSEPH	SUTTON BAY, MI 49682		
17343.1605/0	BOGDANOW, MAURICE L * TE RS	10816 FOREST BLVD DR	BRADENTON, FL 34202-0742		
17343.1620/9	BOGDANOW, DONORIT	5316 53RD AVE E #012	BRADENTON, FL 34203		
17343.0665/5	BROWN, JOHN T * TE RS	5316 53RD AVE E #06	BRADENTON, FL 34203		
17343.1795/9	BUTLERA, LEO SR * TE RS	5316 53RD AVE E #19	BRADENTON, FL 34203		
17343.1795/9	BYRNS, RAYMOND W * TE RS	5316 53RD AVE E #018	BRADENTON, FL 34203		
17343.1220/2	CADIGLAINI, MARIO * TE RS	5316 53RD AVE E #05	BRADENTON, FL 34203		
17343.0560/8	CALKINS, EVERETT R * TE RS	5316 53RD AVE E #014	BRADENTON, FL 34203		
17343.0930/3	CHAIK, EVELYN M	5316 53RD AVE E #04	BRADENTON, FL 34203		
17343.0855/2	CLARK, CHARLES ROBERT * TE RS	5316 53RD AVE E #04	BRADENTON, FL 34203		
17343.1145/1	CLARK, DONALD G * TE RS	5316 53RD AVE E #156	BRADENTON, FL 34203-5607		
17343.0190/4	COBB, CLELLAND T * TE RS	5316 53RD AVE E #07	BRADENTON, FL 34203		
17343.1245/5	COLE, JAMES A * TE RS	5316 53RD AVE E #A36	BRADENTON, FL 34203		
17343.0950/1	COONAN, CARL W TR	5316 53RD AVE E #218	BRADENTON, FL 34203		
17343.0770/3	CRANES, MARGARET L	2859 WELLSBORO RD	COLUMBUS, OH 43221		
17343.1625/8	CRANSON, A LEON I	5316 53RD AVE E #719	BRADENTON, FL 34203		
17343.0670/5	CRISMAN, MORRIS B	5316 53RD AVE E #07	BRADENTON, FL 34203		
17343.1565/6	CREWELL, EDUARDO RS *	REBECCA DANCROT	10890 EAST ROYAL RD		
17343.1475/8	DALRY, JAMES H * TE RS	5316 53RD AVE E #013	BRADENTON, FL 34203		
17343.0975/8	DANON, DORIS M	5316 53RD AVE E #05	BRADENTON, FL 34203		
17343.1265/3	DAVIS, ARTHUR S JR * TE RS	6101 36TH ST W #55H	BRADENTON, FL 34210		
17343.0907/5	DAVIS, MARY A * TE RS	5316 53RD AVE E #746	BRADENTON, FL 34203		

STANWOOD, MI 39546

17343.0460/1 DAVIS, WILLIAM E JR 516 53RD AVE E #C17 BRADENTON, FL 34203
 17343.0465/8 DAVIS, WILLIAM E JR 516-53RD AVE E #C17 BRADENTON, FL 34203
 17343.0520/2 DAUSON, RICHARD T 719 S WILLOW AVENUE TAMPA, FL 33606
 17343.1000/4 DICKINSON, HARRY C • TE RS 5316 53RD AVE E #B10 BRADENTON, FL 34203
 17343.1855/1 DOOG, ROBERT S • TE RS 5316 53RD AVE E #D108 BRADENTON, FL 34203
 17343.0415/5 DOLAN, LAWRENCE W • TE RS 5316 53RD AVE E #C1 BRADENTON, FL 34203
 17343.1655/5 DONALDSON, CHARLES R • TE RS 5316 53RD AVE E #C6 BRADENTON, FL 34203
 17343.1575/5 DORAN, FRANCIS R • TE RS 706 OTTISCO ST STYACUSE, NY 13204
 17343.0340/5 DODDALL, EUGENE P • TE RS 5316 53RD AVE E #M15 BRADENTON, FL 34203
 17343.0730/7 DODDALL, EUGENE P • TE RS 5316 53RD AVE E #B16 BRADENTON, FL 34203
 17343.0850/3 DRUMSTA, LORETTA M 5316 53RD AVE E #F11 BRADENTON, FL 34203-5602
 17343.0070/8 EDIE, SPENCER • TE RS 3410 38TH AVE E BRADENTON, FL 34208
 17343.0800/8 FLETCHER, CHESTER • TE RS 5316 53RD AVE E #A12 BRADENTON, FL 34203
 17343.1370/1 ELEY, FERNAN R • TE RS 2651 S COOL RD #1 6 CRIDERSVILLE, OH 45806
 17343.1395/8 EYOLFSON, LOBNI D 5316 53RD AVE E #K23 BRADENTON, FL 34203
 17343.0225/8 FARRER, JOSEPH • TE RS 5316 53RD AVE E #K28 BRADENTON, FL 34203
 17343.0185/4 FICHI, WILLIAM A • TE RS 5316 53RD AVE E #A43 BRADENTON, FL 34203
 17343.0315/7 FISCHER, HARRY N • TE RS 5316 53RD AVE E #A-35 BRADENTON, FL 34203
 17343.0265/4 FISCHER, LOREN L 51 ISLINGTON AVE KITCHENER
 17343.0680/4 FLINT, ALICE M LE 5316 53RD AVE E #B1 BRADENTON, FL 34203
 17343.0545/9 FLORIAN, DUANE L CO-TR FLOREN, LOIS J BRADENTON, FL 34203
 17343.1285/1 FRIEMAN, HERBERT W • TE RS 5316 53RD AVE E #B10 BRADENTON, FL 34203
 17343.0575/6 FRANCO, ANDREU J RS BRADENTON, FL 34203
 17343.2145/4 FRELAND, MARTELLEN 5316 53RD AVE E #C1 BRADENTON, FL 34203
 17343.0675/4 FRISCH, DOBIS B TR 5316 53RD AVE E #C23 BRADENTON, FL 34203
 17343.0920/4 FULLER, ALFRED J 10 DECKER BLVD BRADENTON, FL 34203
 17343.0390/0 GAULIARDY, DAVID R • TE RS 5316 53RD AVE E #C5 BRADENTON, FL 34203
 17343.0935/2 GAGNON, ROGER F • TE RS 3307 21ST AVE W BRADENTON, FL 34203
 17343.0040/9 GARLOCK, ILENE W 5316 53RD AVE E #C2 BRADENTON, FL 34203
 17343.0755/4 GEM, DOLORES M 5316 53RD AVE E #A9 BRADENTON, FL 34203
 17343.0755/4 GELINEAU, LUCIEN F • TE RS 5316 53RD AVENUE E #F-16 BRADENTON, FL 34203
 17343.0550/9 GIGLIERE, LEOPALD 5316 53RD AVE E #16 BRADENTON, FL 34203
 17343.1070/7 GIBNER, TROMAULD 115 PINE BLUFFS BRADENTON, FL 34203
 17343.0180/5 GLASSNER, JOHN D • TE RS 18 OAKRIDGE DRIVE ROSCOMMON, MI 48853
 17343.1710/8 GOODKIND, LION D JR • TE RS 1010 VILLAGE GREEN PKWY GRABBY, CT 06603
 17343.1275/2 GOODWIN, RALPH C TR 5316 53RD AVE E #F9 BRADENTON, FL 34203-4049
 17343.0720/8 GREEN, RALPH E 5316 53RD AVE E #B10 BRADENTON, FL 34203
 17343.0350/4 GREEN, WERTON D • TE RS 40 TERRY ST APT 1-E PATSCOUE, NY 11772
 17343.1085/6 GREGORY, LILLIAN N FIVE ISLANDS GEORGETOWN, ME 04548
 17343.0900/6 GROVER, RETNOLD S 5316 53RD AVE E #Z81 BRADENTON, FL 34203
 17343.2150/6 GRUBB, CARL E 5316 53RD AVE E #B12 BRADENTON, FL 34203
 17343.0320/7 HAGERROST, HAZEL 5316 53RD AVE E #A16 BRADENTON, FL 34203
 17343.1870/0 HANBY, DELMAR E TE RS • P O BOX 113 ONTARIO, FL 34264
 17343.0870/1 HARNER, JOHN T 5316 53RD AVE E #F30 BRADENTON, FL 34203
 17343.1440/2 HARRIE, ANNA CLAIRE 3019 14TH ST NW CANTON, OH 44708
 17343.0355/5 HARRIS, DONALD F • TE RS 5316 53RD AVE E #B15 BRADENTON, FL 34203
 17343.1090/5 HARVEY, MYRTLE M LE 5316 53RD AVE E #110 BRADENTON, FL 34203
 17343.2155/7 HEAVRIN, VIOLA V 5316 53RD AVE E UNIT #ZA1 BRADENTON, FL 34203
 17343.0280/3 HEZLETION, LORETTA M 5316 53RD AVE E #B4 BRADENTON, FL 34203
 17343.1785/0 HIEBER, CHRISTEL J TR 5316 53RD AVE E #C16 BRADENTON, FL 34203
 17343.0840/4 HIEBER, ALBERT J • TE RS 5316 53RD AVE E #F33 BRADENTON, FL 34203
 17343.0880/0 HIGGINS, DALE W • TE RS 5316 53RD AVE E #F41 BRADENTON, FL 34203
 17343.1365/1 HIGGINS, DALE W • TE RS 505 ELK DR BRADENTON, FL 34203
 17343.0540/0 HIGGINS, DONALD A • TE RS 5316 53RD AVE E #D10 BRADENTON, FL 34203
 17343.1205/9 HOFF, PETER W • TE RS 5316 53RD AVE E #J10 BRADENTON, FL 34203
 17343.0805/7 HOFF, DONNA J LE 5316 53RD AVE E #F26 BRADENTON, FL 34203-5606
 17343.1320/6 HOLT, DOLCHES A BRADENTON, FL 34203

17343.0290/2	WOOD, ROBERT J • TE RS	5316 53RD AVE E #86	BRADENTON, FL 34203
17343.0970/9	WORKINS, ELMER E • TE RS	5316 53RD AVE E #84	BRADENTON, FL 34203
17343.1659/9	WOTT, JOSEPH F • TE RS	5316 53RD AVE E #111	BRADENTON, FL 34203
17343.1101/2	WILBERT, RICHARD H • TE RS	127 WEIR CREEK	W HILL
17343.1160/3	WIRT, HENRY J • TE RS	5316 53RD AVE E #26	BRADENTON, FL 34203
17343.1255/4	WUTCHINSON, DONALD R • TE RS	25 REDWOOD AVE	CAMBRIDGE, ONTARIO N3C 2S3 CAN
17343.0790/1	WYDM, ALANITA A	5317 53RD AVE E #123	BRADENTON, FL 34203
17343.0405/6	YARDIE, WARREN C •	5316 53RD AVE E #111	BRADENTON, FL 34203
17343.1515/1	JOHNSON, GERALD W • TE #5	5316 53RD AVE E #120	BRADENTON, FL 34203
17343.1640/7	JOHNSON, IRENE	5316 53RD AVE E #83	BRADENTON, FL 34203
17343.1550/8	JOHNSON, ROBERT J • TE RS	5316 53RD AVE E #810	BRADENTON, FL 34203
17343.0200/1	JONES, AOTHELO G • TE RS	1101 DELWITT TRAIL	P O BOX 657
17343.2160/5	JONES, M LOUISE	5316 53RD AVE E #283	BRADENTON, FL 34203
17343.0435/3	KERD, CONORIEA W	5316 53RD AVE E #12	BRADENTON, FL 34203
17343.0705/9	KERNSON, FRANK J • TE RS	5316 53RD AVE E #16	BRADENTON, FL 34203
17343.1030/1	KIRBY, THOMAS D • TE RS	5316 53RD AVE E #A28	BRADENTON, FL 34203
17343.0150/8	KIRKWOOD, JOHN E • TE	5316 53RD AVE E #K1	BRADENTON, FL 34203
17343.0965/7	KOHLER, ANNE S	5316 53RD AVE E #015	BRADENTON, FL 34203
17343.1690/7	KOHLER, JAMES R • TE RS	5316 53RD AVE E #16	BRADENTON, FL 34203
17343.1860/1	KOONIZ, LOIS J • TE #1	40 12 BOX 354	GREENBURG, PA 15001
17343.1695/1	LARSON PROPERTIES INC	1608 0TH STREET	BOX 167
17343.0325/6	LARSON, GEORGE H	5316 53RD AVE E #B13	BRADENTON, FL 34203
17343.0140/9	LAWSON, JOHN A • TE	5316 53RD AVE E #A26	BRADENTON, FL 34203
17343.1720/7	LEDAULT, EUGENE P • TE RS	5316 53RD AVE E #03	LIVERPOOL, NY 13088
17343.1970/8	LEO, BESSIE	107 RETFORD DR	LIVERPOOL, NY 13088
17343.1610/0	LEWIS, LAWRENCE N • TE RS	580 BLAVER CREEK RD	WATERLOO
17343.1635/7	MACBETH, WILLIAM A H	3820 IRONWOOD LN APT 201	BRADENTON, FL 34209
17343.1580/5	MACCARRICK, ELISE Z LE	BOX 600	MATTAMA
17343.1765/2	MACHARIAN, EDWARD	5316 53RD AVE E #M16	BRADENTON, FL 34203
17343.1790/0	MALLOY, ANNA M	5316 53RD AVE E #012	BRADENTON, FL 34203
17083.0000/7	MAHAITE COLM...	5316 53RD AVE E #017	BRADENTON, FL 34206
17283.0000/3	MAHAITE COLM...	P O BOX 1000	BRADENTON, FL 34206
17400.0000/3	MAHAITE COLM...	P O BOX 1000	BRADENTON, FL 34206
17343.0075/0	MATSHALL, EDWARD L	5316 53RD AVE E #140	BRADENTON, FL 34203
17343.0440/3	MATSON, LARRY R • TE RS	6476 ROAD 2	LEIPSIC, OH 43056
17343.0200/8	MATSON, LARRY R • TE RS	6476 ROAD 2	LEIPSIC, OH 43056
17343.1960/9	MCDONALD, JAMES R • TE RS	5316 53RD AVE E #B31	BRADENTON, FL 34203
17343.0965/9	MCCOY, JEWEL • TE RS	5316 53RD AVE E #B3	BRADENTON, FL 34203
17343.1915/3	MCCOY, DOUGLAS • TE RS	15 COTTAGE LANE	CLIFTON, NJ 07012
17343.1305/7	MCDONALD, WILLIAM K • TE RS	220 SALSIBURY AVE #17	CAMPBELL
17343.1005/3	MCELROY, JOSEPH J	106 EARL LANE	HATFIELD, PA 19040
17343.0910/5	MCELROY, JOHN • TE RS	5316 53RD AVE E #147	BRADENTON, FL 34203
17343.0285/2	MCELROY, DAVID A • TE RS	5316 53RD AVE E #85	BRADENTON, FL 34203
17343.1045/9	MCELROY, SHIRLEY K	5316 53RD AVE E #11	BRADENTON, FL 34203
17343.0670/0	MCELROY, ROBERT E • TE RS	5316 53RD AVE E #19	BRADENTON, FL 34203
17343.0615/0	MCELROY, ROBERT E • TE RS	425 CLEN MOORE #100	NEW CASTLE, PA 16105
17343.1230/7	MELTZER, J ROBERT • TE RS	5316 53RD AVE E #115	BRADENTON, FL 34203
17343.0525/0	MILLER, DONALD W • TE RS	5854 EVERBROOK ROAD	TOLEDO, OH 43613
17343.0205/0	MILLER, RICHARD T RS	5316 53RD AVE E #A39	BRADENTON, FL 34203
17403.0000/7	MILTON, FRANK FARMS INC	P O BOX 25200	BRADENTON, FL 34206-5200
1743.1115/0	MORRETT, L. ANNE TH R • TE RS	5316 53RD AVE E #115	BRADENTON, FL 34203
17343.1155/6	MOORE, CHARLES A	5316 53RD AVE E #123	BRADENTON, FL 34203
17343.1105/1	MOORE, HELEN R	5316 53RD AVE E #113	BRADENTON, FL 34203
17343.0160/7	MOORE, NATALIE L TR	5316 53RD AVE E #A37	BRADENTON, FL 34203
17343.0570/7	MORRIS, JAMES D • TE RS	5316 53RD AVE E #016	BRADENTON, FL 34203
17343.0220/9	MORRIS, LLOYD D RS	1640 W DEKLEB TRAIL	MADON, MI 48856

ONTARIO M1E 4T1 CANADA

ROSCOMMON, MI 48853

EMMETTSBURG, IA 50536

ONTARIO N2J 3Z4 CANADA
ONTARIO P0W 1V0 CANADA

ONTARIO N1S 1K5 CANADA

17343.1225/7 MURPHY, CARLOS H • TE RS 5316 53RD AVE E #J16 BRADENTON, FL 34203
 17343.1020/5 MURARI, JEAN V RS 5316 53RD AVE E #O121 BRADENTON, FL 34203
 17343.0600/2 MTERS, PAUL J • TE RS 5316 53RD AVE E #E6 BRADENTON, FL 34203
 17343.0515/2 NEUMAN, CARLYLE E • TE RS BOX 1375 BRADENTON, FL 34203
 17343.0260/5 NICHOLS, JAMES • TE RS 2022 TERRACE APARTMENT BRADENTON, FL 34203
 17343.0260/5 NICKEL, WARREN O • RS 5316 53RD AVE E #E19 BRADENTON, FL 34203
 17343.1135/8 NOTTON, JANEI B • TE RS 5316 53RD AVE E #G3 BRADENTON, FL 34203
 17343.1405/5 O'HARA, JOHN F • TE RS 5316 53RD AVE E #B14 BRADENTON, FL 34203
 17343.0925/3 OKNER, ALICE A • TE RS 5316 53RD AVE E #C15 BRADENTON, FL 34203
 17343.0330/6 ONKO, J GEORGE • TE RS 5316 53RD AVE E #F10 BRADENTON, FL 34203
 17343.0450/2 OSBORNE, MAC B • TE RS 5316 53RD AVE E #A25 BRADENTON, FL 34203
 17343.1075/6 OREN, RAY A • TE RS 1829 MIRACLE MILE RD BRADENTON, FL 34203
 17343.0725/7 PALMER, ROBERT D • TE RS 5316 53RD AVE E #R35 BRADENTON, FL 34203
 17343.0135/9 PAULINE, PAULINE H LE 20 CASPER DR BRADENTON, FL 34203
 17343.1110/7 PEDICONE, CAMILLO M • TE RS 5316 53RD AVE E #R5 BRADENTON, FL 34203
 17343.1980/7 PETERSON, JEAN L 5316 53RD AVE E #R15 BRADENTON, FL 34203
 17343.1160/6 PETERSON, HARRY E • TE RS 5316 53RD AVE E #J1 BRADENTON, FL 34203
 17343.1600/6 PIERSON, WILLIAM B 28 CASPER DR BRADENTON, FL 34203
 17343.1455/2 PIKE, DONALD L RS 5316 53RD AVE E #R5 BRADENTON, FL 34203
 17343.0915/4 POTTER, WILLIAM G • TE RS 3655 CISA BLVD BRADENTON, FL 34203
 17343.1520/1 PRINCE, JAMES L • 5316 53RD AVE E #F21 BRADENTON, FL 34203
 17343.0780/2 PROBYNS, JAMES E • TE RS 5316 53RD AVE E #A44 BRADENTON, FL 34203
 17343.0230/8 RAFFERTY, EDWARD F JR 5316 53RD AVE E #L15 BRADENTON, FL 34203
 17343.1485/7 RAFFERTY, RICHDA M 5316 53RD AVE E #R19 BRADENTON, FL 34203
 17343.1800/7 RAFF, E. IZABETH 5316 53RD AVE E #L4 BRADENTON, FL 34203
 17343.1430/3 RAYMOND, CHESTER A TR 5316 53RD AVE E #O11 BRADENTON, FL 34203
 17343.1760/3 RAYSON, DELWYN R • TE RS 5316 53RD AVE E #O15 BRADENTON, FL 34203
 17343.1780/1 REAVES, DOROTHY C 5316 53RD AVE E #A49 BRADENTON, FL 34203
 17343.0255/5 REAVES, MARY W 5316 53RD AVE E #L14 BRADENTON, FL 34203
 17343.1480/8 REDELE, RUTH 5316 53RD AVE E #O1 BRADENTON, FL 34203
 17343.0495/7 RICHARDS, JOHN W • TE RS 5316 53RD AVE E #A46 BRADENTON, FL 34203
 17343.0240/7 RICHARDS, ROY H • TE RS 5316 53RD AVE E #C20 BRADENTON, FL 34203
 17343.0475/9 RIDER-BANICKI, LOIS 5316 53RD AVE E #H-1 BRADENTON, FL 34203
 17343.0955/0 RIDGERS, LEVVIS H • TE RS 5316 53RD AVE E #K11 BRADENTON, FL 34203
 17343.1310/7 ROBIDON, WILLIEO J TR 5316 53RD AVE E #J5 BRADENTON, FL 34203
 17343.1180/4 ROBINSON, WILBUR E • TE RS 5316 53RD AVE E #N1 BRADENTON, FL 34203
 17343.1595/3 ROBLIN, JOHN A • TE RS 5316 53RD AVE E #R2 BRADENTON, FL 34203
 17343.1050/0 ROME, DOMINA P 10 CHURCHILL AVE BRADENTON, FL 34203
 17343.1865/0 ROPER, ELMER C • TE RS 5316 53RD AVE E #E-2 BRADENTON, FL 34203
 17343.0580/6 ROYCHANS, ETHEL W G • 5316 53RD AVE E #K12 BRADENTON, FL 34203
 17343.1315/6 ROSS, VINCENT • TE RS 5316 53RD AVE E #K15 BRADENTON, FL 34203
 17343.1330/5 ROTZCH, RUBY L 5316 53RD AVE E #J7 BRADENTON, FL 34203
 17343.1190/3 RUD, MARIE E 5316 53RD AVE E #R37 BRADENTON, FL 34203
 17343.1990/6 RUTHERFORD, ISABELL R 78 WILLIAM STREET PARRY SCALO
 17343.1410/5 SAMPSON, CARLENE H 4 COLBY AVENUE FRAMINGHAM, MA 01701
 17343.1885/8 SANCLEMENTE, ANDREW J • TE RS 72 MOREHOUSE DR FAIRFIELD, CT 06430
 17343.1455/0 SANDERSON, JOAN LE 418 CLINTON HEIGHTS AVE COLUMBUS, OH 43202
 17343.0815/6 SAUTER, RICHARD • TE RS 5316 CLUNGE STONINAU, MI 48003
 17343.1060/8 SCANLON, HAROLD B • TE RS 229 BAKER ST UNIT 1 WATERLOO
 17343.1250/5 SCALAS, ARNOLD E • TE RS 116 MANICA SE GRAND RAPIDS, MI 49548
 17343.1080/6 SCHEPERS, ESTHER T RS 5316 53RD AVE E #J3 BRADENTON, FL 34203
 17343.1170/5 SCHELMANN, JIMES F • TE RS 5316 53RD AVE E #C4 BRADENTON, FL 34203
 17343.0395/9 SCHMIDT, MARILYN L 5316 53RD AVE E #R4 BRADENTON, FL 34203
 17343.0660/6 SCHUBERT, HAROLD L • TE RS 5316 53RD AVE E #R2 BRADENTON, FL 34203
 17343.1660/6 SCHUBERT, MARION B • TE RS 5316 53RD AVE E #R2 BRADENTON, FL 34203
 17343.0270/4 SCHULTZ, CHARLES W RS 5316 53RD AVE E #R1 BRADENTON, FL 34203
 17343.1945/0 SCHUMACHER, WILLIAM 5316 53RD AVE E #R1 BRADENTON, FL 34203
 17343.1235/6 SNAIKEN, MELVIN B • TE RS 9228 67TH AVE E BRADENTON, FL 34202
 17320.1040/8 SNEPARD, LARRY A •

ONTARIO L4M 5R4 CANADA
 GRAND RAPIDS, MI 49506-3331

NOVA SCOTIA B1V 202 CANADA

ONTARIO P2A 1V6 CANADA

ONTARIO N2T 2R6 CANADA

BRADENTON, FL 34203

17343.2115/9	WESTWOODS VILLAGE INC	5316 53RD AVE E	BRAOERTON, FL 34203
17343.2120/9	WESTWIND VILLAGE INC	5316 53RD AVE E	BRAOERTON, FL 34203
17343.2125/9	WESTWIND VILLAGE INC	5316 53RD AVE E	BRAOERTON, FL 34203
17343.2130/8	WESTWIND VILLAGE INC	5316 53RD AVE E	BRAOERTON, FL 34203
17343.1890/8	WELLMAN, J ROY * TE RS	5316 53RD AVE E 0115	BRAOERTON, FL 34203
17343.0895/8	WHITFIELD, ROBERT E * TE RS	5316 53RD AVE E 8144	BRAOERTON, FL 34203
17343.0935/0	WHELAN, CHARLES A TR	5316 53RD AVE E 809	BRAOERTON, FL 34203
17343.1725/6	WILEY, ROGER M * TE RS	5316 53RD AVE E 804	BRAOERTON, FL 34203
17343.0930/1	WILGARD, MARILYN J	5316 53RD AVE E 808	BRAOERTON, FL 34203
17343.1335/9	WINKEL, OICK T * RS	5316 53RD AVE E 807	BRAOERTON, FL 34203
17343.0795/0	WITTER, DORIS M	5316 53RD AVE E 8724	BRAOERTON, FL 34203
17343.0640/8	WOODS, DONALD J	5316 53RD AVE E 8714	BRAOERTON, FL 34203
17343.1650/6	WOODYATT, MARY J	5316 53RD AVE E 8612	BRAOERTON, FL 34203
17343.1660/2	WOOLF, DONALD O * TE RS	5316 53RD AVE E 8621	BRAOERTON, FL 34203
17343.0785/1	WRIGHT, THERON R * TE RS	5316 53RD AVE E 8122	BRAOERTON, FL 34203
17343.0050/0	YOUNG, ROY O * TE RS	5316 53RD AVE E 848	BRAOERTON, FL 34203
17343.0455/1	ZIPP, CHARLES W	5316 53RD AVE E 8C16	BRAOERTON, FL 34203
17343.1240/6	ZUBE, HELEN LE	5316 53RD AVE E 8J17	BRAOERTON, FL 34203
17343.0145/8	ZWISSLER, WILLIAM M	5316 53RD AVE E 8A27	BRAOERTON, FL 34203

ORDINANCE 98-02

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A SMALL SCALE AMENDMENT TO THE FUTURE LAND USE MAP (SHEET 19) FROM RES-9 (RESIDENTIAL, 9 DU/ACRE) TO R/O/R (RETAIL/OFFICE/RESIDENTIAL) FOR CERTAIN LAND LOCATED AT 5103 53RD AVENUE EAST, CONSISTING OF ± 1.0 ACRES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes empowers the Board of County Commissioners of the County of Manatee to prepare and enforce comprehensive plans for the development of the county; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, titled "The Local Government Comprehensive Planning and Land Development Regulation Act," empowers and requires the Board of County Commissioners of the County of Manatee (a) to plan for the county's future development and growth, (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the county, (c) to implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations, and (d) to establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of said Act; and

WHEREAS, Manatee County Ordinance 89-01 was adopted pursuant to general law for the purpose of providing a framework for land use and development in the unincorporated area of Manatee County; and

WHEREAS, Sections 163.3184 and 163.3187, Florida Statutes, titled "Process for Adoption of Comprehensive Plan or Amendment Thereto," and "Amendment of Adopted Comprehensive Plan," respectively, empowers the local government to develop and adopt comprehensive plan amendments; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, as amended, empowers the local government to adopt small scale amendments, waiving the objections, recommendations and comments review; and

WHEREAS, the proposed amendment encompasses 10 acres or less and meets the requirements to qualify for adoption as small area plan amendment under Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Manatee County Planning Commission has been established pursuant to Manatee County Ordinance 90-01; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the Board of County Commissioners of the County of Manatee, Florida by Ordinance 90-01 duly designated said Planning Commission as the Local Planning Agency for the unincorporated area of Manatee County; and

WHEREAS, the Manatee County Planning Commission, empowered by the above cited laws and ordinances, considered an amendment to the Manatee County Comprehensive Plan, altering Sheet 19 of the Future Land Use Map in the Future Land Use Element, as referenced in the Title of this ordinance, in order to more adequately address Manatee County's future development and growth; and

WHEREAS, the minimum statutory and plan administration requirements for public participation have been met or exceeded; and

WHEREAS, on February 12, 1998, the Manatee County Planning Commission, after due public notice, held a public hearing to consider the amendment, and forwarded its recommendation to the Board of County Commissioners as required by law; and

WHEREAS, after due public notice, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing on February 24, 1998 to consider the amendment and adopted the amendment in accordance with Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Board of County Commissioners further considers all oral and written comments received during said public hearings, including appropriate changes to the Technical Support Document as needed, and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners has determined that the growth and development provisions initially approved are no longer appropriate because an oversight has been demonstrated from the right-of-way taking process for the widening of State Road 70; and

WHEREAS, the land uses in the R/O/R (Retail/Office/Residential) Future Land Use Category of the proposed plan amendment have been found by the Board of County Commissioners to be generally compatible with other land uses in the area; and found to be consistent with the goals, objectives, and policies of the Comprehensive Plan; and

WHEREAS, in exercise of said authority, the Board of County Commissioners of the County of Manatee has determined it necessary and desirable to adopt said amendment of the comprehensive plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest, overcome present deficiencies and deal effectively with future problems that may result from the use and development of land within Manatee County; and

WHEREAS, the Technical Support Document for the Manatee County Comprehensive Plan includes background material and justification for the amendment to the Comprehensive Plan; and

WHEREAS, all applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to Chapter 163, Florida Statutes, and the Plan Format and Administration Section of the Manatee County Comprehensive Plan; and

WHEREAS, this Plan Amendment has been adopted pursuant to the alternative process for amendment of an adopted Comprehensive Plan as provided in Section 163.3189, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County that:

Section 1. Purpose and Intent:

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out, in the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended. The amendment has been determined to be an oversight consistent with the above referenced Florida Statutes.

Section 2. Findings:

Based upon the findings made relative to this proposed map amendment to the Comprehensive Plan, it has been determined that the existing Future Land Use Map sought to be amended is no longer in the best interest of the public and should be amended as described in Section 3 below.

Section 3. Map Amendment:

The Manatee County Comprehensive Plan, Ordinance 89-01, shall be amended by changing the Future Land Use classification of the property, generally shown on the map as Attachment "A" hereto, and more specifically identified below in this Section 3, from RES-9 (Residential, 9 du/acre) to R/O/R (Retail/Office/Residential). The legal description of the property affected is more particularly described as follows:

Legal Description:

THE W 155 FT OF ALL THAT PART OF N 1/2 OF SEC 15, LYING N OF ONECO-ARCADIA RD & W OF BRADEN RIVER LESS RD R/W DESC IN DB 309 P 365 & DB 379 P 545 AS DESC IN (969/1131); ALSO LESS: PARCEL 111: COM AT THE NW COR OF SD SEC 15; TH ALG THE W BDRY OF SD SEC 15, S 00 DEG 24 MIN 04 SEC W, 285.48 FT TO THE N EXSTG R/W LN FOR SR 70 (PER 1316-101) FOR A POB; TH ALG SD W BDRY N 00 DEG 24 MIN 04 SEC E, 49.04 FT; TH S 48 DEG 45 MIN 39 SEC E, 35.83 FT; TH N 87 DEG 56 MIN 12 SEC E, 128.01 FT; TH S 00 DEG 24 MIN 04 SEC W, 26.69 FT TO SD N EXSTG R/W LN & TO THE BEG OF A CURVE CONCAVE NLY; TH ALG SD N EXSTG R/W LN, THE ARC OF SD CURVE TO THE RIGHT, HAVING A RAD OF 11414.16 FT, A C/A

OF 00 DEG 46 MIN 42.2 SEC, AN ARC LENGTH OF 155.06 FT, THE CHORD FOR WHICH BEARS S 88 DEG 45 MIN 58 SEC W, TO THE END OF SD CURVE & TO THE POB, CONT 4323 SF.

Section 4. Severability:

If any part, section, subsection, or other portion of this Ordinance, or any application thereof to any person or circumstance is declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect. The Board declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision or application.

Section 5. Effective Date:

The effective date of this small scale development plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), F.S. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Community Affairs, or the Administration Commission, finding the amendment in compliance with Section 163.3184, F.S.

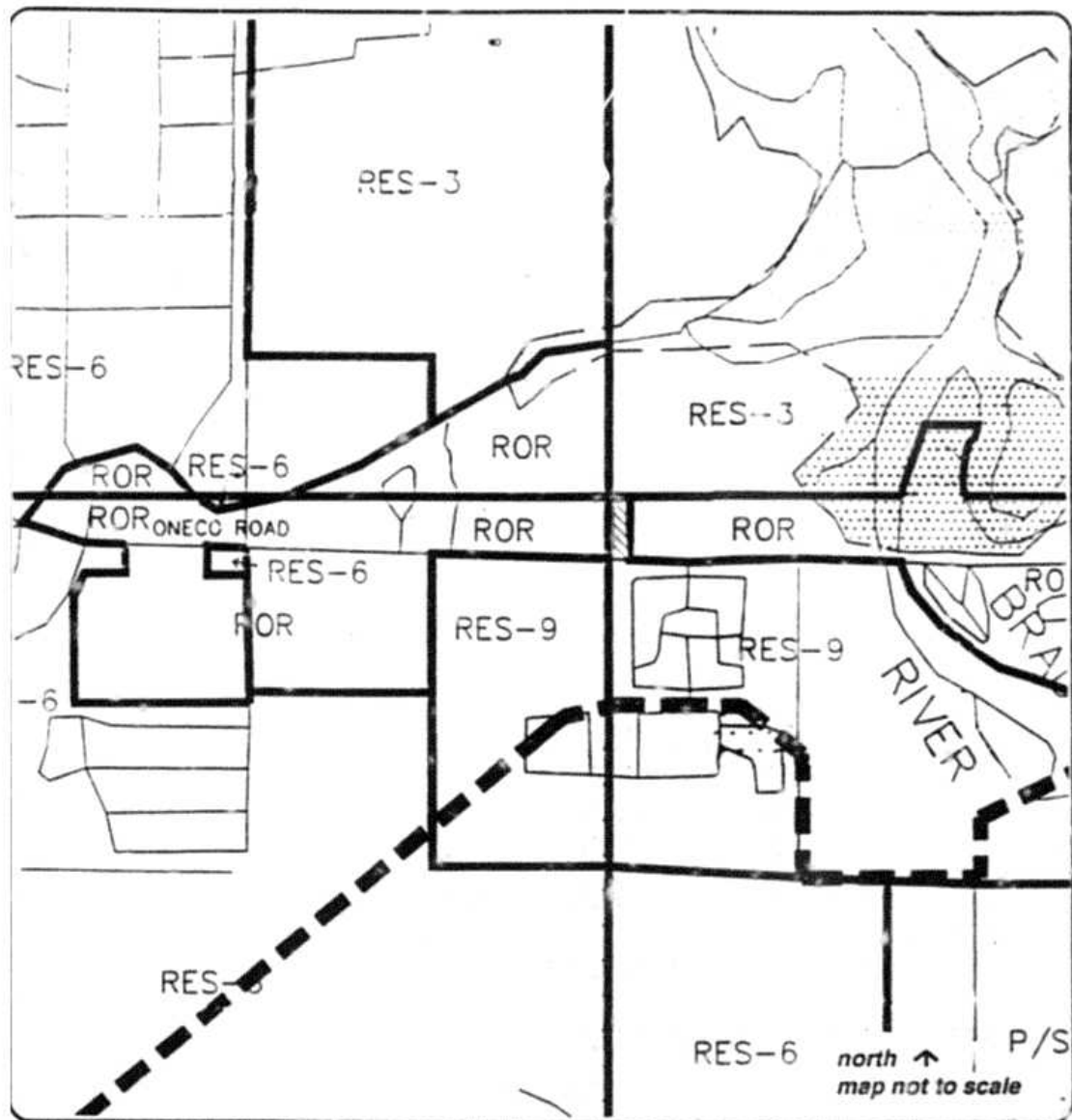
PASSED AND DULY ADOPTED, with a quorum present and voting this 24th day of February, 1998.

**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: _____
Chairman


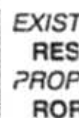
ATTEST: R. B. SHORE
Clerk of the Circuit Court

By: _____



Future Land Use Map

Future Land Use Map
Sheet No. 19

 EXISTING CATEGORY
RES-9
 PROPOSED CATEGORY
ROR

SECTION-TOWNSHIP-RANGE

15-35-18

CASE NO.

PA-98-01 ORD. 98-02

REQUESTED BY:

COUNTY INITIATED

PROPERTY OWNER(S):

RONALD R. BAKER/BURT K. ROGERS

COMMISSIONER:

BRUCE

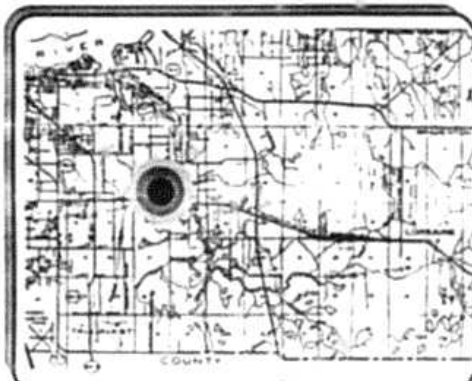
TAX ID..

173201005

ACRES

± 1

site
location
map



map prepared: 12/22/97

map revised: 00/00/00