

**MANATEE COUNTY ZONING ORDINANCE  
Z-17-06 – EURICE REZONE DTS20170569**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 15-17, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING IN THE UNINCORPORATED AREA; PROVIDING FOR THE REZONING OF APPROXIMATELY ±1.33 ACRES OF THE WESTERN PORTION OF AN APPROXIMATELY ±2.33-ACRE SITE LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF ELLENTON GILLETTE ROAD AND 57<sup>TH</sup> STREET EAST AT 5702 36<sup>TH</sup> AVENUE, FROM THE A-1 (SUBURBAN AGRICULTURE – 1 DWELLING UNITS/ACRE) TO THE RSF-2 (RESIDENTIAL SINGLE-FAMILY 2.0 DWELLING UNITS/ACRE) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Bill and Sarah Eurice (the “Applicants”) filed an application to rezone approximately 1.33 acres of the western portion of an approximately 2.33-acre site (1.33± acres) described in Exhibit “A”, attached hereto, (the “Property”) from A-1 (Suburban Agriculture – 1 dwelling unit/acre) to the RSF-2 (Residential Single-Family, 2.0 dwelling units/acre) zoning district; and

**WHEREAS**, the Building and Development Services staff has recommended approval of the rezone, as described in the staff report; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on March 8, 2018 to consider the rezone, received the staff recommendation and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

**WHEREAS**, the Manatee County Planning Commission, as the County’s Local Planning Agency, found the rezone consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the applications.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:**

**Section 1. FINDINGS OF FACT.** The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners. The Board of County Commissioners of Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of the County, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit “A” of this Ordinance from A-1 (Suburban Agriculture – 1 dwelling unit/acre) to the RSF-2 (Residential Single-Family, 2.0 dwelling units/acre) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on April 5, 2018 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at the public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

**Section 2. AMENDMENT OF THE OFFICIAL ZONING ATLAS.** The Official Zoning Atlas of Manatee County, Ordinance No. 15-17, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property described in Exhibit "A", incorporated by reference herein, from A-1 (Suburban Agriculture – 1 dwelling unit/acre) to the RSF-2 (Residential Single-Family, 2.0 dwelling units/acre) zoning district, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Building and Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

**Section 3. SEVERABILITY.** If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

**Section 4. CODIFICATION.** Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

**Section 5. STATE AND FEDERAL PERMITTING.** The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

**Section 6. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

**PASSED AND DULY ADOPTED**, by the Board of County Commissioners of Manatee County, Florida on the 5<sup>th</sup> of April, 2018.



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

BY:   
Priscilla Trace, Chairman

**ATTEST: ANGELINA COLONNESO**  
Clerk of the Circuit Court

BY:   
Deputy Clerk

**Exhibit “A”**

**Legal Description**

A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2414, PAGE 6137, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE N88°41'25"E, ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 15.98 FEET TO THE POINT OF INTERSECTION OF SAID LINE AND THE EAST RIGHT-OF-WAY OF STATE ROAD #683; THENCE N00°04'19"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF 57<sup>TH</sup> STREET EAST FOR A POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST CORNER OF SAID PARCEL OF LAND IN OFFICIAL RECORDS BOOK 2414, PAGE 6137; THENCE N00°04'19"E, ALONG SAID EAST RIGHT-OF-WAY LINE AND THE WEST LINE OF SAID PARCEL, A DISTANCE OF 311.25 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE N88°36'37"E, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 182.66 FEET; THENCE S00°04'19"W, 102.46 FEET; THENCE N88°36'37"E, 9.77 FEET; THENCE S00°04'19"W, 208.79 FEET TO THE SOUTH LINE OF SAID PARCEL, ALSO BEING THE AFOREMENTIONED NORTH RIGHT-OF-WAY LINE OF 57<sup>TH</sup> STREET EAST; THENCE S88°36'37"W, ALONG SAID SOUTH LINE, A DISTANCE OF 192.43 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 32, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

April 5, 2018

Honorable Angelina Colonnese  
Clerk of the Circuit Court  
Manatee County  
Post Office Box 25400  
Bradenton, Florida 34206

Attention: Quantana Acevedo

Dear Ms. Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance Z-17-06, which was filed in this office on April 5, 2018.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

April 5, 2018 Land Use Meeting  
Agenda Item #4

Subject

Z-17-06 Eurice Rezone 20170569, Quasi-Judicial, Ryan Todd, Planner I

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Presenter:

Ryan Todd, Planner I, 941-748-4501 ext. 3437

Contact:

Bobbi Roy, Senior Planning & Zoning Tech/Planning Coordinator

941-748-4501 ext. 6878

**APPROVED** in Open Session  
**April 5, 2018**  
Manatee County Board of County  
Commissioners

Action Requested

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. Z-17-06, as recommended by the Planning Commission.

(Commissioner Trace)

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

- Bill and Sarah Eurice, applicants, are requesting approval for a rezone of ±1.33 acres of the western portion of a ±2.33-acre site from the A-1 (Agricultural Suburban) zoning district to the RSF-2 (Residential Single-

Family 2 Dwelling Units/Acre).

- The existing A-1 zoning district is intended to permit short-term agricultural and related uses and to provide for areas transitioning from rural to suburban or urban character. Table 4-1 of the Manatee County Land Development Code (LDC) establishes the schedule of uses for the A-1 zoning district, which predominantly includes residential and residential support uses. The maximum residential density permitted in an A-1 zoning district is 1.0 dwelling units per acre, whereas the proposed RSF-2 zoning district permits a density of 2 dwelling unit per acre.
- The site, as well as all parcels within a .5-mile radius, lie within the RES-6 (Residential 6.0 Dwelling Units/Acre), or higher, Future Land Use Category (FLUC).
- The existing A-1 zoning district has a maximum allowable density of 1 dwelling unit/acre, and the proposed RSF-2 zoning district has a maximum allowable density of 2 dwelling units/acre. Lot standards for the RSF-2 zoning district allow for a maximum number of three lots on the ±1.33 acres of the site being rezoned from A-1 to RSF-2. However, the RSF-2 zoning district allows no more than one (2) dwelling units/acre.
- A straight rezone can't condition uses and design standards. Compliance with the standards of the RSF-2 zoning district and all other requirements of the LDC will be reviewed and verified with future site plan approval for this site.
- Staff recommends approval.
- On March 8, 2018, by a vote of 5 – 0, the Planning Commission recommended approval. Mr. Rutledge and Mr. DeLesline were absent.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Sarah Schenk reviewed and responded by email to Matter 2018-0045 on February 5, 2018.

Reviewing Attorney

Schenk

Instructions to Board Records

Please forward a copy of the executed document and letter from the Florida Department of State to [bobbi.roy@mymanatee.org](mailto:bobbi.roy@mymanatee.org).

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [Staff Report - Eurice Rezone - Z-17-06.pdf](#)

Manatee County Government Administrative Building  
First Floor Chambers  
9:00 am - April 5, 2018

- Attachment: [2 - Staff Report Maps.pdf](#)
- Attachment: [3 - Survey Sketch.pdf](#)
- Attachment: [4 - Zoning Disclosure Affidavit.pdf](#)
- Attachment: [5 - Newspaper Advertising.pdf](#)
- Attachment: [6 - Ordinance Z-17-06.pdf](#)



**B.O.C.C.:** 4/5/2018

**Z-17-06 – Eurice Rezone**  
**(DTS #20170569)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to zoning in the unincorporated area; providing for the rezoning of approximately ±1.33 acres of the western portion of an approximately ±2.33-acre site located at the northeast corner of the intersection of Ellenton Gillette Road and 57<sup>th</sup> Street East at 5702 36<sup>th</sup> Avenue, from the A-1 (Suburban Agriculture – 1 Dwelling Units/Acre) to the RSF-2 (Residential Single-Family 2.0 Dwelling Units/Acre) zoning district; setting forth findings; proving a legal description; providing for severability, and providing an effective date.

**P.C.:** 3/8/2018

**B.O.C.C.:** 4/5/2018

**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. Z-17-06, as recommended by the Planning Commission.

(Commissioner Trace)

**PLANNING COMMISSION ACTION:**

On March 8, 2018, by a vote of 5 – 0, the Planning Commission recommended approval. Mr. Rutledge and Mr. DeLesline were absent.

**PUBLIC COMMENT AND CORRESPONDENCE:**

March 8, 2018 Planning Commission

There were no public comments.

A revision to the staff report was entered into the record, and has been incorporated in this report.

PROJECT SUMMARY	
<b>CASE NUMBER</b>	Z-17-06 (DTS # 20170569)
<b>PROJECT NAME</b>	Eurice Rezone
<b>LAND OWNER</b>	Bill and Sarah Eurice
<b>APPLICANT(S)</b>	Robert Schmitt, AICP LPA, Inc.
<b>PROPOSED ZONING</b>	RSF-2 (Residential Single-Family 2.0 Dwelling Units/Acre)
<b>EXISTING ZONING</b>	A-1 (Suburban Agriculture – 1 Dwelling Units/Acre)
<b>CASE MANAGER</b>	Ryan Todd, Planner I
<b>STAFF RECOMMENDATION</b>	APPROVAL

### DETAILED DISCUSSION

**Request:**

The request is for a rezone of ±1.33 acres of the western portion of a ±2.33-acre site from the A-1 (Agricultural Suburban) zoning district to the RSF-2 (Residential Single-Family 2 Dwelling Units/Acre) as shown in Figure 1 below. The site is located at the northeast corner of the intersection of Ellenton Gillette Road, an arterial roadway, and 57<sup>th</sup> Street East.



The site, as well as all parcels within a .5-mile radius, lie within the RES-6 (Residential 6.0 Dwelling Units/Acre), or higher, Future Land Use Category (FLUC). The intent of the RES-6 FLUC is to identify areas which are established for a low density urban, or a clustered low-moderate density urban, residential environment, and to provide for a complement of support uses normally utilized during the daily activities of residents of these low or low-moderate density urban areas. Policy 2.2.1.12.2 of the Manatee County Comprehensive Plan lists the range of potential uses for a property within the RES-6 Future Land Use Category as suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally compatible residential uses, public or semi-public uses, schools, low-intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses. The RES-6 FLUC allows a maximum gross residential density of 6 dwelling units per acre, a maximum net residential density of 12 dwelling units per acre, and a maximum Floor Area Ratio of 0.23.

The existing A-1 zoning district is intended to permit short-term agricultural and related uses and to provide for areas transitioning from rural to suburban or urban character. Table 4-1 of the Manatee County Land Development Code (LDC) establishes the schedule of uses for the A-1 zoning district, which predominantly includes residential and residential support uses. The maximum residential density permitted in an A-1 zoning district is 1.0 dwelling units per acre, whereas the proposed RSF-2 zoning district permits a density of 2 dwelling unit per acre.

While the proposed zoning change would permit a 100% increase in density, the proposed rezone follows the established progression of development in the area. With one exception, density in the area generally decreases from west to east, beginning with a RSMH-6 zoning district adjacent to Terra Ceia Bay, transitioning to RSF-4.5 near US 41 North, and decreasing to RSF-3 across Ellenton Gillette Road from the site. The PWDB Subdivision, located west of the Eurice property, is located within a RSF-3 (Residential Single-Family 3.0 Dwelling Units/Acre). Although the lots in the PWDB Subdivision are nearly 40,000 sq. ft., the lots are narrow with building to building setbacks of approximately 50'. Additionally, the two single-family lots west of the site, 3617 57<sup>th</sup> St. and 3705 57<sup>th</sup> St., are ± 1.17 acres in size, making the proposed rezone of ± 1.33 acres contextually appropriate. Figure 2 below depicts the lot configurations of 3617 and 3705 57<sup>th</sup> St.

Figure 2: Eurice Property and Adjacent Lot Configuration



Similar to the existing A-1 zoning district, the intent of the proposed RSF-2 zoning district is to provide for residences in a suburban environment at low to medium densities, to accommodate residential support uses (as defined in [Chapter 2](#)) and other limited non-residential uses, and to protect these areas from the encroachment of incompatible uses. The RSF-2 zoning district is arguably more compatible with existing adjacent land uses because unlike the existing A-1 zoning district, RSF-2 does not permit more noxious uses such as heavy equipment sales, kennels, breeding facilities, and earthmoving operations.

The parcels adjacent to this site are currently zoned A-1 and RSF-3, and are used for residential purposes.

The applicant has stated that a single-family residence is proposed for the site.

Staff finds the proposed zoning district to be compatible with adjacent zoning districts and land uses, and recommends APPROVAL.

**SITE CHARACTERISTICS AND SURROUNDING AREA**

<b>ADDRESS</b>	5702 36 <sup>th</sup> Avenue East Palmetto, 34221	
<b>GENERAL LOCATION</b>	The site is located at the northeast corner of the intersection of Ellenton Gillette Road and 57 <sup>th</sup> Street East.	
<b>ACREAGE</b>	Overall = ±2.33 acres	Rezone = ±1.33 acres
<b>EXISTING USE(S)</b>	Overall = Single Family Residential	Rezone = Vacant
<b>FUTURE LAND USE CATEGORY(S)</b>	RES-6 (Residential 6.0 Dwelling Units/Acre)	
<b>DENSITY FOR RSF-2</b>	2.0 Dwelling Units/Acre	
<b>OVERLAY DISTRICT(S)</b>	None	
<b>SPECIAL APPROVAL(S)</b>	N/A	
<b>SPECIFIC APPROVAL(S)</b>	N/A	

**SURROUNDING USES & ZONING**

<b>NORTH</b>	A-1 ● Single Family Residential
<b>SOUTH</b>	A-1 ● Single Family Residential
<b>EAST</b>	A-1 ● Single Family Residential
<b>WEST</b>	RSF-3 ● Single Family Residential

**SITE DESIGN DETAILS**

<b>LOT STANDARDS (RSF-2)</b>	
Minimum Lot Size: 15,000 sq. ft. Minimum Lot Width: 80ft.	Proposed Lot Size: 57,935 sq. ft. Proposed Lot width: 311 ft.

<b>SETBACKS (MINIMUM)</b>	Front: 25 feet Side: 10 feet Rear: 25 feet					
<b>MINIMUM OPEN SPACE</b>	N/A					
<b>MAXIMUM BUILDING HEIGHT</b>	35' maximum within RSF-2 zoning district					
<b>MAXIMUM BUILDING SIZE</b>	N/A					
<b>MINIMUM UNIT FLOOR AREA</b>	1,200 square feet					
<b>MAXIMUM DENSITY</b>	2.0 Dwelling Units/Acre					
<b>ACCESS</b>	Access off 36 <sup>th</sup> Ave.					
<b>FLOOD ZONE(S)</b>	Zone X per FIRM Panel 12081C0159E, effective 3/17/2014					
<b>AREA OF KNOWN FLOODING</b>	Yes, rainfall					
<b>UTILITY CONNECTIONS</b>	<p>The following water and wastewater facilities are in the vicinity of this development project:</p> <ul style="list-style-type: none"> <li>- Water: 12" PVC potable water main along Ellenton-Gillette Road (36<sup>th</sup> Ave. E and 6" potable water main along 57<sup>th</sup> St. E (Briggs Rd.).</li> <li>- Sewer: 8" PVC sanitary gravity sewer along 54<sup>th</sup> St. E located within the Cypress Pond Estates, which is approximately 1,200 LF from the Eurice property.</li> <li>- Reclaimed: According to Manatee County GIS, there is not any public (County owned) reclaimed water main along Ellenton-Gillette Road (36<sup>th</sup> Ave. E) or 57<sup>th</sup> St. E (Briggs Rd.).</li> </ul>					
<b>ENVIRONMENTAL INFORMATION</b>						
<b>Overall Wetland Acreage</b>	There appears to be no wetlands on the site.					
<b>Proposed Impact Acreage</b>	There appears to be no wetlands on the site.					
<b>NEARBY DEVELOPMENT</b>						
<b>RESIDENTIAL</b>						
Project	Lots / Units	Gross Density (du/acre)	FLUC	Zoning	Lot Size (Minimum)	Year Approved
PWDB Subdivision	9	1.09	RES-6	RSF-3	39,945 sq. ft.	1999
Sugar Mill Lakes PH I	247	3.97	RES-6	PD-R	7,150 sq. ft.	2002
Cypress Pond Estates	78	4.39	RES-6	PD-R	4,000 sq. ft.	2010

<b>Willow Walk</b>	718	2.59	RES-3, RES-6	PD-R	4,800 sq. ft.	2014
<b>Silver Stone</b>	799	2.76	RES-3, RES-6	PD-R	4,800 sq. ft.	2017

**COMPLIANCE WITH MANATEE COUNTY LAND DEVELOPMENT CODE (LDC)**

The proposed straight rezone is not eligible to receive a Certificate of Level of Service for concurrency. The applicant has submitted the required form acknowledging that concurrency will be required as the project proceeds and that there is no guarantee that service will be available at the time of development.

**TRANSPORTATION**

**Major Transportation Facilities**

The site is located on Ellenton Gillette Road, north of 57<sup>th</sup> Street East. Ellenton Gillette Road is designated as a four-lane arterial with a planned right of way width of 120 feet in the Comprehensive Plan's Future Traffic Circulation Plan.

**Transportation Concurrency**

The Applicant is seeking a rezone approval at this time, and cannot obtain concurrency until the Preliminary Site Plan (PSP)/Final Site Plan (FSP) review stage(s) of this project. At that time, the Applicant will be required to submit a traffic study to determine if any off-site concurrency-related improvements are required by the project. The applicant did provide a Traffic Impact Statement (TIS) for the rezone to gauge the maximum impacts associated with allowable uses. Based on the study, it appears the potentially impacted segment of Ellenton Gillette Road will have sufficient capacity for the proposed project traffic (see Certificate of Level of Service Compliance table below). When a future application includes a request for transportation concurrency approval, the applicant shall submit a traffic study to determine if any off-site improvements are required to mitigate project impacts.

**Access**

At the time of future site plan submittal and accompanying traffic study review, all proposed access points will be evaluated to determine if any site-related improvements will be required for the site.

**CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE  
TRANSPORTATION CONCURRENCY**

**CLOS APPLIED FOR: No (A CLOS application cannot be issued with a rezone)  
TRAFFIC STUDY REQ'D: Yes (A TIS was submitted and reviewed; however, a traffic study will be required at PSP or FSP)**

NEAREST THOROUGHFARE	LINK	ADOPTED LOS	FUTURE LOS (W/PROJECT)
Ellenton Gillette Road	2420	D	C

**OTHER CONCURRENCY COMPONENTS**

Solid waste landfill capacity, transportation and preliminary drainage intent will be reviewed at the time of application for concurrency. Potable water and waste water will be reviewed at the time of FSP/Construction Drawings.

**POSITIVE ASPECTS**

- The proposed RSF-2 zoning district is compatible with surrounding zoning districts.
- Timing appears to be consistent with single family development trends in the area.
- The rezone to RSF-2 is consistent with the Future Land Use Category RES-6.
- The proposal increases potential residential density inside the FDAB.

**NEGATIVE ASPECTS**

- It is staff’s opinion that there are no negative aspects of the proposed rezone.

**MITIGATING MEASURES**

- N/A

**STAFF RECOMMENDED STIPULATIONS**

Not applicable. This is a “straight rezone” from A-1 (Suburban Agriculture) to RSF-2 (Residential Single-Family 2 Dwelling Units/Acre). Stipulations are not attached to a straight rezone.

**REMAINING ISSUES OF CONCERN**

None

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE**  
*Review Criteria for Zoning Map Amendments (LDC Section 342.3)*

**342.3. Review Criteria for Zoning Map Amendments**

**A. Compatibility with the existing development pattern and zoning of nearby properties.**  
There are existing residential uses to the north, south, east, and west. The proposed zoning district of RSF-2 (Residential Single-Family 2 Dwelling Units/Acre) is consistent with existing surrounding properties and the development pattern of surrounding areas.

**B. Changes in land use or conditions upon which the original zoning designation was based.**  
There have not been any substantial changes in land use or conditions.

**C. Consistency with the current comprehensive plan.**  
The site is in the RES-6 (Residential – 6 Dwelling Units/Acre) FLUC. The proposed RSF-2 (Residential Single-Family 2 Dwelling Units/Acre) is consistent with the RES-6 FLUC.

**D. Conflicts with existing or planned public improvements.**  
The proposed rezone does not present any conflicts with existing or planned public improvements.

**E. Availability of public facilities, based upon a consideration of the following factors.**

- 1. Impact on traffic characteristics related to the site, specifically trip generation potential.**  
The traffic impact statement states that the proposed rezone will not create a significant, adverse transportation impact on Ellenton Gillette Road.
- 2. Impact on population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are adversely affected.**  
The existing A-1 zoning district has a maximum allowable density of 1 dwelling unit/acre, and the proposed RSF-2 zoning district has a maximum allowable density of 2 dwelling units/acre. Lot standards for the RSF-2 zoning

district allow for a maximum number of three lots on the ±1.33 acres of the site being rezoned from A-1 to RSF-2. However, the RSF-2 zoning district allows no more than one (2) dwelling units/acre.

**3. Impact on public facilities planned and funded to support any change in density or intensity pursuant to the requirements of the comprehensive plan and applicable law.**

A straight rezone does not generate any specific impacts on public facilities. At the time of future site plan review when a specific use has been identified additional on-site, off-site studies will be conducted.

**F. Health, safety or welfare of the neighborhood and County.**

The proposed rezone will not have a negative impact on the overall health, safety or welfare of the neighborhood and County.

**G. Conformance with all applicable requirements in this Code.**

The request is consistent with all applicable requirements of the Manatee County LDC.

**H. Consistency with the development patterns in the area and appropriateness for orderly development of the community. The cost of land or other economic consideration pertaining to the applicant shall not be a consideration in reviewing the request.**

The proposed rezone to RSF-2 is consistent with the development patterns in the area and is appropriate for the orderly development of the community.

**I. Logical expansion of adjacent zoning districts.**

The request to rezone to RSF-2 may be considered a logical expansion of development trends in the surrounding area. Rezoning the site to RSF-2 provides a smoother transition from the RSF-3 zone to the west and the surrounding A-1 zone than currently exists.

**J. Impact on historic resources.**

There are no known historic resources on or adjacent to the subject property.

**K. Environmental impacts.**

There are no known wetlands on the site.

**L. Types of allowable uses and impact of those on surrounding residential areas.**

The allowable uses in the RSF-2 zoning district are specified in LDC Table 4-1: Uses in Agricultural and Residential Districts. The uses permitted in the proposed RSF-2 district are more compatible with existing adjacent land uses than those permitted in A-1 zoning districts.

**M. Relocation of mobile home owners, if applicable, within the meaning of, and pursuant to, F.S. §723.083.**

Not applicable.

**N. In the case of rezones to Planned Development, consistency with the Planned Development District standards contained in Chapter 4.**

Not applicable.

**O. Any other matters which may be appropriate for consideration pursuant to this Code, the Comprehensive Plan or applicable law.**

Not applicable.

**COMPLIANCE WITH COMPREHENSIVE PLAN**

**The site is in the RES-6 (Residential – 6 Dwelling Units/Acre) Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:**

**Policy 2.1.2.7 Appropriate Timing.**

The timing of this rezone is appropriate given trends in the area. Parcels west of the site are zoned RSF-3, and parcels located to the north, south, and east of the site are zoned A-1. There are several PD-R projects in the area that were



approved at higher densities than the proposed rezone; Cypress Pond Estates was approved in 2010 with a gross density of 4.39 du/acre.

**Policy 2.2.1.11.2 Range of Potential Uses.**

Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4). Hotel uses may also be allowed within this designation but only along Urban Corridors and subject to the locational criteria for commercial uses.

**Policy 2.2.1.11.3 Range of Potential Density.**

RES-6 (Residential – 6 Dwelling Units/Acre) has a maximum gross residential density of 6 dwelling units/acre, and a maximum net residential density of 12 dwelling units per acre.

**Policy 2.6.1.1 Compatibility.**

A rezone to the RSF-2 zoning district is compatible with the RES-6 FLUC.

**ATTACHMENTS**

1. Applicable Comprehensive Plan Policies
2. Staff Report Maps
3. Legal Description and Survey Sketch
4. Zoning Disclosure Affidavit
5. Newspaper Advertising
6. Ordinance Z-17-06

**APPLICABLE COMPREHENSIVE PLAN POLICIES**

Policy:	2.1.2.7	<p>Review all proposed development for compatibility and appropriate timing. This analysis shall include:</p> <ul style="list-style-type: none"> <li>- consideration of existing development patterns,</li> <li>- types of land uses,</li> <li>- transition between land uses,</li> <li>- density and intensity of land uses,</li> <li>- natural features,</li> <li>- approved development in the area,</li> <li>- availability of adequate roadways,</li> <li>- adequate centralized water and sewer facilities,</li> <li>- other necessary infrastructure and services.</li> <li>- limiting urban sprawl</li> <li>- applicable specific area plans</li> <li>- (See also policies under Objs. 2.6.1 - 2.6.3)</li> </ul>
Policy:	2.2.1.12	RES-6: Establish the Residential-6 future land use category as follows:
Policy:	2.2.1.12.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density urban, or a clustered low-moderate density urban, residential environment. Also, to provide for a complement of support uses normally utilized during the daily activities of residents of these low or low-moderate density urban areas.
Policy:	2.2.1.12.2	Range of Potential Uses (see Policies 2.1.2.3—2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4). Hotel uses may also be allowed within this designation but only along Urban Corridors and subject to the locational criteria for commercial uses.
Policy:	2.2.1.12.3	<p>Range of Potential Density/Intensity:</p> <p>Maximum Gross Residential Density: 6 dwelling units per acre</p> <p>Maximum Net Residential Density: 12 dwelling units per acre (except within the WO or CHHA Overlay Districts pursuant to Policies 2.3.1.5 and 4.3.1.5)</p>

Maximum Floor Area Ratio:  
0.23 (0.35 for mini-warehouse uses only)

Maximum Square Footage for Neighborhood Retail Uses:  
Medium (150,000sf)

Policy: 2.2.1.11.4

Other Information:

a) All mixed, multiple-use, and community serving non-residential projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.

b) All projects for which gross residential density exceeds 1 dwelling unit per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval.

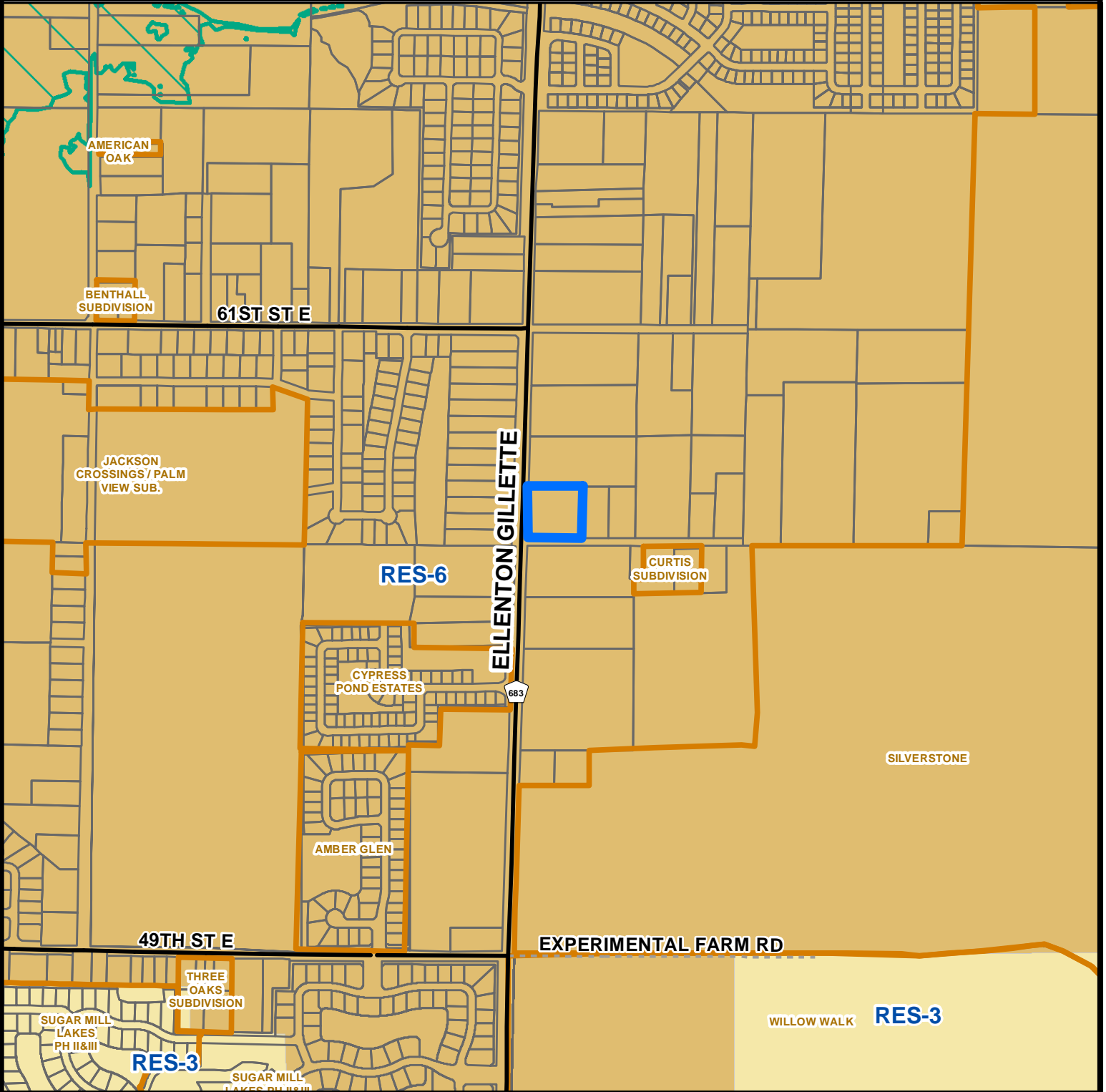
c) Any nonresidential project exceeding 30,000 square feet shall require special approval.

Policy: 2.2.1.11.5

In order to serve more than day to day needs within the low-moderate density urban environment, properties meeting the following criteria may be developed with land uses which are defined as community serving non-residential uses:

a) Located at the intersection of an arterial and a collector roadway as defined in the Chapter 5 of this plan.

# FUTURE LAND USE



Parcel ID #(s) 710810763

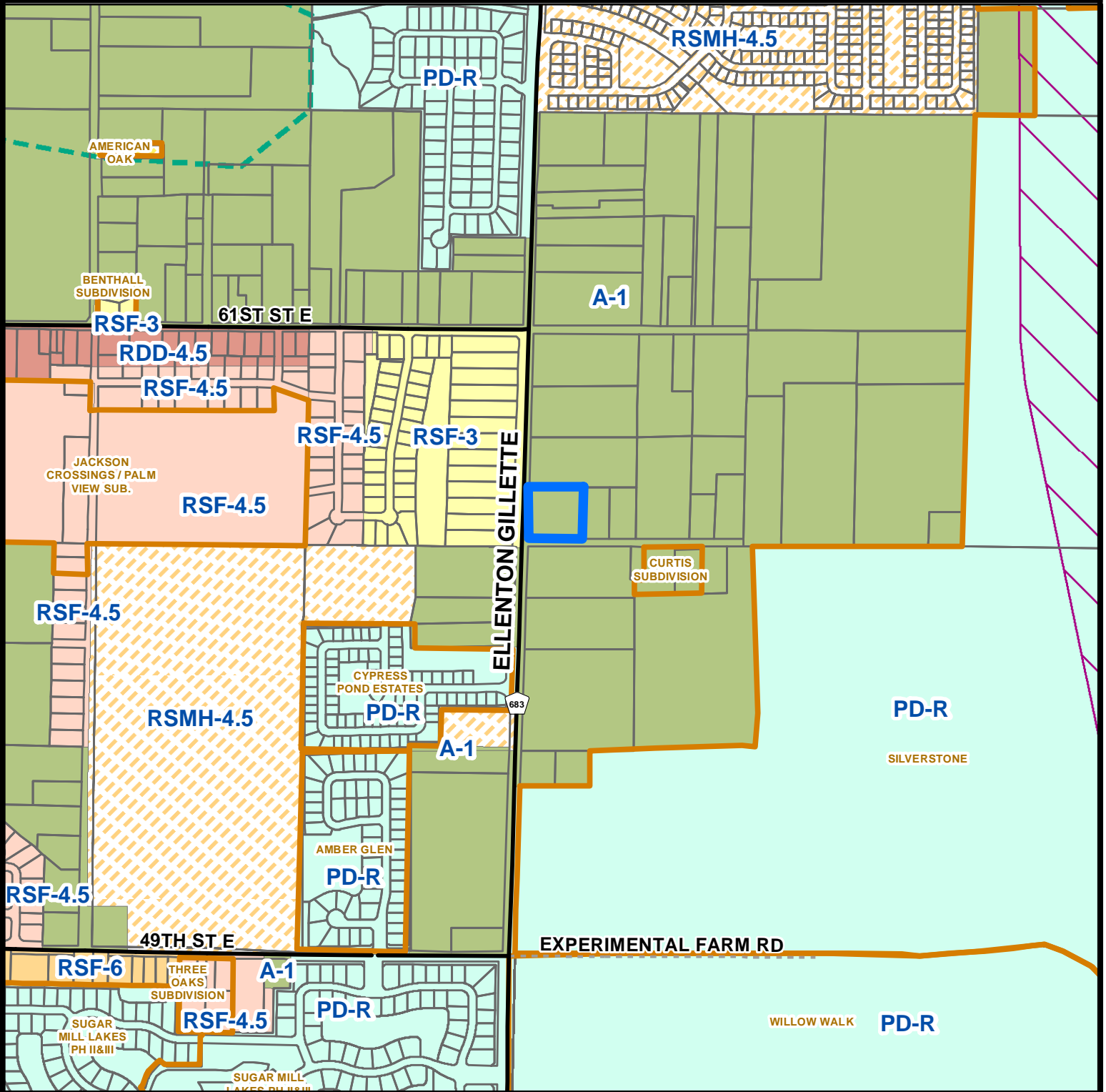
Project Name: Eurice Rezone  
 Project #: Z-17-06  
 DTS#: 20170569  
 Proposed Use:

S/T/R: Sec 32 Twn 33S Rng 18E  
 Acreage: 2.33  
 Existing Zoning: A1  
 Existing FLU: RES-6  
 Overlays: NONE  
 Special Areas: NONE

CHH: NONE  
 Watershed: NONE  
 Drainage Basin: MCMULLIN CREEK  
 Commissioner: Priscilla Whisenant Trace

Manatee County  
 Staff Report Map  
 Map Prepared 1/23/2018  
 1 inch = 833 feet

# ZONING



Parcel ID #(s) 710810763

Project Name: Eurice Rezone  
 Project #: Z-17-06  
 DTS#: 20170569  
 Proposed Use:

S/T/R: Sec 32 Twn 33S Rng 18E  
 Acreage: 2.33  
 Existing Zoning: A1  
 Existing FLU: RES-6  
 Overlays: NONE  
 Special Areas: NONE

CHH: NONE  
 Watershed: NONE  
 Drainage Basin: MCMULLIN CREEK  
 Commissioner: Priscilla Whisenant Trace

Manatee County  
 Staff Report Map  
 Map Prepared 1/23/2018  
 1 inch = 833 feet

# AERIAL



Parcel ID #(s) 710810763

Project Name: Eurice Rezone  
Project #: Z-17-06  
DTS#: 20170569  
Proposed Use:

S/T/R: Sec 32 Twn 33S Rng 18E  
Acreage: 2.33  
Existing Zoning: A1  
Existing FLU: RES-6  
Overlays: NONE  
Special Areas: NONE

CHH: NONE  
Watershed: NONE  
Drainage Basin: MCMULLIN CREEK  
Commissioner: Priscilla Whisenant Trace

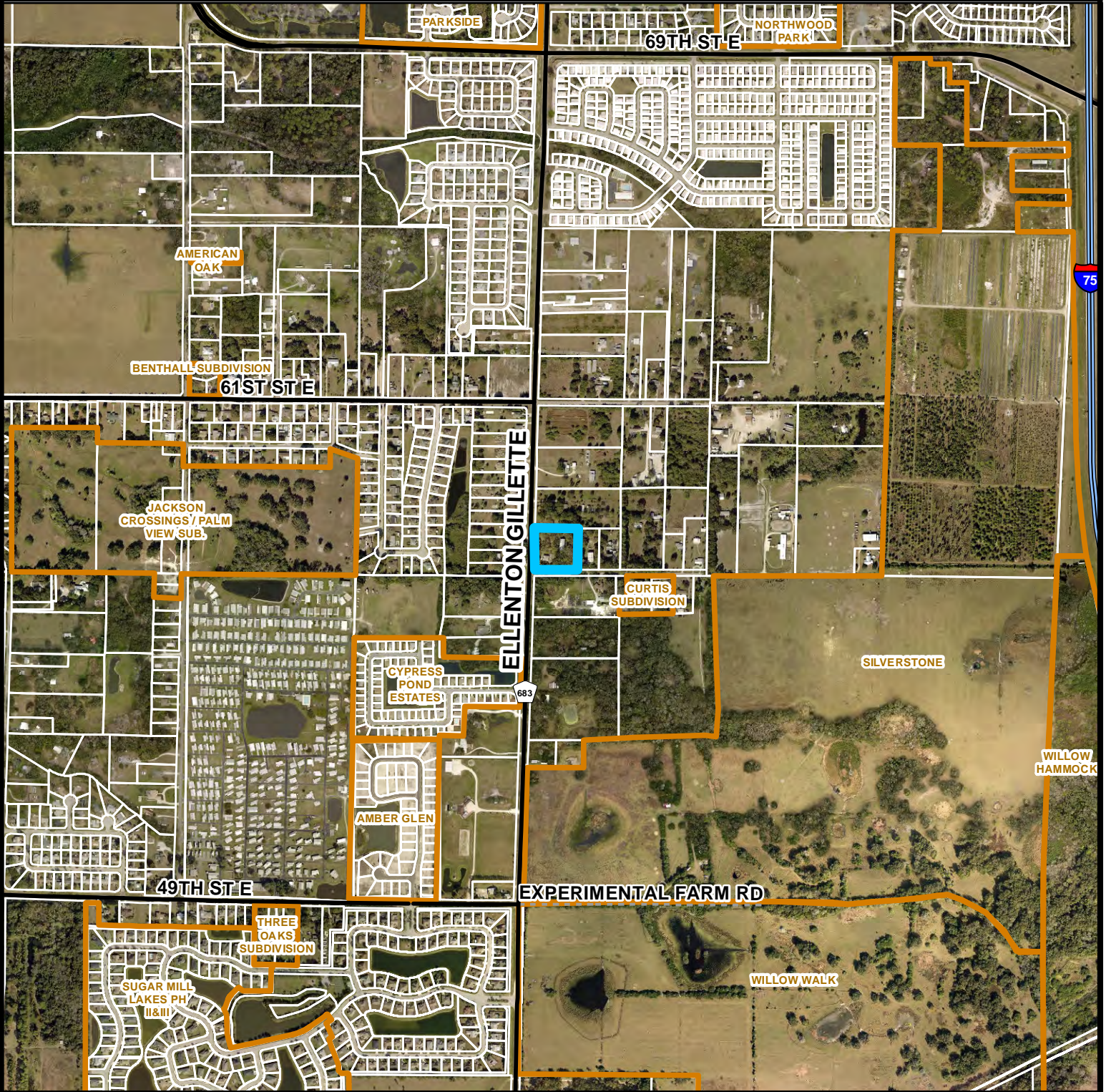


Manatee County  
Staff Report Map

Map Prepared 1/23/2018

1 inch = 130 feet

# AERIAL



Parcel ID #(s) 710810763

Project Name: Eurice Rezone  
 Project #: Z-17-06  
 DTS#: 20170569  
 Proposed Use:

S/T/R: Sec 32 Twn 33S Rng 18E  
 Acreage: 2.33  
 Existing Zoning: A1  
 Existing FLU: RES-6  
 Overlays: NONE  
 Special Areas: NONE

CHH: NONE  
 Watershed: NONE  
 Drainage Basin: MCMULLIN CREEK  
 Commissioner: Priscilla Whisenant Trace

Manatee County  
 Staff Report Map  
 Map Prepared 1/23/2018



1 inch = 1,042 feet



# Leo Mills & Associates, Inc.

LICENSED BUSINESS NO. 819 • SURVEYING • LAND PLANNING

620 8th AVENUE WEST, PALMETTO, FL 34221  
PHONE: (941)722-2460 FAX: (941)722-9640

22 NORTH POLK AVENUE, ARCADIA, FL 34266  
PHONE: (863)993-4141 FAX: (863)993-2646

LEO MILLS - PSM 1735 (RETIRED)  
LEO MILLS, JR - PSM 3513  
MEMBER FLORIDA SURVEYING  
AND MAPPING SOCIETY &  
MANASOTA CHAPTER SURVEYING  
AND MAPPING SOCIETY

## SKETCH OF DESCRIPTION

(SHEET 2 OF 2)

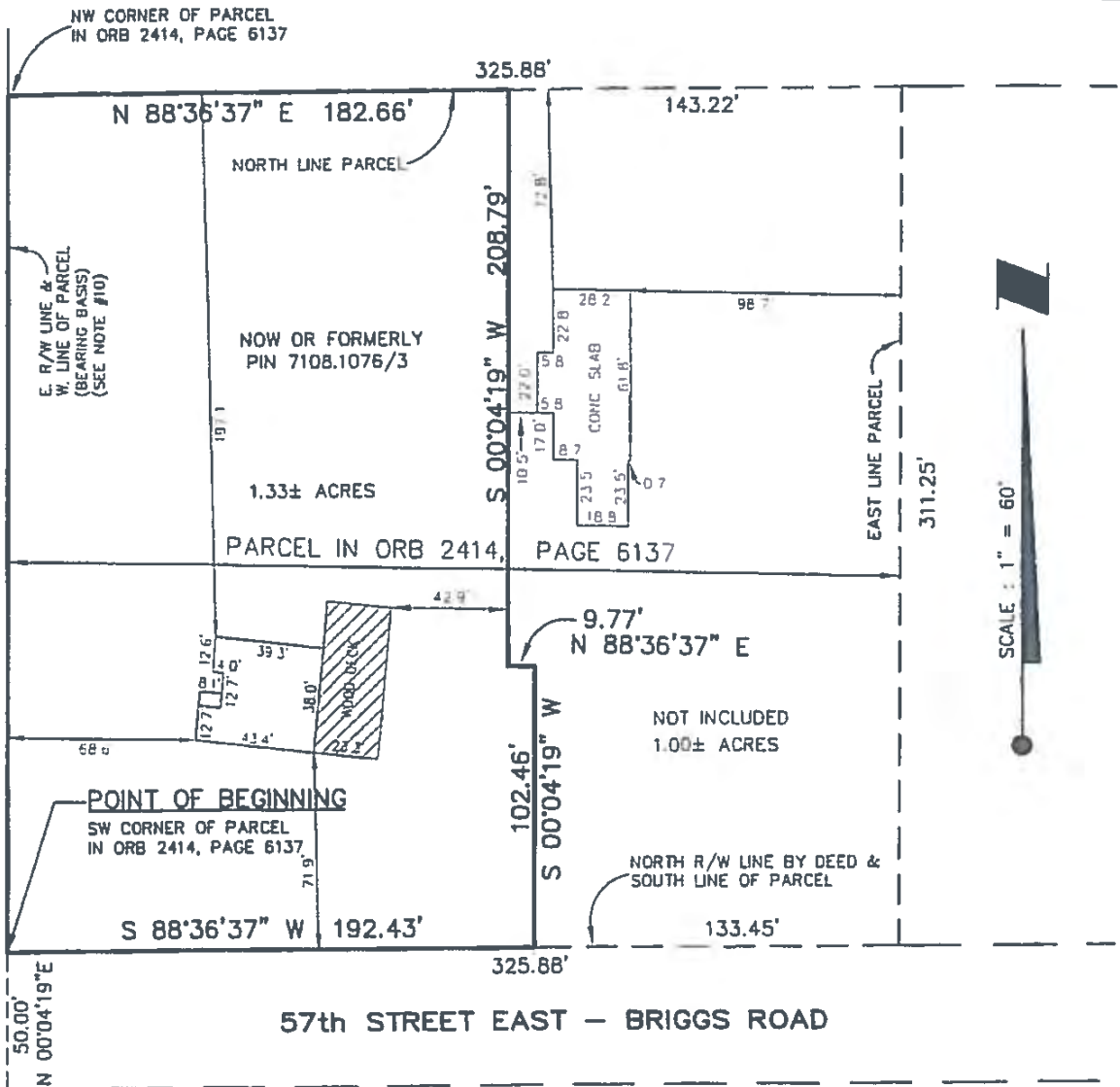
FOR: BILL EURICE

DATE: 03/14/2017

SECTION 32, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA

36th AVENUE EAST - ELLENTON-GILLETTE ROAD  
(COUNTY ROAD #683)

N 00°04'19" E 311.25'



### LEGEND

- R/W = RIGHT-OF-WAY
- ORB = OFFICIAL RECORDS BOOK
- PIN = MANATEE COUNTY PROPERTY APPRAISER'S PARCEL IDENTIFICATION NUMBER



JOB NO. ....CB277.....

SCALE: ...1" = 60'... FILE INDEX NO. 6048



Title or Rank

**ZONING DISCLOSURE AFFIDAVIT**

**B4**

File Number \_\_\_\_\_

File Name Eurice Rezone

The Manatee County Land Development Code 90-01, as amended requires that all applications for Zoning Atlas Amendments shall include public disclosure of applicants and their percentage of interest.

If the property is owned by a CORPORATION, list the principal officers and principal stockholders and the percentage of stock owned by each.


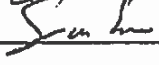
If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

If the property is in the name of a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the principals below, including general and limited partners.

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust. This is in addition to the list of owners.

FOR ANY CHANGES OF OWNERSHIP OR CHANGES IN CONTRACTS FOR PURCHASE SUBSEQUENT TO THE DATE OF THE APPLICATION, BUT PRIOR TO THE DATE OF FINAL PUBLIC HEARING, A SUPPLEMENTAL DISCLOSURE OF INTEREST SHALL BE FILED.

Disclosure shall not be required of any entity whose interests are solely equity interest which are regularly traded on an established securities market in the United State or another country.

<u>NAME, ADDRESS AND OFFICER</u>	<u>PERCENTAGE STOCK, INTEREST OR OWNERSHIP</u>
Check if owner ( X ) or contract purchaser ( )	
<u>Bill Eurice</u> 	<u>50%</u>
<u>Sarah Eurice</u> 	<u>50%</u>
_____	_____

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF FL

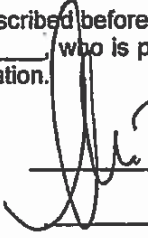
(Applicant): \_\_\_\_\_

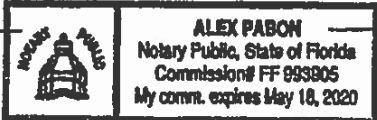
The foregoing instrument was sworn to (or affirmed) and subscribed before me this 7 day of Nov, 2017 by William Eurice who is personally known to me or who has produced Knolan as identification.  
(type of identification)

Signature: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Commission No: \_\_\_\_\_

  
\_\_\_\_\_  
Notary  
Print or type name of Notary Alex Pabon  
\_\_\_\_\_  
Title or Rank Partner



**Bradenton Herald**

March 21, 2018

Miscellaneous Notices

**NOTICE OF ZONING CHANGES IN UNINCORPORATED  
MANATEE COUNTY**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on April 5, 2018, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida, to consider and act upon the following matters:

**PDC-17-10(G) [RELATED TO PDC-05-58(Z)(P)] PALMETTO PLAZA  
DTS20170393**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; approving a new General Development Plan for a commercial center to include a convenience store and gas pumps as well as additional commercial uses, on an approximately 9.16 acre site within the PDC (Planned Development - Commercial) zoning district; generally located west of US 41 at the intersection of US 41 and Bayshore Road, extending to the intersection of US 41 and Rock Payne Road (89th Street East), and the intersection of Bayshore Road and Rock Payne Road (89th Street East) at 9025 US41 N (Palmetto); subject to stipulations as conditions of approval; approving a schedule of uses voluntarily proffered by the applicant and attached as Exhibit "B"; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDMU-17-30(P) 423 SUWANEE AVENUE (F.K.A. 423 PARTNERS LLC)  
DTS20170558**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for a mixed use redevelopment on an approximately 0.5096-acre site in the ROR (Retail/Office/Residential) Future Land Use Category, within the PDMU (Planned Development Mixed-Use) zoning district, and generally located at the northeast corner of Suwanee Avenue and Pinehurst Street at 423 Suwanee Avenue, Sarasota (Manatee County); subject to stipulations as conditions of approval; approving a schedule of uses voluntarily proffered by the applicant and attached as Exhibit B; setting forth findings; providing a legal description;

providing for severability, and providing an effective date.

**PDR-17-19(Z)(P) SMR NORTHEAST, LLC/CRESSWIND DTS20170260**  
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to the zoning within the unincorporated area; providing for a rezone of approximately 249.58 acres generally located +1.5 miles east of Lorraine Road, +1.5 miles north of SR 70, and +1.3 miles south of SR 64, at 5010 Uihlein Road, Bradenton (Manatee County) from A/WP-E/ST (General Agriculture/Watershed Protection Evers/Special Treatment Overlay Districts) to the PDR/WPE/ST (Planned Development Residential/Watershed Protection Evers/Special Treatment Overlay Districts) zoning district; approving a Preliminary Site Plan for 651 lots for single-family residential detached and semi-detached units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**Z-17-06 - EURICE REZONE DTS20170569**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to zoning in the unincorporated area; providing for the rezoning of approximately 1.33 acres of the western portion of an approximately 2.33-acre site located at the northeast corner of the intersection of Ellenton Gillette Road and 57th Street East at 5702 36th Avenue, from the A-1 (Suburban Agriculture - 1 Dwelling Units/Acre) to the RSF-2 (Residential Single-Family 2.0 Dwelling Units/Acre) zoning district; setting forth findings; proving a legal description; providing for severability, and providing an effective date.

Interested parties may examine the proposed Ordinance and related documents and may obtain assistance regarding this matter from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 x6878; e-mail to: [planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

All interested parties may appear and be heard at the meeting with respect to the proposed Ordinances. According to Florida Statutes, Section 286.0105, any

person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

**THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING  
ADJOURNMENTS.**

**MANATEE COUNTY BOARD  
OF COUNTY COMMISSIONERS**  
Manatee County Building  
and Development Services  
Department  
Manatee County, Florida  
3/21/2018

**Sarasota Herald-Tribune**

March 21, 2018

Miscellaneous Notices

**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on April 5, 2018, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida, to consider and act upon the following matters:

**PDC-17-10(G) [RELATED TO PDC-05-58(Z)(P)] PALMETTO PLAZA  
DTS20170393**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; approving a new General Development Plan for a commercial center to include a convenience store and gas pumps as well as additional commercial uses, on an approximately 9.16 acre site within the PDC (Planned Development - Commercial) zoning district; generally located west of US 41 at the intersection of US 41 and Bayshore Road, extending to the intersection of US 41 and Rock Payne Road (89th Street East), and the intersection of Bayshore Road and Rock Payne Road (89th Street East) at 9025 US41 N (Palmetto); subject to stipulations as conditions of approval; approving a schedule of uses voluntarily proffered by the applicant and attached as Exhibit "B"; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDMU-17-30(P) 423 SUWANEE AVENUE (F.K.A. 423 PARTNERS LLC)  
DTS20170558**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for a mixed use redevelopment on an approximately 0.5096-acre site in the ROR (Retail/Office/Residential) Future Land Use Category, within the PDMU (Planned Development Mixed-Use) zoning district, and generally located at the northeast corner of Suwanee Avenue and Pinehurst Street at 423 Suwanee Avenue, Sarasota (Manatee County); subject to stipulations as conditions of approval; approving a schedule of uses voluntarily proffered by the applicant and attached as Exhibit B; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-17-19(Z)(P) SMR NORTHEAST, LLC/CRESSWIND DTS20170260**

An Ordinance of the Board of County Commissioners of Manatee County,

Florida, regarding land development; amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to the zoning within the unincorporated area; providing for a rezone of approximately 249.58 acres generally located +1.5 miles east of Lorraine Road, +1.5 miles north of SR 70, and +1.3 miles south of SR 64, at 5010 Uihlein Road, Bradenton (Manatee County) from A/WP-E/ST (General Agriculture/Watershed Protection Evers/Special Treatment Overlay Districts) to the PDR/WP-E/ST (Planned Development Residential/Watershed Protection Evers/Special Treatment Overlay Districts) zoning district; approving a Preliminary Site Plan for 651 lots for single-family residential detached and semi-detached units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Z-17-06 - EURICE REZONE DTS20170569

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to zoning in the unincorporated area; providing for the rezoning of approximately 1.33 acres of the western portion of an approximately 2.33-acre site located at the northeast corner of the intersection of Ellenton Gillette Road and 57th Street East at 5702 36th Avenue, from the A-1 (Suburban Agriculture - 1 Dwelling Units/Acre) to the RSF-2 (Residential Single-Family 2.0 Dwelling Units/Acre) zoning district; setting forth findings; proving a legal description; providing for severability, and providing an effective date.

Interested parties may examine the proposed Ordinance and related documents and may obtain assistance regarding this matter from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 x6878; e-mail to: [planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

All interested parties may appear and be heard at the meeting with respect to the proposed Ordinances. According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not

discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

**THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING  
ADJOURNMENTS.**

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS**

Manatee County Building and Development Services Department

Manatee County, Florida

Date of pub: March 21, 2018

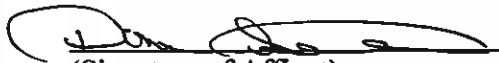
# BRADENTON HERALD

WWW.BRADENTON.COM  
P.O. Box 921  
Bradenton, FL 34206-0921  
1111 3rd Ave. W.  
Bradenton, FL 34205-8894  
941-746-7355

Bradenton Herald  
Published Daily  
Bradenton, Manatee County, Florida

STATE OF FLORIDA  
COUNTY OF MANATEE

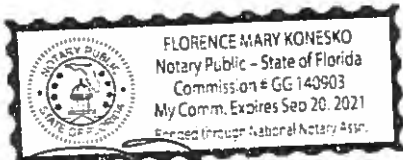
Before the undersigned authority personally appeared Donna Stults, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice of Zoning Changes**, was published in said newspaper in the issue(s) of **03/21/2018**. Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



(Signature of Affiant)

Sworn to and subscribed before me this

21 Day of March, 2018



SEAL & Notary Public

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on April 5, 2018, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida, to consider and act upon the following matters:

**PDC-17-10(B) [RELATED TO PDC-05-58(Z/NP)] PALMETTO PLAZA**  
**DTS20170393**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; approving a new General Development Plan for a commercial center to include a convenience store and gas pumps as well as additional commercial uses, on an approximately 9.16 acre site within the PDC (Planned Development - Commercial) zoning district, generally located west of US 41 at the intersection of US 41 and Bayshore Road, extending to the intersection of US 41 and Rock Payne Road (89th Street East), and the intersection of Bayshore Road and Rock Payne Road (89th Street East) at 9025 US41 N (Palmetto); subject to stipulations as conditions of approval; approving a schedule of uses voluntarily proffered by the applicant and attached as Exhibit "B"; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDMU-17-30(P) 423 SUWANEE AVENUE (F.K.A. 423 PARTNERS LLC) DTS20170558**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for a mixed use redevelopment on an approximately 0.5098-acre site in the ROR (Retail/Office/Residential) Future Land Use Category, within the PDMU (Planned Development Mixed-Use) zoning district, and generally located at the northeast corner of Suwanee Avenue and Pinehurst Street at 423 Suwanee Avenue, Sarasota (Manatee County); subject to stipulations as conditions of approval; approving a schedule of uses voluntarily proffered by the applicant and attached as Exhibit B; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-17-19(Z/NP) SMR NORTH-EAST LLC/CRESSWIND**

**DTS20170260**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to the zoning within the unincorporated area; providing for a rezone of approximately 249.58 acres generally located +1.5 miles east of Lorraine Road, +1.5 miles north of SR 70, and +1.3 miles south of SR 84, at 5010 Uhllein Road, Bradenton (Manatee County) from A/WP-E/ST (General Agriculture/Watershed Protection Evers/Special Treatment Overlay Districts) to the PDR/WPE/ST (Planned Development Residential/Watershed Protection Evers/Special Treatment Overlay Districts) zoning district; approving a Preliminary Site Plan for 851 lots for single-family residential detached and semi-detached units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**Z-17-05 - EURICE REZONE**  
**DTS20170569**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to zoning in the unincorporated area; providing for the rezoning of approximately ±1.33 acres of the western portion of an approximately ±2.33-acre site located at the northeast corner of the intersection of Ellenton Gillette Road and 57th Street East at 5702 36th Avenue, from the A-1 (Suburban Agriculture - 1 Dwelling Units/Acre) to the RSF-2 (Residential Single-Family 2.0 Dwelling Units/Acre) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Interested parties may examine the proposed Ordinance and related documents and may obtain assistance regarding this matter from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 x6878; e-mail to: [planning.open@mcmanatee.org](mailto:planning.open@mcmanatee.org)

All interested parties may appear and be heard at the meeting with respect to the proposed Ordinances. According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
Manatee County Building  
and Development Services  
Department  
Manatee County, Florida  
3/21/2018

# AFFIDAVIT OF PUBLICATION

SARASOTA HERALD-TRIBUNE  
PUBLISHED DAILY  
SARASOTA, SARASOTA COUNTY, FLORIDA

STATE OF FLORIDA  
COUNTY OF MANATEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED JM MITCHELL, WHO ON OATH SAID SHE IS DIRECTOR OF ADVERTISING FOR THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY FLORIDA; AND CIRCULATED IN MANATEE COUNTEE DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT BEING A NOTICE IN THE MATTER OF:

Legal description documented below:

IN THE COURT WAS PUBLISHED IN THE MANATEE EDITION OF SAID NEWSPAPER IN THE ISSUES OF:

3/21 1x

AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE POST OFFICE IN BRADENTON, IN SAID MANATEE COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT SHE HAS NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN THE SAID NEWSPAPER.

*Jmitchell*

SIGNED \_\_\_\_\_

SWORN OR AFFIRMED TO, AND SUBSCRIBED BEFORE ME THIS 22 DAY OF March, A.D., 2018  
BY JM MITCHELL WHO IS PERSONALLY KNOWN TO ME.

*[Signature]*  
\_\_\_\_\_  
Notary Public



**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on April 5, 2018, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida, to consider and act upon the following matters:

**PDC-17-10(G) [RELATED TO PDC-05-58(Z)(P)] PALMETTO PLAZA DTS20170393**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; approving a new General Development Plan for a commercial center to include a convenience store and gas pumps as well as additional commercial uses, on an approximately 9.18 acre site within the PDC (Planned Development - Commercial) zoning district; generally located west of US 41 at the intersection of US 41 and Bayshore Road, extending to the intersection of US 41 and Rock Payne Road (89th Street East), and the intersection of Bayshore Road and Rock Payne Road (89th Street East) at 9025 US41 N (Palmetto), subject to stipulations as conditions of approval; approving a schedule of uses voluntarily proffered by the applicant and attached as Exhibit "B"; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDMU-17-30(P) 423 SUWANEE AVENUE (F.K.A. 423 PARTNERS LLC) DTS20170558**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; approving a Preliminary Site Plan for a mixed use redevelopment on an approximately 0.5096-acre site in the ROR (Retail/Office/Residential) Future Land Use Category, within the PDMU (Planned Development Mixed-Use) zoning district, and generally located at the northeast corner of Suwanee Avenue and Pinehurst Street at 423 Suwanee Avenue, Sarasota (Manatee County), subject to stipulations as conditions of approval; approving a schedule of uses voluntarily proffered by the applicant and attached as Exhibit B; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-17-19(Z)(P) SMR NORTHEAST, LLC/CRESSWIND DTS20170260**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to the zoning within the unincorporated area; providing for a rezoning of approximately 249.58 acres generally located +1.5 miles east of Lorraine Road, +1.5 miles north of SR 70, and +1.3 miles south of SR 64, at 5010 Uihlein Road, Bradenton (Manatee County) from A/WP-E/ST (General Agriculture/Watershed Protection Evers/Special Treatment Overlay Districts) to the PDR/WP-E/ST (Planned Residential/Watershed Protection Evers/Special Treatment Overlay Districts) zoning district; approving a Preliminary Site Plan for 651 lots for single-family residential detached and semi-detached units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**Z-17-06 - EURICE REZONE DTS20170569**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to zoning in the unincorporated area; providing for the rezoning of approximately ±1.33 acres of the western portion of an approximately ±2.33-acre site located at the northeast corner of the intersection of Ellenton Gillette Road and 57th Street East at 5702 36th Avenue,

from the A-1 (Suburban Agriculture - 1 Dwelling Units/Acre) to the RSF-2 (Residential Single-Family 2.0 Dwelling Units/Acre) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Interested parties may examine the proposed Ordinance and related documents and may obtain assistance regarding this matter from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 x6878; e-mail to: [planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

All interested parties may appear and be heard at the meeting with respect to the proposed Ordinances. According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

**Americans with Disabilities:** The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
Manatee County Building and Development Services Department  
Manatee County, Florida

Date of pub: March 21, 2018

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 ROBERT SCHMITT, who, after having first been duly sworn and put upon oath, says as follows:

1. That he/she is the AGENT FOR OWNER (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for EURICE REZONE Z-17-06 DTS20170569 be heard before the Manatee County Planning Commission at a public hearing to be held on March 8, 2018 and to be heard before the Manatee County Board of County Commissioners at a public hearing to be held on April 5, 2018 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. 15-17, on the property identified in the application, and the sign(s) was conspicuously posted 5 feet from the front property line on the 23<sup>rd</sup> day of FEBRUARY, 2018.

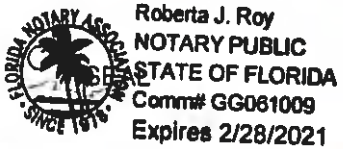
3. That the Affiant has caused the mailing of the required letter of notification to property owners within five hundred (500) feet of the project boundary pursuant to Manatee County Ordinance No. 15-17, as amended, by U.S. Mail, on the 23<sup>rd</sup> day of FEBRUARY, 2018, and attaches hereto, as a 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. 15-17, 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 February 23, 2018 (date) by Bob Schmitt (name of affiant). He is personally known to me or has produced DIA (type of identification) as identification and who did take an oath.



[Signature]  
Signature of Person Taking Acknowledgment  
Roberta J Roy  
Type Name  
Notary Public  
Title or Rank

My Commission Expires: 2/28/2021

Commission No.: GG 061009

Serial Number, if any

Parcel Owners within a 500 ft. Radius. 2/13/2018

OWNER	SECONDARY_OWNER	OWN_ADDR	OWN_ADDR2	CITY	ST	ZIP	CNTRY	PARCEL_ID	LOCATION_ADD
ACOSTA, ROBERT		7116 49TH PL E		PALMETTO	FL	34221	UNITED STATES OF AMERICA	710811050	5812 36TH AVE E
ALEXANDER, CHARITY		3720 57TH ST E		PALMETTO	FL	34221	UNITED STATES OF AMERICA	715500005	3720 57TH ST E
ALEXANDER, CHARITY		3720 57TH ST E		PALMETTO	FL	34221	UNITED STATES OF AMERICA	715900007	3750 57TH ST E
BELL, ROBERT M	BELL, LISA A	3617 57TH ST E		PALMETTO	FL	34221-7368	UNITED STATES OF AMERICA	710810755	3617 57TH ST E
CAMPOS, ESTEBAN	CAMPOS, FELIX	5805 36TH AVE E		PALMETTO	FL	34221-6908	UNITED STATES OF AMERICA	710802759	5805 36TH AVE E
CARDENAS, OCTAVIO TORRES		1575 15TH AVENUE DR E #102		PALMETTO	FL	34221	UNITED STATES OF AMERICA	710802609	5907 36TH AVE E
CURTIS, DESSIE H		3908 57TH ST E		PALMETTO	FL	34221-9389	UNITED STATES OF AMERICA	714900109	3908 57TH ST E
DAKIN, PEGGY J		5916 ELLENTON GILLETTE RD		PALMETTO	FL	34221-6905	UNITED STATES OF AMERICA	710810904	5916 36TH AVE E
DOMINGUEZ, VICENTE PEREZ	GUTIERREZ, ALEJANDRA BAUTISTA	5815 36TH AVE E		PALMETTO	FL	34221-6908	UNITED STATES OF AMERICA	710802659	5815 36TH AVE E
HERRERA, YOLANDA R ESQUIVEL		5809 36TH AVE E		PALMETTO	FL	34221-6908	UNITED STATES OF AMERICA	710802709	5809 36TH AVE E
LEWIS, DAVID P	LEWIS, BARBARA P	323 10TH AVE W 103		PALMETTO	FL	34221-5042	UNITED STATES OF AMERICA	715600003	5510 36TH AVE E
MAXEY, RICKY L	MAXEY, TINA L	5617 36TH AVE E		PALMETTO	FL	34221	UNITED STATES OF AMERICA	715800009	5617 36TH AVE E
MEJIA, MARICELA		5911 36TH AVE E		PALMETTO	FL	34221-6906	UNITED STATES OF AMERICA	710802559	5911 36TH AVE E
OAKES, GLENN A II		3808 61ST ST E		PALMETTO	FL	34221-9332	UNITED STATES OF AMERICA	710810102	3808 61ST ST E

Parcel Owners within a 500 ft. Radius. 2/13/2018

OSCIAK, MICHAEL W		5707 36TH AVE E		PALMETTO	FL	34221-6903	UNITED STATES OF AMERICA	710802909	5707 36TH AVE E
PEREZ-HILARIO, JUAN	JUAREZ-MATIANO, FERNANDA	5703 36TH AVE E		PALMETTO	FL	34221-6903	UNITED STATES OF AMERICA	710802959	5703 36TH AVE E
POLANCO, ENRIGUE D	POLANCO, JENNIFER	PO BOX 1499		PALMETTO	FL	34220-1499	UNITED STATES OF AMERICA	710802859	5711 36TH AVE E
ROOK, DAVID L	ROOK, BRENDA	5715 36TH AVE E		PALMETTO	FL	34221	UNITED STATES OF AMERICA	710802809	5715 36TH AVE E
ROTHWELL, JACQUELINE P		3907 57TH ST E		PALMETTO	FL	34221-9390	UNITED STATES OF AMERICA	710811001	3907 57TH ST E
ROWLAND, OWENS H	ROWLAND, PAMELA P	5515 36TH AVE E		PALMETTO	FL	34221	UNITED STATES OF AMERICA	716100109	5515 36TH AVE E
SMITH, JON E	SMITH, SHEILA L	3705 57TH ST E		PALMETTO	FL	34221-9388	UNITED STATES OF AMERICA	710810789	3705 57TH ST E
WILLIS, AMY C		10126 28TH AVE E		PALMETTO	FL	34221-8713	UNITED STATES OF AMERICA	715100109	4003 57TH ST E

**MANATEE COUNTY ZONING ORDINANCE  
Z-17-06 – EURICE REZONE DTS20170569**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 15-17, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING IN THE UNINCORPORATED AREA; PROVIDING FOR THE REZONING OF APPROXIMATELY ±1.33 ACRES OF THE WESTERN PORTION OF AN APPROXIMATELY ±2.33-ACRE SITE LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF ELLENTON GILLETTE ROAD AND 57<sup>TH</sup> STREET EAST AT 5702 36<sup>TH</sup> AVENUE, FROM THE A-1 (SUBURBAN AGRICULTURE – 1 DWELLING UNITS/ACRE) TO THE RSF-2 (RESIDENTIAL SINGLE-FAMILY 2.0 DWELLING UNITS/ACRE) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Bill and Sarah Eurice (the “Applicants”) filed an application to rezone approximately 1.33 acres of the western portion of an approximately 2.33-acre site (1.33± acres) described in Exhibit “A”, attached hereto, (the “Property”) from A-1 (Suburban Agriculture – 1 dwelling unit/acre) to the RSF-2 (Residential Single-Family, 2.0 dwelling units/acre) zoning district; and

**WHEREAS**, the Building and Development Services staff has recommended approval of the rezone, as described in the staff report; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on March 8, 2018 to consider the rezone, received the staff recommendation and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

**WHEREAS**, the Manatee County Planning Commission, as the County’s Local Planning Agency, found the rezone consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the applications.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:**

**Section 1. FINDINGS OF FACT.** The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners. The Board of County Commissioners of Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of the County, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit “A” of this Ordinance from A-1 (Suburban Agriculture – 1 dwelling unit/acre) to the RSF-2 (Residential Single-Family, 2.0 dwelling units/acre) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on April 5, 2018 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at the public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

**Section 2. AMENDMENT OF THE OFFICIAL ZONING ATLAS.** The Official Zoning Atlas of Manatee County, Ordinance No. 15-17, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property described in Exhibit "A", incorporated by reference herein, from A-1 (Suburban Agriculture – 1 dwelling unit/acre) to the RSF-2 (Residential Single-Family, 2.0 dwelling units/acre) zoning district, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Building and Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

**Section 3. SEVERABILITY.** If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

**Section 4. CODIFICATION.** Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

**Section 5. STATE AND FEDERAL PERMITTING.** The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

**Section 6. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.



**PASSED AND DULY ADOPTED**, by the Board of County Commissioners of Manatee County, Florida on the 5<sup>th</sup> of April, 2018.

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

**BY:** \_\_\_\_\_  
**Priscilla Trace, Chairman**

**ATTEST:      ANGELINA COLONNESO  
Clerk of the Circuit Court**

**BY:** \_\_\_\_\_  
**Deputy Clerk**

**Exhibit “A”**

**Legal Description**

A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2414, PAGE 6137, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE N88°41'25"E, ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 15.98 FEET TO THE POINT OF INTERSECTION OF SAID LINE AND THE EAST RIGHT-OF-WAY OF STATE ROAD #683; THENCE N00°04'19"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF 57<sup>TH</sup> STREET EAST FOR A POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST CORNER OF SAID PARCEL OF LAND IN OFFICIAL RECORDS BOOK 2414, PAGE 6137; THENCE N00°04'19"E, ALONG SAID EAST RIGHT-OF-WAY LINE AND THE WEST LINE OF SAID PARCEL, A DISTANCE OF 311.25 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE N88°36'37"E, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 182.66 FEET; THENCE S00°04'19"W, 102.46 FEET; THENCE N88°36'37"E, 9.77 FEET; THENCE S00°04'19"W, 208.79 FEET TO THE SOUTH LINE OF SAID PARCEL, ALSO BEING THE AFOREMENTIONED NORTH RIGHT-OF-WAY LINE OF 57<sup>TH</sup> STREET EAST; THENCE S88°36'37"W, ALONG SAID SOUTH LINE, A DISTANCE OF 192.43 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 32, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.