

Manatee County Zoning Ordinance
Z-21-02 – ARCTIC PALM COMPANY (OWNER) – PLN2102-
0088

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 15-17, AS AMENDED, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 3 ACRES ON THE NORTH SIDE OF STATE ROAD 64 EAST APPROXIMATELY 1,300 FEET EAST OF LORRAINE ROAD, BRADENTON (MANATEE COUNTY) FROM A (GENERAL AGRICULTURAL) TO THE GC (GENERAL COMMERCIAL) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Arctic Palm Company (the “Applicant”) filed an application to rezone approximately 3 acres described in Exhibit “A”, attached hereto, (the “Property”) from A (General Agricultural) to the GC (General Commercial) zoning district; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on September 9, 2021 to consider the rezone application, received the Staff Report 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 application.

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 concerned the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit “A” of this Ordinance from A (General Agricultural) to the GC (General Commercial) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on October 7, 2021, 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 (General Agricultural) to the GC (General Commercial) 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.

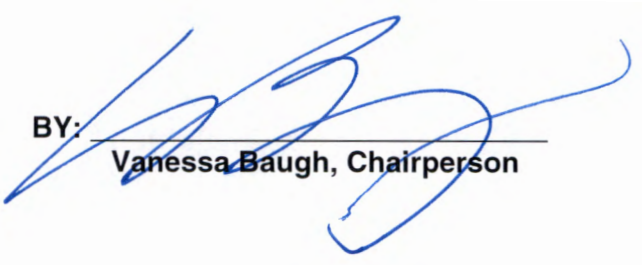
Section 5. STATE AND FEDERAL PERMITTING. The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approval or permits or fails to fulfill the obligations imposed 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 7th day of October 2021 and amended on this 16th day of November 2021.

**BOARD OF COUNTY
COMMISSONERS OF MANATEE
COUNTY, FLORIDA.**



BY: 
Vanessa Baugh, Chairperson

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

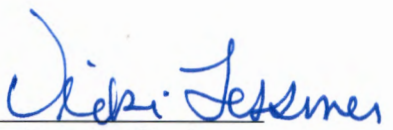
BY: 
Deputy Clerk

Exhibit "A"

Legal Description

THE EAST 179.5 FEET OF: COMMENCE AT THE SW CORNER OF SECTION 34, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE SOUTH 89°32' E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 2521.07 FEET; THENCE NORTH 00°20'39" E, 50 FEET TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 64 FOR THE POINT OF BEGINNING; THENCE CONTINUE N 00°20'59" EAST 727.69 FEET, THENCE S 89°35'53" E, ALONG THE NORTH LINE OF THE S 1/2 OF THE S 1/2 OF SAID SECTION 34, A DISTANCE OF 608.17 FEET; THENCE S 00°43'32" W, 728.45 FEET; THENCE N 89°32' W, ALONG THE AFOREMENTIONED NORTH LINE OF STATE ROAD NO. 64, A DISTANCE OF 603.3 FEET TO THE POINT OF BEGINNING.

APPROVED in Open Session

11/16/2021

Manatee County Board of County
Commissioners



Public Hearing

1112 Manatee Avenue West, PO Box 1000, Bradenton, FL 34205

Phone number: (941) 748-4501 ext. 6878

MEMORANDUM

To: Vicki Tessmer, Supervisor, Board Record, Tax Deeds, and VAB

From: Bobbi Roy, Senior Planning and Zoning Technician

Date: October 20, 2021

Subject: Corrective Document for Zoning Ordinance Z-21-02 Arctic Palm Company (Owner) –
PLN2102-0088

Please arrange to have the attached corrected document for the above a future Clerks Consent Agenda.

The first Whereas Clause in the Ordinance had a typographical error (Artic should have been spelled Arctic).

Please forward a copy of the revised executed Ordinance and letter from the Florida Department of State to bobbi.roy@mymanatee.org.

JAMES
SATCER
District 1

REGGIE
BELLAMY
District 2

KEVIN
VAN OSTENBRIDGE
District 3

MISTY
SERVIA
District 4

VANESSA
BAUGH
District 5

CAROL
WHITMORE
At Large

GEORGE W.
KRUSE
At Large

Manatee County Zoning Ordinance
Z-21-02 – ARCTIC PALM COMPANY (OWNER) – PLN2102-
0088

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 15-17, AS AMENDED, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 3 ACRES ON THE NORTH SIDE OF STATE ROAD 64 EAST APPROXIMATELY 1,300 FEET EAST OF LORRAINE ROAD, BRADENTON (MANATEE COUNTY) FROM A (GENERAL AGRICULTURAL) TO THE GC (GENERAL COMMERCIAL) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Arctic Palm Company (the “Applicant”) filed an application to rezone approximately 3 acres described in Exhibit “A”, attached hereto, (the “Property”) from A (General Agricultural) to the GC (General Commercial) zoning district; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on September 9, 2021 to consider the rezone application, received the Staff Report 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 application.

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 concerned the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit “A” of this Ordinance from A (General Agricultural) to the GC (General Commercial) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on October 7, 2021, 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 (General Agricultural) to the GC (General Commercial) 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 approval 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 7th day of October 2021 and amended on this _____ day of _____ 2021.

**BOARD OF COUNTY
COMMISSONERS OF MANATEE
COUNTY, FLORIDA.**

BY: _____
Vanessa Baugh, Chairperson

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

BY: _____
Deputy Clerk

Exhibit "A"

Legal Description

THE EAST 179.5 FEET OF: COMMENCE AT THE SW CORNER OF SECTION 34, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE SOUTH 89°32' E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 2521.07 FEET; THENCE NORTH 00°20'39" E, 50 FEET TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 64 FOR THE POINT OF BEGINNING; THENCE CONTINUE N 00°20'59" EAST 727.69 FEET, THENCE S 89°35'53" E, ALONG THE NORTH LINE OF THE S 1/2 OF THE S 1/2 OF SAID SECTION 34, A DISTANCE OF 608.17 FEET; THENCE S 00°43'32" W, 728.45 FEET; THENCE N 89°32' W, ALONG THE AFOREMENTIONED NORTH LINE OF STATE ROAD NO. 64, A DISTANCE OF 603.3 FEET TO THE POINT OF BEGINNING.