

FILED FOR RECORD  
R. B. SHORE

ORDINANCE NO. 06-09

2006 JUN 19 PM 4: 24

CLERK OF THE COURT  
MANATEE CO. FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA,  
REGARDING COMPREHENSIVE PLANNING, AMENDING  
MANATEE COUNTY ORDINANCE NO. 89-01, AS AMENDED,  
THE MANATEE COUNTY COMPREHENSIVE PLAN;  
PROVIDING A PURPOSE AND INTENT, PROVIDING  
FINDINGS; AND PROVIDING FOR AN AMENDMENT TO THE  
FUTURE LAND USE MAP FROM RES-9 (RESIDENTIAL  
DWELLING UNITS PER ACRE) TO OL (LOW INTENSITY OFFICE)  
FOR PARCELS LOCATED AT 8241 - LOCKWOOD RIDGE  
ROAD, CONSISTING OF +/- 2.55 ACRES; PROVIDING FOR  
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Part II of Chapter 163, Florida Statutes, of the Local Government Comprehensive Planning and Land Development Regulation Act (the "Act"), empowers and requires County (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 No. 89-01, as amended, 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 established the Manatee County Comprehensive Plan; and

WHEREAS, at a duly noticed public hearing, the Manatee County Planning Commission, as the County's Local Planning Agency for purposes of the Act, considered an amendment to the Manatee County Comprehensive Plan, altering the Future Land Use Map in the Future Land Use Element, as provided 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 for the adoption of this Ordinance and the amendment of the County's Comprehensive Plan, provided herein, have been met or exceeded; and

WHEREAS, on May 11, 2006, 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, on June 1, 2006, 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 to consider the amendment and adopted the proposed amendment in accordance with the Act; and

WHEREAS, the Board of County Commissioners has determined that the growth and development provisions initially approved are no longer appropriate because of a change in circumstance in the adopted plan has been demonstrated by the County as the applicant;

WHEREAS, the land uses authorized pursuant to the proposed plan amendment have been found by the Board of County Commissioners to be more compatible with surrounding land uses in the area than is the current RES-9 (Residential – 9 dwelling units per acre) land use; and found to be consistent with the goals, objectives, and policies of the comprehensive plan and the technical support document for general location of future land use categories; 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 this Ordinance to effect the 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, all applicable requirements of general law and local law have been followed, and the proceedings have been conducted pursuant to the Act, and the Plan Format and Administration Section of the Manatee County Comprehensive Plan; and

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 Act and Chapter 125, Florida Statutes, as amended.

Section 2. Findings: The recitals set forth above are true and correct and are hereby adopted as findings by the Board for the adoption of this Ordinance. 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 designation for the property subject to the amendment is no longer appropriate and should be amended as described in Section 3 below.

Section 3. Map Amendment: The Manatee County Comprehensive Plan, Ordinance No. 89-01, is hereby amended to change the Future Land Use Classification of the property, described on Attachment "A" hereto, which is incorporated herein by reference, from RES-9 (Residential – 9 dwelling units per acre) to OL (Low Intensity Office). Such change shall be incorporated into the Future Land Use Map established and adopted as part of the County's Comprehensive Plan pursuant to Ordinance No. 89-01, as amended.

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.

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 within 31 days after adoption, 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 the Act.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting this June 1, 2006.

BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA



By: Amy Stein  
Amy Stein, First Vice-Chairman

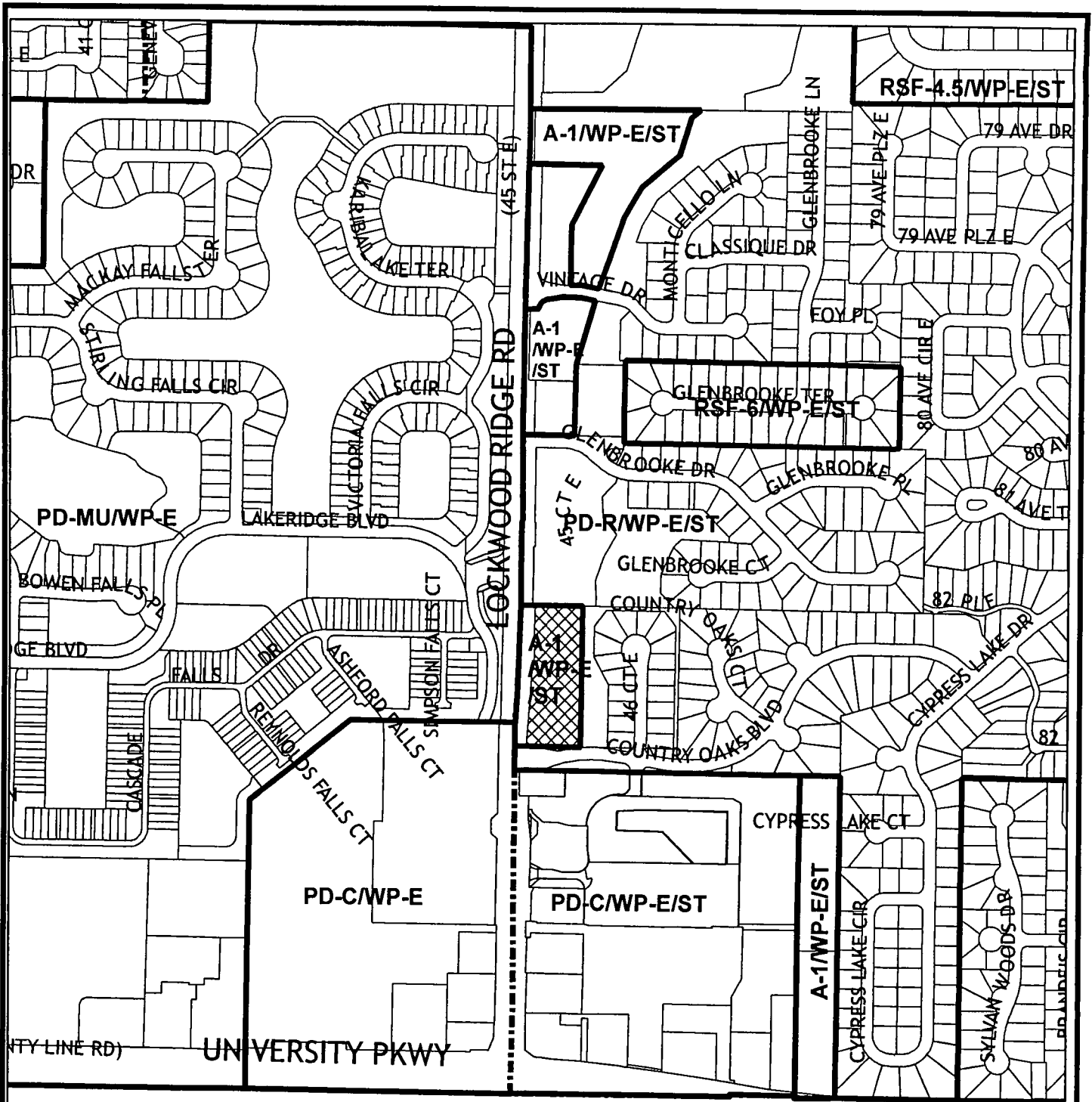
ATTEST: R. B. SHORE  
Clerk of the Circuit Court

By: Susan Lomine  
Deputy Clerk

Exhibit "A"

LEGAL DESCRIPTION

S1/2 Of Nw1/4 Of Se1/4, Less Se1/4 Of Sd Nw1/4 Of Se1/4 & Less S 100 Ft Of Sw1/4 Of Nw1/4 Of Se1/4; Also Less Or 1621 P 548 Desc As Follows: Com At The Sw Cor Of The Nw1/4 Of The Se1/4 Of Sec 33 Twn 35 Rng 18; Th Alg The Wly Line Of Sd Se1/4 N 00 Deg 30 Min 07 Sec E 100 Ft; Th N 89 Deg 36 Min 50 Sec E 268.62 Ft To The Pob; Th From Sd Pob N 00 Deg 09 Min 28 Sec W 569.79 Ft To The N Line Of The S1/2 Of The Nw1/4 Of The Se1/4 Of Sd Sec 33; Th Alg Sd Line N 89 Deg 41 Min 55 Sec E 397.62 Ft To The Ne Cor Of The Sw1/4 Of The Nw1/4 Of The Se1/4 Of Sd Sec 33; Th Alg The Ely Line Of Sd 1/4-1/4-1/4 Sec, The Same Being A Wly Line Of Blk C Country Oaks Phase One, Rec In Pb 22 Pgs 45 Thru 51, S 00 Deg 09 Min 28 Sec E 569.20 Ft; & Th Alg The Nly Line Of Landscape Buffers "C", "B" & "A" & R/W For Future St, All As Shown On The Rec Plat Of Country Oaks Phase One, S 89 Deg 36 Min 50 Sec W 397.62 Ft To The Pob; Also Less Rd R/W In Or 1638 P 1966 Desc As Follows: From The Sw Cor Of Se1/4 Of Sd Sec 33 Run N 00 Deg 52 Min 38 Sec E Alg The W Ln Of Sd Se1/4 A Dist Of 1440.01 Ft; Th S 89 Deg 30 Min 15 Sec E A Dist Of 19.61 Ft To The Pob; Th Alg The Ely Maintained R/W Ln Of Lockwood Ridge Rd As Per Rd Pb 8 Pgs 153-168 The Following Three Courses: (1) N 00 Deg 09 Min 31 Sec E A Dist Of 159.87 Ft; (2) N 02 Deg 39 Min 10 Sec E A Dist Of 300.14 Ft; (3) N 03 Deg 05 Min 49 Sec E A Dist Of 111.05 Ft To The N Ln Of That Certain Parcel Of Land As Desc In Or 1339 P 1334; Th S 89 Deg 25 Min 02 Sec E Alg Sd N Ln A Dist Of 30.07 Ft; Th S 02 Deg 37 Min 59 Sec W A Dist Of 60.99 Ft; Th S 87 Deg 21 Min 29 Sec E A Dist Of 1.00 Ft; Th S 02 Deg 38 Min 31 Sec W A Dist Of 100.06 Ft; Th S 87 Deg 21 Min 29 Sec E A Dist Of 5.00 Ft; Th S 02 Deg 38 Min 31 Sec W A Dist Of 100.06 Ft; Th N 87 Deg 21 Min 29 Sec W A Dist Of 6.00 Ft; Th S 02 Deg 38 Min 31 Sec W A Dist Of 309.98 Ft To The S Ln Of That Certain Parcel Of Land As Desc In Or 1339 P 1344; Th N 89 Deg 30 Min 15 Sec W Alg Sd S Ln A Dist Of 24.09 Ft To The Pob Pi#20467.0005/9



**UNIVERSITY PARKWAY**

Tax ID #(s) 2046700059  
 Project Number: PA-06-09 ORD. 06-09  
 Proposed Use: N/A  
 Proposed Zoning: N/A  
 Requested by: WADE COOPER  
 Flood Zone: X  
 Floodway: N  
 FIRM: 344\_C  
 Evac Zone: NONE  
 Commissioner: Donna Hayes  
 Map Prepared: 1/26/2006 8:19:02 AM

Existing Zoning: A-1/WP-E/ST  
 Existing FLUC: RES-9/WO  
 Proposed FLU: OLWO  
 Acreage: 2.55  
 Watershed: EversZone  
 Overlays: ST  
 Special Areas: NONE  
 Impact District: SE-C  
 CHH: NONE  
 Fire District: Southern Manatee  
 AFHD: SUBURBAN-C  
 Sec Twn Rng: Sec 33 Twn 35 Rng 18  
 Drain Basin: RATTLESNAKE SLOUGH

Manatee County  
 Zoning  
 Staff Report Map  
 1 inch equals 558 feet  
 ----- Special Treatment  
 Boundary



STATE OF FLORIDA, COUNTY OF MANATEE  
 This is to certify that the foregoing is a true and correct copy of the documents on file in my office.  
 Witness my hand and official seal this 7<sup>th</sup> day of 2006  
 R.B. SHORE  
 Clerk of Circuit Court  
 By: *Dianna E. Vollmer* D.C.



FLORIDA DEPARTMENT OF STATE  
**Sue M. Cobb**  
Secretary of State  
DIVISION OF LIBRARY AND INFORMATION SERVICES

FILED ON RECORD  
R. B. SHORE

2006 JUN 19 PM 4:25

CLERK OF CIRCUIT COURT  
MANATEE CO. FLORIDA

June 15, 2006

Honorable R. B. "Chips" Shore  
Clerk of Circuit Court  
Manatee County  
Post Office Box 25400  
Bradenton, Florida 34206

Attention: Diane E. Vollmer, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated June 7, 2006 and certified copies of Manatee County Ordinance Nos. PDMU-99-02(G)(R2), Z-05-12, 06-09, 06-29 and 06-38, which were filed in this office on June 9, 2006.

As requested, the date stamped copies are being returned for your records.

Sincerely,

Liz Cloud  
Program Administrator

LC/mp

Enclosures