

**ORDINANCE NO. 19-07/PA-18-14
MEALS ON WHEELS PLUS OF MANATEE COUNTY (SMALL SCALE PLAN MAP
AMENDMENT) PLN1810-0061**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLANNING; AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED (THE MANATEE COUNTY COMPREHENSIVE PLAN); PROVIDING A PURPOSE AND INTENT; PROVIDING FINDINGS; PROVIDING FOR A PRIVATELY-INITIATED MAP AMENDMENT TO THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT TO DESIGNATE SPECIFIC REAL PROPERTY FROM THE RES-9 (RESIDENTIAL-9) FUTURE LAND USE CLASSIFICATION (0.362779± ACRES) TO THE IL (INDUSTRIAL LIGHT) FUTURE LAND USE CLASSIFICATION; SAID PROPERTY BEING LOCATED ON THE NORTH SIDE OF 23RD AVENUE EAST AND WEST OF 9TH STREET EAST, COMMONLY KNOWN AS 825 23RD AVENUE EAST, BRADENTON (MANATEE COUNTY); PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, The Community Planning Act (the “Act”) is codified in the applicable portions of Chapter 163, Part II, Florida Statutes (2018) as amended, empowers and requires the County (a) to plan for the county’s future development and growth, and (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the county; 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, Application PA-18-14 initiated by the owner of the property described in Exhibit A, (the Applicant) is a request for a map amendment to amend the Future Land Use Map Series of the Future Land Use Element from RES-9 (Residential-9) (0.3627± Acres) Future Land Use Classification to the IL (Industrial/Light) Future Land Use Classification hereinafter (the “Amendment”); and,

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

WHEREAS, at a duly noticed public hearing, the Manatee County Planning Commission, as the County’s Local Planning Agency, in accordance with the Act and as established in the Land Development Code, considered Application PA-18-14 to amend the Future Land Use Map Series, as provided herein, and found the Amendments consistent with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Comprehensive Plan; and,

WHEREAS, on February 14, 2019, the Manatee County Planning Commission, after due public notice, held a public hearing to consider the Amendments, and forwarded its

recommendation to the Board of County Commissioners as required by law; and,

WHEREAS, after due public notice, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing on March 7, 2019 to consider the Amendments 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 a change in circumstance has been demonstrated by the Applicant; and,

WHEREAS, the Applicant has submitted with its Application information and analysis on the compatibility of the proposed uses with surrounding development.

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 in the Whereas clauses 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, and the compatibility analysis submitted with the Applicant, it has been determined that the existing Future Land Use Map designation for the property subject to the Amendments is no longer in the public interest and should be amended subject to the Text Amendment as described in Section 4 below.

Section 4. Map Amendment: The Manatee County Comprehensive Plan is hereby amended to change the Future Land Use Classification of the property, described on Exhibit “A” hereto which is incorporated herein by reference from RES-9 (Residential-9) (0.3627± Acres) Future Land Use Classification to the IL (Industrial Lights) Future Land Use Classification (Future Land Use Map Exhibit “B”). Such change shall be incorporated into the Future Land Use Map established and adopted as part of the County’s Comprehensive Plan, as amended.

Section 5. 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 invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 6. Codification: The publisher of the County’s Comprehensive Plan, the Municipal Corporation, is directed to incorporate the amendments in Sections 3 and 4 of this Ordinance into the Comprehensive Plan.

Section 7. Effective Date: This effective date of this small scale amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(5)(a), F.S. If challenged within 30 days after adoption, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission respectfully, finding the Amendments in compliance with the Act.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting this 7th day of March 2019.

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



By: Stephen R. Jonsson
Stephen R. Jonsson, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

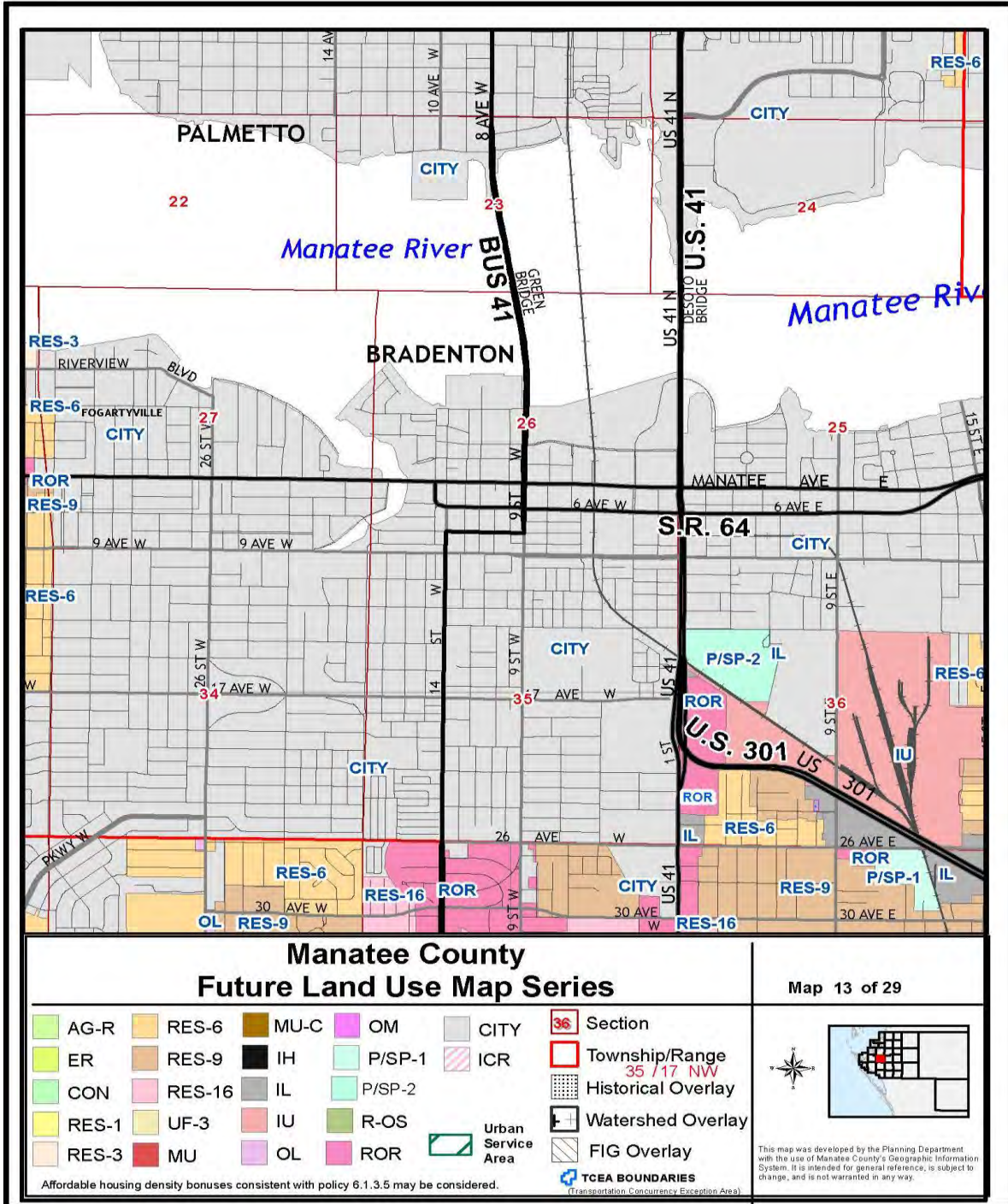
By: Glacovado
Deputy Clerk

Exhibit “A”

LEGAL DESCRIPTION

BEGIN AT THE SE CORNER OF LOT 2 OF J.W. CURRY PLAT, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 64, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE RUN WEST 158 FEET TO THE POINT OF BEGINNING, THENCE NORTH 200 FEET, THENCE WEST 79 FEET, THENCE SOUTH 200 FEET, THENCE EAST 79 FEET TO THE POINT OF BEGINNING. BEING IN SE 1/4 OF SW 1/4 OF SECTION 36, TOWNSHIP 34 SOUTH, RANGE 17 EAST.

Exhibit "B"





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

March 8, 2019

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

Attention: Quantana Acevedo

Dear Ms. Coloneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance 19-07, which was filed in this office on March 8, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

From: ords@municode.com
To: lisa.barrett@mymanatee.org; [Quantana Acevedo](#)
Subject: Manatee County, FL Comprehensive Plan - 2017 (15530) Supplement 4
Date: Tuesday, March 19, 2019 10:40:26 AM
Attachments: [ATT00001.bin](#)
[ATT00002.bin](#)

****THIS IS AN AUTOMATICALLY GENERATED EMAIL****

Below, you will find the material that we have received/recorded to your account. This material is being considered for inclusion in your next/current update, Supplement 4

Document	Adopted Date	Recorded	Recorded Format
Ordinance No. 19-07	3/7/2019	3/19/2019	Word



Update the internet version of your Code more often than a printed supplement. We can update the Internet quarterly, monthly, even weekly.



We can post newly enacted ordinances in the online Code after each meeting.