

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING MANATEE COUNTY RESOLUTION R-89-252 WHICH FORMALLY INITIATED CONSIDERATION OF A MORATORIUM ORDINANCE FOR THE BUFFALO CANAL DRAINAGE BASIN; PROVIDING FOR LIMITED EXEMPTIONS FROM THE PROPOSED MORATORIUM; AND REFERRING SUCH PROPOSED ORDINANCE AS SET FORTH IN RESOLUTION R-89-252 AND AS AMENDED HEREIN TO THE MANATEE COUNTY PLANNING COMMISSION FOR ITS REVIEW AND RECOMMENDATION.

WHEREAS, on December 19, 1989, the Board of County Commissioners of Manatee County, Florida adopted Resolution R-89-252, which formally initiated consideration of an ordinance to consider adoption of a moratorium which provided for a temporary prohibition of the granting or approving of Special Permits, Administrative Permits, Building Permits and other permits or County approvals authorizing development plans in the Buffalo Canal Drainage Basin; and

WHEREAS, pursuant to Smith v. City of Clearwater, 383 So.2d 681 (Fla. 2d DCA 1980), rev. dism. 403 So.2d 407, the moratorium ordinance became pending before the Board of County Commissioners on or before the adoption of the aforementioned Resolution R-89-252, thereby affecting applications for Development Orders in the Buffalo Canal Drainage Basin, pending consideration of the ordinance, and possibly during the period of the moratorium; and

WHEREAS, the Board of County Commissioners desires to exempt certain types of development approvals which have either received certain development status or have no or a negligible impact upon the drainage problems in this area.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Manatee County, Florida, that:

Resolution R-89-252 is hereby amended to insert a new paragraph after paragraph six (6) of said resolution, which would read as follows:

The following types of development shall be exempt from the proposed moratorium:

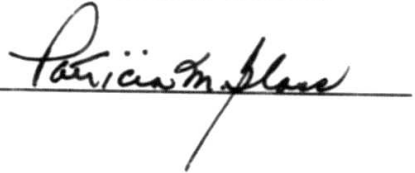
- A. Those projects which have received an approval of a conceptual, preliminary or final development plan, a preliminary or final site plan, or a preliminary or final subdivision plat prior to December 19, 1989;
- B. Those projects which consist of a single family detached dwelling unit on a lot of record as defined in the Manatee County Comprehensive Zoning and Land Development Code; and
- C. Those projects for which a building permit is required for improvements where no additional impervious surface is created or added.

Any exemption under subsection (A) above shall remain in effect so long as development proceeds consistent with any approved plan, plat, or permit, and any plan, plat, or permit for the project has not expired, been revoked, or has otherwise terminated.

BE IT FURTHER RESOLVED that the proposed ordinance, as set forth in Resolution R-89-252 and as amended herein, shall be referred to the Planning Commission for review and action in accordance with the Manatee County Comprehensive Zoning and Land Development Code.

APPROVED AND ADOPTED in regular session with a quorum present and voting, this 13th day of February, 1990. This resolution shall become effective immediately upon adoption.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



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



