

2004 AUG -6 PM 2: 15

FILED FOR RECORD  
R. B. SHORE

CLERK OF DISTRICT COURT  
MANATEE CO. FLORIDA

2004 AUG -6 PM 2: 15

MANATEE COUNTY ZONING ORDINANCE

PDC-03-44(Z)(P) - FREDERICK SOBR/MANATEE FURNITURE EXPANSION

CLERK OF DISTRICT COURT  
MANATEE CO. FLORIDA

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE NO. 90-01 (THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM GC (GENERAL COMMERCIAL) AND RMF-6 (RESIDENTIAL MULTI-FAMILY, 6 DWELLING UNITS PER ACRE) TO PDC (PLANNED DEVELOPMENT COMMERCIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO RECOGNIZE THE EXISTING BUILDINGS (7,844 SQUARE FEET) AND USE OF THE SITE FOR A FURNITURE STORE AND TO CONSTRUCT AN NEW 3,000 SQUARE FOOT STORAGE BUILDING.

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

Section 1. FINDINGS OF FACT. The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission, 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 Section 4 of this Ordinance from GC (General Commercial) and RMF-6 (Residential Multi-Family, 6 dwelling units per acre) to PDC (Planned Development Commercial).

B. The Board of County Commissioners held a public hearing on July 27, 2004 regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, the Manatee County Land Development Code, and has further considered the information received at said public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Section 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan.

Section 2. The Preliminary Site Plan is hereby APPROVED to recognize the existing buildings (7,844 square feet) and used of the site for a furniture store and to construct a new 3,000 square foot storage building with the following Stipulations:

STIPULATIONS

1. The use on the site shall be limited as follows:

- existing buildings - Furniture store only
- new 3,000 sq.ft. building – storage accessory to the furniture store only

BC20040727DOC132

Any change in land use (including general retail sales uses) shall require new public hearing before the Planning Commission and Board of County Commissioners.

2. The new storage building shall not be used for retail sales or accessible to customers. Storage shall only be for the furniture store.
3. The northernmost parking space in the east part of the site shall be eliminated to provide safe maneuverability.
4. All nuisance exotic plant species shall be removed from the site prior to the first Certificate of Occupancy, in accordance with Section 715.4 of the LDC.
5. The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited.
6. All traffic control signage and pavement markings, if warranted, shall conform to FDOT and MUTCD standards.
7. Prior to Final Site Plan approval the applicant must obtain written FDOT approval of the proposed stormwater facilities connection and the continued utilization of the existing driveway access to U.S. 41.
8. Prior to Final Site Plan approval, drainage swales shall be required along the north and east property lines to prevent any adverse impacts on adjacent properties.
9. Prior to Final Site Plan approval, it shall be demonstrated that the proposed retention facility has a positive outfall or has been designed for a 100 year storm event.
10. The stormwater management system shall be designed to provide a reduction of 50% of the allowable pre-development flow from the 25 year 24-hour storm event discharge.
11. A 15 foot wide landscape buffer, containing two offset rows of canopy and understory trees (10 ft. tall, 4 ft. spread, and placed 30 ft. on center) shall be shown on the Final Site Plan and installed along the northern boundary adjacent to the residential use or zoning district. Trees shall be planted outside of the easement along the north property line.
12. A 15 foot wide landscape buffer, containing two offset rows of canopy and understory trees (10 ft. tall, 4 ft. spread, and placed 30 ft. on center) and a 6 foot high solid fence or wall shall be shown on the Final Site Plan and installed along the entire east property line prior to the first Certificate of Occupancy. This buffer shall be 85% opaque to a height of 6 feet at the time of planting.
13. 10 foot wide landscape roadway buffers, containing one row of understory trees (6 feet tall, 1 ½ inch caliper) and 33 shrubs shall be shown on the Final Site Plan and installed along 1st Street East and 31<sup>st</sup> Avenue East prior to the first Certificate of Occupancy.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from GC (General Commercial) and RMF-6 (Residential Multi-Family, 6 dwelling units per acre) to PDC (Planned Development Commercial) and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

EAST ½ OF LOT 18 AND ALL OF LOT 19; BLOCK A; TROPICAL PARK SUBDIVISION

Section 5. 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 27<sup>th</sup> day of July, 2004.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: *Vance Wood-Holman*  
Chairman

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

*R. B. Shore*  
*alc*



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 30<sup>th</sup> day of July, 2004  
R.B. SHORE  
Clerk of Circuit Court  
By: *R. B. Shore* D.C.

FILED FOR RECORD  
R. B. SHORE

2004 AUG -6 PM 2:15

CLEARINGHOUSE COURT  
MANATEE CO. FLORIDA



FLORIDA DEPARTMENT OF STATE

**Glenda E. Hood**

Secretary of State

DIVISION OF LIBRARY AND INFORMATION SERVICES

**RECEIVED**

**AUG 06 2004**

**BOARD RECORDS**

August 3, 2004

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

Attention: Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated July 30, 2004 and certified copy of Manatee County Ordinance No. PDC-03-44(Z)(P), which was filed in this office on August 2, 2004.

As requested, the date stamped copy is being returned for your records.

Sincerely,

A handwritten signature in black ink that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/kcs

Enclosure

☐ STATE LIBRARY OF FLORIDA

R.A. Gray Building • Tallahassee, Florida 32399-0250 • (850) 245-6600

FAX: (850) 488-2746 • TDD: (850) 922-4085 • <http://www.dos.state.fl.us>

☐ LEGISLATIVE LIBRARY SERVICE  
(850) 488-2812 • FAX: (850) 488-9879

☐ RECORDS MANAGEMENT SERVICES  
(850) 487-2180 • FAX: (850) 413-7224

☐ FLORIDA STATE ARCHIVES  
(850) 245-6700 • FAX: (850) 488-4894

☐ ADMINISTRATIVE CODE AND WEEKLY  
(850) 245-6270 • FAX: (850) 245-6282