

FILED FOR RECORD  
R. B. SHORE

2005 SEP -8 AM 8:51

MANATEE COUNTY ZONING ORDINANCE

PDC-04-32(Z)(P) – MANATEE RIVER GROVES/LAKEWOOD STORAGE

CLERK OF DISTRICT COURT  
MANATEE CO FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT 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 APPROXIMATELY 4.73 ACRES LOCATED AT 2611 LORRAINE ROAD FROM THE A (GENERAL AGRICULTURE, 1 DWELLING UNIT PER 5 ACRES) ZONING DISTRICT TO THE PDC (PLANNED DEVELOPMENT COMMERCIAL) ZONING DISTRICT, APPROVING A PRELIMINARY SITE PLAN TO ALLOW A 25,500 SQUARE FOOT BUILDING EXPANSION OF AN EXISTING MINI-WAREHOUSE AND A 34,500 SQUARE FOOT EXPANSION OF COVERED OUTDOOR BOAT AND RV STORAGE USE AND EXPANSION OF THE SITE FOR A TOTAL OF 24.73 ACRES SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; GRANTING SPECIAL APPROVAL FOR A PROJECT OVER 30,000 SQUARE FEET IN THE UF-3 FUTURE LAND USE CATEGORY, SETTING FORTH FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Manatee River Groves( the "Applicant") has filed a rezone application to rezone approximately 4.73 acres described in Exhibit A, attached hereto, (the " Property") from the A (General Agriculture, 1 dwelling unit per 5 acres) zoning district to the PDC (Planned Development Commercial) zoning district; and,

WHEREAS, the Applicant has also filed a preliminary site plan application to allow a 25,500 square foot building expansion of an existing mini-warehouse and a 34,500 square foot expansion of covered outdoor boat and RV storage use (the "Project") to be located upon the Property, and expansion of the site for a total of 24.73 acres; and,

WHEREAS, the Applicant has also filed a request for Special Approval to allow a Project over 30,000 square feet within a UF-3 Future Land Use Category; and,

WHEREAS, the Planning Staff has recommended approval of the rezone and preliminary site plan applications, subject to the stipulations contained in the Planning Staff report;and,

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on August 11, 2005 to consider the rezone, preliminary site plan and special approval application, received the Planning Staff's recommendations 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 and preliminary site plan applications 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 applications, subject to the stipulations contained in the Planning Staff report and the granting of the special approval for a Project over 30,000 square feet within a UF-3 Future Land Use Category.

BC20050823DOC052

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 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 Exhibit A of this Ordinance from the A (General Agriculture, 1 dwelling unit per 5 acres) zoning district to the PDC (Planned Development Commercial) zoning district.

B. The Board of County Commissioners held a duly noticed public hearing on July 26, 2005 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 Exhibit A herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan.

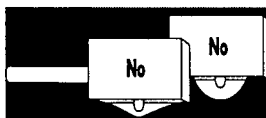
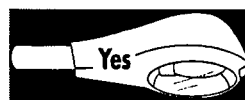
Section 2. The Preliminary Site Plan is hereby APPROVED to allow 125,500 square foot building expansion of an existing mini-warehouse and a 34,500 square foot expansion of covered outdoor boat and RV storage use upon the Property and expansion of the site for a total of 24.73 acres subject to the Stipulations set out below. The Board hereby GRANTS Special Approval for the Project over 30,000 square feet in the Future Land Use Category in accordance with Policy 2.1.11.1.4 of the Manatee County Comprehensive Plan, with the following Stipulations:

#### STIPULATIONS

1. The uses approved with this Preliminary Site Plan include mini-warehouse as defined in Section 704.47, Outdoor Vehicle Storage, including citrus trailers, as limited by Section 703.2.20.1, caretaker's residence and offices, and shall be specified with the Final Site Plan.
2. The operation of the packing plant use on this site shall cease upon approval by the Board of this General Development Plan. (Completed)
3. The applicant shall provide an enhanced roadway buffer along Lorraine Road, except in areas which are currently paved. The buffer shall be 20' wide and shall consist of a double staggered row of canopy trees as well as the shrubs required by Figure 715.B. The retention pond along Lorraine Road may remain provided landscaping is provided

between the right-of-way and the pond. Existing canopy trees meeting the criteria of the LDC may remain and count to satisfy this condition. (Completed)

4. A fence shall be installed along the east property line pursuant to Section 704.47.5 of the Land Development Code. Two rows of the existing citrus trees along the east property line shall remain on the outside of the fence. Should any of the citrus trees be removed, they shall be replaced with the equivalent landscaping required in screening option A of Figure 715.C of the Land Development Code. (Completed for existing use)
5. All required landscaping for this project, including the species used, shall be approved by Planning. The use of native drought tolerant species is required. (Completed for existing use)
6. The use of the septic systems on-site shall be approved by the Health Department prior to Final Site Plan approval. (Completed for existing use)
7. Should the manufactured home be removed from the property in the future, it may be replaced pursuant to Section 703.2.36 of the Land Development Code. (Completed for existing use)
8. Pole signs shall not exceed 16 feet in height. One pole sign shall be allowed along each road frontage. The area of the sign shall be limited by Section 724.6.4.1.1 of the Land Development Code. (Completed for existing use)
9. Prior to Final Site Plan approval, the design and shielding of the on-site lighting shall comply with Section 709.2.2. In addition, pole mounted lights shall be limited to 20' in height and directed to the interior of the development using horizontal cut-offs. A photometric plan shall be submitted to the Planning Department along with the Final Site Plan for approval. Any wall mounted lights or lights within the facility shall have horizontal cut-offs to direct all lights toward the ground.



10. At the time of General Development Plan approval for Phase 4 the applicant shall show a reservation for a 60 foot half-width right-of-way for both Lorraine Road and State Road 64. The 60 foot half-width right-of-way for Lorraine Road shall be shown on all future submittals.

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 Exhibit A herein from the A (General Agriculture, 1 dwelling unit per 5 acres) zoning district to the PDC (Planned Development Commercial) zoning district 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. 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 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 23<sup>rd</sup> day of August, 2005.

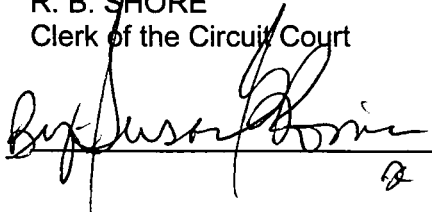
BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: \_\_\_\_\_

  
Chairman

ATTEST:

R. B. SHORE  
Clerk of the Circuit Court

  
B



EXHIBT A.  
LEGAL DESCRIPTION OF THE PROPERTY

A PARCEL OF LAND LYING AND BEING IN SECTION 3, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

COMMENCE AT A NORTHWEST CORNER OF SECTION 3, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S 89° 18' 23" E., ALONG THE NORTH LINE OF SAID SECTION 3, A DISTANCE OF 1,359.34 FEET TO THE INTERSECTION WITH THE EAST MAINTAINED RIGHT OF WAY OF LORRAINE ROAD BY MONUMENTATION; THENCE S 00° 01' 42" E., ALONG SAID MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 1,335.90 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 3; THENCE S. 89° 22' 29" E., ALONG SAID SOUTH LINE, A DISTANCE OF 678.53 FEET FOR A POINT OF BEGINNING; THENCE N. 00° 01' 42" W., A DISTANCE OF 603.17 FEET; THENCE S. 89° 18' 23" E., A DISTANCE OF 341.73 FEET; THENCE S 00° 01' 42" E., A DISTANCE OF 602.78 FEET; THENCE N. 89° 22' 16" W., A DISTANCE OF 341.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.73 ACRES, MORE OR LESS.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.



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 25<sup>th</sup> day of  
August, 2005  
R.B. SHORE  
Clerk of Circuit Court  
By: [Signature] D.C.

FILED FOR RECORD  
R. B. SHORE

2005 SEP -8 AM 8:50

CLERK OF CIRCUIT COURT  
MANATEE CO. FLORIDA



FLORIDA DEPARTMENT OF STATE

**Glenda E. Hood**

Secretary of State

DIVISION OF LIBRARY AND INFORMATION SERVICES

August 30, 2005

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 August 26, 2005 and certified copies of Manatee County Ordinance Nos. 05-10, 05-53, PDC-04-32(Z)(P) and PDC-04-35(Z)(P), which were filed in this office on August 29, 2005.

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

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/kcs

Enclosures

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