

MANATEE COUNTY ORDINANCE
PDO-03-50(G)(R) – SCHROEDER-MANATEE RANCH, INC./
ZIRKELBACH OFFICE

FILED FOR RECORD
R. B. SHORE

2006 AUG 21 PM 2: 37

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE NO. PDO-03-
50(G)(P) PERTAINING TO THE PROPERTY LOCATED WEST OF LAKEWOOD
RANCH BOULEVARD, AT 11121 S.R. 70, BRADENTON, IN THE PDO
(PLANNED DEVELOPMENT OFFICE) ZONING DISTRICT; APPROVING
REVISED GENERAL DEVELOPMENT PLAN NO. PDO-03-50(G)(R) TO BE
SUBSTITUTED FOR PRELIMINARY SITE PLAN PDO-03-50(P), WHICH WAS
APPROVED ON 2003, AMEND STIPULATION 4 REGARDING REQUEST TO
ALLOW A PYLON SIGN FOR THE PROJECT; ADOPTING THE FINDINGS FOR
SPECIFIC APPROVAL; AND GRANTING SPECIFIC APPROVAL FOR AN
ALTERNATIVE TO SECTION 724.6.4.1.3; SETTING FORTH FINDINGS,
PROVIDING A LEGAL DESCRIPTION, PROVIDING FOR SEVERABILITY AND
PROVIDING FOR AN EFFECTIVE DATE.

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

2006 AUG 17 AM 9: 29

FILED

WHEREAS, Schroeder-Manatee Ranch, Inc. (the "Applicant") has filed an application to revise a General Development Plan previously approved in 2003 (The "2003 General Development Plan") pertaining to property located approximately 1,050' west of Lakewood Ranch Boulevard, at 11121 S.R. 70, Bradenton in the PDO (Planned Development Office) zoning district, this property being more specifically described in Exhibit "A", attached hereto; and

WHEREAS, the revised General Development Plan allows for modification the pylon sign; Stipulation 4 contained in the 2003 Preliminary Site Plan approval; and

WHEREAS, the Applicant has also filed a request for Specific Approval for an alternative to Section 724.6.4.1.3 of the LDC, and

WHEREAS, the Planning Staff has recommended the approval of the amendment of stipulation 4 contained on the 2003 General Development Plan approval and of the Specific Approval application; and

WHEREAS, the Board of County Commissioners of Manatee County held a public hearing on August 3, 2006, after due notice, received and considered the recommendations of the Planning Department, considered the criteria set forth in the Manatee County Land Development Code, and approved the revised General Development Plan, subject to the stipulations set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY AS FOLLOWS:

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 the revised zoning ordinance and site plan, 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 Department concerning the application for a revised General Development Plan as it relates to the real property described in Exhibit "A" of this Ordinance.
- B. The Board of County Commissioners held a duly noticed public hearing on August 3, 2006 regarding the revised General Development Plan 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 the public hearing.
- C. The proposed revised General Development Plan 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.
- D. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 724.6.4.1.3, the Board finds that the public purpose of the LDC regulations is satisfied to an equivalent degree by the proposed design because a monument sign not exceeding 10 feet in height will be compatible with the characteristics of the area.

Section 2. AMENDMENT OF 2003 PRELIMINARY SITE PLAN APPROVAL:

Ordinance No. PDO-03-50(G) is hereby amended to substitute Ordinance No. PDO-03-50(G)(R) for the previously approved General Development Plan to allow a change to Stipulation #4 regarding sign, upon the property described in Exhibit "A", subject to the stipulations contained herein. The Board hereby GRANTS Specific Approval for an alternative to Section 724.6.4.1.3 of the Land Development Code.

STIPULATIONS

- 1. The buildings on-site shall be limited to Professional Office uses only.
- 2. The driveway/access easement that borders the west side of this property shall be approved as a 50' wide private street and required to meet all Land Development Code and County road construction standards with the first Final Site Plan approval. Construction to the required standards shall be completed prior to the first Certificate of Occupancy. Additionally, the entrance shall be in conformance with the plan entered into the record at the 12/16/03 public hearing.
- 3. The proposed parking shown on the north and south sides of the drive-aisle through the middle of the site shall be setback a minimum of 8' and shall be designed so that parked cars do not back into this travelway. This shall be approved by the Planning Department with the Final Site Plan.
- 4. There shall be no pole signs permitted for this development. One freestanding round/monument sign not greater than 89 square feet and 10 feet in height shall be

allowed. No message signs shall be allowed at this location.

5. The roadway buffer along S.R. 70 shall be a minimum 20' wide and planted with two rows of understory trees (at least two different species) spaced 20' on-center. The two rows will be offset from each other to give the appearance of trees located 10' on-center. An alternative planting plan meeting the amount of plantings in this stipulation but incorporating clustering may be approved by the Planning Director with Final Site Plan submission.
6. One bicycle rack for each of the two buildings, designed to accommodate a minimum of 6 bicycles, shall be approved with the Final Site Plan.
7. A coordinated landscaping, sign, and lighting plan shall be approved for the entire project by the Planning Department with the first Final Site Plan. The required landscaping shown on this plan shall be installed prior to issuance of the first Certificate of Occupancy for the project.
8. The design and shielding of on-site lighting shall comply with Section 709.2.2. In addition, pole and building mounted lights shall be limited to 20' in height and directed to the interior of the development using horizontal cut-offs. A photometric plan, including the proposed design and shielding methods of lighting, shall be submitted to the Planning Department along with the Final Site Plan for approval.
9. There shall be a unified theme for the design and construction of this project. The exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, split face block, glass, stucco, ceramic tile, stone, wood, or similar materials. Painted or exposed standard concrete block, or corrugated metal shall not be permitted. Architectural metals or standard concrete block with stucco type finish, in conjunction with other permitted building materials may be allowed, provided that at least 50% of the building face is constructed from other permitted materials. The architectural theme shall be approved by the Planning Department with the first Final Site Plan.
10. All roof mounted H.V.A.C. mechanical equipment shall be screened with a solid parapet wall or other noise deflecting materials, which shall be consistent with the construction materials of the main buildings, so as not to be visible from surrounding property or roadways.
11. The lowest quality water possible shall be used for irrigation. In ground irrigation using Manatee County public potable water supply shall be prohibited.
12. This project lies within the Braden River/Evers Reservoir Watershed, an area prone to flooding and, therefore, subject to a 25% reduction in allowable peak discharge and 150% water treatment. Documentation demonstrating additional treatment of stormwater or compliance with OFW criteria should be submitted to the EMD for review, prior to Final Site Plan approval, and a note should be added to the plan indicating that the 150% treatment is being provided.
13. The Preliminary and Final Site Plans shall address solid waste in accordance with

Section 728 of the Land Development Code.

14. The following minimum setbacks shall apply to the project:

Front (along S.R. 70 and the access easement to the west): 25'
Side (from eastern property boundary): 15'
Side (northern property boundary): 15'

The setback for the western corner of the Phase II building may be reduced to 15' to accommodate the 50' private street required by Stipulation 2.

A setback of 35' in addition to the above referenced setbacks will be required if adjacent to an active agricultural operation.

These setbacks shall be shown on all subsequent submittals.

15. A 5' wide sidewalk shall be installed along S.R. 70, adjacent to this site, prior to issuance of the first Certificate of Occupancy. This sidewalk shall be shown on all subsequent submittals.
16. The maximum building height shall be 35' for this project. This shall be noted on all subsequent submittals.
17. This project must connect to the public sewer system. This shall be approved by the Growth Management Division of the Planning Department with this Final Site Plan.
18. Any parking spaces constructed for this project beyond the minimum required for the use pursuant to Section 710 of the Land Development Code shall be constructed of paver block. This shall be approved by the Planning Department with the Final Site Plan.
19. Construction shall be in substantial conformance with the elevations entered into the record at this hearing.

Section 3. 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 section, sentence, clause, or other provision shall be deemed severable, and 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 4. EFFECTIVE DATE. This Ordinance shall become effective immediately upon filing in the Office of the Secretary of State in Tallahassee, Florida.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 3rd day of August, 2006.

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

BY: 
Chairman

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

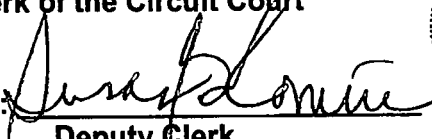
BY: 
Deputy Clerk



EXHIBIT "A"
LEGAL DESCRIPTION.

A TRACT OF LAND LYING IN SEC 17 [DELETE "& 18"] TWN 35 S, RNG 19E & DESC AS FOLLOWS: COM AT THE SW COR OF SEC 17, TWN 35S, RNG 19E; TH N 00 DEG 34 MIN 52 SEC E, ALNG THE W LN OF THE ABOVE MENTIONED SEC 17, A DIST OF 352.20 FT TO A PT ON THE N LN OF SR 70; TH S 70 DEG 25 MIN 14 SEC E, ALNG SD N LN, A DIST OF 2.42 FT TO THE POB; ALSO BEING THE PT OF CURVATURE OF A CURVE TO THE LEFT, OF WHICH THE RAD PT LIES N 72 DEG 54 MIN 15 SEC W, A RAD DIST OF 308 FT; TH NLY ALNG THE ARC OF SD CURVE, THROUGH A C/A OF 16 DEG 30 MIN 53 SEC, AN ARC LENGTH OF 88.78 FT TO THE PT OF TANGENCY OF SD CURVE; TH N 00 DEG 34 MIN 52 SEC E, 40 FT ELY OF & PARALLEL WITH THE E LN OF BRADEN PINES SUB, UNIT II (PB 20 PG 111) PRMCF, A DIST OF 132.17 FT TO THE PT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RAD PT LIES S 52 DEG 32 MIN 56 SEC E, A RAD DIST OF 25 FT; TH NELY ALNG THE ARC OF SD CURVE, THROUGH A C/A OF 52 DEG 23 MIN 42 SEC AN ARC LENGTH OF 22.86 FT TO THE PT OF TANGENCY OF SD CURVE; TH N 89 DEG 50 MIN 45 SEC E, A DIST OF 21.99 FT TO THE PT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RAD OF 150 FT & A C/A OF 25 DEG 46 MIN 52 SEC; TH ELY ALNG THE ARC OF SD CURVE, AN ARC LENGTH OF 67.50 FT TO THE PT OF TANGENCY OF SD CURVE; TH N 64 DEG 03 MIN 53 SEC E, A DIST OF 14 FT TO THE PT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RAD OF 150 FT & A C/A OF 25 DEG 27 MIN 36 SEC; TH ELY ALNG THE ARC OF SD CURVE, AN ARC LENGTH OF 66.65 FT TO THE PT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT HAVING A RAD OF 25 FT & A C/A OF 91 DEG 3 MIN 23 SEC; TH SELY ALNG THE ARC OF SD CURVE, AN ARC LENGTH OF 39.73 FT TO THE PT OF TANGENCY OF SD CURVE; TH S 00 DEG 34 MIN 52 SEC W, A DIST OF 319.07 FT TO A PT ON THE ABOVE MENTIONED N LN OF SR 70; TH N 70 DEG 25 MIN 14 SEC W, ALNG SD N LN, A DIST OF 234.37 FT TO THE POB (1919/3385) PI#5832.1000/9



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 14th day of

August, 2006

R.B. SHORE
Clerk of Circuit Court

By: G. A. Carrolo D.C.



FILED FOR RECORD
R. B. SHORE

2006 AUG 21 PM 2: 36

FLORIDA DEPARTMENT OF STATE

Sue M. Cobb

Secretary of State

DIVISION OF LIBRARY AND INFORMATION SERVICES

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

August 17, 2006

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 14, 2006 and certified copies of Manatee County Ordinance Nos. 06-54, PDR04-14(P), PDMU/PDR-05-63(P), PDPI-05-120(P), Z-05-21, Z-05-20, PDMU-05-43(Z)(P), PDC-05-32(P), PDO-03-50(G)(R), PDR-05-69(Z)(P), and PDC-03-61(P)(R), which were filed in this office on August 17, 2006.

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

Sincerely,

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

Liz Cloud
Program Administrator

LC/bpn

Enclosures

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