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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

MANATEE COUNTY ZONING ORDINANCE
PDO-03-50(Z)(G) {FKA PDMU-03-28(Z)(G)} - SCHROEDER-MANATEE
RANCH, INC/ZIRKELBACH OFFICE

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) RELATED
TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE
COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM
AWP-E/ST (GENERAL AGRICULTURE, 1 DWELLING UNIT PER 5
ACRES/WATERSHED PROTECTION - EVERS/SPECIAL TREATMENT
OVERLAY DISTRICTS) TO PDO/WP-E/ST (PLANNED DEVELOPMENT
OFFICE/WATERSHED PROTECTION - EVERS/SPECIAL TREATMENT
OVERLAY DISTRICTS); PROVIDING AN EFFECTIVE DATE; AND APPROVAL
OF A GENERAL DEVELOPMENT PLAN TO ALLOW 9,500 SQUARE FEET OF
PROFESSIONAL OFFICE, AND GRANTING SPECIAL APPROVAL FOR A
PROJECT LOCATED IN THE WATERSHED-OVERLAY DISTRICT.

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 of said County, as well as all other matters presented to said 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 AWP-E/ST (General Agriculture, 1 dwelling unit per 5 acres/Watershed Protection - Evers/Special Treatment Overlay Districts) to PDO/WP-E/ST (Planned Development Office/Watershed Protection - Evers/Special Treatment Overlay Districts).

B. The Board of County Commissioners held a public hearing on December 16, 2003 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 Manatee County Comprehensive Plan.

Section 2. The General Development Plan is hereby APPROVED to allow 9,500 square feet of Professional Office, and GRANTING Special Approval for a project located in the Watershed-Overlay District with the following stipulations:

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CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

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.
5. The roadway buffer along SR 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 SR 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 SR 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 the 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. 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 A/WP-E/ST (General Agriculture, 1 dwelling unit per 5 acres/Watershed Protection - Evers/Special Treatment Overlay Districts) to PDO/WP-E/ST (Planned Development Office/Watershed Protection - Evers/Special Treatment Overlay Districts), 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.

A TRACT OF LAND LYING IN SECTION 17 AND 18, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA AND DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE N 00° 34' 52" E, ALONG THE WEST LINE OF THE ABOVE MENTIONED SECTION 17, A DISTANCE OF 352.20 FEET TO A POINT ON THE NORTH LINE OF STATE ROAD 70; THENCE N. 70° 25' 14" W. ALONG SAID NORTH LINE, A DISTANCE OF 1.02 FEET TO THE POINT OF BEGINNING; THENCE N. 19° 34' 46" E., A DISTANCE OF 4.41 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET AND A CENTRAL ANGLE OF 18° 59' 54"; THENCE ALONG THE ARC IN A NORTHERLY DIRECTION, AN ARC LENGTH OF 58.03 FEET; THENCE N.00° 34' 52" E., 35 FEET EASTERLY OF AND PARALLEL WITH THE PLAT BOOK LINE OF BRADEN PINES SUBDIVISION, UNIT II, RECORDED IN PLAT BOOK 20, PAGE 111 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, A DISTANCE OF 142.43 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 89° 15' 53"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 38.95 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N. 89° 50' 45" E., A DISTANCE OF 21.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 25° 46' 52"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 67.50 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 64° 03' 53" E, A DISTANCE OF 14.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 25° 27' 36"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 66.65 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 91° 03' 23"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 39.73 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S. 00° 34' 52" W, A DISTANCE OF 319.07 FEET TO A POINT ON THE ABOVE MENTIONED NORTH LINE OF STATE ROAD 70; THENCE N.70° 25' 14" W. ALONG SAID NORTH LINE, A DISTANCE OF 237.82 FEET TO THE POINT OF BEGINNING.
SAID TRACT CONTAINS 61,229 SQUARE FEET OR 1.4056 ACRES, MORE OR LESS.

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 16th day of December, 2003.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Brenda G. Brown
Vice - Chairman

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

By: Susan Adams
D.C.



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 29TH day of DECEMBER, 20 03

R.B. SHORE
Clerk of Circuit Court

By: Nancy Harris D.C.



STATE OF FLORIDA
DEPARTMENT OF STATE

JEB BUSH
Governor

GLEND A. HOOD
Secretary of State

December 30, 2003

Honorable R. B. Shore
Clerk of the Circuit Court and Comptroller
Manatee County
Post Office Box 1000
Bradenton, Florida 34206

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2004 JAN -5 AM 9:42

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

Attention: Diane E. Vollmer

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 29, 2003 and certified copy of Manatee County Ordinance No. PDO-03-50(Z)(G), which was filed in this office on December 30, 2003.

Please be advised that the Florida County Ordinance Data Retrieval System (CODRS) Coding Form was not received for the above mentioned ordinance.

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

Sincerely,

Liz Cloud
Program Administrator

LC/mp