

NOV 13 AM 11:11

MANATEE COUNTY ZONING ORDINANCE
PDR-03-01(Z)(G) – SCOTT G. REID AND IRIS RITA CLARK

CLERK OF THE CIRCUIT 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 A-1 (SUBURBAN AGRICULTURE, 1 DWELLING UNIT PER ACRE) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO ALLOW TWO SINGLE-FAMILY RESIDENCES ON TWO LOTS, AND GRANTING SPECIAL APPROVAL FOR A PROJECT THAT EXCEEDS A GROSS DENSITY OF 1 DWELLING UNIT PER ACRE IN THE RES-3 FUTURE LAND USE CATEGORY AND FOR A PROJECT THAT WILL NO CONNECT TO THE PUBLIC SANITARY SEWER SYSTEM.

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 A-1 (Suburban Agriculture, 1 dwelling unit per acre) to PDR (Planned Development Residential).

B. The Board of County Commissioners held a public hearing on October 28, 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 two single-family residences on two lots, and GRANTING Special Approval for a project that exceeds a gross density of 1 dwelling unit per acre in the RES-3 Future Land Use Category, and for a project that will not connect to the public sanitary sewer system, with the following stipulations and Specific Approvals:

2003 NOV - 6 AM 10:05
DEPT. OF RECORDS & COMM. INFO.
TALLAHASSEE, FLORIDA

FILED

1. The setbacks for this project shall be as follows:

Reid Parcel (DP# 17097.0010/6)

Front: 25'
Side: 10'
Rear: 20'

Clark Parcel (DP# 17097.0005/6)

Front: 25' (with two front yards; along 51st Street East and 45th Avenue East)
Side: 10'

2. A Replat of Lot 93, Royal Palm Gardens shall be approved for this project prior to issuance of any building permits. Once the plat is approved, one single-family home may be permitted for each of the 2 lots.
3. A 15' wide landscape easement shall be provided along the Clark's western property line that separates this site from the Reid parcel. This shall be shown on the Final Plat.
4. One canopy tree spaced every 50' (or substantial fraction thereof) shall be planted within 25' of the rights-of-way for 51st Street East and 45th Avenue East prior to Final Plat approval. Existing trees that meet these criteria may be used.
5. The building height shall be limited to 35' for this project.
6. The drainage for the Clark parcel (D.P. #17097.0005/6) shall be approved with the Access and Drainage permit.
7. The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited, including on individual lots.
8. Prior to Final Site Plan Approval, the applicant shall obtain approval of a Hurricane Evacuation Plan and Disaster Plan from the Director of Public Safety.

SPECIFIC APPROVALS

1. Specific Approval of an alternative to Section 603.7.4.2 of the Land Development Code to allow a reduction in the minimum open space from 25% to 0%.
2. Specific Approval of an alternative to Section 603.7.4.1 of the Land Development Code to eliminate the requirement for a 20 foot roadway buffer along 51st Street East.

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-1 (Suburban Agriculture, 1 dwelling unit per acre) to PDR (Planned Development Residential), 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.

THE N 78.87 FEET OF THE W 125 FEET OF LOT 93, ROYAL PALM GARDENS, PER PLAT RECORDED IN PLAT BOOK 5, PAGE 17, MANATEE COUNTY, FLORIDA

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 28th day of October, 2003.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

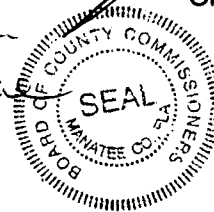
BY: _____

Chairman

ATTEST:

R. B. SHORE

Clerk of the Circuit Court



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 3rd day of November, 2003

R.B. SHORE
Clerk of Circuit Court

By: G. J. Courada D.C.



FILED FOR RECORD
R. B. SHORE

STATE OF FLORIDA
DEPARTMENT OF STATE

2003 NOV 13 AM 11:10

JEB BUSH
Governor

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

GLEND A E. HOOD
Secretary of State

November 6, 2003

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

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 November 3, 2003 and certified copies of Manatee County Ordinance Nos. PDC-03-16(Z)(G), PDR-03-01(Z)(G), Z-03-06, PDR-03-15(Z)(P) and PDR-03-04(Z)(P), which were filed in this office on November 6, 2003.

Please be advised that the Florida County Ordinance Data Retrieval System (CODRS) Coding Forms were not received for the above mentioned ordinances.

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

Sincerely,

Liz Cloud
Program Administrator

LC/mp