

FILED FOR RECORD
-R. B. SHORE

2008 JUN 23 PM 12:32

MANATEE COUNTY ZONING ORDINANCE

**PDR-06-15(Z)(P) – ROBERT B BUTLER REVOCABLE TRUST / BANYAN BAY
SUBDIVISION (DTS #20060105)**

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 3.90 ACRES ON THE SOUTH SIDE OF 9TH AVENUE NW, NORTH OF PALMA SOLA BAY, AND ± 1 MILE WEST OF 75TH STREET NORTHWEST AT 8921 9TH AVENUE NORTHWEST, BRADENTON FROM RSF-3 AND RSF-3/CH (RESIDENTIAL SINGLE-FAMILY, 3 DWELLING UNITS PER ACRE/COASTAL HIGH HAZARD AREA OVERLAY) TO THE PDR AND PDR/CH (PLANNED DEVELOPMENT RESIDENTIAL, RETAINING THE COASTAL HIGH HAZARD OVERLAY) ZONING DISTRICTS; APPROVING A PRELIMINARY SITE PLAN FOR 7 LOTS FOR SINGLE-FAMILY DETACHED RESIDENCES; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Robert B. Butler Revocable Trust (the "Applicant") filed an application to rezone approximately 3.90 acres described in Exhibit "A", attached hereto, (the "property") from RSF-3 and RSF-3/CH (Residential Single-Family, 3 dwelling units per acre/Coastal High Hazard Area Overlay) to the PDR and PDR/CH (Planned Development Residential, retaining the Coastal High Hazard Overlay) zoning districts; and

WHEREAS, the applicant also filed a Preliminary Site Plan for 8 lots for single-family detached residences (the "project") upon the property; and

WHEREAS, the applicant also filed a request for Special Approval for a project: 1) within the Coastal High Hazard Overlay; 2) in the Coastal Evacuation Area; and 3) exceeding a gross density of two units per acre in the RES-3 Future Land Use Category; and

WHEREAS, the applicant filed a request for Specific Approval for alternatives to Sections 722.1.4.3, 740.2.6.11, and 740.2.6.18 of the Land Development Code, and

WHEREAS, Planning staff recommended approval of the rezone, Preliminary Site Plan, Special Approval, and Specific Approval, subject to the stipulations contained in the staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on February 14, 2008 to consider the rezone, Preliminary Site Plan, Special Approval, and Specific Approval, received the staff recommendation, 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 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 staff report.

FILED
2008 JUN 16 PM 12:21
CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

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 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 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 RSF-3 and RSF-3/CH (Residential Single-Family, 3 dwelling units per acre/Coastal High Hazard Area Overlay) to the PDR and PDR/CH (Planned Development Residential, retaining the Coastal High Hazard Overlay) zoning districts.

B. The Board of County Commissioners held duly noticed public hearings on March 20, 2008 and June 5, 2008 regarding the 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 the 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 89-01, the 2020 Manatee County Comprehensive Plan.

D. For the purposes of granting Special Approval, the Board finds that the project, as detailed on the Preliminary Site Plan and as conditioned herein, will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

E. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 722.1.4.3, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because no lots are proposed along the east side of the street.

F. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 740.2.6.11, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree. The road will be private and serve only 7 lots. The design should not adversely impact the safety or welfare of the residents, neighbors, or the general public.

G. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 740.2.6.18, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree. The road will be private and serve only 7 lots. The design should not adversely impact the safety or welfare of the residents, neighbors, or the general public.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved for 8 lots for single-family detached residences on the property subject to the following Stipulations:

STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. The entrance gate to the project shall be accessible to EMS by either a remote control or siren activated system. Prior to Final Site Plan approval, the applicant shall receive written approval from EMS and the Fire Marshall approving the proposed system.
2. Lot #8 shall have a minimum front yard setback of 25' front. The sides and rear setbacks shall be a minimum of 10'. The required wetland buffer setback of 15' may be reduced administratively, with review of the Final Site Plan, if approved by the Planning Department.
3. The perimeter buffer along the west property line shall include a solid decorative 6' wall with all required landscaping along the west side of the wall. This may be substituted with a berm and native landscaping combination with the consent of the adjacent property owner and approval of the Planning Director with the Final Site Plan approval.
4. The homes shall be limited to a height of 30 feet.
5. The side yard setbacks for the garages or bottom level shall be 10' and the side yard setback for the top level of a 2-story structure over the garage shall be 15'. Building elevations shall be provided at time of the building permit application demonstrating compliance with this condition.
6. The project shall be redesigned to consist of no more than seven single-family detached lots.

B. TRANSPORTATION CONDITIONS:

1. The cul-de-sac shall be constructed to Manatee County Public Works Standards with 46' outside radius, 32' pavement width, and 14' island radius.
2. At the time of Preliminary Site Plan, Final Site Plan and Construction Plan approval for the project, the developer shall be responsible for any additional on-site or off-site transportation operational and safety improvements attributable to this project, as determined by the Public Works Department, and in accordance with LDC Section 722.1.3.4., as well as any capacity improvements associated with the issuance of a Certificate of Level of Service.

C. STORMWATER CONDITIONS:

1. The proposed roadway shall be constructed so as to be above the 100 year design storm elevation based upon rainfall event. The design elevation must be approved by and coordinated with the Project Management and Transportation Departments.
2. Project shall be required to provide 150% water quality treatment for Sarasota Bay.
3. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and runoff.
4. All lots shall be graded at minimum to provide positive drainage to the internal drainage system or retention ponds.
5. The proposed design and construction of the stormwater system shall utilize a dry or wet retention pond subject to County and other appropriate agency permitting.

D. BUFFERS:

1. The walls within the east buffer and any wall within the west buffer shall be measured from the finished grade of the adjacent roadway or lot (exclusive of any swales), whichever is greater. This requirement shall be verified with a cross-section detail on the Final Site Plan.
2. The perimeter buffers shall be as planted as shown on the Preliminary Site Plan, unless a superior alternative is reviewed and approved by the Planning Department with the Final Site Plan.
3. The walls within the east buffer and any wall within the west buffer or the berm and native landscaping alternative identified in Stipulation A.3 shall be installed (not bonded) prior to Final Plat approval.

E. ENVIRONMENTAL CONDITIONS:

1. All landscaping within the boundaries of the project shall be in accordance with Florida Friendly Yards. These requirements shall be included in the HOA and Notice to Buyer documents.
2. The following conditions apply to the 30' waterfront setback (yard) along the manmade canal:
 - a. The area shall be dedicated to the County in a Conservation Easement prior to or concurrent with Final Plat approval,

- b. There shall be no encroachments including those identified in LDC Sections 702.7 and 703.2.24,
 - c. The area shall be planted with native species. The type, size, quantity and location of the required plantings shall be approved with the Final Site Plan.
- 3. The project shall be in compliance with LDC Sections 734.3 & 603.14.5 to include the posting of signs as required by these sections. The type, number, and location of signs and other requirements shall be included with the Final Site Plan.
- 4. This project shall be limited to 5 boat slips.
- 5. The applicant shall provide railings and “No Mooring” signs to prevent use of the boardwalk as a mooring area for additional vessels, including the east side of the boardwalk where it is adjacent to the 5 boat slips. The details of railings and signs shall be shown on and approved with the Final Site Plan.
- 6. Mangrove trimming shall be prohibited for this project except for the three perpendicular access points to the boardwalk identified on the plan and limited canopy trimming (25% of the canopy of any single tree and no topping or hedging) for construction of the boardwalk.
- 7. An ERP approved by SWFWMD shall be provided to the Planning Department for review prior to Final Site Plan approval.
- 8. There shall be no open burning of trees or branches for land clearing.
- 9. No lots shall be platted through the wetlands or wetland buffers.
- 10. The dock shall be located in relation to the channel in a manner to minimize the impact to the navigability of the channel. The construction of the dock shall not intrude on the navigability of the channel by more than 25% pursuant to the provisions of Section 734 of the Land Development Code. For purposes of this stipulation the channel shall be defined as the minus four contour as depicted on the hydrographic survey by Banks Engineering dated 01-19-07 and attached hereto.
- 11. Any dredging shall require permits from DEP or any successor agency responsible for dredging permitting pursuant to State Statute and Rule.

F. NOTICES:

- 1. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan, and shall include language informing prospective homeowners in the project of the:

- a. sites location within the Coastal High Hazard Area, the Coastal Storm Vulnerability Area, Coastal Evacuation Area, and Coastal Planning with definitions from the Manatee County Land Development Code and maps showing location of each on the site,
 - b. A-1 zoning district north of 9th Avenue NW and potential agricultural uses and operations permitted which may impact residents with noise and odor,
 - c. limitation to 5 boat slips,
 - d. perpetual accessibility and use of the dock by all residents,
 - e. Hurricane Evacuation Plan approved by the Public Safety Department for this project, and
 - f. requirement to have all landscaping within the boundaries of the project be planted in accordance with Florida Friendly Yards.
 - g. Notification that the 30' waterfront setback (Lots 6, 7, and 8) is within a Conservation Easement
2. The developer is put on notice that the County and School Board are required to establish school concurrency. Until such time as the details of that program are adopted, this approval does not guarantee capacity under the terms of the future program, to the extent school concurrency is legally applicable to the project.

G. INFRASTRUCTURE

1. Sanitary sewer manhole covers shall be watertight with "Pamtight" ring and cover as distributed by Porter Associates or equal that may be approved by Manatee County.
2. The proposed sanitary force main shall connect to the existing 6-inch publicly owned sanitary force main that is along the south side of 9th Avenue NW.
3. The sanitary lift station shall be provided with landscaped screening per Public Work's standards.
4. The applicant shall relocate any waterline serving the adjacent property as necessary.

Section 3. SPECIAL AND SPECIFIC APPROVALS. Special Approval is hereby granted for a project: 1) within the Coastal High Hazard Overlay; 2) in the Coastal Evacuation Area; and 3) exceeding a gross density of two units per acre in the RES-3 Future Land Use Category. This Special Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof. Specific Approval is hereby granted for alternatives to Sections 722.1.4.3, 740.2.6.11, and 740.2.6.18 of the Land Development Code. The Specific Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof.

Section 4. 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 RSF-3 and RSF-3/CH (Residential Single-Family, 3 dwelling units per acre/Coastal High Hazard Area Overlay) to the PDR and PDR/CH (Planned Development Residential, retaining the Coastal High Hazard Overlay) 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 5. 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, clause, sentence, 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 6. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 7. 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 5th day of June, 2008.

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

LEGAL DESCRIPTION

(AS FURNISHED)

PARCEL I:

BEGIN AT A CONCRETE MARKER AT THE NORTHWEST CORNER OF U.S. GOVERNMENT LOT 2 SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA; RUN THENCE EAST 175 FEET FOR POINT OF BEGINNING; THENCE RUN EAST 173 FEET; THENCE RUN SOUTH 244 FEET; THENCE RUN WEST 175 FEET; THENCE NORTH 244 FEET, MORE OR LESS, TO POINT OF BEGINNING.

ALSO

THE SOUTH 209.99 FEET OF THE FOLLOWING DESCRIBED PROPERTY: BEGIN AT A CONCRETE MARKER AT THE NORTHWEST CORNER OF U.S. GOVERNMENT LOT 2 IN SECTION 23, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA; RUN THENCE EAST 175 FEET FOR POINT OF BEGINNING; THENCE RUN EAST 175 FEET; THENCE SOUTH TO PALMA SOLA BAY; THENCE WEST ALONG SHORE LINE OF PALMA SOLA BAY OF 175 FEET, MORE OR LESS, TO A POINT SOUTH, OF THE POINT OF BEGINNING; THENCE NORTH TO THE POINT OF BEGINNING.

PARCEL II:

BEGIN AT A CONCRETE MARKER AT THE NORTHWEST CORNER OF U.S. GOVERNMENT LOT 2, SECTION 25, TOWNSHIP 34 SOUTH, RANGE 36 EAST, MANATEE COUNTY, FLORIDA; GO THENCE EASTERLY ALONG NORTH LINE OF SAID LOT 2 A DISTANCE OF 350 FEET, THENCE SOUTHERLY AT AN ANGLE OF 90°05' WITH LAST SAID CALL A DISTANCE OF 488 FEET FOR A POINT OF BEGINNING; THENCE SOUTHERLY ON A PROLONGATION OF THE LAST SAID CALL A DISTANCE OF 244 FEET; THENCE WESTERLY PARALLEL TO SAID LAST EASTERLY CALL A DISTANCE OF 175 FEET; THENCE NORTHERLY PARALLEL TO THE LAST SAID SOUTHERLY CALL A DISTANCE OF 244 FEET; THENCE EASTERLY PARALLEL TO THE LAST SAID WESTERLY CALL A DISTANCE OF 175.0 FEET TO POINT OF BEGINNING.

PARCEL III:

BEGIN AT A CONCRETE MARKER AT THE NORTHWEST CORNER OF U.S. GOVERNMENT LOT 2, SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA; GO THENCE EASTERLY LINE LONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 350.0 FEET; THENCE SOUTHERLY AT AN ANGLE OF 90°05' WITH THE LAST SAID CALL A DISTANCE OF 244.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTHERLY ON A PROLONGATION OF THE LAST SAID CALL A DISTANCE OF 244.0 FEET; THENCE WESTERLY PARALLEL TO THE LAST SAID EASTERLY CALL A DISTANCE OF 175.0 FEET; THENCE NORTHERLY PARALLEL TO THE LAST SAID SOUTHERLY CALL A DISTANCE OF 244.0 FEET; THENCE EASTERLY PARALLEL TO THE LAST SAID WESTERLY CALL A DISTANCE OF 175.0 FEET TO THE POINT OF BEGINNING.

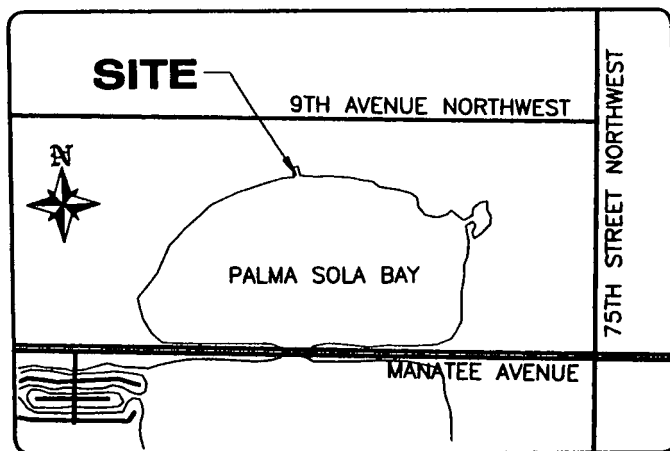
LESS THE RIGHT OF WAY OF 9TH AVENUE NW (PALMA SOLA SOUTH LOOP ROAD).

OVERALL DESCRIPTION:

BEGIN AT A CONCRETE MARKER AT THE NORTHWEST CORNER OF U.S. GOVERNMENT LOT 2 IN SECTION 23, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA; RUN THENCE EAST 175 FEET FOR POINT OF BEGINNING; THENCE RUN EAST 175 FEET; THENCE SOUTH TO PALMA SOLA BAY; THENCE WEST ALONG SHORE LINE OF PALMA SOLA BAY OF 175 FEET, MORE OR LESS, TO A POINT SOUTH, OF THE POINT OF BEGINNING; THENCE NORTH TO THE POINT OF BEGINNING.

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 1 OF 11



VICINITY SKETCH
(NOT TO SCALE)

PLANNING
OCT 03 2007
DEPARTMENT

SURVEYOR'S NOTES

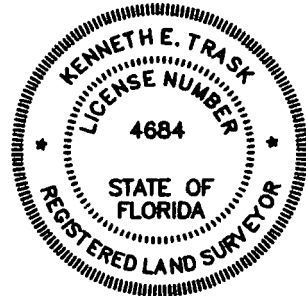
1. THIS SKETCH WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS AND OR ENTITIES LISTED HEREON AND IS NOT AN APPROVAL OR PERMIT FOR DREDGING.
2. EXISTING IMPROVEMENTS OR SITE CONDITIONS NOT RELATED TO THE PURPOSE OF THIS SKETCH HAVE NOT BEEN LOCATED OR GRAPHICALLY SHOWN HEREON. EXISTING IMPROVEMENTS AS SHOWN WERE LOCATED 08/25/05 AND HAVE NOT BEEN RELOCATED. SAID IMPROVEMENTS HAVE BEEN SHOWN FOR INFORMATIONAL PURPOSES ONLY.
3. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SKETCH THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
4. THIS SURVEY PREPARED FOR THE PURPOSE OF SHOWING THE EXISTING UPLAND CANAL DEPTHS AND TO SHOW THE CALCULATED QUANTITIES OF THE PROPOSED MAINTENANCE DREDGING.
5. BEARINGS ARE BASED ON AN ASSUMED MERIDIAN. A BEARING OF N.89°59'24"E. FOR THE SOUTH RIGHT-OF-WAY LINE OF 9TH AVENUE NORTHWEST.
6. ELEVATIONS REFER TO NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 29). BENCH MARK USED WAS MANATEE COUNTY BENCHMARK BEING AN "X" CUT IN FACE OF SIDEWALK 15'± OF THE CENTER LINE OF 9TH AVENUE NORTHWEST AND 160'± WEST OF THE CENTERLINE OF 35TH STREET NORTHWEST (PUBLISHED ELEVATION=14.792').
7. THE MEAN HIGH WATER LINE AS SHOWN ON THIS SURVEY IS NOT A TIDAL PROPERTY BOUNDARY, WAS NOT LOCATED IN ACCORDANCE WITH PROCEDURES SPECIFIED IN THE "COASTAL MAPPING ACT OF 1971" (CHAPTER 177, PART II OF THE FLORIDA STATUTES) AND THE RULES OF THE DEPARTMENT OF NATURAL RESOURCES (CHAPTER FCM 16-3 OF THE FLORIDA ADMINISTRATIVE CODE) AND IS NOT TO BE USED AS REPRESENTED TO BE OR BE ADMISSIBLE AS A TIDAL PROPERTY BOUNDARY LINE BEFORE ANY ADMINISTRATIVE BODY OR COURT OF LAW. THE APPROXIMATE MEAN HIGH WATER LINE HAS BEEN USED DUE TO ITS BEING INCIDENTAL TO THE PURPOSE FOR WHICH THIS SURVEY HAS BEEN PREPARED.
8. MEAN HIGH WATER AND MEAN LOW WATER ELEVATIONS FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TIDAL STATION POINT #872-6249 WERE CONVERTED TO THE N.G.V.D. 29 DATUM VIA THE U.S. ARMY CORPS OF ENGINEERS CORPSCON (VERSION 6.01) PROGRAM FOR THE PURPOSE OF CALCULATING THE MEAN HIGH WATER AND MEAN LOW WATER LINE PUBLISHED ELEVATIONS REPRESENTING THE N.A.V.D. 88.
9. MEAN HIGH WATER LINE ELEVATION = 1.43' (N.G.V.D. 29)
MEAN LOW WATER LINE ELEVATION = -0.19' (N.G.V.D. 29)
MEAN HIGH WATER LINE ELEVATION = 0.45' (N.A.V.D. 88)
MEAN LOW WATER LINE ELEVATION = -1.17 (N.A.V.D. 88)
10. WETLAND LINE, AS SHOWN, ESTABLISHED BY DICK SEAGLE AND ASSOCIATES, INC., REVIEWED AND APPROVED BY CLIFFORD J. ONDERCIN OF THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT ON JULY 7, 2006, AND LOCATED BY BANKS ENGINEERING ON JULY 27, 2006.

BANKS ENGINEERING, L.B. 6690
BY:

DRAFT

KENNETH E. TRASK, R.L.S.
REGISTERED LAND SURVEYOR
STATE OF FLORIDA LICENSE No. 4684

THIS SKETCH IS NOT VALID WITHOUT SHEETS 2 OF 11 THROUGH 11 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO



DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

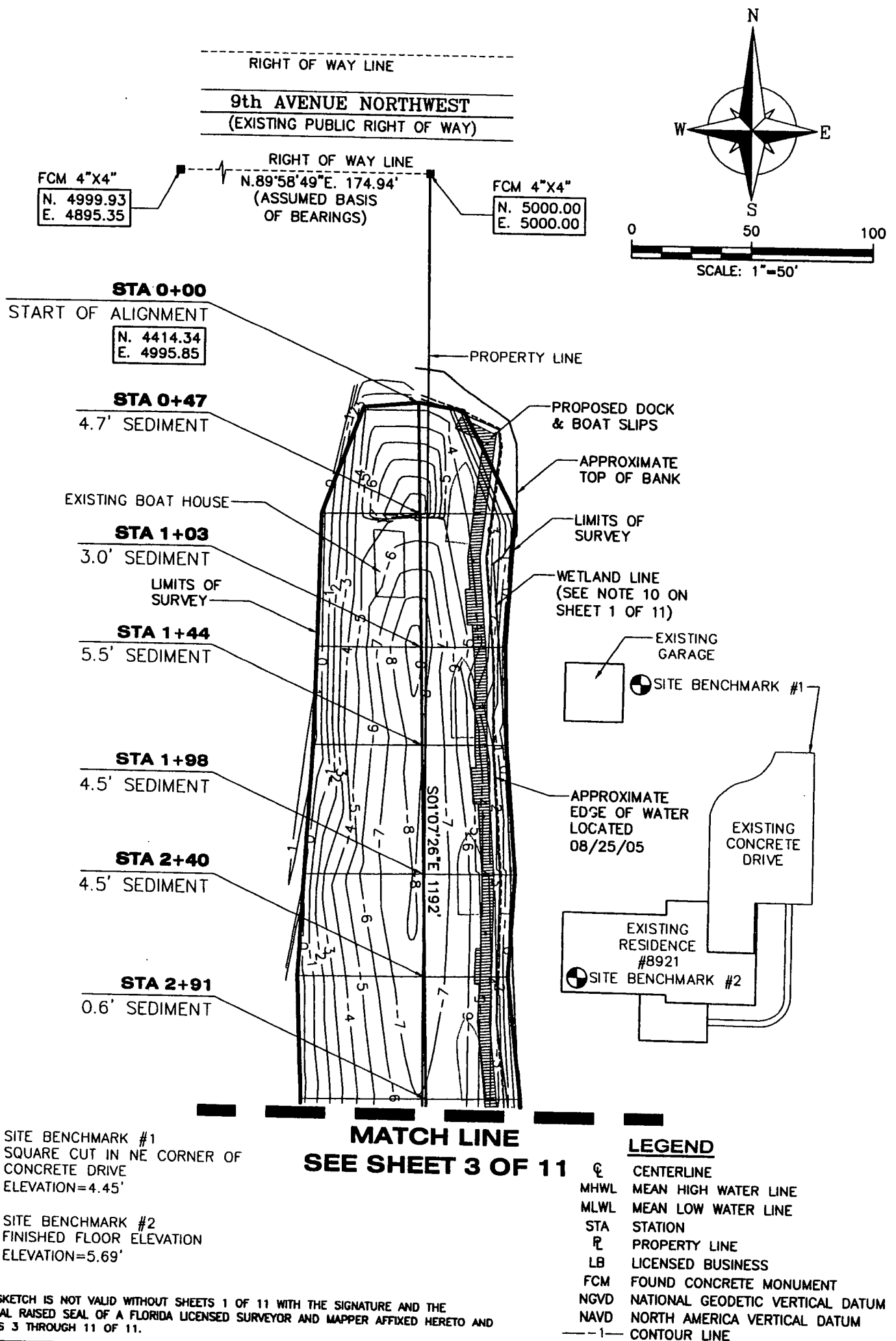
Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1618 FAX(941)360-6918

DATE	REVISIONS	BY	CHK'D
02/28/07	REVISE DOCK & DOCK LOCATION	TAB	DBH
PATH: S:\Jobs\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg			

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 2 OF 11



SITE BENCHMARK #1
SQUARE CUT IN NE CORNER OF
CONCRETE DRIVE
ELEVATION=4.45'

SITE BENCHMARK #2
FINISHED FLOOR ELEVATION
ELEVATION=5.69'

THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND
SHEETS 3 THROUGH 11 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

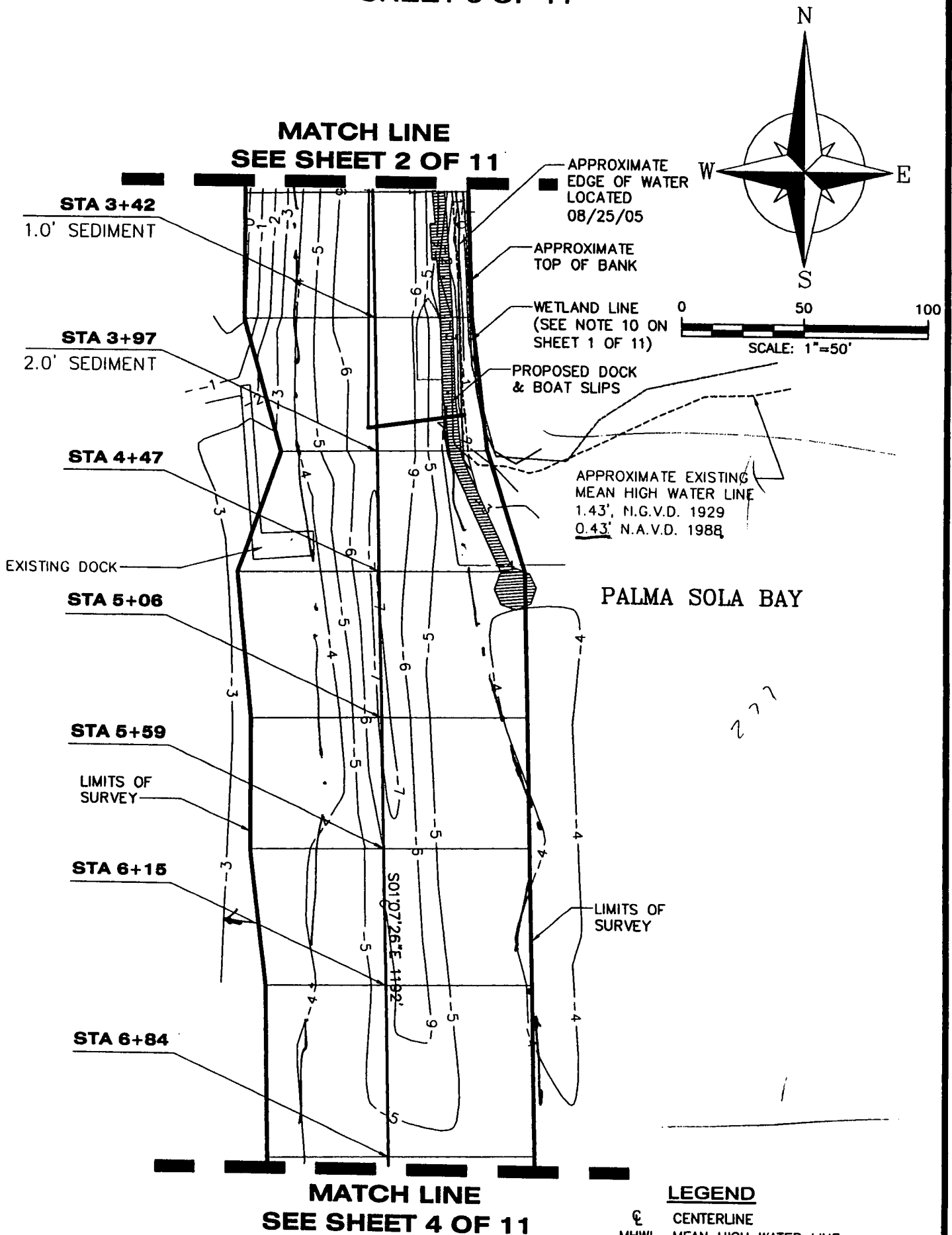
1144 TALLEVAIST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1818 FAX(941)360-6918

DATE	REVISIONS	BY	CHK'D

PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 3 OF 11



THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND SHEET 2 OF 11 AND SHEETS 4 THROUGH 11 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1618 FAX(941)360-6918

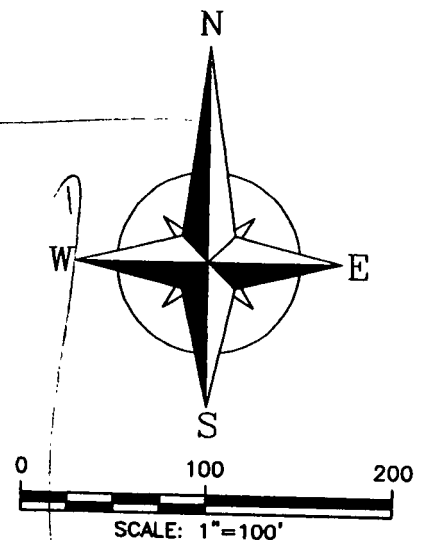
DATE	REVISIONS	BY	CHK'D

PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 4 OF 11

MATCH LINE
SEE SHEET 3 OF 11



STA 7+79

STA 8+50

STA 9+39

STA 10+08

STA 10+98

LIMITS OF
SURVEY

LIMITS OF
SURVEY

STA 11+92

END OF ALIGNMENT

N. 3222.56
E. 5019.22

LEGEND

- CL CENTERLINE
- MHWL MEAN HIGH WATER LINE
- MLWL MEAN LOW WATER LINE
- STA STATION
- PL PROPERTY LINE
- LB LICENSED BUSINESS
- FCM FOUND CONCRETE MONUMENT
- NGVD NATIONAL GEODETIC VERTICAL DATUM
- NAVD NORTH AMERICA VERTICAL DATUM
- 1--- CONTOUR LINE

THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND SHEETS 2 AND 3 OF 11 AND SHEETS 5 THROUGH 11 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1818 FAX(941)360-8918

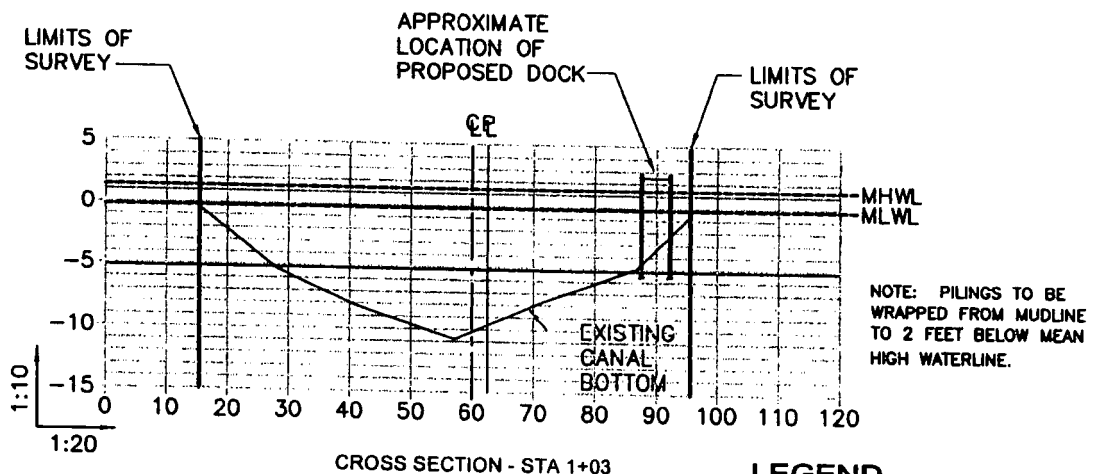
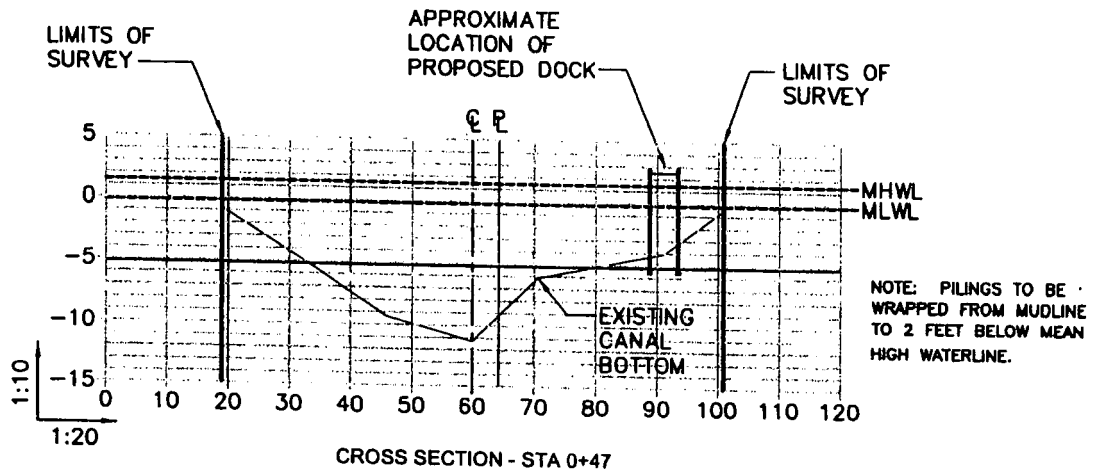
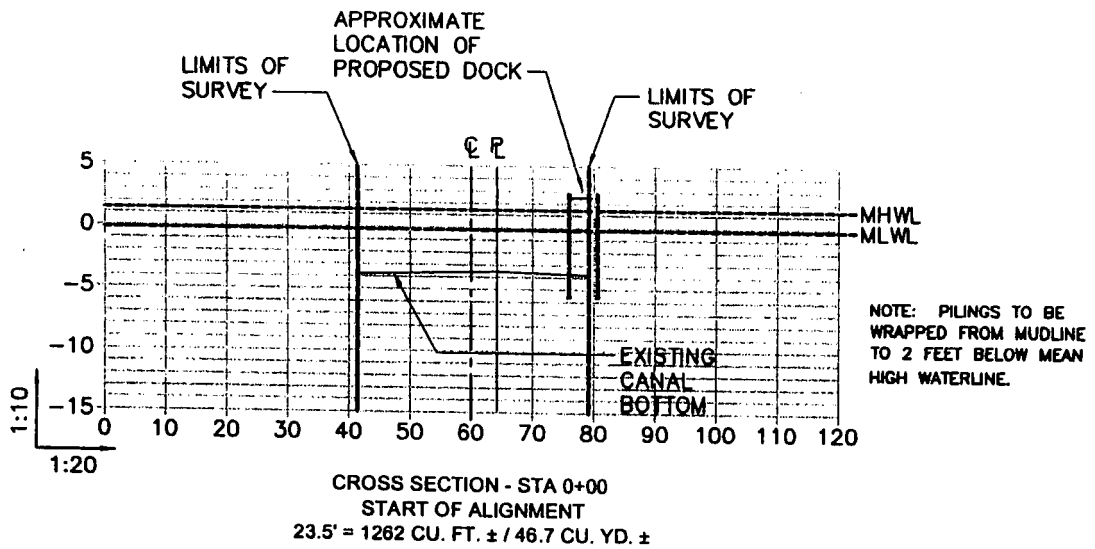
DATE	REVISIONS	BY	CHK'D

PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 5 OF 11

CROSS SECTION DETAILS (NOT TO SCALE)



LEGEND

- CL CENTERLINE
- MHWL MEAN HIGH WATER LINE
- MLWL MEAN LOW WATER LINE
- STA STATION
- PL PROPERTY LINE
- LB LICENSED BUSINESS
- FCM FOUND CONCRETE MONUMENT
- NGVD NATIONAL GEODETIC VERTICAL DATUM
- NAVD NORTH AMERICA VERTICAL DATUM
- 1 — CONTOUR LINE

THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND SHEETS 2 THROUGH 4 OF 11 AND SHEETS 6 THROUGH 11 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1818 FAX(941)360-6918

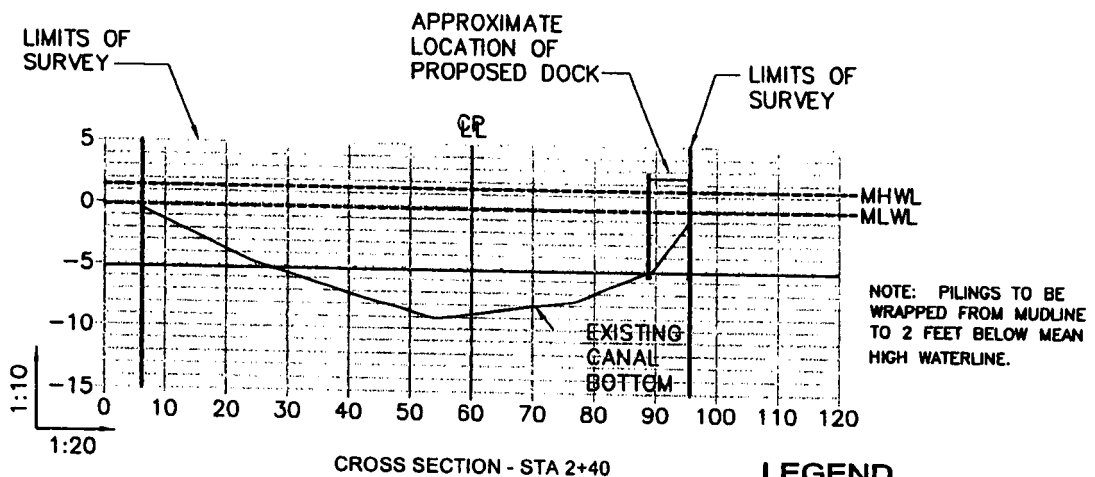
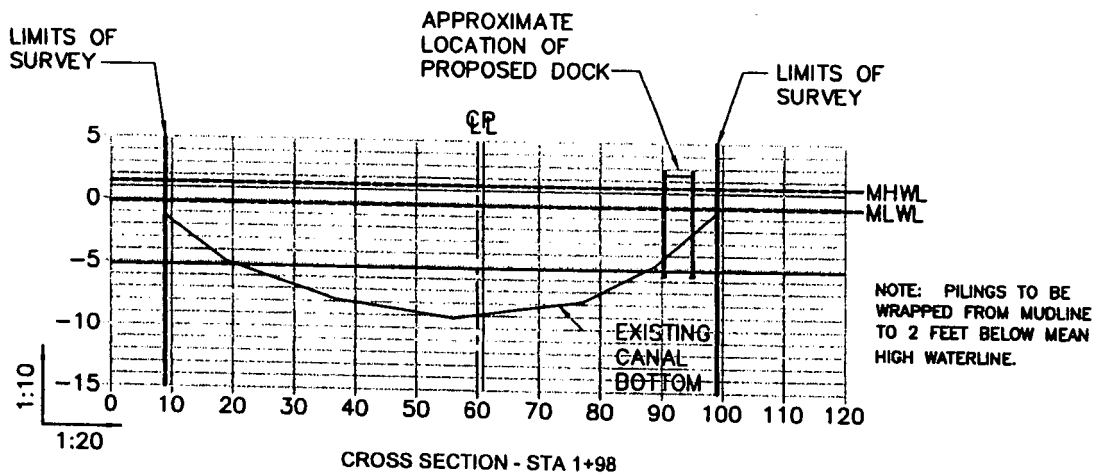
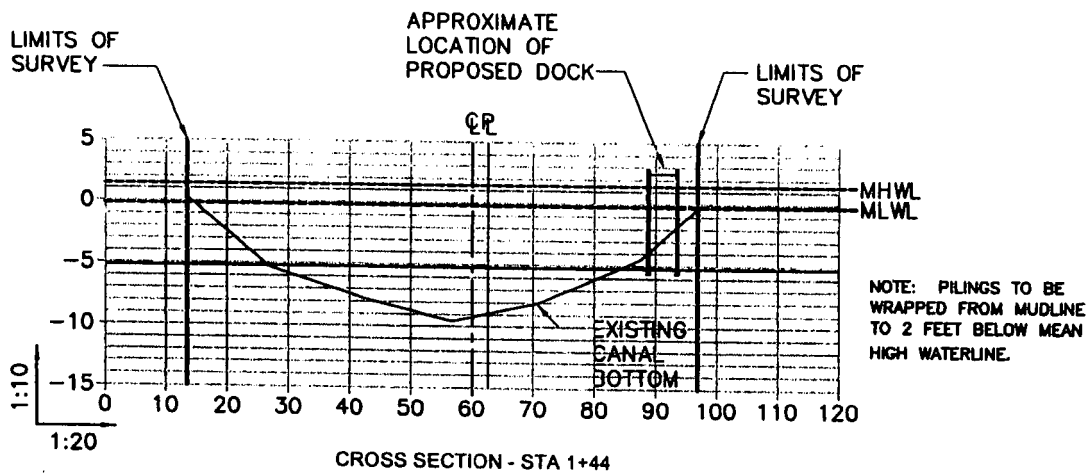
DATE	REVISIONS	BY	CHK'D

PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 6 OF 11

CROSS SECTION DETAILS (NOT TO SCALE)



LEGEND

- CL CENTERLINE
- MHWL MEAN HIGH WATER LINE
- MLWL MEAN LOW WATER LINE
- STA STATION
- CL PROPERTY LINE
- LB LICENSED BUSINESS
- FCM FOUND CONCRETE MONUMENT
- NGVD NATIONAL GEODETIC VERTICAL DATUM
- NAVD NORTH AMERICA VERTICAL DATUM
- 1— CONTOUR LINE

THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND SHEETS 2 THROUGH 5 OF 11 AND SHEETS 7 THROUGH 11 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1618 FAX(941)360-6918

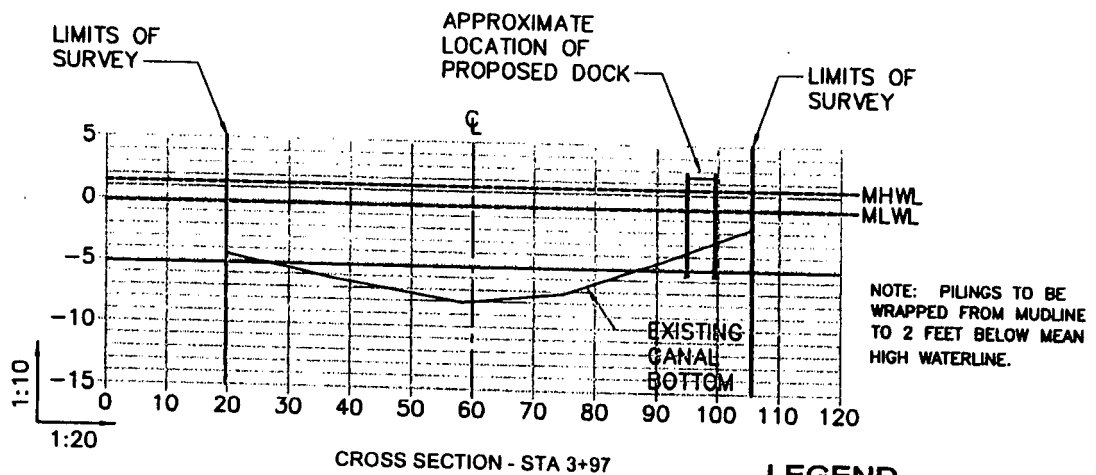
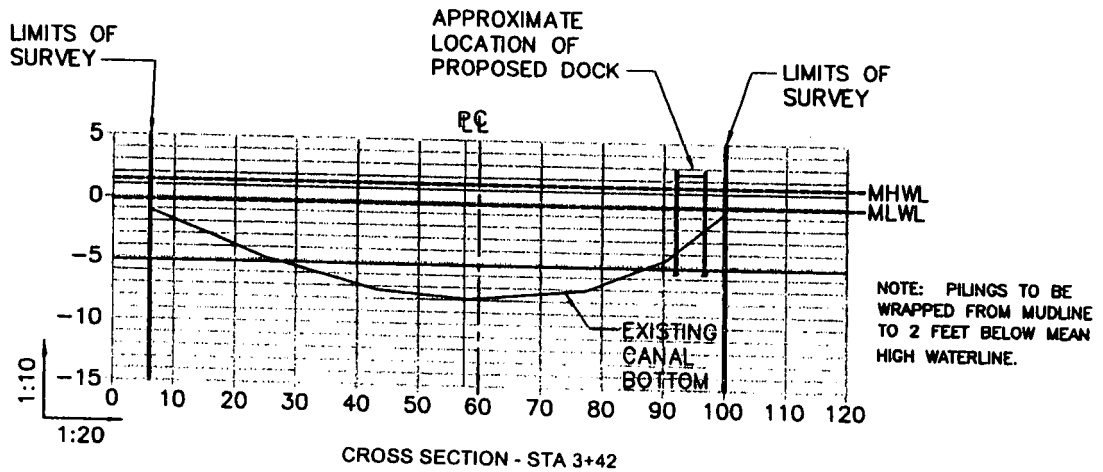
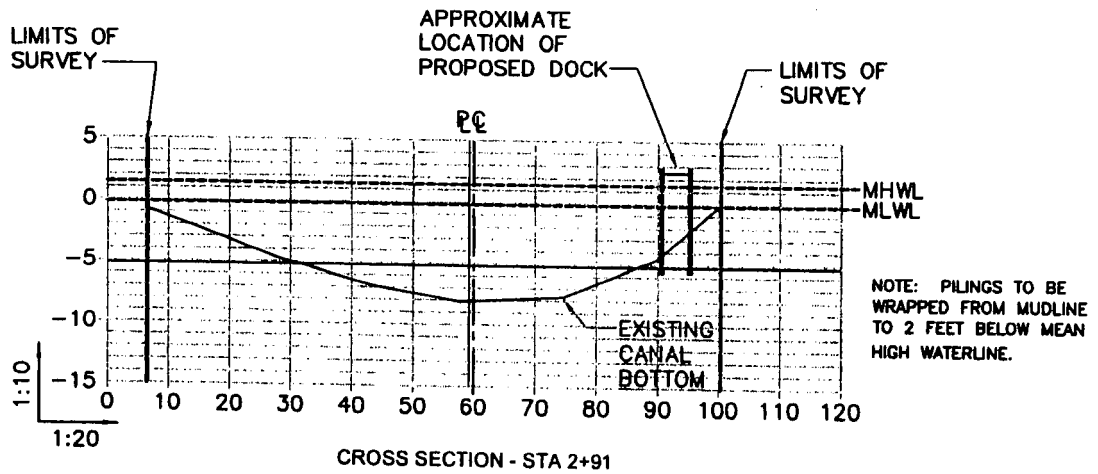
DATE	REVISIONS	BY	CHK'D

PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 7 OF 11

CROSS SECTION DETAILS (NOT TO SCALE)



LEGEND

- CL CENTERLINE
- MHWL MEAN HIGH WATER LINE
- MLWL MEAN LOW WATER LINE
- STA STATION
- PL PROPERTY LINE
- LB LICENSED BUSINESS
- FCM FOUND CONCRETE MONUMENT
- NGVD NATIONAL GEODETIC VERTICAL DATUM
- NAVD NORTH AMERICA VERTICAL DATUM
- 1--- CONTOUR LINE

THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND SHEETS 2 THROUGH 6 OF 11 AND SHEETS 8 THROUGH 11 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1618 FAX(941)360-6918

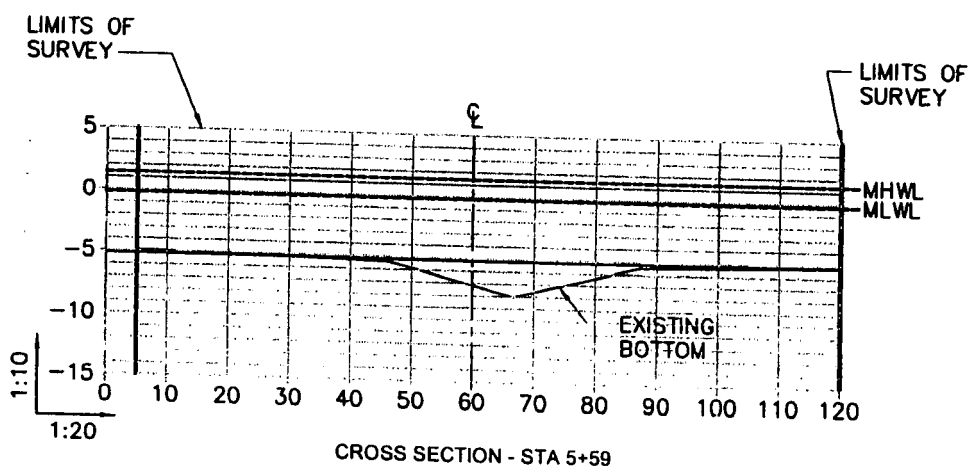
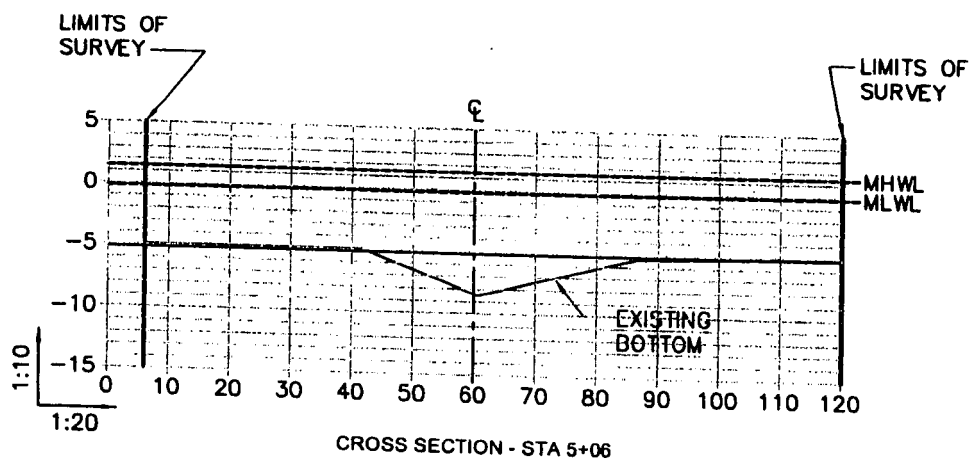
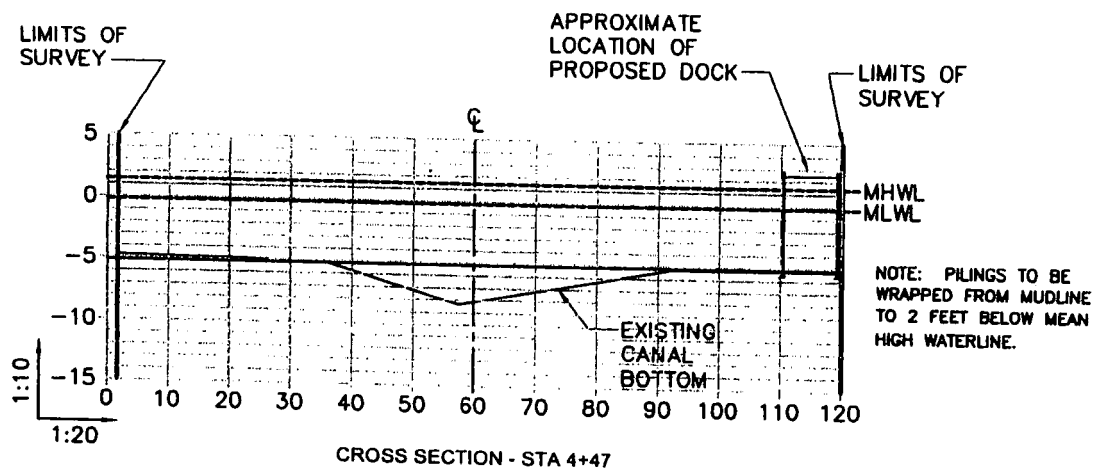
DATE	REVISIONS	BY	CHK'D

PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 8 OF 11

CROSS SECTION DETAILS (NOT TO SCALE)



LEGEND

- CL CENTERLINE
- MHWL MEAN HIGH WATER LINE
- MLWL MEAN LOW WATER LINE
- STA STATION
- CL PROPERTY LINE
- LB LICENSED BUSINESS
- FCM FOUND CONCRETE MONUMENT
- NGVD NATIONAL GEODETIC VERTICAL DATUM
- NAVD NORTH AMERICA VERTICAL DATUM
- 1- CONTOUR LINE

THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND SHEETS 2 THROUGH 7 OF 11 AND SHEETS 9 THROUGH 11 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1618 FAX(941)360-6918

DATE	REVISIONS	BY	CHK'D

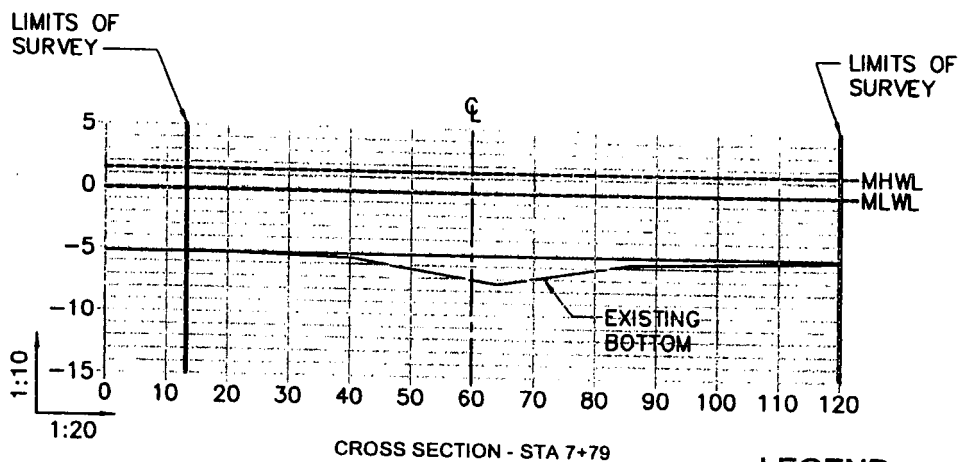
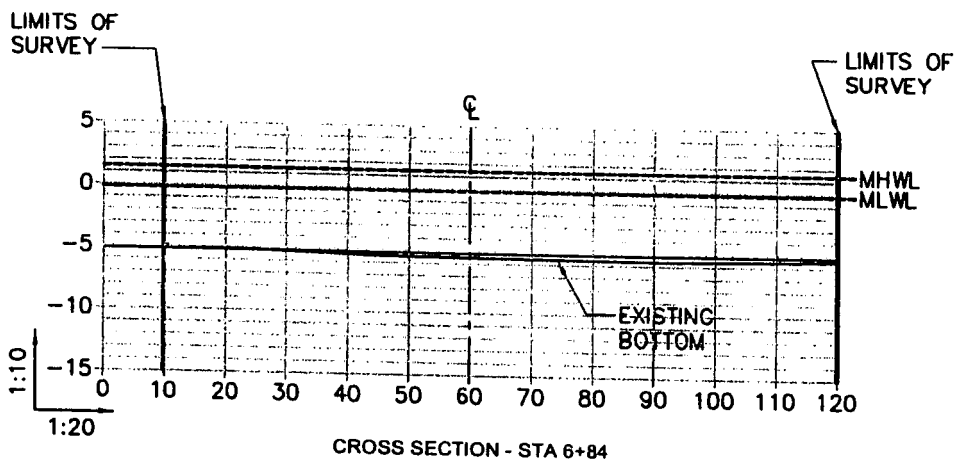
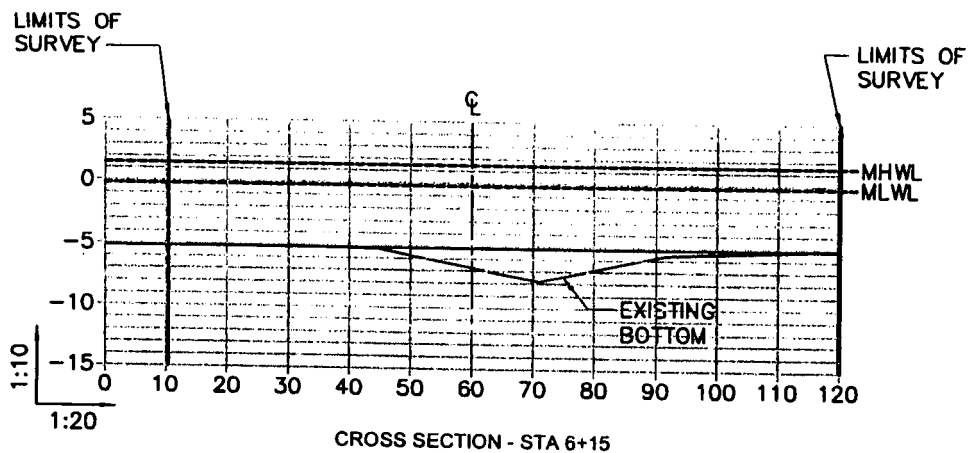
PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 9 OF 11

CROSS SECTION DETAILS

(NOT TO SCALE)



LEGEND

- CL CENTERLINE
- MHWL MEAN HIGH WATER LINE
- MLWL MEAN LOW WATER LINE
- STA STATION
- CL PROPERTY LINE
- LB LICENSED BUSINESS
- FCM FOUND CONCRETE MONUMENT
- NGVD NATIONAL GEODETIC VERTICAL DATUM
- NAVD NORTH AMERICA VERTICAL DATUM
- 1--- CONTOUR LINE

THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND SHEETS 2 THROUGH 8 OF 11 AND SHEETS 10 AND 11 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1818 FAX(941)360-8918

DATE	REVISIONS	BY	CHK'D

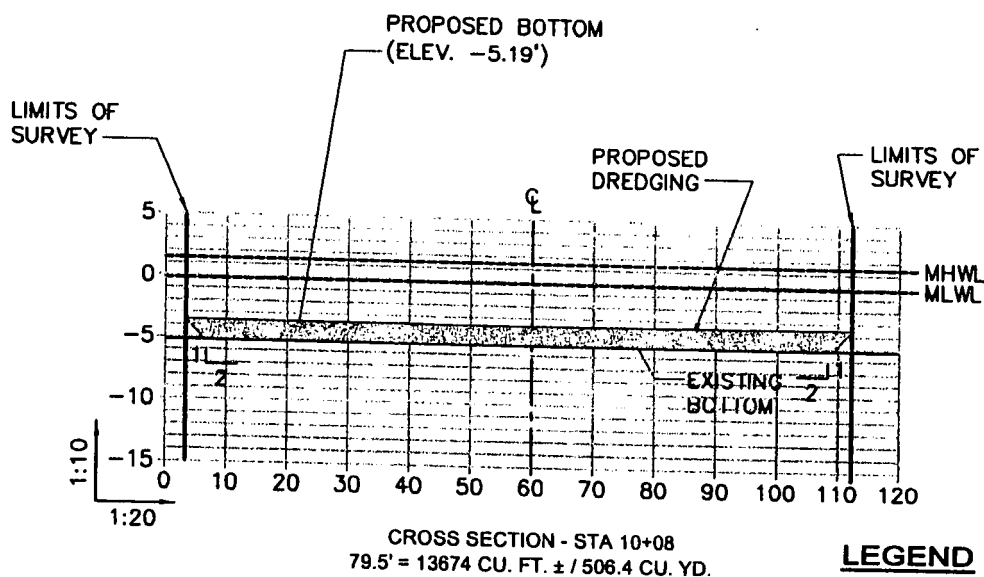
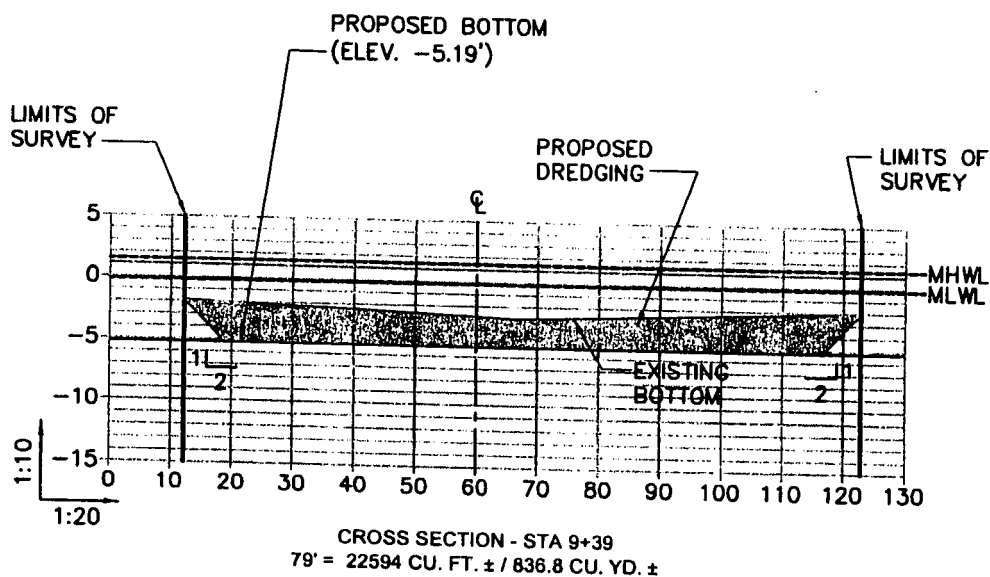
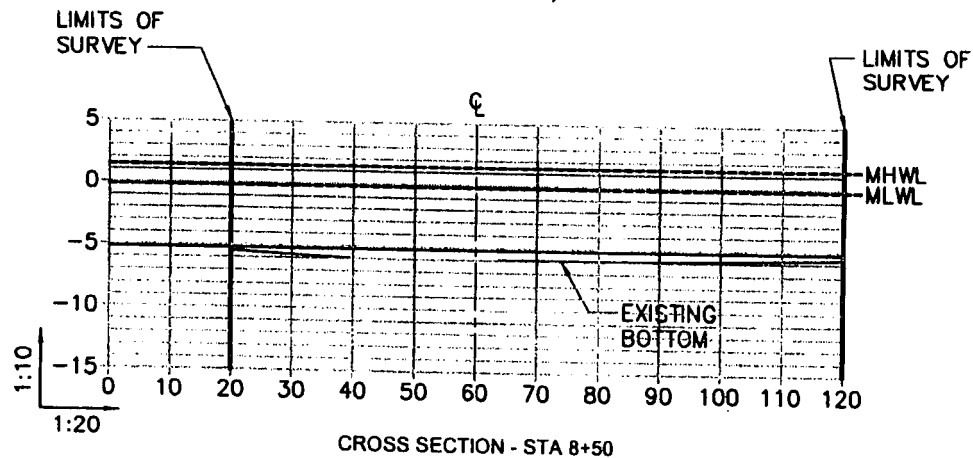
PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 10 OF 11

CROSS SECTION DETAILS

(NOT TO SCALE)



LEGEND

- CL CENTERLINE
- MHWL MEAN HIGH WATER LINE
- MLWL MEAN LOW WATER LINE
- STA STATION
- CL PROPERTY LINE
- LB LICENSED BUSINESS
- FCM FOUND CONCRETE MONUMENT
- NGVD NATIONAL GEODETIC VERTICAL DATUM
- NAVD NORTH AMERICA VERTICAL DATUM
- 1— CONTOUR LINE

THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND SHEETS 2 THROUGH 9 OF 11 AND SHEET 11 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1618 FAX(941)360-6918

DATE	REVISIONS	BY	CHK'D

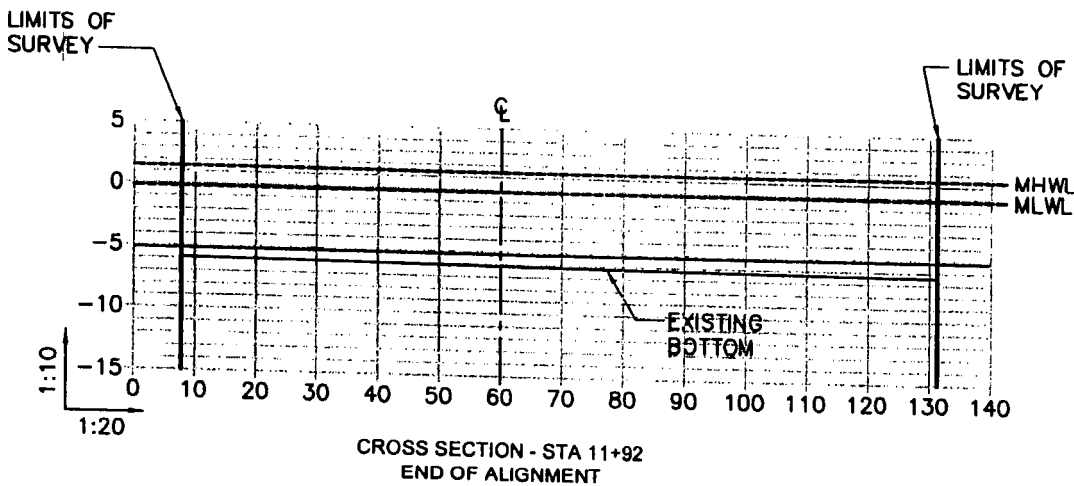
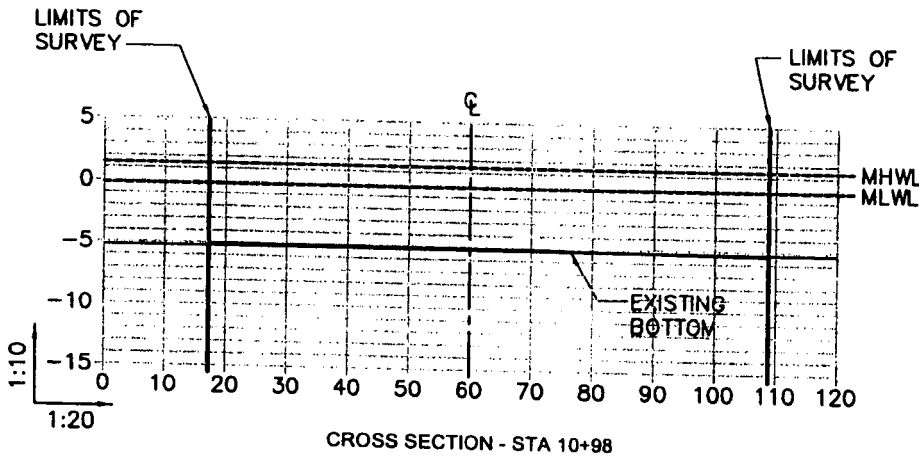
PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg

HYDROGRAPHIC SURVEY

IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.
SHEET 11 OF 11

CROSS SECTION DETAILS

(NOT TO SCALE)



LEGEND

- CL CENTERLINE
- MHWL MEAN HIGH WATER LINE
- MLWL MEAN LOW WATER LINE
- STA STATION
- PL PROPERTY LINE
- LB LICENSED BUSINESS
- FCM FOUND CONCRETE MONUMENT
- NGVD NATIONAL GEODETIC VERTICAL DATUM
- NAVD NORTH AMERICA VERTICAL DATUM
- 1--- CONTOUR LINE

THIS SKETCH IS NOT VALID WITHOUT SHEETS 1 OF 11 WITH THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AFFIXED HERETO AND SHEETS 2 THROUGH 10 OF 11.

DRAWN BY: TAB/DBH

SKETCH DATE: 01/19/07

PROJECT NUMBER: 6259-001

Banks Engineering

Professional Engineers, Planners & Land Surveyors
SARASOTA - FORT MYERS - NAPLES - PORT CHARLOTTE

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1618 FAX(941)360-6918

DATE	REVISIONS	BY	CHK'D

PATH: S:\Jobs\62xx\6259\6259-001\Surveying\Bathy Sketch\6259-001 Bathy Sketch.dwg



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 12th day of June, 2008

R.B. SHORE
Clerk of Circuit Court

[Signature] D.C.



FILED FOR RECORD
R. B. SHORE

2008 JUN 23 PM 12:31

FLORIDA DEPARTMENT of STATE

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

June 16, 2008

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

Attention: Ms. Vicki Jarratt

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 12, 2008 and certified copies of Manatee County Ordinance Nos. PDI-06-15(Z) (P), Z-05-18, PDC-06-58(Z) (P) and PDC-04-38 (Z) (P), which were filed in this office on June 16, 2008.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282