

FILED FOR RECORD
R. B. SHORE

2009 OCT -9 PM 1:14

MANATEE COUNTY ORDINANCE

PDR-86-02(G)(R) – PIER POINT SUBDIVISION DOCK RECONFIGURATION DTS #20090159

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING AN APPROVED GENERAL DEVELOPMENT PLAN FOR THE RECONFIGURATION OF DOCKING FACILITIES ON APPROXIMATELY 7.7 ACRES AT 602 86TH STREET COURT N.W., BRADENTON, IN THE PDR (PLANNING DEVELOPMENT RESIDENTIAL) ZONING DISTRICT; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

DEPARTMENT OF STATE
CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

2009 OCT -5 PM 12:06

FILED

WHEREAS, Pier Point Homeowners Association, Inc. (the "Applicant") filed an application for a revised General Development Plan for approximately 7.7 acres described in Exhibit "A", attached hereto, (the "Property") to amend an approved General Development Plan for the reconfiguration of docking facilities; and

WHEREAS, Planning Department staff recommended approval of the General Development Plan application 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 September 10, 2009 to consider the General Development Plan, 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 Preliminary Site Plan application consistent with the Manatee County Comprehensive Plan with the exception of Policy 4.1.6.1, Coastal Element, and finding Policy 4.1.6.1 not applicable to the reconfiguration of the dock facilities in accordance with Section 734.2.4 of the Land Development Code, and to satisfy the criteria for approval in the Manatee County Land Development Code, recommended approval subject to the stipulations contained in the staff report.

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, 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 a Preliminary Site 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 October 1, 2009 regarding the proposed 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 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.

Section 2. GENERAL DEVELOPMENT PLAN. The General Development Plan is hereby approved for a reconfiguration of docking facilities subject to the following Stipulations:

STIPULATIONS

- 1. A copy of all required State and Federal permits shall be submitted to the Natural Resources Department for review prior to Final Site Plan approval.
- 2. The total number of slips included with this approval shall be limited to 9, excluding those associated with the existing dock on Lot 5. Lot 6 shall be prohibited from constructing an individual dock.
- 3. The homeowners documents shall be revised and recorded to be consistent with this approval prior to the issuance of the building permits for the dock expansion.
- 4. The dock extension shall be illuminated to alert boaters of its presence at night. Details shall be review and approved with the Final Site Plan.

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. 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 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 1st day of October, 2009.

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

BY: *Dr. Gwendolyn Y. Brown*
Dr. Gwendolyn Y. Brown, Chairman

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

BY: *Diane E. Vollmer*
Deputy Clerk

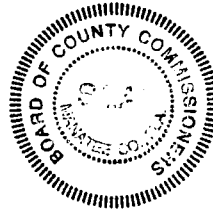


EXHIBIT "A"

Tract "B" of Pier Point Subdivision, recorded in Plat Book 23, Pages 45-46, Public Records of Manatee, Florida.



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 1st day of October, 2009
R.B. SHORE
Clerk of Circuit Court
By: [Signature] D.C.

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CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

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KURT S. BROWNING
Secretary of State

October 5, 2009

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

Attention: Ms. Vicki Jarrett, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 1, 2009 and certified copies of Manatee County Ordinance Nos. PDR-86-02(G) (R)* and PDMU-99-07 (R5), which were filed in this office on October 5, 2009.

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

Sincerely,

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

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
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