

MANATEE COUNTY ZONING ORDINANCE  
PDR-94-12(Z)(P) - HARRY BAKKER

FILED FOR RECORD  
R.B. SHORE  
CLERK 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/WP-E/ST (SUBURBAN AGRICULTURE/EVERS RESERVOIR-WATERSHED PROTECTION/SPECIAL TREATMENT OVERLAYS) TO PDR/WP-E/ST (PLANNED DEVELOPMENT RESIDENTIAL/EVERS RESERVOIR-WATERSHED PROTECTION/SPECIAL TREATMENT OVERLAYS); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A 21 LOT RESIDENTIAL SUBDIVISION.

FILED

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/WP-E/ST (Suburban Agriculture/Evers Reservoir-Watershed Protection/Special Treatment Overlays) to PDR/WP-E/ST (Planned Development Residential/Evers Reservoir-Watershed Protection/Special Treatment Overlays).

B. The said Board of County Commissioners held a public hearing on September 28, 1995, 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. Preliminary Site Plan is hereby APPROVED to allow a 21 lot residential subdivision with the following Stipulations and Specific Approval:

STIPULATIONS:

1. The street which is proposed to run from Timber Lake Drive, through this project and tie into the property to the west, shall be dedicated to Manatee County concurrently with approval of the Final Plat by the PPI Department.
2. The proposed utilities (sewer and water) shall be relocated to be extended from Timber Lake Drive, utilizing the existing right-of-way or utility easements running west from Timber Lake Drive, to service this site, unless the existing non-exclusive ingress-egress easement is proven by the applicant to allow utilities. This shall be approved by the PPI Department concurrently with the Construction Drawings.
3. The setbacks for this development shall be Front - 20 feet, Side - 8 feet, Rear - 15 feet, Waterfront - 30 feet.
4. The applicant, its heirs, assigns or transferees is hereby notified that a payment of an impact fee for school purposes may be required when and if such impact fee is adopted by the School Board of Manatee County or the Board of County Commissioners.
5. A public access easement, acceptable to Manatee County, shall be recorded for the area located at the western end of the proposed street that is proposed to be used as a temporary turnaround. This shall be recorded prior to Final Plat approval by the PPI Department.

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6. A 15 foot wide greenbelt area shall be required along northwestern property line adjacent to proposed lots 13 & 14. This shall be approved concurrently with the Final Site Plan by the PPI Department.
7. A landscaped easement to the benefit of the homeowners association, shall be recorded for the greenbelt area where the lots are proposed to be platted through. A copy of this recorded document shall be submitted to the PPI Department prior to Final Plat approval.
8. The subbase and base material used for the temporary turnaround at the western end of the proposed street shall be approved by the PPI Department concurrent with Construction Drawing approval.
9. This application has not been reviewed for compliance with the subdivision regulations contained in the Land Development Code. Should there be a conflict between these regulations and the information contained on the site plan, this application may have to return to the Planning Commission and Board of County Commissioners for a modification to the approved Preliminary Site Plan.
10. A conservation easement, pursuant to Section 719.11.1.3 of the Land Development Code, shall be provided for the wetlands and wetland buffers. This shall be approved by the PPI Department concurrent with the Final Plat.

**SPECIFIC APPROVAL:**

1. Specific Approval for an alternative to Section 603.7.4.5 of the Land Development Code to eliminate the 15 foot wide greenbelt along the eastern property boundary.

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/WP-E/ST (Suburban Agriculture/Evers Reservoir-Watershed Protection/Special Treatment Overlays) to PDR/WP-E/ST (Planned Development Residential/Evers Reservoir-Watershed Protection/Special Treatment Overlays), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning, Permitting and Inspections Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN O.R. BOOK 1064, PAGE 1698, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, TO-WIT:

BEGIN AT THE SOUTHWEST CORNER OF LOT 30, PALM AIRE AT SARASOTA SUBDIVISION, UNIT NO. 6, RECORDED IN PLAT BOOK 19, PAGES 199 THROUGH 201, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N 00°55'24" W ALONG THE WEST LINE OF SAID PALM AIRE AT SARASOTA, UNIT NO. 6, A DISTANCE OF 995.94 FEET TO THE SOUTHEAST CORNER OF DESOTO LAKES COUNTRY CLUB COLONY, UNIT NO. 4, AS RECORDED IN PLAT BOOK 17, PAGES 67, 68 AND 69, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S 89°51'25" W ALONG THE SOUTH LINE OF SAID DESOTO LAKES COUNTRY CLUB COLONY, UNIT NO. 4 A DISTANCE OF 563.26 FEET; THENCE S 00°55'24" E, PARALLEL WITH SAID WEST LINE OF PALM AIRE AT SARASOTA SUBDIVISION A DISTANCE OF 300.00 FEET; THENCE N 89°51'25" E, PARALLEL WITH SAID SOUTH LINE OF DESOTO LAKES COUNTRY CLUB COLONY, UNIT 4 A DISTANCE OF 263.25 FEET; THENCE S 00°55'24" E, PARALLEL WITH SAID WEST LINE OF PALM AIRE AT SARASOTA SUBDIVISION A DISTANCE OF 696.99 FEET TO THE INTERSECTION OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE AFOREMENTIONED LOT 30; THENCE N 89°39'21" E ALONG SAID WESTERLY EXTENSION A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.68 ACRES MORE OR LESS.

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 28th day of September, 1995.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Stan Stephen

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

STATE OF FLORIDA COUNTY OF MANATEE  
I hereby certify that the foregoing is a true  
copy of ORDINANCE NO. PDR-94-12 adopted by the  
Board of County Commissioners of said County on  
the 28th day of Sept., 1995, this 4th day  
of Dec., 1995 in Bradenton, Florida.

R. B. Shore  
Clerk of Circuit Court

By Diane E. Volker

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MANATEE COUNTY

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FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham

Secretary of State

DIVISION OF ELECTIONS

Bureau of Administrative Code

The Elliot Building

401 South Monroe Street

Tallahassee, Florida 32399-0250

(904) 488-8427

October 9, 1995

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

Attention: Diane E. Vollner, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters of recent date and certified copy each of Manatee County Ordinance Nos. PDR-94-12(Z)(P), 95-05, 95-06, 95-07, 95-09, PDC-95-10(Z)(P), PDR-95-06(Z)(P)/95-S-28(P), PDR-95-07(Z)(P)/95-S-21(P), PDR-95-08(Z)(P), Z-86-30(G)(R3-A), Z-95-16, Z95-18, 95-38, and 95-41, which were filed in this office on October 9, 1995.

The duplicate copy of each showing the filing date is being returned for your records.

For future use, our current address is:

Department of State  
Bureau of Administrative Code  
401 South Monroe Street  
The Elliot Building  
Tallahassee, Florida 32399-0250

Sincerely,

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

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mw  
Enclosures