

FILED FOR RECORD
R. B. SHORE

2008 MAY 12 AM 10:43

**MANATEE COUNTY ORDINANCE
PDR-98-16(G)(R) – W. ALVIN McELVEEN**

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

2008 MAY -5 AM 10:13
DEPT. OF COUNTY CLERK
TALLAHASSEE, FLORIDA

FILED

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, PERTAINING TO APPROXIMATELY 6.8 ACRES AT 1510 CENTER ROAD, TERRA CEIA IN THE PDR (PLANNED DEVELOPMENT RESIDENTIAL) ZONING DISTRICT; APPROVING A REVISED GENERAL DEVELOPMENT PLAN TO PERMIT THE CONTINUED USE OF PROPERTY WITH A BARN, PASTURE, AND UP TO 6 HORSES, IN ADDITION TO A SINGLE-FAMILY RESIDENCE; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE.

WHEREAS, W. Alvin McElveen (the "Applicant") filed an application for an revised General Development Plan on approximately 6.8 acres described in Exhibit "A", attached hereto, (the "Property") to permit the continued use of property with a barn, pasture, and up to 6 horses, in addition to a single-family residence; and

WHEREAS, staff recommended approval of the revised General Development Plan, 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 staff, 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 staff report concerning the application for a General Development 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 May 1, 2008 regarding the revised General Development Plan described herein in accordance with the requirements of Manatee County Ordinance No. 90-01 (the Manatee County Land Development Code), and 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 to permit the continued use of property with a barn, pasture, and up to 6 horses, in addition to a single-family residence subject to the following Stipulations:

STIPULATIONS

1. No more than 6 horses shall be pastured and stabled on the property at any time.
2. The barn shall be built on the general location shown on the General Development Plan, but shall be set back a minimum of 50' from all property lines.
3. The stable shall be a permitted use on this site.
4. A single-family detached residence is permitted on this site subject to the following setbacks:

Front: 25'
Rear: 20'
Side: 8'

No signs of other advertising shall be permitted for the use as a stable.

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.

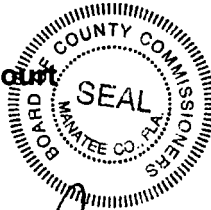
PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 1st day of May, 2008.

BY: BOARD OF COUNTY
COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY: 

Chairman

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



BY: 

Deputy Clerk

EXHIBIT "A"

DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 26. A DISTANCE OF 161.04 FEET; THENCE EAST 15.00 FEET TO A POINT ON THE EAST MONUMENTED RIGHT-OF-WAY LINE OF CENTER ROAD (14TH AVENUE WEST) SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH ALONG SAID EAST MONUMENTED RIGHT-OF-WAY LINE. A DISTANCE OF 429.48 FEET; THENCE S 89°46'00" E. 625.60 FEET; THENCE SOUTH. 590.52 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 26; THENCE N 89°46'00" W. ALONG SAID SOUTH LINE, A DISTANCE OF 172.00 FEET TO A POINT ON THE EAST LINE OF DAKIN SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 17, PAGE 97. PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE NORTH, ALONG THE EAST LINE OF SAID SUBDIVISION. A DISTANCE OF 161.04 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE N 89°46'00" W. ALONG THE NORTH LINE OF SAID SUBDIVISION AND ITS EXTENSION THEREOF, A DISTANCE OF 453.60 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.80 ACRES. MORE OR LESS.

SUBJECT TO AN EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 988, PAGES 1607 & 1608, PUBLIC RECORDS OF MANATEE COUNTY, 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

May, 2008.

R.B. SHORE
Clerk of Circuit Court

By: W. Alvin McElveen D.C.



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

FILED FOR RECORD
R. B. SHORE

2008 MAY 12 AM 10:44

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

May 5, 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 May 2, 2008 and certified copies of Manatee County Ordinance Nos. PDR-07-17 (P), Z-07-22 and PDR-98-16 (G) (R), which were filed in this office on May 5, 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://dis.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