

FILED FOR RECORD
R. B. SHORE

**MANATEE COUNTY ZONING ORDINANCE
Z-05-01 – COVERED BRIDGE HOLDINGS II, LLC REZONE / THE FORUM**

2007 SEP 13 PM 1:31

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, 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 APPROXIMATELY 28.89 ACRES LOCATED AT 2411 TALLEVAST ROAD, BRADENTON FROM THE A-1 (SUBURBAN AGRICULTURE) ZONING DISTRICT TO THE LM (LIGHT MANUFACTURING) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Covered Bridge Holding II, LLC. (the "Applicant") has filed a rezone application to rezone approximately 28.89 acres described in Exhibit "A", attached hereto, (the "Property") from the A-1 (Suburban Agriculture) zoning district to the LM (Light Manufacturing) zoning district; and

WHEREAS, the Planning Staff has recommended approval for the rezone, as described in the Planning Staff report; and,

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on September 14, 2006 to consider the rezone, received the Planning Staff's 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 rezone 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.

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 of Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of the County, 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 Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from the A-1 (Suburban Agriculture) zoning district to the LM (Light Manufacturing) zoning district.

B. The Board of County Commissioners held public hearings on October 5, 2006 and September 6, 2007 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 No. 89-01 (the 2020 Manatee County Comprehensive Plan).

Section 2. 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 described in Exhibit "A" incorporated by reference herein from the A-1 (Suburban Agriculture) zoning district to the LM (Light Manufacturing) 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 Official Zoning Atlas.

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 6th day of September, 2007.

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

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 30, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S89°30'38"E, ALONG THE NORTH LINE OF SAID SOUTH ½ OF THE SOUTHEAST ¼, A DISTANCE OF 383.90 FEET FOR A **POINT OF BEGINNING**; THENCE CONTINUE S89°30'38"E, ALONG SAID NORTH LINE, A DISTANCE OF 1289.94 FEET TO A POINT ON THE WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF NEW U.S. 301-STATE ROAD 683 AS RECORDED IN OFFICIAL RECORD BOOK 880, PAGE 632 AND OFFICIAL RECORD BOOK 1015, PAGE 3460 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S00°26'56"W, ALONG SAID WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 847.81 FEET; THENCE N89°33'04"W, 210.00 FEET; THENCE S00°26'56"W, 151.39 FEET; THENCE N89°40'49"W, 1078.43 FEET; THENCE N00°21'45"E, 1002.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 28.89 ACRES, MORE OR LESS.



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 14 day of September, 2007
R.B. SHORE
Clerk of Circuit Court
By: Debi Foster D.C.



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

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FILED FOR RECORD
R. B. SHORE
2007 SEP 13 PM 1:31
CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA
KURT S. BROWNING
Secretary of State

September 10, 2007

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

Attention: Vicki Tessmer, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated September 7, 2007 and certified copies of Manatee County Ordinance Nos. Z-05-01 and Z-06-11, which were filed in this office on September 10, 2007.

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

Sincerely,

Liz Cloud
Program Administrator

LC/lbh
Enclosures

DIRECTOR'S OFFICE

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