

FILED FOR RECORD
R. B. SHORE

2005 JUN 28 PM 1:54

MANATEE COUNTY ZONING ORDINANCE
Z-05-06 – RICHARD CASEY

CLERK OF THE COURT
MANATEE CO. FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, 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 APPROXIMATELY
8.04 ACRES LOCATED AT 11425 CARLTON ROAD FROM THE CON
(CONSERVATION) ZONING DISTRICT TO THE A (GENERAL
AGRICULTURE, 1 DWELLING UNIT PER 5 ACRES) ZONING
DISTRICT; SETTING FORTH FINDINGS; PROVIDING FOR
SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

FILED
2005 JUN 22 AM 8:52
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

WHEREAS, Manatee County (the "Applicant") has initiated a rezone application to rezone approximately 8.04 acres described in Exhibit A, attached hereto, (the "Property") from the CON (Conservation) zoning district to the A (General Agriculture, 1 dwelling unit per 5 acres) zoning district; and,

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

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on June 9, 2005 to consider the rezone application, 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 application 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 application .

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. FINDINGS OF FACT. 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 recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

B. 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 CON (Conservation) zoning district to the A (General Agriculture, 1 dwelling unit per 5 acres).

C. The Board of County Commissioners held a public hearing on June 14, 2005 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.

D. 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 of the property described in Exhibit A. from the CON (Conservation) zoning district to the A (General Agriculture, 1 dwelling unit per 5 acres) 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 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. 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 14th day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____

Chairman

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

R. B. Shore



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 20th day of

June, 2005
R.B. SHORE
Clerk of Circuit Court

By: _____

Honey Harris

LEGAL DESCRIPTION

BEGIN AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 33 SOUTH, RANGE 22 EAST, RUN THENCE WEST A DISTANCE OF 2815.80 FEET TO A 4x4 CONCRETE MONUMENT, ¼ CORNER OF SECTIONS 17 AND 20; THENCE NORTH 0° 32' 40" WEST ALONG NORTH AND SOUTH QUARTER LINE A DISTANCE OF 1459.34 FEET FOR THE POINT OF BEGINNING; RUN THENCE NORTH 77° 11' 40" EAST A DISTANCE OF 330.41 FEET; THENCE NORTH 0° 32' 40" WEST A DISTANCE OF 1047.55 FEET TO A POINT LYING SOUTH 00° 32' 40" EAST, 542.27 FEET FROM THE SOUTHERLY MAINTAINED RIGHT OF WAY OF CARLTON ROAD; THENCE SOUTH 89° 53' 42" WEST A DISTANCE OF 323.59 FEET TO A POINT ON THE AFORESAID NORTH/SOUTH ¼ SECTION LINE; THENCE SOUTH 00° 34' 49" EAST ALONG SAID LINE A DISTANCE OF 1120.20 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN SECTION 17, TOWNSHIP 33 SOUTH, RANGE 22 EAST, CONTAINING 8.04 ACRES MORE OR LESS.

TOGETHER WITH THE EASTERN 20 FEET OF THE FOLLOWING DESCRIBED PARCELS FOR INGRESS/EGRESS: BEGIN AT THE SE CORNER OF SECTION 17, TOWNSHIP 33 SOUTH, RANGE 22 EAST, RUN THENCE WEST A DISTANCE OF 2815.80 FEET TO A 4x4 CONCRETE MONUMENT, ¼ CORNER OF SECTIONS 17 AND 20; THENCE NORTH 0° 32' 40" WEST ALONG NORTH AND SOUTH QUARTER LINE A DISTANCE OF 1450.34 FEET TO A 2x2 STAKE FOR THE POINT OF BEGINNING; RUN THENCE NORTH 77° 11' 20" EAST A DISTANCE OF 331.00 FEET TO A 2x2 STAKE; THENCE NORTH 0° 32' 40" WEST A DISTANCE OF 1536.0 FEET TO A 2x2 STAKE, THENCE SOUTH 77° 11' 20" WEST A DISTANCE OF 331.0 FEET TO A 2x2 STAKE ON THE NORTH AND THE SOUTH QUARTER LINE, THENCE SOUTH 0° 32' 49" EAST ALONG THE NORTH AND THE SOUTH QUARTER LINE A DISTANCE OF 1536.00 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN THE EAST ½ OF SECTION 17, TOWNSHIP 33 SOUTH, RANGE 22 EAST.

TOGETHER WITH THE MOST EASTERLY 20 FEET OF THE FOLLOWING DESCRIBED PARCEL FOR INGRESS/EGRESS: BEGIN AT THE SE CORNER OF SECTION 17, TOWNSHIP 33 SOUTH, RANGE 22 EAST, RUN THENCE WEST A DISTANCE OF 2815.80 FEET TO A 4x4 CONCRETE MONUMENT ¼ CORNER SECTIONS 17 AND 20; THENCE NORTH 0° 32' 40" WEST ALONG NORTH AND SOUTH QUARTER LINE A DISTANCE OF 2668.34 FEET TO A 4x4 CONCRETE MONUMENT FOR POINT OF BEGINNING; THENCE WEST 184.00 FEET; THENCE NORTH 0° 32' 40" WEST 342 FEET TO A POINT; THENCE NORTH 77° 11' 20" EAST 515 FEET TO A POINT; THENCE SOUTH 54 FEET TO A POINT; THENCE SOUTH 77° 11' 20" WEST 331 FEET, MORE OR LESS TO THE SAID NORTH AND SOUTH QUARTER LINE; THENCE SOUTH 0° 32' 40" EAST ALONG SAID NORTH AND SOUTH QUARTER LINE TO A POINT OF BEGINNING.

EXHIBIT A



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

FILED FOR RECORD
R. B. SHORE

2005 JUN 28 PM 1:54

CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

June 24, 2005

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

Attention: Nancy Harris, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 20, 2005 and certified copies of Manatee County Ordinance Nos. PDR04-07(Z)(P) and Z-05-06, which were filed in this office on June 22, 2005.

As requested, the date stamped copies are being returned for your records.

Sincerely,

Liz Cloud
Program Administrator

LC/kcs

Enclosures