

MANATEE COUNTY ZONING ORDINANCE
Z-05-08 – MOSAIC FERTILIZER LLC/ FOUR CORNERS MINE – LIPMAN ADDITION

2005 OCT 14 AM 10:40

CLEAR COURT
MANATEE CO. FLORIDA

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 305 ACRES LOCATED APPROXIMATELY 1,500 FEET SOUTH OF THE MANATEE/HILLSBOROUGH COUNTY LINE AND 4,870 FEET WEST OF CR 39 FROM THE A (GENERAL AGRICULTURE, 1 DWELLING UNIT PER 5 ACRES) ZONING DISTRICT TO THE EX (EXTRACTION) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

2005 OCT -5 11:52:21

WHEREAS, Mosaic Fertilizer, LLC (the "Applicant") has filed a rezone application to rezone approximately 305 acres described in Exhibit "A", attached hereto, (the "Property") from the A (General Agriculture, 1 dwelling unit per 5 acres) zoning district to the EX (Extraction) 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 8, 2005 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 (General Agriculture, 1 dwelling unit per 5 acres) zoning district to the EX (Extraction) zoning district.

B. The Board of County Commissioners held a public hearing on September 27, 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.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Section 3 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 (General Agriculture, 1 dwelling unit per 5 acres) zoning district to the EX (Extraction) 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 27th day of September, 2005.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____

Chairman

ATTEST: R. B. SHORE

Clerk of the Circuit Court



By: [Signature]
[Signature]

EXHIBIT "A"

LEGAL DESCRIPTION.

SECTION 1:

Begin at the intersection of the west boundary of section 1 and the south boundary of the north 1501 feet of the NW1/4; thence S89°34'50"E along the south boundary of the north 1501 feet of the NW1/4 a distance of 2595.00 feet to the intersection with the west boundary of NW1/4 of NE1/4; thence S03°18'31"E 6.01 feet; thence S82°55'46"W 15.29 feet; thence S82°28'41"W 16.23 feet; thence S39°35'50"W 35.20 feet; thence S70°18'19"W 29.67 feet; thence S37°07'52"W 16.46 feet; thence S82°33'40"W 21.24 feet; thence S07°41'20"W 25.23 feet; thence S12°11'38"W 40.54 feet; thence S34°45'40"W 48.23 feet; thence S49°40'32"W 64.52 feet; thence S56°33'01"W 57.83 feet; thence S54°39'11"W 71.95 feet; thence S61°36'25"W 60.46 feet; thence S57°25'45"W 24.84 feet; thence S57°35'43"W 24.73 feet; thence S50°13'26"W 31.07 feet; thence S21°38'36"W 37.79 feet; thence S11°24'02"E 27.03 feet; thence S11°22'27"E 16.32 feet; thence S50°42'54"W 55.47 feet; thence S52°22'58"W 22.53 feet; thence S67°57'21"W 35.64 feet; thence S68°25'43"W 5.78 feet; thence S21°30'41"E 14.91 feet; thence S78°32'45"W 19.51 feet; thence S66°53'25"W 26.43 feet; thence S57°15'53"W 8.32 feet; thence S57°08'00"W 41.00 feet; thence S59°49'25"W 51.48 feet; thence S53°33'32"W 53.45 feet; thence S69°43'43"W 57.37 feet; thence S74°48'38"W 42.94 feet; thence S60°47'29"W 49.69 feet; thence S61°49'42"W 63.81 feet; thence S80°37'60"W 55.30 feet; thence S81°33'05"W 61.26 feet; thence S70°54'23"W 13.76 feet; thence S71°24'16"W 10.58 feet; thence S70°57'33"W 23.37 feet; thence S52°24'59"W 14.55 feet; thence S52°08'52"W 6.93 feet; thence S81°06'14"W 36.37 feet; thence N82°05'53"W 20.00 feet; thence N82°11'46"W 24.86 feet; thence N89°30'19"W 14.47 feet; thence N88°15'05"W 12.29 feet; thence S84°27'16"W 6.47 feet; thence S84°52'33"W 32.19 feet; thence N39°53'22"W 10.92 feet; thence S81°32'19"W 15.29 feet; thence S41°51'55"W 21.82 feet; thence S44°25'17"W 21.88 feet; thence S10°20'28"W 26.81 feet; thence S45°25'57"W 46.85 feet; thence S10°04'22"W 19.30 feet; thence S18°34'34"W 24.13 feet; thence S18°29'54"W 8.96 feet; thence S44°45'37"W 42.25 feet; thence S20°25'15"W 43.35 feet; thence S30°11'02"W 14.17 feet; thence S30°13'23"W 30.67 feet; thence S39°02'29"W 6.60 feet; thence S38°58'09"W 33.44 feet; thence S51°14'54"W 73.09 feet; thence S51°42'24"W 45.79 feet; thence S81°39'51"W 8.62 feet; thence S82°00'51"W 33.29 feet; thence N83°43'45"W 11.44 feet; thence N83°58'07"W 41.64 feet; thence N84°05'16"W 9.71 feet; thence S60°28'02"W 33.47 feet; thence S42°13'38"W 7.77 feet; thence S42°11'54"W 23.96 feet; thence S40°18'10"E 22.13 feet; thence N85°44'50"W 64.05 feet; thence N87°36'51"W 15.01 feet; thence N83°34'53"W 70.44 feet; thence N79°22'32"W 65.08 feet; thence N79°28'36"W 73.23 feet; thence N79°59'55"W 65.50 feet; thence N81°09'43"W 65.09 feet; thence N80°29'35"W 65.84 feet; thence N00°11'15"E 57.38 feet; thence N88°42'46"W 22.26 feet; thence S89°23'21"W 35.19 feet; thence N84°53'58"W 44.99 feet; thence S87°47'12"W 6.47 feet; thence S87°47'12"W 6.47 feet; thence N87°34'20"W 53.11 feet; thence S78°30'12"W 7.53 feet; thence S11°38'02"W 8.68 feet; thence S11°46'07"W 32.18 feet; thence S53°54'06"W 7.43 feet; thence S31°54'11"W 22.23 feet; thence S18°55'37"W 48.36 feet; thence S14°15'43"W 30.83 feet; thence S14°15'14"W 8.00 feet; thence S07°00'21"W 7.43 feet; thence S06°57'07"W 30.73 feet; thence S12°01'00"W 44.73 feet; thence S10°00'17"W 56.48 feet; thence S13°06'31"W 22.46 feet; thence S13°08'19"W 27.08 feet; thence S10°18'58"W 73.82 feet; thence S09°11'32"W 69.64 feet; thence S41°39'15"W 28.78 feet; thence S11°10'53"E 5.48 feet; thence S11°22'22"E 11.09 feet; thence S06°16'40"W 18.86 feet; thence S20°18'52"W 7.08 feet to the west boundary of section 1; thence N05°56'46"W along the west boundary thereof 1584.55 feet to the Point of Beginning.

SECTION 2:

Begin at the intersection of the east boundary of section 2 and the south boundary of the north 1501 feet of the NE1/4; thence S05°56'46"E along the east boundary thereof 1584.68 feet; thence S20°18'52"W 48.37 feet; thence S29°49'19"W 46.25 feet; thence S29°19'55"W 15.06 feet; thence S30°37'49"W 22.08 feet; thence S39°52'22"W 20.52 feet; thence S30°18'03"W 46.76 feet; thence S30°21'51"W 105.47 feet; thence S31°18'08"W 39.94 feet; thence S37°44'05"W 44.73 feet; thence S23°27'42"W 26.84 feet; thence S31°21'03"W 30.15 feet; thence S32°21'29"W 38.77 feet; thence S21°25'53"W 14.37 feet; thence S05°34'09"W 25.12 feet; thence S02°50' 17"W 29.04 feet; thence S00°35'55"W 47.88 feet; thence S00°00'01"W 40.50 feet; thence S04°11'45"E 34.59 feet; thence S04°12'45"E 14.04 feet; thence S02°20'07"E 47.54 feet; thence S09°12'08"E 22.67 feet; thence S01°17'06"E 39.01 feet; thence S03°37'57"E 15.78 feet; thence S03°36'33"E 80.41 feet; thence S02°13'23"E 78.93 feet; thence S06°02'29"E 17.22 feet; thence S00°00'01"W 44.62 feet; thence S05°18'07"E 96.04 feet; thence S03°39'54"E 40.08 feet; thence S03°41'37"E 45.59 feet; thence S06°37'47"E 102.31 feet; thence S15°15'17"E 74.11 feet; thence S33°02'43"E 13.87 feet; thence S30°26'54"E 10.73 feet; thence S24°31'02"E 76.66 feet; thence S27°38'18"E 62.65 feet; thence S44°59'60"E 30.23 feet; thence S64°36'20"E 67.04 feet; thence S71°21'25" E 54.35 feet; thence S71°41'40" E 8.76 feet; thence S13°48'46"E 31.15 feet; thence S13°22'39"E 34.31 feet; thence S10°43'35"E 65.65 feet; thence S10°42'10"E 52.67 feet; thence S04° 13'04"W 17.42 feet; thence S02°16'58"W 8.63 feet; thence S02°22'29"W 25.65 feet; thence S24°49'21"E 36.77 feet; thence S12°22'04"E 67.70 feet; thence S17°48'08"E 89.54 feet; thence S15°09'16"W 6.22 feet; thence N69°35'36"E 15.00 feet; thence S14°27'52"E 9.92 feet; thence S28°32'30"W 18.64 feet; thence S72°51'34"W 14.00 feet; thence S22°51'28"W 25.50 feet; thence S22°49'06"W 5.56 feet; thence S21°36'24"W 37.51 feet; thence S30°21'52"W 28.68 feet; thence S06°51'02"W 19.39 feet; thence S10°30'17"E 19.20 feet; thence S09°13'49"W 10.13 feet; thence S35°42'00"E 28.17 feet; thence S08°20'05"E 27.16 feet; thence S09°13'41"W 40.14 feet; thence S01°04'53"W 13.25 feet; thence S47°06'33"W 15.61 feet; thence S68°05'48"W 13.07 feet; thence S68°28'04"W 9.88 feet; thence S59°16'09"W 17.12 feet; thence S 59°05'28"W 16.79 feet; thence S21°03'52"W 57.73 feet; thence S 31°06'58"W 165.57 feet; thence S36°49'02"W 54.18 feet; thence S 36°52'12"W 9.22 feet; thence S16°04'31"W 83.52 feet; thence S 37°27'11"W 49.13 feet; thence S26°46'35"W 75.89 feet; thence S 33°02'53"W 87.39 feet; thence S63°34'33"W 51.12 feet; thence S 31°30'45"W 67.74 feet; thence S19°33'10"W 31.13 feet; thence N 88°52'48"W 2074.60 feet to the intersection with the west boundary of E1/2 of section 2; thence N05°25'04"W along the west boundary thereof 4449.82 feet to the intersection with the south boundary of the north 1501 feet of NE1/4 of section 2; thence S89°37'30"E along said south boundary of the north 1501 feet of NE1/4 a distance of 2676.51 feet to the Point of Beginning.



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 3rd day of

October, 2005.

R.B. SHORE
Clerk of Circuit Court

By: Diane E. Kellmer, c.



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

FILED FOR RECORD
R. B. SHORE

2005 OCT 14 AM 10:42

CLERK OF CIRCUIT COURT
MANATEE CO FLORIDA

October 10, 2005

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

Attention: Diane E. Vollmer, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated October 3, 2005 and certified copies of Manatee County Ordinance Nos. Z-05-08, 05-42, 05-57 and 05-58, which were filed in this office on October 6, 2005.

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

Sincerely,

Liz Cloud
Program Administrator

LC/kcs

Enclosures