

FILED FOR RECORD
R. B. SHORE

2005 AUG -9 PM 12:11

MANATEE COUNTY ZONING ORDINANCE
Z-05-10 - CORTEZ SCHOOLHOUSE

CLERK OF THE 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 3.9 ACRES LOCATED AT 4415 119TH STREET WEST IN CORTEZ FROM THE RSF-4.5/CH (RESIDENTIAL SINGLE-FAMILY, 4.5 DWELLING UNITS PER ACRE/COASTAL HIGH HAZARD AREA OVERLAY DISTRICT) ZONING DISTRICT TO THE RSF-4.5/HA/CH (RESIDENTIAL SINGLE-FAMILY, 4.5 DWELLING UNITS PER ACRE) ZONING DISTRICT RETAINING THE COASTAL HIGH HAZARD OVERLAY DISTRICT AND ADDING THE HISTORICAL AND ARCHAEOLOGICAL OVERLAY DISTRICT DESIGNATION; SETTING FORTH FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Manatee County initiated a rezone application to rezone approximately 3.9 acres described in Exhibit A, attached hereto, (the "Property") from the RSF-4.5/CH (Residential Single-Family, 4.5 dwelling units per acre/Coastal High Hazard Area Overlay District) zoning district to the RSF-4.5/HA/CH (Residential Single-Family, 4.5 dwelling units per acre) zoning district retaining the Coastal High Hazard Overlay District and adding the Historical and Archaeological Overlay District designation; 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 July 14, 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:

BC20050726DOC140

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 3 of this Ordinance from the RSF-4.5/CH (Residential Single-Family, 4.5 dwelling units per acre/Coastal High Hazard Area Overlay District) zoning district to the RSF-4.5/HA/CH (Residential Single-Family, 4.5 dwelling units per acre) zoning district retaining the Coastal High Hazard Overlay District and adding the Historical and Archaeological Overlay District designation.

B. The Board of County Commissioners held a public hearing on July 26, 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 RSF-4.5/CH (Residential Single-Family, 4.5 dwelling units per acre/Coastal High Hazard Area Overlay District) zoning district to the RSF-4.5/HA/CH (Residential Single-Family, 4.5 dwelling units per acre) zoning district retaining the Coastal High Hazard Overlay District and adding the Historical and Archaeological Overlay District designation, 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 26th day of July, 2005.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____

Chairman



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

By: _____
Clerk

EXHIBIT "A"

LEGAL DESCRIPTION.

LOT 1 AND LOTS 4 THROUGH 12 INCLUSIVE, OF CRAMPTON'S RE-SUB OF CORTEZ ADDITION TO CORTEZ, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 11 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; TOGETHER WITH THAT PART MARKED SCHOOL GROUNDS RESERVED AS SHOWN ON THE PLAT OF CRAMPTON'S RE-SUB AND ALSO DESCRIBED AS LOT 3, 4, 5, AND 6 LESS THAT PART OF LOT 6 SOUTH OF SOUTH LINE OF LOT 3 BLOCK 50 EXTENDING WEST TO THE ROAD, BLOCK 50, CORTEZ ADDITION TO CORTEZ, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 59 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; TOGETHER WITH THAT 20 FOOT STRIP NORTHERLY OF LOT 12 MARKED RESERVED ON PLAT OF CRAMPTON'S RESUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 11 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. LESS ROAD RIGHT-OF-WAY FOR STATE ROAD 684 AS DESCRIBED IN DEED BOOK 264, PAGE 485 AND DEED BOOK 268, PAGE 409.



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify the foregoing is a true and
correct copy of the documents on file in my office.

Witness my hand and official seal this 29th day of

R.B. SHORR
Clerk of Circuit Court

By: Deane E. Vollmer D.C.



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

RECORD
R. B. SHORE

2005 AUG -9 PM 12: 11

CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

August 5, 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 July 29, 2005 and certified copies of Manatee County Ordinance Nos. 05-03, Z-04-02 and Z-04-10, which were filed in this office on August 3, 2005.

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

Sincerely,

Liz Cloud
Program Administrator

LC/kcs

Enclosures