

FILED FOR RECORD
R. B. SHORE

2006 JAN 23 AM 9:54

MANATEE COUNTY ZONING ORDINANCE
Z-05-11 - THOMAS AND MICHELLE BENTHALL

CLERK OF DISTRICT COURT
MANATEE CO. FLORIDA

ORDINANCE OF THE COUNTY OF MANATEE, 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 1.36 ACRES LOCATED AT
2807 61ST STREET EAST FROM THE A-1 (SUBURBAN
AGRICULTURE) ZONE DISTRICT TO THE RSF-3 (RESIDENTIAL
SINGLE-FAMILY, 3 DWELLING UNITS PER ACRE) ZONE DISTRICT;
SETTING FORTH FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

2006 JAN 11 AM 9:18

FILED

WHEREAS, Thomas and Michelle Benthall (the "Applicant") have filed a rezone application to rezone approximately 1.37 acres described in Exhibit "A", attached hereto, (the "Property") from the A-1 (Suburban Agriculture) zoning district to the RSF-3 (Residential Single-family, 3 dwelling units per acre) 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 December 8, 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 .

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 the A-1 (Suburban Agriculture) zoning district to the RSF-3 (Residential Single-family, 3 dwelling units per acre) zoning district.

C. The Board of County Commissioners held a public hearing on January 5, 2006 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" hereto 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 from the A-1 (Suburban Agriculture) zoning district to the RSF-3 (Residential Single-family, 3 dwelling units per acre) 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 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 5th day of January, 2006.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

ATTEST:

R. B. SHORE
Clerk of the Circuit Court

BY: _____

[Signature]



[Signature]
Chairman

EXHIBIT A

Legal Description

Commence at the SE corner of the NE ¼ of the NE ¼ of section 31, Township 33 South, Range 18 East, Manatee County, Florida; thence West along the South line of the said NE ¼ of the NE ¼, a distance of 1040.61 feet (measured) (1047.4 by previous deed) for a point of beginning; Thence N 00° 22' 50" W 268.42 feet; Thence S 89° 52' 05" 245.20 feet to a point on the maintained east right-of-way line of 28th ave east; thence S 00° 24' 25" E along said maintained east right-of-way line, a distance of 267.85 feet to the aforementioned south line of the NE1/4 of the NE1/4; Thence east, along said south line, a distance of 245.08 feet to the point of beginning, less the south 25 feet for road right-of-way



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 9th day of January, 2006

R.B. SHORE
Clerk of Circuit Court

By: [Signature] D.C.

FILED FOR RECORD
R. B. SHORE

2006 JAN 23 AM 9:54

CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA



FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

January 17, 2006

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

Attention: Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated January 9, 2006 and certified copies of Manatee County Ordinance Nos. 05-08, PDR-03-53(P)(R) and Z-05-11, which were filed in this office on January 11, 2006.

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

Sincerely,

Liz Cloud
Program Administrator

LC/kcs

Enclosures