

FILED FOR RECORD
R. B. SHORE

MANATEE COUNTY ZONING ORDINANCE
Z-05-15 – ANGEL QUEST, LLC

2006 SEP 21 PM 1:03

CLERK OF THE CIRCUIT 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 0.43 ACRE GENERALLY LOCATED ON THE SOUTH SIDE OF 53RD AVENUE, APPROXIMATELY 130 FEET WEST OF 20TH STREET COURT EAST FROM THE RSF-4.5 (RESIDENTIAL SINGLE-FAMILY 4.5 DWELLING UNITS PER ACRE) ZONING DISTRICT TO THE PR-S (PROFESSIONAL – SMALL) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Angel Quest, LLC (the "Applicant") has filed a rezone application to rezone approximately 0.43 acres described in Exhibit "A", attached hereto, (the "Property") from the RSF-4.5 (Residential single-family 4.5 dwelling units per acre) zoning district to the PR-S (Professional – Small) 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 May 25, 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 RSF-4.5 (Residential single-family, 4.5 dwelling units per acre) zoning district to the PR-S (Professional - Small) zoning district.

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TALLAHASSEE, FLORIDA

B. The Board of County Commissioners held public hearings on August 3, 2006 and September 7, 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.

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 RSF-4.5 (Residential single-family, 4.5 dwelling units per acre) zoning district to the PR-S (Professional – Small) 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. 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 7th day of September, 2006.

**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 EUCALYPTUS HEIGHTS SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 16 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S 02°34'26" W A DISTANCE OF 8.00 FEET TO A CONCRETE MONUMENT AND THE SOUTH RIGHT-OF-WAY OF S.R. #70 FOR A POINT OF BEGINNING; THENCE CONTINUE S 02°34'26" W ALONG SAID LINE A DISTANCE OF 199.58 FEET; THENCE N 86°34'11" W A DISTANCE OF 99.21 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1985, PAGE 3744 OF SAID PUBLIC RECORDS; THENCE N 04°55'42" E ALONG SAID LINE A DISTANCE OF 195.36 FEET TO THE AFORESAID SOUTH LINE OF S.R. #70; THENCE S 89°13'20" E ALONG SAID LINE A DISTANCE OF 91.21 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 13th day of

September, 2006.

R.B. SHORE
Clerk of Circuit Court

By: Diane E. Vollmer c.c.



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DEPARTMENT OF STATE
STATE LIBRARY AND ARCHIVES OF FLORIDA

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Secretary of State

September 18, 2006

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2006 SEP 21 PM 4:02

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

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 letter dated September 13, 2006 and certified copies of Manatee County Ordinance Nos. Z-06-06 and Z-05-15, which were filed in this office on September 11, 2006.

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

Sincerely,

Liz Cloud ak

Liz Cloud
Program Administrator

LC/bpn
Enclosures

DIRECTOR'S OFFICE

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