

MANATEE COUNTY ZONING ORDINANCE
Z-06-07 – JAMES W. STEPHENSON, LAND TRUST / RANCH AVENUE COMMERCIAL

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE NO. 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR THE REZONING OF APPROXIMATELY 1.2 ACRES ON THE NORTHWEST CORNER OF US 301 AND 73RD AVENUE EAST FROM NC-M (NEIGHBORHOOD COMMERCIAL-MEDIUM) TO THE GC (GENERAL COMMERCIAL) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, James F. Stephenson, Land Trust (the "Applicant") has filed a rezone application to rezone approximately 1.2 acres described in Exhibit "A", attached hereto, (the "Property") from NC-M (Neighborhood Commercial - Medium) zoning district to the GC (General Commercial) 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 December 13, 2007, 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 NC-M (Neighborhood Commercial - Medium) zoning district to the GC (General Commercial) zoning district.

B. The Board of County Commissioners held a public hearing on January 3, 2008, 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.

FILED FOR RECORD
R. B. SHORE

2008 JAN 22 PM 1:01

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

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) and to satisfy the criteria for approval in the Land Development Code.

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 NC-M (Neighborhood Commercial - Medium) zoning district to the GC (General Commercial) 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 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. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 5. 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 3rd^h day of January, 2008.

**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

DESCRIPTION: (TAKEN FROM TITLE COMMITMENT REFERENCED HEREON)

THAT PART OF LOT "A" OF WELLONS RANCH ESTATES, UNIT NO 2 AS PER PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 13 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, WHICH IS DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF LOT "A" OF WELLONS RANCH ESTATES UNIT 2, AS PER PLAT THEREOF RECORDED IN PLATBOOK 12 PAGE 13 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA RUN NORTHEASTERLY ALONG THE NORTHERNMOST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 301 A DISTANCE OF 150 FEET TO A POINT OF BEGINNING; THENCE RUN NORTH 300 FEET; THENCE RUN NORTHEASTERLY AND PARALLEL TO THE NORTHERNMOST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 301, A DISTANCE OF 20085 FEET MORE OR LESS TO THE EASTERNMOST LINE OF SAID LOT "A"- THENCE RUN SOUTHERLY, ALONG THE EASTERNMOST LINE OF SAID LOT "A" TO THE NORTHERN RIGHT-OF-WAY LINE OF U.S. 301 HIGHWAY- THENCE SOUTHWESTERLY ALONG THE NORTHERNMOST RIGHT-OF-WAY LINE OF U.S HIGHWAY 301 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 7th day of

January, 2008

R.B. SHORE
Clerk of Circuit Court

By [Signature] D.C.

FILED FOR RECORD
R. B. SHORE



2008 JAN 22 PM 1:16

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

CHARLIE CRIST
Governor

FLORIDA DEPARTMENT of STATE

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

January 17, 2008

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 letter dated January 7, 2008 and certified copy of Manatee County Ordinance No. Z-06-07, which was filed in this office on January 15, 2008.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/jru
Enclosure

DIRECTOR'S OFFICE

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