

FILED FOR RECORD
R. B. SHORE

2007 OCT 22 AM 8:35

**MANATEE COUNTY ZONING ORDINANCE
Z-06-14 – CAC, LLC REZONE**

CLERK OF THE CIRCUIT COURT
MANATEE COUNTY, FLORIDA

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 33.27 ACRES AT 1013 AND 1015 MORGAN JOHNSON ROAD, BRADENTON FROM A-1 (SUBURBAN AGRICULTURE) TO THE RSF-2 (RESIDENTIAL SINGLE-FAMILY, 2 DWELLING UNITS PER ACRE) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, CAC, LLC (the "Applicant") has filed a rezone application to rezone approximately 33.27 acres described in Exhibit "A", attached hereto, (the "Property") from the A-1 (Suburban Agriculture) zoning district to the RSF-2 (Residential Single-Family, 2 dwelling units per acre) 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 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 A-1 (Suburban Agriculture) zoning district to the RSF-2 (Residential Single-Family, 2 dwelling units per acre) zoning district.

B. The Board of County Commissioners held a public hearing on September 27, 2007, 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) 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 the A-1 (Suburban Agriculture) zoning district to the RSF-2 (Residential Single-Family, 2 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 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 27th day of September, 2007.

**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

DP#1424500005:

THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; THE NORTH 1/3 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34. TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. LESS A PARCEL 200 FEET NORTH AND SOUTH AND 1089 FEET EAST AND WEST DEEDED TO LOGUE AND RECORDED IN DEED BOOK 354.PAGE 124, OF THE PUBLIC RECORDS OF ,MANATEE COUNTY, FLORIDA. ALSO LESS PARCEL 150 FEET NORTH AND SOUTH BY 690 FEET EAST AND WEST DESCRIBED IN OFFICIAL RECORD BOOK 657, PAGE 937 AND LESS OFFICIAL RECORD BOOK 742, PAGE 891, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

SUBJECT TO ROAD RIGHT-OF-WAY.

DP#1242510004:

BEGIN 150 FEET NORTH OF THE SW CORNER OF N ½ OF THE NW 1/4 OF THE NE 1/4 OF SECTION 34, TOWNSHIP 34 SOUTH RANGE 18 EAST, MANATEE COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE NORTH 150 FEET, THENCE EAST 690 FEET MORE OR LESS TO THE CENTER OF A COUNTY DRAINAGE CANAL; THENCE SOUTH ALONG THE CENTERLINE OF SAID CANAL 150 FEET MORE OR LESS TO A POINT OPPOSITE THE P.O.B.; THENCE WEST 690 FEET MORE OR LESS TO THE P.O.B. LESS R/W ON WEST FOR MORGAN JOHNSON ROAD.



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 October, 2007
R.B. SHORE
Clerk of Circuit Court
By: G. Colorado o.c.



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

October 11, 2007

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R. B. SHORE

2007 OCT 22 AM 8:34

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: 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 October 3, 2007 and certified copies of Manatee County Ordinance Nos. 07-66, PDR-06-71(P), PDC-05-40(P)(R), PDMU-99-02(P), PDMU-97-05(P)(R3), Z-06-14, 07-30, Z-06-16, Z-07-01, Z-07-10, PDR-06-10(Z)(P), PDMU-06-80(G) and PDR-06-08(Z)(P) which were filed in this office on October 8, 2007.

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

Sincerely,

Liz Cloud
Program Administrator

LC/lbh
Enclosures

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
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