

FILED FOR RECORD  
R. B. SHORE

**MANATEE COUNTY ZONING ORDINANCE**

**Z-07-02 - JACYN BEACON REALTY, INC. / LORRAINE ROAD COMMERCIAL EAST**  
2007 DEC 19 PM 2:05

CLERK OF COURT  
MANATEE CO. 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 1.17 ACRES AT THE NORTHEAST CORNER OF THE INTERSECTION OF SR 64 AND 145<sup>TH</sup> STREET EAST, BRADENTON FROM THE A (GENERAL AGRICULTURE) ZONING DISTRICT TO THE NC-M (NEIGHBORHOOD COMMERCIAL - MEDIUM) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Jacyn Beacon Realty, Inc. (the "Applicant") has filed a rezone application to rezone approximately 1.17 acres described in Exhibit "A", attached hereto, (the "Property") from the A (General Agriculture) zoning district to the NC-M (Neighborhood Commercial - Medium) 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 November 8, 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 application.

**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 (General Agriculture) zoning district to the NC-M (Neighborhood Commercial - Medium) zoning district.

B. The Board of County Commissioners held a public hearing on December 6, 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 (General Agriculture) zoning district to the NC-M (Neighborhood Commercial – Medium) 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.

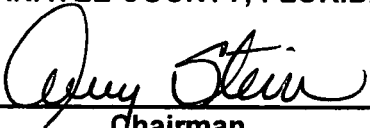
**Section 3. SEVERABILITY.** If any section, sentence, clause or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall 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.

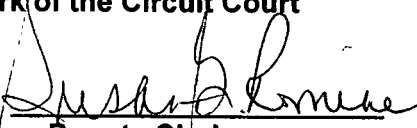
**Section 5. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

**PASSED AND DULY ADOPTED,** by the Board of County Commissioners of Manatee County, Florida on the 6<sup>th</sup> day of December, 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**

BEGIN AT THE SOUTHEAST CORNER OF 145TH STREET EAST OF THE PLAT OF MILL CREEK PHASE VII B, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 45, PAGE 159 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 64 AND THE POINT OF CURVATURE OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N 00°41'35" E, AT A DISTANCE OF 35.00 FEET; THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID 145TH STREET EAST THE FOLLOWING FOUR (4) COURSES: (1) NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°18'25", A DISTANCE OF 54.55 FEET TO A POINT OF TANGENCY; (2) N 00°00'00" E, A DISTANCE OF 220.19 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 100.00 FEET; (3) NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 61°53'32", A DISTANCE OF 108.02 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET; (4) NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°25'13", A DISTANCE OF 121.53 FEET TO THE SOUTHWEST CORNER OF TRACT "K" OF SAID SUBDIVISION; THENCE S 89°23'24" E, A DISTANCE OF 17.12 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "K" AND AN INTERSECTION WITH THE EAST LINE OF SAID PARCEL RECORDED IN OFFICIAL RECORD BOOK 1658, PAGE 1193 OF SAID PUBLIC RECORDS; THENCE S 00°34'13" W, ALONG SAID EAST LINE, A DISTANCE OF 436.80 FEET TO AN INTERSECTION WITH SAID NORTHERLY RIGHT OF WAY LINE; THENCE N 89°18'25" W, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 104.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.17 ACRES, MORE OR LESS.

LYING AND BEING IN SECTION 34, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY, AND RESTRICTIONS OF RECORD.



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 6<sup>TH</sup> day of

DECEMBER, 2007

R.B. SHORE  
Clerk of Circuit Court

By: [Signature] D.C.



FILED FOR RECORD  
R. B. SHORE

2007 DEC 19 PM 2:04

**FLORIDA DEPARTMENT of STATE**

CLERK OF CIRCUIT COURT  
MANATEE CO. FLORIDA

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

December 11, 2007

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

Attention: Nancy Harris, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 6, 2007 and certified copies of Manatee County Ordinance Nos. PDC-06-55(P), PDPI-07-12(Z)(P), PDR-02-38(P)(R), Z-07-03, Z-07-08, and Z-07-02, which were filed in this office on December 11, 2007.

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

Sincerely,

Liz Cloud  
Program Administrator

LC/jru  
Enclosure

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dls.dos.state.fl.us>

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850.245.6270 • FAX: 850.245.6282