

**MANATEE COUNTY ZONING ORDINANCE
Z-07-03 – STONE CREEK BAYSHORE, LLC**

2007 DEC 19 AM 11:09

CLERK OF THE COUNTY
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 2.19 ACRES ON THE NORTHWEST CORNER OF US 41 AND BAYSHORE ROAD, PALMETTO FROM THE PDRV (PLANNED DEVELOPMENT RECREATIONAL VEHICLE) AND THE A-1 (SUBURBAN 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, Stone Creek Bayshore, LLC (the "Applicant") has filed a rezoning application to rezone approximately 2.19 acres described in Exhibit "A", attached hereto, (the "Property") from the PDRV (Planned Development Recreational Vehicle) and the A-1 (Suburban Agriculture) zoning districts to the NC-M (Neighborhood Commercial - Medium) zoning district; and

WHEREAS, the Planning staff has recommended approval for the rezoning, 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 rezoning, 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 rezoning 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 PDRV (Planned Development Recreational Vehicle) and the A-1 (Suburban Agriculture) zoning districts 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 PDRV (Planned Development Recreational Vehicle) and the A-1 (Suburban Agriculture) zoning districts 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 6th day of December, 2007.

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

BY: 
Chairman

**ATTEST: R. B. SHORE
Clerk of the Circuit Court**

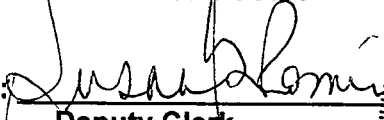
BY: 
Deputy Clerk



EXHIBIT "A"

LEGAL DESCRIPTION

**A PARCEL OF LAND LYING IN THE S.E. 1/4 OF THE N.W. 1/4 OF SECTION 19, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.
BEING DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE NORTHEAST CORNER OF SAID S.E. 1/4 OF THE N.W. 1/4; THENCE S 89° 41'24" W, ALONG THE NORTH LINE OF SAID S.E. 1/4 OF THE N.W. 1/4, A DISTANCE OF 57.34 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 41 (SECTION 13030-2502) AND THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: (1) S 01° 06'01" W. A DISTANCE OF 99.00 FEET; (2) S 01° 43'08" W, A DISTANCE OF 147.07 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF BAYSHORE ROAD; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) S 78° 56' 40" W, A DISTANCE OF 55.20 FEET; (2) S 89° 40'44" W, A DISTANCE OF 19.02 FEET TO A POINT ON THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS S 03° 02'51" E, AT A DISTANCE OF 200.00 FEET; (3) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51° 12'09", A DISTANCE OF 178.73 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1382.40 FEET; (4) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00° 44'10", A DISTANCE OF 17.76 FEET TO THE END OF SAID CURVE; (5) S 36° 29'10" W, A DISTANCE OF 9.29 FEET; THENCE N 34° 00'00" W. A DISTANCE OF 432.69 FEET TO AN INTERSECTION WITH THE AFORESAID NORTH LINE OF THE S.E. 1/4 OF THE N.W. 1/4; THENCE N 89° 41'24" E, ALONG SAID NORTH LINE. A DISTANCE OF 489.15 FEET TO THE POINT OF BEGINNING.
SUBJECT TO PERTINENT EASEMENTS. RIGHTS OF WAY AND RESTRICTIONS OF RECORD.
CONTAINING 2.55 ACRES. MORE OR LESS. |**



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 6th day of

DECEMBER, 2007
R.B. SHORE
Clerk of Circuit Court

By: Timothy H. Harris D.C.



FILED FOR RECORD
R. B. SHORE

2007 DEC 19 PM 2:04

FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

CLERK OF CIRCUIT COURT
MANATEE CO. 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

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