

FILED FOR RECORD
R. B. SHORE

MANATEE COUNTY ZONING ORDINANCE
Z-07-07 – YON, CASEY, CONRAD, AND PEACE RIVER/COUNTY INITIATED 2007 JUN -5 PM 2:48

A ZONING ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, FLORIDA (ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR THE REZONING OF APPROXIMATELY 73.88 ACRES, COMPRISED OF 4 PARCELS OF 68.4 ACRES AND A 5.74 ACRE PORTION OF A 13.5 ACRE PARCEL, ALL BEING WEST OF CARLTON ROAD AND NORTH OF S.R. 62 FROM THE CON/WP-M/ST (CONSERVATION/WATERSHED PROTECTION – LAKE MANATEE/SPECIAL TREATMENT OVERLAY) ZONING DISTRICT TO AWP-M/ST ZONING DISTRICT (GENERAL AGRICULTURE, RETAINING THE WATERSHED PROTECTION-LAKE MANATEE AND SPECIAL TREATMENT OVERLAY DISTRICTS, AS APPLICABLE); SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Manatee County (the "Applicant") has filed a rezone application to rezone approximately 73.88 acres as shown on the map in Exhibit "A", attached hereto, (the "Property") from CON/WP-M/ST (Conservation/Watershed Protection-Lake Manatee/Special Treatment Overlay) zoning district to the AWP-M/ST zoning district (General Agriculture retaining the Watershed Protection – Lake Manatee and Special Treatment Overlay Districts); 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 April 12, 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 CON/WP-M/ST (Conservation/Watershed Protection – Lake Manatee/Special Treatment Overlay) zoning district to the

A/WP-M/ST zoning district (General Agriculture retaining the Watershed Protection-Lake Manatee and Special Treatment Overlay Districts).

B. The Board of County Commissioners held public hearings on May 3, 2007 and May 22, 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).

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 CON/WP-M/ST (Conservation/Watershed Protection-Lake Manatee/Special Treatment Overlay) zoning district to the A/WP-M/SP (General Agriculture/Watershed Protection-Lake Manatee/Special Treatment Overlay) 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 22nd day of May, 2007.

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





BY: *Guy Stein*
Chairman

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

BY: *Susan G. Romine*
Deputy Clerk



[illegible]

 Special Treatment
Overlay Boundary Line
 Manatee Watershed
Overlay Boundary Line
 Private
 Peace River
Electric



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and
correct copy of the document on file in my office.

Witness my hand and official seal this 23rd day of

May
R.B. SHORR
Clerk of Circuit Court

By: Debi Jones



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

May 30, 2007

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

Attention: Vicki Tessmer, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 23, 2007, and certified copies of Manatee County Ordinance Nos. Z-07-05 and Z-07-07, which were filed in this office on May 29, 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

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