

FILED FOR RECORD
R. B. SHORE

MANATEE COUNTY ZONING ORDINANCE

2007 MAY 14 PM 4:39 Z-07-09 – MANATEE COUNTY RYE PRESERVE / COUNTY INITIATED

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

A ZONING ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE) PROVIDING FOR THE REZONING OF APPROXIMATELY 10.35 ACRES COMPRISED OF A 2.3 ACRE PORTION OF A 5 ACRE PARCEL, A 1.63 ACRE PORTION OF A 1.85 ACRE PARCEL, AND A 3.47 ACRE PORTION OF A 3.5 ACRE PARCEL, ALL BEING EAST OF RYE ROAD, SOUTH OF RYE WILDERNESS TRAIL, AND ON BOTH SIDES OF THE MANATEE RIVER FROM THE A/NCO (GENERAL AGRICULTURE/NORTH CENTRAL OVERLAY), A-1 (SUBURBAN AGRICULTURE), A-1/CH (SUBURBAN AGRICULTURE/COASTAL HIGH HAZARD), AND A-1/CH/NCO (SUBURBAN AGRICULTURE/COASTAL HIGH HAZARD/NORTH CENTRAL OVERLAY) ZONING DISTRICTS TO CON/CH/NCO ZONING DISTRICT (CONSERVATION, RETAINING THE COASTAL HIGH HAZARD AND NORTH CENTRAL 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 7.2 acres as shown on the map n Exhibit "A", attached hereto, (the "Property") from A/NCO (Suburban Agriculture/North Central Overlay), A-1 (Suburban Agriculture), A-1/CH (Suburban Agriculture/Coastal High Hazard), and A-1/CH/NCO (Suburban/Agriculture/Coastal High Hazard/North Central Overlay) zoning district to CON/CH/NCO (Conservation, retaining the Coastal High Hazard and North Central Overlay Districts, as applicable); 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 shown in Exhibit "A" of this Ordinance from the A/NCO (General Agriculture/North Central Overlay), A-1 (Suburban Agriculture), A-1/CH (Suburban Agriculture/Coastal High Hazard), and A-1/CH/NCO (Suburban Agriculture/Coastal High Hazard/North Central Overlay) zoning district to the CON/CH/NCO zoning district (Conservation, retaining the Coastal High Hazard and North Central Overlay Districts, as applicable).

B. The Board of County Commissioners held a public hearing on May 3, 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 A/NCO (General agriculture/North Central Overlay), A-1 (Suburban Agriculture), A-1/CH (Suburban Agriculture/Coastal High Hazard), and A-1/CH/NCO (Suburban Agriculture/coastal High Hazard/North Central Overlay) zoning districts to the CON/CH/NCO zoning district (Conservation, retaining the Coastal High Hazard and North Central Overlay Districts, as applicable), 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.

(Signature block on next page)

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 day of May, 2007.

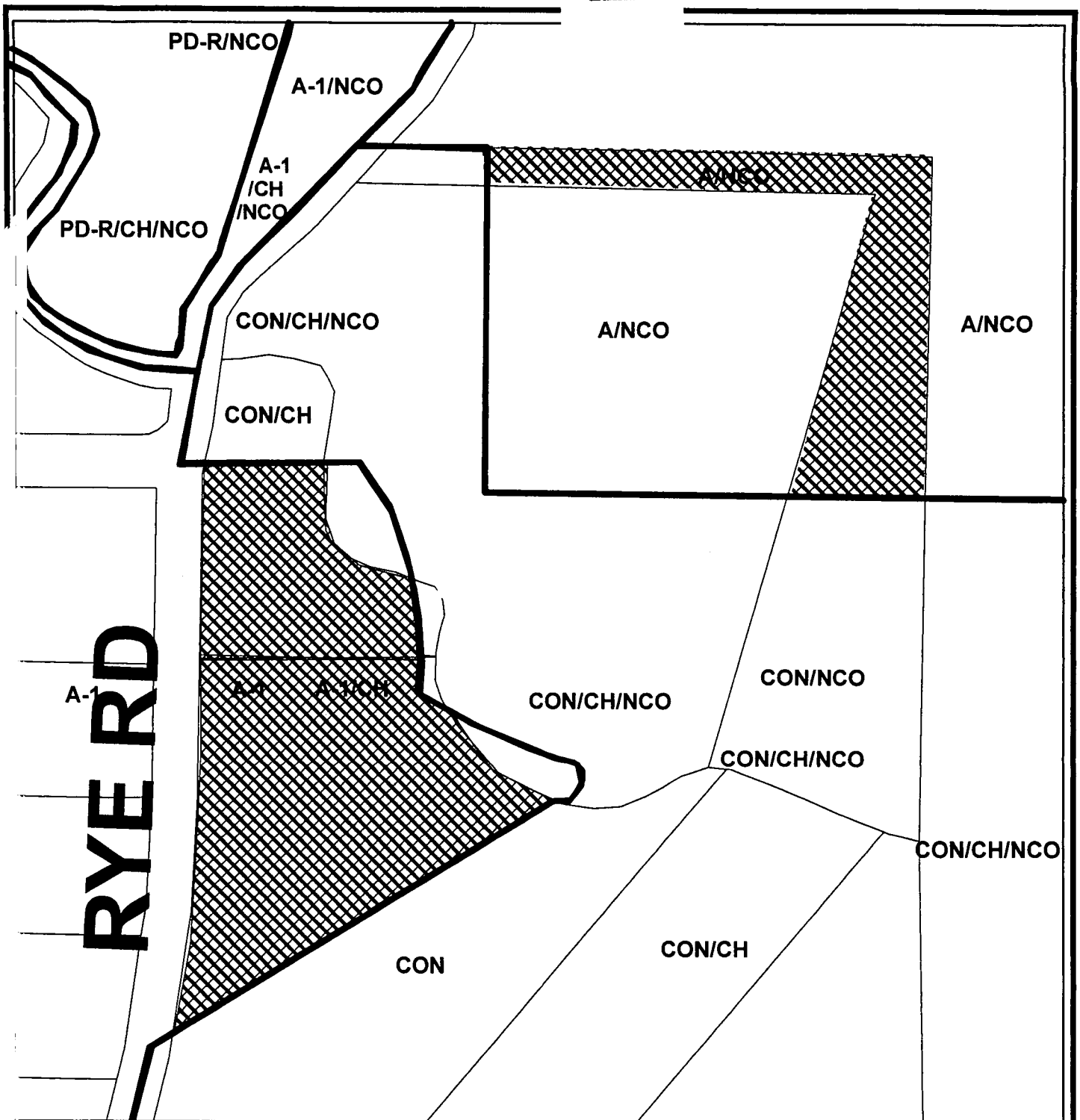


**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

BY: *Greg Stain*
Chairman

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

BY: *Rosa P. Comen*
Deputy Clerk



Tax ID #(s) 5149000000(PART OF), 557810009(PART OF), 557840006(PART OF)

Project Number: Z-07-09

Proposed Use: N/A

Proposed Zoning: CON, CON/CH, CON/CH/NCO, CON/NCO

Requested by: MANATEE COUNTY

Flood Zone: AE

Floodway: Y

FIRM: 380_B

Evac Zone: N/A

Commissioner: Amy Stein

Map Prepared: 2/12/2007 3:30:12 PM

Existing Zoning: A-1, A-1/CH, A-1/CH/NCO, A/NCO

Existing FLUC: UF-3, R-OS, CON

Acreage: 7.4

Watershed: NONE

Overlays: NCO

Special Areas: Greenway

Impact District: SE-D, NE-E, SE-F

CHH: Y

Fire District: East Manatee

AFHD: RURAL FRINGE-F, RURAL FRINGE-D, RURAL FRINGE-E, RURAL-F

Sec Twn Rng: Sec 24, 25 Twn 34 Rng 19

Drain Basin: MANATEE RIVER W

Manatee County
Zoning

Staff Report Map

1 inch equals 177 feet

--- CHH Overlay Boundary Line
-.-.- NCO Overlay Boundary Line





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 3rd day of
May, 2007.

R.B. SHORE
Clerk of Circuit Court

By: Diane E. Volmer D.C.

FILED FOR RECORD
R. B. SHORE

2007 MAY 14 PM 4: 39

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

May 9, 2007

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

Attn: Diane E. Vollmer, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 3, 2007, and certified copies of Manatee County Ordinance Nos. Z-07-04, Z-07-09, PDR-03-53(P)(R2) and PDC- 06-07(Z)(P), which were filed in this office on May 7, 2007.

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

Sincerely,

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

Liz Cloud
Program Administrator

LC/lbh
Enclosures

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://dliis.dos.state.fl.us>

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