

2007 DEC 19 PM 2: 05

**MANATEE COUNTY ZONING ORDINANCE  
Z-07-15 – AMERICAN HOUSING CORPORATION**

CLERK OF THE 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 0.694 ACRES NORTH OF PALM VIEW ROAD, ± 1,800 FEET SOUTH OF 69<sup>TH</sup> STREET EAST, AND ON THE EAST SIDE OF 28<sup>TH</sup> AVENUE EAST AT 6362 28<sup>TH</sup> AVENUE EAST (JACKSON ROAD), PALMETTO FROM THE A-1/CH (SUBURBAN AGRICULTURE/COASTAL HIGH HAZARD OVERLAY DISTRICT) ZONING DISTRICT TO THE RSF-2 (RESIDENTIAL SINGLE-FAMILY, 2 DWELLING UNITS PER ACRE, DELETING THE COASTAL HIGH HAZARD OVERLAY DISTRICT) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, American Housing Corporation (the "Applicant") has filed a rezone application to rezone approximately .0694 acres described in Exhibit "A", attached hereto, (the "Property") from A-1/CH (Suburban Agriculture/Coastal High Overlay District) zoning district to the RSF-2 zoning district (Residential Single-Family, 2 dwelling units per acre, deleting the Coastal High Hazard Overlay District) 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 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/CH (Suburban Agriculture/Coastal High Overlay District) zoning district to the RSF-2 (Residential Single-Family, 2 dwelling units per acre, deleting the Coastal High Hazard Overlay District) 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-1/CH (Suburban Agriculture/Coastal High Overlay District) zoning district to the RSF-2 (Residential Single-Family, 2 dwelling units per acre, deleting the Coastal High Hazard Overlay District) 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.

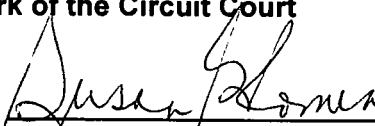
**Section 5. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

**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**

THE N 80 FT OF LOT 1 BRINKER SUB P# 6882.1012/9



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: James Harris D.C.



FILED FOR RECORD  
R. B. SHORE

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**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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