

FILED FOR RECORD
R. B. SHORE

**MANATEE COUNTY ZONING ORDINANCE
Z - 08-09 - COLLINS REZONE**

2008 DEC 23 AM 10:43

**AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA
AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY,
ORDINANCE NO. 90-01 (THE MANATEE COUNTY LAND
DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE
UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR
THE REZONING OF APPROXIMATELY 1 ACRE LOCATED AT 3405
NORTH RYE ROAD, PARRISH FROM THE A/NCO ZONING DISTRICT
TO THE A-1/NCO ZONING DISTRICT; SETTING FORTH FINDINGS
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Collins Rezone (the "Applicant") has filed a rezone application to rezone approximately 1 acre described in Exhibit A, attached hereto, (the "Property") from the A/NCO zoning district to the A-1/NCO zoning district; and,

WHEREAS, the Planning Staff has recommended approval of the rezone application as described in the Planning staff report; and,

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on November 13, 2008 to consider the rezone application, received the Planning staff 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 application 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.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY,
FLORIDA:**

Section 1. FINDINGS OF FACT. 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 recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

B. 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/NCO zoning district to the A-1/NCO zoning district.

C. The Board of County Commissioners held a public hearing on December 4, 2008 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.

D. 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 zoning district to the A-1/NCO 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 4th day of December, 2008.

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

BY: Dr. Gwendolyn Y. Brown
Dr. Gwendolyn Y. Brown, Chairman

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

By: [Signature]
Deputy Clerk



Exhibit A.

NEW LEGAL DESCRIPTION OF
1.000 ACRE PARCEL

FROM A 1" IRON PIPE FOUND AT THE S.W. CORNER OF THE
S.E. 1/4 OF SECTION 2, TWP. 34 SOUTH, RANGE 19 EAST;
THENCE RUN N00°18'26"E A DISTANCE OF 418.34 FEET;
THENCE S89°41'34"E A DISTANCE OF 800.00 FEET; THENCE
N77°02'02"E A DISTANCE OF 144.76 FEET; THENCE
S00°10'45"W A DISTANCE OF 249.96 FEET; THENCE
S89°49'15"E A DISTANCE OF 40.00 FEET TO THE POINT OF
BEGINNING; THENCE N38°29'00"E A DISTANCE OF 100.00
FEET; THENCE N45°05'00"E A DISTANCE OF 113.00 FEET;
THENCE N72°41'00"E A DISTANCE OF 144.00 FEET; THENCE
S18°38'00"E A DISTANCE OF 213.19 FEET; THENCE
N89°49'15"W A DISTANCE OF 347.84 FEET TO THE POINT OF
BEGINNING. CONTAINING 1.000 ACRE.
LYING AND BEING IN SECTION 2, TOWNSHIP 34 SOUTH,
RANGE 19 EAST, MANATEE COUNTY, FLORIDA



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 10th day of
December, 2008
R.B. SHORE
Clerk of Circuit Court
By: Wicki Ferrer b.c.



FILED FOR RECORD
R. B. SHORE

FLORIDA DEPARTMENT of STATE

2008 DEC 23 AM 10:43

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

CLERK OF CIRCUIT COURT
KURT S. BROWNING
Secretary of State

December 16, 2008

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

Attention: Ms. Vicki Tessmer, D.C.

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 10, 2008 and certified copies of Manatee County Ordinance Nos. 08-07, 08-50, Z-84-76(R7), Z-84-76(R8), Z-08-09, PDMU-06-53(Z) (P), PDPI-06-46(Z) (G), PDR-04-18(Z) (P) and PDR-06-38(Z) (P), which were filed in this office on December 15, 2008.

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

Sincerely,

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE

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