

**MANATEE COUNTY ZONING ORDINANCE  
Z-10-03 – MOSAIC FERTILIZER, LLC., / DUETTE FIRE STATION AND COMMUNITY  
PARK REZONE DTS#20100102**

CLERK OF COURT  
R. B. SHORE

2010 SEP 14 PM 1:10

CLERK OF 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 A REZONE OF APPROXIMATELY 80.91± ACRES ON THE NORTH SIDE OF SR 62, AND WEST SIDE OF THE MOST EASTERN SEGMENT OF BUNKER HILL ROAD, APPROXIMATELY 1.5 MILES WEST OF CR 39, AT 9050 BUNKER HILL ROAD, PARRISH FROM EX (EXTRACTION DISTRICT) TO THE A (GENERAL AGRICULTURE) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

2010 SEP -7 PM 10:51

2010

**WHEREAS**, Mosaic Fertilizer, LLC (the "Applicant") filed an application to rezone approximately 80.91 acres described in Exhibit "A", attached hereto, (the "Property") from EX (Extraction) to the A (General Agriculture) zoning district; and

**WHEREAS**, the Planning staff has recommended approval of 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 August 12, 2010 to consider the rezone, received the 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 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 E (Extraction) to the A (General Agriculture) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on September 2, 2010 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 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 E (Extraction) to the A (General Agriculture) 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 2<sup>nd</sup> day of September, 2010.

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

BY: 

Donna G. Hayes, Chairman

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

BY: 

Deputy Clerk



**Exhibit "A"**

**Legal Description**

**DESCRIPTION (WRITTEN BY THE UNDER SIGNING SURVEYOR & MAPPER)**

A parcel of land lying in Section 23, Township 33 South, Range 21 East, Manatee County, Florida and Described as follows:

Commence at the southeast corner of said Section 23; thence S.89°13'37"E., along the south line of said Section 23, a distance of 4,326.79 feet; thence N.00°46'23"E., a distance of 166.94 feet to north right-of-way line of State Road 62 (variable width public maintained right-of-way) Section 13060-2501; thence S.76°02'42"W., along said north right-of-way line, a distance of 442.91 feet; thence N.13°49'33"W., a distance of 696.52 feet; thence S.62°40'40"E., a distance of 588.18 feet; thence S.13°49'33"E., a distance of 308.49 feet to the POINT OF BEGINNING.

Containing 222,564 square feet or 5.1094 acres, more or less

**DESCRIPTION (WRITTEN BY THE UNDER SIGNING SURVEYOR & MAPPER)**

A parcel of land lying in Sections 23 and 26, Township 33 South, Range 21 East, Manatee County, Florida and described as follows:

Commence at the southwest corner of said Section 23, also being the northwest corner of said Section 26; thence S.89°13'37"E., along the south line of said Section 23, a distance of 1,459.43 feet to the POINT OF BEGINNING, said point being on the west right-of-way line of Bunker Hill Loop Road (84 foot wide public right-of-way), as recorded in Official Record 1932, Page 7773, Public Records of Manatee County, Florida; thence along said west right-of-way line for the following three calls; (1) thence N.02°34'35"E., a distance of 646.19 feet to a point of curvature of a curve to the right having a radius of 633.04 feet and a central angle of 45°05'36"; (2) thence northeasterly along the arc of said curve a distance of 498.22 feet to the point of curvature of a non tangent curve to the left, of which the radius point lies N.42°21'47"W., a radial distance of 717.04 feet; (3) thence northerly along the arc of said curve, through a central angle of 61°45'49", a distance of 773.00 feet to the end of said curve; thence N.75°56'42"E., a distance of 142.61 feet; thence S.51°01'49"E., a distance of 792.97 feet; thence S.56°18'20"E., a distance of 1,129.21 feet; thence S.13°49'33"E., a distance of 696.52 feet to a point on the north right-of-way line of State Road 62 (variable width public maintained right-of-way) Section 13060-2501; thence along said north right-of-way line for the following two (2) calls; (1) thence S.75°56'35"W., a distance of 419.56 feet; (2) thence S.76°10'27"W., a distance of 1,982.80 feet to the intersection with the above mentioned east right-of-way line of Bunker Hill Loop Road; thence N.02°34'35"E., along said east right-of-way line, a distance of 553.02 feet to the POINT OF BEGINNING.

Containing 3,301,192.7 square feet 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 21st day of

September, 2010

R.B. SHORE  
Clerk of Circuit Court

By: Urbani L. Llanes, A.C.



## FLORIDA DEPARTMENT of STATE

**CHARLIE CRIST**  
Governor

**STATE LIBRARY AND ARCHIVES OF FLORIDA**

**DAWN K. ROBERTS**  
Interim Secretary of State

September 9, 2010

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

Attention: Ms. 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 September 2, 2010 and certified copies of Manatee County Ordinance Nos. 10-16, PDR-03-41(P)(R), PDR-10-05(Z)(G), PDMU-10-08(Z), Z-10-04, PDR-04-55(P)(R), Z-10-03 and 10-58, which were filed in this office on September 7, 2010.

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

Sincerely,

Liz Cloud  
Program Administrator

LC/srd  
Enclosure

### 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://dlis.dos.state.fl.us>

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RECORDED  
R. B. SHORE  
2010 SEP 14 PM 1:09  
CLERK OF CIRCUIT COURT  
MANATEE CO FLORIDA