

FILED FOR RECORD
R. B. SHORE

MANATEE COUNTY ZONING ORDINANCE

2011 FEB 17 PM 3:17

**Z-10-08 – BRADENTON AUTOMOTIVE COMPANY/HONDA CARS OF BRADENTON
REZONE DTS#20100230**

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 2.4 ACRES ON THE EAST SIDE OF U.S.41, AT 5515 14TH STREET WEST, BRADENTON, FROM RMF-9 (RESIDENTIAL MULTI-FAMILY – NINE DWELLING UNITS PER ACRE) TO THE GC (GENERAL COMMERCIAL) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

2011 FEB -7 AM 9:55

FILED

WHEREAS, Bradenton Automotive Company/Honda of Bradenton (the "Applicant") filed an application to rezone approximately 2.4 acres described in Exhibit "A", attached hereto, (the "Property") from RMF-9 (Residential Multi-Family – nine dwelling units per acre) to the GC (General Commercial) 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 public hearings on November 10, 2010, December 9, 2010, and January 13, 2011 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 application.

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 RMF-9 (Residential Multi-Family 9 dwelling units per acre) to the GC (General Commercial) zoning district.

B. The Board of County Commissioners, after due public notice, held public hearings on December 2, 2010, January 6, 2011 and February 3, 2011 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 RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the GC (General Commercial), 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 3rd day of February, 2011.

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

BY: 

Carol Whitmore, Chairman

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



BY: 

Deputy Clerk

Exhibit "A"

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 14, TOWNSHIP 35 SOUTH, RANGE 17 EAST; THENCE N89°29'44"W, ALONG THE NORTH LINE OF SAID SOUTHEAST ¼ OF THE NORTHWEST ¼, A DISTANCE OF 291.22 FT. FOR A POINT OF BEGINNING; THENCE CONTINUE N89°29'44"W, ALONG SAID NORTH LINE, A DISTANCE OF 407.17 FT.; THENCE S00°42'00"W, 263.05 FT.; THENCE S88°47'16"E, 200.00 FT.; THENCE S84°14'32"E, 119.75 FT.; THENCE S88°16'10"E, 64.24 FT.; THENCE N05°33'58"E, A DISTANCE OF 278.95 FT TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 14, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 2.44 ACRES, MORE ORLESS.

NOTE: THIS LEGAL DESCRIPTION WAS PREPARED FOR REZONING PURPOSED AND, THEREFORE, IS SUBJECT TO CHANGE PENDING A FIELD SURVEY OF THE SUBJECT PROPERTY.



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 4th day of February, 2011
R.B. SHORE
Clerk of Circuit Court
By: [Signature] D.C.

FILED FOR RECORD
R. B. SHORE

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CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

RICK SCOTT
Governor



FLORIDA DEPARTMENT of STATE

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

February 4, 2011

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

Attention: Ms. Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated February 4, 2011 and certified copies of Manatee County Ordinance Nos. Z-10-08, PDMU-06-16(P)(R4) and PDR-07-06(Z)(P), which were filed in this office on February 7, 2011.

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

Sincerely,

Liz Cloud
Program Administrator

LC/vm
Enclosure

DIRECTOR'S OFFICE

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