

MANATEE COUNTY ZONING ORDINANCE
Z-11-02 – MOSAIC FERTILIZER, LLC – WINGATE EXTENSION (DTS # 20110036)

2012 APR - 7 AM 9:33
FILED
CLERK OF COUNTY
TALLAHASSEE, 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 645.9 ACRES LOCATED ON THE EAST SIDE OF THE WINGATE CREEK MINE, SOUTH OF DUETTE PARK, WEST OF DUETTE ROAD, AND NORTH OF SR 64, IN DUETTE FROM THE A (GENERAL AGRICULTURE) TO THE EX (EXTRACTION) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Mosaic Fertilizer, LLC (the "Applicant") filed an application to rezone approximately 645.9 acres described in Exhibit "A", attached hereto, (the "Property") from the A (General Agriculture) to the EX (Extraction) 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 January 12, 2012 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

The first of these is the fact that the
the second is the fact that the
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Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from the A (General Agriculture) to the EX (Extraction) zoning district.

B. The Board of County Commissioners, after due public notice, held public hearings on February 2, 2012 and March 1, 2012 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 the A (General Agriculture) to the EX (Extraction) 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.

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100-443612-100

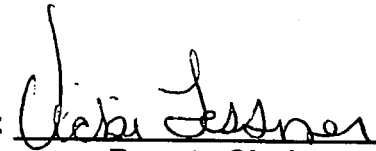
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PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 1st day of March, 2012.

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

BY: 
John R. Chapple, Chairman

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

BY: 
Deputy Clerk



1. The first step is to identify the key components of the system. This includes understanding the hardware, software, and data involved.

Exhibit "A"

Legal Description

Section 22

- a.) Commence at the NW Corner of section 22; thence S00°17'11"W along the west boundary of said Section 22, 3194.43 feet to the POINT OF BEGINNING; thence N67°57'51"E 812.83 feet; thence N30°32'26"E 1992.42 feet; thence East 177.35 feet; thence S50°17'46"E 466.50 feet; thence N59°17'02"E 72.82 feet; thence N27°39'15"E 75.37 feet; thence N48°57'39"E 175.67 feet; thence S76°43'18"E 397.37 feet; thence S74°57'41"E 211.82 feet; thence S65°45'33"E 378.29 feet; thence S14°59'59"E 359.53 feet; thence S37°00'04"E 181.88 feet; thence S07°15'34"W 217.66 feet; thence S03°30'50"E 179.87 feet; thence S27°09'56"E 326.29 feet; thence South 195.14 feet; thence S01°45'59"E 226.63 feet; thence S03°13'42"E 285.77 feet; thence S09°02'23"E 89.18 feet; thence S47°36'08"E 51.36 feet; thence N88°33'44"E 24.84 feet; thence S00°27'27"W 224.29 feet; thence S07°12'12"W 31.21 feet; thence S49°53'18"W 43.34 feet; thence S18°13'40"E 28.77 feet; thence S34°37'12"W 90.72 feet; thence S79°51'38"W 140.57 feet; thence N82°16'41"W 86.79 feet; thence S09°34'39"W 35.52 feet; thence N89°03'11"W 194.98 feet; thence N27°33'36"E 16.31 feet; thence N39°45'06"W 178.94 feet; thence S53°03'18"W 63.27 feet; thence S66°22'45"W 69.02 feet; thence S31°53'58"W 62.44 feet; thence S79°20'28"W 89.85 feet; thence S49°39'03"W 88.19 feet; thence West 172.39 feet; thence N38°31'14"W 129.96 feet; thence N67°47'14"W 115.00 feet; thence S87°38'42"W 21.14 feet; thence S02°58'35"E 103.56 feet; thence S06°38'49"E 389.70 feet; thence S66°53'11"E 181.99 feet; thence S00°24'02"W 843.01 feet to a point on the south boundary of section 22; thence N89°04'35"W along said south boundary 2829.21 feet to the southwest corner thereof; thence N00°17'11"E along the west boundary of section 22, 2052.10 feet to the POINT OF BEGINNING.
- b.) Commence at the SE corner of Section 22; thence N89°04'35"W along the south boundary of said section 291.80 feet to the POINT OF BEGINNING. Thence continue N89°04'35"W along said south boundary 1425.03 feet; thence N00°24'02"E 725.48 feet; thence N15°19'46"E 67.82 feet; thence S74°56'08"E 36.37 feet; thence N62°27'18"E 81.32 feet; thence N32°54'22"E 63.24 feet; thence N00°39'46"W 39.30 feet; thence S89°35'58"E 295.55 feet; thence S00°27'27"W 90.40 feet; thence S37°11'51"W 51.55 feet; thence S22°12'14"E 177.66 feet; thence S53°20'16"E 111.19 feet; thence S50°32'43"E 178.50 feet; thence S67°14'48"E 261.42 feet; thence N72°24'32"E 221.71 feet; thence S43°07'48"E 145.21 feet; thence S32°23'41"E 235.68

1. The first of the two sections of the report is a general description of the project and the results of the study. The second section is a detailed description of the methodology used in the study.

feet; thence S11°59'19"E 120.11 feet to the POINT OF BEGINNING.

Section 27

- a.) The NW ¼
- b.) The North 965.74 feet of the SW 1/4.
- c.) The West 1266.23 feet of the North 965.74 feet of the SE K.
- d.) The S 1/2 of the NE 1/4: LESS the east 1318.85 feet of the south 500 feet.
- e.) The N 1/2: LESS the east 654.10 feet of the west 883.20 feet of the south 668.72 feet and LESS that part being more particularly described as follows: BEGIN at the NE corner of section 27; thence S00°32'17"W along the east boundary of the N 1/2 of the NE 1/4 1218.85 feet; thence N37°39'38"W 54.50 feet; thence N27°36'17"W 151.46 feet; thence N18°35'37"W 317.60 feet; thence N08°20'09"W 234.18 feet; thence N04°39'47"W 248.50 feet; thence N81°26'25"W 168.16' feet; thence N79°22'15"E 191.76 feet; thence N11°59'19"W 209.92 feet to a point on the north boundary of section 27; thence S89°04'35"E 291.80 feet to the POINT OF BEGINNING.



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 5th day of March, 2012
R.B. SHORE
Clerk of Circuit Court
[Signature] D.C.



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 9, 2012

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

RECEIVED
MAR 19 2012
BOARD RECORDS

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 March 5, 2012 and certified copies of Manatee County Ordinance Nos. 12-11 and Z-11-02, which were filed in this office on March 7, 2012.

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

Sincerely,

A handwritten signature in cursive script, reading "Liz Cloud", is written over the typed name.

Liz Cloud
Program Administrator

LC/srd

Enclosure