

Manatee County Zoning Ordinance

Z-20-03 - TTL LUXURY PROPERTIES, LLC REZONE - TTL LUXURY PROPERTIES, LLC - PLN2002-0073

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 15-17, AS AMENDED, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA GENERALLY LOCATED 0.3 MILES NORTH OF STATE ROAD 70 EAST ON LORRAINE ROAD, AND COMMONLY KNOWN AS 5802 LORRAINE ROAD, BRADENTON (MANATEE COUNTY); PROVIDING FOR A REZONE OF APPROXIMATELY 4.99 ACRES FROM A/WP-E/ST (GENERAL AGRICULTURE/WATERSHED PROTECTION EVERS/SPECIAL TREATMENT OVERLAY DISTRICTS) TO THE NC-M (NEIGHBORHOOD COMMERCIAL MEDIUM) ZONING DISTRICT, RETAINING THE WP-E/ST (WATERSHED PROTECTION EVERS/SPECIAL TREATMENT) OVERLAY DISTRICTS; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, TTL Luxury Properties, LLC (the "Applicant") filed an application to rezone approximately 4.99 acres described in Exhibit "A", attached hereto, (the "Property") from A/WP-E/ST (General Agriculture/Watershed Protection Evers/Special Treatment Overlay Districts) to the NC-M (Neighborhood Commercial Medium) zoning district, retaining the WP-E/ST (Watershed Protection Evers/Special Treatment) Overlay Districts; and

WHEREAS, the Building and Development Services staff has recommended approval of the rezone, as described in the staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on November 19, 2020 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 concerned the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit “A” of this Ordinance from A/WP-E/ST (General Agriculture/Watershed Protection Evers/Special Treatment Overlay Districts) to the NC-M (Neighborhood Commercial Medium) zoning district, retaining the WP-E/ST (Watershed Protection Evers/Special Treatment) Overlay Districts.

B. The Board of County Commissioners, after due public notice, held a public hearing on December 10, 2020 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of 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 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. 15-17, 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 for 4.99 acres from A/WP-E/ST (General Agriculture/Watershed Protection Evers/Special Treatment Overlay Districts) to the NC-M (Neighborhood Commercial Medium) zoning district, retaining the WP-E/ST (Watershed Protection Evers/Special Treatment) Overlay Districts, and the Clerk of the Circuit Court, as clerk to the Board of County Commissioners, as well as the Building and Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

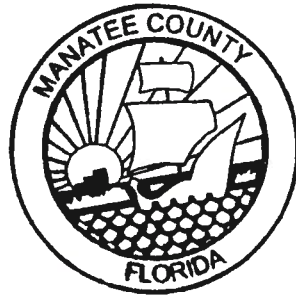
Section 3. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall 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. STATE AND FEDERAL PERMITTING. The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approval or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 6. 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 10th day of December 2020.



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

BY: _____

Carol Whitmore, Chairman

**ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court**

BY: _____

Deputy Clerk

Exhibit “A”

Legal Description

BEING A PART OF LOTS 11 & 12 OF LORRAINE FARMS IN PB 6 PG 39, ALSO BEING DESC AS FOLLOWS: COM AT NW COR OF NW1/4 OF SW1/4 OF SEC 15; TH E, ALG N LN OF SD NW1/4 OF SW1/4 A DIST OF 1310.3 FT TO W R/W LN OF LORRAINE RD (A 66 FT CO RD); TH S, ALG SD W R/W LN, 664.88 FT FOR THE POB; TH W, PARALLEL TO SD N LN OF NW1/4 OF SW1/4 A DIST OF 656.94 FT; TH S 332.44 FT; TH E, PARALLEL TO SD N LN, 657.84 FT; TH N, ALG SD W R/W LN, 332.44 FT TO THE POB; LESS THE PLATTED RD R/W; TOGETHER WITH THAT PART INCL IN RESO R-17-138 REC IN OR 2710/5014 LYING WITHIN THE ABOVE DESC PARCEL AS FOLLOWS: A R/W VACATION LOCATED IN SEC 15, TWN 35S, RNG 19E, MANTEE COUNTY, FL BEING DESC AS FOLLOWS: COM AT THE NW COR OF THE NW 1/4 OF THE SW 1/4 OF SEC 15, TWN 35S, RNG 19E, MANATEE COUNTY, FL; TH S 00 DEG 15 MIN 01 SEC W ALG THE W LN OF THE SW 1/4 OF AFORESD SEC 15, A DIST OF 220.61 FT TO THE POB; TH S 51 DEG 47 MIN 00 SEC E, A DIST OF 1670.32 FT TO A PT ON THE W R/W LN OF LORRAINE RD, A 66 FT WIDE COUNTY RD; TH S 00 DEG 04 MIN 17 SEC E ALG SD W R/W LN, A DIST OF 63.70 FT; TH N 51 DEG 47 MIN 00 SEC W, A DIST OF 1632.66 FT; TH S 00 DEG 15 MIN 01 SEC W, 30 FT ELY OF AND PAR WITH THE W LN OF THE SW 1/4 OF AFORESD SEC 15, A DIST OF 2265.59 FT TO THE N R/W LN OF SR 70 (F.D.O.T. R/W SEC 13160-2506); TH N 89 DEG 17 MIN 38 SEC W ALG SD N R/W LN, A DIST OF 30 FT TO SD W LN OF THE SW 1/4; TH N 00 DEG 15 MIN 01 SEC E, ALG SD W LN OF THE SW 1/4, A DIST OF 2352.19 FT TO THE POB. SUBJ TO PERTINENT EASMENTS, R/W AND RESTRICTIONS OF RECORD; CONT 151,840 SQ FT OR 3.49 AC M/L. PI#5823.0650/2



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 14, 2020

Honorable Angelina Colonnese
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Quantana Acevedo

Dear Ms. Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. Z-20-03, which was filed in this office on December 14, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb