

Manatee County Zoning Ordinance

Z-20-19 – GREBE/KEENE HOMESITE – GREBE, KEENE, AND RUTLEDGE (OWNERS) – PLN2010-0092

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; PROVIDING FOR A REZONE OF APPROXIMATELY 33.947 ACRES GENERALLY LOCATED SOUTH OF GOLF COURSE ROAD AND HAVING ADDRESSES OF 3939, 3940, 3780 GAMBLE CREEK ROAD, PARRISH (MANATEE COUNTY) FROM A/NCO/CPA/CEA/CHHA (GENERAL AGRICULTURE/NORTH CENTRAL OVERLAY/COASTAL PLANNING AREA/COASTAL EVACUATION AREA/COASTAL HIGH HAZARD AREA OVERLAY DISTRICTS) ZONING DISTRICT TO THE A-1/NCO/CPA/CEA/CHHA (AGRICULTURAL SUBURBAN/NORTH CENTRAL OVERLAY/COASTAL PLANNING AREA/COASTAL EVACUATION AREA/COASTAL HIGH HAZARD AREA OVERLAY DISTRICTS) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Grebe, Keene, and Rutledge (the "Applicant") filed an application to rezone approximately 33.947 acres described in Exhibit "A", attached hereto, (the "Property") from A/NCO/CPA/CEA/CHHA (General Agriculture/North Central Overlay/Coastal Planning Area/Coastal Evacuation Area/Coastal High Hazard Area Overlay Districts) to the A-1/NCO/CPA/CEA/CHHA (Agricultural Suburban/North Central Overlay/Coastal Planning Area/Coastal Evacuation Area/Coastal High Hazard Area Overlay Districts) zoning district; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on December 9, 2021 to consider the rezone application, received the Staff Report 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/NCO/CPA/CEA/CHHA (General Agriculture/North Central Overlay/Coastal Planning Area/Coastal Evacuation Area/Coastal High Hazard Area Overlay Districts) to the A-1/NCO/CPA/CEA/CHHA (Agricultural Suburban/North Central Overlay/Coastal Planning Area/Coastal Evacuation Area/Coastal High Hazard Area Overlay Districts) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on January 6, 2022 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 from A/NCO/CPA/CEA/CHHA (General Agriculture/North Central Overlay/Coastal Planning Area/Coastal Evacuation Area/Coastal High Hazard Area Overlay Districts) to the A-1/NCO/CPA/CEA/CHHA (Agricultural Suburban/North Central Overlay/Coastal Planning Area/Coastal Evacuation Area/Coastal High Hazard Area Overlay Districts) zoning district, 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 6th day of January 2022.



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

BY: 
Kevin Van Ostenbridge, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: 
Deputy Clerk

Exhibit "A"

Legal Description

A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST; THENCE SOUTH 00°03'13" WEST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4, A DISTANCE OF 1,333.31 FEET; THENCE SOUTH 00°04'08" WEST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND ALONG THE BOUNDARY OF CANOE CREEK PHASE 1, PLAT BOOK 63, BOOK 62, OFFICIAL RECORDS OF MANATEE COUNTY, FLORIDA, A DISTANCE OF 1,273.76 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID LINE, SOUTH 00°04'08" WEST A DISTANCE OF 58.12 FEET; THENCE SOUTH 00°05'04" WEST, A DISTANCE OF 136.54 FEET TO THE APPROXIMATE CENTERLINE OF GAMBLE CREEK AND TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID CENTERLINE THE FOLLOWING 44 (FOURTY-FOUR) COURSES: 1. WESTERLY 83.80 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 177.81 FEET, A CENTRAL ANGLE OF 27°00'13", AND A CHORD BEARING AND DISTANCE OF SOUTH 74°41'22" WEST 83.03 FEET; 2. NORTH 89°28'50" WEST, A DISTANCE OF 49.93 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 3. WESTERLY 68.78 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 117.56 FEET, A CENTRAL ANGLE OF 33°31'09", AND A CHORD BEARING AND DISTANCE OF SOUTH 80°35'26" WEST 67.80 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT; 4. SOUTHWESTERLY 91.02 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 253.64 FEET, A CENTRAL ANGLE OF 20°33'36", AND A CHORD BEARING AND DISTANCE OF SOUTH 53°33'04" WEST 90.53 FEET; 5. SOUTH 38°49'07" WEST, A DISTANCE OF 164.22 FEET; 6. SOUTH 31°57'56" WEST, A DISTANCE OF 99.71 FEET; 7. SOUTH 28°11'52" WEST, A DISTANCE OF 53.22 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 8. SOUTHERLY 87.41 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 5,730.61 FEET, A CENTRAL ANGLE OF 00°52'26", AND A CHORD BEARING AND DISTANCE OF SOUTH 22°07'57" WEST 87.41 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 9. SOUTHERLY 141.37 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 8,111.80 FEET, A CENTRAL ANGLE OF 00°59'55", AND A CHORD BEARING AND DISTANCE OF SOUTH 19°43'25" WEST 141.37 FEET; 10. SOUTH 23°13'04" WEST, A DISTANCE OF 145.78 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 11. SOUTHWESTERLY 38.55 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 178.63 FEET, A CENTRAL ANGLE OF 12°21'55", AND A CHORD BEARING AND DISTANCE OF SOUTH 25°42'28" WEST 38.48 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 12. SOUTHERLY 23.24 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 105.76 FEET, A CENTRAL ANGLE OF 12°35'29", AND A CHORD BEARING AND DISTANCE OF SOUTH 10°27'17" WEST 23.20 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT;

13. SOUTHWESTERLY 21.36 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 27.10 FEET, A CENTRAL ANGLE OF 45°10'01", AND A CHORD BEARING AND DISTANCE OF SOUTH 26°44'32" WEST 20.81 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 14. WESTERLY 23.69 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 59.23 FEET, A CENTRAL ANGLE OF 22°55'10", AND A CHORD BEARING AND DISTANCE

OF SOUTH 69°26'13" WEST 23.54 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 15. NORTHWESTERLY 52.88 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 88.32 FEET, A CENTRAL ANGLE OF 34°18'23", AND A CHORD BEARING AND DISTANCE OF NORTH 63°28'58" WEST 52.10 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 16. NORTHWESTERLY 111.01 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 168.10 FEET, A CENTRAL ANGLE OF 37°50'16", AND A CHORD BEARING AND DISTANCE OF NORTH 43°49'53" WEST 109.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 17. NORTHWESTERLY 7.42 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 66.97 FEET, A CENTRAL ANGLE OF 06°20'45", AND A CHORD BEARING AND DISTANCE OF NORTH 32°51'40" WEST 7.41 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT; 18. NORTHWESTERLY 29.27 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 228.94 FEET, A CENTRAL ANGLE OF 07°19'31", AND A CHORD BEARING AND DISTANCE OF NORTH 26°01'32" WEST 29.25 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 19. NORTHERLY 33.54 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 108.81 FEET, A CENTRAL ANGLE OF 17°39'39", AND A CHORD BEARING AND DISTANCE OF NORTH 02°43'08" WEST 33.41 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 20. NORTHERLY 16.01 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 169.02 FEET, A CENTRAL ANGLE OF 05°25'39", AND A CHORD BEARING AND DISTANCE OF NORTH 11°51'03" EAST 16.00 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT; 21. NORTHEASTERLY 51.27 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 62.16 FEET, A CENTRAL ANGLE OF 47°15'24", AND A CHORD BEARING AND DISTANCE OF NORTH 38°11'34" EAST 49.83 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 22. NORTHEASTERLY 64.17 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 82.24 FEET, A CENTRAL ANGLE OF 44°42'26", AND A CHORD BEARING AND DISTANCE OF NORTH 60°36'14" EAST 62.56 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 23. NORTHERLY 58.34 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 137.88 FEET, A CENTRAL ANGLE OF 24°14'39", AND A CHORD BEARING AND DISTANCE OF NORTH 02°33'50" WEST 57.91 FEET; 24. NORTH 32°13'47" WEST, A DISTANCE OF 39.00 FEET; 25. NORTH 34°54'49" WEST, A DISTANCE OF 28.73 FEET; 26. NORTH 46°18'13" WEST, A DISTANCE OF 18.99 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 27. NORTHWESTERLY 35.00 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 77.26 FEET, A CENTRAL ANGLE OF 25°57'17", AND A CHORD BEARING AND DISTANCE OF NORTH 59°41'21" WEST 34.70 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 28. WESTERLY 49.68 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 200.94 FEET, A CENTRAL ANGLE OF 14°09'59", AND A CHORD BEARING AND DISTANCE OF NORTH 86°26'49" WEST 49.56 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 29. SOUTHWESTERLY 51.86 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 118.70 FEET, A CENTRAL ANGLE OF 25°02'03", AND A CHORD BEARING AND DISTANCE OF SOUTH 64°48'41" WEST 51.45 FEET; 30. SOUTH 40°46'44" WEST, A DISTANCE OF 75.23 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT;

31. SOUTHERLY 291.39 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 506.48 FEET, A CENTRAL ANGLE OF 32°57'51", AND A CHORD BEARING AND DISTANCE OF SOUTH 14°57'46" WEST 287.39 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 32. SOUTHEASTERLY 226.87 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 208.32 FEET, A CENTRAL ANGLE OF 62°23'45", AND A CHORD BEARING AND

DISTANCE OF SOUTH 23°52'45" EAST 215.82 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 33. EASTERLY 400.17 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 605.99 FEET, A CENTRAL ANGLE OF 37°50'11", AND A CHORD BEARING AND DISTANCE OF SOUTH 78°49'41" EAST 392.94 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 34. EASTERLY 66.04 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 109.60 FEET, A CENTRAL ANGLE OF 34°31'25", AND A CHORD BEARING AND DISTANCE OF SOUTH 75°42'33" EAST 65.05 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 35. SOUTHEASTERLY 56.12 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 116.72 FEET, A CENTRAL ANGLE OF 27°33'03", AND A CHORD BEARING AND DISTANCE OF SOUTH 35°47'53" EAST 55.59 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT; 36. SOUTHERLY 221.73 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 216.48 FEET, A CENTRAL ANGLE OF 58°41'08", AND A CHORD BEARING AND DISTANCE OF SOUTH 07°19'13" WEST 212.16 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; 37. WESTERLY 126.98 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 178.28 FEET, A CENTRAL ANGLE OF 40°48'28", AND A CHORD BEARING AND DISTANCE OF SOUTH 77°57'36" WEST 124.31 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT; 38. WESTERLY 59.21 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 287.28 FEET, A CENTRAL ANGLE OF 11°48'29", AND A CHORD BEARING AND DISTANCE OF NORTH 75°43'55" WEST 59.10 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT; 39. NORTHWESTERLY 116.86 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 507.54 FEET, A CENTRAL ANGLE OF 13°11'31", AND A CHORD BEARING AND DISTANCE OF NORTH 63°13'55" WEST 116.60 FEET TO A POINT OF REVERSE CURVE TO THE LEFT; 40. NORTHWESTERLY 97.27 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 984.29 FEET, A CENTRAL ANGLE OF 05°39'44", AND A CHORD BEARING AND DISTANCE OF NORTH 59°28'01" WEST 97.23 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT; 41. WESTERLY 194.54 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 983.93 FEET, A CENTRAL ANGLE OF 11°19'42", AND A CHORD BEARING AND DISTANCE OF NORTH 67°57'44" WEST 194.23 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; 42. WESTERLY 108.13 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 344.70 FEET, A CENTRAL ANGLE OF 17°58'25", AND A CHORD BEARING AND DISTANCE OF NORTH 89°06'29" WEST 107.69 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT; 43. WESTERLY 135.01 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 514.62 FEET, A CENTRAL ANGLE OF 15°01'55", AND A CHORD BEARING AND DISTANCE OF SOUTH 74°23'22" WEST 134.63 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT; 44. SOUTHWESTERLY 227.86 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,026.67 FEET, A CENTRAL ANGLE OF 12°42'59", AND A CHORD BEARING AND DISTANCE OF SOUTH 60°30'55" WEST 227.39 FEET; THENCE LEAVING SAID CENTERLINE, SOUTH 79°56'32" WEST, A DISTANCE OF 556.16 FEET; THENCE NORTH 50°13'18" WEST, A DISTANCE OF 127.85 FEET; THENCE NORTH 00°02'32" EAST, A DISTANCE OF 460.95 FEET; THENCE NORTH 45°00'00" EAST, A DISTANCE OF 532.51 FEET; THENCE NORTH 53°01'28" EAST, A DISTANCE OF 85.01 FEET; THENCE NORTH 06°30'01" WEST, A DISTANCE OF 310.52 FEET; THENCE NORTH 56°20'10" EAST, A DISTANCE OF 106.56 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 112.21 FEET; THENCE SOUTH 18°22'22" EAST, A DISTANCE OF 204.67 FEET; THENCE NORTH 89°15'39" EAST, A DISTANCE OF 78.85 FEET; THENCE NORTH 83°06'30" EAST, A DISTANCE OF 526.45 FEET; THENCE NORTH 66°49'12" EAST, A DISTANCE OF 876.86 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 33.947 ACRES.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

January 7, 2022

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

Attention: Vicki Tessmer

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-20-19, which was filed in this office on January 6, 2022.

Sincerely,

Anya Owens
Program Administrator

AO/lb