

Manatee County Zoning Ordinance

Z-21-04 – MANATEE VENTURES REZONE – MANATEE VENTURES INC. (OWNER)

PLN 2103-0110

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 2.23 ACRES GENERALLY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF 24TH AVENUE EAST AND MENDOZA ROAD, PALMETTO (MANATEE COUNTY); FROM A-1 (AGRICULTURAL SUBURBAN) TO THE RSF-2 (RESIDENTIAL SINGLE FAMILY – 2 DWELLING UNITS PER ACRE) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Manatee Ventures, Inc. (the “Applicant”) filed an application to rezone approximately 2.23 acres described in Exhibit “A”, attached hereto, (the “Property”) from A-1 (Agricultural Suburban) to the RSF-2 (Residential Single Family – 2 dwelling units per acre) zoning district; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on September 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 concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit “A” of this Ordinance from A-1 (Agricultural Suburban) to the RSF-2 (Residential Single Family – 2 dwelling units per acre) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on October 7, 2021, 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-1 (Agricultural Suburban) to the RSF-2 (Residential Single Family – 2 dwelling units per acre) 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 7th day of October 2021.



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

BY: 
Vanessa Baugh, Chairperson

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

BY: 
Deputy Clerk

Exhibit "A"

Legal Description

DESCRIPTION: COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 34 SOUTH, RANGE 18 EAST MANATEE COUNTY FLORIDA; THENCE S.89°15'18"E., ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SOUTHWEST 1/4, A DISTANCE OF 1,289.73 FEET; THENCE S.89°26'04"E., ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SOUTHWEST 1/4, A DISTANCE OF 1295.54 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S.00°52'13"E., ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, ALSO BEING THE WEST MAINTAINED RIGHT OF WAY LINE OF OAKHURST ROAD (24TH AVENUE EAST) (WIDTH VARIES), AS SHOWN ON A SURVEY PREPARED BY LEO MILLS & ASSOCIATES, INC. JOB NO. C5532 DATED 2/22/06, A DISTANCE OF 542.94 FEET; THENCE S.00°38'56"W., ALONG SAID WEST MAINTAINED RIGHT OF WAY LINE, LEAVING THE EAST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 430.28 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.00°38'56"W., ALONG SAID WEST MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 56W., ALONG SAID WEST MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 273.96 FEET TO THE NORTH RIGHT OF WAY LINE OF MENDOZA ROAD (37TH STREET EAST) (WIDTH VARIES) AS DEPICTED AND RECORDED IN INSTRUMENT NUMBER 202041026579 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N.89°34'21"W. ALONG SAID NORTH RIGHT OF WAY LINE., A DISTANCE OF 354.94 FEET TO THE SOUTH EAST CORNER OF LOT 4 AS DEPICTED AND RECORDED IN MENDOZA NORTH EASTAES, SUBDIVISION, PLAT BOOK 69, PAGE 138 OF SAID PUBLIC RECORDS; THENCE N.00°17'12"E., ALONG THE EAST LINE OF SAID LOT 4, A DISTANCE OF 273.25 FEET ; THENCE S.89°41'01"E., A DISTANCE OF 356.67 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 6, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. CONTAINING 97,350 SQUARE FEET OR 2.23 ACERS, MORE OR LESS. SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

October 11, 2021

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-21-04, which was filed in this office on October 8, 2021.

Sincerely,

Anya Owens
Program Administrator

AO/lb