

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE RE-ZONING OF CERTAIN LAND FROM R-1B, R-1C, R-1C/ST AND R-1B/ST (ONE FAMILY RESIDENTIAL/SPECIAL TREATMENT DISTRICT) TO PDR AND PDR/ST (PLANNED RESIDENTIAL DEVELOPMENT/SPECIAL TREATMENT DISTRICT); PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. FINDINGS OF FACT - The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of said County as well as all other matters presented to said Board at the Public Hearing hereinafter referenced, hereby makes the following findings of fact:

A. The said Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendments as it relates to the real property described in Section 4 of this Ordinance from R-1B, R-1C, R-1C/ST and R-1B/ST (One Family Residential/Special Treatment District) to PDR and PDR/ST (Planned Residential Development/Special Treatment District).

B. The said Board of County Commissioners held a Public Hearing on November 4, 1982, regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, and has further considered the information received at said Public Hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Section 4 hereto is found to be consistent with the requirements of Manatee County Ordinance No. 80-4, THE MANATEE/BDAN.

Section 2. The Conceptual Plan titled Conceptual Site Plan for A Planned Residential Development, is hereby APPROVED subject to the following conditions:

1. The developer shall install the necessary improvements required by Manatee County Utilities to serve the site with water and sewer.
2. The developer shall reconstruct 21st Avenue N.W. to County standards the entire length of the site's southern boundary.
3. The developer shall resurface 21st Avenue N.W. from this parcel to 83rd Street N.W., a distance of approximately 2150 feet. This resurfacing shall consist of an average asphalt capping of one (1") inch. The developer shall submit all engineering and construction drawings to the Highway Department for review and approval prior to all road construction improvements.
4. The developer shall allow professional archeological testing and surveying of the areas immediately adjoining the described outparcel generally encompassing all property lying north of the proposed lake. Upon the finding of any significant remains, the developer shall provide for the removal of these remains at his cost. In addition, the developer shall appropriately seed the Indian Mound to prohibit further surface erosion of this sensitive area. It is noted that, pending any significant finds, this work should not require more than three (3) weeks to complete.
5. The developer shall relocate the triplex structure adjacent to the recreation area outside the V-15 velocity zone to the farthest extent possible.
6. The developer shall provide single family detached units along the western property line of this parcel with the exception of the proposed triplex unit adjacent to the recreation area. The developer may, at his option, relocate attached units to the eastern parcel line. Conditions No. 5 and 6 shall be reflected on the preliminary plan.

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7. The developer shall provide a dedicated easement to South Florida Museum, Inc. for access to the existing Indian Mound from 21st Avenue N.W. This easement shall provide for complete and unrestricted access to the Indian Mound for the benefit of the general public.

Section 3. AMENDMENT OF OFFICIAL ZONING ATLAS - The Official Zoning Atlas of Manatee County Ordinance No. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, is hereby amended by changing the zoning district classification of the property identified in Section 4, hereto from R-1B, R-1C, R-1C/ST and R-1B/ST (One Family Residential/Special Treatment District) to PDR and PDR/ST (Planned Residential Development/Special Treatment District) in accordance with the approved Conceptual Plan, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning and Development Department are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. Legal Description:

EXHIBIT "A"

The West 330 feet of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 34 South, Range 16 East, Manatee County, Florida, together with any riparian rights thereunto appertaining. Subject to rights-of-way of record.

LESS: Begin at the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 34 South, Range 16 East; thence run S 89°50'41" E, along the South line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ 280.00 feet; thence N 00°12'48" E, parallel to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and 280.0 feet therefrom, 739.19 feet to a point for a Point of Beginning; thence continue N 00°12'48" E, 300.00 feet, passing through concrete monuments at 30 feet and 275 feet; thence N 89°47'12" W, perpendicular to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ 115 feet; thence S 00°12'48" W, parallel to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and 165 feet therefrom 75 feet (passing through a concrete monument at 25 feet); thence N 89°47'12" W, perpendicular to the west line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ 30 feet; thence S 00°12'48" W, parallel to the west line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and 135 feet therefrom, 225 feet; thence S 89°47'12" E, perpendicular to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ 145 feet to the Point of Beginning, all lying and being in Section 24, Township 34 South, Range 16 East, Manatee County, Florida

ALSO LESS: Begin at the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 34 South, Range 16 East; thence S 89°50'41" E, along the South line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, 330.00 feet; thence N 00°12'48" E, parallel to the West line of said NW $\frac{1}{4}$, and 330.0 feet therefrom, 15.0 feet to a concrete monument marking the intersection of said line and the maintained North right-of-way of 21st Avenue N.W. for a Point of Beginning; thence continue N 00°12'48" E, 1272.24 feet to a concrete monument; thence continue N 00°12'48" E, 11.0 feet, more or less, to the waters of Tampa Bay; thence Westerly along the waters of said Tampa Bay, 50.0 feet, more or less; thence S 00°12'48" W, parallel to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and 280.0 feet therefrom, 5.0 feet, more or less, to a concrete monument; thence continue S 00°12'48" W, 1272.19 feet to a concrete monument, marking the intersection of said line and said maintained North right-of-way of 21st Avenue N.W.; thence S 89°50'41" E, along said right-of-way, parallel to the South line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and 15.0 feet therefrom, 50.00 feet to the Point of Beginning, being and lying in Section 24, Township 34 South, Range 16 East, Manatee County, Florida.

NOTE: The above description is written for the purpose of rezone petition only, not for transfer of title.

EXHIBIT "B"

Begin at the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 34 South, Range 16 East; thence S 89°50'41" E, along the South line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, 330.00 feet; thence N 00°12'48" E, parallel to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and 330.0 feet therefrom, 15.00 feet to a concrete monument marking the intersection of said line and the maintained North right-of-way of 21st Avenue N.W. for a Point of Beginning; thence continue N 00°12'48" E, 1272.24 feet to a concrete monument; thence continue N 00°12'48" E, 11.0 feet, more or less, to the waters of Tampa Bay; thence Westerly, along the water of said Tampa Bay, 50.0 feet, more or less; thence S 00°12'48" W, parallel to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and 280.0 feet therefrom, 5.0 feet, more or less, to a concrete monument; thence continue S 00°12'48" W, 1272.19 feet to a

concrete monument marking the intersection of said line and said maintained North right-of-way of 21st Avenue N.W.; thence S 89°50'41" E, along said right-of-way, parallel to the South line of said NW 1/4 of the NE 1/4, and 15.0 feet therefrom, 50.0 feet to the Point of Beginning, being and lying in Section 24, Township 34 South, Range 16 East, Manatee County, Florida. Containing 1.5 acres, more or less.

EXHIBIT "C"

That certain parcel of land, as described and recorded in Deed Book 365, Page 295, Public Records of Manatee County, Florida; LESS: The South 15.0 feet thereof; the North 400.0 feet of the East 120.0 feet; and that part lying below the mean high water line; more fully described as follows, To Wit:

Commence at a concrete monument, marking the SW corner of the NW 1/4 of the NE 1/4 of Section 24, Township 34 South, Range 16 East; thence S 89°50'41" E, along the South line of said NW 1/4 of the NE 1/4, 330.00 feet to the SW corner of that certain parcel of land, as described and recorded in Deed Book 365, Page 295, Public Records of Manatee County, Florida; thence N 00°12'48" E, along the West line of said certain parcel, 15.00 feet to a concrete monument for a Point of Beginning; thence continue N 00°12'48" E, along said West line, 1272.24 feet to a concrete monument; thence continue N 00°12'48" E, 11.0 feet, more or less, to the intersection with the mean high water line of the Manatee River; thence Easterly, along the sinuosities of said mean high water line, 75.0 feet, more or less, to the intersection with a line, parallel to and 120.00 feet West of the East line of said certain parcel; thence S 00°15'13" W, along said parallel line, 22.0 feet, more or less, to a concrete monument; thence continue S 00°15'13" W, along said parallel line, 364.80 feet to a concrete monument; thence N 89°47'20" E, parallel to the North line of said certain parcel (also being the North line of said Section 24), and 400.0 feet Southerly therefrom, 120.00 feet to a concrete monument, marking the intersection with the East line of said certain parcel; thence S 00°15'13" W, along the East line of said certain parcel, also being the West line of that certain parcel of land, as described and recorded in Official Record Book 628, Page 622 through 633 of said Public Records, 899.85 feet to a concrete monument; thence N 89°50'41" W, parallel to the South line of said NW 1/4 of the NE 1/4 and 15.0 feet Northerly therefrom, 193.99 feet to the Point of Beginning, being and lying in the NW 1/4 of the NE 1/4 of Section 24, Township 34 South, Range 16 East, Manatee County, Florida. Containing 4.6 Acres, more or less.

Section 5. EFFECTIVE DATE - This Ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida, this the 4th day of November, 1982.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: James C. Phillips
Chairman 11/4/82

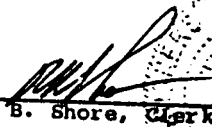
ATTEST: R. B. SHORE
Clerk of the Circuit Court

STATE OF FLORIDA
COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 4th of November 1982.

SUBJECT: MANATEE COUNTY ORDINANCE NO. Z-82-49
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA
AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE
COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY
COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE
RELATING TO ZONING WITHIN THE UNINCORPORATED
AREA OF MANATEE COUNTY; PROVIDING FOR THE
REZONING OF CERTAIN LAND FROM R-1B, R-1C, R-1C/ST
AND R-1B/ST (ONE FAMILY RESIDENTIAL /SPECIAL
TREATMENT DISTRICT) TO PDR AND PDR/ST (PLANNED
RESIDENTIAL DEVELOPMENT/SPECIAL TREATMENT DISTRICT);
PROVIDING AN EFFECTIVE DATE.

WITNESS My hand and Official Seal this 8th day
of November 1982, in Bradenton, Florida.


R. B. Shore, Clerk of the Circuit Court
Manatee County, Florida

