

MANATEE COUNTY ORDINANCE NO. 2-85-3
JERRY L. & ELIZABETH C. WHITE

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 A-1, (SUBURBAN AGRICULTURE DISTRICT) TO R-4B, (MOBILE HOME RESIDENTIAL DISTRICT), RETAINING THE AF (AGRICULTURE FRINGE OVERLAY DISTRICT) WHERE CURRENTLY SO DESIGNATED; 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 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 Section 3 of this Ordinance from A-1, (Suburban Residential District) to R-4B, (Mobile Home Residential District), retaining the AF (Agriculture Fringe Overlay District) where currently so designated.

B. The said Board of County Commissioners held a Public Hearing on January 10, 1985, 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 3 herein is found to be consistent with the requirements of Manatee County Ordinance No. 80-4, THE MANATEE PLAN.

Section 2. 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 3 herein from A-1, (Suburban Residential District) to R-4B, (Mobile Home Residential District), retaining the AF (Agriculture Fringe Overlay District) where currently so designated, 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 3. Legal Description:

Commence at the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, Township 33 South, Range 17 East, Manatee County, Florida; thence N 88°25'19" W, 56.6 feet to the west right-of-way line of Canal Road; thence north, along said right-of-way line, 775 feet; thence N 88°25'19" W, 617.3 feet to the west line of the E $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 36, for the point of beginning; thence S 00°06'33" W, along said west line 775 feet to the SW corner of said E $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$; thence N 88°25'19" W,

2-85-3

A

919.63 feet to the easterly right-of-way line of the S.C.L. Railroad; thence northeasterly, along said right-of-way to its intersection with the southerly right-of-way line of S.R. #45 - Section 13030; thence northeasterly along said right-of-way line to its intersection with the aforementioned west line of E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$; thence S 00°06'33" W, along west line to a point 50 feet northerly of the point of beginning; thence S 88°25'19" E, 617.3 feet to the said west right-of-way line of Canal Road; thence south along the west right-of-way line 50 feet; thence N 88°25'19" W, 617.3 feet to the point of beginning. Containing 16.3 acres, more or less.

Less: Commence at the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, Township 33 South, Range 17 East, Manatee County, Florida; thence N 88°25'19" W, 56.6 feet to the west right-of-way line of Canal Road; thence north along said right-of-way line 825 feet; thence N 88°25'35" W, 617.3 feet for the point of beginning; thence continue N 88°25'35" W, 353.73 feet; thence N 00°06'33" E, 116.74 feet to the south line of U.S. Highway 41; thence N 54°46'48" E, along said south line of U.S. 41, a distance of 431 feet; thence S 00°06'33" W, 375.63 feet to the point of beginning. Containing 2.0 acres, more or less.

But in addition to: The W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 36, Township 33 South, Range 17 East, Manatee County, Florida. Less road right-of-way.

Less and except: The following described portion thereof, to wit: Commence at the SE corner of Section 36, Township 33 South, Range 17 East, thence S 88°52' W, along the south line of said Section 36, a distance of 1203.35 feet; thence N 01°57'20" W, 12.13 feet to the north right-of-way line of Experimental Farm Road for a point of beginning; thence S 88°25'40" W, along said right-of-way line, 125 feet; thence N 01°57'20" W, along the west line of W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 36, a distance of 375 feet; thence N 88°25'40" E, 125 feet; thence S 01°57'20" E, 375 feet to the point of beginning.

Section 4. 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 10th of January, 1985.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Edward W. Chance
Chairman

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

R. B. SHORE

BY: Richard H. Ashley
RICHARD H. ASHLEY, CHIEF DEPUTY CLERK



The Bradenton Herald

102 MANATEE AVE. WEST, P.O. BOX 921
BRADENTON, FLORIDA 33506
TELEPHONE (813) 748-0411

PUBLISHED DAILY
BRADENTON, MANATEE COUNTY, FLORIDA

STATE OF FLORIDA COUNTY OF MANATEE:

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is the Legal Advertising Clerk and the official representative of the Publisher of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida, with the express, limited authority to execute this affidavit for the purpose of establishing proof of publication of the public or legal notice and advertisement in the form attached hereto; that the attached copy of advertisement, being a legal advertisement in the matter of

PUBLIC HEARING- 84-113 2x full

_____ in the _____ Court,

was published in said newspaper in the issues of _____
12/20/84

Affiant further says that the said The Bradenton Herald is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Bradenton, Manatee County, Florida, each day and has been entered as second class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and the affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sandy Riley

Sworn to and subscribed before me this

3rd day of January

A.D. 1985

James R. Decker

(SEAL) Notary Public

Notary Public, State of Florida at Large
My Commission Expires July 24, 1987

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Board of County Commissioners of Manatee County will conduct a Public Hearing on Thursday, January 10, 1985, at 9:00 A.M. in the Chambers of the Board of County Commissioners in the Manatee County Courthouse at Bradenton, Florida, to consider and act upon the following matters:

Z-84-113 - Request for a rezone from A (General Agriculture) to A-1 (Suburban Agriculture) on property located between SR 62 and SR 675, 1/2 mile E. of Spencer Rd. Includes Sections 22, 23, 26, 27, 34 and 35; Parrish Ranch Trust, J.B. Baldwin, Trustee. (1027.5 +/- Ac.).

Z-84-124 - Request for a rezone from A-1 (Suburban Agriculture, maximum density of one dwelling unit/acre) to R-1D (Single Family Residential, maximum density 2.0 dwelling units/acre) on the S. side of Experimental Farm Rd., 640 +/- ft. W. of Oakhurst Rd. (4.0 +/- Ac.).

Z-84-126 - Request for a rezone from R-1 (Single Family Residential) to M-1 (Light Industrial) on the E. side of 125th St. W., 520 +/- ft. N. of Cortez Rd. W. (0.59 +/- Ac.).

Z-84-128 - Request for a rezone from R-2 (One and Two Family Residential) to PR (Professional Office) on the NE corner of the intersection of 57th Ave. W. and 16th St. W. (S. Gregory St.) (0.40 +/- Ac.).

Z-84-129 - Request for a rezone from R-1B/WR (One Family Residential/Whitfield Residential Overlay) and R-2/WR (One and Two Family Residential/Whitfield Residential Overlay) to PR/WR (Professional Office/Whitfield Residential Overlay) on the N. side of Bernard Ave., 250 +/- ft. W. of U.S. 41 (0.91 +/- Ac.).

Z-85-2 - Request for a rezone from R-1 (One Family Residential) to M-1 (Light Manufacturing) on the N. side of Memphis Rd. 520 +/- ft. E. of U.S. 41 (9 +/- Ac.).

Z-85-3 - Request for a rezone from A-1 (Suburban Agriculture) and A-1/AF (Suburban Agriculture/Agricultural Fringe Overlay) to R-4B (Mobile Home Residential) and R-4B/AF (Mobile Home Residential/Agricultural Fringe Overlay) on the N. side of Experimental Farm Rd., 1,060 +/- ft. E. of U.S. 41 North, Palmetto (34.71 +/- Ac.).

Z-85-4 - Request for a rezone from A-1/WP (Suburban Agriculture/Watershed Protection Overlay) and A-1/WP/ST (Suburban Agriculture/Watershed Protection Overlay/Special Treatment Overlay) to R-1A/WP (One Family Residential/Watershed Protection Overlay) and R-1A/WP/ST (One Family Residential/Watershed Protection Overlay/Special Treatment Overlay) on the E. side of 36th St. E. (Prospect Rd.) 650 +/- ft. N. of Tallevast Rd. (20.6 +/- Ac.).

Z-85-8 - Request for a rezone from R-1 (One Family Residential) to C (Neighborhood Commercial) on the W. side of 15th St. E. 300 +/- ft. N. of 26th Ave. E. (.36 +/- Ac.).

Z-85-9 - Request for a rezone from R-2 (One and Two Family Residential) to C-1 (General Commercial) on the S.E. corner of the intersection of U.S. 41 and the 33rd St. E. R.O.W. (4.5 Ac.).

SP-84-107 - Request for a special permit to allow the razing and reconstruction of a gasoline service station to a gas/foodmart facility on the SE corner of the intersection of Cortez Rd. W. and 34th St. W. Current Zoning: C-1 (General Commercial) (0.69 +/- Ac.).

SP-84-114 - Request for a special permit to allow an expansion of an existing tomato packing plant and a revision of existing approved conditions on the N. side of S.R. 64 1/4 mile E. of Zipperer Rd. Current Zoning: A (General Agriculture) (5 +/- Ac.).

SP-84-116 - Request for a special permit to allow a mobile home as a residence on the E. side of French's Rd., 4,650 +/- ft. E. of Verna Bethany Rd. Current Zoning: A (General Agriculture) (5.50 +/- Ac.).

SP-84-117 - Request for a special permit to al-

SP-84-117 - Request for a special permit to allow a church on the S. side of 29th St. E., 1900 +- ft. E. of 9th Ave. E., Washington Gardens, Palmetto. Current Zoning: R-1AB (One Family Residential) (4.93 +- Ac.).

SP-85-1 - Request for a special permit to allow the consumption of beer, wine and mixed drinks (4-COP) at a lounge on the NE side of US 301 at the intersection of U.S. 301 and Wellon Ranch Rd. Current Zoning C (Neighborhood Commercial) (0.99 +- Ac.).

SP-85-2 - Request for a Special Permit to allow a mobile home as a residence on Tracts 120 and 121 of Willow Shores, 900 +- ft. S. of the Hillsborough County line. Current Zoning: A (General Agriculture) (10.08 +- Ac.).

SP-85-4 - Request for a special permit to allow a mobile home as a residence on Barr Rd., 840 +- ft. S. of Crosby Rd. Current Zoning: A (General Agriculture) (7 +- Ac.).

SP-85-5 - Request for a special permit to allow a mobile home in addition to a residence on Rich Rd., 4,400 +- ft. E. of Verna Bethany Rd. and 910 +- ft. N. of S.R. 64. Current zoning: A/WP/ST (General Agriculture/Watershed Protection Overlay/Special Treatment Overlay) (22.66 +- Ac.).

SP-85-7 - Request for a special permit to allow a drive-in banking facility on the E. side of 16th St. E., 170 +- ft. S. of 53rd Ave. E. Current Zoning: PR (Professional Office) (0.19 +- Ac.).

SP-85-8 - Request for a special permit to allow 9 dwelling units, 2 as temporary mobile homes to be replaced by residences, as rural cluster housing on the N. side of Parks Rd., 2 1/4 miles E. of Myakka-Wauchula Rd., Myakka City. Current Zoning: A (General Agriculture) (208 +- Ac.).

SP-85-9 - Request for a special permit to allow a vehicle sales and service dealership on the E. side of U.S. 41 660 +- ft. N. of 57th Ave. W. Current zoning: C-1 (General Commercial) (4.1 +- Ac.).

SP-85-10 - Request for a special permit to allow expansion of the existing work release center on the N. side of 57th Ave. E. at 3th St. E. Current zoning: R-2 (One and Two Family Residential) (3.52 +- Ac.).

SP-85-11 - Request for a special permit to allow the modification of an existing private tennis club to include a clubhouse with 75 seat restaurant, health spa, and indoor racquet ball courts, on the SW corner of the intersection of 75th St. W. and 9th Ave. N.W. Current zoning: R-1C (One Family Residential) (6.87 +- Ac.).

SP-85-13 - Request for a special permit to allow the expansion of Jim Boast Dodge vehicle service department on the E. side of U.S. 41 860 +- ft. S. of Orlando Ave. current zoning: C-1 (General Commercial) (2.33 +- Ac.).

SP-85-14 - Request for a special permit to allow the expansion of Bayshore High School on the S. E. corner of the intersection of 34th St. W. and 53rd Ave. W. Current zoning: R-1B (One Family Residential) (40 +- Ac.).

SP-85-15 - Request for a special permit to allow a go-cart track and arcade at the SE corner of the intersection of U.S. 41 and the 33rd St. R.O.W. Current zoning: R-2 (One and Two Family Residential) Proposed zoning: C-1 (General Commercial - Z-85-9) (4.5 +- Ac.).

All interested parties are invited to appear at this Hearing and be heard. Additionally, any written comments filed with the Planning Commission or the Planning and Development Department will be heard and considered by the Board of County Commissioners.

Interested parties may examine the Official Zoning Act, the application and related documents and may obtain assistance regarding this matter from the Manatee County Planning and Development Department, 212 - 6th Avenue East, Bradenton, Florida.

According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings made, which includes the testimony and evidence upon which the appeal is to be based.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

Manatee County Board
of County Commissioners
Manatee County Planning & Development Dept.
Manatee County, Florida

AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND
NOTIFICATION BY MAIL TO CONTIGUOUS PROPERTY OWNERS

STATE OF Florida

COUNTY OF Manatee

BEFORE ME, the undersigned authority, personally appeared James T. Farr, who, after having been first duly sworn and put upon oath, says as follows:

1. That he is the agent for owner (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Official Zoning Atlas Amendment No. 2-85-3, to be heard on JANUARY 10, 1985, and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein and they are true to the best of his knowledge, information and belief.

2. That the Affiant has caused the required public notice sign be posted pursuant to Manatee County Ordinance No. 81-4, on the property identified in said application and said sign was conspicuously posted 60 feet from the front property line on the 19 day of December, 1984.

3. That the Affiant has caused the mailing of the required letter of notification to contiguous property owners pursuant to Manatee County Ordinance 81-4, by 1st Class Mail, on the 19 day of December, 1984, and attaches hereto as a part of and incorporated herein, copies of said letters of notification.

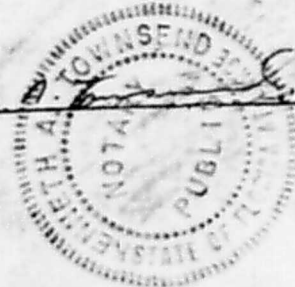
4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 81-4 as it relates to the above matters may cause the above-identified application and any public hearing held thereon to be ineffective and a nullity.

FURTHER YOUR AFFIANT SAITH NOT.

James T. Farr

SWORN TO AND subscribed before me on this 18 day of DECEMBER, 1984.

My Commission Expires: SEPT. 27, 1986

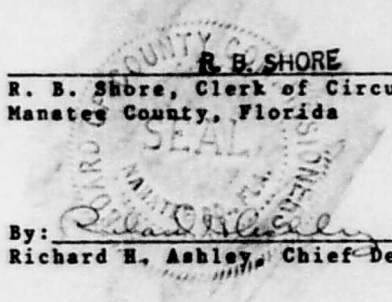



STATE OF FLORIDA
COUNTY OF MANATEE

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 10th day of January, 1985.

SUBJECT: MANATEE COUNTY ORDINANCE NO. 2-85-3:
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 A-1 (SUBURBAN AGRICULTURE DISTRICT) TO R-4B (MOBILE HOME RESIDENTIAL DISTRICT), RETAINING THE AF (AGRICULTURE FRINGE OVERLAY DISTRICT) WHERE CURRENTLY SO DESIGNATED; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 11th day of January, 1985, in Bradenton, Florida.


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

By: 
Richard H. Ashley, Chief Deputy Clerk

C



FLORIDA DEPARTMENT OF STATE

George Firestone
Secretary of State

FILED FOR RECORD

'85 JAN 21 PM 5 12

January 17, 1985

P.B. 1-25
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA

Mr. Richard H. Ashley
Chief Deputy Clerk
Post Office Box 1000
Manatee County Courthouse
Bradenton, Florida 33506

Dear Mr. Ashley:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of your letter/s of January 11, 1985
and certified copy/ies of Manatee County Zoning
Ordinances Nos. 284-105, 113, 124, 126, 128, 129,
285-2, 3, 4, 8, and 9.
2. Receipt of _____ County Ordinance/s
relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____
3. We have filed this/these Ordinance(s) in this office
on January 16, 1985.
4. The original/duplicate copy/ies showing the filing date
is/are being returned for your records.

Cordially,

(Mrs.) Liz Cloud, Chief
Bureau of Administrative Code
and Laws

LC/

Enclosures