

MANATEE COUNTY ORDINANCE NO. Z-86-01
VITALE & HORN

FILED FOR RECORD

'85 DEC 30 PM 4

CLERK OF COUNTY
MANATEE CO. FLORIDA

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-2 (ONE AND TWO FAMILY RESIDENTIAL DISTRICT) TO R-3B (MULTI-FAMILY RESIDENTIAL DISTRICT); PROVIDING AN EFFECTIVE DATE.

SECRETARY OF STATE

DEC 23 4 05 '85

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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 4 of this Ordinance from R-2 (One and Two Family Residential District) to R-3B (Multi-Family Residential District).

B. The said Board of County Commissioners held a Public Hearing on December 12, 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 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 80-4, THE MANATEE PLAN.

Section 2. The Conceptual Site Plan titled Green Meadows Village, is hereby APPROVED, subject to the following stipulations:

1. The buildings shall not exceed one (1) story in height.
2. Only one-bedroom units shall be permitted.
3. Prior to initiation of construction for this project, the base for 59th Avenue East shall be constructed from the project entrance eastward to 5th Street East.
4. Fifty-ninth Avenue East shall be constructed to County standards and the requirements of the County Engineer from the project entrance eastward to 5th Street East.
5. A six (6') foot high opaque fence shall be installed along the north and east property lines.
6. A hedge, designed and planted to attain a six (6') foot height and an eighty (80%) percent opacity at maturity, shall be installed along the west side of the property, outside of drainage and maintenance easements. The appropriate location shall be determined at the Final Site Plan review stage.

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7. The developer, his heirs, assigns or transferees, are hereby notified that the Impact Fee Ordinance when adopted by Manatee County may require the payment of impact fees.

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 herein from R-2 (One and Two Family Residential District) to R-3B (Multi-Family Residential District) 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:

From the SW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 35 South, Range 17 East, run N 00°00'37" E, along the west line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$, a distance of 25.00 feet to the north right-of-way line of 59th Avenue East and the Point of Beginning; continue thence N 00°00'37" E, a distance of 641.65 feet to the NW corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence S 89°58'55" E, along the north line of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, a distance of 474.30 feet; thence S 00°00'37" W, a distance of 516.67 feet; thence N 89°58'47" W, a distance of 75.00 feet; thence S 00°00'37" W, a distance of 125.00 feet to the north right-of-way line of 59th Avenue East; thence N 89°58'47" W, a distance of 399.30 feet to the Point of Beginning. Lying and being in Section 13, Township 35 South, Range 17 East, Manatee County, Florida.

Subject to existing rights-of-way and/or easements of record.

Containing 6.77 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 12th of December, 1985.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Edward W. Chance
Chairman 12/12/85

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

[Signature]

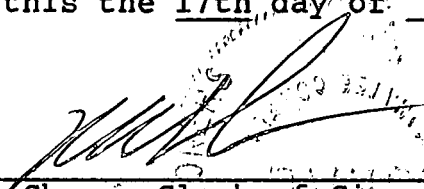
STATE OF FLORIDA

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 12th day of December, 1985.

SUBJECT: ORDINANCE Z-86-01
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-2 (ONE AND TWO FAMILY RESIDENTIAL
DISTRICT) TO R-3B (MULTI-FAMILY RESIDENTIAL DISTRICT);
PROVIDING AN EFFECTIVE DATE.

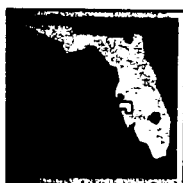
WITNESS My Hand and Official Seal this the 17th day of December,
1985, in Bradenton, Florida.



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

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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 2x19 1/2 Z83-24(R)

in the Court,

was published in said newspaper in the issues of
11/22/85

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

26th day of November

A.D. 1985 *Travis Tucker*

(SEAL) Notary Public

Notary Public, State of Florida at Large
My Commission Expires May 30, 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, Dec. 12, 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-83-24(R) - Request for approval of a revised conceptual development plan in an approved PDR (Courtyards of Whitfield) at the SE corner of Whitfield Ave. and 9th St. E. Current zoning: PDR (Planned Development Residential) (25.2 +/- Ac.).

Z-85-118 - Request for a rezone from A-1 (Suburban Agriculture) to R-3A (Multi-Family Residential) and the approval of a Conceptual Plan to allow 215 residential units on the S. side of Tallevast Rd. 600 +/- ft. W. of Prospect Rd. (19.11 +/- Ac.).

Z-85-133 - Request for a rezone from R-2 (One and Two Family Residential) to R-3A (Multi-Family Residential) and the approval of a Conceptual Site Plan to allow 158 residential units at the NW corner of Bayshore Gardens Parkway and the 47th St. W. R.O. W. (15.8 +/- Ac.).

Z-85-141 - Request for a rezone from R-1AB (One Family Residential) to R-2 (One and Two Family Residential) on the S. side of 49th Ave. W., 650 +/- ft. E. of 34th St. W. (Lots 4 & 5, McCollum's Lake Addition) (.49 +/- Ac.).

Z-85-146 - Request for a rezone from R-1 (One Family Residential) to M-2 (Heavy Industrial) on the N. side of University Parkway 3900 +/- ft. W. of Turtle Rd. (Lots 1 through 48, Block 6, North Sarasota Sub.) (2.75 +/- Ac.).

Z-86-1 - Request for a rezone from R-2 (One and Two Family Residential) to R-3B (Multi-Family Residential) and the approval of a conceptual site plan to allow 93 residential units at a density of 14.03 dwelling units per acre on the N. side of 59th Ave. E., 900 +/- ft. W. of 5th St. E. (6.77 +/- Ac.).

Z-86-2 - Request for a rezone from A (General Agriculture) to A-1 (Suburban Agriculture) on the S. side of Upper Manatee River Rd., 2 +/- mi. NE of S.R. 64 (900 +/- Ac.).

Z-86-3 - Request for a rezone from M-2 (Heavy Industrial) to C (Neighborhood Commercial) on the SW corner of 26th Ave. E. and 33rd St. E. (2.8 +/- Ac.).

Z-86-4 - Request for a rezone from R-1A (One Family Residential) to PR (Professional Office) on the NW corner of 26th St. W. and 39th Ave. W. (.78 +/- Ac.).

Z-86-6 - Request for a rezone from R-1A (One Family Residential) to PR (Professional Office) at the NW corner of US 301 and 30th Ave. Dr. E. (Gary Ave.), Palmetto (.31 +/- Ac.).

Z-86-7 - Request for a rezone from R-1A (One Family Residential) to C-1 (General Commercial) on the N. side of 69th Ave. E. (Whitfield Ave.), 800 +/- ft. W. of US 301 (4.1 +/- Ac.).

SP-85-91 - Request for a special permit to allow rural cluster housing for 12 mobile homes on the N. side of Buckeye Rd., and 1 1/4 +/- miles E. of U.S. 41, Palmetto. Current Zoning: A (General Agriculture) (80 +/- Ac.).

SP-85-106 - Request for a special permit to allow a telephone switching station as a light utility use on the E. side of Victory Rd., 1/2 +/- mile N. of US 301, Ellenton (Lot 10, Phillips Country Est.) Current zoning: A-1 (Suburban Agriculture) (.28 +/- Ac.).

SP-85-124 - Request for a special permit to allow boat building on the E. side of US 301, 1/4 +/- mile N. of University Parkway. Current zoning: M-2 (Heavy Industrial) (18.94 +/- Ac.).

SP-85-127 - Request for a special permit to allow the consumption of beer and wine on premises (2-COP) at the Nam Fong Chinese Restaurant, Cortez Plaza East, on the SW corner of Cortez Rd. W. and 5th St. W. (.03 +/- Ac.).

SP-86-1 - Request for a special permit to allow a telephone switching station as a light utility use on the E. side of Morgan Johnson Rd., 650 +/- ft. S. of S.R. 64. Current zoning: A-1 (Suburban Agriculture) (2 +/- Ac.).

SP-86-2 - Request for a special permit to allow a mobile home as a residence on the W. side of Verna Bethany Rd. (2 +/- mi. S. of S. R. 64), (Part of Tracts 53 through 56, Waterbury Grapefruit Tract). Current zoning: A/WP/ST (General Agriculture/Watershed Protection Overlay/Special Treatment Overlay) (25 +/- Ac.).

SP-86-3 - Request for a special permit to allow a mobile home as a residence on the W. side of Myakka City-Wauchula Rd., 2 +/- miles NE of Myakka City. Current zoning: A (General Agriculture) (17.25 +/- Ac.).

SP-86-4 - Request for a special permit to allow a one-chair beauty shop on the W. side of 26th St. W., 110 +/- ft. N. of Florida Blvd. Current Zoning: R-1AB (One Family Residential) (.17 +/- Ac.).

SP-86-5 - Request for a special permit to allow a day care center for 99 children on the S. side of 61st Ave. E. 600 +/- ft. W. of US 301. Current zoning: R-2 (One and Two Family Residential) (.64 +/- 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 Atlas, the application and related documents.

**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 _____
Ben H. Dawson III, who, after having been first duly

sworn and put upon oath, says as follows:

1. That he is the agent for the owner (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Official Zoning Atlas Amendment No. 2-86-1, to be heard on December 12, 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 0 feet from the front property line on the 20 day of November, 1985.

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 20 day of November, 1985, 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.

Ben H. Dawson III

SWORN TO AND subscribed before me on this 20th day of November, 1985.

Diana L. Hubbard

My Commission Expires:

Notary Public, State of Florida at Large
My Commission Expires Dec. 8, 1988



FLORIDA DEPARTMENT OF STATE

George Firestone
Secretary of State

RECEIVED
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA

FILED FOR RECORD
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December 24, 1985

R. B. Shore
Clerk of the Circuit Court
P.O. Box 1000
Manatee County Courthouse
Bradenton, Fl 33506

Dear Sir:

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

1. Receipt of your letter/s of December 17, 1985.
and certified copy/ies of Manatee
County Ordinances Nos. 85-39 & Z-86-01
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 December 23, _____ 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

LC/

Enclosure

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