

MANATEE COUNTY ORDINANCE NO. Z-86-07  
RESOURCE BUILDERS & DEVELOPERS, INC.,  
HERMAN A. CAUSEY AND CHARLES R. AND  
HILLARY PEMELMAN

FILED FOR RECORD  
85 DEC 23 AM 11 21

SECRET

Dec 20 3 38 PM '85

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-1A (ONE FAMILY RESIDENTIAL DISTRICT) TO C-1 (GENERAL COMMERCIAL 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 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 R-1A (One Family Residential District) to C-1 (General Commercial 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 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 R-1A (One Family Residential District) to C-1 (General Commercial 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 3. Legal Description:

Resource Builders and Developers, Inc.  
1612 Whitfield Ave. E.

Begin at the SE corner of Section 24, Township 35 South, Range 17 East; thence South 89°68'30" West along the South line of said Section 24, also being the centerline of Whitfield Ave., 1007.14 feet; thence North parallel to the East line of said Section 24, 25 feet to the intersection of said line and the North right-of-way of said Whitfield Ave. for a point of beginning; thence continue North and parallel to the said East line of Section 24, 200.00 feet; thence South 89°58'30" West parallel to the said South line of Section 24, 286.75 feet; thence South and parallel

to the West line of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 24, 200.00 feet to the intersection of said line and the said North right-of-way of Whitfield Ave.; thence North 89°58'30" East along said North right-of-way parallel to said centerline of Whitfield Ave. and 25.00 feet therefrom, 286.65 feet to the Point of Beginning, being and lying in Section 24, Township 35 South, Range 17 East, Manatee County, Florida, and subject to additional right-of-way taken, O.R. Book 414, page 429, of the Public Records of Manatee County, Florida.

Herman O. Causey  
1618 Whitfield Ave. E.

Begin at the SE corner of Section 24, Township 35 South, Range 17 East; thence S 89°58'30" W along the South line of said Section 24, also being the center line of Whitfield Ave., 889.14 feet; thence North parallel to the East line of said Section 24, 25.00 feet to the intersection of said line and the North R/W of said Whitfield Ave. for a point of beginning; thence continue North and parallel of said East line of Section 24, 200.00 feet; thence South 89°58'30" W parallel to said South line of said Section 24, 118.00 feet; thence South parallel to said East line of said Section 24, 200.00 feet to the intersection of said line and the North R/W of Whitfield Ave.; thence North 89°58'30" along the North R/W of Whitfield Ave., parallel to said center line and 25.00 feet therefrom, 118.00 feet to the Point of Beginning, being and lying in Section 24, Township 35 South, Range 17 East, Manatee County, Florida. Less the South 9 feet.

Charles R. & Hillary Pemelman  
1624 Whitfield Ave. E.

Begin at the SE corner of Section 24 at the intersection of U.S. 301 and Whitfield Ave., from center of said intersection go North along center line of U.S. 301 25.00 feet, thence West along North right-of-way line of Whitfield Ave. 675.00 feet to a Point of Beginning; thence North and parallel to U.S. 301, 470 feet more or less to center line of a drive; thence West following the meanderings of said drive and down the center of a distance of 640 feet more or less to the West line of SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ; thence South along said  $\frac{1}{4}$  Section line a distance of 470 feet more or less to North right-of-way line of Whitfield Ave.; thence East 640 feet more or less to Point of Beginning less land description ORB 341 P 349, less ORB 379 P 360, less ORB 381 P 562, less road right-of-way as described in ORB 413 P 362 PRMCF & less ORB 443 P 540 less land described in ORB 986 P 3946 PRMCF P-96.

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 22th of December, 1985.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Edward A. Chame  
Chairman 12/21/85

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

[Signature]


STATE OF FLORIDA

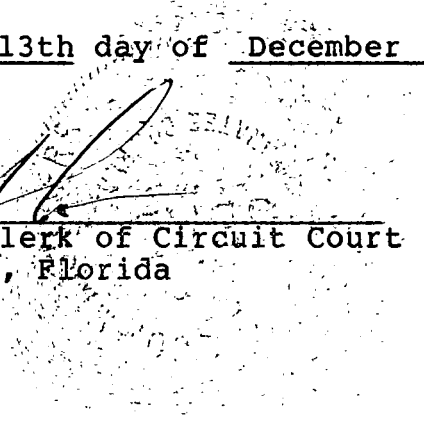
COUNTY OF MANATEE

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-86-07  
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-1A (ONE FAMILY RESIDENTIAL  
DISTRICT) TO C-1 (GENERAL COMMERCIAL DISTRICT);  
PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 13th day of December,  
1985, in Bradenton, Florida.

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





## 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 December

A.D. 1985 *Terrie 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 213 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 95 residential units at 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 33 through 36, 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 Map, the application and related documents.

C

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 \_\_\_\_\_

DENNIS J. COSTA, who, after having been first duly sworn and put upon oath, says as follows:

1. That he is the AGENT (~~owner~~, agent for owner), ~~attorney in fact for owner, etc.~~) of the property identified in the application for Official Zoning Atlas Amendment No. 2-86-7, to be heard on December 13, 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 to be posted pursuant to Manatee County Ordinance No. 81-4 on the property identified in said said application and said sign was conspicuously posted 5 feet from the front property line on the 22 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 22 day of NOVEMBER, 1985, and attaches hereto as 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.

Sworn to and subscribed before me this  
22nd day of November, 1985

[Signature]  
Notary Public, State of Florida at Large

My Commission Expires:

May 17, 1989

[Signature: Dennis J. Costa]



FLORIDA DEPARTMENT OF STATE

George Firestone  
Secretary of State

December 20, 1985

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

CLERK OF THE CIRCUIT COURT  
MANATEE COUNTY, FLORIDA

Dear Mr. Shore:

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

1. Receipt of your letter/s of December 13, 1985.  
and certified copy/ies of Manatee  
County Ordinances Z-83-24, Z-85-133, Z-85-141, Z-86-03,  
Z-86-04, Z-86-06 and Z-86-07.
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 20, 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

I.C/

Enclosure

F