

MANATEE COUNTY ORDINANCE NO. Z-86-42(R)
Second Revision
PEACHEY DAIRY

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

87 JUL 31 PM 12:56

FILED

FILED
AUG 4 1987

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/WP (SUBURBAN AGRICULTURAL/WATERSHED PROTECTION OVERLAY DISTRICT) AND A-1/WP/ST (SUBURBAN AGRICULTURAL/WATERSHED PROTECTION AND SPECIAL TREATMENT OVERLAY DISTRICTS) TO PDR/WP (PLANNED DEVELOPMENT RESIDENTIAL/WATERSHED PROTECTION OVERLAY DISTRICT) AND PDR/WP/ST (PLANNED DEVELOPMENT RESIDENTIAL/WATERSHED PROTECTION AND SPECIAL TREATMENT OVERLAY DISTRICTS) AND APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN ON 16.9+ ACRES, IN CONJUNCTION WITH APPROVAL OF A REVISED CONCEPTUAL DEVELOPMENT PLAN FOR AN ADJACENT 73.65+ ACRE PARCEL ZONED PDR/WP AND PDR/WP/ST. TOTAL DWELLING UNITS WILL BE 292 DWELLING UNITS AT A DENSITY OF 3.2 DU/ACRE; 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 4 of this Ordinance from A-1/WP (Suburban Agricultural/Watershed Protection Overlay District) and A-1/WP/ST (Suburban Agricultural/Watershed Protection and Special Treatment Overlay Districts) to PDR/WP (Planned Development Residential/Watershed Protection Overlay District) and PDR/WP/ST (Planned Development Residential/Watershed Protection and Special Treatment Overlay Districts).

B. The said Board of County Commissioners held a Public Hearing on July 23, 1987, 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.

1478A

Section 2. The Conceptual Development Plan on 16.9+ acres titled THE TRAILS, is hereby APPROVED, in conjunction with approval of a Revised Conceptual Development Plan for an adjacent 73.65+ acre parcel zoned PDR/WP and PDR/WP/ST to allow a total of two hundred and ninety-two (292) dwelling units at a density of 3.2 du/acre, with the following stipulations:

1. All applicable Southeast Area Policies shall be met at the required stage of development.
2. In accordance with Policy 9-1.c of The Manatee Plan, and Policy III(f) and (g) of The Southeast Resolution Area, an adequate Level of Service shall be maintained in the area of impact. No development will be finally authorized that would generate traffic, which in conjunction with existing traffic and traffic anticipated as a result of other development approvals and open circumstances upon which the County may have traffic projections, will have the likely result of causing or contributing to a degradation of the Level of Service, for the area of impact, to a level below "C" or "D" at peak levels.
3. This project must meet the Camp, Dresser and McKee recommended Management Practices.
4. Storm water discharge, either direct or indirect, shall not cause a receiving water body to violate limits as defined in Class I - Potable Water Supplies and Surface Water General Criteria of Chapter 17-3, Florida Administrative Code.
5. The developer shall monitor rainfall, water quality, rate of flow, and water quality within their storm water management systems. The developer shall warranty, by bond or other mechanism acceptable to the County, the performance of his storm water management system in compliance with County and State standards for five (5) years beyond the build out period of development within each hydrologic unit.
6. Confirmation in writing is required from the Florida Game and Freshwater Fish Commission, prior to construction drawing approval, that this project will have no significant adverse impact on the bald eagle's nest.
7. A second means of ingress and egress shall be provided to the development prior to the issuance of the 50th building permit.
8. The applicant must provide proof of "no negative effect" upon the water quality of the reservoir or its tributaries from allowing up to 3 du/acre in the low intensity zone prior to the approval of construction drawings.

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 A-1/WP (Suburban Agricultural/Watershed Protection Overlay District) and A-1/WP/ST (Suburban Agricultural/Watershed Protection and Special Treatment Overlay Districts) to PDR/WP (Planned Development Residential/Watershed Protection Overlay District) and PDR/WP/ST (Planned Development Residential/Watershed Protection and Special Treatment Overlay Districts) 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:

The south 1/2 of the N.W. 1/4 of Section 28, Township 35 South, Range 18 East, less the East 990 feet thereof; together with and including the S.E. 1/4 of the N.E. 1/4 of Section 29, Township 35 South, Range 18 East, being more particularly described as follows:

Begin at the S.E. corner of aforesaid S.E. 1/4 of the N.E. 1/4, also being the S.W. corner of aforesaid N.W. 1/4 and run N 89°39'59" W, along the south line of said S.E. 1/4 of the N.E. 1/4, a distance of 1335.49 feet to the east maintained right of way line of Prospect Road as recorded in Road Plat Book 3, Pages 195 through 222 inclusive; thence N 00°07'09" W, along said east right of way line, a distance of 1324.06 feet to the north line of aforesaid S.E. 1/4 of the N.E. 1/4; thence S 89°45'58" E, along said north line of the S.E. 1/4 of the N.E. 1/4, a distance of 1344.90 feet to the N.E. corner of said S.E. 1/4 of the N.E. 1/4, also being the N.W. corner of aforesaid south 1/2 of the N.W. 1/4; thence S 89°49'14" E, along the north line of said south 1/2 of the N.W. 1/4, a distance of 1638.07 feet; thence S 00°31'11" W, parallel with and 990 feet west of the east line of said N.W. 1/4, a distance of 1327.00 feet to the south line of said N.W. 1/4; thence N 89°47'55" W, along said south line of the N.W. 1/4, a distance of 1632.71 feet to the point of beginning. Lying and being in Sections 28 & 29, Township 35 South, Range 18 East, Manatee County, Florida. Containing 90.6 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 23rd day of July, 1987.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY:

Edward W. Chance
Chairman

ATTEST:

R. B. SHORE

Clerk of the Circuit Court

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true
copy of ORDINANCE NO. Z-86-42(R) adopted by the
Board of County Commissioners of said County on
the 23rd day of July, 1987, this 29th day
of July, 1987, in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: D. E. Volz, D.C.

1478C