

MANATEE COUNTY ORDINANCE NO. Z-86-49
BODZIAK & MOORHEAD

FILED FOR RECORD

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R.B. MOORE
CLERK CIRCUIT COURT
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 A (GENERAL AGRICULTURE, 1 DU/5 ACRES) AND A-1 (SUBURBAN AGRICULTURE, 1 DU/ACRE) TO R-1A (ONE FAMILY RESIDENTIAL, 4.4 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 3 of this Ordinance from A (General Agriculture, 1 du/5 acres) and A-1 (Suburban Agriculture, 1 du/acre) to R-1A (One Family Residential, 4.4 du/acre).

B. The said Board of County Commissioners held a Public Hearing on May 22, 1986, 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 (General Agriculture, 1 du/5 acres) and A-1 (Suburban Agriculture, 1 du/acre) to R-1A (Single Family Residential, 4.4 du/acre) 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:

The west $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Section 11, Township 35 South, Range 18 East, less that certain parcel as described in O.R.B. 821, Page 525, Public Records of Manatee County, Florida, being more particularly described as follows:

From the N.E. corner of Section 11, run S 89°05'02" W, along the north line of said Section 11, a distance of 1324.34 feet, to the N.W. corner of said west $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; thence S 01°46'54" E, along the west line of said west $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, a distance of 80.56 feet to a point on the south

maintained right of way line of Old Tampa Road, as shown in road Plat Book 4, Page 92 for a point of beginning; thence continue S 01°46'54" E, along said west line, a distance of 1247.74 feet to the occupied S.W. corner of the west $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; thence N 89°37'07" E, along said south line of the west $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, a distance of 666.27 feet to the occupied S.E. corner of said west $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; thence N 01°57'09" W, along said east line of the west $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, a distance of 858.45 feet to the southerly line of that parcel as described in O.R.B. 821, Page 525; thence N 80°43'11" W, along said south line, a distance of 310.36 feet to the westerly line of said parcel, as described in O.R.B. 821, Page 525; thence N 01°47'49" E, along said west line, a distance of 367.51 feet to the aforesaid south maintained right of way line of Old Tampa Road; thence N 89°59'42" W, along said maintained right of way line, a distance of 197.63 feet; thence S 79°54'18" W, along said maintained right of way line, a distance of 186.28 feet to the point of beginning. Lying and being in Section 11, Township 35 South, Range 18 East, Manatee County, Florida.

Subject to pertinent easements, rights of way and restrictions of record.

Containing 16.777 acres, more or less.

Additionally the following legal description is included:

the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 34 South, Range 18 East, Manatee County, Florida.

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 22nd of May, 1986.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: *Richard H. Hickey*
Chairman

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

R. B. Shore



STATE OF FLORIDA

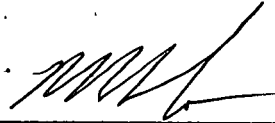
COUNTY OF MANATEE

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 22nd day of May, 1986.

SUBJECT: Z-86-49

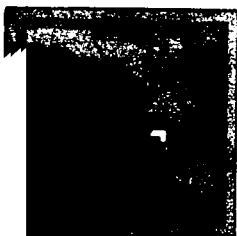
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA,
AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE
COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY
COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE,
RELATING TO ZONING WITHIN THE UNINCORPORATED AREA
OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF
CERTAIN LAND FROM A-1 TO R-1A, PROVIDING AN
EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 23rd day of May, 1986, in
Bradenton, Florida.



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

X



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 SP 86-33

_____ in the _____ Court,
was published in said newspaper in the issues of _____
5/5/86

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

6th day of May

A.D. 19 86

Torrie 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, May 22, 1986, 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:

SP-86-33—Phillip L. and Brian D. Burghardt Approval of a Special Permit to allow miniware-houses, with a waiver of the floor area ratio requirement for miniwarehouses. Located on the west side of 9th Street West, approximately 800 ft. south of the intersection of 9th St. W. and U.S. 301 Blvd. Present Zoning: C (Neighborhood Commercial) (3+/- Acres).

SP-86-44—Mary Morgan Approval of a special permit to allow a mobile home in addition to a residence. Located on the east side of Oxford Road, approximately 1000 feet south of U.S. 301, Parrish. Current Zoning: A (General Agriculture) (10+/- Acres).

SP-86-48—William Kipp & William Britt Approval of a Special Permit to allow a mobile home as a residence, located northwest of the intersection of Ft. Hamer Road and U.S. 301 between Second Avenue and U.S. 301; Parrish. Current zoning: V-2 (Parrish Village district) (6.7+/- Acres).

SP-86-50—El Conquistador Village Plaza - Approval of a Special Permit to allow the on-site consumption of beer and wine (2-COP) in connection with a forty (40) seat restaurant. Located at the northwest corner of 34th Street W. and 60th Avenue W. in the El Conquistador Village Plaza. Current zoning: C (Neighborhood Commercial District) (Site - 2.92+/- Acres; Unit - 1645 Square Feet).

SP-86-51—M.L. & Emily R. Putnal Approval of a Special Permit to allow rural cluster housing, including five (5) mobile homes and four (4) single family residences, located at the southwest corner of Betts Road and Singletary Road. Current zoning: A (General Agriculture District) (64+/- Acres).

Z-86-27—Dan P. & Corrine McClure Approval to change the present zoning from A-1 (Suburban Agriculture, 1 DU/Acre) to PDR (Planned Residential Development) retaining the SP/ST (Watershed Protection/Special Treatment) Overlay Districts and the approval of a Conceptual Development Plan for 930 units at an overall density of 3.06 DU/Acre, located northwest of the present terminus of Whitfield Ave. Extension and bounded by the future extensions of Lockwood Ridge Rd., 63rd Ave. E. (Saunders Rd.) and Prospect Rd. (309.89 Acres).

Z-86-44—Bobbie L. Foy Approval to change the present zoning from A-1 (Suburban Agriculture, 1 DU/Acre) to R-1AB (Single Family Residential, 5.5 DU/Acre), retaining the WP/ST (Watershed Protection/Special Treatment) Overlay District. Located approximately 1300+/- ft. east of Lockwood Ridge Road and north of the Glenbrook, Phase 1 Subdivision (1.7+/- Acres).

Z-86-47—Joseph Hembree Approval to change the present zoning from A-1 (Suburban Agriculture District, 1 DU/Acre) to R-1A (One Family Residential District, 4.4 DU/Acre), located on the south side of Tallevast Road, 650+/- feet west of Prospect Road. (22+/- Acres).

Z-86-49—Bodziak and Moorhead - Approval to change the present zoning from A (General Agriculture, 1 DU/5 Acres) and A-1 (Suburban Agriculture, 1 DU/Acre) to R-1A (Single Family Residential, 4.4 DU/Acre). Located on the south side of Old Tampa Rd., approximately 1/2 mile east of U.S. 301, Ellenton (35.87 Acres).

Z-86-50—Steve Jelencsics, Jr. Approval to change the present zoning from R-2 (One and Two Family Residential, 8.5 DU/Acre) to C-1A (Resort Commercial), retaining the AF (Agriculture Fringe) Overlay District. Located on the north side of 33rd Ave. E. (S.R. 70), approximately 150+/- feet west of 31st St. E. (2.5+/- Acres).

Z-86-52—Moccasin Willow Trust and Imperial Farms, Inc. Approval to change the present zoning from A-1 (Suburban Agriculture, 1 DU/Acre) to C-1A (Resort Commercial), retaining the AF (Agriculture Fringe) Overlay District. Located on the north side of Moccasin Willow Rd. adjacent to I-75 (northwest quadrant) (27.20 Acres).

Z-86-54—Gertrude Decker Approval to change the present zoning from R-1AB (One Family Residential District, 5.5 DU/Acre) to PR (Professional Office District), located at the southwest corner of 58th Street W. and Cortez Road W. (0.44+/- Acre).

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, 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

5/5/86

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

MAY 6 1986

STATE OF Florida
COUNTY OF Manatee

RECEIVED

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:

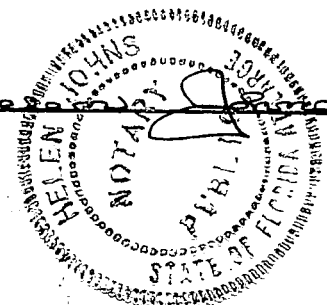
1. That he is the agent for the owner (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Official Zoning Atlas Amendment No. Z-86-49, to be heard on May 22, 1986, and as such, is authorized to execute and make this Affidavit and is familiar with 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 5 day of May, 1986.
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 5 day of May, 1986, 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 5th day of May, 1986.

My Commission Expires: 8-29-86





FLORIDA DEPARTMENT OF STATE

George Firestone

Secretary of State

FILED FOR RECORD

June 2, 1986

'86 JUN 5 AM 10 21

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 33506

R.B. SHORE
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA

Attention: Deputy Clerks/County Ord. Records Division

Dear Mr. Shore:

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

1. Receipt of letter/s of May 23, 1986
and certified copy/ies of Manatee
County Ordinance(s) #86-49(7)
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 June 2, 1986.
4. The ^{one}~~original~~/duplicate copy/ies showing the filing date
is/~~are~~ being returned for your records.

Cordially,

Liz Cloud

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

LC/mb