

MANATEE COUNTY ORDINANCE NO. Z-86-52  
MOCCASIN WALLOW TRUST & IMPERIAL FARMS, INC.

FILED FOR RECORD

'86 JUN 2 AM 10

P.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-1 (SUBURBAN AGRICULTURE, 1 DU/ACRE) TO C-1A (RESORT COMMERCIAL), RETAINING THE AF (AGRICULTURAL FRINGE OVERLAY DISTRICT); PROVIDING AN EFFECTIVE DATE.

May 29 10 22 AM '86

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 Agriculture, 1 du/acre) to C-1A (Resort Commercial), retaining the AF (Agricultural Fringe Overlay District).

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-1 (Suburban Agriculture, 1 du/acre) to C-1A (Resort Commercial), retaining the AF (Agricultural Fringe Overlay 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:

Begin at the N.E. corner of the S.W.  $\frac{1}{4}$  of the S.E.  $\frac{1}{4}$  of Section 16, Township 33 South, Range 18 East; thence S  $00^{\circ}48'03''$  W, along the east line of the said S.W.  $\frac{1}{4}$  of the S.E.  $\frac{1}{4}$ , a distance of 423.62 feet to the northerly right of way line of the access road along the north side of Moccasin Wallow Road and the westerly side of I-75; thence along said right of way line the following five courses: S  $48^{\circ}36'55''$  W, a distance of 1016.64 feet; thence S  $64^{\circ}50'42''$  W, a distance of 142.52 feet; thence S  $88^{\circ}08'45''$  W, a distance of 409.66 feet; thence N  $00^{\circ}37'27''$  E, a distance of 85.66 feet; thence N  $89^{\circ}22'33''$  W, a distance of 25.00 feet to the

east right of way line of 56th Avenue (50 foot right of way); thence N 00°37'27" E, along said right of way line, a distance of 835.66 feet to the south line of that certain parcel of land as described in O.R. Book 898, Page 872 of the Public Records of Manatee County, Florida; thence along the boundary of said certain parcel the following two courses; S 89°10'29" E, a distance of 175.00 feet; thence N 04°41'44" E, a distance of 267.61 feet to the north line of the aforesaid S.W. ¼ of the S.E. ¼; thence S 89°10'29" E, a distance of 1125.33 feet to the point of beginning. Lying and being in Section 16, Township 33 South, Range 18 East, Manatee County, Florida.

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

Containing 27.20 acres, more or less.

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.

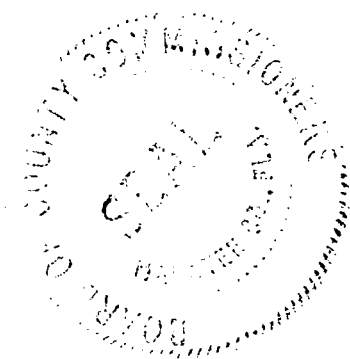
PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 22<sup>nd</sup> of May, 1986.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: *Hester*  
Chairman

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

*RBS*



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-86-52

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 C-1A RETAINING THE AF,  
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

E

# 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 *Jorise 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 950 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. Fry** Approval to change the present zoning from A-1 (Suburban Agriculture, 1 DU/Acre) to R-1AB (Single Family Residential, 5.3 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 Glenbrooke, Phase I 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 (55.87 Acres).

✓ **Z-86-50—Steve Jelenics, 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 53rd Ave. E. (S.R. 70), approximately 150+/- feet west of 31st St. E. (2.3+/- 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 (Agricultural Fringe) Overlay District. Located on the north side of Moccasin Willow Rd. adjacent to I-75 (northwest quadrant) (27.20 Acres).

✓ **Z-86-54—Geytrude Decker** Approval to change the present zoning from R-1AB (One Family Residential District, 5.3 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

MAY 6 1986

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

RECEIVED

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:

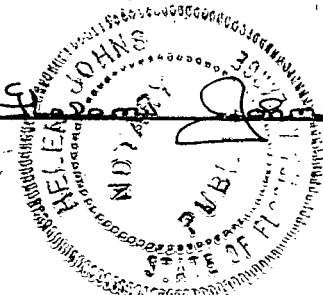
1. That he is the agent for the owner (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Official Zoning Atlas Amendment No. Z-86-52, to be heard on May 22, 1986, and as such, is authorized to execute and make this Affidavit and is familiar with 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.

Benjamin H. Dawson III

SWORN TO AND subscribed before me on this 5<sup>TH</sup> day of May, 1986.

My Commission Expires: 8-29-86



D



FLORIDA DEPARTMENT OF STATE

George Firestone  
Secretary of State

FILED FOR RECORD

'86 JUN 2 AM 10 40

May 30, 1986

Honorable R. B. 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) 86-44(Z), 86-47(Z), 86-50(Z),  
and 86-52(Z)
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 May 29, 1986.
4. The ~~original~~ <sup>one each</sup>/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