

FILED FOR RECORD

MANATEE COUNTY ORDINANCE NO. Z-86-53  
WILLIAM H. FLOTO & REED W. MAPES

'86 MAY 19 PM 2 10

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

SECRETARY OF STATE

MAY 16 3 40 PM '86

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-1AB (SINGLE FAMILY RESIDENTIAL, 5.3 DU/ACRES) TO C-1 (GENERAL COMMERCIAL), RETAINING THE AF (AGRICULTURAL FRINGE OVERLAY DISTRICT), AND ALSO R-1AB TO R-1 (SINGLE FAMILY RESIDENTIAL, 6.1 DU/ACRE), RETAINING THE AF (AGRICULTURAL FRINGE OVERLAY 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-1AB (Single Family Residential, 5.3 du/acre) to C-1 (General Commercial), retaining the AF (Agriculture Fringe Overlay District) and also R-1AB/AF to R-1 (Single Family Residential, 6.1 du/acre) retaining the AF (Agricultural Fringe Overlay District).

B. The said Board of County Commissioners held a Public Hearing on May 8, 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 R-1AB (Single Family Residential, 5.3 du/acre) to C-1 (General Commercial), retaining the AF (Agriculture Fringe Overlay District) and also R-1AB to R-1 (Single Family Residential, 6.1 du/acre) 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:

(Parcel to be rezoned from R-1AB to C-1)

The northernmost 220 feet of the following described property:

Beginning at the NE corner of the property described in Deed recorded in Deed Book 283, Page 296 of the Public Records of Manatee County, Florida; thence South, along the East line of said property, 985 feet to the water's edge of Manatee River; thence Easterly, along water's edge of Manatee River to a point which is 200 feet East of the East line of property described in said Deed Book 283, Page 296, to the South Right-of-Way of U.S. Highway 301; thence Southwesterly, along the Southerly line of said U.S. Highway 301, to a point of Beginning, said land lying and being in U.S. Lot 2, Section 10, Township 34 South, Range 18 East. Also the East 50 feet of the following described property: Begin at E.M. Cloud's Southeast corner in Lot 1, Section 10, Township 34 South, Range 18 East, which is on the water's edge of Manatee River; thence run North, along the boundary line between E.M. Cloud's and the Floridan Co., 475 feet to an iron pipe; thence N 30° W, along the boundary line of E.M. Cloud's and the Floridan Co., a distance of 410 feet to the South boundary line of U.S. Highway 301; thence N 59°30' E, along the South boundary line of U.S. Highway 301, a distance of 905 feet to an iron pipe; thence South, parallel to the East line of said Lot 1, a distance of 985 feet, more or less, to an iron pipe and the edge of the Manatee River, 650 feet, more or less, to E.M. Cloud's Southeast corner and Point of Beginning.

(Parcel to be rezoned from R-1AB/AF to R-1)

Begin at the NE corner of the property described in deed recorded DB 283, p. 296, Public Records of Manatee County, Florida; thence S along E line of said property 985 feet to the water's edge of Manatee River; thence Easterly along water's edge of Manatee River to a point which is 200' East of the E line of property described in said Deed Book 283, p. 296, to the S right-of-way line of U.S. Hwy. 301; thence Southwesterly along the S'ly line of said U.S. Hwy. 301 to a point of beginning; said land lying and being in US Lot 2, Sec. 10, Twp. 34 S, R. 18 E. ALSO the East 50' of the following described property: Begin at E.M. Cloud's SE corner in lot 1, Sec. 10, Twp. 34 S, R. 18 E, which is on the water's edge of Manatee River; thence run North along the boundary line between E.M. Cloud's and the Floridan Co., 475' to an iron pipe; thence N 30 degrees W along the boundary line of E.M. Cloud's and the Floridan Co, a distance of 410' to the S boundary line of U.S. Hwy. 301; thence N 59 degrees 30' East along the South boundary line of Hwy. US 301 a distance of 905' to an iron pipe; thence S parallel to the E line of said lot 1, a distance of 985', more or less, to an iron pipe and the edge of Manatee River 650' more or less, to E.M. Cloud's SE corner and point of beginning, containing 12.6' acres, more or less, together with all riparian rights for all above described property. Less R/W U.S. 301.

Less the Northernmost 220 feet of the above described property RESERVING an easement for ingress and egress across the easternmost 25' of property.

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 8<sup>th</sup> of May, 1986.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Richard H. Hatcher  
Chairman

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 8th day of May, 1986.

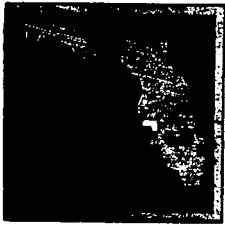
SUBJECT: Z-86-53

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-1AB TO C-1, PROVIDING AN  
EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 12th 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 86-14

\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of \_\_\_\_\_  
4/21/86

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

22nd day of April

A.D. 1986 *Forrest 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 8, 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-86-14—Blalock & Desear (Reconsideration) - Consideration of an amendment to SP-86-14 for the limited purpose of amending transportation stipulations pursuant to F.D.O.T. recommendations on S.R. 70. NOT a reconsideration of the eligibility for the Special Permit.) Approval of a Special Permit to allow residential treatment facility for 64 residents located on the south side of 57th Avenue East at the intersection with 24th Street East. Current Zoning: A-1 (Suburban Agriculture) (7.49 +/- Acres).
- SP-86-33—Phillip L. and Brian D. Burghardt Approval of a Special Permit to allow miniwarehouses, 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-86-39—Ridgewood Center, L.T.D. - Approval of a Special Permit to allow on premise consumption of beer, wine and liquor (4-COP lounge), located in the Ridgewood Shopping Center on the North side of U.S. 301, 800 feet west of Victory Rd., Ellenton. Present Zoning: C-1/AF (General Commercial/Agricultural Ridge Overlay District) (12.77 +/- Acres).
- SP-86-45—Diane G. and John E. Russ Approval of a Special Permit to allow a mobile home as a residence. Located on the east side of Brendle Road, approximately 2200 +/- ft. south of S.R. 70. Present Zoning: A-1 (Suburban Agriculture) (5.05 +/- Acres).
- SP-86-46—J. W. Ashbrook. Approval of a Special Permit to allow a mobile home in addition to a residence. Located on the south side of Crosby Road, 330 +/- ft. east of Bethany Road. Present zoning: A (General Agriculture) (10 +/- Acres).
- SP-86-47—Ronnie Beck. Approval of a Special Permit to allow a mobile home as a residence. Located on the west side of Rye Road, approximately 1/4 mile northeast of S.R. 64. Present Zoning: (General Agriculture) (10 +/- 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 WP/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 north-west of the present terminus of Whitfield Ave. Extension, and bounded by the future extensions of Lockwood Ridge Rd. 65rd Ave. E. (Saunders Rd.) and Prospect Rd. (509.89 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 Districts. Located approximately 1300 +/- ft. east of Lockwood Ridge Road and south of the Glenbrooks, Phase 1 Subdivision (1.7 +/- 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. (2.5 +/- Acres).
- Z-86-51—Balvanz Land Improvement Corp. Approval to change the present zoning from M-1 (Light Industrial) to M-2 (Heavy Industrial). Located on the west side of 33rd St. E., approximately 800 +/- ft. north of Whitfield Ave. E. (2.6 Acres).
- Z-86-53—William H. Foto and Reed W. Mapes. Approval to change the present zoning from R-1AB (One Family Residential, 5.3 DU/Acre) to C-1 (General Commercial), retaining the AF (Agricultural Fringe) Overlay District, located 180 +/- ft. south of U.S. 301, 1000 +/- feet west of Victory Rd. (0.13 +/- Acres). Also, approval to change the present zoning from R-1AB (One Family Residential, 5.3 DU/Acre) to R-1 (One Family Residential, 6.1 DU/Acre), retaining the AF (Agricultural Fringe) Overlay District, located 200 +/- ft. south of U.S. 301, 1000 +/- feet west of Victory Rd. Ellenton (4.34 Acres).

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

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

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, personally appeared WILLIAM H. Flato, who, after having been first duly sworn and put upon oath, says as follows:

1. That he is 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. 2-86-53, to be heard on MAY 8, 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 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 19 day of April, 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 18 day of April, 1986 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.

William H. Flato

Sworn to and subscribed before me this 23 day of April, 1986

Bernice D. L. L...  
Notary Public State of Florida at Large.

My Commission Expires: 9/1/89



FLORIDA DEPARTMENT OF STATE  
George Firestone  
Secretary of State

May 16, 1986

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

FILED FOR RECORD  
'86 MAY 19 PM 2 10

Dear Mr. Shore:

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

1. Receipt of letter/s of May 12, 1986  
and certified copy/ies of Manatee Zoning Ords.  
County Ordinance(s) 86-51(Z), 86-53(Z), and  
86-67(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 16, 1986.  
one each
4. The 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