

MANATEE COUNTY ORDINANCE NO. Z-86-61  
DR. JACK M. COOPER

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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) TO A-1 (SUBURBAN AGRICULTURAL DISTRICT, 1 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) to A-1 (Suburban Agricultural District, 1 du/acre).

B. The said Board of County Commissioners held a Public Hearing on July 2, 1986 and July 16, 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 Hearings.

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) to A-1 (Suburban Agricultural District, 1 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.

SECRETARY OF STATE

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Section 3. Legal Description:

PARCEL FIVE:

Commence at the SW corner of the SE 1/4 of Section 16, Township 34 South, Range 19 East, Manatee County, Florida; thence North 89°41'45" East, along the South line of said Section 16, a distance 1075.42 feet; thence North 0°01'45" East, 479.3 feet; thence South 89°41'45" West, 485.26 feet; thence North 0°01'45" East, 104 feet; thence South 89°41'45" West, 12 feet; thence North 0°27'40" West, 50 feet for the POB; thence continue North 0°27'40" West, 936 feet; thence South 89°41'45" West, 208 feet; thence South 0°27'40" East, 936 feet; thence North 89°41'45" East, 208 feet to the POB.

DP#0005379.10200:

Com at the NE corner of the NW 1/4 of the SE 1/4 of Sec 16, Th S 89 Deg 59 Min 00 Sec W, Alg the Nly ln of SE 1/4 a dist of 1014.5 ft for the POB, Th cont S 89 Deg 59 Min 00 Sec W 214.4 ft to a pt 100 ft east of the NW cor of SD NW 1/4 of SE 1/4 th S 0 Deg 10 Min 22 Sec W 100 ft distant E Parallel to the W Ln of SD SE 1/4 a Dist of 1706.64 ft; Then N 89 Deg 41 Min 45 Sec E 225.5 ft; Th N 0 Deg 27 Min 40 Sec W 771.1 ft. Th N 00 Deg 01 Min 45 Sec E, 933.90 ft to the POB. Together with and subject to easements as desc. in ORB 915 P 675 PRMCF P-10-18.

ORB 915 ORP 675 DP #0005379.10200

ROAD ACCESS:

All of those parcels of land described in Exhibit "A" attached hereto and made a part hereof consisting of six parcels and two pages, which said parcels are part of a "road way" system in the south 1/2 of Section 16, Township 34 South, Range 19 East, SUBJECT to any and all easements of record.

ROAD PARCEL 1:

Commence at the SW corner of the SE 1/4 of Section 16, Township 34 South, Range 19 East, thence North 89°41'45" East along the Southerly line of said Section 16 a distance of 590.12 feet; thence North 0°01'45" East, 30 feet to the North right-of-way line of the Upper Manatee River Road for the POB; thence North 0°01'45" East, 553.3 feet; thence North 89°41'45" East, 60 feet; thence South 0°01'45" West, 553.3 feet; thence South 89°41'45" West, 60 feet to the POB.

ROAD PARCEL 2:

A 40 foot roadway, the center line of which is described as follows: Commence at the SW corner of the SE 1/4 of Section 16, Township 34 South, Range 19 East; thence North 89°41'45" East, 620.12 feet; thence North 0°01'45" East, 30 feet to the line of the Upper Manatee River Road; thence continue North 0°01'45" East, 553.3 feet for a POB of said center line; thence continue North 0°01'45" East, 25 feet to point (point A); thence South 89°41'45" West, 290 feet to a point B; thence North 89°41'45" West, 20 feet; thence North 0°27'40" West, 1055.75 feet; thence North 0°01'45" East, 933.9 feet to the end of the center line of said parcel, said parcel being all that property lying within 20 feet of either side of said center line as measured perpendicularly therefrom, except that said parcel shall also include all that property lying within 25 feet on either side of that portion of the center line lying between points A and B above described.

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B

ROAD PARCEL 3:

A parcel of land 50 feet in width lying 25 feet of either side of the following described center line, said 25 feet being measured perpendicularly therefrom: commence at the SW corner of the SE 1/4 of Section 16, Township 34 South, Range 19 East; thence North 89°41'45" East, 620.12 feet; thence North 00°01'45" East, 30 feet to the North line of the Upper Manatee River Road; thence continue North 00°01'45" East, 578.3 feet; thence South 89°41'45" West, 270.0 feet; thence North 00°27'40" West, 1055.75 feet; thence North 00°01'45" East, 908 feet; thence 89°59'00" East, 20 feet to the POB of said center line; thence North 89°59'00" East, 248 feet.

ROAD PARCEL 4:

A parcel of land 40 feet in width lying 20 feet on either side of the following described center line, said 20 foot width being measured perpendicularly therefrom: Commence at the SW corner of the SE 1/4 of Section 16, Township 34 South, Range 19 East; thence North 89°41'45" East, 620.12 feet; thence North 0°01'45" East, 30 feet to the North right-of-way line of the Upper Manatee River Road; thence continue North 0°01'45" East, 578.3 feet for a POB of said center line; thence South 89°41'45" West, 22.0 feet; thence North 00°27'40" West, 1036.03 feet; thence North 89°59'00" East, 248 feet; thence South 00°27'40" East, 1034.78 feet; to the end of said center line.

ROAD PARCEL 5:

A parcel of land 40 feet in width lying at 20 feet on either side of the following described center line, said 20 foot width being measured perpendicular from said center line: Commence at the SW corner of the SE 1/4 of Section 16, Township 34 South, Range 19 East; thence North 89°41'45" East, 620.12 feet; thence North 00°01'45" East, 30 feet to the North right-of-way line of the Upper Manatee River Road; thence continue North 00°01'45" East, 578.3 feet; thence South 89°41'45" West, 22 feet; thence North 00°27'40" West, 1036.03 feet to the POB of said center line; thence continue North 00°27'40" West, 20.13 feet; thence North 00°01'45" East, 883 feet to the end of said center line.

ROAD PARCEL 6:

A parcel of land 50 feet in width lying 25 feet on either side of the following described center line: Commence at the SW corner of the SE 1/4 of Section 16, Township 34 South, Range 19 East, Manatee County, Florida; thence North 89°41'45" East, 620.12 feet; thence North 0°01'45" East, 30 feet to the North right-of-way line of the Upper Manatee River Road; thence continue North 0°01'45" East, 578.3 feet for the POB of said center line; thence North 89°41'45" West, 246 feet to the end of said center line.

Together with all other lands, if any, acquired by Grantor, Gerald E. Layman and Joanne Layman, his wife, pursuant to that certain quit-claim deed dated November 7, 1978, from George A. Litchfield, joined by his wife, Ellen S. Litchfield and filed November 15, 1978 and bearing Clerk's Docket Number 677017.

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.

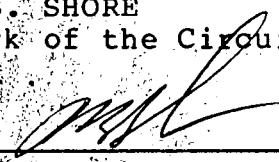
A-86-61 - Dr. Jack M. Cooper  
Page 4

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 25th of September, 1986.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Edward W. Chinn  
Chairman 9/25/86

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



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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 25th day of September, 1986.

SUBJECT: ORDINANCE Z-86-61

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 DISTRICT, 1 DU/ACRE) TO A-1 (SUBURBAN AGRICULTURAL DISTRICT, 1 DU/ACRE); PROVIDING AN EFFECTIVE DATE. .

WITNESS My Hand and Official Seal this the 3rd day of October, 1986, in Bradenton, Florida.

SEAL

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

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## 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- DRI -6

\_\_\_\_\_ is in \_\_\_\_\_ Court.  
was published in said newspaper in the issues of \_\_\_\_\_  
9/8/86

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  
9th day of September

A.D. 19 86

Jorisse Tucker

(SEAL) Notary Public

Notary Public, State of Florida at Large  
My Commission Expires May 30, 1987

1 A.

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Board of County Commissioners of Manatee County will conduct a Public Hearing on Thursday, Sept. 25, 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:

**DRI-6-Harbor Ventures, DRI Substantial Deviation.** Determination of whether the proposed Westlakes Conceptual PDR plan, which modifies the site plan of the Harbor Ventures DRI, constitutes a Substantial Deviation pursuant to Chapter

**380.06(19)-Florida Statutes to the Development Order** approved by the Board of County Commissioners on November 11, 1975. Located on the south side of 53rd Avenue West between 26th Street West and 66th Street West. Present Zoning: PDR (Planned Residential Development, 9.3 du/acre (505 +/- acres).

**SP-86-71-American Legion.** Approval of a Special Permit to allow the expansion of an existing private club, located in the 2000 block of the west side of 75th Street West and the east and west sides of Palma Sola Boulevard. Present Zoning: R-1B (Single Family Residential) (14.3 +/- Acres).

**SP-86-75-Sarajack, Inc.** Approval of a Special Permit to allow a fuel dock in a residentially zoned district, located on the north side of Holly Avenue approximately 250 feet west of U.S. 41. Present Zoning: R1B/WR (Single Family Residential/Whitfield Overlay District) (.37 +/- acres).

**SP-86-76-Lawrence W. and Maria S. Fox.** Approval of a Special permit to allow a mobile home as a residence, located approximately 2,000 feet east of Zipperer Road on the south side of Water Service Road. Present Zoning: A (General Agriculture) (5 +/- acres).

**SP-86-77-Eddie K. and Cheryl M. Schmitt.** Approval of a Special Permit to allow a mobile home as a residence, located on the south side of State Road 64 approximately 400 feet west of Lorraine Road. Present Zoning: A (General Agriculture) (6 +/- acres).

**SP-86-79-Troy and Margaret Wilkie.** Approval of a Special Permit to allow the continued use of a mobile home as a residence, located at 5920 Palm View Road, Palmetto. Present Zoning: A-1 (Suburban Agriculture, 1 du/acre) (5 +/- acres).

**SP-86-83-Susan and Callon Keen, Jr.** Approval of a Special permit to allow a group care home for a total of twelve (12) residents (10 clients and 2 staff). Located on the northwest corner of Ellenton Gillette Road and 41st Street East. Present Zoning: A-1 (Suburban Agriculture, 1 du/acre) (6 +/- acres).

**SP-86-97-Approval of a Special Permit** to allow a master pumping station as a light utility use, located at 5595 - 59th Street East. Present Zoning: A-1 (Suburban Agriculture) (14.2 +/- acres).

**Z-86-25-Chris Morton.** Approval of a Revised Conceptual Development Plan to allow 290 units at a density of 4.06 du/acre, located on the south side of 53rd Avenue West between 47th Street West and 52nd Street West. Present Zoning: PDR (Planned Residential Development) (75.49 +/- acres).

**Z-86-60-Vernon Laing Construction Company and James H. Auvil-Approval** to change the present zoning from R-4B (Mobile Home Residential, 7.0 du/acre) to PR (Professional Office) and C (Neighborhood Commercial), located on the north side of 53rd Ave. E. and on the east side of 9th St. E. (33 +/- acres).

**Z-86-61-Dr. Jack M. Cooper-Approval** to change the present zoning from A (General Agriculture, 1 du/5 acres) to A-1 (Suburban Agriculture, 1 du/acre), located approximately 600 feet north of Upper Manatee River Rd. and 400 feet east of Aquatel Rd. (13.28 +/- acres).

**Z-86-66-Smith, Foy, and Foy.** 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 to allow 60 single family lots at a density of 4.3 du/acre. Located east of Lockwood Ridge Road north of Glenbrooke, Phase III and west of Country Oaks, Phase II (14.0 +/- acres).

**Z-86-67-General Telephone Company.** Approval to change the present zoning from R-1B (Single Family Residential, 3.7 du/acre) to PR (Professional Office). Located on the northeast corner of 26th Street West and 57th Avenue West (2.83 +/- acres).

All interested parties are invited to appear at this hearing and be heard. Additionally, any writers 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.

9/8/86

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MANATEE COUNTY  
PLANNING & DEVELOPMENT DEPT  
SEP 8 1986

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

STATE OF Florida  
COUNTY OF Manatee

RECEIVED

BEFORE ME, the undersigned authority, personally appeared Herbert H. Stuart, 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. 2-86-61, to be heard on Sept. 25, 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 5<sup>th</sup> day of August Sept, 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 4<sup>th</sup> day of August Sept, 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.

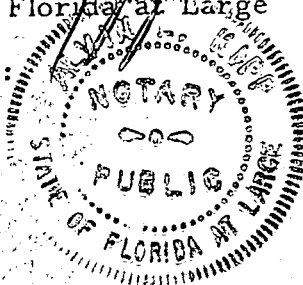
Sworn to and subscribed before me this.

4 day of September, 1986

Alvin G. Foy  
Notary Public State of Florida at Large

My Commission Expires:

5/31/87



Herbert H. Stuart

G



FLORIDA DEPARTMENT OF STATE

George Firestone  
Secretary of State

FILED FOR RECORD

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October 9, 1986

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

FILED RE.  
CLERK CIRCUIT COURT  
MANATEE CO. FLORIDA

Dear Mr. Shore:

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

1. Receipt of letter/s of October 3, 1986  
and certified copy/ies of Manatee Zoning Ords.  
County Ordinance(s) 86-25(Z), 86-61(Z), 86-66(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 October 9, 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