

MANATEE COUNTY ORDINANCE NO. Z-86-63
CHARLES & HENRIETTA LOGUE

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 PDR (PLANNED RESIDENTIAL DEVELOPMENT) RETAINING THE WP/ST (WATERSHED PROTECTION/ SPECIAL TREATMENT) OVERLAY DISTRICTS AND APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN TO ALLOW 74 SINGLE FAMILY LOTS AT A DENSITY OF 3.7 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 (Suburban Agriculture, 1 du/acre) to PDR (Planned Residential Development) retaining the WP/ST (Watershed Protection/Special Treatment) Overlay Districts and approval of a Conceptual Development Plan to allow 74 single family lots at a density of 3.7 du/acre.

B. The said Board of County Commissioners held a Public Hearing on August 6, 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 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 80-4, THE MANATEE PLAN.

Section 2. The Conceptual Development Plan titled, "PDR for Chuck Logue," is hereby APPROVED with the following stipulations:

1. The impact of the eagle's nest located on adjacent property shall be determined by the applicant. This project shall be redesigned, as necessary, to comply with the Florida Game and Fresh Water Fish Commission regulations not later than submission of the Preliminary Development Plan.
2. At the time of submittal of the Preliminary Development Plan the applicant shall demonstrate that this project conforms with and meets all criteria stated in the Southeast Area Plan, approved and adopted by the County Commissioners on May 8, 1986 (R-86-90).
3. A traffic analysis satisfactory to the Public Works Department shall be submitted with the Preliminary Development Plan.

FOR RECORD

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4. The boundaries of all jurisdictional areas shall be delineated and identified as to which agency has control at the time of the Preliminary Site Plan. Letters of certification of the boundaries from the State and Federal agencies shall also be submitted with the Preliminary Site Plan.
5. Density within the Low Intensity Zone shall not exceed 3 du/acre. The acreage, number of units, and density calculations shall be submitted with the Preliminary Development Plan.
6. Stormwater Management System Design shall comply with all Southeast Area Plan recommendations as approved by the Board of County Commissioners, including recommended stormwater management practices as implemented pursuant to the Southeast Area Plan.
7. A Stormwater Management Plan shall be submitted with the Preliminary Development Plan. Construction and post-construction monitoring of surface and groundwater quality and quantity shall be outlined and implemented. Included in this plan shall also be the design and execution of a maintenance program to ensure adequate functioning of the system beyond project buildout. The stormwater management system shall be designed with enough flexibility to allow for hydroperiod refinement as needed.
8. The developer shall warranty, by bond or other mechanism acceptable to the County, the performance of the stormwater management system in compliance with County and State standards for five (5) years beyond the build-out period of development within each hydrologic unit (drainage basin). Following the five (5) year period after build-out, the property owner, homeowner's association or special district shall be responsible for stormwater monitoring data collection and reporting.
9. Lockwood Ridge Road shall be constructed to County standards and the requirements of the county engineer from the project's northern property line southward to Whitfield Avenue Extension.
10. Prior to presentation of this conceptual plan to the Board of County Commissioners, developer shall procure release of a twenty foot easement lying on the western boundary of the site or shall revise the conceptual plan taking the easement into consideration.
11. All concerns expressed by the Board of County Commissioners must be addressed prior to preliminary plat approval.

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 (Suburban Agriculture, 1 du/acre) to PDR (Planned Residential Development) retaining the WP/ST (Watershed Protection/Special Treatment Overlay Districts and approval of a Conceptual Development Plan to allow 74 single family lots at a density of 3.7 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.

Charles & Henrietta Logue
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Section 4. Legal Description:

The NE 1/2 of SE 1/4 of SW 1/4 of Section 21, Township 35 South, Range 18 East, Manatee County, Florida. Comprising 20 acres, more or less.

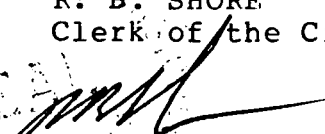
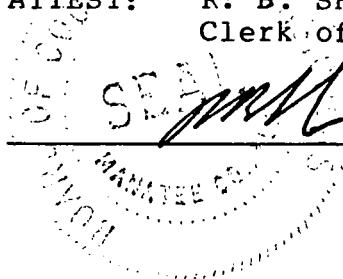
Section 5. EFFECTIVE DATE This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 28th of August, 1986.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: 
Chairman

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

STATE OF FLORIDA

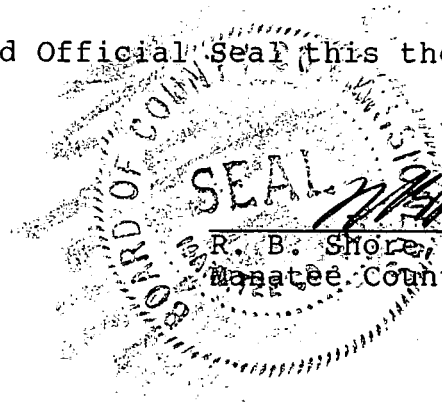
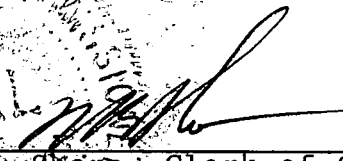
COUNTY OF MANATEE

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 28th day of August, 1986.

SUBJECT: Z-86-63:

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 PDR (PLANNED RESIDENTIAL DEVELOPMENT) RETAINING THE WP/ST (WATERSHED PROTECTION/SPECIAL TREATMENT) OVERLAY DISTRICTS AND APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN TO ALLOW 74 SINGLE FAMILY LOTS AT A DENSITY OF 3.7 DU/ACRE; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 9th day of September, 1986, in Bradenton, Florida.

 
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-Z85-127

_____ in the _____ Court,
was published in said newspaper in the issues of _____
8/11/86

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
11th day of August

A.D. 1986 *Joanne 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, Aug. 28, 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:

Z-85-127--Roy Amerson, Inc. Reconsideration Request to change the present zoning from A-1 (Suburban Agriculture, 1 du/acre) to R-4B (Mobile Home Residential, 7 du/acre). Located on the South side of Moccasin Wallow Rd., approximately 1/2 mile west of I-75 (140 +/- Acres)

SP-86-70--Russell and April Franke. Approval of a Special Permit to allow a mobile home in addition to a residence, located on the south side of a private street approximately 1300 +/- feet south of Water Line Service Road and one (1) mile east of Zipper Road. Present zoning: A (General Agriculture, 1 du/5 acres) (11.69 +/- Acres).

SP-86-72--Michael Glassburn. Approval of a Special Permit to allow a mobile home to be used as a residence, located on the south side of State Road 62 approximately one (1) mile east of Corbett Road, Parrish. Present zoning: A (General Agriculture, 1 du/5 acres) (5.23 +/- Acres).

SP-86-73--Jack Gay. Approval of a Special Permit to allow a concrete batch plant as a very heavy manufacturing use, located on the south side of 17th Street East (Memphis Road) approximately 1200 +/- feet west of Ellenton-Gillette Road. Present zoning: M-2 (Heavy Industrial) (3.01 +/- Acres).

SP-86-78--Schroeder/Manatee, Inc. Approval of a Special Permit, a Major Earthmoving Site Plan and an Operating Permit to allow a major earthmoving (borrow pit), located north of State Road 70 approximately one (1) mile west of Lorraine Road. Present Zoning: A/WP/ST (General Agriculture/Watershed Protection Overlay/Special Treatment Overlay Districts) (75.8 +/- Acres).

SP-86-81--Palma Sola Bay Baptist Church. Approval of a Special Permit to allow a day care center for one hundred and thirty (130) children, located at 4000 75th Street West. Present zoning: R-3B (Multi-Family Residential District) (3.6 +/- Acres).

Z-86-83--Charles and Henrietta Logue. 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 approval of a Conceptual Development Plan for 74 single family lots at a density of 3.7 du/acre. Located on the west side of Lockwood Ridge Rd. approximately 660 feet north of the Whitfield Ave. Extension (20 +/- Acres).

Z-86-84--A.J. and Lois Bryant. Approval to change the present zoning from A-1 (Suburban Agriculture, 1 du/acre), to R-1AB (Single Family Residential, 5.3 du/acre), located on the south side of 49th Street East (Experimental Farm Road) across from Jackson Road (1 +/- Acres).

Z-86-85--William P. and Camilla E. Nicholas. Approval to change the present zoning from R-1A (Single Family Residential, 4.4 du/acre) to PR (Professional Office), located at the southeast corner of Manatee Avenue West and 47th Street West (0.46 +/- 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
8/11/86

MANATEE COUNTY
PLANNING & DEVELOPMENT DEPT.

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

RS 11 1986

STATE OF Florida
COUNTY OF Manatee

RECEIVED

BEFORE ME, the undersigned authority, personally appeared _____
Robert C. Gause, who, after having been first duly sworn and
put upon oath, says as follows:

1. That he is the agent for owner (owner, agent for owner),
attorney in fact for owner, etc.) of the property identified in the application for
Official Zoning Atlas Amendment No. 2-86-63, to be heard on
August 28, 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 pur-
suant to Manatee County Ordinance No. 81-4 on the property identified in said said
application and said sign was conspicuously posted 0 feet from the front
property line on the 8 day of August, 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 8 day of August, 1986, and
attaches hereto as part of and incorporated herein, copies of said letters of notifi-
cation.

4. That Affiant is aware of and understands that failure to adhere to the provi-
sions 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.

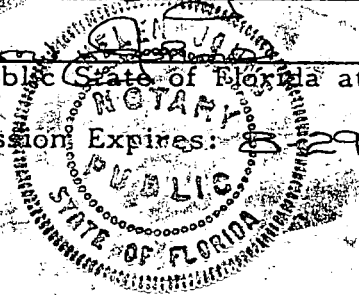
FURTHER YOUR AFFIANT SAITH NOT.

Robert C. Gause

Sworn to and subscribed before me this
11TH day of August, 1986

Sharon
Notary Public State of Florida at Large

My Commission Expires: 8-29-90





FLORIDA DEPARTMENT OF STATE

George Firestone

Secretary of State

SEP 15 PM 2 1986

September 12, 1986

CLERK DISTRICT COURT
MANATEE CO. FLORIDA

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

Dear Mr. Shore:

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

1. Receipt of Letter/s of September 9, 1986
and certified copy/ies of Manatee
County Ordinance(s) 7-86-63
Zoning
2. Receipt of _____ County Ordinance(s)
relative to:
(a) _____
which we have numbered _____
(b) _____
3. We have filed this/these Ordinance(s) in this office
on September 12 1986.
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