

FILED FOR RECORD

FARMSTORES (JIM DAYTON)

'87 FEB 3

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 C (NEIGHBORHOOD COMMERCIAL DISTRICT) TO PDC (PLANNED COMMERCIAL DEVELOPMENT DISTRICT); PROVIDING AN EFFECTIVE DATE.

SECRETARY OF STATE

JAN 26 3 33 PM '87

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F.B. 11.1  
CLERK CIRCUIT COURT  
MANATEE CO. FLORIDA

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 C (Neighborhood Commercial District) to PDC (Planned Commercial Development District).

B. The said Board of County Commissioners held a Public Hearing on January 15, 1987, 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 FARMSTORES (JIM DAYTON) is hereby APPROVED with a waiver of the minimum area requirement (2 acres) of the district, approval of a Conceptual Development Plan, and with the following stipulations:

1. A fire hydrant shall be provided within four hundred feet (400') of the site located north of the Sarasota water meter.
2. A traffic study shall be submitted prior to submittal of a Final Planned Development Plan in conformance with Policy III.(g) of the Southeast Area Plan which must demonstrate that Level of Service C (daily) and D (peak) shall exist on University Parkway and Lockwood Ridge Road at the time of application for building permit.
3. In order to ensure compliance with CDM Best Management Practices for Stormwater Management, the applicant shall provide copies of SWFWMD and DER stormwater permits showing designs to CDM specifications prior to final plan approval.
4. Responsibility for stormwater monitoring, operation, and maintenance must be finalized prior to final plan approval.

5. To ensure the preservation of natural vegetation, a detailed landscaping plan must be submitted prior to final site plan approval demonstrating the use of indigenous species for landscaping. Sixty percent of all replacement trees must be indigenous species.
6. Impervious area shall not exceed forty percent (40%) of the site.
7. Proof of compliance with Chapter 17-2, Florida Administrative Code, shall be required prior to final site plan approval.
8. Dedication of ten feet (10') of right-of-way shall be provided along Lockwood Ridge Road prior to issuance of a Certificate of Occupancy.
9. A twenty-four foot (24') wide cross access easement shall be provided to the shopping center to the north of the project prior to issuance of a Certificate of Occupancy.
10. A sidewalk five feet (5') wide shall be provided along Lockwood Ridge Road prior to issuance of a Certificate of Occupancy.
11. Drainage design criteria and calculations shall be prepared by a Florida registered engineer.
12. Topography of lands adjacent to the site shall be shown on the Final Development Plan for a distance of 100 feet from the property line.
13. A deceleration lane constructed to Manatee County standards shall be provided on Lockwood Ridge Road extended to University Parkway.
14. Access will not be allowed onto University Parkway; a non-vehicular ingress-egress easement shall be recorded along the frontages except for the proposed drive.
15. Prior to approval of a Final Development Plan the developer must present proof to the Pollution Control Department that routine spillage from the gasoline pumps will not adversely affect the water quality of the Evers Reservoir.

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 C (Neighborhood Commercial District) to PDC (Planned Commercial Development 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 4. Legal Description:

Known as and being a part of the South 1/2 of the Southeast 1/4 of Section 33, Township 35 South, Range 18 East, Manatee County, Florida described as follows:

Commence at the Southwest corner of the South 1/2 of the Southeast 1/4 of Section 33, Township 35 South, Range 18 East; thence N 00°52'34" E and along the West line of the Southeast 1/4 Section 33, a distance of 345.00 ft.; thence S 89°40'26" E and parallel to the South line of Section 33, a distance of 48.00 feet to the Point of Beginning.

Thence continuing S 89°40'26" E, a distance of 162.00 ft.; thence S 00°52'34" W, a distance of 45.00 ft.; thence S 89°40'26" E, a distance of 90.00 ft.; thence S 00°52'34" W, a distance of 154.00 ft. more or less to the north right-of-way line of University Parkway; thence along a curve to the left having a radius of 5832.58 ft., a distance of 237.19 ft.; thence N 43°06'56" W, a distance of 21.66 ft.; thence N 00°40'20" E, a distance of 161.95 feet to the true Point of Beginning, containing 0.980 acres, more or less.

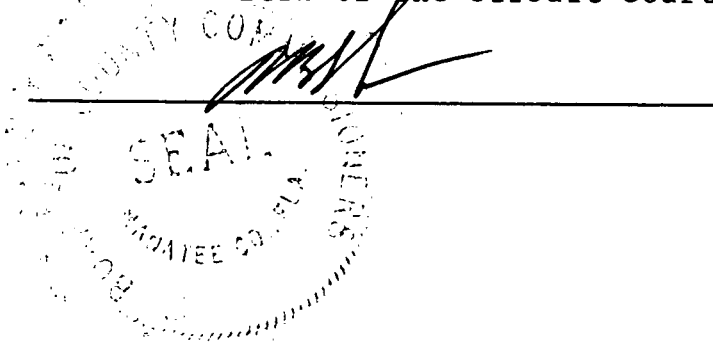
Section 5. EFFECTIVE DATE This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 15th day of January, 1987.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Walter H. Fisher  
Chairman 1-15-87

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 15th day of January, 1987.

SUBJECT: Z-86-78

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 C TO PDC; PROVIDING AN EFFECTIVE  
DATE.

WITNESS My Hand and Official Seal this the 20th day of January, 1987,  
in Bradenton, Florida.

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

  
Susan G. Beach  
By: Deputy Clerk

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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

SEAL 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 86-88**

\_\_\_\_\_ in the \_\_\_\_\_ Court  
was published in said newspaper in the issues of \_\_\_\_\_  
**12/24/86**

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  
**31st** day of **December**

A.D. 19 **86**  
*Larise 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, January 15, 1987, 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-86-88—John Burns.** Approval of a Special Permit to allow a mobile home to be used as a residence for a caretaker in addition to a residence. Located on the west side of Rex Rhode Road extended, 1.5+/- miles south of Singletary Road. Present Zoning: A (General Agricultural District, 1 du/5 acres) (150+/- Acres).

**SP-86-104—John Hatch.** Approval of a Special Permit to allow a mobile home as a temporary residence. Located on Ogleby Creek Road, approximately 800 feet north of State Road 70. Current Zoning: A (General Agriculture) (14.0 +/- Acres).

**SP-86-103—Patricia Parrish.** Approval of a Special Permit to allow a mobile home as a temporary residence. Located on the north side of Golf Course Road, approximately 800 feet west of Mulholland Road. Present Zoning: A (General Agriculture District, 1 du/5 acres) (5+/- acres).

**SP-86-105—Richard Michel.** Approval of a Special Permit to allow a mobile home as a temporary residence. Located on the west side of Ogleby Creek Road, 1,300+/- feet north of State Road 70. Present Zoning: A (General Agriculture District, 1 du/5 acres) (10+/- acres).

**SP-86-106—Robert Campbell.** Approval of a Special Permit to allow fuel pumps in conjunction with a convenience store. Located on the north side of State Route 70, .8+/- miles west of I-75. Present Zoning: C-1/AF (Agricultural Fringe, General Commercial) (1.04 +/- acres).

**SP-86-107—William Vickers.** Approval of a Special Permit to allow a motor pool facility. Located at 2400 Memphis Road, Ellenton. Present Zoning: M-1 (Light Industrial) (2.06+/- acres).

**SP-86-109—Herro Company.** Approval of a Special Permit to allow fuel pumps in conjunction with a convenience store and carwash. Located on the northeast corner of U.S. Highway 41 and 69th Avenue West. Present Zoning: C-1 (General Commercial) (0.96+/- acres).

**SP-86-110—Stoney and Polly Murray.** Approval of a Special Permit to allow a church. Located on the south side of Chapman Road, 1,200+/- east of U.S. 41. Present Zoning: A-1 (Suburban Agriculture, 1 du/1 acre) (3.67+/- acres).

**SP-86-111—Tenneco Oil Company.** Approval of a Special Permit to allow self service gasoline pumps in conjunction with a convenience store. Located on the southeast corner of the intersection of U.S. 301 Boulevard and 9th Street West. Current Zoning: C-1 (General Commercial) (.926+/- Acres).

**Z-86-42(R)—John and Carol Peachey.** Approval of a Revised Conceptual Plan to allow 275 lots at a density of 3.0 du/acre and approval to change the present zoning from A-1/WP/ST (Suburban Agriculture) to PDR/WP/ST (Planned Development Residential) retaining the Watershed Protection/Special Treatment Overlay Districts. Located east of Prospect Road, 1/2+/- mile north of Tallevast Road in the Braden River watershed. (90.6+/- acres).

**Z-86-78—Jim Dayton.** Approval to change the present zoning from C/WP/AP/ST (Neighborhood Commercial District) to PDC/WP/AP/ST (Planned Commercial District) retaining the Watershed Protection District, Agricultural Fringe District, and Special Treatment District Overlays with a waiver on the PDC minimum area requirement (2+/- acres). Located on the northeast corner of the intersection of Lockwood Ridge Road and University Parkway in the Braden River watershed.

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

STATE OF FLORIDA  
COUNTY OF Manatee

BEFORE ME, the undersigned authority, personally appeared James T. Fair, 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. 286-28, to be heard on January 15, 1987 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 application and said sign was conspicuously posted 6 feet from the front property line on the 19th day of December, 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 19th day of December, 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.

WITNESS YOUR AFFIANT SAITH NOT.

Subscribed before me this 13th day of January, 1987

Notary Public State of Florida at Large

My Commission Expires:

James T. Fair



FLORIDA DEPARTMENT OF STATE  
George Firestone  
Secretary of State

Dorothy W. Glisson  
Deputy Secretary For Elections

January 27, 1987

Honorable R. B. Shore  
Clerk of Circuit Court  
Manatee County Courthouse  
Post Office Box 1000  
Bradenton, Florida 33508

Attention: Susan G. French, Deputy Clerk

Dear Mr. Shore:

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

1. Receipt of letter/s of January 21, 1987  
and certified copy/ies of Manatee (7)  
County Ordinance(s) 86-78(Z), 86-107(Z), 86-109(Z),  
86-111(Z) 86-114(Z), 86-117(Z) and 86-118 (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 January 26, 1987.
4. The ~~original~~<sup>one</sup>/duplicate copy/ies showing the filing  
date ~~is~~/are being returned for your records.

Cordially,

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

LC/ mb

Enclosure (7)

FILED FOR RECORD  
87 FEB 3 AM 8 45  
CLERK OF CIRCUIT COURT  
MANATEE CO. FLORIDA

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