

MANATEE COUNTY ORDINANCE NO. Z-86-86
F.P.A. CORPORATION

FILED FOR RECORD
'86 DEC 31 AM 11
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/WP/ST (SUBURBAN AGRICULTURAL, 1 DU/ACRE) TO PDR/WP/ST (PLANNED DEVELOPMENT RESIDENTIAL), RETAINING THE WATERSHED PROTECTION AND SPECIAL TREATMENT OVERLAY DISTRICTS; 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/WP/ST (Suburban Agricultural, 1 du/acre) to PDR/WP/ST (Planned Development Residential, Retaining the Watershed Protection and Special Treatment Overlay Districts.

B. The said Board of County Commissioners held a Public Hearing on December 11, 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 F.P.A. Corporation, is hereby APPROVED to allow 3.31 du/acre with the following stipulations:

1. 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).
2. A traffic analysis satisfactory to the Public Works Department shall be submitted with the Preliminary Development Plan.
3. 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.

SECRETARY OF STATE

DEC 22 4:29 PM '86

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4. 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.
5. A Stormwater Management Plan shall be submitted with the Preliminary Development Plan. Construction and post-construction monitoring of surface and ground water 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.
6. 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, homeowners association or special district shall be responsible for stormwater monitoring data collection and reporting.
7. Inter-neighborhood ties shall be required where feasible.
8. Two means of access shall be provided on the north side of the proposal.
9. Access via a County maintained road shall be provided including what is now a private road (Natalie Way) and via 57th Avenue East.
10. Natalie Way shall be resurfaced prior to dedication.
11. Positive outfall shall be shown on any Preliminary Plan submitted for review.
12. Stormwater treatment of the entire site shall be to 150% standard of the Florida Statutes, Chapter 17, 25.

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/WP/ST (Suburban Agricultural, 1 du/acre) to PDR/WP/ST (Planned Development Residential, Retaining the Watershed Protection and Special Treatment Overlay Districts and the Clerk of the Circuit Court,

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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:

The SW $\frac{1}{4}$, Less the East 800 feet thereof and less the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and less the North 137.28 feet of the NW $\frac{1}{4}$ of said SW $\frac{1}{4}$, excepting the East 50.00 feet thereof, in Section 15, Township 35 South, Range 18 East, Manatee County, Florida.

Containing 67.96 Acres More or Less.

Together with a Non-Exclusive Easement for vehicular ingress and egress over and across the following described property:

The East 96.00 feet of the West 108.00 feet of that part of the northeast quarter (NE $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) of Section 15, Township 35 South, Range 18 East, Lying South of State Road 70.

Subject to the West 38.00 feet of the above described lands as conveyed to the City of Bradenton, for road purposes and as described in Deed Book 164, Page 340, of the Public Records of Manatee County, Florida; also, the West 88.00 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 15, Subject to a right-of-way easement in favor of the city of Bradenton being a strip of land 20.00 feet off the west side of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), and a strip of land 20.00 feet wide off the south side of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ as per Deed thereof recorded in Deed Book 159, Page 331 of said Public Records ; also, a tract of land described as the East 20.00 feet of the west 108.00 feet of the north 120.00 feet of the said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, also, the east 8.00 feet of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 15, all of the above described land lying and being in Section 15, Township 35 South, Range 18 East of Tallahassee Meridian.

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 11th day of December, 1986.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: W. H. Fletcher
Chairman

Date

(12/11/86)

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

BY: R. B. Shore - Deputy Clerk

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:

SUBJECT: Z-86-86

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 84-4, 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/WP/ST (SUBURBAN AGRICULTURAL, 1 DU/ACRE) TO PDR/WP/ST (PLANNED DEVELOPMENT RESIDENTIAL), RETAINING THE WATERSHED PROTECTION AND SPECIAL TREATMENT OVERLAY DISTRICTS; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 17th day of December, 1986, in Bradenton, Florida.

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

SECRETARY OF STATE

DEC 22 4 29 PM '86

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Cont'd. to 12/11/86



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

NOTICE OF PUBLIC HEARING- SP 86-90

_____ in the _____ Court.

was published in said newspaper in the issues of _____

10/31/86

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 November

A.D. 1986

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, Nov. 20, 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-86-90—Best Buys Shopping Area. Approval of a Special Permit to allow a vehicle sales, rental and service establishment. Located on the east side of 15th Street East (U.S. 301) approximately 400' south of 63rd Avenue West. Present Zoning: C-1 (General Commercial) (8.25+/- Acres).

SP-86-92—BTR Palm-Aire, Inc. Approval of a Special Permit to allow the on-site consumption of beer and wine (2-COP) in conjunction with an existing forty-nine (49) seat restaurant. Located at 4851 Whitfield Avenue in the B.T.R. Commercial Shopping Center. Present Zoning: C-1/WP/AF (General Commercial District) (Site: 3.0+/- Acres, Unit: 2000 square feet).

SP-86-94—Phillip & Carol Jones. Approval of a Special Permit to allow a group care home for eleven (11) residents, located at 1801 51st Street West. Present Zoning: R-1A (Single Family Residential, 4.4 du/acre) (1.0+/- Acre).

SP-86-95—Wallace Tervin. Approval of a Special Permit to allow rural cluster housing for three (3) mobile homes and one (1) single family residence. Located on the east side of Myakka City-Wauchula Road, 4+/- miles south of State Highway 64. Present Zoning: A (General Agricultural) (1621+/- Acres).

SP-86-98—Apostolic United Pentecostal Church. Approval of a Special Permit to allow a day care center. Located on the northeast corner of 53rd Avenue East and 9th Street East. Present Zoning: R-2 (One and Two Family Residential District) (1.1+/- Acres).

SP-86-99—Garret Wingate. Approval of a Special Permit to allow a mobile home in addition to a mobile home. Located one-half mile east of Bethany Road on State Road 64. Present Zoning: A/WP/ST (Agricultural/Watershed Protection/Special Treatment Overlay District) (12.6+/- Acres).

SP-86-100—Bryce Davis. Approval of a Special Permit to allow a one chair beauty salon as a home occupation. Located at 511 68th Avenue Drive West. Present Zoning: R-1A (Single Family Residential, 4.4 du/acre) (0.35+/- Acre).

SP-86-101—Davi and Stripling. Approval of a Special Permit to allow on-site consumption of beer and wine at a sixteen (16) seat restaurant. Located at 3020 15th Street East. Present Zoning: C-1 (General Commercial) and R-1 (Single Family Residential) (1.38+/- Acres).

Z-86-86—F.P.A. Approval to change the present zoning from A-1/WP/ST (Suburban Agricultural, 1 du/acre) to PDR/WP/ST (Planned Development Residential) retaining the Watershed Protection and Special Treatment Overlay Districts, and approval of a Conceptual Development Plan to allow 5.3 du/acre. Located approximately 2300+/- feet south of State Road 70, east of Goldtree Mobile Home Park (67.96+/- Acres).

Z-86-91—Saunders Road Industrial Park, et al. Approval to change the present zoning from M-2 (Heavy Industrial) to M-1 (Light Industrial) in Saunders Road Industrial Park and Addition. Located east of New U.S. 301 and north of Saunders Road, to 59th Avenue East (37.22+/- Acres).

Z-86-92—Reasoner and Chivers. Approval to change the present zoning from A-1 (Suburban Agricultural, 1 du/acre) to R-1AB (Single Family Residential, 5.3 du/acre). Located east of 27th Street East, north of 34th Avenue East and east of Stone Creek Subdivision. 330+/- feet north of 38th Avenue East (77.3+/- Acres).

Z-86-94—Thomas and Margaret Williams, Raymond F. Skinner Corp. Approval to change the pre-

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Joan Tucker

(SEAL) Notary Public

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

Z-86-92—Reasoner and Chivers. Approval to change the present zoning from A-1 (Suburban Agricultural, 1 du/acre) to R-1AB (Single Family Residential, 5.3 du/acre). Located east of 27th Street East, north of 34th Avenue East and east of Stone Creek Subdivision. 330+/- feet north of 38th Avenue East (27.3+/- Acres).

Z-86-94—Thomas and Margaret Williams, Raymond F. Skinner Corp. Approval to change the present zoning from A-1 (Suburban Agricultural, 1 du/acre) to R-1AB (Single Family Residential, 5.3 du/acre). Located at the northeast corner of the intersection of Nicholson Avenue and Leroy Avenue, 940+/- feet west of 15th Street East (Old U.S. 301) (10.79+/- Acres).

Z-86-95—Fred Davis. Approval to change the present zoning from A-1 (Suburban Agricultural, 1 du/acre) to M-1 (Light Industrial). Located on the west side of 33rd Street East, 1300+/- feet north of Whitfield Avenue (5.0+/- Acres).

Z-86-97—Riley and Lawson. Approval to change the present zoning from A (General Agriculture District, 1 du/5 acres) to A-1 (Suburban Agriculture District, 1 du/acre). Located on the west side of Zipperer Road approximately 1500+/- feet north of State Road 64 (5.64+/- Acres).

Z-86-98—P.L. Investments. Approval to change the present zoning from R-3B (Multi-Family Residential, 16 du/acre) to C (Neighborhood Commercial) on the south side of El Conquistador Parkway east of Cartagena Condominiums and El Conquistador Tennis Courts (2.27+/- Acres).

Z-86-100—Gerald Derstine. Approval to change the present zoning from A (General Agriculture, 1 du/5 acres) to A-1 (Suburban Agriculture, 1 du/acre). Located on the west side of Private Street 8-13-1962, (west side of Christian Retreat) 480+/- feet north of Upper Manatee River Road (6.07+/- Acres).

Z-86-102—Peany Burchette. Approval to change the present zoning from A-1 (Suburban Agricultural, 1 du/acre) to R-1T (Single Family Attached, 10.2 du/acre). Located east of 27th Street East, 100+/- feet south of 29th Avenue East (10.1+/- Acres).

Z-86-103—Rice and Yahraes. Approval to change the present zoning from A-1/AF (Suburban Agricultural, 1 du/acre) to C-1AF (General Commercial) retaining the Agricultural Fringe Overlay District. Located in the Southeast quadrant of the intersection of I-75 and U.S. 301 on the north side of 18th Street East (.53+/- 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

10/31/86

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AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND 31 1986
NOTIFICATION BY MAIL TO CONTIGUOUS PROPERTY OWNERS

STATE OF FLORIDA
COUNTY OF MANATEE

RECEIVED

BEFORE ME, the undersigned authority, personally appeared Michael G. Blackrick
of R. J. Lombardo & Associates, Inc., 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. Z-P6-86, to be heard on
November 20, 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 at ~~XXXXXX~~ the front
property line on the 30th day of October, 19 86.

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 30th day of October, 19 86, 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.

Sworn to and subscribed before me this
30th day of October, 19 86

Michael G. Blackrick
Michael G. Blackrick

Stearns
Notary Public State of Florida at Large

My Commission Expires: October 21, 1986

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FLORIDA DEPARTMENT OF STATE

George Firestone
Secretary of State

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December 23, 1986

P.R. L. ARE.
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA

R. B. Shore
Deputy Clerk
P.O. Box 1000
Manatee County Courthouse
Bradenton, Florida 33506

Dear Sir:

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

1. Receipt of letter/s of December 17, 1986
and certified copy/ies of Manatee
County Ordinance(s) No. Z-86-86
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 December 22, 1986.
4. The original/duplicate copy/ies showing the filing
is/are being returned for your records.

Cordially,

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

LC/

Enclosure