

MANATEE COUNTY ORDINANCE NO. Z-87-28

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/AF (SUBURBAN AGRICULTURAL, 1 DU/ACRE TO PDC/AF (PLANNED DEVELOPMENT COMMERCIAL) RETAINING THE AGRICULTURAL FRINGE OVERLAY DISTRICT AND APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN TO PERMIT A COMMERCIAL CENTER/SERVICE STATION FOR AUTOMOBILES AND TRUCKS, INCLUDING A RESTAURANT, LAUNDROMAT, HEALTH CLUB, AND BARBER SHOP, 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/AF (Suburban Agricultural, 1 du/acre) to PDC/AF (Planned Development Commercial) retaining the Agricultural Fringe Overlay District and approval of a Conceptual Development Plan to permit a Commercial Center/Service Station for Automobiles and trucks, including a restaurant, laundromat, health club, and barber shop.

B. The said Board of County Commissioners held a Public Hearing on November 7, 1989, 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. 89-01, the Manatee County Comprehensive Plan.

Section 2. The Conceptual Development Plan titled Port Manatee Transportation Plaza, is hereby APPROVED to allow with the following stipulations:

1. A detailed landscape plan shall be required with the submittal of the Preliminary Development Plan, showing adequate buffering adjacent to Moccasin Wallow Road to prevent any parking along the right-of-way. The twenty-five foot (25') buffer shall include a landscaped earthen berm and tree groupings.
2. A third lane along Moccasin Wallow Road from the entrance to the I-75 ramp shall be provided, shown on the Preliminary Plan.
3. A deceleration lane shall be shown on the Preliminary Plan.

FILED FOR RECORD

CLERK OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

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CLERK OF STATE
TREASURER
MANATEE COUNTY, FLORIDA
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4. A left turn storage lane a minimum of two hundred and twenty feet (220') long shall be provided on Moccasin Wallow Road, to be shown on the Preliminary Plan.
5. A lighting plan shall be submitted with the Preliminary Development Plan, to insure that glare will not impact on the adjoining property.
6. A minimum of fifteen feet (15') between the truck parking area and the western boundary shall remain in native vegetation. If any of the area is cleared prior to issuance of the certificate of occupancy, a six foot (6') high, wood opaque fence shall be installed and twelve feet (12') oak trees planted thirty feet (30') apart on the property line.
7. All orange trees to be removed shall be replaced on a one (1) to three (3) ratio with a twelve foot (12') high replacement tree. All other trees to be removed shall be replaced one-to-one, with the type and location shown on the Preliminary Development Plan.
8. A signage plan shall be submitted with the Preliminary Development Plan as per Section 203R.3.c.(2). The service station shall not have a free-standing sign.
9. Elevations of the proposed building shall be submitted with the Preliminary Development Plan, insuring that the development complies with the requirement (Section 203R.3.c. that three separate commercial establishments are provided which are not automobile (truck) oriented.
10. No automobile or truck repair, other than maintenance services and minor repair work not involving major motor, drive train, body work, or suspension system adjustments, shall occur on site.

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/AF (Suburban Agricultural, 1 du/acre) to PDC/AF (Planned Development Commercial) retaining the Agricultural Fringe Overlay District and approval of a Conceptual Development Plan to permit a Commercial Center/Service Station for Automobiles and trucks, including a restaurant, laundromat, health club, and barber shop, 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:

That certain parcel of land, as described and recorded in O. R. Book 987, pages 2953 and 2954, Public Records of Manatee County, Florida, to wit:

Commence at the NW corner of the NE 1/4 of the NW 1/4 of Section 21, Township 33 South, Range 18 East, Manatee County, Florida; thence S 00°52'51" W, along the west line of said NE 1/4 of the NW 1/4, a distance of 164.38 feet to the north line of the limited access right of way line of the Moccasin Wallow Road for the Point of Beginning; thence S 89°33'49" E, along said right of way line, 607.83 feet, thence S 00°52'51" W, parallel to said west line of NE 1/4 of NW 1/4 a distance of 1176.18 feet; thence N 89°48'19" W, along the south line of said NE 1/4 of NW 1/4 a distance of 607.82 feet to the SW corner of said NE 1/4 of NW 1/4; thence N 00°52'51" E, along the aforementioned west line of NE 1/4 of NW 1/4 a distance of 1178.74 feet to the P.O.B. The above lying in Section 21, Township 33 South, Range 18 East, Manatee County, Florida. Contains 16.43 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.

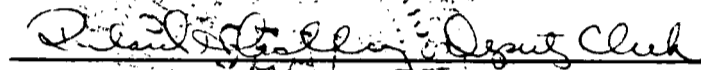

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 7th day of November, 1989.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY:


Chairman

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



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS

Room 1801, The Capitol, Tallahassee, Florida 32399-0250
(904) 488-7690

FILED FOR RECORD
F. L. SHORE
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA
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November 17, 1989

Honorable Richard B. Shore
Clerk of Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 34206

Attention: Richard H. Ashley, Chief Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of November 16, 1989 and certified copy of Manatee County Ordinance Number Z-87-28, which was filed in this office on November 17, 1989.

The duplicate copy showing the filing date is enclosed for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosure (1)