

MANATEE COUNTY ORDINANCE NO. 2-87-75
GREEN, SKINNER & SKINNER

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 AGRICULTURAL, 1 DU/ACRE) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL) RETAINING THE WP (WATERSHED PROTECTION) OVERLAY DISTRICT AND THE APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN TO ALLOW SEVENTY-THREE (73) LOTS AT A DENSITY OF 3.1 UNITS PER ACRE AND THE WAIVER OF THE MINIMUM STREET FRONTAGE REQUIREMENT FOR ONE (1) LOT; 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 Agricultural, 1 du/acre) to PDR (Planned Development Residential) retaining the WP (Watershed Protection) Overlay District and the approval of a Conceptual Development Plan to allow seventy-three (73) lots at a density of 3.1 units per acre and the waiver of the minimum street frontage requirement for one (1) lot.

B. The said Board of County Commissioners held a Public Hearing on April 14, 1988, 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 Green, Skinner and Skinner, is hereby APPROVED to allow seventy-three (73) lots at a density of 3.1 units per acre and the waiver of the minimum street frontage requirement for one (1) lot, with the following stipulations and waiver:

STIPULATIONS

1. Verification that the twenty-five foot wide strip of land located between the church and adjacent PDR to the east (Treetops at North Forty) is legally resolved (meeting Land Development Code standards) so as not to create an illegal lot and shall be provided prior to Preliminary Development Plan approval by the Board of County Commissioners.
2. An additional seventeen feet of right-of-way along Tallevast Road and North Tuttle Avenue shall be dedicated prior to the issuance of any building permits.

FILED FOR RECORD
R.B. SHORE
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA

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3. Left turn storage lanes are required along Tallevast Road and North Tuttle Avenue and at the intersection of Tallevast Road and North Tuttle Avenue.
4. The access on Tuttle Avenue must align with the proposed access to the development to the west side of said road, or a four hundred foot separation is required.
5. The development of active recreational open space must be detailed on the Preliminary Development Plan.
6. In accordance with Policy 9-1.c of The Manatee Plan, an adequate Level of Service shall be maintained in the area of impact. No development will be finally authorized that would generate traffic, which in conjunction with existing traffic and traffic anticipated as a result of other development approvals and open circumstances upon which the County may have traffic projections, will have the likely result of causing or contributing to a degradation of the Level of Service, for the area of impact, to a level below "C" or "D" at peak levels.
7. For portions of the property within the Evers Reservoir Watershed, the Preliminary Development Plan shall include assurances that the stormwater management system meet or exceed the requirements for Outstanding Florida Waters (OFW). The Final Development Plan shall not be approved until Manatee County Pollution Control and Public Works Departments have approved the Stormwater Management Plan as meeting or exceeding OFW standards.
8. For portions of the property within the Evers Reservoir Watershed, the Stormwater Management Plan, which shall incorporate Best Management Practices to maintain or improve pre-development water quality values and Best Management Practices to maintain pre-development water quantity balance for the entire Evers Reservoir Watershed, shall be submitted with the Final Development Plan. Construction and post-construction monitoring of surface and groundwater quality and quantity shall be outlined in said Plan and the monitoring portion of the Plan shall be implemented prior to any horizontal or vertical construction on site. This Plan shall also include a Maintenance Schedule detailing the timing and procedure for maintenance of the stormwater treatment system to insure function of said system to required State or other applicable standards for the projected life of the development.
9. For portions of the property within the Evers Reservoir Watershed, 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 buildout 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.

WAIVER

1. Waiver of the minimum street frontage requirements along Tallevast Road for the lot identified as "Lot 1" on the Conceptual Development Plan. The minimum lot width in the PDR district is sixty feet. Section 202B.4d of the Land Development Code requires that each lot have a front lot line which is at least eighty per cent of the minimum lot width. Eighty per cent of sixty feet is forty-eight feet. The applicant is providing twenty-five feet.

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 Agricultural, 1 du/acre) to PDR (Planned Development Residential) retaining the WP (Watershed Protection) Overlay District, and the approval of a Conceptual Development Plan to allow seventy-three (73) lots at a density of 3.1 units per acre, and the waiver of the minimum street frontage requirement for one (1) lot, 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:

GULFLAND/SKINNER
DESCRIPTION:

PARCEL A: AS FURNISHED

THE WEST 1/2 OF NW 1/4 OF NW 1/4 LESS ROAD RIGHT OF WAY AS DESCRIBED IN O.R. BOOK 453, PAGE 520, LESS LAND AS DESCRIBED IN O.R. BOOK 1112, PAGE 2186, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA (GROVE) LOCATED IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS: (BY THE UNDERSIGNED)

FROM THE NW CORNER OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, RUN S 00°-48'-04" W, ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 1340.12 FEET TO THE SW CORNER OF NW 1/4 OF NW 1/4 OF SAID SECTION 33; THENCE S 89°-17'-11" E, A DISTANCE OF 26.03 FEET TO THE EAST MAINTAINED RIGHT OF WAY LINE OF TUTTLE AVENUE AND THE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE THE FOLLOWING FIVE COURSES, VIZ: N 00°-42'-03" E, A DISTANCE OF 21.13 FEET; THENCE N 00°-43'-50" E, A DISTANCE OF 810.00 FEET; THENCE N 00°-48'-04" E, A DISTANCE OF 150.00 FEET; THENCE N 00°-23'-57" E, A DISTANCE OF 285.00 FEET; THENCE N 09°-53'-34" E, A DISTANCE OF 49.64 FEET TO THE SOUTH MAINTAINED RIGHT OF WAY LINE OF TALLEVAST ROAD; THENCE S 89°-17'-17" E, ALONG SAID MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 599.44 FEET; THENCE S 00°-49'-12" W, A DISTANCE OF 309.00 FEET; THENCE N 89°-17'-17" W, A DISTANCE OF 75.00 FEET; THENCE S 00°-49'-12" W, A DISTANCE OF 170.00 FEET; THENCE S 89°-17'-17" E, A DISTANCE OF 49.00 FEET; THENCE S 00°-49'-12" W, A DISTANCE OF 105.00 FEET; THENCE S 89°-17'-17" E, A DISTANCE OF 51.00 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 33; THENCE S 00°-49'-12" W, ALONG SAID EAST LINE, A DISTANCE OF 731.14 FEET TO THE SOUTHEAST CORNER OF SAID WEST 1/2 OF THE NW 1/4 OF THE NW 1/4; THENCE N 89°-17'-11" W, ALONG SOUTH LINE OF SAID WEST 1/2, A DISTANCE OF 628.82 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

CONTAINING 18.33 ACRES, MORE OR LESS.

GULFLAND/SKINNER
DESCRIPTION:

PARCEL B: AS FURNISHED (O.R. BOOK 1112, PAGE 2186)

COMMENCE AT THE NW CORNER OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST; THENCE N 89°-57'-43" E, ALONG THE NORTH LINE OF

SAID SECTION 33, 655.28 FEET TO THE NE CORNER OF THE WEST 1/2 OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 33; THENCE S 00°-04'-08" W, ALONG THE EAST LINE OF SAID WEST 1/2, 25.00 FEET TO THE INTERSECTION WITH THE SOUTHERLY MAINTAINED RIGHT OF WAY OF "TALLEVAST ROAD" (77TH AVENUE EAST) FOR A POINT OF BEGINNING; THENCE CONTINUE S 00°-04'-08" W, ALONG SAID EAST LINE, 609.00 FEET; THENCE S 89°-57'-34" W, PARALLEL TO THE NORTH LINE OF SAID SECTION 33, 51.00 FEET; THENCE N 00°-04'-08" E, PARALLEL TO SAID EAST LINE, 105.00 FEET; THENCE S 89°-57'-34" W, PARALLEL TO SAID NORTH SECTION LINE, 49.00 FEET; THENCE N 00°-04'-08" E, PARALLEL TO SAID EAST LINE, 170.00 FEET; THENCE N 89°-57'-34" E, PARALLEL TO SAID NORTH SECTION LINE, 75.00 FEET; THENCE N 00°-04'-08" E, PARALLEL TO SAID EAST LINE, 334.00 FEET TO THE INTERSECTION WITH THE SOUTHERLY MAINTAINED RIGHT OF WAY OF "TALLEVAST ROAD" (77TH AVENUE EAST); THENCE N 89°-57'-34" E, ALONG SAID MAINTAINED RIGHT OF WAY, PARALLEL TO SAID NORTH SECTION LINE, AND 25.0 FEET SOUTHERLY THEREFROM, 25.00 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS: (BY THE UNDERSIGNED)

FROM THE NW CORNER OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, RUN S 89°-17'-17" E, ALONG NORTH LINE OFF SAID SECTION 33, A DISTANCE OF 655.29 FEET TO THE NE CORNER OF THE WEST 1/2 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 33; THENCE S 00°-49'-12" W, ALONG THE EAST LINE OF SAID WEST 1/2, A DISTANCE OF 25.00 FEET TO THE MAINTAINED SOUTH RIGHT OF WAY LINE OF TALLEVAST ROAD FOR A POINT OF BEGINNING; THENCE CONTINUING S 00°-49'-12" W, ALONG SAID EAST LINE, A DISTANCE OF 584.00 FEET; THENCE N 89°-17'-17" W, A DISTANCE OF 51.00 FEET; THENCE N 00°-49'-12" E, A DISTANCE OF 105.00 FEET; THENCE N 89°-17'-17" W, A DISTANCE OF 49.00 FEET; THENCE N 00°-49'-12" E, A DISTANCE OF 170.00 FEET; THENCE S 89°-17'-17" E, A DISTANCE OF 75.00 FEET; THENCE N 00°-49'-12" E, A DISTANCE OF 309.00 FEET TO THE SOUTH MAINTAINED RIGHT OF WAY LINE OF TALLEVAST ROAD; THENCE S 89°-17'-17" E, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

CONTAINING 0.69 ACRES, MORE OR LESS.

GULFLAND HOMES REVISED
DESCRIPTION: (AS FURNISHED)

THE SOUTH 614.7 FEET OF THE WEST 1/2 OF THE EAST 1/2 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. LYING AND BEING IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 4.60 ACRES, MORE OR LESS.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

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.

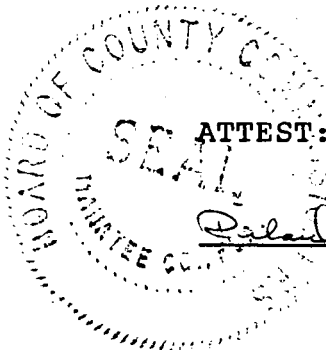
PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 14th day of April, 1987.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Kim G. Chell
Chairman

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

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 an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 14th day of April, 1988.

SUBJECT:

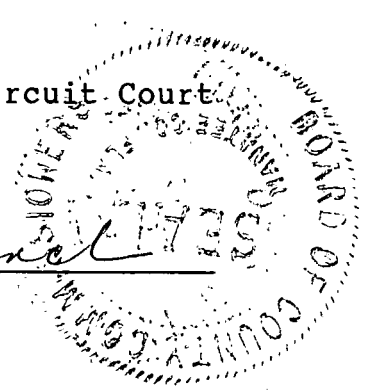
MANATEE COUNTY ORDINANCE NO. Z-87-75

ORDINANCE Z-87-75 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 DEVELOPMENT RESIDENTIAL) RETAINING THE WP (WATERSHED PROTECTION) OVERLAY DISTRICT AND THE APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN TO ALLOW SEVENTY-THREE (73) LOTS AT A DENSITY OF 3.1 UNITS PER ACRE AND THE WAIVER OF THE MINIMUM STREET FRONTAGE REQUIREMENT FOR ONE (1) LOT; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 18th day of April, 1988, in Bradenton, Florida.

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

Susan B. Fierel
By: Deputy Clerk





FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS
Room 1802, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-8427
April 21, 1988

Honorable R. B. Shore
Clerk of Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 34205

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 _____ Env. mailed 4-19-88
and certified copy/ies of Manatee
County Ordinance(s) #87-72(Z), #87-75(Z) and No.
Z-86-66(R)
2. Receipt of Manatee Z-86-66R County Ordinance(s)
relative to: Rezoning
(a) Rezoning & Planned Residential Dev.
which we have ~~numbered~~ records of having been filed 10/9/86
(b) _____
which we have numbered _____
3. We have filed ~~this~~/these ordinances in this office
on April 21, 1988.
4. The original/duplicate copy/ies showing the filing date
~~is~~/are being returned for your records.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosures (3)

FILED
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA
APR 25 9 31 AM '88

FILED FOR FILING
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA
APR 25 9 31 AM '88