

Manatee County Zoning Ordinance

ZL-23-14 – Cahill 37th St E Rezone – Christine L Todd (Owner) – Mark Cahill (Contract Purchaser) – PLN2305-0052

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 2.55 acres generally located approximately 700 feet north of the intersection of Florida State Road 70 and 37th Street East, on the west side of 37th Street East and commonly known as 5120 37th St E, Bradenton (Manatee County) from A-1 (Agricultural Suburban) to the GC/L (General Commercial/Limited) Zoning District; subject to stipulations of approval as voluntarily proffered by the Applicant and including a Schedule of Permitted and Prohibited Uses attached as Exhibit B; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

WHEREAS, Christine L. Todd (Owner)/Mark Cahill (Contract Purchaser) (the “Applicants”) filed an application to rezone approximately 2.55 acres described in Exhibit “A”, attached hereto, (the “Property”) from A-1 (Agricultural Suburban) to the GC/L (General Commercial/Limited) Zoning District; and

WHEREAS, the applicant also filed a Schedule of Permitted and Prohibited Uses as voluntarily proffered by the Applicant Exhibit “B” attached hereto; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on December 14, 2023, to consider the rezone with Stipulations and Schedule of Permitted and Prohibited Uses as voluntarily proffered by the applicant applications, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County’s Local Planning Agency, found the applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the applications, subject to the stipulations in the staff report.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA;

Section 1. FINDINGS OF FACT. The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners. The Board of County Commissioners of Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation, and findings of the Planning Commission of the County, as well as all other matters presented to the 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 concerned the application for Official Zoning Atlas

Amendment as it relates to the real property described in Exhibit "A" of this from A-1 (Agricultural Suburban) to the GC/L (General Commercial/Limited) Zoning District.

B. The Board of County Commissioners, after due public notice, held a public hearing on January 18, 2024, regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at the public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

Section 2. REZONE / LIMITED. The rezone is hereby approved upon the property, subject to the following Stipulation:

1. The uses approved for this project shall be limited to those voluntarily proffered by the applicant in the Schedule of Permitted and Permitted Uses attached as Exhibit "B".

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 15-17, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property described in Exhibit "A", incorporated by reference herein, from A-1 (Agricultural Suburban) to the GC/L (General Commercial/Limited) Zoning District; and the Clerk of the Circuit Court, as clerk to the Board of County Commissioners, as well as the Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

Section 4. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 5. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 6. STATE AND FEDERAL PERMITTING. The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approval or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 7. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 18th day of January 2024.



**BOARD OF COUNTY
COMMISSONERS OF MANATEE
COUNTY, FLORIDA.**

BY: 
Michael Rahn, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: 
Deputy Clerk

Exhibit “A”

Legal Description

THE S1/2 OF TRACT 8; SUBJ TO FPL EASMT AS DESC IN ORB 930 P 38 PRMCF LAZY B
RANCHES ALSO IN SEC 5 PI#16839.1060/6



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

January 22, 2024

Honorable Angelina Colonnese
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, FL 34206

Dear Honorable Angelina Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. ZL-23-14, which was filed in this office on January 18, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh