

MANATEE COUNTY ZONING ORDINANCE
PDC-92-07(Z)(P) - RUDLEY, ET AL

AN ORDINANCE OF THE COUNTY OF MANATEE
FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF
MANATEE COUNTY, ORDINANCE NO. 90-01, THE
MANATEE COUNTY LAND DEVELOPMENT CODE, RELATING
TO ZONING WITHIN THE UNINCORPORATED AREA OF
MANATEE COUNTY; PROVIDING FOR THE REZONING OF
CERTAIN LAND FROM GC (GENERAL COMMERCIAL) TO
PDC (PLANNED DEVELOPMENT COMMERCIAL); AND
APPROVAL OF A PRELIMINARY SITE PLAN FOR AN
INDUSTRIAL SERVICE ESTABLISHMENT, INCLUDING
SPECIAL APPROVAL FOR A PROJECT LOCATED IN AN
ENTRANCEWAY; PROVIDING FOR AN EFFECTIVE DATE.

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

DEC 30 12 28 PM '92

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 GC (General Commercial) to PDC (Planned Development
Commercial).

B. The said Board of County Commissioners held a public
hearing on December 17, 1992 regarding said proposed Official
Zoning Atlas Amendment described herein in accordance with the
requirements of Manatee County Ordinance No. 90-01, the Manatee
County 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 Preliminary Site Plan is hereby APPROVED
to allow an Industrial Service Establishment, including Special
Approval for a project located in an Entranceway with the following
stipulations and modifications:

STIPULATIONS

1. A six inch (6") diameter water line shall be installed from
Braden Avenue southward to adequately provide fire protection
to this facility unless the Manatee County Public Works
Department and the Fire Marshall approve placement of a fire
hydrant on a four inch (4") waterline or an alternative fire
protection plan. Fire flow calculations shall be approved in
conjunction with the Final Site Plan approval.
2. Backflow prevention must be provided as required in Resolution
R-87-125 and is to be installed prior to issuance of
Certificate of Occupancy.
3. The dumpster servicing this site must be equipped with a
curbed and elevated pad with a connection to the central sewer
system through a grease trap with a grit interceptor and
approved with the Final Site Plan.
4. A fire hydrant shall be located within four hundred feet
(400') of the entrance to the building and the location

approved by the Fire Marshall in conjunction with the Final Site Plan unless an alternative fire protection plan for the property is approved by the Fire Marshall.

5. All new signs shall be approved with a separate sign permit.
6. The existing billboard shall be removed from this site by January 1, 1996.
7. A ten foot (10') wide roadway buffer is required along the property line abutting U.S. 41 containing three (3) canopy trees and forty (40) shrubs for every 100 feet planted in a linear fashion. This shall be approved with the Final Site Plan.
8. One (1) canopy tree per forty feet (40') and a fence or hedge which shall be forty two (42") inches tall and eighty percent (80%) opaque within two (2) years of planting, shall be installed along the western property line and approved with the Final Site Plan.
9. A minimum of twenty (20) square feet of foundation landscaping shall be planted within five feet (5') of the existing building. This shall be approved with the Final Site Plan.
10. A lighting plan meeting the minimum requirements of Section 710.1.5.5.6 of the Land Development Code shall be approved in conjunction with the Final Site Plan.
11. A landscape and irrigation plan for all new landscaped areas meeting the minimum requirements of Section 715 of the Land Development Code shall be approved in conjunction with the Final Site Plan.
12. The southern driveway must be closed and curbed prior to issuance of Certification of Occupancy, if required by FDOT.
13. A cross access easement must be recorded with the property just north of the site prior to issuance of Certificate of Occupancy.

MODIFICATIONS

1. Modification to the Land Development Code, Section 603.11.4.3, to reduce the required front yard setback from 30 feet to 27.18 feet, reduce the required side yard setback from 15 feet to 9.8 feet, and reduce the required rear yard setback from 20 feet to approximately 18 feet.
2. Modification to the Land Development Code, Section 704.29.1, to reduce the required side and rear yard setbacks of 35 feet for all above ground or under ground structures associated with this use.
3. Modification to the Land Development Code, Section 737.5.2, which requires all projects located within a designated Entranceway to gain access from a frontage road, or other means of indirect access, such as a cross access agreement and consolidated driveway.
4. Modification to the Land Development Code, Section 737.5.1.1, to reduce the required 20 foot landscaped buffer strip along U.S. 41 as part of the Entranceway requirements to 10 feet.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property identified in

Section 4 herein from GC (General Commercial) to PDC (Planned Development Commercial), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning, Permitting and Inspections Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

A TRACT OF LAND LYING IN MANATEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE SOUTH LINE OF THE NW 1/4 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 35S, RANGE 17E, WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE TAMIAMI TRAIL (U.S. 41) AS NOW LOCATED (1955); GO NORTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 650.98' FOR A POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 430.11'; THENCE S 67°30'44" W, A DISTANCE OF 300.66'; THENCE S 26°54'00" E, PARALLEL TO THE RIGHT OF WAY OF TAMIAMI TRAIL, A DISTANCE OF 90'; THENCE S 73°15'00" E, A DISTANCE OF 230' MORE OR LESS TO A POINT WHICH IS SOUTHWESTERLY 150 FEET OF AFORESAID SOUTHWESTERLY RIGHT OF WAY LINE; THENCE S 26°54'00" E, 150 FEET FROM AND PARALLEL TO THE AFOREMENTIONED RIGHT-OF-WAY LINE A DISTANCE OF 170.00'; THENCE N 63°06'00" E, 150.00' TO THE POINT OF BEGINNING; LESS HOWEVER, ANY ADDITIONAL RIGHT-OF-WAY HELD BY THE STATE OF FLORIDA FOR THE USE AND BENEFIT OF THE STATE ROAD DEPARTMENT;

LESS HOWEVER THE FOLLOWING DESCRIBED TRACT:

A TRACT OF LAND LYING IN MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE SOUTH LINE OF THE NW 1/4 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 35S, RANGE 17E, WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE TAMIAMI TRAIL (U.S. 41) AS NOW LOCATED (1955); GO N 26°54'00" W, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 883.56' TO THE POINT OF BEGINNING; THENCE CONTINUE N 26°54'00" W, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE A DISTANCE OF 197.53'; THENCE S 67°30'44" W, A DISTANCE OF 300.66'; THENCE S 26°54'00" E, PARALLEL TO THE RIGHT OF WAY OF THE TAMIAMI TRAIL A DISTANCE OF 90.00'; THENCE S 64°40'38" E, A DISTANCE OF 165.17'; THENCE N 63°06'00" E, A DISTANCE OF 198.59' TO THE POINT OF BEGINNING, LESS HOWEVER ADDITIONAL RIGHT-OF-WAY HELD BY THE STATE OF FLORIDA FOR THE USE AND BENEFIT OF THE DEPARTMENT OF TRANSPORTATION.

SUBJECT TO THE FOLLOWING DESCRIBED DRIVEWAY EASEMENT:
OVER AND ACROSS ALL OF THE PARKING AND DRIVEWAY AREA OF THIS PARCEL

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 on the 17th day of December, 1992.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: [Signature]

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

[Signature]
Deputy Clerk

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. PDC-92-07 adopted by the Board of County Commissioners of said County on the 17 day of Dec, 1992 this 27th day of December, 1992 in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By [Signature] D.C.



FILED FOR RECORD
P.B. SHORE
CLERK CIRCUIT COURT
MANATEE COUNTY, FLORIDA

DEC 30 10 55 AM '92

FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS

Room 2002, The Capitol, Tallahassee, Florida 32399-0250
(904) 488-8427

December 28, 1992

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

Attention: Richard Ashley & Evelyn Lloyd, Deputy Clerks

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters of December 17 and December 22, 1992 and certified copies of Manatee County Ordinance Numbers 92-58, 92-60, Z-92-14(A), Z92-10, PDR 92-07(Z)(P) and PDC 92-07(Z)(P), which were received and filed in this office on December 28, 1992.

The duplicate copies showing the filing date are being returned for your records.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosures (6)