

MANATEE COUNTY ZONING ORDINANCE
PDC-94-02(Z)(P) - DR. CLAY WILSON

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/HA/CH (GENERAL COMMERCIAL/HISTORICAL AND ARCHAEOLOGICAL/COASTAL HIGH HAZARD AREA OVERLAY DISTRICTS) TO PDC/HA/CH (PLANNED DEVELOPMENT COMMERCIAL/HISTORICAL AND ARCHAEOLOGICAL/COASTAL HIGH HAZARD AREA OVERLAY DISTRICTS); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A VETERINARY HOSPITAL, GRANTING SPECIAL APPROVAL FOR A NON-RESIDENTIAL PROJECT EXCEEDING 0.25 FAR IN THE ROR FUTURE LAND USE CATEGORY.

SEP 6 9 38 AM '94

FILED

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/HA/CH (General Commercial/Historical and Archaeological/Coastal High Hazard Area overlay districts) to PDC/HA/CH (Planned Development Commercial/Historical and Archaeological/Coastal High Hazard Area overlay districts).

B. The said Board of County Commissioners held a public hearing on August 25, 1994, 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 a veterinary hospital, granting Special Approval for a non-residential project exceeding 0.25 FAR in the ROR Future Land Use Category, with the following stipulations and modifications:

STIPULATIONS

1. This veterinary hospital shall treat small animals only, as defined by the Land Development Code.
2. Technical evidence and documentation, prepared by an engineer or architect, shall be presented to the Building Official to demonstrate that the structures are adequately soundproofed prior to approval of a building permit.
3. Prior to Final Site Plan approval, the applicant/agent shall provide evidence that the birds to be housed in the aviary are of a type/species that shall not be harmful or injurious to human health, safety or welfare or property.

4. In addition to the required landscaping, the southern property line shall include three understory trees and the western property line shall include five understory trees and a hedge, which meets the specifications of Section 715.10.5.1.
5. If any of the punk trees shown on this site plan or other nuisance or exotic species are determined to be on this parcel, they shall be removed prior to Certificate of Occupancy.
6. Prior to Final Site Plan approval, a Hurricane Evacuation Plan shall be submitted and approved by the Emergency Management Department.
7. This facility shall not generate, store or dispose of hazardous waste in excess of 45.4 pounds per month. Neither shall the facility generate, store or dispose of more than .45 pounds of acutely hazardous waste materials per month.
8. Signage and pavement markings to indicate a Pedestrian Crossing shall be installed along 124th Street Court West where customers will cross from the parking area to the building.
9. A letter, accepting the fire protection methodology from the fire marshall, shall be submitted to the Growth Management division prior to Final Site Plan approval.
10. Any historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource disturbing activities are allowed to continue.
11. Any future replacement awnings shall be approved by the HPB prior to construction.
12. The trash enclosure shall be removed from the right of way of 124th Street Court West and shall be relocated out of public view prior to issuance of a building permit.
13. The ramp to the existing entrance facing 124th Street Court West shall be screened from view with foundation landscaping along the length of the ramp to be composed of plant material commonly found in the Cortez area prior to issuance of a Certificate of Occupancy.
14. The entire addition and existing residential building to be converted to commercial use shall be screened from public view by the addition of clusters of native and other vegetation commonly found in the Cortez area prior to approval of a Certificate of Occupancy. Such screening shall be placed in the roadway buffer area along 124th Street Court West and shall not be trimmed into a square hedge, but shall be encouraged to grow into clusters of nearly opaque vegetative screens at least five (5) feet in height.
15. The unpermitted sign on the fence in front of the existing Veterinary Hospital shall be removed prior to issuance of a Building Permit.
16. The stairs on the south side of the building shall be redesigned to run parallel to the building prior to issuance of a Building Permit.

MODIFICATIONS

1. Modification of Section 603.11.4.3 regarding setbacks in the PDC district.
2. Modification of Section 704.75 regarding the complete enclosure of buildings used for a veterinary hospital.
3. Modification of Section 722.1.4.2 regarding sidewalks on public streets.

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/HA/CH (General Commercial/Historical and Archaeological/Coastal High Hazard Area overlay districts) to PDC/HA/CH (Planned Development Commercial/Historical and Archaeological/Coastal High Hazard Area overlay districts), 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.

THE NORTH 150 FEET OF THE EAST 1/2 OF LOT 4 OF SUBDIVISION OF LOT 3 - U.S., LESS THE NORTH 8.25 FEET FOR ROAD R/W. ALL LYING AND BEING IN SECTION 3, T35S, R16E, MANATEE COUNTY, FLORIDA.

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 25th day of August, 1994.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

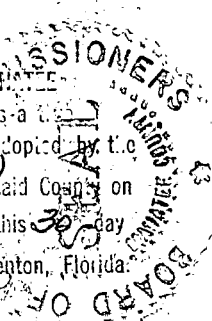
BY: Stan Stephens

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

[Signature]
[Seal of Clerk of the Circuit Court]

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true and correct copy of ORDINANCE NO. PDC 94-02 adopted by the Board of County Commissioners of said County on the 25 day of August, 1994, this 30 day of August, 1994, in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: Jane Rook D.C.





FLORIDA DEPARTMENT OF STATE

Jim Smith, Secretary of State
DIVISION OF ELECTIONS
Bureau of Administrative Code
The Elliot Building
Tallahassee, Florida 32399-0250
(904) 488-8427

September 6, 1994

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

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of August 30, 1994 and certified copy each of Manatee County Ordinance Nos. Z-94-02; PDC-94-02(Z)(P); PDO-94-02(Z)(P); PDMH-94-01(Z)(G); PDPI-94-02(Z)(F); PDPI-94-03 and PDR-94-05(Z)(G), which were filed in this office on September 6, 1994.

The duplicate copy of each showing the filing date is being returned for your records.

Sincerely,

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

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

Enclosures