

MANATEE COUNTY ZONING ORDINANCE
PDC-95-10(Z)(P) - EAGLE VILLAGE INCORPORATED

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) AND PDR (PLANNED DEVELOPMENT RESIDENTIAL) TO PDC (PLANNED DEVELOPMENT COMMERCIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A 43,241 SQ. FT. VEHICLE SALES, RENTAL, SERVICE ESTABLISHMENT.

FILED FOR RECORD
R.B. SHORE
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA
DEC 8 3 28 PM '95

DEC 6 10 02 AM '95

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 (General Commercial) and PDR (Planned Development Residential) to PDC (Planned Development Commercial).

B. The said Board of County Commissioners held a public hearing on September 28, 1995, 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. Preliminary Site Plan is hereby APPROVED to allow a 43,241 sq. ft. Vehicle Sales, Rental, Service Establishment with the following Stipulations:

STIPULATIONS:

1. A cross access easement shall be provided with the commercial shopping plaza located south of this site. This easement shall align with any existing easements on the shopping center site. The Final Site Plan shall reflect a drive connecting the two parking lots. A copy of this recorded easement shall be provided to the PPI Department and this cross access shall be approved by the same, concurrently with the Final Site Plan.
2. All employee parking shall be identified with a sign posted on a vertical post indicating such. This shall be approved by the PPI Department with the Final Site Plan.
3. There shall be no outdoor speakers, outside telephone ringers, bells or buzzers utilized on this site. The only exception shall be burglar or fire alarms.
4. The "Vehicle Storage Area" shall be labeled as "Open Vehicle Display Area". This shall be approved by the PPI Department with the Final Site Plan.
5. All signs shall be permitted separately including the location of such signs. This shall be approved by the PPI Department with the sign permit.
6. A 6 foot high opaque fence shall be placed on this site along the northern property boundary. This shall be approved by the PPI Department with the Final Site Plan.

THIS IS A CORRECTIVE DOCUMENT

- 7. Trees removed which cannot be replaced on site pursuant to Section 714.8.1 of the LDC shall make payment to the Tree Protection Trust Fund in accordance with the fee schedule. Palm trees shall be assessed at 1/2 the value required by the fee schedule, and trees within the existing drainage easement which are removed shall not require replacement or payment to the Tree Protection Trust Fund. This shall be accomplished prior to issuance of a Certificate of Occupancy.
- 8. The 50 foot Right-of-Way/Easement which runs east and west through the middle of this site, and any other easements, must be vacated or abandoned as appropriate, by the Board of County Commissioners prior to Final Site Plan approval. The Vacation request may or may not receive staff support and the County makes no commitments regarding such vacation or abandonment at this time. If the County does not vacate or abandon such ROW/Easement, this project [PDC-95-10 (Z)(P)] shall be redesigned and brought back to the Planning Commission and Board of County Commissioners for approval.

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) and PDR (Planned Development Residential) 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.

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA; THENCE WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 58.79 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 41, (ALSO KNOWN AS STATE ROAD #45, 14TH STREET WEST AND TAMiami TRAIL); THENCE N 00°13'27" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 165.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N 00°13'27" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 450.00 FEET; THENCE S 89°34'12" W, 487.43 FEET, MORE OR LESS, TO THE CENTERLINE OF CEDAR HAMMOCK DRAIN; THENCE SOUTHERLY, ALONG SAID CENTERLINE, A DISTANCE OF 484.6 FEET; MORE OR LESS, TO A POINT LYING S 89°34'12" W OF THE POINT OF BEGINNING; THENCE N 89°34'12" E, 661.39 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINING 6.05 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 on the 28th day of September, 1995, and corrected by Board of County Commissioners action this 7th day of November, 1995.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Jean Stephen

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

[Signature]

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office. Witness my hand and official seal this 1st day of December 1995
R. B. SHORE
Clerk of Circuit Court
By: [Signature] D.C.

THIS IS A CORRECTIVE DOCUMENT



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

DEC 8 3 28 PM '95

FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham

Secretary of State

DIVISION OF ELECTIONS

Bureau of Administrative Code

The Elliot Building

401 South Monroe Street

Tallahassee, Florida 32399-0250

(904) 488-8427

December 6, 1995

Honorable R. B. Shore
Clerk to Board of County Commissioners
Manatee County
Post Office Box 1000
Bradenton, Florida 34206

Attention: Susan B. Romine

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of December 1, 1995 and certified copy of Manatee County Corrected Ordinance No. PDC-95-10(Z)(P), which was filed in this office on December 6, 1995.

The duplicate copy 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

Enclosure