

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

JAN 4 12 26 PM '96

MANATEE COUNTY ZONING ORDINANCE
PDC-95-12(Z)(P) - JOHN WONG

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 A-1 (SUBURBAN AGRICULTURE, 1 DU/ACRE); TO PDC (PLANNED DEVELOPMENT COMMERCIAL) PROVIDING AN EFFECTIVE DATE; AND (2) APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A 30,000 SQ. FT. RETAIL SALES ESTABLISHMENT.

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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 Agriculture, 1 du/acre); to PDC (Planned Development Commercial).

B. The said Board of County Commissioners held a public hearing on December 21, 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 30,000 sq. ft. retail sales establishment with the following stipulations:

STIPULATIONS:

1. The five (5) foot wide sidewalk proposed on the Preliminary Site Plan along 33rd Street East shall be extended to connect with the existing sidewalk adjacent to the Mobil gas station located immediately north of this site. This shall be approved with the Final Site Plan by the Planning, Permitting & Inspections Department.
2. The temporary storage buildings as shown on the site plan shall be removed within one (1) year of Board approval of this Preliminary Site Plan. This shall be indicated on all subsequent plan submittals.
3. A six (6) foot high opaque wooden fence shall be installed on the western property boundary prior to issuance of the Certificate of Occupancy.
4. A fire hydrant shall be located within 400 feet of this development. This shall be shown on all subsequent submittals and installed prior to issuance of the Certificate of Occupancy.

- 5. The proposed addition shall require a fire sprinkler system and backflow preventer. This shall be approved by the Southern Manatee Fire & Rescue Department concurrently with the Final Site Plan.
- 6. Any proposed sign(s) shall require a separate sign permit to be approved by the PPI Department.
- 7. All signs shall be removed within 30 days of approval of the Preliminary Site Plan unless a sign permit is issued by the PPI Department for each sign.

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 A-1 (Suburban Agriculture, 1 du/acre); 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 NE CORNER OF THE NW 1/4 OF SECTION 17, TWP 35 S., RGE. 18 E, MANATEE COUNTY, FLORIDA; THENCE N 89-56-19 W, ALONG NORTH LINE OF SAID NW 1/4, 50 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY OF 33RD ST. EAST; THENCE S 00-02-26 W ALONG SAID WEST R/W LINE, 234.3 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 00-02-26 W, ALONG SAID WEST R/W LINE, 417.00 FEET; THENCE S 89-29-25 W, 254.93 FEET; THENCE S 01-17-06, 40.50 FEET; THENCE S 89-22-40 W, 61.30 FEET; THENCE N 02-13-22 W 40.51 FEET; THENCE S 89-22-40 W, 160.10 FEET; THENCE N 00-02-26 E 416.50 FEET; THENCE N 89-22-40 E, 477.00 FEET TO THE P.O.B., CONTAINING 4.62 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 21st day of December, 1995.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Stan Stephen

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

by: Judith LaMee
deputy clerk

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true
copy of ORDINANCE NO. PDC 95-12 adopted by the
Board of County Commissioners of said County on
the 21 day of Dec., 1995, this 22 day
of Dec., 1995 at Bradenton, Florida
R. B. Shore
Clerk of Circuit Court
By: Janet Cook D.C.



FILED FLORIDA
R.B. SHORE
CLERK OF COURT
H. H. H. H.

JAN 4 12 25 PM '96

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

January 2, 1996

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

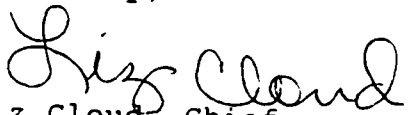
Attention: Richard H. Ashley, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters of December 28, 1995 and certified copy each of Manatee County Ordinance Nos. 95-44, 95-52, 95-54, Z-95-19, Z-95-21, PDC-95-12(Z)(P), and PDMU-92-01(Z)(G)(R2), which were filed in this office on January 2, 1996.

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

Sincerely,


Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

Enclosures