

FILED FOR RECORD
R.B. SHORE
CLERK CIRCUIT COURT
MANATEE COUNTY FLORIDA
JUN 5 3 08 PM '00

MANATEE COUNTY ZONING ORDINANCE
PDC-99-09(Z)(P) - WHISENANT FARMS, INC./LOT 5,
ELLENTON MINI STORAGE AND CAR WASH

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 RSF-4.5 (RESIDENTIAL SINGLE FAMILY, 4.5 DWELLING UNITS PER ACRE) AND NC-M (NEIGHBORHOOD COMMERCIAL-MEDIUM) TO PDC (PLANNED DEVELOPMENT COMMERCIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A 61,400 SQ. FT. MINI-WAREHOUSE, 1,200 SQ. FT. OF ACCESSORY OFFICE, AND A 1,904 SQ. FT. SELF SERVICE CAR WASH, GRANTING SPECIAL APPROVALS FOR (1) A PROJECT LOCATED ADJACENT TO A PERENNIAL STREAM, (2) A PROJECT PROPOSING NON-RESIDENTIAL USES EXCEEDING 30,000 SQUARE FEET OF GROSS BUILDING AREA, AND (3) A MIXED USE DEVELOPMENT.

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 RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre) and NC-M (Neighborhood Commercial-Medium) to PDC (Planned Development Commercial).

B. The Board of County Commissioners held a public hearing on May 23, 2000 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 General Development Plan is hereby APPROVED to allow a 61,400 sq. ft. mini-warehouse, 1,200 sq. ft. of accessory office, and a 1,904 sq. ft. self service car wash, and GRANTING Special Approval for (1) a project located adjacent to a perennial stream, (2) a project proposing non-residential uses exceeding 30,000 square feet of gross building area, and (3) a mixed use development with the following stipulations, and Specific Approvals:

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MANATEE COUNTY FLORIDA

STIPULATIONS

1. All storage buildings shall be limited to a maximum of 22 feet in height. The office shall be limited to 30 feet in height.
2. Along the western and northern property lines, the Developer shall install a hedge and rows of Live Oak and Red Cedar trees. At planting, these trees shall be 3" caliper, at least 10' - 12' in height and spaced 25 feet on center. These trees shall be installed prior to the construction of any infrastructure on site. Existing trees may be used to fulfill tree planting requirements if the existing trees are located within or near the required landscape buffers, and meet or exceed the above size requirements.
3. All HVAC equipment shall be located on the ground rather than roof mounted.
4. A 20 foot wide tree preservation and landscape easement, inclusive of the wetland conservation and drainage easements, shall be designated adjacent to the north and northwest property line.
5. Land clearing, tree removal, or grading shall not commence until a Final Site Plan and Construction Plans have been approved for the overall project.
6. All street lights within the project shall be directed downward and shall include a horizontal cutoff.
7. Off-street parking stalls along one side of the travel way between storage buildings, shall be shown on the Final Site Plan with recommended Fire Department approval.
8. No construction traffic shall access this site from any local residential street.
9. No outdoor speakers are permitted on site.
10. The applicant shall ensure that the standards of Section 704.47 regarding mini-warehouses, the uses of such and allowable items for storage shall be met and documented, with submittal of the Final Site Plan.
11. Prior to Final Site Plan approval, the Engineer must demonstrate through calculations that the fire flow requirements can be met. If fire flow requirements can not be met, the developer shall be required to make off-site water line improvements to provide the required fire flow.
12. The design for the car wash and the mini-warehouse office structure shall be in substantial conformance with the renderings entered into the record for this case.
13. The design for the car wash shall be revised at Final Site Plan, so that the car wash stacking spaces do not encroach into the internal travelway.
14. The residence in the office/security building shall be accessory to the mini-warehouse use and shall only be occupied by a caretaker or security guard in accordance with Section 703.2.36.

15. A 30' wetland buffer shall be provided adjacent to the ditch in the north west portion of the site, in accordance with Section 719 of the LDC.
16. The approval of the Final Site Plan and construction drawings will require the elevation of the bank of the stormwater pond to be raised to prevent overflow to the property to the west. This design shall be based on the height of the Florida Department of Transportation constructional elevation.
17. This project shall be required to reduce the calculated predevelopment flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into the existing master stormwater pond.
18. Within 60 days of this approval, or prior to Final Site Plan, whichever occurs first, the applicant shall file with the Secretary of State, all necessary paperwork to bring current the Ellenton Commercial Subdivision, Inc.

SPECIAL APPROVALS:

1. Specific Approval to alternative to Section 704.47.2 of the Manatee County Land Development Code to allow setbacks of less than the required 20 feet (except for Buildings 1A and 4).
2. Specific Approval to alternative to Section 603.11.4.3 of the Manatee County Land Development Code to allow setbacks in a Planned Commercial Development of less than: 30' in the front, 15' in the side and 20' in the rear (except for Buildings 1A and 4).

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 RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre) and NC-M (Neighborhood Commercial-Medium) 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 Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

Lot 5, Ellenton Commercial Subdivision, as per plat thereof recorded in Plat Book 26, Pages 161-163 of the Public Records of Manatee County, Florida.

Section 5. 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 23rd day of May, 2000.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA



BY: Stan Stephens
Chairman

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

BY: Ausa G. Zmive



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 31 day of

May 20 00

R. B. SHORE
Clerk of Circuit Court

By: [Signature] D.C.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing



HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board

MEMBER OF THE FLORIDA CABINET

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

RINGLING MUSEUM OF ART

June 2, 2000

FILED FOR RECORD
R.B. SHORE
CLERK OF CIRCUIT COURT
MANATEE COUNTY
JUN 5 3 08 PM '00

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

Attention: Janene Kearney, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated May 30 and 31, 2000 and certified copies of Manatee County Ordinance Nos. 00-29, PDC-99-09(Z)(P) and PDPI-00-01(Z)(P), which were filed in this office on June 2, 2000.

As requested, the date stamped copies are being returned for your records.

Sincerely,

A handwritten signature in cursive that reads "Liz Cloud" with a small "m" at the end.

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

Enclosure



247-1560 5/23/00

Office of
**MANATEE COUNTY
ATTORNEY**

* Board Certified City, County & Local Government Law
† Board Certified Civil Trial

Teddy N. Williams, Jr., County Attorney
William C. Henry, Chief Assistant County Attorney
Stephanie A. Crossman, Associate County Attorney
Patricia McVoy, Senior Assistant County Attorney *
James A. Minix, Senior Assistant County Attorney†
Michael H. Rosen, Assistant County Attorney
Maureen S. Sikora, Senior Assistant County Attorney *
Jeffrey N. Steinsnyder, Senior Assistant County Attorney *

September 11, 2000

MEMORANDUM

RECEIVED

SEP 12 2000

TO: Susan G. Romine, Board Records Supervisor, Clerk of the Circuit Court **BOARD RECORDS**
THRU: Teddy N. Williams, Jr., County Attorney *TNW 9/11/00*
FROM: Jeffrey N. Steinsnyder, Senior Assistant County Attorney *JNS 9-11-00*
RE: **ELLENTON MINI STORAGE AND CAR WASH**
CAO FILE: 5029-011-C

Attached please find correspondence from B&J Citrus Groves, Inc. regarding the reinstatement of Ellenton Commercial Subdivision as an active Florida corporation, together with a printout from the Secretary of State indicating that the corporation is active. Please file the documents with the zoning approval.

If you have any questions or comments regarding this memorandum, please do not hesitate to contact me.

JNS/tll

cc: Carol B. Clarke, AICP, Director, Planning Department

PLEASE READ ALL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

CORPORATION
REINSTATEMENT



FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

DIVISION OF CORPORATIONS

DOCUMENT # N39322

1. Corporation Name

Ellenton Commercial Subdivision
Association, Inc.

2. Principal Office Address

c/o Blake Whisenant

Suite, Apt. #, etc.

19725 HWY 62

City & State

Parrish, FL

Zip

34219

Country

US

3. Mailing Office Address

c/o Blake Whisenant

Suite, Apt. #, etc.

19725 Hwy 62

City & State

Parrish FL

Zip

34219

Country

US

4. Date Incorporated or Qualified
To Do Business in Florida

8/1/1990

5. FEI Number

650336810

Applied For

Not Applicable

6. CERTIFICATE OF STATUS DESIRED

\$8.75 Additional Fee required
for a Certificate of Status

7. Name and Address of Current Registered Agent

Name

Blake Whisenant

Street Address (P.O. Box Number is Not Acceptable)

19725 Hwy 62

Suite, Apt. #, Etc.

City

Parrish

State
FL

Zip Code

34219

8. I, being appointed the registered agent of the above named corporation, am familiar with and accept the obligations of section 607.0505 or 617.0503, F.S.

Signature of
Registered Agent

Blake Whisenant

Date

7/17/00

REGISTERED AGENT MUST SIGN

9. Names and Street Addresses of Each Officer and/or Director (Florida nonprofit corporations must list at least 3 directors)

Titles	Name of Officers and/or Directors	Street Address of Each Officer and/or Director	City/State/Zip
PD	Zukerman, Haim M.	6520 Ponceas Ferry Rd. Suite 300	Atlanta, GA 30339
ID	McAuliffe, Richard	11004 Peach Point Ct	Bradenton, FL 34209
STD	Whisenant, Blake	Box 207	Parrish, FL 34219

10. I certify that I am an officer or director or the receiver or trustee empowered to execute this application as provided for in chapter 607 or 617, F.S. I further certify that when filing this reinstatement application, the reason for dissolution has been eliminated, the corporate name satisfies the requirements of section 607.0401 or 617.0401, F.S., that all fees owed by the corporation have been paid and the names of individuals listed on this form do not qualify for an exemption under section 119.07(3)(f), F.S. The information indicated on this application is true and accurate, and my signature shall have the same legal effect as if made under oath.

SIGNATURE:

Blake Whisenant

Blake Whisenant

SIGNATURE AND TYPED OR PRINTED NAME OF SIGNING OFFICER OR DIRECTOR

7/17/00

Date

941-776-1244

Daytime Phone #

Z. 334 268 188

US Postal Service

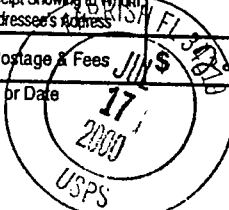
Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Dept. of State	
Street & Number	
P.O. Box 6327	
Post Office, State, & ZIP Code	
Tallahassee, FL 32314	
Postage	\$.33
Certified Fee	1.40
Special Delivery Fee	1.25
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	JUN 17 2000 \$ 1.98
Postmark or Date	

PS Form 3800, April 1995



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Dept. of State
P.O. Box 6327
Tallahassee, FL 32314

4a. Article Number

Z 334268 188

4b. Service Type

- Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery

JUN 19 2000

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X B Jerry Raines

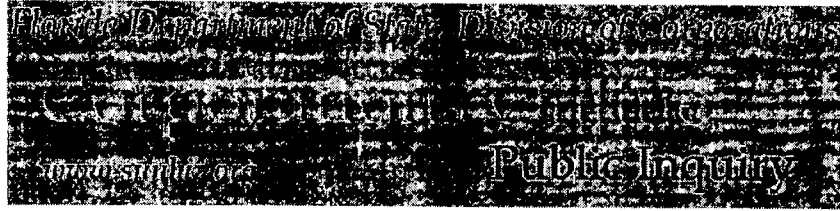
8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

For using Return Receipt



Florida Non Profit

ELLENTON COMMERCIAL SUBDIVISION ASSOCIATION, INC.

PRINCIPAL ADDRESS
 C/O BLAKE WHISENANT
 19725 HWY 62
 PARRISH FL 34219 US
 Changed 04/20/1994

MAILING ADDRESS
 C/O BLAKE WHISENANT
 19725 HWY 62
 PARRISH FL 34219 US
 Changed 04/20/1994

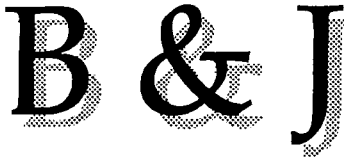
Document Number N39322	FEI Number 650336810	Date Filed 08/01/1990
State FL	Status ACTIVE	Effective Date NONE
Last Event REINSTATEMENT	Event Date Filed 07/20/2000	Event Effective Date NONE

Registered Agent

Name & Address
WHISENANT, BLAKE 19725 HWY. 62 PARRISH FL 34219

Officer/Director Detail

Name & Address	Title
ZUKERMAN, HAIM M. 6520 POWERS FERRY RD., SUITE 300 ATLANTA GA	PD
MCAULIFFE, RICHARD 11004 PEACH POINT CT BRADENTON FL	VD
WHISENANT, BLAKE 19762 HWY. 62 PARRISH FL 34219 US	STD



B & J Citrus Groves, Inc.
4020 69th Street East
Palmetto, Florida 34221

Received By
Manatee County Attorney's
Office
Date 9/8/00
Time 1:00 pm
 Received By Mail
 Received By Hand-Delivery
 Received By Fax
Time Sensitive: Y N U

September 6, 2000

Mr. Jeff Steinsnyder, Esq.
Manatee County Government
1112 Manatee Avenue West
Bradenton, FL 34206

RECEIVED

SEP 12 2000

BOARD RECORDS

Subject: Ellenton Mini Storage and Car Wash
PDC-99-09 (Z) (P)

Dear Mr. Steinsnyder:

As required by the above referenced zoning request, the necessary papers have been filed with the Florida Department of State to reinstate the Ellenton Commercial Subdivision as an active Florida corporation. The reinstatement was filed within 60 days of zoning approval, as required. A copy of the reinstatement form is enclosed.

Sincerely,

Anthony K. Bowen
B & J Citrus Groves, Inc.

Cc: Mr. Aristotle Shinas
Mr. David Haley

Annual Reports

Report Year	Filed Date	Intangible Tax
1998	07/20/2000	
1999	07/20/2000	
2000	07/20/2000	

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