

MANATEE COUNTY ZONING ORDINANCE
PDI-94-01(Z)(G) - MIXON FRUIT FARMS, INC.

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

JUN 2 11 46 AM '94

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FILED

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) AND A-1/CH (SUBURBAN AGRICULTURE, 1 DU/ACRE/COASTAL HIGH HAZARD AREA OVERLAY DISTRICT) TO PDI (PLANNED DEVELOPMENT INDUSTRIAL) AND PDI/CH (PLANNED DEVELOPMENT INDUSTRIAL/COASTAL HIGH HAZARD AREA OVERLAY DISTRICT); AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO ALLOW AN EXPANSION TO THE AGRICULTURAL PRODUCTS PROCESSING PLANT AND RETAIL SALES AND THE ADDITION OF AN EATING ESTABLISHMENT; PROVIDING AN EFFECTIVE DATE.

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) and A-1/CH (Suburban Agriculture, 1 du/acre)/Coastal High Hazard Area Overlay District) to PDI (Planned Development Industrial) and PDI/CH (Planned Development Industrial/Coastal High Hazard Area Overlay District).

B. The said Board of County Commissioners held a public hearing on May 26, 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 General Development Plan is hereby APPROVED to allow an expansion to the agricultural products processing plant and retail sales and the addition of an eating establishment with the following stipulations:

STIPULATIONS

1. The project shall obtain a Certificate of Level of Service Compliance prior to Final Site Plan approval.
2. Citrus trees shall only be utilized in the parking area in addition to required plantings.
3. Prior to Final Site Plan approval, the applicant shall furnish evidence that the proposed development meets all regulations specified by State Law and all other County regulations.
4. No outside storage of equipment or materials shall be located in the front yard setback of the principal structure.
5. All signage shall undergo separate permitting pursuant to Section 724 of the Land Development Code.

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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) and A-1/CH (Suburban Agriculture, 1 du/acre)/Coastal High Hazard Area Overlay District) to PDI (Planned Development Industrial) and PDI/CH (Planned Development Industrial/Coastal High Hazard Area Overlay District), 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.

THAT PART OF LOTS 7, 9 10, 11 AND 12, LYING SOUTH OF THE CENTERLINE OF "GLENN CREEK", IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 34 S., RANGE 18 E., IN "FAIR OAKS SUBDIVISION", AS RECORDED IN PLAT BOOK 1, PAGE 171, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 32, TOWNSHIP 34 S., RANGE 18 E., THENCE S 89°42'11" E, ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 39.09 FT. TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EASTERLY R/W OF 27TH ST. E. AS RECORDED IN OFFICIAL RECORDS BOOK 240, PAGE 524, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N 00°09'14" W, ALONG SAID SOUTHERLY EXTENSION OF THE EASTERLY R/W OF SAID 27TH ST. E., A DISTANCE OF 26.85 FT. TO THE INTERSECTION OF THE EASTERLY R/W OF SAID 27TH ST. E. AND THE NORTHERLY R/W OF 26TH AVE. E. AS RECORDED IN OFFICIAL RECORDS BOOK 99, PAGE 723, AFORESAID PUBLIC RECORDS, FOR A POINT OF BEGINNING; THENCE CONTINUE N 00°09'14" W, ALONG SAID EASTERLY R/W OF 27TH ST. E., A DISTANCE OF 896.41 FT. TO THE INTERSECTION WITH THE CENTERLINE OF "GLENN CREEK"; THENCE RUN SOUTHEASTERLY ALONG THE SINUSITIES OF THE CENTERLINE OF SAID "GLENN CREEK" THE FOLLOWING COURSES AND DISTANCES: S 83°58'33" E, 102.02 FT., THENCE S 67°56'23" E, 204.37 FT.; THENCE S 58°26'58" E, 399.45 FT.; THENCE S 63°38'35" E, 76.44 FT.; THENCE LEAVING SAID CENTERLINE RUN S 01°31'50" W, A DISTANCE OF 567.91 FT. TO THE INTERSECTION WITH THE NORTHERLY R/W OF SAID 26TH AVE. E.; THENCE N 89°51'21" W, ALONG SAID NORTHERLY R/W, A DISTANCE OF 682.19 FT. TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 32, TOWNSHIP 34 S., RANGE 18 E., MANATEE COUNTY, FLORIDA.

CONTAINING 12.07 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 26th day of May, 1994.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: J. M. Clark
FIRST VICE - Chairman

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

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. PDI-94-01 adopted by the Board of County Commissioners of said County on the 26 day of May, 1994, this 27 day of May, 1994, in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
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

May 31, 1994

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

Attention: Robin Liberty, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of May 26, 1994 and certified copy of Manatee County Ordinance Number PD# 94-01(Z)(G), which was received and filed in this office on May 31, 1994.

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

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosure (1)

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