

MANATEE COUNTY ZONING ORDINANCE
PDMU-96-09(Z)(G) - COUNTY INITIATED/GREGORY ESTATES

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

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 RSMH-6 (RESIDENTIAL SINGLE FAMILY - 6 DWELLING UNITS PER GROSS ACRE) TO PDMU (PLANNED DEVELOPMENT MIXED USE); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO RECOGNIZE THE EXISTING GREGORY ESTATES SUBDIVISION; GRANTING SPECIAL APPROVAL FOR A PROJECT EXCEEDING DWELLING UNITS PER GROSS ACRE IN THE RES-16 FUTURE LAND USE CATEGORY

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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 RSMH-6 (Residential Single Family - 6 dwelling units per gross acre) to PDMU (Planned Development Mixed Use).

B. The said Board of County Commissioners held public hearings on February 25, 1997 and March 11, 1997, 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 hearings.

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 with the following stipulations and specific approvals:

STIPULATIONS:

1. The permissible land uses for Gregory Estates shall be limited to single-family detached, and manufactured home residential dwelling units. Duplex dwellings are allowed as depicted on the General Development Plan.
2. The minimum setback for the front, side, and rear yards shall be five (5) feet for all lots within the subdivision.
3. The maximum allowable height for all structures shall be limited to 20 feet above grade.
4. A minimum of 4,750 square feet of lot area shall be required for placement of a triple wide mobile home.

SPECIFIC APPROVALS:

1. Specific Approval of an alternative to Section 603.7.4.5 of the Land Development Code which requires a continuous 15 foot wide greenbelt with landscaping including 1 shade tree planted every 30 feet on center.
2. Specific Approval of an alternative to Section 603.8.4.3.1 of the Land Development Code which requires a minimum of 25% open space & landscaping.
3. Specific Approval of an alternative to Section 603.8.4.3.2 of the Land Development Code which requires a 50 foot buffer along all streets abutting the district and a 75' buffer where manufactured homes abut a residential zoning or future land use category.
4. Specific Approval of an alternative to Section 603.16.2.3 of the Land Development Code which requires a minimum of 20% open space for PDMU projects.
5. Specific Approval of an alternative to Section 722.1.4.2 of the Land Development Code which requires a 4 foot wide sidewalk along the north and west sides of existing local streets.
6. Specific Approval of an alternative to Section 907.7.2 of the Land Development Code which requires that corner lots be platted not less than 15% wider on both front yards.

- 7. Specific Approval of an alternative to Section 907.9.2.1 of the Land Development Code which requires 50 feet of right-of-way for minor residential streets.
- 8. Specific Approval of an alternative to Section 907.10 of the Land Development Code which requires a minimum of a 5 foot wide utility easement along the front, side and rear property lines, and 10 feet along either the front or the rear lot line.

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 RSMH-6 (Residential Single Family - 6 dwelling units per gross acre) to PDMU (Planned Development Mixed Use), 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 13 THROUGH LOT 77, LOT 79 THROUGH LOT 104 GREGORY ESTATES, SECTIONS 2 & 3, TOWNSHIP 35 SOUTH, RANGE 17 EAST

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 11th day of March, 1997.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Patricia M. Glass
Chairman

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

By: Susan Louine

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. Amended adopted by the Board of County Commissioners of said County on the 11th day of March, 1997, this 14th day of March, 1997 in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: R. B. Shore

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FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State
DIVISION OF ELECTIONS

March 19, 1997

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

Attention: Susan G. Romine, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of March 14, 1997 and certified copy of Manatee County Ordinance No. PDMU-96-09 (Z)(G), which was filed in this office on March 19, 1997.

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

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

Enclosure