

MANATEE COUNTY ZONING ORDINANCE
PDO-94-02(Z) (P) - DON HARVEY

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 PDC (PLANNED DEVELOPMENT-COMMERCIAL) AND A-1 (SUBURBAN AGRICULTURE, 1 DU/ACRE) TO PDO (PLANNED DEVELOPMENT OFFICE); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW MEDICAL OFFICE BUILDINGS AND A DRIVE-THRU BANK/OFFICE, GRANTING SPECIAL APPROVAL FOR A PROJECT EXCEEDING 3,000 SQUARE FEET IN THE OL FUTURE LAND USE CATEGORY.

SEP 6 9 36 AM '94

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 PDC (Planned Development-Commercial) and A-1 (Suburban Agricultural) to PDO (Planned Development Office).

B. The said Board of County Commissioners held a public hearing on August 25, 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 Preliminary Site Plan is hereby APPROVED to allow medical office buildings and a drive-thru bank/office, granting Special Approval for a project exceeding 3,000 square feet in the OL Future Land Use Category, with the following stipulations and modification:

STIPULATIONS

1. Prior to Final Site Plan Approval, applicant must obtain all necessary permits for proposed septic tanks/fields.
2. A completely automatic fire sprinkler system, including fire pump, storage tank/reservoir and fire department connection, will be required on this site.
3. A Permit for the Water Distribution system is required prior to start of construction.
4. A permit will be required prior to demolition of the existing home on this site.
5. Prior to issuance of the Certificate of Level of Service for solid waste, a special report for solid waste is required. This report shall address the type of solid waste generated, the generation rate, the method of disposal and any recycling efforts being made by the applicant.

6. Prior to issuance of a Certificate of Level of Service for potable water and sanitary sewer (because services are not currently available in the immediate area) construction permits issued by the appropriate authorities for an acceptable water source and the proposed septic tank design shall be submitted to the Growth Management division of the Planning, Permitting & Inspections Department.
7. Any approval of the preliminary site plan for this request is limited to a maximum square footage of 3,000 square feet until the approval of the proposed plan amendment changing the future land use category of this property from RES-6 to OL. Approval of square footage in excess of 3,000 sq. ft., as shown on the preliminary site plan as submitted, shall not become valid until the 45-day appeal period for the plan amendment has passed and the plan amendment has become effective.
8. The applicant shall be required to construct dry lines for sewerage out to the project property boundaries. Upon the availability of a sanitary sewer line with adequate capacity to accommodate wastewater flows from the developed portions of the project, the applicant will be required to connect to the available sanitary sewer line(s) per Section 722.1.8.1.3
9. An application for a Fugitive Particulate Abatement Plan and an 8-1/2" x 11" map of the construction area shall be submitted to the Director of the Environmental Action Commission for review and approval prior to the approval of a Final Site Plan for the project.

MODIFICATION

1. Modification of Section 711.4.3 of the Land Development Code which allows a maximum of two driveways for this site, to provide cross access easements from two of the driveways to the adjacent parcel to the east.

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 PDC (Planned Development-Commercial) and A-1 (Suburban Agricultural) to PDO (Planned Development Office), 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.

BEGIN AT THE SW CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 32, TOWNSHIP 35S, RANGE 18E, MANATEE COUNTY, FLORIDA; THENCE E 215 FEET; THENCE N 430 FEET; THENCE W 215 FEET; THENCE S 430 FEET TO THE POINT OF BEGINNING. LESS, .53 ACRES CONVEYED TO DOT FOR ROAD RIGHT-OF-WAY AS DESCRIBED IN OR BOOK 969, PAGE 486, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA (DP#20403.0000/2).

PARCEL 1: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 35S, RANGE 18E, MANATEE COUNTY, FLORIDA; THENCE N 0°21'43" E, 430.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N 0°21'43" E, A DISTANCE OF 305.00 FEET; THENCE S 89°35'55" E, A DISTANCE OF 215.00 FEET; THENCE S 0°21'43" W, A DISTANCE OF 305.00 FEET; THENCE N 89°35'55" W, A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.505 ACRES, MORE OR LESS.

PARCEL 2: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 35S, RANGE 18E, MANATEE COUNTY, FLORIDA; THENCE EAST, ALONG THE SOUTH LINE OF SAID SECTION 32, BEING ALSO THE SOUTH COUNTY LINE A DISTANCE OF 215.00 FEET; THENCE N 0°21'43" E, A DISTANCE OF 155.36 FEET TO A POINT ON THE NORTHERLY R/W LINE OF UNIVERSITY PARKWAY FOR A POINT OF BEGINNING; THENCE CONTINUE N 0°21'43" E, A DISTANCE OF 579.44 FEET; THENCE S 89°35'55" E, A DISTANCE OF 75.00

FEET; THENCE S 0°21'43" W, A DISTANCE OF 573.85 FEET TO A POINT ON THE AFOREMENTIONED NORTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF SAID CURVE (HAVING A RADIUS OF 5729.58' AND SHOW CHORD BEARS S 86°08'29" W, A DISTANCE OF 75.20 FEET AND WHOSE CENTRAL ANGLE IS 0°45'07") A DISTANCE OF 75.20 FEET TO THE POINT OF BEGINNING, CONTAINING 0.993 ACRES, MORE OR LESS.

THE EAST 49.00 FEET OF THE WEST 50.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE N 00°21'43" E, 430.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N 00°21'43" E, A DISTANCE OF 305.00 FEET; THENCE S 89°35'55" E, A DISTANCE OF 215.00 FEET; THENCE S 00°21'43" W, A DISTANCE OF 305.00 FEET; THENCE N 89°35'55" W, A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.505 ACRES, MORE OR LESS.

ALL THE ABOVE BEING AND LYING IN SECTION 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 14,945.00 SQUARE FEET, MORE OR LESS.

FROM THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 35 SOUTH, RANGE 18 EAST; THENCE N 00°21'43" E, 134.04 FEET TO THE NORTH RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY; THENCE CONTINUE N 00°21'43" E, 234.00 FEET; THENCE S 89°35'55" E, 1.00 FOOT FOR THE POINT OF BEGINNING; THENCE N 00°21'43" E, 61.96 FEET; THENCE S 89°35'55" E, 49.00 FEET; THENCE S 00°21'43" W, 61.96 FEET; THENCE N 89°35'55" W, 49.00 FEET; TO THE POINT OF BEGINNING.

CONTAINING 3,036.04 SQUARE FEET, MORE OR LESS.

ALSO:

FROM THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 35 SOUTH, RANGE 18 EAST; THENCE N 00°21'43" E, 134.04 FEET TO THE NORTH RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY; THENCE CONTINUE N 00°21'43" E, 234.00 FEET; THENCE S 89°35'55" E, 33.00 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE S 89°35'55" E, 17.00 FEET; THENCE S 19°08'39" W, 52.80 FEET, THENCE N 00°21'43" E, 50.00 FEET TO THE POINT OF BEGINNING.

ALL OF THE ABOVE BEING AND LYING IN SECTION 32, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 425.00 SQUARE FEET, MORE OR LESS.

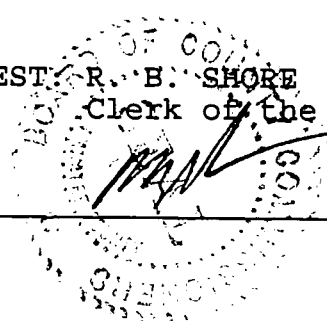
Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 25th day of August, 1994.

BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

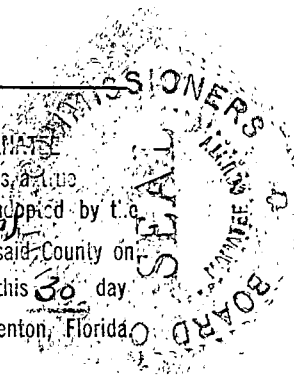
BY: Sean Stephen

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. 94-22 adopted by the Board of County Commissioners of said County on the 25 day of August, 1994, this 30 day of August, 1994, in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: James Cook D.C.





NOTE - Corrective Document
APP 9/22/94.

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

September 6, 1994

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

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of August 30, 1994 and certified copy each of Manatee County Ordinance Nos. Z-94-02; PDC-94-02(Z)(P); PDO-94-02(Z)(P); PDMH-94-01(Z)(G); PDPI-94-02(Z)(F); PDPI-94-03 and PDR-94-05(Z)(G), which were filed in this office on September 6, 1994.

The duplicate copy of each 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

Enclosures