

Dec 14 2 09 PM '98

MANATEE COUNTY ZONING ORDINANCE
PDR/PDC-98-(Z)(G) - CHEROKEE CREEK, INC.

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 (GENERAL AGRICULTURE 1 DU/5 ACRES) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL) (937.65 ACRES) AND PDC (PLANNED DEVELOPMENT COMMERCIAL) (6.9 ACRES); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO ALLOW 301 SINGLE-FAMILY DWELLING UNITS AT A DENSITY OF .32 DWELLING UNITS PER ACRE, AND 30,000 SQ. FT. OF COMMERCIAL WITH A PROPOSED FLOOR AREA RATIO .1, GRANTING SPECIAL APPROVAL FOR A PROJECT ADJACENT TO A PERENNIAL STREAM.

98 DEC -1 AM 10:10

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 (General Agriculture, 1 du/5 acres) to PDR (Planned Development Residential) (937.65 acres) and PDC (Planned Development Commercial) (6.9 acres).

B. The said Board of County Commissioners held a public hearing on November 17, 1998 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 301 single-family dwelling units at a density of .32 dwelling units per acre, and 30,000 sq. ft. of commercial with a proposed Floor Area Ratio of .1, granting Special Approval for a project adjacent to a perennial stream.

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 (General Agriculture, 1 du/5 acres) to PDR (Planned Development Residential) (937.65 acres) and PDC (Planned Development Commercial) (6.9 acres), 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.

PDR PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTIONS 25, 35, AND 36, TOWNSHIP 33 SOUTH, RANGE 19 EAST AND SECTION 1, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 675 (RUTLAND ROAD), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 1; THENCE N 00°30'00" E, ALONG THE RANGE LINE BETWEEN RANGE 19 EAST, AND RANGE 20 EAST, A DISTANCE OF 5179.89 FEET TO THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 34

SOUTH, RANGE 20 EAST; THENCE N 00°26'32" E, CONTINUING ALONG SAID RANGE LINE, A DISTANCE OF 2838.51 FEET TO THE SOUTHEAST CORNER OF THE LANDS OF WILLIAM M. WELCH, SR.; THENCE S 89°51'40" W, ALONG SAID SOUTH LINE, A DISTANCE OF 2191.25 FEET; THENCE SOUTHWESTERLY, ALONG THE EAST LINE OF THE LANDS OF HENRY, SIMONNE AND ERIC VERBERKE, THE FOLLOWING COURSES AND DISTANCES: S 06°54'42" W, 52.70 FEET; THENCE S 23°11'53" W, 555.38 FEET; THENCE S 17°30'04" W, 606.47 FEET; THENCE S 28°55'51" W, 201.26 FEET; THENCE S 22°57'79" W, 974.14 FEET; THENCE S 20°00'32" W, 1593.11 FEET; THENCE S 23°20'06" W, 1173.53 FEET; THENCE S 29°07'18" W, 1319.52 FEET; THENCE S 27°14'14" W, 112.35 FEET; THENCE S 33°07'14" W, 53.56 FEET; THENCE S 29°07'34" W, 525.88 FEET; THENCE S 37°01'42" W, 918.69 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 675; THENCE LEAVING SAID EAST LINE, GO EASTERLY ALONG SAID RIGHT-OF-WAY LINE, BEING A CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 2789.79 FEET, THROUGH A CENTRAL ANGLE OF 01°50'22", A DISTANCE OF 89.56 FEET (CHORD = 89.56 FEET; CHORD BEARING = S 54°29'14" E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 55°24'25" E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 710.71 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, GO N 09°40'19" W, 917.06 FEET; THENCE S 78°25'22" E, 1129.12 FEET; THENCE S 39°44'35" W, 1103.08 FEET TO A POINT ON THE AFOREMENTIONED NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 675, BEING A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 22,993.16 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°55'55", A DISTANCE OF 374.03 FEET (CHORD = 374.03 FEET; CHORD BEARING = S 54°48'22" E) TO A CONCRETE MONUMENT MARKING THE POINT OF TANGENCY OF SAID CURVE; THENCE S 54°24'37" E, 38.95 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 4119.41 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°28'00", A DISTANCE OF 536.83 FEET (CHORD = 536.45 FEET; CHORD BEARING = S 50°40'37" E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 46°56'37" E, 168.06 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 11,534.16 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°18'00", A DISTANCE OF 664.32 FEET (CHORD = 664.23 FEET; CHORD BEARING = S 45°17'37" E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 43°38'37" E, 255.56 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 9897.21 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°14'00", A DISTANCE OF 558.52 FEET (CHORD = 558.45 FEET; CHORD BEARING = S 42°01'37" E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 40°24'37" E, 20.84 FEET; THENCE S 49°35'23" W, 25.00 FEET; THENCE S 40°24'37" E, 972.10 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 68,704.94 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°40'00", A DISTANCE OF 1998.55 FEET (CHORD = 1998.48 FEET; CHORD BEARING = S 41°10'25" E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 42°00'25" E, 388.11 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 68,704.94 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°38'00", A DISTANCE OF 759.45 FEET (CHORD = 759.44 FEET; CHORD BEARING = S 42°19'25" E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 42°38'25" E, 43.70 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE AND THE EAST LINE OF THE AFOREMENTIONED SECTION 1; THENCE LEAVING SAID RIGHT-OF-WAY GOING N 00°49'35" E, ALONG SAID EAST LINE, A DISTANCE OF 5000.92 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAINING 944.55 ACRES, MORE OR LESS.
LESS PDC PARCEL

PDC PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTIONS 35 AND 36, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 675 (RUTLAND ROAD), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE N. 00°30'00" E., ALONG THE RANGE LINE BETWEEN RANGE 19 EAST, AND RANGE 20 EAST A DISTANCE OF 5179.89 FEET TO THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 34 SOUTH, RANGE 20 EAST; THENCE N. 00°26'32" E., CONTINUING ALONG SAID RANGE LINE A DISTANCE OF 2838.51 FEET TO THE SOUTHEAST CORNER OF

THE LANDS OF WILLIAM M. WELCH, SR., THENCE S. 89°51'40" W., ALONG SAID SOUTH LINE A DISTANCE OF 2191.25 FEET; (THE FOLLOWING 14 CALLS ARE ALONG THE EASTERLY LINE OF THE LANDS OF HENRY, SIMONNE AND ERIC VERBEKE); THENCE S. 06°54'42" W., A DISTANCE OF 52.70 FEET; THENCE S. 23°11'53" W., A DISTANCE OF 555.38 FEET; THENCE S. 17°50'04" W., A DISTANCE OF 806.41 FEET; THENCE S. 28°53'51" W., A DISTANCE OF 201.26 FEET; THENCE S. 22°57'16" W., A DISTANCE OF 974.14 FEET; THENCE S. 20°00'32" W., A DISTANCE OF 1593.11 FEET; THENCE S. 23°20'06" W., A DISTANCE OF 1173.53 FEET; THENCE S. 29°07'18" W., A DISTANCE OF 1319.52 FEET; THENCE S. 27°14'14" W., A DISTANCE OF 112.35 FEET; THENCE S. 33°07'14" W., A DISTANCE OF 53.56 FEET; THENCE S. 29°07'34" W., A DISTANCE OF 525.88 FEET; THENCE S. 37°01'42" W., A DISTANCE OF 320.10 FEET TO THE POINT OF BEGINNING; THENCE S. 37°01'42" W., A DISTANCE OF 598.59 FEET TO THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 675 AND A POINT ON A CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH LIES S. 34°35'35" W., A RADIAL DISTANCE OF 2789.79 FEET; (THE FOLLOWING TWO CALLS ARE ALONG SAID RIGHT-OF-WAY) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 01°50'22", AN ARC LENGTH OF 89.56 FEET TO THE END OF SAID CURVE; THENCE S. 55°24'25" E., A DISTANCE OF 710.71 FEET; THENCE N. 09°40'19" W., A DISTANCE OF 917.06 FEET; THENCE N. 78°25'22" W., A DISTANCE OF 146.39 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 6.941 ACRES, MORE OR LESS.

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 17th day of November, 1998.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: *David M. Shaw*
Chairman

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

R. B. Shore
Clerk of the Circuit Court

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 27th day of

November 1998

R. B. SHORE
Clerk of Circuit Court

By: *Phillip M. Lloyd* D.C.

Phillip M. Lloyd

DEC 14 2 08 PM '98

MANATEE COUNTY ZONING ORDINANCE
PDR/PDC-98-06(Z)(G) - CHEROKEE CREEK, INC.

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 (GENERAL AGRICULTURE, 1 DU/5 ACRES) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL) (937.65 ACRES) AND PDC (PLANNED DEVELOPMENT COMMERCIAL) (6.9 ACRES), PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO ALLOW 301 SINGLE-FAMILY DWELLING UNITS AT A DENSITY OF .32 DWELLING UNITS PER ACRE, AND 30,000 SQ. FT. OF COMMERCIAL WITH A PROPOSED FLOOR AREA RATIO .1, GRANTING SPECIAL APPROVAL FOR A PROJECT ADJACENT TO A PERENNIAL STREAM.

DEC 9 10 28 AM '98
PLANNING COMMISSION
MANATEE COUNTY

RECEIVED

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:

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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
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FLORIDA MUSEUM OF ART

FILED FOR RECORD
R.B. SHORE
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA
DEC 14 2 08 PM '98

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

December 10, 1998

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

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters dated November 25, 1998 and December 4, 1998 and certified copy each of Manatee County Ordinance Nos. PDR/PDC-98-06 (Z) (G), PDC-98-08 (Z) (P), and PDMU-98-03 (Z) (P), which were filed in this office on December 1, 1998; and corrected page for Ordinance No. PDR/PDC-98-06 (Z) (G), which was received on December 9, 1998.

The extra date stamped copies are being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/vm

Enclosure