

MANATEE COUNTY ZONING ORDINANCE
PDW-91-02(Z) - HANS & MARIA WEISSGERBER/DSA MARINA

FILED FOR RECORD
R.P. SHOVE
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA
JAN 17 3 15 PM '95

95 JAN 11 AM 11:06

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 RSF-3/WR/CH/AI (RESIDENTIAL SINGLE FAMILY, 3 DU/ACRE/WHITFIELD RESIDENTIAL/COASTAL HIGH HAZARD AREA/AIRPORT IMPACT OVERLAY DISTRICTS) AND RSF-3/WR/AI (RESIDENTIAL SINGLE FAMILY, 3 DU/ACRE/WHITFIELD RESIDENTIAL/AIRPORT IMPACT OVERLAY DISTRICTS) TO PDW/WR/CH/AI (PLANNED DEVELOPMENT WATERFRONT/WHITFIELD RESIDENTIAL/COASTAL HIGH HAZARD AREA/AIRPORT IMPACT OVERLAY DISTRICTS) AND PDW/WR/AI (PLANNED DEVELOPMENT WATERFRONT/WHITFIELD RESIDENTIAL/AIRPORT IMPACT OVERLAY DISTRICTS); 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 RSF-3/WR/CH/AI (Residential Single Family, 3 du/acre/Whitfield Residential/Coastal High Hazard Area/Airport Impact Overlay Districts) and RSF-3/WR/AI (Residential Single Family, 3 du/acre/Whitfield Residential/Airport Impact Overlay Districts) to PDW/WR/CH/AI (Planned Development Waterfront/Whitfield Residential/Coastal High Hazard Area/Airport Impact Overlay Districts) and PDW/WR/AI (Planned Development Waterfront/Whitfield Residential/Airport Impact Overlay Districts).

B. The said Board of County Commissioners held a public hearing on January 3, 1995, 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. 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 3 herein from RSF-3/WR/CH/AI (Residential Single Family, 3 du/acre/Whitfield Residential/Coastal High Hazard Area/Airport Impact Overlay Districts) and RSF-3/WR/AI (Residential Single Family, 3 du/acre/Whitfield Residential/Airport Impact Overlay Districts) to PDW/WR/CH/AI (Planned Development Waterfront/Whitfield Residential/Coastal High Hazard Area/Airport Impact Overlay Districts) and PDW/WR/AI (Planned Development Waterfront/Whitfield Residential/Airport Impact Overlay Districts), 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, with the following stipulation:

STIPULATION:

1. No approval for a specific land use, density or intensity is being granted at this time. Land uses, density and intensity shall be approved, approved with conditions, or denied based on Section 603.4 of the LDC at time of General Development or Preliminary Site Plan review.

Section 3. LEGAL DESCRIPTION.

PARCEL 1: Begin at the NE corner of the SW 1/4 of the NW 1/4 of Section 26, Township 35 South, Range 17 East; thence 89°59'04" W along the North line of said SW 1/4 of the NW 1/4, 172.21 feet for a Point of Beginning; thence continue S 89°59'04" W along said North line 175 feet to the center line of Bowlee's Creek; thence S 0°17'31" W along the center line of said Bowlee's Creek 145.31 feet to the P.C. of a curve to the right having a radius of 390 feet; thence

continue along the arc of said curve 218.25 feet to a point; thence N 51°00'00" E, 400.84 feet; thence N 37°00' W, 125.0 feet to the Point of Beginning. Lying and being in Section 26, Township 35 South, Range 17 East, containing 1.13 acres, together with any and all riparian rights thereunto appertaining.

PARCEL 2: Also a triangular piece of property bounded on the South by the South line of the NW 1/4 of the NW 1/4 of Section 26, Township 35 South, Range 17 East, and bounded on the East by the East line of the NW 1/4 of the NW 1/4 of Section 26, Township 35 South, Range 17 East, and bounded on the NW by the channel of Bowlee's Creek, containing approximately 1-1/2 acres, together with any and all riparian rights thereunto appertaining.

PARCEL 3: Begin at the NE corner of the SW 1/4 of the NW 1/4 of Section 26, Township 35 South, Range 17 East; thence S 89°59'04" W, along the North line of said SW 1/4 of the NW 1/4, 347.21 feet to the center line of Bowlee's Creek as described in County Records Book 108, Page 64, Public Records of Manatee County, Florida; thence S 0°17'31" W, along said centerline 80.0 feet, more or less, to the Southeasterly bank of said Bowlee's Creek, for a Point of Beginning; thence Southwesterly along the sinuosity of said bank 345.0 feet, more or less to the intersection of said bank, and the centerline of said Bowlee's Creek; thence N 0°17'31" E, along said centerline 65.0 feet more or less, to the Point of Beginning. Lying and being in Section 26, Township 35 South, Range 17 East, Manatee County, Florida, containing 0.1 acre more or less.

PARCEL 4: All of that part of NE 1/4 of NW 1/4 of Section 26, lying South of Bowlee's Creek and West of new Tamiami Trail as now located and constructed including riparian rights.

All legal descriptions per Manatee County records.

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 3rd day of January, 1995.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

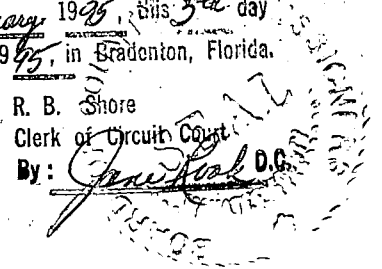
BY: Stan Stephen

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

BY: R. B. Shore
Clerk of Circuit Court

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. PDW 91-02 adopted by the Board of County Commissioners of said County on the 3rd day of January, 1995, at 3:42 day of January, 1995, in Bradenton, Florida.

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





FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham
Secretary of State

DIVISION OF ELECTIONS
Bureau of Administrative Code
The Elliot Building
401 South Monroe Street
Tallahassee, Florida 32399-0250
(904) 488-8427

FILED FOR RECORD
JAN 17 3 15 PM '95
CLERK OF CIRCUIT COURT
MANATEE COUNTY
BRADENTON, FLORIDA

January 12, 1995

Honorable R. B. Shore
Clerk of Circuit Court
Manatee County
County Courthouse
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 January 5, 1995 and certified copy of Manatee County Ordinance No. PDW-91-02(Z), which was filed in this office on January 11, 1995.

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

For future use, our current address is:

Department of State
Bureau of Administrative Code
The Elliot Building
401 South Monroe Street
Tallahassee, Florida 32399-0250

Sincerely,

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

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

Enclosure