

MANATEE COUNTY ORDINANCE (NO. Z-88-57)
OHNA S. ROBEYSEK, ET AL (ASHWOOD-OAKS)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND 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) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL) RETAINING THE AF (AGRICULTURAL FRINGE OVERLAY DISTRICT) AND THE APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN TO ALLOW 240 MULTI-FAMILY UNITS AND 240 SINGLE FAMILY DWELLINGS; PROVIDING AN EFFECTIVE DATE.

FILED
89 JAN 20 PM 12:09
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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) to PDR (Planned Development Residential) retaining the AF (Agricultural Fringe Overlay District) and the approval of a Conceptual Development Plan to allow 240 multi-family units and 240 single family dwellings.

B. The said Board of County Commissioners held a Public Hearing on December 15, 1988, regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND 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. 80-4, THE MANATEE PLAN.

Section 2. The Conceptual Development Plan titled Ohna S. Robeysek, et al (Ashwood Oaks), is hereby APPROVED to allow 240 multi-family units and 240 single family dwellings with the following stipulations:

1. A sidewalk five feet (5') wide shall be provided along Mendoza Road prior to certificate of occupancy for any unit in the corresponding phase unless an engineering deferral is granted by Manatee County Public Utilities Department.
2. The final development plan for the multi-family development of the plan shall be drawn at a scale no less than 1"=60'.
3. Right-of-way dedication along Mendoza Road shall be provided to maintain a right-of-way width of eighty-four feet (84') prior to final plat approval.

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

JAN 23 11 30 AM '89

A

4. Sixtieth Avenue East shall be required to be constructed to County standards from the existing pavement to the entrance to the project prior to final plat approval for any portion of this development. Any additional off-site right-of-way required along 60th Avenue East shall be platted or dedicated by separate instrument.
5. A left turn lane at Mendoza Road and 60th Avenue East shall be constructed prior to final plat approval.
6. The applicant shall provide documentation at time of final site development plan submittal that no residential development is located within the L 10 70 dB(a) noise level, as established in the federally accepted environmental impact report for the adjacent section of Interstate 75, unless such residences are protected by some performance equivalent measure approved by the Planning and Development Department to achieve the L 10 70 dB(a) exterior noise level. The L 10 70 dB(a) contour line shall be plotted on the final development plan and any residential development within the L 10 70 dB(a) contour shall be removed or noise abatement measures provided for as previously mentioned. Residential development shall include lanais and Florida rooms.
7. Emergency access, acceptable to Manatee County and the fire department, shall be provided to at least two (2) sides of the multi-family buildings. This access shall have an unobstructed width of twelve feet (12') with a minimum/maximum distance for the building to the closest curb line or edge as follows: one, two and three-story buildings, ten foot (10')/fifteen foot (15') maximum, in accordance with the Fire Prevention Code, Section 25.
8. A minimum living area of 1200 square feet for single family units and 850 square feet for the units in the multi-family buildings shall be required.
9. The existing ingress/egress easement shall not be abandoned except with the approval of the appropriate County departments and/or County Boards.

Section 3. AMENDMENT OF OFFICIAL ZONING ATLAS The official Zoning Atlas of Manatee County Ordinance No. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND 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) to PDR (Planned Development Residential) retaining the AF (Agricultural Fringe Overlay District) and the approval of a Conceptual Development Plan to allow 240 multi-family units and 240 single family dwellings and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning and Development Department are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. Legal Description:

The Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 9, Township 34 South, Range 18 East, Manatee County, Florida, subject to a 25 feet ingress-egress easement as recorded in O.R. Book 577, Pages 176 and 177 of the Official Records of said Manatee County, Florida.

AND

B

The Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 9, Township 34 South, Range 18 East, Manatee County, Florida subject to a 25 feet ingress-egress easement as recorded in O.R. 577, Pages 173, 176, and 177 of the Official Records of said Manatee County, Florida.

AND

The Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4, less the South 25.00 feet for right-of-way of Section 9, Township 34 South, Range 18 East, Manatee County, Florida, subject to a 25 feet ingress-egress easement as recorded in O.R. 508, Pages 37 and 352, O.R. 577, Page 175 and O.R. 661, Page 573 of the Official Records of said Manatee County, Florida.

AND

The South 2/3 of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 9, Township 34 South, Range 18 East, Manatee County, Florida.

AND

The South 1/3 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 9, Township 34 South, Range 18 East, Manatee County, Florida, subject to a 25 feet ingress-egress as recorded in O.R. 661, Page 578 and O.R. 910, Page 358 of the Official Records of said Manatee County, Florida.

AND

That part of the South 1/2 of the Southeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 4, Township 34 South, Range 18 East, Manatee County, Florida, lying West of the centerline of Government Hammock Drainage Canal, South of the South right of way line of Mendoza Road and lying South and East of the South and East right of way line of Interstate 75, Less that parcel of land described in Deed Book 332, Page 439, of the Public Records of said Manatee County, Florida.

Subject to reservation of 1/2 of Mineral, gas and oil in or under said lands by Robert B. Macke, as per reservation recorded in Deed Book 272, Page 545, of the Public Records of said Manatee County, Florida.

AND

The South 1/2 of the Southeast 1/4 of Section 4, Township 34 South, Range 18 East, Manatee County, Florida, lying East of the centerline of Government Hammock Drainage Canal, South of the right of way line of Mendoza Road. Less that parcel of land described in Deed Book 332, Page 439, of the Public Records of said Manatee County, Florida.

All containing 136.122 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.

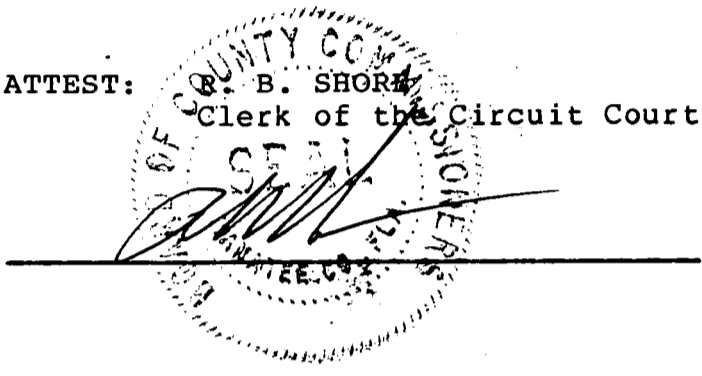
C

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 18th day of January, 1989.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: *Pamela M. Glass*
Chairman

ATTEST: *R. B. Shore*
Clerk of the Circuit Court



D

STATE OF FLORIDA
COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 12th day of January, 1989.

SUBJECT: Z-88-57

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1 TO PDR RETAINING THE AF (AGRICULTURAL FRINGE OVERLAY DISTRICT) AND THE APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN TO ALLOW 240 MULTI-FAMILY UNITS AND 240 SINGLE FAMILY DWELLINGS; PROVIDING AN EFFECTIVE DATE.

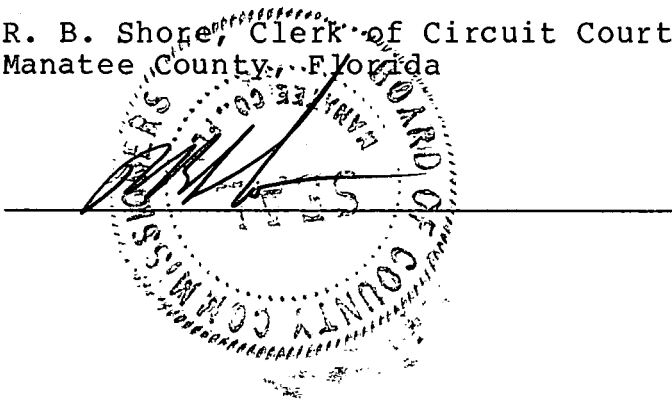
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

89 JAN 20 PM 12:10

FILED

WITNESS My Hand and Official Seal this the 17th day of January, 1989, in Bradenton, Florida.

R. B. Shore, Clerk of Circuit Court
Manatee County, Florida



E



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS
Room 1802, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-8427

January 20, 1989

FILED
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA
JAN 23 11 36 AM '89

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

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of letter/s of January 17, 1989
and certified copy/ies of Manatee
County Ordinance(s) Ord. No. 88-57 (Z)
2. Receipt of _____ County Ordinance(s)
relative to:
 - (a) _____
which we have numbered _____
 - (b) _____
which we have numbered _____
3. We have filed this/these ordinances in this office
on January 20, 1989. (12:09 pm)
4. The ~~original~~/duplicate copy/ies showing the filing date
is/~~are~~ being returned for your records.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosure (1)

F