

MANATEE COUNTY ORDINANCE NO. Z-89-37
INTERNATIONAL BANK OF COMMERCE OF LAREDO
TEXAS

FILED FOR RECORD
NOV 6 1989
CLERK OF COUNTY
MANATEE COUNTY, FLORIDA

Nov 6 2 10 PM '89

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 R-3B (MULTI-FAMILY RESIDENTIAL, 16 DU/ACRE) AND C (NEIGHBORHOOD COMMERCIAL) TO PDC (PLANNED DEVELOPMENT COMMERCIAL) AND APPROVAL OF A CONCEPTUAL SITE PLAN TO ALLOW A 69,650 SQUARE FOOT SHOPPING CENTER, PROVIDING AN EFFECTIVE DATE.

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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 R-3B (Multi-Family Residential, 16 du/acre) and C (Neighborhood Commercial) to PDC (Planned Development Commercial).

B. The said Board of County Commissioners held a Public Hearing on October 26, 1989, 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. 89-01, the Manatee County Comprehensive Plan.

Section 2. The Conceptual Development Plan titled BAYSHORE CROSSINGS, is hereby APPROVED to allow a 69,650 square foot shopping center with the following stipulations:

1. The building facade for the shopping center and the wall behind the shopping center shall be consistent with the perspective plans submitted and approved with the Conceptual Development Plan.
2. The height of the buildings adjacent to the eastern property line shall not exceed 18' for the food store and drug store and 14' for all other stores. The minimum building setback along this property line shall not be less than 35'.
3. A landscape buffer, a minimum of 10' in width shall be provided and maintained along the eastern property line. Shade trees, spaced a maximum distance of 30' apart shall be planted and maintained in the buffer. The trees at planting shall be a minimum of 2" -2 1/2" diameter, measured four (4') feet above grade, twelve (12') feet high, nursery grade or equivalent.

4. The wall along the east property line, behind the shopping center shall be a minimum height of 6' above the finished floor elevation of the shopping center.
5. The applicant's solution to relocating the existing gravity sewer line behind the building shall be provided with the preliminary development plan submittal.
6. Left turn storage to be constructed in accordance with the standards set by MCPWD/Transportation, shall be required on Flamingo Boulevard.

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 R-3B (Multi-Family Residential, 16 du/acre) and C (Neighborhood Commercial) to PDC (Planned Development Commercial), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning and Zoning Department are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. Legal Description:

That parcel of land as described in O.R. Book 1056, Page 2808, Public Records of Manatee County, Florida, less that parcel of land as described in O.R. Book 1056, Page 2806, Public Records of Manatee County, Florida, and less that parcel of land as described in O.R. Book 1064, Page 178, Public Records of Manatee County, Florida, being more particularly described as follows:

From the iron pipe found at the S.W. corner of Parkway Villas, a Condominium, Unit 6, as recorded in Condominium Book 3, Page 37, Public Records of Manatee County, Florida, run N 00° 31' 44" W, along the west line of said Condominium, a distance of 341.71 feet to a concrete monument found at the N.E. corner of said parcel described in said O.R. Book 1056, Page 2806, for the point of beginning; thence along the boundary line of said parcel the following two courses, VIZ: S 89° 26' 46" W, a distance of 249.29 feet to a found concrete monument; and S 01° 22' 21" W, a distance of 16.85 feet to a found concrete monument on the boundary line of said parcel described in said O.R. Book 1056, Page 2808; thence along the boundary line of said parcel the following two courses, VIZ: S 89° 29' 24" W, a distance of 159.91 feet to an X-Cut found on the east right of way line of 26th Street West; and N 01° 31' 10" E, along said east right of way line, a distance of 944.00 feet to a found concrete monument at the S.W. corner of said parcel described in said O.R. Book 1064, Page 178, thence along the boundary line of said parcel the following two courses, VIZ: S 88° 28' 50" E, perpendicular to said east right of way line, a distance of 194.94 feet to a found concrete monument; and N 51° 41' 18" E, a distance of 124.85 feet to a found concrete monument on the southerly right of way line of Flamingo Boulevard as described in said O.R. Book 1056, Page 2808, said concrete monument also being on the arc of a curve to the left whose radius point bears N 51° 38' 04" E, at a distance of 213.70 feet; thence along the boundary line of said parcel described in said O.R. Book 1056, Page 2808, the following nine courses, VIZ: Easterly along the arc of said curve, a distance of 194.30 feet through a central angle of 52° 05' 43" to an iron rod found at the P.T. of said curve; and, N 89° 32' 21" E, a distance of 63.66 feet to a concrete monument found at the N.W. corner of

Lot 16, Bayshore Gardens Section 38, as recorded in Plat Book 15, Page 85, Public Records of Manatee County, Florida; and S 00° 32' 24" E, along the west line of said Lot 16, and along the west line of Lot 17, Block J, Bayshore Gardens Section 36, as recorded in Plat Book 13, Page 53, Public Records of Manatee County, Florida, a distance of 208.14 feet to an iron pipe found at the S.W. corner of said Lot 17; and S 89° 27' 36" W, along the north right of way line of Clark Avenue as shown on said Plat of Bayshore Gardens Section 36, a distance of 52.02 feet to the westerly terminus of said right of way; and, S 00° 32' 24" E, along said westerly terminus a distance of 50.00 feet to an iron pipe found at the N.E. corner of the above described Parkway Villas Condominium Unit 6; and, along the outline of said Parkway Villas four courses, VIZ: S 89° 27' 36" W, a distance of 180.00 feet to a found iron pipe, and, S 00° 33' 50" E, a distance of 471.81 feet to a found iron pipe; and, N 89° 26' 52" E, a distance of 82.03 feet to a found iron pipe; and S 00° 31' 44" E, a distance of 183.38 feet to the point of beginning. Lying and being in Sections 15 and 22, Township 35 South, Range 17 East, Manatee County, Florida.

Subject to easements, restrictions, and rights of way of record.

Containing 8.48 Acres, More or Less.

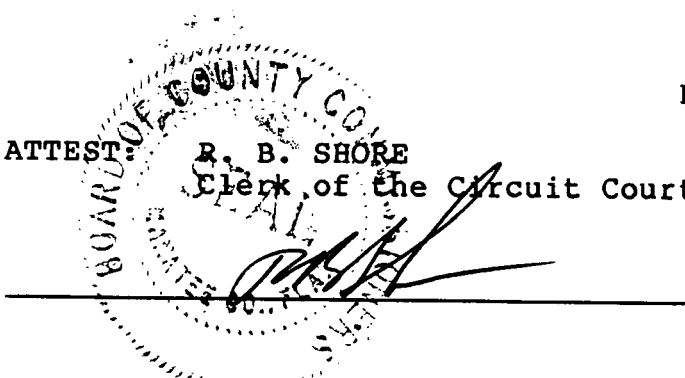
Section 5. EFFECTIVE DATE This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 26th day of October, 1989.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Patricia M. Glass
Chairman

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



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 26th day of October, 1989.

SUBJECT: **Z-89-37**

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 R-3B AND C TO PDC; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 31st day of October, 1989, in Bradenton, Florida.

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


By: Deputy Clerk

(Faint circular official seal of the Clerk of Circuit Court, Manatee County, Florida, is visible in the background.)



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

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

November 3, 1989

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

Attention: Susan French, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of October 30, 1989 and certified copies of Manatee County Ordinances No.'s Z-89-41, Z-89-30(C), 89-31(C), Z-89-37, & Z-89-42, which were filed in this office on November 3, 1989.

The duplicate copies showing the filing date 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/mb

Enclosures (5)

RECEIVED
NOV 6 2 11 PM '89