

(* NOTE: SEE BACK)

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MINUTE BOOK NO. 40

MANATEE COUNTY ORDINANCE NO. PDC-90-07(Z)
[FKA Z-90-12(G)]

PHYLLIS WILLIAMS

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-1 (SUBURBAN AGRICULTURAL, 1 DU/ACRE) AND PD-MU (PLANNED DEVELOPMENT MIXED USE) TO PD-C (PLANNED DEVELOPMENT COMMERCIAL); 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 and the Board of County Commissioners 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 Agricultural, 1 du/acre) and PD-MU (Planned Development Mixed Use) to PD-C (Planned Development Commercial).

B. The said Board of County Commissioners held a Public Hearing on November 29, 1990 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 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 (Suburban Agricultural, 1 du/acre) and PD-MU (Planned Development Mixed Use) to PD-C (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 3. Legal Description:

Begin at the SE corner of Block 3, of Phillips and Allen's Re-Subdivision, as recorded in Plat Book 1, Page 308-A, Public Records of Manatee County, Florida; thence North, along the East line of said Block 3, 313.00 feet to the NE corner of said Block 3; thence S 89°32'30" W, along the North line of said Block 3, 50.00 feet; thence S 10°50'07" W, 319.17 feet to a point on the South line of said Block 3, said South line also being the north line of 40 foot wide vacated road; thence S 89°32'30" W, along said line, 52.00 feet; thence South 40.00 feet to the South line of the aforementioned vacated road, said South line also being

02-5-91

the North line of Block 10, of said Phillips and Allen's Re-Subdivision; thence S 89°32'30" W, along said line, 149.79 feet to the Easterly right-of-way line of I-75 (a limited access right-of-way); thence S 39°38'43" E, along said right-of-way line, 90.11 feet; thence S 55°43'21" E, along said right-of-way line, 120.46 feet; thence S 88°30'02" E, along said right-of-way line, 120.97 feet; thence N 75°28'58" E, along said right-of-way line, 34.94 feet to the East line of said Block 10; thence North, along said East line, 174.13 feet to the Point of Beginning.

Containing 1.505 acres, more or less.

Subject to any easements, dedications and restrictions of record.

Section 4. 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 29th day of November, 1990.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: *Patricia A. Jones*
Chairman

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

NOV 14 1990

AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND RECEIVED NOTIFICATION BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO CONTIGUOUS PROPERTY OWNERS

STATE OF Florida

COUNTY OF Sarasota

BEFORE ME, the undersigned authority, personally appeared Robert S Medved, who, after having first duly sworn and put upon oath, says as follows:

1. That ~~he~~she is the Agent for Owner (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Official Rezone No. Z-90-12, to be heard on Nov. 29, 1990, and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein and they are true to the best of his/her knowledge, information and belief.

2. That the Affiant has caused the required public notice sign be posted pursuant to Manatee County Ordinance No. 90-01, on the property identified in said application and said sign was conspicuously posted 20 feet from the front property line on the 9 day of NOVEMBER, 1990.

3. That the Affiant has caused the mailing of the required letter of notification to contiguous property owners pursuant to Manatee County Ordinance No. 90-01, by Certified Mail, Return Receipt Requested, on the 9 day of November, 1990, and attaches hereto as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice and proof of the method of mailing.

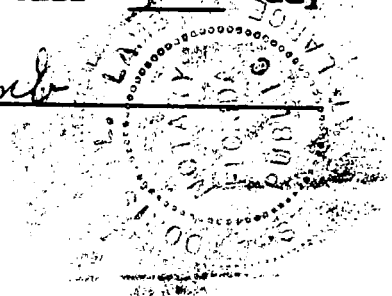
4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01 as it relates to required public notice may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.

Robert S Medved

SWORN TO AND subscribed before me on this 9th day of Nov., 1990

Doris L. Lamb



My Commission Expires:

1991

Notary Public, State of Florida
My Commission Expires Aug. 4, 1993
Bonded Thru Troy Fain - Insurance Inc.

P.I.(8173.0000/7)
FOREMAN, MICHAEL L TR
POSTAL DRAWER 4195
SARASOTA,FL 34230

P.I.(8173.1000/6)
MERRILL, WILLIAM W III TR
POSTAL DRAWER 4195
SARASOTA,FL 34230

P.I.(8174.1000/4)
CONTOUR INC
RT 3 BOX 143
CLERMONT,FL 32711

P.I.(8175.0000/2)
CONTOUR INC
RT 3 BOX 143
CLERMONT,FL 32711

P.I.(8210.0000/7)
RICE, WILLIAM R
YAHRAUS, ROY
514 75TH ST
HOLMES BEACH,FL 34217

P.I.(8212.0000/3)
DREW, RICHARD E & ENID M
5711 19TH ST E
ELLENTON,FL 34222



The Bradenton Herald

102 MANATEE AVE. WEST, P.O. BOX 921
BRADENTON, FLORIDA 34206
TELEPHONE (813) 748-0411

PUBLISHED DAILY
BRADENTON, MANATEE COUNTY, FLORIDA

STATE OF FLORIDA COUNTY OF MANATEE:

Before the undersigned authority personally appeared Linda L. Rikke, who on oath says that she is the Legal Advertising Clerk and the official representative of the Publisher of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida, with the express, limited authority to execute this affidavit for the purpose of establishing proof of publication of the public or legal notice and advertisement in the form attached hereto; that the attached copy of advertisement, being a legal advertisement in the matter of

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in the _____ Court,

was published in said newspaper in the issues of _____
11/9, '90

Affiant further says that the said The Bradenton Herald is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Bradenton, Manatee County, Florida, each day and has been entered as second class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and the affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this
15th day of November

A.D. 19 90

(SEAL)-Notary Public
Notary Public, State of Florida at Large
My Commission Expires May 30, 1991

NOTICE OF OFFICIAL ACTION AFFECTING OR RELATING TO USE OF REAL PROPERTY IN MANATEE COUNTY
NOTICE IS HEREBY GIVEN that the Manatee County Board of County Commissioners, in a Public Hearing on November 20, 1990, at 9:00 A.M. in the presence of the Board of County Commissioners, located at the Manatee County Administration Center, 1112 Manatee Avenue West, 1st Floor, to consider and act upon the following matters:

(1) 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-1 (Suburban Agricultural, 1 du/acre) and PD-MU (Planned Development Mixed Use) to PD-C (Planned Development Commercial), providing an effective date.
(2) Approval of a General Development Plan for a 6,000 square foot commercial establishment; and Special Approval of a site in the Mixed Use Future Land Use Category and a gateway to Manatee County. Located at the northeast quadrant of U.S. 301 and I-75, 650 feet west of 60th Avenue East, Elation (1.5 +/- acres).

PDR-90-04 (P)

Sara Bay View Golf Range
Approval of a Preliminary Site Plan for a 25 tee golf driving range partially located in the Coastal High Hazard Overlay Area. Located on the south side of 69th Avenue West and 600 +/- feet west of U.S. 41 (Tamiami Trail). Present Zoning: PD-R/CH/A1 (Planned Development-Residential/Coastal Hazard/Airport Impact Overlay) (9.95 +/- acres).

All interested parties are invited to appear at this Hearing and be heard, subject to proper rules of conduct. Additionally, any written comments filed with the Director of the Planning and Zoning Department will be heard and considered by the Planning Commission and entered into the record.

Interested parties may examine the Official Zoning Atlas, the application and related documents and may obtain assistance regarding this matter from the Manatee County Planning and Zoning Department, 1112 Manatee Avenue West, Suite 804, Bradenton, Florida, telephone number (813) 749-3070.

According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.
MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Planning & Zoning Department
Manatee County, Florida
11/9, '90

This Document was
never sent to Secretary
of State by mistake
JK