

MANATEE COUNTY ZONING ORDINANCE
PDC-94-07(Z) (P) - JERRY PIES & TOM BIEMBORN/ADD-A-ROOM STORAGE

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 AGRICULTURE, 1 DU/ACRE) TO PDC (PLANNED DEVELOPMENT COMMERCIAL); PROVIDING FOR AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A MINI-WAREHOUSE STORAGE FACILITY; AND GRANTING SPECIAL APPROVAL FOR A PROJECT EXCEEDING 30,000 SQUARE FEET IN A RES-6 FUTURE LAND USE CATEGORY.

FILED FOR RECORD
R.B. SHORE
CLERK CIRCUIT COURT
MANATEE COUNTY FLORIDA

FEB 6 12 34 PM '95

FEB 2 9 56 AM '95

FILED

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 PDC (Planned Development Commercial).

B. The said Board of County Commissioners held a public hearing on January 26, 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. Preliminary Site Plan is hereby APPROVED to allow a mini-warehouse storage facility, granting Special Approval for a project exceeding 30,000 square feet in a RES-6 Future Land Use Category with the following stipulations and modifications:

STIPULATIONS

1. An application for a Fugitive Particulate Abatement Plan and an 8 1/2" x 11" map of the construction area shall be submitted to the Director of the Environmental Action Commission for review and approval prior to the approval of a Final Site Plan for the project.
2. The property located to the west of Building "L" shall be provided with a fifteen foot buffer. This buffer can be accomplished with several options: 1) reduction of width of the drive aisle to the west of the building; 2) reduction in the size of the building; 3) reduction in the width of the drive aisle to the east of the building, without increasing the size of the building; 4) relocating the foundation landscaping presently shown on the western side of the building.
3. Buffering between the proposed mini-warehouse facility and the single family residence to the north of the facility shall be accomplished through the use of the natural tree cover on the

residential portion and by planting a buffer of three live oak trees, 40 feet on center in a straight line with not less than 27 viburnum or ligustrum bushes planted in between the three trees. The buffer shall be planted in the ten foot setback north of Building I directly across from the residential structure.

4. The facility shall be of a similar design in terms of architecture, color and materials as the existing facility to the south.
5. Comments made at the Planning Commission public hearing are to be incorporated and made a part of the record.

MODIFICATIONS

1. A modification to Section 704.47.2 of the Land Development Code to allow Building I a setback of ten (ten) feet from the northern property line.
2. A modification to Section 715.5.2.1 of the Land Development Code to allow a reduction of landscaped buffer areas.

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 (Suburban Agriculture, 1 du/acre) 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, Permitting and Inspections Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

A CERTAIN PARCEL OF LAND (PARCEL A) LYING IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8, THENCE N 00°08'40" E, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, A DISTANCE OF 650.29 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N 00°08'40" E, ALONG SAID EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 120.23 FEET; THENCE N 89°36'09" W, A DISTANCE OF 141.92 FEET TO THE INTERSECTION WITH THE MONUMENTED EAST RIGHT OF WAY LINE OF 37TH STREET EAST; THENCE N 00°11'02" E, ALONG SAID MONUMENTED RIGHT OF WAY LINE A DISTANCE OF 25.00 FEET; THENCE N 89°50'37" E, A DISTANCE OF 142.33 FEET; THENCE N 00°14'42" E, A DISTANCE OF 124.70 FEET; THENCE S 89°36'09" E, A DISTANCE OF 285.42 FEET; THENCE N 00°16'22" W, A DISTANCE OF 48.41 FEET; THENCE N 88°59'26" W, A DISTANCE OF 34.21 FEET; THENCE N 00°16'22" W, A DISTANCE OF 109.20 FEET; THENCE N 89°37'48" W, A DISTANCE OF 169.24 FEET; THENCE N 00°16'22" W, A DISTANCE OF 249.45 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY OF PRO AM BOULEVARD; THENCE S 89°37'48" E, ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 246.42 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8; THENCE S 00°16'22" E, ALONG SAID EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 677.46 FEET; THENCE N 89°41'44" W, A DISTANCE OF 331.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.78 ACRES MORE OR LESS.

TOGETHER WITH A CROSS ACCESS EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8, THENCE N 00°08'40" E, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE

SOUTHEAST 1/4, A DISTANCE OF 795.52 FEET; THENCE N 00°14'42" E, A DISTANCE OF 124.70 FEET; THENCE S 89°36'09" E, A DISTANCE OF 250.32 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 89°36'09" E, A DISTANCE OF 35.09 FEET; THENCE N 00°16'22" W, A DISTANCE OF 48.41 FEET; THENCE N 88°59'26" W, A DISTANCE OF 10.20 FEET; THENCE S 00°54'28" W, A DISTANCE OF 36.00 FEET; THENCE N 88°59'26" W, A DISTANCE OF 24.00 FEET; THENCE S 00°23'51" W, A DISTANCE OF 12.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 806.9 SQUARE FEET MORE OR LESS.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

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 26th day of January, 1995.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Stan Stephen

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

Susan P. Rowie Jr.

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. 1094 adopted by the Board of County Commissioners of said County on the 26 day of January, 1995, this 30 day of January, 1995 in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: Heisel Newall Jr.



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

FEB 6 12 34 PM '95

February 2, 1995

Honorable R. B. Shore
Clerk of Circuit Court
Manatee County
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 letters of January 30, 1995 and certified copy each of Manatee County Ordinance Nos. Z-94-18, Z-94-20, PDC-94-07(Z)(P) and 95-01, which were filed in this office on February 2, 1995.

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

Sincerely,

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

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

Enclosures