

MANATEE COUNTY ZONING ORDINANCE  
PDC-95-02(Z)(P) - TOALE PROPERTIES & TOALE BROTHERS, INC.

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 GC (GENERAL COMMERCIAL) AND RSF-4.5 (RESIDENTIAL SINGLE FAMILY-4.5 DU/ACRE) TO PDC (PLANNED DEVELOPMENT COMMERCIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW THE ESTABLISHMENT OF NEIGHBORHOOD CONVENIENCE RETAIL SALES AND THE CONSTRUCTION OF A 15,525 SQUARE FOOT BUILDING.

FILED FOR RECORD  
R.B. SHORE  
CLERK CIRCUIT COURT  
MANATEE CO. FLORIDA  
JUN 2 10 46 AM '95

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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 GC (General Commercial) and RSF-4.5 (Residential Single Family-4.5 du/acre) to PDC (Planned Development Commercial).

B. The said Board of County Commissioners held a public hearing on May 23, 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. The Preliminary Site Plan is hereby APPROVED to allow the establishment of Neighborhood Convenience Retail Sales and the construction of a 15,525 square foot building with the following stipulations and modification:

STIPULATIONS:

1. The hours of operation shall be from 9 am to 9 pm. Hours may be shorter than this, however, no longer than these. These hours of operation may be amended only through an amendment to this Preliminary Site Plan at an advertised public hearing.
2. Deliveries may be made to the store only between the hours of 8 am and 5 pm. Delivery trucks shall utilize 42nd Street West and 43rd Street West via Manatee Avenue West only. Trucks shall not use 4th Avenue West.
3. Subject to jurisdictional approval, specifically the Department of Transportation, a left turn protection arrow for southbound 43rd Street West shall be installed at the developer's expense, at a cost not to exceed \$10,000. This improvement shall be installed prior to the issuance of a Certificate of Occupancy.
4. The Final Site Plan shall provide for a 7 foot wide sidewalk on the east side of 43rd Street West from Manatee Avenue West to 4th Avenue West, subject to limitations of right of way and engineering design parameters. If necessary to accommodate the sidewalk, a pedestrian easement shall be recorded prior to construction of the sidewalk. The four foot sidewalk on 42nd Street West shall be extended to the intersection of 4th Avenue West subject to the limitations of right of way and engineering design parameters. If necessary to accommodate the sidewalk, a pedestrian easement shall be recorded prior to construction of the sidewalk.
5. Only prescriptions shall be available from the drive through facility.
6. The Final Site Plan shall provide a bicycle rack for ten bicycles.
7. The Final Site Plan shall indicate "pedestrian crossing" signs, in accordance with the Manual on Uniform Traffic Control Design, on the property where vehicles will exit the property onto 43rd Street West.
8. The building shall be constructed substantially similar to the photographs submitted by the applicant.
9. The rear facade of the building shall be finished similar to the front facade.

SECRETARY OF STATE

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- 10. The developer shall provide for the installation of a four way stop sign at the intersection of 42nd Street West and 4th Avenue West. The signs shall be installed prior to issuance of a Certificate of Occupancy.

MODIFICATION:

- 1. A modification to Section 711.4.3 of the Land Development Code to allow for 3 driveways.

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 GC (General Commercial) and RSF-4.5 (Residential Single Family-4.5 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.

Lots 3, 4, 5, 6, 7, 8, 9, 10, 13, 14 and 15, Block C of Glen Ridge Subdivision as recorded in Plat Book 2, Page 92-S of the Public Records of Manatee County, Florida

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 23rd day of May, 1995.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Jan Stephen

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

R. B. Shore

STATE OF FLORIDA COUNTY OF MANATEE  
I hereby certify that the foregoing is a true  
copy of ORDINANCE NO. PDC-95-02(Z)(P) adopted by the  
Board of County Commissioners of said County on  
the 23 day of May, 1995, this 27 day  
of May, 1995, in Bradenton, Florida.  
R. B. Shore  
Clerk of Circuit Court  
BY: R. B. Shore



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

May 30, 1995

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

Attention: Judy LaMee, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of May 24, 1995 and certified copy each of Manatee County Ordinance Nos. PDR-95-01(Z)(P), PDR-94-15(Z)(G), Z-95-02, PDR-95-02(Z)(P), PDC-94-06(Z)(P), and PDC-95-02(Z)(P) which were filed in this office on May 30, 1995.

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

Sincerely,

Liz Cloud, Chief

Bureau of Administrative Code

LC/mw

Enclosures

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JUN 2 10 44 AM '95