

FILED FOR RECORD
R.B. SHORE
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA
NOV 4 2 21 PM '99

MANATEE COUNTY ZONING ORDINANCE
PDC-99-07(Z)(P) - BS JOINT VENTURE/HESS SERVICE STATION

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 LM (LIGHT MANUFACTURING) TO PDC (PLANNED DEVELOPMENT COMMERCIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW THE CONSTRUCTION OF A CONVENIENCE STORE WITH GAS PUMPS.

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 LM (Light Manufacturing) to PDC (Planned Development Commercial).

B. The Board of County Commissioners held a public hearing on October 26, 1999 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 construction of a convenience store with gas pumps with the following stipulations:

STIPULATIONS

1. A northbound right-turn lane will be required at the project access on Lakewood Ranch Boulevard prior to issuance of Certificate of Occupancy.
2. An eastbound right-turn lane will be required at the project access on S.R. 64, subject to FDOT approval, prior to issuance of Certificate of Occupancy.
3. Prior to Final Site Plan approval, the Engineer of Record/Architect must provide documentation to prove that concurrency has been met relative to fire flow per Section 11.5.1.4 of the Comprehensive Plan.

DEPARTMENT OF STATE
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4. The applicant will provide the Planning Department with recorded copies of the required cross access easements to the east and to the south prior to Final Site Plan approval.
5. The sidewalk layout along S.R. 64 shall be adjusted as necessary to preserve the greatest number of the largest and most vigorous trees.
6. The freestanding signs for this project shall be limited to ground signs with a maximum height of eight (8) feet.
7. Rooftop mechanical equipment shall not be visible from S.R. 64 or Lakewood Ranch Boulevard. All rooftop mechanical equipment shall be screened from view from these roadways and adjacent properties. Screening shall be provided by materials consistent with the construction of the structures.
8. All existing wells shall be delineated on the Final Site Plan, with the well size indicated or applicant response should indicate that there are no wells on site.
9. If applicable, a copy of all Water Use Permits shall be submitted to the Environmental Management Department Water Well Permitting Program concurrently with the Final Site Plan.
10. Underground/aboveground pollutant storage tank installation must conform to the requirements of Chapter 62-761, Florida Administrative Code.
11. The design for the facility shall be in substantial conformance with the rendering entered into the record for this case and include enhanced shrubbery and foundation landscaping along the west elevation.

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 LM (Light Manufacturing) 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 Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION. LEGAL DESCRIPTION: (O.R. 1367, PG. 4929) THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN O.R. BOOK 1367, PAGE 4929, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AS FOLLOWS, TO-WIT: ALL THAT PART OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, AND NOW OWNED BY THOMAS P. CHAIRES, JR. (ALSO KNOWN AS T.P. CHAIRES, JR.) AND EVELYN O. CHAIRES, HIS WIFE, LYING SOUTH OF SAID STATE ROAD 64, SAME BEING THE WEST 433 FEET, MORE OR LESS, OF THAT PORTION OF SAID SW 1/4 OF THE SW 1/4 OF SAID SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST LYING SOUTH OF SAID STATE ROAD 64.
LESS THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED ON O.R. BOOK 1427, PAGES 5349 - 5350, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, TO-WIT:

BEING A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE NORTH 00 DEGREES 42 MINUTES 13 SECONDS EAST, ALONG THE WEST LINE OF SAID SECTION 29, 260.44 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 64, THENCE SOUTH 87 DEGREES 58 MINUTES 31 SECONDS EAST, ALONG SAID STATE ROAD RIGHT-OF-WAY LINE, 60.02 FEET, THENCE SOUTH 00 DEGREES 42 MINUTES 13 SECONDS WEST, 258.96 FEET, TO A POINT ON THE SOUTH LINE OF SAID SECTION 29; THENCE NORTH 89 DEGREES 23 MINUTES 23 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 29, 60.00 FEET TO THE POINT OF BEGINNING.

ALL THE ABOVE BEING AND LYING IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY.

CONTAINING 15,581.96 SQUARE FEET, MORE OR LESS.

SUBJECT SITE CONTAINING A TOTAL OF 94,947 SQUARE FEET; 2.18 ACRES.

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 26th day of October, 1999.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Stan Stephen
Chairman

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

Susan P. Tomlin

STATE OF FLORIDA - COUNTY OF MANATEE

This is to certify that the foregoing is a true and correct copy of the documents on file in my office. With my hand and official seal this 26th day of

October, 1999

R. B. SHORE
Clerk of Circuit Court

By: Nancy Harris DCS

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
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FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

DIVISION OF ELECTIONS

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Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

November 1, 1999

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

Attention: Janene Kearney, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters dated October 28, 1999 and certified copies of Manatee County Ordinance Nos. PDC-99-07 (Z) (P) and PDR-99-13 (Z) (G), which were filed in this office on November 1, 1999.

As requested, the date stamped copies are being returned for your records.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

Enclosure

BUREAU OF ADMINISTRATIVE CODE

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FAX: (850) 488-7869 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: election@mail.dos.state.fl.us