

MANATEE COUNTY ZONING ORDINANCE
PDPI-05-120(P) – MANATEE COUNTY FLEET BUILDING 2006 AUG 21 PM 2: 37

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING A PRELIMINARY SITE PLAN FOR A 11,956 SQUARE FOOT OFFICE AND A MOTOR POOL FACILITY ON APPROXIMATELY 4.84 ACRES; LOCATED AT 4700 66TH STREET WEST, BRADENTON; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; GRANTING SPECIFIC APPROVAL FOR AN ALTERNATIVE TO SECTION 703.2.20.1; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

CLERK OF DISTRICT COURT
MANATEE CO. FLORIDA
2006 AUG 17 AM 9: 27
FILED

WHEREAS, Manatee County Government (the "Applicant") has filed an application for a Preliminary Site Plan for approximately 4.84 acres described in Exhibit "A", attached hereto, (the "Property") for a 11,956 square foot office and a motor pool facility; and

WHEREAS, the Applicant has also requested Specific Approval for an alternative to Section 703.2.20.1 of the Land Development Code; and

WHEREAS, Planning Department staff recommended approval of the Preliminary Site Plan and Specific Approval applications, subject to the stipulations contained in the staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on July 13, 2006 to consider the Preliminary Site Plan application, received the staff's recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the Preliminary Site Plan and Specific Approval applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code, recommended approval of the application, subject to the stipulations contained in the staff report; and

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. FINDINGS OF FACT. The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

The Board of County Commissioners, after considering the testimony, evidence, documentation, the recommendation and findings of the Planning Commission, as well as all other matters presented to the 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 a Preliminary Site Plan as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners held a duly noticed public hearing on August 3, 2006 regarding the proposed Preliminary Site Plan 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 the public hearing.

C. Notwithstanding the failure of the site plan to meet the requirements of the LDC Section 703.2.20.1, the Board finds that the purpose and intent of the LDC Regulations have been satisfied to an equivalent degree because of the location of the outdoor storage and the enhanced buffers to provide screening.

D. The proposed Preliminary Site Plan regarding the property described in Exhibit "A" is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan and with the requirements of Manatee County Ordinance No. 90-01, the Manatee County Land Development Code.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved to allow a 11,956 square foot office and a motor pool facility subject to the Stipulations below. The Board hereby grants Specific Approval for an alternative to Section 703.2.20.1 of the Land Development Code, with the following stipulations:

STIPULATIONS

1. All stockpiled materials shall be removed from this site prior to Temporary Certificate of Occupancy or Certificate of Occupancy issuance. Stockpiles removed from this site and placed on land to the south shall have fugitive dust abatement measures in place at that same time.
2. All replacement trees shall be installed prior to Temporary Certificate of Occupancy issuance.
3. All trees within the area proposed for construction activities that are to be preserved shall have protective barricades constructed at their driplines prior to commencement of construction. No improvements, fill, grade changes, or compaction of soil due to heavy machinery will be permitted within the dripline of trees proposed to be preserved.
4. Irrigation for landscaping shall use the lowest water quality source available. Use of Manatee County public potable water supply shall be prohibited.
5. If burning of trees or branches is required for land clearing, a burn permit must be first obtained from the Environmental Management Department. No burn permits will be issued until Final Site Plans and Construction Plans are approved.
6. Removal of all exotic nuisance plant species from the site shall be completed prior to the first certificate of occupancy issuance, in accordance with Section 715.4 of the LDC: Existing plant communities designated to remain must be intact and undisturbed; noxious and exotic plants must be removed.
7. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage

routing, grading, and runoff.

- 8. The 8 ft. perimeter buffer along both sides of the entry driveway and abutting all driveways and parking areas shall be shown on the Final Site Plan.
- 9. No roof shall be placed over the concrete slab on the west side of the building without amending this site plan.
- 10. A complete irrigation plan shall be submitted with the Final Site Plan.
- 11. 5' interior sidewalks abutting the building entrance shall be shown and provided on the Final Site Plan.
- 12. The roadway buffer and west screening buffer shall be landscaped with at least 2 evergreen canopy trees, 2 evergreen understory trees, and 33 shrubs per 100 l.f. This shall be shown on the Final Site Plan.
- 13. The proposed driveway gate shall remain open during business hours.

Section 3. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 4. 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 3rd day of August, 2006.

**BY: BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA**

BY: 
Chairman

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



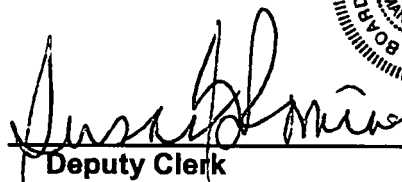
BY: 
Deputy Clerk

EXHIBIT "A"
LEGAL DESCRIPTION OF THE PROPERTY

COMMENCING AT THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 35 SOUTH, RANGE 17 EAST THENCE RUN S 00°25'41" W, ALONG THE WEST LINE OF SAID SECTION 8, A DISTANCE OF 1722.69 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING S 00°25'41" W, ALONG THE WEST LINE OF SAID SECTION 8, A DISTANCE OF 375.00 FEET THENCE S 88°59'19" E, A DISTANCE OF 524.81 FEET TO A POINT ON THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS LIES N 71°41'08" W, A DISTANCE OF 1050.00 FEET, ALSO BEING A POINT ON THE WESTERLY MAINTAINED RIGHT OF WAY LINE OF 66TH STREET WEST THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, ALSO BEING SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 339.27 FEET THROUGH A CENTRAL ANGLE OF 18°30'47" TO THE POINT OF TANGENCY THENCE N 00°15'05" E, ALONG SAID WESTERLY MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 40.89 FEET THENCE N 88°59'19" W, A DISTANCE OF 587.00 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 8, TOWNSHIP 36 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA

CONTAINING 4.84 ACRES, MORE OR LESS.



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.
Witness my hand and official seal this 14th day of August, 2006
R.B. SHORE
Clerk of Circuit Court
By: [Signature] p.c.



FILED FOR RECORD
R. B. SHORE

2006 AUG 21 PM 2: 36

FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

August 17, 2006

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 14, 2006 and certified copies of Manatee County Ordinance Nos. 06-54, PDR04-14(P), PDMU/PDR-05-63(P), PDPI-05-120(P), Z-05-21, Z-05-20, PDMU-05-43(Z)(P), PDC-05-32(P), PDO-03-50(G)(R), PDR-05-69(Z)(P), and PDC-03-61(P)(R), which were filed in this office on August 17, 2006.

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

Sincerely,

A handwritten signature in black ink that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/bpn

Enclosures

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