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**MANATEE COUNTY ZONING ORDINANCE  
PDPI-06-42(Z) – MANATEE COUNTY / SUNNY SHORES PARK (COUNTY INITIATED)**

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, 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 APPROXIMATELY 1.5 ACRES GENERALLY NORTH OF 36<sup>TH</sup> AVE., WEST OF 116<sup>TH</sup> STREET COURT WEST, EAST OF 118<sup>TH</sup> STREET WEST, AND ALONG THE SHORELINE OF PALMA SOLA BAY FROM RDD 4.5/CH DISTRICT (RESIDENTIAL DUPLEX, 4.5 DWELLINGS PER ACRE/COASTAL HIGH HAZARD OVERLAY DISTRICT) ZONING DISTRICT, TO THE PDPI/CH (PLANNED DEVELOPMENT PUBLIC INTEREST, RETAINING THE COASTAL HIGH HAZARD OVERLAY DISTRICT, WHERE APPROPRIATE) ZONING DISTRICT; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Manatee County (the "Applicant") has filed a rezone application to rezone approximately 1.5 acres described in Exhibit "A", attached hereto, (the "Property") from RDD 4.5/CH (Residential Duplex, 4.5 dwellings per acre/coastal High Hazard Overlay District) zoning district to the PDPI/CH (Planned Development Public Interest, retaining the Coastal High Hazard Overlay District, where appropriate) zoning district; and

**WHEREAS**, the Planning Staff has recommended approval for the rezone, as described in the Planning Staff report; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on June 14, 2007 to consider the rezone, received the Planning Staff's recommendations 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 rezone application consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the application,

**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 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, 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 Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from the RDD 4.5/CH zoning district (Residential Duplex 4.5 dwelling units per acre/Coastal High Hazard Overlay District) to the PDPI/CH (Planned Development Public Interest, retaining the Coastal High Hazard Overlay District, where appropriate) zoning district.
- B. The Board of County Commissioners held a duly noticed public hearing on August 2, 2007, 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 Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan.

**Section 2. 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 Exhibit "A" herein from the RDD 4.5/CH zoning district (Residential Duplex 4.5 dwelling units per acre/Coastal High Hazard Overlay District) to the PDPI/CH (Planned Development Public Interest, retaining the Coastal High Hazard Overlay District, where appropriate) zoning district 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 5. 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, clause, sentence, 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 6. CODIFICATION.** Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

(Signature block on next page)

**Section 7. 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 2<sup>nd</sup> day of August, 2007.

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

BY: *Jerry Stein*  
Chairman



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

BY: *Austan B. Romo*  
Deputy Clerk

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

COMMENCE AT THE NORTHEASTERLY CORNER OF LOT 78, SUNNY SHORES TRAILER COMMUNITY, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 100, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N 24°46' E, ALONG THE EXTENSION OF THE EASTERLY LINE OF SAID LOT 78 A DISTANCE OF 30 FEET; THENCE N 65° 14' W, PARALLEL TO THE NORTHERLY LINE OF SAID SUNNY SHORES 446.98 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE N 65° 14' W, 635 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF AN EXISTING CANAL; THENCE NORTHEASTERLY, ALONG SAID MEAN HIGH WATER LINE TO THE MEAN HIGH WATER LINE OF PALMA SOLA BAY; THENCE SOUTHEASTERLY, MEANDERING SAID MEAN HIGH WATER OF PALMA SOLA BAY TO A POINT ON THE WESTERLY END OF A CONCRETE SEAWALL; THENCE S 24° 46' W, 73.52 FEET TO THE P.O.B. THE ABOVE SUBJECT TO THE SOUTH 10 FEET FOR AN EXISTING SHELL TRAVELWAY, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

AS RECORDED IN OFFICIAL RECORD BOOK 1602, PG. 3781

CONTAINING 1.50 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 6th day of August, 2007  
R.B. SHORE  
Clerk of Circuit Court  
By: [Signature] D.C.



FILED FOR RECORD  
R. B. SHORE

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CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

**FLORIDA DEPARTMENT of STATE**

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

August 14, 2007

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 6, 2007, and certified copies of Manatee County Ordinance Nos. PDMU-01-02(P)(R), PDC-03-47(P), PDPI-06-42(Z), PDR-97-04(P)(R), PDC-06-57(Z)(P), PDR-06-87(Z)(P), PDPM-06-74(G), PDI-05-56(P), PDR-06-78(Z)(P), PDI-05-18(Z)(P), and PDMU-06-23(Z)(P), which were filed in this office on August 9, 2007.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

Liz Cloud  
Program Administrator

LC/lbh  
Enclosures

DIRECTOR'S OFFICE

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