

MANATEE COUNTY ZONING ORDINANCE
PDPI-94-02(Z)(F) - MEDITRUST

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 RDD-6 (RESIDENTIAL DUPLEX DWELLING, 6 DU/ACRE) AND RMF-9 (RESIDENTIAL MULTI-FAMILY, 9 DU/ACRE) TO PDPI (PLANNED DEVELOPMENT PUBLIC INTEREST); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A FINAL SITE PLAN TO ALLOW A SKILLED NURSING FACILITY, GRANTING SPECIAL APPROVAL FOR A PROJECT EXCEEDING 30,000 SQUARE FEET IN A RESIDENTIAL FUTURE LAND USE CATEGORY.

SEP 6 9 39 AM '94

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 RDD-6 (Residential Duplex Dwelling, 6 du/acre) and RMF-9 (Residential Multi-Family, 9 du/acre) to PDPI (Planned Development Public Interest).

B. The said Board of County Commissioners held a public hearing on August 25, 1994, 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 Final Site Plan is hereby APPROVED to allow a skilled nursing facility, granting Special Approval for a project exceeding 30,000 square feet in a residential Future Land Use Category, with the following stipulations and modification:

STIPULATIONS

1. A separate review shall be conducted at the time of building permit application for the sign.
2. The Special Permit site plan (SP-82-67), on file with Manatee County, shall serve as the site plan for the portion of the property, as amended by this approval, which contains the existing improvements

MODIFICATION

1. Modification to Section 704.53.2 of the Land Development Code, regarding the minimum distance from the roadway for nursing homes for the existing building to become conforming.

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 RDD-6 (Residential Duplex Dwelling, 6 du/acre) and RMF-9 (Residential Multi-Family, 9 du/acre) to PDPI (Planned Development Public Interest), 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.

THE SOUTH 358.31 FEET OF THE WEST 3/4 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 17 EAST, LESS WEST 25 FEET FOR ROAD RIGHT-OF-WAY, FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, FOR A POINT OF REFERENCE THENCE N 00°21'34" W ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 13, 667.83 FEET; THENCE N 89°51'40.6" E, 25.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 9TH STREET EAST, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 00°21'34" W ALONG SAID EAST RIGHT-OF-WAY LINE, 358.31 FEET; THENCE N 89°51'40.6" E, 973.02 FEET; THENCE S 00°20'34.8" E, 358.31 FEET TO A POINT ON THE NORTH BOUNDARY OF PINE VILLAGE, AS RECORDED IN PLAT BOOK 21, PAGES 41 AND 42 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S 89°51'40.6" W, 972.92 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.0003 ACRES, MORE OR LESS.

A PARCEL IN THE SOUTHWEST 1/4 OF THE NORTHEASTERLY 1/4 SECTION 13, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 17 EAST, FOR A POINT OF REFERENCE; THENCE N 00°21'34" W ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 13, 667.83 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 13; THENCE N 89°51'40.6" E, ALONG SAID NORTH LINE, 66.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 9TH STREET EAST AND THE POINT OF BEGINNING; THENCE CONTINUE N 89°51'40.6" E, ALONG SAID NORTH LINE, 599.28 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13; THENCE S 00°20'54.6" E, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 13; THENCE S 00°20'54.6" E, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 13, ALSO BEING THE WEST LINE OF "PINE VILLAGE" AS RECORDED IN PLAT BOOK 21, PAGES 41 & 42, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA 442.31 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND RECORDED IN O.R. BOOK 886, PAGE 1340 OF SAID PUBLIC RECORDS; THENCE S 89°49'01" W, ALONG THE NORTH LINE OF SAID PARCEL, 100.00 FEET TO THE NORTHWEST CORNER THEREOF; THENCE N 00°20'54.6" W, PARALLEL TO THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, 130.00 FEET; THENCE S 89°49'01" W, PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, 330.00 FEET TO THE INTERSECTION WITHIN THE NORTHERLY EXTENSION OF THE WEST LINE OF THAT CERTAIN PARCEL OF LAND RECORDED IN O.R. BOOK 248, PAGE 627 OF SAID PUBLIC RECORDS; THENCE S 00°20'54.6" E, ALONG SAID NORTHERLY EXTENSION, 54.69 FEET; THENCE S 89°49'01" W, PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, 33.00 FEET; THENCE S 00°20'54.6" E, PARALLEL TO THE WEST LINE OF SAID PARCEL IN O.R. BOOK 248, PAGE 627 AND NORTHERLY EXTENSION THEREOF AND 33.00 FEET WESTERLY THEREFROM, 267.31 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 57TH AVENUE EAST; THENCE S 89°49'01" W, ALONG SAID NORTH RIGHT-OF-WAY

LINE 101.26 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 89°49'14" AND A RADIUS OF 35.00 FEET AND WHOSE CHORD RUNS N 45°16'16.5" W, 49.42 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 54.87 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 00°21'34" W, ALONG THE EAST RIGHT-OF-WAY LINE OF 9TH STREET EAST, 599.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.640 ACRES, MORE OR LESS.


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.

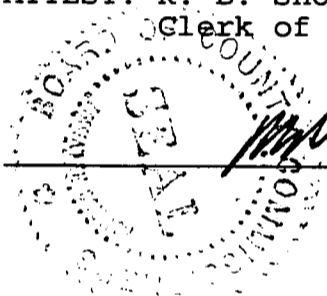
PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 25th day of August, 1994.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Stan Stephen

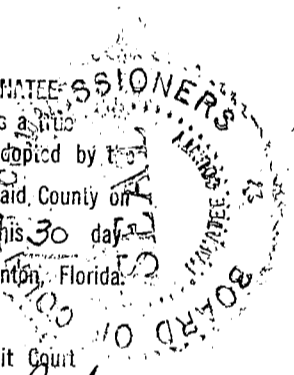
ATTEST: R. B. SHORE
Clerk of the Circuit Court





STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true
copy of ORDINANCE NO. PDPI
94-02(Z) adopted by the
Board of County Commissioners of said County on
the 25 day of August, 1994, this 30 day
of August, 1994, in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: Jane Rook D.C.





FLORIDA DEPARTMENT OF STATE

**Jim Smith, Secretary of State
DIVISION OF ELECTIONS
Bureau of Administrative Code
The Elliot Building
Tallahassee, Florida 32399-0250
(904) 488-8427**

September 6, 1994

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

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of August 30, 1994 and certified copy each of Manatee County Ordinance Nos. Z-94-02; PDC-94-02(Z)(P); PDO-94-02(Z)(P); PDMH-94-01(Z)(G); PDPI-94-02(Z)(F); PDPI-94-03 and PDR-94-05(Z)(G), which were filed in this office on September 6, 1994.

The duplicate copy of each 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