

MANATEE COUNTY ZONING ORDINANCE  
PDR-01-08(Z)(P) - FILIC CHUNG/COUNTRY MEADOWS

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 A-1 (SUBURBAN AGRICULTURE, 1 DWELLING UNIT PER ACRE) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A 247 LOT SUBDIVISION FOR SINGLE-FAMILY DETACHED HOMES, AND GRANTING SPECIAL APPROVAL FOR A PROJECT LOCATED ADJACENT TO PERENNIAL STREAM.

FILED  
2001 DEC 26 PM 1:18  
STATE OF FLORIDA

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 A-1 (Suburban Agriculture, 1 dwelling unit per acre) to PDR (Planned Development Residential).

The Board of County Commissioners held a public hearing on December 18, 2001 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.

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 a 247 lot subdivision for single-family detached homes, and granting Special Approval for a project located adjacent to a Perennial Stream, with the following stipulations:

STIPULATIONS

- 1. The boulevard entrance shall be designed with two 24' wide lanes separated by a 22' wide median to serve as two means of access. This shall be approved by the Planning Department with the Final Site Plan.

FILED FOR RECORD  
R. B. SHORE

2002 JAN -3 AM 8:59

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

2. All streets shall be located above the 100-year floodplain.
3. All lot owners shall be encouraged to participate in the Florida Yards and Neighborhoods Program. Information shall be provided in the sales office and provided to all lot purchasers.
4. The applicant and their heirs, assigns, or transferees, are hereby notified that a payment of an impact fee for school purposes shall be required if such impact fee is adopted by the School Board of Manatee County or the Board of County Commissioners.
5. A Hurricane Evacuation Plan for the project, pursuant to Policy 4.4.2.2 of the Comprehensive Plan, shall be approved by EMS prior to the first Final Site Plan approval.
6. The Notice to Buyers and Final Site Plan shall include a notice to inform homeowners of the presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.
7. A 3 foot high berm and supplemental landscaping or the construction of a berm and wall to achieve a total height of at least 6 feet shall be provided adjacent to this project along Upper Manatee River Road prior to the first Final Plat approval.
8. The existing vegetation within the 15' wide greenbelt along the western property boundary, from Upper Manatee River Road to the tributary shall be maintained to the maximum extent possible. If additional landscaping is required to meet the minimum screening requirements of the Land Development Code, then all required trees shall have a minimum 3" caliper at the time of planting. The greenbelt behind Lots 2064 through 2067 in Phase II shall be increased to a minimum width of 25 feet.
9. An interneighborhood tie shall be provided along the eastern boundary of this project. This shall be approved by the Planning Department with the Final Site Plan. The Notice to Buyers documents shall include a notice to inform homeowners that an interneighborhood tie will be constructed to connect to the property to the east when development occurs on this property, and that traffic from that property may use roadways within this development.
10. The park shall be developed with a commercial-grade tot-lot with benches and picnic tables, and a multi-purpose court the size of a basketball half court. Parking and landscaping as required by Section 715 of the LDC shall also be provided for this park. These improvements shall be provided prior to issuance of the 100<sup>th</sup> Certificate of Occupancy for this project.
11. Two additional pocket parks (totaling 1/2 acre each) shall be shown for this development, and approved by the Planning Department with the Final Site Plan.
12. One three-way stop intersection shall be installed at the second intersection with the main entrance roadway and one four-way stop intersection shall be installed at the third intersection with the main entrance roadway to facilitate traffic calming. This shall be approved by the Planning Department with the Final Site Plan.

13. A non-ingress/egress easement shall be recorded for lots 1001,1002, 2050, 1102,1103, and 1029 along the main entrance road prior to Final Plat approval. This shall be shown on all subsequent approvals.
14. Wetland buffers shall be provided from all post-development jurisdictional wetlands in accordance with Section 719.11 of the LDC. This shall be approved by the Environmental Management Department with the Final Site Plan.
15. A conservation easement, pursuant to Section 719.11.1.3 of the Land Development Code, shall be provided for the wetlands and wetland buffers. The boundaries of all wetland buffers shall be marked with signs identifying the buffer. The number, location, and verbage of such signs shall be approved by the Environmental Management Department with the Final Site Plan.
16. Additional upland preservation of native plant communities adjacent to lots and stormwater ponds on the north and east sides of Mill Creek shall be provided to the greatest extent possible and approved by the Environmental Management Department with the Final Site Plan.
17. All exotic, nuisance plant species shall be removed from all upland portions of the site prior to each Final Plat approval, unless an Exotic Plant Species Management Plan has been approved by the Environmental Management Department to allow the phasing of such removal.
18. An Integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides, and herbicides shall be submitted to the Environmental Management Department for review and approval prior to Final Site Plan approval. Unless otherwise approved by EMD, native, xeriscape landscape materials shall be utilized in common areas.
19. A 5' wide sidewalk shall be shown along one side of all internal roadways, or on both sides if within 1 mile of the school. This shall be approved by the Planning Department with the Final Site Plan.
20. The 35' setback from active agricultural operations shall be in addition to the required building setbacks in accordance with Section 702.6.7 of the LDC.
21. The applicant and their heirs, assigns, or transferees, are hereby notified that a payment of a fee or assessment for emergency shelter facilities shall be required if such impact fee is adopted by the Board of County Commissioners.
22. The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited, including on individual lots.
23. Modeling shall be used to determine pre-development and post-development flows. This shall be approved by the Growth Management Section of the Planning Department with the Final Site Plan.

24. The Notice to Buyer shall include language to inform homeowners of the Project Development and Environment (PD&E) Study initiated by the Florida Department of Transportation (FDOT) for location and design concept acceptance for the bridge connection of Upper Manatee River and Fort Hamer Roads.
25. The applicant shall pay all transportation impact fees generated by this project, less any transportation impact fees previously paid for the project, for the widening and raising of that portion of Upper Manatee River Road east of Hagle Park Road to 24' in width. Such pre-paid impact fees from the project shall be payable by the applicant within 90 days of written notice from the County, 180 days before the awarded bids for such widening and raising of said portion of road, but not sooner than 90 days from recording of approvals of the first Final Plat.

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 A-1 (Suburban Agriculture, 1 dwelling unit per acre) to PDR (Planned Development Residential), 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.

A PORTION OF SECTION 22, TOWNSHIP 34 SOUTH, RANGE 19 EAST, DESCRIBED AS FOLLOWS:

THE WEST ½ OF SAID SECTION 22, LESS THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND LESS THE NORTH 40 FEET FOR ROAD RIGHT-OF-WAY; LESS 10 ACRES, MORE OR LESS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1064, PAGE 1379 OF THE PUBLIC RECORDS, MANATEE COUNTY, FLORIDA; ALSO LESS THE FOLLOWING: FROM THE SOUTHWEST CORNER OF SAID SECTION 22, RUN N 00° 25' 47" E, ALONG THE WEST LINE OF SAID SECTION 22, 1348.79 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 22 FOR A POINT OF BEGINNING; THENCE CONTINUE N 00° 25' 47" E. ALONG SAID WEST LINE, 1134.92 FEET TO THE INTERSECTION OF THE CENTERLINE OF A CREEK; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE THE FOLLOWING EIGHT COURSES: S 00° 25' 47" E., 274.51 FEET; THENCE S 26° 16' 15" E., 162.45 FEET; THENCE S 30° 45' 28" E., 169.70 FEET; THENCE 34° 35' 12" E., 198.37 FEET; THENCE S.27° 03' 31" E., 192.67 FEET; THENCE S 30° 26' 12" E., 161.27 FEET; THENCE S 43° 15' 16" E., 235.28 FEET; THENCE S 29° 41' 04" E., 55.90 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 22; THENCE N 89° 35' 52" W. ALONG SAID NORTH LINE, 864.16 FEET TO THE POINT OF BEGINNING.

LESS;

COMMENCE AT THE R.R. SPIKE MARKING THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 34 SOUTH, RANGE 19 EAST; THENCE S 00° 03' 22" E., 162.45 FEET ALONG THE WEST LINE OF SAID SECTION 22, 37.00 FEET TO AN IRON PIPE MARKING THE SOUTH RIGHT-OF-WAY OF "UPPER MANATEE RIVER ROAD", AS DESCRIBED IN OFFICIAL RECORDS BOOK 107, PAGE 437, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N 89° 59' 45" E. ALONG SAID SOUTH RIGHT-OF-WAY 666.00 FEET TO

THE POINT OF BEGINNING; THENCE S. 00° 03' 22" E. ALONG EAST LINE OF SAID PROPERTY DESCRIBED IN OR BOOK 1064, PAGE 1379, 726.00 FEET TO THE SOUTHEAST CORNER OF SAID PROPERTY DESCRIBED IN OR BOOK 1064, PAGE 1379; THENCE S 89° 27' 16" E. PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE, 600.00 FEET; THENCE N 00° 25' 37" E. PARALLEL WITH SAID PROPERTY DESCRIBED IN OR BOOK 1064, PAGE 1379, 726.00 FEET TO SAID SOUTH RIGHT-OF-WAY LINE; THENCE 29° 27' 16" W. ALONG SAID RIGHT-OF-WAY LINE 600.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10 ACRES, MORE OR LESS.

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 18<sup>th</sup> day of December, 2001.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: *Joe McClure*  
Chairman

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

*R. B. Shore*



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 20<sup>th</sup> day of December, 2001  
R.B. SHORE  
Clerk of Circuit Court  
By: *R. B. Shore* D.C.

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  
Division of Licensing  
MEMBER OF THE FLORIDA CABINET



HISTORIC PRESERVATION BOARDS  
Historic Florida Keys Preservation Board  
Historic Palm Beach County Preservation Board  
Historic Pensacola Preservation Board  
Historic St. Augustine Preservation Board  
Historic Tallahassee Preservation Board  
Historic Tampa/Hillsborough County  
Preservation Board  
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE  
**Katherine Harris**  
Secretary of State  
DIVISION OF ELECTIONS

December 31, 2001

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

Attention: Diane E. Vollmer

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated December 20, 2001 and certified copies of Manatee County Ordinance Nos. PDMU-92-01(Z)(G)(R8), PDI-00-03(Z)(P), PDI-01-01(Z), PDC-01-06(Z)(P), PDR-01-08(Z)(P), PDR-01-16(Z)(P), 01-60, 01-68 and 01-69, which were filed in this office on December 26, 2001.

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

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mp

Enclosure

FILED FOR RECORD  
R. B. SHORE  
2002 JAN -3 AM 8:58  
CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA