

FILED FOR RECORD
R. B. SHORE

2006 MAR 29 AM 11:45 MANATEE COUNTY ZONING ORDINANCE
PDR-05-74(P) - SLUSSER

CLERK
MANATEE COUNTY COURT

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING AN AMENDMENT TO ORDINANCE NO. PDR-91-08(Z) (COUNTY INITIATED REZONE/TERRA CEIA) TO ALLOW A PRIVATE STABLE ON THE SUBJECT PROPERTY AND; APPROVING A PRELIMINARY SITE PLAN FOR A PRIVATE STABLE ON APPROXIMATELY 2.22 ACRES; LOCATED AT 1469 CENTER ROAD; TERRA CEIA; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Cathy and Glen Slusser (the "Applicant") have filed an application for a preliminary site plan for approximately 2.22 acres described in Exhibit "A", attached hereto, (the "Property") for a private stable; and

WHEREAS, the Planning Staff has recommended approval of an amendment to Ordinance No. 91-08(Z) (County Initiated Rezone / Terra Ceia) to allow a stable and approval of the Preliminary Site Plan, subject to the stipulations contained in the Planning Staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on February 9, 2006 to consider the Preliminary Site Plan application, 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 Preliminary Site Plan 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, subject to the stipulations contained in the Planning Staff report.

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, 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 March 14, 2006 regarding said proposed Preliminary Site Plan described herein in accordance with the

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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 Preliminary Site Plan 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 ORDINANCE NO. PDR-91-08(Z). Ordinance No. PDR-91-08(Z) (County Initiated Rezone / Terra Ceia) is amended to add the following Stipulation No. 3.

STIPULATIONS

1. The following minimum setbacks and minimum unit size shall apply to all lots of record within the area designated PDR by this rezone:

- Minimum front yard – 25 feet
- Minimum side yard – 8 feet
- Minimum rear yard – 20 feet
- Minimum unit size (floor area) – 1000 square feet.

2. The uses within the proposed zoning district shall be limited to those uses allowed in the RSF-1 (Residential Single Family – 1 du/acre) zoning district and the minimum lot area shall be 6000 square feet.

3. Notwithstanding Stipulation No. 2 above, a private stable shall be an allowable use on the real property described in Exhibit “A” of this Ordinance.

Section 3. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved to allow a private stable on 2.22 acres subject to the Stipulations set out below:

STIPULATIONS

1. A waste management plan for the barn must be approved by the Planning Department prior to construction of the barn.

2. The barn may not exceed 960 square feet in size.

3. No more than two horses may be kept on site.

4. A Water Well Construction Permit must be obtained from EMD prior to construction of the proposed well(s).

5. Existing wells shall be kept in a watertight manner and be protected during all construction activities.

Section 4. 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 invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses or provisions of this Ordinance.

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 14th day of March, 2006.

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

BY: *Joe Mich*
Chairman

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

BY: *Russell Shore*
Deputy Clerk



EXHIBIT "A"
LEGAL DESCRIPTION OF THE PROPERTY

THOSE CERTAIN PARCELS OF LAND, AS DESCRIBED AND RECORDED IN O. R. BOOK 1051, PAGE 1884 AND O. R. BOOK 1733, PAGES 3741 THRU 3744, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE N. E. CORNER OF U. S. GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 33 SOUTH, RANGE 17 EAST, THENCE S 00°00'28" W, ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 325.50 FT. TO THE N. E. CORNER OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED AND RECORDED AS PARCEL "C" IN O. R. BOOK 1733, PAGES 3741 THRU 3744, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, FOR A POINT OF BEGINNING, ALSO BEING THE S. E. CORNER OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED AND RECORDED IN O. R. BOOK 1226, PAGE 223, OF SAID PUBLIC RECORDS; THENCE CONTINUE S 00°00'28" W, ALONG SAID EAST SECTION LINE, A DISTANCE OF 281.38 FEET. TO THE S. E. CORNER OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED AND RECORDED AS PARCEL "A" OF SAID O. R. BOOK 1733, PAGE 3741 THRU 3744; THENCE N 89°59'32" W, ALONG THE SOUTH LINE OF SAID PARCEL "A", A DISTANCE OF 343.24 FEET TO THE S. W. CORNER THEREOF; THENCE N 00°00'00" E, ALONG THE WEST LINE OF SAID PARCEL "A", A DISTANCE OF 100.07 FT. TO THE S. E. CORNER OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED AND RECORDED AS PARCEL "B" OF SAID O. R. BOOK 1733, PAGES 3741 THRU 3744, THENCE N 89°57'15" W, ALONG THE SOUTH LINE OF SAID PARCEL "B", A DISTANCE OF 224.35 FEET TO THE S. W. CORNER THEREOF; THENCE N 00°00'28" E, ALONG THE WEST LINE OF SAID PARCEL "B", A DISTANCE OF 181.16 FEET TO THE N. W. CORNER THEREOF; THENCE S 89°59'32" E, ALONG THE NORTH LINE OF SAID PARCELS "B" & "C", A DISTANCE OF 567.60 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN U.S. GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 96,583.44 SQ. FT. (2.217 ACRES)

SUBJECT TO MAINTAINED RW ALONG THE EAST LINE FOR 14TH AVENUE WEST



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 15TH day of

MARCH .20 06

R.B. SHORE
Clerk of Circuit Court

By: Nancy Harris D.C.

FILED FOR RECORD
R. B. SHORE

2006 MAR 29 AM 11:45



CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

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

March 21, 2006

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

Attention: Nancy Harris, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated March 15, 2006 and certified copies of Manatee County Ordinance Nos. 06-18, 06-26 and PDR-05-74(P), which were filed in this office on March 17, 2006.

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

Sincerely,

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

Liz Cloud
Program Administrator

LC/mp

Enclosures