

MANATEE COUNTY ZONING ORDINANCE  
PDR-94-13(Z)(G) - CURTIS PETZOLDT (TIMBERLY)

FILED FOR RECORD  
R.B. SHORE  
CLERK CIRCUIT COURT  
MANATEE COUNTY FLORIDA

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 RSMH-6 (RESIDENTIAL SINGLE-FAMILY MANUFACTURED HOME, 6 DU/ACRE) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL); PROVIDING FOR AN EFFECTIVE DATE; AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO ALLOW 150 MULTI-FAMILY RESIDENTIAL UNITS AND 70 ATTACHED SINGLE FAMILY UNITS.

APR 02 PM '95  
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 RSMH-6. (Residential Single-Family Manufactured Home, 6 du/acre) to PDR (Planned Development Residential).

B. The said Board of County Commissioners held a public hearing on January 26, 1995 and February 23, 1995 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 General Development Plan is hereby APPROVED to allow 150 Multi-Family Residential Units and 70 Attached Single Family Units with the following stipulations and modifications:

STIPULATIONS

1. The six (6) foot wide stabilized walkway leading from the attached residential units to the multi-family portion, as shown on the General Development Plan, shall be changed to a four (4) foot wide concrete sidewalk located outside of the wetland buffer, and approved with the Final Site Plan by the Planning, Permitting and Inspections Department.
2. A sign which reads "Community Recreational Facility" shall be placed in the common area just west of Lot 36, at the beginning of the sidewalk leading to the facility.
3. A 5 foot wide concrete sidewalk shall be installed along Old Tampa Road and U.S. 301. This shall be approved by the Planning, Permitting and Inspections Department with the Final Site Plan.
4. Landscaping shall be provided in the common area, adjacent to the rear yards of Lots 60, 61, 62, & 63, to visually screen the maintenance buildings from view. Landscaping shall also be placed along the southern side of the maintenance buildings to the greatest extent possible to visually screen the maintenance facilities from the property zoned RSF-2. The landscaping shall be planted to be 80% opaque to a height of 5 feet within 2 years of planting and approved with the Final Site Plan by the Planning, Permitting and Inspections Department.

5. Foy Road shall be paved in it's entirety, to a county rural standard and shall be approved by the Planning Permitting & Inspections Department with the Construction Drawings.
6. The setbacks for this project shall be as follows:  

|               |                                    |         |
|---------------|------------------------------------|---------|
| Multi-Family: | Front Yard (adjacent to 301) -     | 40 feet |
|               | Front Yard (adjacent to Foy Rd.) - | 25 feet |

Semi-Detached Units:

The following setbacks shall apply to the units and accessory structures on the corner lots numbered as 32, 33, 65, 66, 69 & 70 on the General Development Plan:

|              |         |
|--------------|---------|
| Front Yard - | 25 feet |
| Side Yard -  | 8 feet  |

The following setbacks shall apply to all other units and accessory structures:

|              |         |
|--------------|---------|
| Front Yard - | 25 feet |
| Side Yard -  | 8 feet  |
| Rear Yard -  | 15 feet |
7. A temporary cul-de-sac shall be provided at the phase line separating Phase I from Phase II for the roadway north of lot 63 and shall be approved with the Construction Drawings by the Planning, Permitting & Inspections Department.
8. A 20 foot wide non-ingress/egress easement shall be recorded along the front property lines abutting U.S. 301 and Old Tampa Road and vehicular access shall be prohibited except for the access points shown on the General Development Plan. This shall be approved by the Planning, Permitting and Inspections Department with the Final Site Plan.
9. The applicant, its heirs, assigns or transferees is hereby notified that a payment of an impact fee for school purposes may be required when and if such impact fee is adopted by the School Board of Manatee County or the Board of County Commissioners.
10. Conversion from single family semi-detached to single family detached units shall be allowed, but at a 2:1 ratio. Setbacks for single family detached units shall be 25 feet in the front yard, 8 feet in the side yard, and 15 feet in the rear yard.
11. This General Development Plan has not been reviewed for compliance with the subdivision regulations. Any conflicts which may arise between these regulations and the detail shown on the General Development Plan may require a Board modification.
12. An application for a Fugitive Particulate Abatement Plan and an 8 1/2" x 11" map of the construction area shall be submitted to the Director of the Environmental Action Commission for review and approval prior to the approval of a Final Site Plan for the project.
13. A four foot wide sidewalk is required to be installed by the developer along the west side of Foy road, adjacent to the multifamily portion of the subject site prior to Final Plat approval. This shall be approved by the PPI Department concurrent with the Final Plat.
14. If wetland E is found to be under the jurisdiction of the Southwest Florida Water Management District or the Department of Environmental Protection, a 30 foot wetland buffer shall be provided around the periphery of the wetland and building 5 in Phase III shall be relocated outside of said buffer. This shall be approved by the PPI Department and the Environmental Action Commission with the Preliminary Site Plan.
15. Adequate space shall be provided for school bus pickup and turnaround. This shall be approved with the Preliminary Site Plan by the Manatee County School Board and the PPI Department.

MODIFICATIONS

1. Modification to Section 907.9.4.2 of the Land Development Code requirement which limits the cul-de-sac length to a maximum of 800 feet.

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 RSMH-6 (Residential Single-Family Manufactured Home, 6 du/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, Permitting and Inspections Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

COMMENCE AT THE S.W. CORNER OF SECTION 2, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S 89°05'33" E, ALONG THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 1885.46 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY OF STATE ROAD 43 (U.S. 301); THENCE N 60°01'55" E, ALONG SAID RIGHT OF WAY, A DISTANCE OF 1989.54 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N 60°01'55" E ALONG SAID RIGHT OF WAY, A DISTANCE OF 1932.09 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID SECTION 2; THENCE S 00°10' 17" E, ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 1967.01 FEET TO THE S.E. CORNER OF SAID SECTION 2; THENCE S 89°54'58" W, ALONG THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 656.96 FEET; THENCE N 02°30'19" W, A DISTANCE OF 266.82 FEET; THENCE N 89°29'20" W, A DISTANCE OF 209.78 FEET; THENCE S 02°27'48" E, A DISTANCE OF 268.99 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 2; THENCE S 89°54'58" W, ALONG SAID SOUTH LINE, A DISTANCE OF 811.46 FEET; THENCE N 00°05'02" W, A DISTANCE OF 1004.28 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 2, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 55.91 ACRES, MORE OR LESS. SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD. PARTLY LYING IN TAMIAMI FARMS, PLAT BOOK 5, PAGE 9, MANATEE COUNTY, FLORIDA.

LESS THE FOLLOWING PARCEL AS DESCRIBED: (TAKEN FROM SURVEY BY LEO MILLS & ASSOCIATES, INC. DATED 10/29/90)

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 2, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE N 00°10' 17" W ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 393.06 FEET; THENCE S 89°54'58" W, PARALLEL TO THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 672.98 FEET; THENCE S 02°30'19" E 393.41 FEET, TO A POINT ON THE SOUTH LINE OF SAID SECTION 2, ALSO BEING THE NORTHERLY MAINTAINED RIGHT OF WAY LINE OF OLD TAMPA ROAD; THENCE N 89°54'58" E, ALONG SAID SOUTH LINE, A DISTANCE OF 656.96 FEET TO THE POINT OF BEGINNING, CONTAINING 6.00 ACRES MORE OR LESS. SUBJECT TO ROAD RIGHT OF WAY OFF EAST SIDE FOR FOY ROAD.

ALSO TOGETHER WITH AND SUBJECT TO A 30.00 FOOT EASEMENT FOR UTILITIES, INGRESS AND EGRESS OVER THE WEST 30.0 FEET OF THE ABOVE DESCRIBED LAND.

CONTAINING 49.91± ACRES.

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.

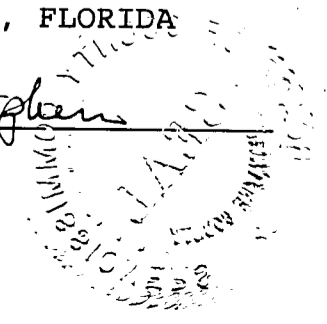
PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 23rd day of February, 1995.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Jan Stephen

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

BY: Susan G. Romine  
SUSAN G. ROMINE DEPUTY CLERK



STATE OF FLORIDA COUNTY OF MANATEE

I hereby certify that the foregoing is a true copy of ORDINANCE NO. 2094-13 adopted by the Board of County Commissioners of said County on the 28th day of Feb. 1995, this 28th day of Feb. 1995 in Bradenton, Florida.

R. B. Shore

Clerk of Circuit Court

By: Diane E. Holloman

1- Glense - PPI  
1- Municipal Code  
3/7/95  
DEN



FILED FOR RETURN  
P. R. 1995  
CLERK OF CIRCUIT COURT  
MANATEE COUNTY  
MAR 3 3 01 PM '95

FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham  
Secretary of State

DIVISION OF ELECTIONS  
Bureau of Administrative Code  
The Elliot Building  
401 South Monroe Street  
Tallahassee, Florida 32399-0250  
(904) 488-8427

March 3, 1995

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

Attention: Susan B. Romine, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of February 27, 1995 and certified copy each of Manatee County Ordinance Nos. PDR89-05(Z)(G)(R3), PDR94-13(Z)(G), PDR94-17(Z)(P), PDMU94-03(Z)(G), PDO94-03(Z), Z94-22 and 95-13, which were filed in this office on March 3, 1995.

The duplicate copy showing the filing date is being returned for your records.

For future use, our current address is:

Department of State  
Bureau of Administrative Code  
The Elliot Building  
401 South Monroe Street  
Tallahassee, Florida 32399-0250

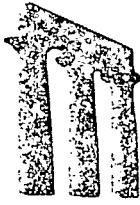
Sincerely,

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

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mw

Enclosures



*Manatee County*  
**CLERK OF THE CIRCUIT COURT**

*R. B. "Chips" Shore*

*P.O. Box 1000 • Manatee County Courthouse • Bradenton, Florida 34206 • (813) 749-1800 • FAX (813) 749-7194*

March 20, 1995

Evelyn Jefferson  
Municipal Code Corporation  
1700 Capital Circle Southwest  
Tallahassee, Florida 32316

Dear Ms. Jefferson:

Please disregard receipt of Manatee County Zoning Ordinances PDR-94-17(Z)(P), PDO-94-03(Z), PDR-94-13(Z)(G), Z-94-22, PDR-89-05(Z)(G)(R<sup>3</sup>), and PDMU-94-03(Z)(G). These documents were mailed to you in error.

Sincerely,

Susan G. Romine,  
Deputy Clerk

RBS/dev  
cc: Board Records