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99 FEB -8 PM 2:30  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

FEB 17 2 03 PM '99

MANATEE COUNTY ZONING ORDINANCE  
PDR-98-19(Z)(P) - ERNEST S. MARSHALL/RIVER'S EDGE

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-4.5 (RESIDENTIAL DUPLEX DWELLING, 4.5 DWELLING UNITS PER ACRE) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL), RETAINING THE WP-E/ST (EVERS RESERVOIR WATERSHED PROTECTION/SPECIAL TREATMENT) OVERLAY DISTRICTS; PROVIDING AN EFFECTIVE DATE; APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A SINGLE-FAMILY RESIDENTIAL SUBDIVISION; AND GRANTING SPECIAL APPROVAL FOR A PROJECT LOCATED IN THE WATERSHED OVERLAY.

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-4.5 (Residential Duplex Dwelling, 4.5 dwelling units per acre) to PDR (Planned Development Residential) retaining the WP-E/ST (Evers Reservoir Watershed Protection/Special Treatment) Overlay Districts.

B. The Board of County Commissioners held public hearings on November 17, 1998, December 8, 1998, January 26, 1999, and February 2, 1999, 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 hearings.

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).

D. Findings for Specific Approval:

1. The Board finds that the public purposes of Section 907.9.4.2 of the Land Development Code are satisfied to an equal or greater degree by the project as conditioned by this approval.

Section 2. The Preliminary Site Plan is hereby APPROVED to allow a single-family subdivision with the following stipulations and Specific Approval:

STIPULATIONS

1. Developer shall place a notice to owners in the homeowner's documents for the property which notifies prospective residents that property to the west is owned by a not for profit corporation and is utilized four to six times a year for well attended evening community events which produce noise and traffic.
2. Developer shall provide a twenty foot landscaped buffer along all exterior or perimeter roads.
3. Developer shall design the project drainage so that the discharge through the V-notch (generally known as the "water quality treatment volume") shall be directed into the existing 12" x 18" pipe under Quonset Road. This drainage design is based on ½" of runoff from 5.22 acres (a volume of 9,474 cubic feet). Drainage discharge from lake levels higher than the top of the V-notch shall be directed by pipe north under 65<sup>th</sup> Avenue to the roadside swale, subject to SWFWMD and Manatee County approval. Manatee County review shall occur when construction plans are submitted. The roadside swale may be required to be piped as determined by Manatee County.
4. All lots shall be a minimum of 70' in width.
5. The playground and recreational area shall be increased in size so that the entire project contains 35% of the upland acreage as open space.
6. The Project entry shall be redesigned so that a boulevard entrance serves as two means of access in compliance with the Land Development Code
7. A 6' high solid concrete block wall with stucco finish shall be constructed along Quonset Road, Pine Road, 67<sup>th</sup> Avenue East, and 65<sup>th</sup> Avenue East with required landscaping located outside of the wall between the road and the wall .

SPECIFIC APPROVALS

1. Specific Approval of an alternative to Section 907.9.4.2 of the Manatee County Land Development Code.

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-4.5 (Residential Duplex Dwelling, 4.5 dwelling units per acre) to PDR (Planned Development Residential) retaining the WP-E/ST (Evers Reservoir Watershed Protection/Special Treatment) Overlay Districts, 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.

Beginning 20 feet South and 20 feet West of the Northeast Corner of the Southwest 1/4 of Section 23, Township 35 South, Range 18 East, Manatee County, Florida, run thence South 89°01' West along the

Southerly line of Braden Road, as per plat of MARINELAND, recorded in Plat Book 7 pages 68 and 68A, 1359.37' to the intersection of the Southerly line of said Braden Road, and the Easterly line of Quonset Road, as per said plat of MARINELAND; thence South 04°13' East along the Easterly line of said Quonset Road 887.24' to a point; thence South 34°23' East continuing along the Easterly line of said Quonset Road 365.58' to the intersection of the Easterly line of Quonset Road and the Northerly line of Pine Road as per plat of MARINELAND; thence North 79°32' East along the Northerly line of said Pine Road 307.89' to a point, thence South 24°13' East along the Easterly line of said Pine Road 277.39' to the intersection of said Easterly line of Pine Road and the Northerly line of Myrtle Road, as per said plat of MARINELAND; thence North 88°30' East along the Northerly line of said Myrtle Road 739.01' to the intersection of the Northerly line of said Myrtle Road and the County Road, as per said plat of MARINELAND; thence North 01°32' East along Westerly line of said County Road 91.47' to a point; thence North 01°38' West continuing along Westerly line of said County Road 1293.0' to the point of beginning, containing 39.1 acres. Subject to restrictions, reservations and easements of record, if any

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 2nd day of February, 1999.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Stan Steephen  
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 2nd day of February, 1999.  
R. B. SHORE  
Clerk of Circuit Court  
By: R. B. Shore

DIVISIONS OF FLORIDA DEPARTMENT OF STATE  
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FLORIDA DEPARTMENT OF STATE

**Katherine Harris**

Secretary of State

DIVISION OF ELECTIONS

February 5, 1999

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

FILED FOR RECORD  
R.B. SHORE  
CLERK CIRCUIT COURT  
MANATEE CO. FLORIDA  
FEB 17 2 03 PM '99

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters dated February 4, 1999 and February 5, 1999 and certified copies of Manatee County Ordinance Nos. PDR-98-19(Z)(P), PDPI-98-03(Z)(G) and 99-03 which were filed in this office on February 8, 1999.

The extra date stamped copy of each is being returned for your records.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/bn

Enclosure