

FILED FOR RECORD
R. B. SHORE

MANATEE COUNTY ZONING ORDINANCE

2010 APR 12 AM 8:49 **Z-08-07 – MANATEE COUNTY/MOODY BRANCH DTS #200800297**

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE NO. 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 945.97 ACRES LOCATED ON TAYLOR GRADE ROAD FROM A (GENERAL AGRICULTURE) TO THE CON (CONSERVATION) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING EFFECTIVE DATE.

DEPARTMENT OF STATE
FLORIDA

2010 APR -5 AM 10:46

FILED

WHEREAS, Manatee County (the "Applicant") filed an application to rezone approximately 945.97 acres described in Exhibit "A", attached hereto, (the "Property") from A (General Agriculture) to the CON (Conservation) zoning district; and

WHEREAS, the Planning staff has recommended approval of the rezone, as described in the Planning staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on February 11, 2010 to consider the rezone, received the staff recommendation 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 rezone 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 applications.

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 Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of the County, 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 Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from A (General Agriculture) to the CON (Conservation) zoning district.

B. The Board of County Commissioners, after due public notice, held public hearings on March 4, 2010 and March 30, 2010 regarding the 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 the public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01 (the Manatee County Comprehensive Plan) and to satisfy the criteria for approval in the Land Development Code.

Section 2. 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 described in Exhibit "A", incorporated by reference herein, from A (General Agriculture) to the CON (Conservation) zoning district 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 Official Zoning Atlas.

Section 3. 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 section, sentence, clause, or provision shall be deemed severable, and 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 4. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

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 30th day of March, 2010.



BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: 
Donna G. Hayes, Chairman

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

BY: 
Deputy Clerk

Exhibit "A"

Legal Description

NORTH PARCEL (CULTIVATED LAND)

A PARCEL OF LAND BEING A PORTION OF SECTIONS 5 AND 6, TOWNSHIP 33 SOUTH, RANGE 21 EAST, MANATEE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 5, THENCE N 00°33'15"E ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 3208.90 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 6 AND THE POINT OF BEGINNING; THENCE CONTINUE N 12°49'54" W ALONG THE WEST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 1643.71 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4; THENCE N 89°55'47" E ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHWEST 1/4, THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 6 AND THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 6, A DISTANCE OF 5117.69 FEET TO AN INTERSECTION WITH THE OCCUPIED WEST LINE OF SAID SECTION 5; THENCE S 05°51'22" E ALONG SAID OCCUPIED WEST LINE, A DISTANCE OF 1004.74 FEET; THENCE S 88°44'21" E, A DISTANCE OF 1672.29 FEET TO AN INTERSECTION WITH THE WESTERLY MAINTAINED RIGHT OF WAY LINE OF TAYLOR GRADE ROAD; THENCE ALONG SAID WESTERLY MAINTAINED RIGHT OF WAY LINE THE FOLLOWING FOUR COURSES: (1) S 57°10'07" W, A DISTANCE OF 14.30 FEET; (2) S 37°14'52" W, A DISTANCE OF 16.66 FEET; (3) S 01°20'00" W, A DISTANCE OF 92.42 FEET; (4) S 00°19'06" E, A DISTANCE OF 1825.51 FEET; THENCE N 75°33'32" W, A DISTANCE OF 1546.38 FEET; THENCE S 82°55'52" W, A DISTANCE OF 843.31 FEET; THENCE N 66°31'40" W, A DISTANCE OF 620.35 FEET; THENCE N 02°41'22" W, A DISTANCE OF 873.51 FEET; THENCE S 86°51'23" W, A DISTANCE OF 1025.15 FEET; THENCE N 89°31'33" W, A DISTANCE OF 2544.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 280.38 ACRES MORE OF LESS.

LESS AND EXCEPT

WELL PARCEL

A PARCEL OF LAND BEING A PORTION OF SECTIONS 5 & 6, TOWNSHIP 33 SOUTH, RANGE 21 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE N 00°33'15" E, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 3208.90 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 6; THENCE S 89°31'33" E, A DISTANCE OF 2364.91 FEET TO THE POINT OF BEGINNING; THENCE N 00°00'00" E, A DISTANCE OF 471.56 FEET; THENCE S 90°00'00" E, A DISTANCE OF 465.43 FEET; THENCE S 00°00'00" E, A DISTANCE OF 437.35 FEET; THENCE N 86°51'23" E, A

DISTANCE OF 758.41 FEET; THENCE S 02°41'22" E, A DISTANCE OF 881.21 FEET; THENCE S 66°31'40" E, A DISTANCE OF 602.44 FEET; THENCE N 82°55'52" E, A DISTANCE OF 841.65 FEET; THENCE S 75°33'32" E, A DISTANCE OF 1544.91 FEET; THENCE S 00°19'06" E, ALONG THE WESTERLY MAINTAINED RIGHT OF WAY LINE OF TAYLOR GRADE ROAD, A DISTANCE OF 20.68 FEET; THENCE N 75°33'32" W, A DISTANCE OF 1546.38 FEET; THENCE S 82°55'52" W, A DISTANCE OF 843.31 FEET; THENCE N 66°31'40" W, A DISTANCE OF 620.35 FEET; THENCE N 02°41'22" W, A DISTANCE OF 873.51 FEET; THENCE S 86°51'23" W, A DISTANCE OF 1025.15 FEET; THENCE N 89°31'33" W, A DISTANCE 180.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.12 ACRES

TOTAL AREA 273.26 ACRES

SOUTH PARCEL

A PARCEL OF LAND BEING A PORTION OF SECTIONS 5, 6, 7 AND 8, TOWNSHIP 33 SOUTH, RANGE 21 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 6, THENCE N 00°33'15" E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 3208.90 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 6; THENCE S 89°31'33" E, A DISTANCE OF 2544.98 FEET; THENCE N 86°51'23" E, A DISTANCE OF 1025.15 FEET; THENCE S 02°41'22" E, A DISTANCE OF 873.51 FEET; THENCE S 66°31'40" E, A DISTANCE OF 620.35 FEET; THENCE N 82°55'52" E, A DISTANCE OF 843.31 FEET; THENCE S 75°33'32" E, A DISTANCE OF 1546.38 FEET TO AN INTERSECTION WITH THE WESTERLY MAINTAINED RIGHT OF WAY LINE OF TAYLOR GRADE ROAD; THENCE ALONG SAID WESTERLY MAINTAINED RIGHT OF WAY LINE THE FOLLOWING THE FOLLOWING THREE COURSES: (1) S 06°20'46" E, A DISTANCE OF 79.44 FEET; (2) S 00°20'36" E, A DISTANCE OF 1705.92 FEET; (3) S 00°31'43" E, A DISTANCE OF 1327.27 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE S 89°56'49" W ALONG SAID SOUTH LINE, A DISTANCE OF 1297.91 FEET TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 7; THENCE S 89°27'04" W ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE NORTHEAST 1/4 AND THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 2991.19 FEET TO THE NORTHWEST 1/4 OF THE EAST 330 FEET OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4; THENCE S 00°00'43" W ALONG THE WEST LINE OF SAID EAST 330 FEET, A DISTANCE OF 1326.45 FEET TO THE SOUTHWEST 1/4 OF SAID EAST 330 FEET, THENCE S 89°29'54" W ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 2290.52 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE N 00°05'46" E ALONG THE WEST LINE OF SAID NORTHWEST 1/4, A DISTNACE OF 2646.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 672.71 ACRES, MORE OR LESS.



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 1st day of April, 2010

R.B. SHORE
Clerk of Circuit Court

By Galcerano D.C.

FILED FOR RECORD
R. B. SHORE

2010 APR 12 AM 8:49



CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

April 6, 2010

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

Attention: Ms. Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated April 1, 2010 and certified copies of Manatee County Ordinance Nos. Z-08-07, Z-08-08, PDR-06-14 (P), 10-25 and 10-21, which were filed in this office on April 5, 2010.

As requested, one date stamped copy is being returned for your records.

Sincerely,

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

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

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ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282