

MANATEE COUNTY ORDINANCE NO. Z-84-81
(Previously called Z-83-63 and Z-82-25)
CIRCLE-N-BAR RANCH

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM SUBURBAN AGRICULTURE (A-1) TO PLANNED DEVELOPMENT RESIDENTIAL (PDR), PLANNED DEVELOPMENT COMMERCIAL (PDC), AND PLANNED DEVELOPMENT INDUSTRIAL (PDI), RETAINING THE SPECIAL TREATMENT (ST) AND AGRICULTURAL FRINGE (AF) OVERLAY DISTRICT DESIGNATIONS WHERE THE SAME PRESENTLY ARE ESTABLISHED; REZONING CERTAIN ADDITIONAL LANDS TO INCLUDE THEM WITHIN THE WATERSHED PROTECTION (WP) OVERLAY DISTRICT; PROVIDING AN EFFECTIVE DATE.

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 Manatee County, after considering the testimony, evidence, documentation presented, application for amendments of the Official Zoning Atlas, 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 Official Zoning Atlas Amendments as it relates to the real property described in Section 4 of this Ordinance from Suburban Agriculture (A-1) with Watershed Protection (WP), Special Treatment (ST), and Agricultural Fringe (AF) Overlay Districts, to Planned Development Residential (PDR), Planned Development Commercial (PDC), and Planned Development Industrial (PDI), with Watershed Protection (WP), Special Treatment (ST), and Agricultural Fringe (AF) Overlay Districts, which report of the Planning Commission was prepared and approved at a public hearing duly held by that body on March 7th, 21st, and 28th, 1984.

B. The Board of County Commissioners held a Public Hearing on April 19, 1984, regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 81-1, the MANATEE COUNTY COMPREHENSIVE ZONING AND 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 hereof is found to be consistent with the requirements of Manatee County Ordinance No. 80-4, THE MANATEE PLAN.

D. The Public Hearings referenced above have been conducted in conjunction with public hearings upon an Application for Master Development Approval ("AMDA") for the same development project, submitted pursuant to Chapter 380, Florida Statutes, by the applicant for the rezoning hereby approved, which AMDA, and Resolution R-84-69 approving the same, are incorporated herein by reference.

Section 2. The "Conceptual Site Plan, Circle-N-Bar Ranch", is hereby APPROVED as the Conceptual Development Plan for the real property described in Section 4 hereof, subject to the following conditions:

GENERAL STIPULATIONS

1. The development of this project shall proceed in accordance with the information, plans, projections, representations and materials contained in the Application for Master Development Approval and application for rezoning and conceptual plan approval.

except as modified by the stipulations, conditions and requirements set forth herein or in the approval of the AMDA, or set forth in subsequent DRI or local approvals required for this development.

2. Nothing herein shall be construed as limiting the authority of Manatee County, in the course of review and development of this project, to implement and apply laws, ordinances, rules and regulations under its jurisdiction, consistent with the approval hereby granted.
3. The matters addressed herein, as well as additional matters that are appropriate to review at later stages of review, may be reflected in additional and/or more detailed stipulations, conditions and requirements to be formulated and applied at later stages of review of this project under local and DRI review procedures.
4. In the event that the import of any of the stipulations contained herein appears uncertain, interpretation thereof should be by reference to the staff report presented to the Planning Commission and Board of County Commissioners in connection with their consideration of this development proposal.
5. In the event ownership of any portion of the property embraced by this project, or any of the development rights acquired by virtue of this or subsequent approvals, is transferred to any party other than the applicant, the applicant or other transferor of such property or rights shall notify the Board of County Commissioners thereof and shall, in writing, identify the party or parties who will then be responsible to fulfill the obligations and meet the conditions established by these stipulations.
6. Nothing herein or in the AMDA shall be construed as authorizing any use of the property other than as described in the AMDA Master Development Plan and in the Conceptual Site Plan (Exhibit A, attached) hereby approved, nor shall anything herein be construed as denying the property owner or developer any rights to the continuation of existing uses that may be provided by the Land Development Code or other applicable law.
7. The terms "fair share" and "pro rata share" as used herein refer to a contribution or participation by the developer, whose purpose is to address an impact generated by new development upon the public domain or upon services or facilities provided by the County, in an amount or of a value that approximates as nearly as is practicable, the impact of this development as a proportion of the total of impacts upon the same services, facilities, or element of the public domain, that are expected to be generated by all developments in the impact area that have received approval or that are specifically anticipated on the basis of submitted development requests.
8. Where these stipulations require, expressly or by implication, an exercise of discretion or judgment, but do not specify the nature or parameters thereof, or where some determination must be made or approval granted or condition satisfied, the necessary decision or judgment shall be made by the County; but in doing so the County shall act reasonably and in good faith and, where appropriate, in accordance with accepted practice.
9. In the event the County or other government entity with jurisdiction in the matter established impact fees or similar charges that are designed to pay the cost of any of the types of facilities, services, or impacts upon the public domain that the developer by virtue of these stipulations has an affirmative obligation to address, and such fees are payable with respect to portions of the development thereafter completed or finally approved, appropriate adjustments to developer's obligations as set forth herein shall be considered and may be reflected in stipulations made a part of subsequent approvals.

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LAND USE COMPATIBILITY

- (1) Generous setbacks and landscape buffering is to be provided between different land use classifications internal to the project and those external to it. This condition would apply particularly to the industrial area planned to be adjacent to and between the areas proposed for rezoning to PDC and PDR and the planned low density area south of University Parkway in Sarasota County. The depth of setbacks and extent and location of landscaped buffers will be reviewed with future Preliminary Development Plan applications. Design of these buffers must include careful consideration of noise, odor, and visual impacts on adjacent land uses, including University Parkway.
- (2) Future development in the PDC and PDI districts is to be restricted to only such uses that do not generate any significant air, water, noise, hazardous wastes or other polluting by-products, and that will ensure protection against the possibility of adverse impacts to the watershed. A review of uses proposed will be required prior to Preliminary Development Plan approval. Evidence by the developer that uses proposed meet this condition will be required. Additionally, site design shall demonstrate significant attention to aesthetics.

DEVELOPMENT TRENDS AND TIMING

- (1) The maximum number of residential units shall be limited to 3,450 and the maximum overall density shall not exceed 3.7 dwelling units per acre. With each preliminary plan submitted, the Residential Sector Data Table (Table 2) shall be revised to include all units previously constructed and to project more accurately the number of units remaining to be constructed in each development sector.
- (2) Prior to the approval of a Preliminary Development Plan for the PDC designated areas, the developer shall quantifiably justify the need for the amount of floor area proposed for development by a market analysis which takes into account other commercial developments, including existing developments and those for which an application for approval has been submitted, in the southeast area. Approval shall be based on an evaluation of the proposal in light of the projected need for commercial development for the area and the County.
- (3) The village center will be limited to a site ten (10) acres in size, located totally within the residential component of the project and limited to 40,000 square feet of gross floor area.
- (4) Commercial Development shall be planned with a unified internal circulation system and with limited access to abutting thoroughfares as depicted on the Conceptual Development Plan.

ENVIRONMENT

- (1) At the time the first preliminary plan (and Application for Incremental Development Approval ("AIDA")) is submitted, the following is required to have been completed and submitted with the application:
 - (a) A Florida Department of Environmental Regulation jurisdictional determination;
 - (b) Additional baseline monitoring reflecting seasonal variations for preconstruction surface and groundwater quality and quantity;
 - (c) A Master Drainage Plan for the entire development, including a demonstration of the effect of the proposed

lowering of the water table (to improve drainage) on the preservation of existing jurisdictional wetlands, the effect this will have on their ability to biologically filter out nutrients and sediments, and the effect that altering and deepening existing wetlands will have on their ability to filter surface water and percolating groundwater. This Master Drainage Plan, thought it may have been approved by the County, will be subject to modifications by new state-of-the-art techniques and surface water management performance standards that may be developed or adopted during the course of the development process.

- (d) A demonstration of compliance with the WP, ST and AF Overlay zones. As required by the ST District, the Board of County Commissioners must make a determination that "Best Possible Technology" is being employed prior to any construction.
- (e) A demonstration that all jurisdictional areas will be preserved so that they can continue to absorb surface water pollutants. At a minimum, the proportion of the site in wetlands shall equal the existing proportion.
- (f) A Stormwater Maintenance Plan specifying construction and postconstruction monitoring and the design and execution of a maintenance program to ensure adequate functioning of the system.

- (2) With the objectives of protecting the Evers Reservoir and to encourage the newly established "Save Our Rivers", the following condition is required:

Conceptual Land Use approval for all land areas located within the current SWFWMD approved five year acquisition plan for the "Save Our Rivers" Program and Sector "y" (See Exhibit A) is deferred, thereby prohibiting any residential development of the property though zoned PDR. However, stormwater management facilities and passive recreation facilities may be constructed in this area if not detrimental to the water quality and quantity of the Evers Reservoir and if determined compatible with the "Save Our Rivers" Program. At the time the final ADA is submitted for the entire project, a request of development approval may be requested contingent upon the status of the "Save Our Rivers" Program and development regulations in effect at that time. Any development of this property will follow the guidelines of the Evers Reservoir Watershed Management Study, (Smith & Gillespie, November, 1983) or superior state-of-the-art techniques.

- (3) The stormwater management system will follow the guidelines of the Evers Reservoir Watershed Management Study (Smith & Gillespie, November, 1983), or superior state-of-the-art techniques.
- (4) Any development of individual septic tanks will not be permitted in this project on land lying in the Braden River Watershed.

ARCHAEOLOGICAL AND HISTORICAL PRESERVATION

- (1) At the time preliminary plans (including the first two increments) are submitted, the developer must identify the location of all archaeological and historic sites, verify which ones are significant, which will be protected and preserved and by what method. For property zoned ST, the developer must comply with all requirements to demonstrate "Best Possible Technology".

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TRANSPORTATION

- (1) All traffic impacts of every portion of this development shall be identified in advance of development by the developer using data and techniques acceptable to and used generally in the County. The developer shall be responsible for whatever measures are deemed necessary to fully mitigate, offset and address the impacts so identified. Specific measures identified elsewhere herein or as conditions of subsequent approvals shall not be construed as limiting the effect of this requirement.
- (2) In accordance with Policy 9-1.C of The Manatee Plan, Level of Service "C" shall be maintained on all portions of major thoroughfares that are projected to experience significant traffic impacts as a result of this development. These portions of the major thoroughfares will be identified at the time of review of any AIDA and of the Application for Development Approval ("ADA"). No development will be finally authorized that would generate traffic which, in conjunction with existing traffic and traffic anticipated as a result of other development approvals and other circumstances upon which the County may base traffic projections, will have the likely result of causing or contributing to a degradation of the Level of Service on the identified segments of these major thoroughfares to a level below "C", or if a lower level has already been reached, any degradation in traffic capacity.
- (3) To mitigate the effects of the absence of extensions to Country Club Way and Cathedral Way, which extensions otherwise would be required in accordance with County regulations and policy respecting traffic movement, the developer shall:
 - (a) Improve the segment of University Parkway from Whitfield Avenue Extension to the entrance to the PDC shopping area as necessary to ensure that at all times during the development of this project, Level of Service "C" is maintained on that segment, no matter what the source of traffic that might threaten a degradation in service below that level;
 - (b) Tie Cathedral Way to the project's major entrance road, at a point near University Parkway.
- (4) Substantial screening and buffering shall be required to separate this development from University Parkway. The type and extent of buffering shall be reviewed and approved at the time Preliminary Development Plans are submitted for approval.
- (5) Land to be dedicated to Manatee County in connection with the Major Thoroughfare Plan shall be reserved by the developer, and development plans shall respect the intended future use of such land for road right-of-way. Such land shall be dedicated at any time following the effective date of the rezoning, upon the request of the County.

PARKS AND RECREATION

- (1) All impacts of every portion of this development upon public recreational facilities and open space, and the extent of the needs therefore to be generated by each portion of this development, shall be identified in advance of development by the developer using methodology acceptable to and utilized generally by the County. The developer shall be responsible for providing for all recreational and open space needs so identified and otherwise fully offsetting the identified impacts.

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except as modified by the stipulations, conditions and requirements set forth herein or in the approval of the AMDA, or set forth in subsequent DRI or local approvals required for this development.

2. Nothing herein shall be construed as limiting the authority of Manatee County, in the course of review and development of this project, to implement and apply laws, ordinances, rules and regulations under its jurisdiction, consistent with the approval hereby granted.
3. The matters addressed herein, as well as additional matters that are appropriate to review at later stages of review, may be reflected in additional and/or more detailed stipulations, conditions and requirements to be formulated and applied at later stages of review of this project under local and DRI review procedures.
4. In the event that the import of any of the stipulations contained herein appears uncertain, interpretation thereof should be by reference to the staff report presented to the Planning Commission and Board of County Commissioners in connection with their consideration of this development proposal.
5. In the event ownership of any portion of the property embraced by this project, or any of the development rights acquired by virtue of this or subsequent approvals, is transferred to any party other than the applicant, the applicant or other transferor of such property or rights shall notify the Board of County Commissioners thereof and shall, in writing, identify the party or parties who will then be responsible to fulfill the obligations and meet the conditions established by these stipulations.
6. Nothing herein or in the AMDA shall be construed as authorizing any use of the property other than as described in the AMDA Master Development Plan and in the Conceptual Site Plan (Exhibit A, attached) hereby approved, nor shall anything herein be construed as denying the property owner or developer any rights to the continuation of existing uses that may be provided by the Land Development Code or other applicable law.
7. The terms "fair share" and "pro rata share" as used herein refer to a contribution or participation by the developer, whose purpose is to address an impact generated by new development upon the public domain or upon services or facilities provided by the County, in an amount or of a value that approximates as nearly as is practicable, the impact of this development as a proportion of the total of impacts upon the same services, facilities, or element of the public domain, that are expected to be generated by all developments in the impact area that have received approval or that are specifically anticipated on the basis of submitted development requests.
8. Where these stipulations require, expressly or by implication, an exercise of discretion or judgment, but do not specify the nature or parameters thereof, or where some determination must be made or approval granted or condition satisfied, the necessary decision or judgment shall be made by the County; but in doing so the County shall act reasonably and in good faith and, where appropriate, in accordance with accepted practice.
9. In the event the County or other government entity with jurisdiction in the matter established impact fees or similar charges that are designed to pay the cost of any of the types of facilities, services, or impacts upon the public domain that the developer by virtue of these stipulations has an affirmative obligation to address, and such fees are payable with respect to portions of the development thereafter completed or finally approved, appropriate adjustments to developer's obligations as set forth herein shall be considered and may be reflected in stipulations made a part of subsequent approvals.

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SCHOOLS

- (1) All impacts of every portion of this development upon school facilities and the extent of the needs therefor to be generated by each portion of this development, shall be identified in advance of development by the developer using methodology acceptable to and utilized generally by the School Board. The developer shall be responsible for providing for all public school facilities so identified and otherwise fully offsetting the identified impacts. Measures for addressing and offsetting such impacts may include, without limitation, conveyance of land for school facility sites, or pro-rata contribution to the cost of such sites.
- (2) Once the School Board of Manatee County has determined, upon consideration of the impacts of this development and the needs anticipated as a result of other development approvals, that a certain type or types of public school facilities that would serve this development are needed in this part of the County, and the School Board can demonstrate a present ability to provide such facility or facilities, in cooperation with this development or otherwise, final approval of any development scheduled to occur thereafter, and the timing thereof, shall be contingent upon the prior or prospective completion of such facility or facilities.

CENTRALIZED WATER AND SEWER

- (1) The developer shall be required to connect to the County centralized water supply system. The developer shall be responsible for contributing a pro-rata share for construction of a regional elevated water storage facility in accordance with County engineering standards. Pro-rata share shall be calculated over the total service area of the elevated storage facility and contributions may be made in cash, equivalent value in land, or a combination thereof.
- (2) The first two increments of development as defined in the Agreement dated February 20, 1984 (incorporated herein by reference), shall be provided wastewater treatment from the Southwest Regional Treatment Plan with the developer paying the pro-rata share of improvements to offsite collection systems to convey wastewater to the Southwest facility. Improvements may include flow equalization. When deemed by the County to be cost effective, wastewater from the first two increments shall be rerouted to the Southeast Regional Wastewater Facility upon its construction. The wastewater from the remaining increments of development shall be treated at the Southeast Regional Wastewater Treatment Plant with the developer paying the pro-rata share of improvements to offsite collection systems to convey wastewater to the Southeast facility.
- (3) The developer shall provide the onsite right-of-way access and easements to the regional system as needed for area projects to convey wastewater to regional wastewater treatment plants and pay a pro-rata share of costs to the County of obtaining rights-of-way and/or easements off the property as necessary to convey the wastewater to the treatment plant.
- (4) Development plans shall respect the intended use by Manatee County of land identified as needed as rights-of-way and easements for water and wastewater delivery facilities. Such rights-of-way and easements shall be conveyed to Manatee County at any time following the effective date of this rezoning, upon the County's request.

FIRE PROTECTION/EMERGENCY SERVICES

- (1) All impacts of every portion of this development upon emergency and fire protection services and the extent of the needs therefore to be generated by each portion of this

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development, shall be identified in advance of development by the developer using methodology acceptable to and utilized generally by the County. The developer shall be responsible for providing for all emergency services and fire protection needs so identified and otherwise fully offsetting the identified impacts. Specific measures identified elsewhere herein or as conditions of subsequent approvals shall not be construed as limiting the effect of this requirement.

- (2) The developer shall be responsible for contributing a pro-rata share of the cost of a site for, and of constructing and equipping, an EMS station and fire station, or a joint facility. This obligation may be satisfied in part by conveyance of land suitable for the intended use.
- (3) If, prior to the time permanent EMS and/or fire protection facilities in this area of the County are deemed desirable by County and/or the fire district, a temporary station is deemed desirable, developer shall also contribute a pro-rata share of the cost of a site for, and of constructing and equipping, such facility or facilities.
- (4) Once a present ability to construct and equip a temporary or permanent EMS and/or fire station in this area of the County, that would serve this development is demonstrated, final approval of any development scheduled to occur after the establishment of such substation, and the timing thereof, shall be contingent upon the ability of EMS and/or fire district to provide service to such development with a response time generally accepted by the County and/or fire district as safe and adequate.
- (5) The fire hydrant system shall use publicly owned easements and facilities or, if a private system is used, shall be approved by the fire district as to provision for adequate operation and maintenance and other features related to fire safety.
- (6) The developer shall construct an emergency access "stub" to the adjacent property on the west, known as the Wallace Tract, that connects with a fully constructed portion of the street system within the development, at a location which is coordinated with the owner of the Wallace Tract and which can allow eventual connection to an extension of Country Club Way. This emergency access route shall be properly stabilized and equipped with an electronic gate and openers.

POLICE PROTECTION

- (1) The developer shall pay a pro-rata share of the cost of the Sheriff's Department portion of the Tara public service building and other related capital facilities. Specific requirements will be determined at the ADA stage of the development process.

AMDA

- (1) The stipulations and conditions of approval of the AMDA approved by Resolution R-84-69 are incorporated herein and are made conditions of approval of the rezoning and Conceptual Development Plan approval hereby granted.

Section 3. AMENDMENT OF OFFICIAL ZONING ATLAS - The Official Zoning Atlas of Manatee County Ordinance No. 81-4, the MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, is hereby amended by changing the zoning district classification of the property that is the subject of the application for rezoning hereby approved, as follows:

A. PDR - The Suburban Agriculture (A-1) district classification of the following described parcel is changed to Planned Development Residential (PDR):

PARCEL "A"

A parcel of land in Sections 25, 26, 35, and 36, Township 35 South, Range 18 East, Manatee County, Florida described as follows:

Begin at the Southwest corner of said Section 35; thence N 00°01'06" W, (with bearings referred to grid North of the West zone of the Florida State Plane Coordinate System), a distance of 2699.49 feet to the W ¼ of said Section 35; thence N 00°00'58" W, a distance of 1349.81 feet to the Northwest corner of the SW ¼ of the NW ¼ of said Section 35; thence S 89°03'17" E, a distance of 1374.67 feet to the Southwest corner of the NE ¼ of the NW ¼ of said Section 35; thence N 00°05'44" W, a distance of 1346.55 feet to the Southwest corner of the SE ¼ of the SW ¼ of said Section 26; thence N 00°45'13" E, a distance of 662.30 feet to the Southeast corner of the N ¼ of the SW ¼ of the SW ¼ of said Section 26; thence N 88°59'30" W, a distance of 1380.82 feet to the Southwest corner of the said N ¼ of the SW ¼ of the SW ¼; thence N 00°03'46" E, a distance of 1981.78 feet to the W ¼ corner of said Section 26; thence N 00°07'13" E, a distance of 1333.96 feet to the Northwest corner of the S ¼ of the NW ¼ of said Section 26; thence S 89°13'01" E, a distance of 2840.13 feet to the Northeast corner of said S ¼ of the NW ¼; thence S 01°26'26" W, a distance of 1334.27 feet to the Northwest corner of the SE ¼ of said Section 26; thence S 89°12'40" E, a distance of 2807.69 feet to the Northwest corner of the SW ¼ of said Section 25; thence S 89°11'03" E, along the North line of said SW ¼, a distance of 303.73 feet to a point that is 303.55 feet East of as measured at a right angle to the West line of said Section 25; thence S 02°45'45" W, and parallel to the West line of said Section 25, a distance of 2673.33 feet to the North line of said Section 36; thence, continue S 02°45'45" W, a distance of 1.04 feet to a point that is 303.55 feet East of as measured at a right angle to West line of said Section 36; thence S 00°20'22" E, and parallel to the West line of said Section 36; a distance of 1461.89 feet; thence N 89°27'25" W, and parallel to the South line of the S ¼ of said Section 35, a distance of 303.59 feet to the East line of said Section 35; thence, continue N 89°27'25" W, a distance of 1513.94 feet to the West line of a 160 foot wide Florida Power & Light easement, thence S 00°26'00" W, along said West line, a distance of 2560.80 feet; thence N 89°27'42" W, a distance of 1800.00 feet; thence S 00°26'00" W, a distance of 1320.00 feet to the South line of the SW ¼ of said Section 35; thence N 89°28'17" W, a distance of 2154.66 feet to the Point of Beginning.

Containing 877.94 acres, more or less.

Together with and including all that part of the N ¼ of the NE ¼ of said Section 26, lying Southerly and Westerly of the Braden River.

Containing 42.7 acres, more or less.

B. PDC - The Suburban Agriculture (A-1) district classification of the following described parcel is changed to Planned Development Commercial (PDC):

PARCEL "B"

From the Southwest corner of Section 35, Township 35 South, Range 18 East; run S 89°28'17" E, (with bearings referred to grid North of the West zone of the Florida State Plane Coordinate System) along the South line of said Section 35, a distance of 2154.66 feet to the Point of Beginning; thence N 00°26'00" E, a distance of 1320.00 feet; thence S 89°27'42" E, a distance of 1800.00 feet to the West line of a 160 foot wide Florida Power & Light Company easement; thence S 00°26'00" W, along said West line, a distance of 1320.00 feet to the South line of said Section 35; thence N 89°27'25" W, a distance of 1194.49 feet to the South ¼ corner of said Section 35; thence N 89°28'17" W, a distance of 605.51 feet to the Point of Beginning. Lying and being in Section 35, Township 35 South, Range 18 East, Manatee County, Florida.

Containing 34.54 Acres, more or less.

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C. The Suburban Agriculture (A-1) district classification of the following described parcel is changed to Planned Development Industrial (PDI):

PARCEL "C"

A parcel of land in Sections 35 and 36, Township 35 South, Range 18 East, Manatee County, Florida described as follows:

Begin at the Southeast corner of said Section 35; thence N 89°27'25" W, (with bearings referred to grid North of the West zone of the Florida State Plane Coordinate System), along the South line of said Section 35, a distance of 1566.29 feet to the West line of a 160 foot wide Florida Power & Light easement; thence N 00°26'00" E, along said West line, a distance of 3880.80 feet; thence S 89°27'25" E, and parallel to the South line of said Section 35, a distance of 1513.94 feet to the West line of said Section 36; thence, continue S 89°27'25" E, a distance of 303.59 feet to a point that is 303.55 feet East of as measured at a right angle to the West line of said Section 36; thence S 00°20'22" E, and parallel to said West line, a distance of 3881.56 feet to the South line of said Section 36; thence N 89°23'57" W, a distance of 303.59 feet to the Point of Beginning.

Containing a total of 164.26 Acres, more or less, and 150.00 Acres, more or less, not including said Florida Power & Light easement.

D. Portions of the parcels described above being within the Special Treatment (ST) or Agricultural Fringe (AF) Overlay District zoning classification will retain such zoning classification(s) without change. The watershed protection (WP) Overlay District as it relates to the parcels described above is modified to embrace the lands as shown on Exhibit B.

Section 4. EFFECTIVE DATE - This Ordinance shall take effect immediately upon the receipt of the official acknowledgement 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, this the 15th day of May, 1984.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Edward W. Chance
Chairman

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

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**Circle-N-Bar Ranch
Conceptual Site Plan
& Master Development Plan**

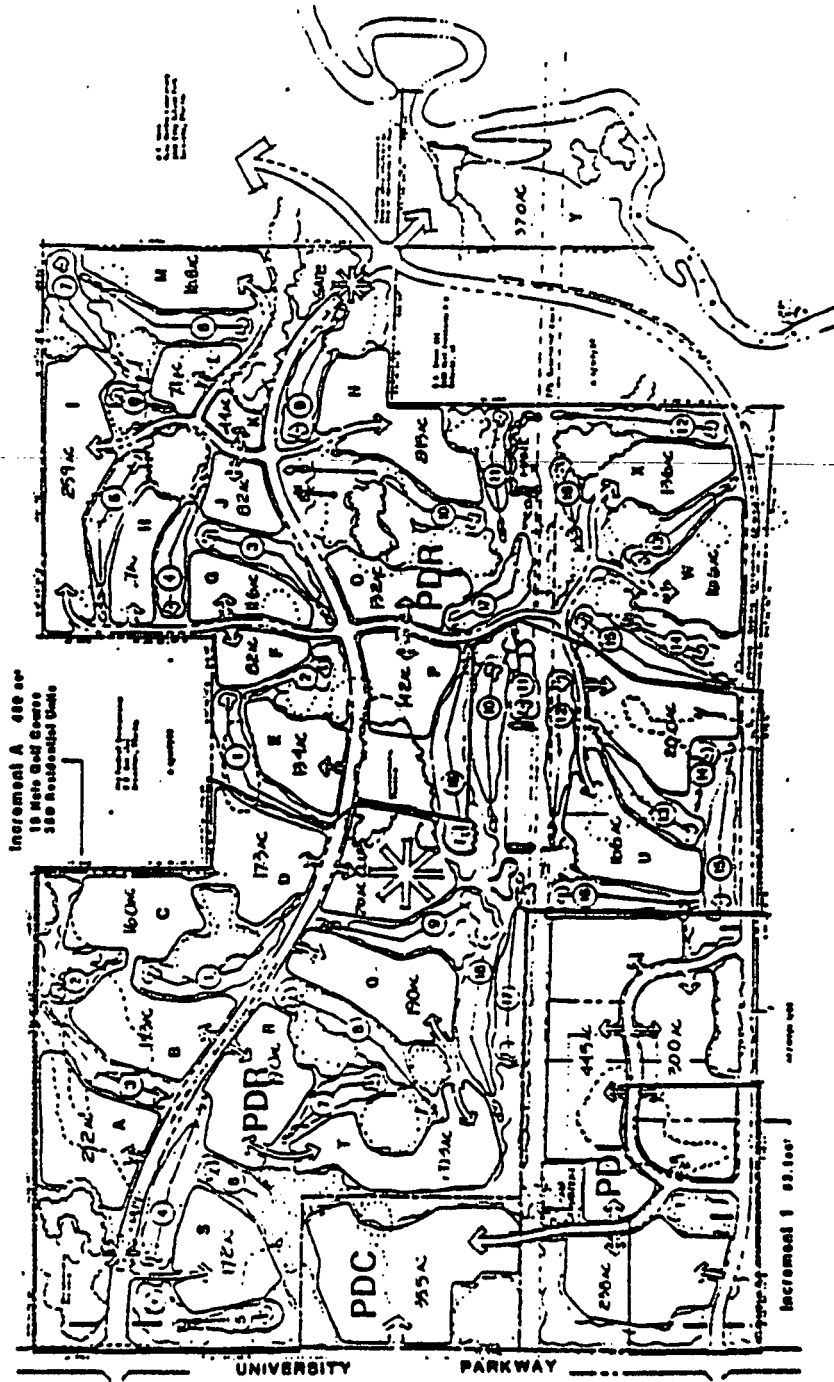
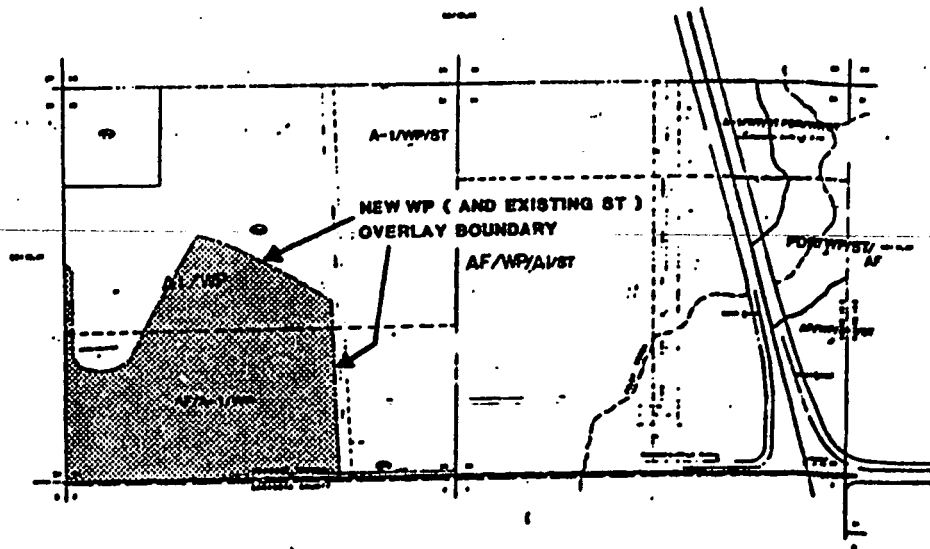


Exhibit A

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ZONING ATLAS AMENDMENT TO RELOCATE WP (WATERSHED PROTECTION OVERLAY) DISTRICT



AREA OF CONSIDERATION

(THE WP OVERLAY DISTRICT IS BEING REMOVED FROM THIS AREA)

EXHIBIT B
Z-83-63

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The Bradenton Herald

PUBLISHED DAILY
BRADENTON, MANATEE COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF MANATEE:

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is the Legal Advertising Clerk and the official representative of the Publisher of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida, with the express, limited authority to execute this affidavit for the purpose of establishing proof of publication of the public or legal notice and advertisement in the form attached hereto; that the attached copy of advertisement, being a legal advertisement in the matter of

Public Hearing DPT #107

_____ in the _____ Court,

was published in said newspaper in the issues of _____

3/18/84

Affiant further says that the said The Bradenton Herald is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Bradenton, Manatee County, Florida, each day and has been entered as second class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and the affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sandy Riley

Sworn to and subscribed before me this

20th day of February

A.D. 1984 Josuee Tucker

(SEAL) Notary Public

Notary Public, State of Florida at Large

My Commission Expires May 30, 1987

401 - 13TH STREET, WEST • P.O. BOX 821 • BRADENTON, FLORIDA

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The Bradenton Herald

PUBLISHED DAILY
BRADENTON, MANATEE COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF MANATEE:

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is the Legal Advertising Clerk and the official representative of the Publisher of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida, with the express, limited authority to execute this affidavit for the purpose of establishing proof of publication of the public or legal notice and advertisement in the form attached hereto; that the attached copy of advertisement, being a legal advertisement in the matter of

Public Hearing- 7-82-25

in the _____ Court,

was published in said newspaper in the issues of _____

2/18/84

Affiant further says that the said The Bradenton Herald is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Bradenton, Manatee County, Florida, each day and has been entered as second class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and the affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sandy Riley

Sworn to and subscribed before me this

2nd day of March

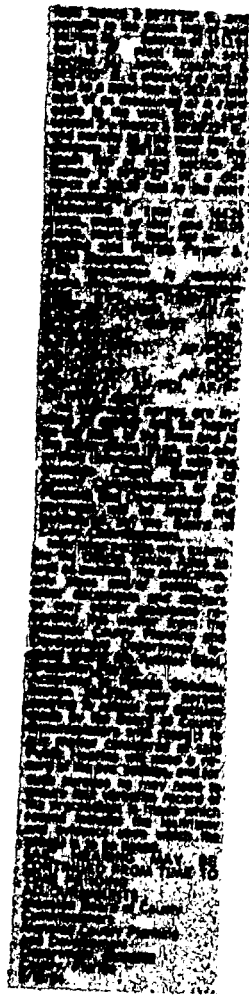
A.D. 1984

Robert K. Bude
(SEAL) Notary Public

Notary Public, State of Florida at Large
My Commission Expires July 24, 1987

401 - 13TH STREET, WEST • P.O. BOX 921 • BRADENTON, FLORIDA 33508 • TELEPHONE: (813) 748-0411

2145



21.46

**AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND
NOTIFICATION BY MAIL TO CONTIGUOUS PROPERTY OWNERS**

STATE OF FLORIDA
COUNTY OF SARASOTA

BEFORE ME, the undersigned authority, personally appeared _____
BRUCE E. FRANKLIN, who, after having been first duly
sworn and put upon oath, says as follows:

1. That he is the AGENT (owner, agent for owner,
attorney in fact for owner, etc.) of the property identified in the application for
Official Zoning Atlas Amendment No. 2-82-25, to be heard on
APRIL 17th, 1984, and as such, is author-
ized to execute and make this Affidavit and is familiar with the matters set forth
herein and they are true to the best of his knowledge, information and belief.

2. That the Affiant has caused the required public notice sign be posted
pursuant to Manatee County Ordinance No. 81-4, on the property identified in
said application and said sign was conspicuously posted 15 feet from the front
property line on the 15th day of FEBRUARY, 1984.

3. That the Affiant has caused the mailing of the required letter of notifi-
cation to contiguous property owners pursuant to Manatee County Ordinance 81-4,
by 1st Class Mail, on the 15th day of FEBRUARY, 1984,
and attaches hereto as a part of and incorporated herein, copies of said letters
of notification.

4. That Affiant is aware of and understands that failure to adhere to the
provisions of Manatee County Ordinance No. 81-4 as it relates to the above matters
may cause the above-identified application and any public hearing held thereon to
be ineffective and a nullity.

FURTHER YOUR AFFIANT SAITH NOT.

SWORN TO AND subscribed before me on this 5th day of MARCH,
1984.

My Commission Expires:

Notary Public, State of Florida At Large
My Commission Expires April 29, 1986

2147

819

Yvonne C. Henderson

STATE OF FLORIDA
COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 15th day of May, 1984.

SUBJECT: MANATEE COUNTY ORDINANCE NO. 2-84-81:
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA,
AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY
ORDINANCE NO. 81-4, THE MANATEE COUNTY COMPREHENSIVE
ZONING AND LAND DEVELOPMENT CODE, RELATING TO ZONING
WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY;
PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1
TO PDR, PDC AND PDI, RETAINING THE ST AND AP OVERLAY
DISTRICT DESIGNATIONS WHERE THE SAME PRESENTLY ARE
ESTABLISHED; REZONING CERTAIN ADDITIONAL LANDS TO
INCLUDE THEM WITHIN THE WATERSHED PROTECTION (WP)
OVERLAY DISTRICT; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 16th day of May, 1984,
in Bradenton, Florida.



R. B. Shore, Clerk of Circuit Court
Manatee County, Florida



FLORIDA DEPARTMENT OF STATE FILED FOR RECORD
George Firestone
Secretary of State

MAY 23 AM 10 34

May 21, 1984

CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA

Honorable R. B. Shore
Clerk of the Circuit Court
Post Office Box 1000
Bradenton, Florida 33505

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of your letter/s of May 16
and certified copy/ies of Manatee
County Ordinance/s No./s Z-84-81
2. Receipt of _____ County Ordinance/s
relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____
3. We have filed this Ordinance/s in this office
this/these
on May 21, _____ 1984.
4. The original/duplicate copy/ies showing the filing date
is being returned for your records.
is/are

Cordially,
Nancy Kavanaugh
(Mrs.) Nancy Kavanaugh
Chief, Bureau of Laws

NK/

Enclosure

FLORIDA - State of the Arts

M