

MANATEE COUNTY ORDINANCE NO. Z-86-109

FILED FOR RECORD

VINITA M. McSPADDEN

'87 FEB 3 AM 8 46

P.D. 114 E.
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA

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 R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT, 6.1 DU/ACRE) TO R-2 (ONE AND TWO FAMILY RESIDENTIAL DISTRICT, 8.5 DU/ACRE); PROVIDING AN EFFECTIVE DATE.

SECRETARY OF STATE

JAN 26 3 29 PM 1987

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 3 of this Ordinance from R-1 (Single Family Residential District, 6.1 du/acre) to R-2 (One and Two Family Residential District, 8.5 du/acre).

B. The said Board of County Commissioners held a Public Hearing on January 15, 1987, regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 81-4, 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 3 herein is found to be consistent with the requirements of Manatee County Ordinance No. 80-4, THE MANATEE PLAN.

Section 2. 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 identified in Section 3 herein from R-1 (Single Family Residential District, 6.1 du/acre) to R-2 (One and Two Family Residential District, 8.5 du/acre). Located on the northeast corner of 55th Avenue West and 23rd Street Court West (1.73+ acres) and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning and Development Department are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 3. Legal Description:

Beg 60 ft S of NE cor of Sec 15, run W alg. S line of Oneco Rd 1320 ft, thence S parallel to the E line of sd Sec 645.77 ft for a POB, cont S parallel to the E line of sd Sec 15 645.77 ft to a pt on the N line of Center St, sd pt being 15

1679

7-86-109


A

ft N of S line of N $\frac{1}{2}$ of NE $\frac{1}{4}$, run W alg N line of Center St 330 ft, run N parallel with the E line 646.31 ft, thence E 330 ft to POB, less the N 300 ft, less desc in ORB 49 P 10 P-35-N.

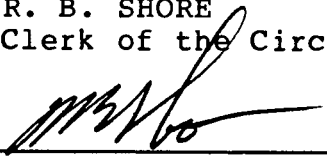
Section 4. EFFECTIVE DATE This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 15th day of January, 1987.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: 
Chairman 1/15/87

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



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 January, 1987.

SUBJECT: Z-86-109

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 R-1 TO R-2; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 20th day of January, 1987, in Bradenton, Florida.

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



By: Deputy Clerk

X

F



The Bradenton Herald

102 MANATEE AVE. WEST, P.O. BOX 921
BRADENTON, FLORIDA 33506
TELEPHONE (813) 748-0411

PUBLISHED DAILY
BRADENTON, MANATEE COUNTY, FLORIDA

SEAL 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- SP 86-88

_____ Court
was published in said newspaper in the issue of _____
12/24/86

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
31st day of December
A.D. 1986
Jorise Jucker

(SEAL) Notary Public Notary Public, State of Florida at Large
My Commission Expires May 30, 1987

C

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Board of County Commissioners of Manatee County will conduct a Public Hearing on Thursday, January 15, 1987, at 9:00 A.M. in the Chambers of the Board of County Commissioners in the Manatee County Courthouse at Bradenton, Florida, to consider and act upon the following Matters:

SP-86-88—John Burns. Approval of a Special Permit to allow a mobile home to be used as a residence for a caretaker in addition to a residence. Located on the west side of Rex Rhode Road extended, 1.5+/- miles south of Singletary Road. Present Zoning: A (General Agricultural District, 1 du/5 acres) (150+/- Acres).

SP-86-104—John Hatch. Approval of a Special Permit to allow a mobile home as a temporary residence. Located on Ogleby Creek Road, approximately 800 feet north of State Road 70. Current Zoning: A (General Agriculture) (14.0 +/- Acres).

SP-86-103—Patricia Parrish. Approval of a Special Permit to allow a mobile home as a temporary residence. Located on the north side of Golf Course Road, approximately 800 feet west of Mulholland Road. Present Zoning: A (General Agriculture District, 1 du/5 acres) (5+/- acres).

SP-86-105—Richard Michel. Approval of a Special Permit to allow a mobile home as a temporary residence. Located on the west side of Ogleby Creek Road, 1,300+/- feet north of State Road 70. Present Zoning: A (General Agriculture District, 1 du/5 acres) (10+/- acres).

SP-86-106—Robert Campbell. Approval of a Special Permit to allow fuel pumps in conjunction with a convenience store. Located on the north side of State Route 70, .8+/- miles west of I-75. Present Zoning: C-1/AF (Agricultural Fringe, General Commercial) (1.04 +/- acres).

SP-86-107—William Vickers. Approval of a Special Permit to allow a motor pool facility. Located at 2400 Memphis Road, Ellenton. Present Zoning: M-1 (Light Industrial) (2.06+/- acres).

SP-86-109—Herro Company. Approval of a Special Permit to allow fuel pumps in conjunction with a convenience store and carwash. Located on the northeast corner of U.S. Highway 41 and 69th Avenue West. Present Zoning: C-1 (General Commercial) (0.96+/- acres).

SP-86-110—Stoney and Polly Murray. Approval of a Special Permit to allow a church. Located on the south side of Chapman Road, 1,200+/- east of U.S. 41. Present Zoning: A-1 (Suburban Agriculture, 1 du/1 acre) (3.67+/- acres).

SP-86-111—Tenneco Oil Company. Approval of a Special Permit to allow self service gasoline pumps in conjunction with a convenience store. Located on the southeast corner of the intersection of U.S. 301 Boulevard and 9th Street West. Current Zoning: C-1 (General Commercial) (.926+/- Acres).

Z-86-42(R)—John and Carol Peachey. Approval of a Revised Conceptual Plan to allow 275 lots at a density of 3.0 du/acre and approval to change the present zoning from A-1/WP/ST (Suburban Agricultural) to PDR/WP/ST (Planned Development Residential) retaining the Watershed Protection/Special Treatment Overlay Districts. Located east of Prospect Road, 1/2+/- mile north of Tullevast Road in the Braden River watershed. (90.6+/- acres).

Z-86-78—Jim Dayton. Approval to change the present zoning from C/WP/AP/ST (Neighborhood Commercial District) to PDC/WP/AF/ST (Planned Commercial District) retaining the Watershed Protection District, Agricultural Fringe District, and Special Treatment District Overlays with a waiver on the PDC minimum area requirement (2+/- acres). Located on the northeast corner of the intersection of lockwood Ridge Road and University Parkway in the Braden River watershed.

Z-86-102—Reconsideration. Penny Burchette. Approval to change the present zoning from A-1 (Suburban Agricultural, 1 du/acre) to R-1T (Single Family Attached, 10.2 du/acre). Located east of 27th Street East, 100+/- feet south of 29th Avenue East. (10.1+/- Acres).

Z-86-92—Reconsideration-Reasoner and Chivers. Approval to change the present zoning from A-1 (Suburban Agricultural 1 du/acre) to R-1AB (Single Family Residential, 5.3 du/acre). Located east of 27th Street East, north of 34th Avenue East and east of Stone Creek Subdivision, 330+/- feet north of 38th Avenue East (77.3+/- Acres).

Z-86-107—Irene Brenner. Approval to change the present zoning from A (General Agricultural District, 1 du/5 acres) to A-1 (Suburban Agricultural District, 1 du/5 acres) to A-1 (Suburban Agricultural District, 1 du/1 acre). Located on the north side of State Road 62, approximately 1/2 of a mile east of the intersection of State Road 62 and U.S. Highway 301 (105.7+/- acres).

Z-86-109—Vinita McSpadden. Approval to change the present zoning from R-1 (Single Family Residential District, 6.1 du/acre) to R-2 (One and Two Family Residential District, 8.1 du/acre). Located on the northeast corner of 55th Avenue West and 23rd Street Court East (1.73+/- acres).

Z-86-111—William and Sally Richert. Approval to change the present zoning from R-2 (one and two family residential, 8.5 du/acre) to C (Neighborhood Commercial). Located on the north side of 57th Avenue East, west of 5th Street East (.902+/- acres).

Z-86-114—Robert and Donna Opdyke. Approval to change the present zoning from R-1AB (Single Family Residential District) to PR (Professional Office District). Located on the southwest corner of 53rd Avenue East and 7th Street East (.4+/- acres).

Z-86-117—Robert Walton. Approval to change the present zoning from R-1AB (One Family Residential District, 5.3 du/acre) to C (Neighborhood Commercial District). Located on the southwest corner of 30th Avenue East and 19th Street East, Bradenton (.29+/- Acre).

Z-86-118—Donna Stine. Approval to change the present zoning from R-2 (One and Two Family Residential, 8.5 du/acre) to C-1A (Resort Commercial). Located 185+/- feet north of Cortez Road (44th Avenue West) and 175+/- feet west of 76th Street West (.46+/- Acres).

Z-86-119—Keith Kerr. Approval to change the present zoning from A-1 (Suburban Agriculture, 1 du/acre) to C (Neighborhood Commercial). Located on the west side of Bayshore Road, 600+/- feet south of 69th Street Court East, Rubonia. (2.03+/- Acres)

All interested parties are invited to appear at this Hearing and be heard. Additionally, any written comments filed with the Planning Commission or the Planning and Development Department will be heard and considered by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the application and related documents and may obtain assistance regarding this matter from the Manatee County Planning and Development Department, 212 6th Avenue East, Bradenton, Florida. According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings made, which includes the testimony and evidence upon which the appeal is to be based.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

Manatee County Board
of County Commissioners
Manatee County Planning & Development Dept.
Manatee County, Florida 12/24/86

23me sic cw



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

STATE OF _____ COUNTY OF _____

BEFORE ME; the undersigned authority, personally appeared Virita M McSpadden, who, after having been first duly sworn and put upon oath, says as follows:

1. That he is the owner (owner, agent for owner), attorney in fact for owner, etc.) of the property identified in the application for Official Zoning Atlas Amendment No. 2-86-109, to be heard on January 15, 1987 and as such, is authorized 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 to be posted pursuant to Manatee County Ordinance No. 81-4 on the property identified in said application and said sign was conspicuously posted 1 feet from the front property line on the 9 day of December, 1986.

3. That the Affiant has caused the mailing of the required letter of notification to contiguous property owners pursuant to Manatee County Ordinance 81-4, by 1st Class Mail, on the 9 day of December, 1986, and attaches hereto as 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.

NOTARIAL PUBLIC YOUR AFFIANT SAITH NOT.

Virita M McSpadden

Sworn to and subscribed before me this 9th day of December, 1986

Elizabeth A. Millsaps
Notary Public State of Florida at Large

My Commission Expires: Notary Public, State of Florida at Large My Commission Expires Sept. 21, 1990



FLORIDA DEPARTMENT OF STATE
George Firestone
Secretary of State

Dorothy W. Glisson
Deputy Secretary For Elections

January 27, 1987

Honorable R. B. Shore
Clerk of Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 33508

FILED FOR RECORD
87 FEB 3 AM 8 45
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA

Attention: Susan G. French, Deputy Clerk

Dear Mr. Shore:

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

1. Receipt of letter/s of January 21, 1987
and certified copy/ies of Manatee (7)
County Ordinance(s) 86-78(Z), 86-107(Z), 86-109(Z),
86-111(Z) 86-114(Z), 86-117(Z) and 86-118 (Z)
2. Receipt of _____ County Ordinance(s)
relative to:
 - (a) _____
which we have numbered _____
 - (b) _____
which we have numbered _____
3. We have filed ~~this~~/these Ordinance(s) in this office
on January 26, 1987.
4. The ~~original~~^{original}/duplicate copy/ies showing the filing
date ~~is~~/are being returned for your records.

Cordially,

(Mrs.) Liz Cloud, Chief
Bureau of Administrative Code

LC/ mb

Enclosure (7)

X

G