

MANATEE COUNTY ORDINANCE NO. Z-89-31(C)
SAMUEL C. & MARGARET EAKER
JENNIFER R. & STEVE G. GAINNEY

FILED FOR RECORD
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STATE

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-2/AF (TWO FAMILY RESIDENTIAL, 8.5 DU/ACRE, AGRICULTURAL FRINGE) TO PDR/AF (PLANNED DEVELOPMENT RESIDENTIAL, 10 DU/ACRE, AGRICULTURAL FRINGE) AND APPROVAL OF A REVISED CONCEPTUAL DEVELOPMENT PLAN FOR 176 DWELLING UNITS AT AN OVERALL DENSITY OF 4.3 DU/ACRE (NET RESIDENTIAL 9.2 DU/ACRE), 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 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 R-2/AF (Two Family Residential, 8.5 du/acre, Agricultural Fringe) to PDR/AF (Planned Development Residential, 10 du/acre, Agricultural Fringe).

B. The said Board of County Commissioners held a Public Hearing on October 26, 1989, 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 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 Conceptual Development Plan titled DEL LAGO AT GARDEN LAKES, is hereby APPROVED to allow 176 dwelling units at an overall density of 4.3 du/acre (net residential 9.2 du/acre), with the following stipulations:

1. Either drainage right of way or easements will be required along the Pearce Canal.
2. Setback standards for the R-3B District shall be met.
3. Further detail with regards to recreational open space shall be provided with the preliminary plan, and shall include all calculations and proposed access.
4. At the time of submittal of the preliminary development plan, documentation shall be provided establishing that the proposed development will be part of the Garden Lakes Community Association thus providing for a unified control within the overall guidelines and controls of the community association that exists.

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 identified in Section 4 herein from R-2/AF (Two Family Residential, 8.5 du/acre) to PDR/AF (Planned Development Residential, 10 du/acre), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning and Zoning Department are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. Parcel For Rezone Legal Description:

From the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 17, Township 35 South, Range 18 East, Manatee County, Florida, as a Point of Beginning; thence west along the south line of said Northeast 1/4 of the Northeast 1/4 of Section 17, a distance of 675.00 feet; thence North and parallel to the East line of said Section 17, 300.00 feet; thence East and parallel to the said south line, 150.00 feet; thence deflecting 100° 30' 00" to the left, 416 feet more or less to the center of Pearce Drainage Canal; thence Northeasterly along said center of Canal, 590 feet more or less to the south line of Lands as described in Official Records Book 769, Page 293 of the Public Records of Manatee County, Florida; thence East along said South line 99 feet more or less to the east line of said Section 17; thence South along said East line 996.04 feet to the Point of Beginning.

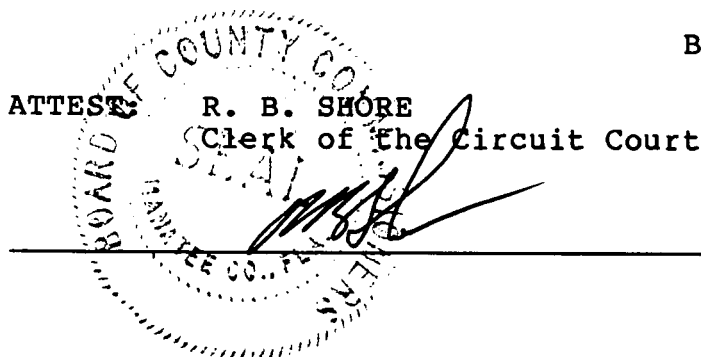
Section 5. EFFECTIVE DATE This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 26th day of October, 1989.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: *Patricia M. Glare*
Chairman

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



STATE OF FLORIDA
COUNTY OF MANATEE

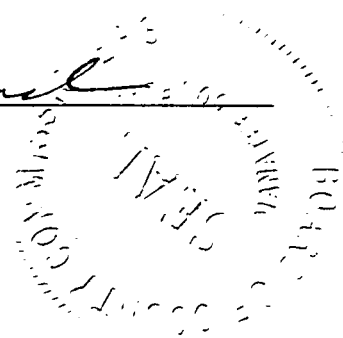
I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 26th day of October, 1989.

SUBJECT: **Z-89-31(C)**
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-2/AF TO PDR/AF; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 31st day of October, 1989, in Bradenton, Florida.

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


By: Deputy Clerk





FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS
Room 1802, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-8427

November 3, 1989

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

Attention: Susan French, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of October 30, 1989 and certified copies of Manatee County Ordinances No.'s Z-89-41, Z-89-30(C), 89-31(C), Z-89-37, & Z-89-42, which were filed in this office on November 3, 1989.

The duplicate copies showing the filing date are being returned for your records.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosures (5)

FILED
CLERK OF CIRCUIT COURT
MANATEE COUNTY
BRADENTON, FLORIDA

Nov 6 2 11 PM '89