

MANATEE COUNTY ORDINANCE NO. Z-89-57(C)
NICHOLAS & MARION D'AGOSTINO

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

90 JUN 11 PM 1:03

FILED

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 (SUBURBAN AGRICULTURAL, 1 DU/ACRE) TO PDR (PLANNED RESIDENTIAL DEVELOPMENT) PROVIDING AN EFFECTIVE DATE.

FILED FOR RECORD
R.B. SHORE
CLERK CIRCUIT COURT
MANATEE COUNTY FLORIDA

JUN 11 11 37 AM '90

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 A-1 (Suburban Agricultural, 1 du/acre) to PDR (Planned Residential Development).

B. The said Board of County Commissioners held a Public Hearing on May 31, 1990, 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 MANGO PARK SUBDIVISION NORTHWEST, is hereby APPROVED to allow 60 single family lots at a density of 2.53 du/acre and is GRANTED Special Approval for its partial location in the Coastal High Hazard Area with the following stipulations and waivers:

STIPULATIONS

1. Within one year of construction drawing approval the developer, his heirs or assigns will submit an Emergency Evacuation Plan to the Division of Emergency Management for review and approval.
2. The developer or his successors shall notify residents of this project that specific building standards and/or additional costs may be associated with locating in the Coastal High Hazard Area.
3. The stormwater management system for the site shall meet or exceed standards for Outstanding Florida Waters.
4. The wetland mitigation ratio on this site shall be no less than 1.65:1, including encroachment areas designated as buffers, which are to remain in a natural wetland state.
5. Any trees removed which were not planted as part of the tree nursery and are located in areas where infrastructure is to

- be placed shall be replaced. The preliminary plan shall show a tree removal/replacement plan.
6. The developer shall implement best management practices for reduction of erosion and control of dust during construction.
 7. All exotic tree species on site shall be removed.
 8. The developer or his successors shall notify residents that landscaping for this project shall consist of 60% indigenous species.
 9. The proposed sign shall require approval of a separate sign permit in conformance with the Manatee County Sign Ordinance. Approval of this Conceptual Site Plan does not constitute approval of the proposed sign.
 10. A Certificate of Level of Service Compliance shall be required with any subsequent development order.
 11. The Preliminary Site Plan shall show lot numbers 44 and 45, or a parcel of similar acreage located elsewhere on site meeting minimum Land Development Code and Comprehensive Plan requirements, as recreational open space to be maintained by the Homeowners Association. In lieu of this requirement the developer shall contribute \$15,000 for an off-site park or improvements to an existing park in the area which would serve the residents of this residential project. The terms of this contribution shall be negotiated and be in place prior to preliminary development plan approval. This contribution shall not be credited against the required park impact fees.
 12. A complete mitigation plan developed in conformance with guidelines to be adopted with the new Land Development Code, if applicable, shall be submitted prior to Final Site Plan Approval. If new LDC is not applicable, the mitigation plan shall conform to all requirements of the Comprehensive Plan, and be approved by the Environmental Services Coordinator.
 13. The entrances to this development shall meet Manatee County Highway and Engineering standards as adopted by the Board of County Commissioners.
 14. The applicant/developer, its heirs, assigns or transferees, is hereby notified that an impact fee for school purposes, if adopted, may require the payment of such impact fees for this development.

WAIVERS

1. A waiver to allow wetland mitigation at a 1.65 to 1 ratio.

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 A-1 (Suburban Agricultural, 1 du/acre) to PDR (Planned Residential Development), 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. Legal Description:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA; THENCE S 00° 12' 48" W, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 24, A DISTANCE OF 1281.50 FEET TO THE NORTH RIGHT OF WAY LINE OF 17TH AVENUE NORTH

WEST; THENCE S 89° 18' 30" W, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 495.06 FEET; THENCE N 00° 12' 48" E, A DISTANCE OF 147.02 FEET; THENCE S 89° 18' 30" W, A DISTANCE OF 145.27 FEET; THENCE S 00° 12' 48" W, A DISTANCE OF 147.02 FEET RETURNING TO THE NORTH RIGHT OF WAY LINE OF 17TH AVENUE NORTHWEST; THENCE S 89° 18' 30" W, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 49.98 FEET TO THE EASTERLY LINE OF PARCELS DESCRIBED IN O.R. BOOK 574, PAGE 485, PUBLIC RECORDS, MANATEE COUNTY, FLORIDA; THENCE N 00° 12' 48" E, ALONG SAID EAST LINE, A DISTANCE OF 555.67 FEET; THENCE S 89° 18' 30" W, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 218.75 FEET; THENCE N 00° 12' 48" E, A DISTANCE OF 71.99 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 24; THENCE S 89° 25' 44" W, A DISTANCE OF 15.00 FEET; THENCE N 00° 12' 48" E, A DISTANCE OF 657.69 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 24; THENCE N 89° 32' 56" E, ALONG SAID NORTH LINE, A DISTANCE OF 924.01 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 24, TOWNSHIP 34 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY, AND RESTRICTIONS OF RECORD.

CONTAINING 23.73 ACRES, MORE OR LESS.

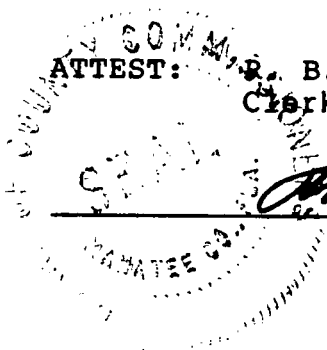
Section 5. EFFECTIVE DATE This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 31st day of May, 1990.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: *Patricia M. Glass*
Chairman

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



STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. Z-89-57 adopted by the Board of County Commissioners of said County on the 31 day of May, 1990, this 5 day of June, 1990, in Bradenton, Florida.
R. B. Shore
Clerk of Circuit Court
By: *R. B. Shore*



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

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

June 11, 1990

Honorable R. B. Shore
Clerk of the 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 June 5, 1990 and certified copy of Manatee County Ordinance No. Z-89-57(C), which was filed in this office on June 11, 1990.

The original copy showing the filing date is being returned for your records.

Sincerely,

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

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosure (1)

RECEIVED
JUN 14 11 37 AM '90