

**MANATEE COUNTY ZONING ORDINANCE  
Z-14-02 – MANATEE COUNTY SCHOOL BOARD REZONE (MEPS00000313, DTS  
#20140244)**

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 THE REZONING OF APPROXIMATELY 10 ACRES ON THE NORTHEAST CORNER OF CARUSO ROAD AND S.R. 70 EAST AT 6545 S.R. 70, BRADENTON FROM A (GENERAL AGRICULTURE, ONE DWELLING UNIT PER FIVE ACRES) TO GC (GENERAL COMMERCIAL) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, School Board of Manatee County (the “Applicant”) filed an application to rezone approximately 10 acres described in Exhibit “A”, attached hereto, (the “Property”) from A (General Agriculture, one dwelling unit per five acres) to the GC (General Commercial) zoning district; and

**WHEREAS**, the Building and Development Services staff has recommended approval of the rezone, as described in the staff report; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on August 14, 2014 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, one dwelling unit per five acres) to the GC (General Commercial) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on September 4, 2014 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of 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 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 the A (General Agriculture, one dwelling unit per five acres) to the GC (General Commercial) zoning district, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Building and Development Services 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. STATE AND FEDERAL PERMITTING.** The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

**Section 6. 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 4<sup>th</sup> day of September, 2014.

**BOARD OF COUNTY  
COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA**

**BY: \_\_\_\_\_  
Larry Bustle, Chairman**

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

**BY: \_\_\_\_\_  
Deputy Clerk**

**Exhibit “A”**

**Legal Description**

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 10, 11, 14 & 15, TOWNSHIP 35 SOUTH, RANGE 18 EAST; THENCE S00°09'22"W, ALONG THE EAST LINE OF SAID SECTION 15, A DISTANCE OF 290.88 FT. TO THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD NO. 70, AS SHOWN ON F.D.O.T. RIGHT-OF-WAY MAP, SECTION 13160-2516; THENCE N89°41'33"W, ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 691.14 FT. FOR A POINT OF BEGINNING; THENCE N00°18'27"E, 792.00 FT.; THENCE N89°41'33"W, A DISTANCE OF 559.06 FT. TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF CARUSO ROAD, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2143, PAGE 1940, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S00°58'58"E, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 501.51 FT.; THENCE S00°18'25"W, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 290.62 FT. TO THE INTERSECTION WITH AFORESAID NORTHERLY RIGHT-OF-WAY OF STATE ROAD NO. 70; THENCE S89°41'33"E, ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 547.76 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 10 AND 15, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 10.02 ACRES (436,659 SQUARE FEET) MORE OR LESS.