

FILED FOR RECORD
R. B. SHORE

2009 DEC 16 PM 3: 20

MANATEE COUNTY ORDINANCE NO.
PDMU-05-19(Z)(G)(R2)
NORTHWEST SECTOR

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

2009 DEC 11 AM 10: 27
TALLAHASSEE, FLORIDA

FILED

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING ORDINANCE PDMU-05-19(Z)(G)(R) PERTAINING TO STIPULATIONS OF APPROVAL REGARDING A SITE GENERALLY LOCATED EAST OF LAKEWOOD RANCH BOULEVARD, SOUTH OF 44TH AVENUE EAST EXTENSION, WEST OF LORRAINE ROAD, AND NORTH OF SR 70 (#1518.9 ACRES); PROVIDING FOR AMENDMENT OF CONDITIONS OF APPROVAL REGARDING THE MINIMUM LOT WIDTH AND THE SIDEYARD SETBACKS; SETTING FORTH FINDINGS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1. Ordinance PDMU-05-19(Z)(G)(R) is hereby amended regarding certain stipulations pertaining to minimum lot width and sideyard setback along with revisions for internal consistency. All stipulations not hereby amended by this ordinance shall remain in full force and effect as previously approved in Ordinance PDMU-05-19(Z)(G)(R).

SECTION 2. FINDINGS OF FACT. The Board of County Commissioners (BOCC) of Manatee County, after considering the testimony, evidence, documentation, application for Zoning Ordinance, and 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 held a duly notice public hearing on December 3, 2009, regarding the proposed amendment to the zoning ordinance and General Development Plan described below and further considered the information received at the public hearing.
- B. The revised General Development Plan and proposed amended stipulations as stated in Section 3 hereof are hereby found to be consistent with the requirements of the Manatee County Comprehensive Plan.

SECTION 3. Ordinance No. PDMU-05-19(Z)(G)(R) is hereby amended in Stipulation S, Designed Standards, Subparagraph (3) Residential, regarding minimum lot width and sideyard setbacks. Said amended Stipulation S(3) shall provide as follows: (additional text indicated by underlining, deletions by ~~strikethrough~~).

"S. Design Standards.

(3) Residential

A. The setbacks, heights and lot size for residential land uses shall be as follows:

Type	Min. Lot Size (Sq. Ft.)	Minimum Lot Width ⁴ (Ft.)	Front Setback (Ft.) ¹	Side Setback (Ft.)	Rear Setback (Ft.)	Maximum Height (Ft.)
Single-Family Detached ³	4,950	45/42	25/20	6 ^{5/4}	15	35
Single-Family Detached ³	9,000	76	25/20	6 ⁵	15	35
Single-Family Detached ³	9,000	80	25/20	7.5	15	35
Single-Family Attached	2,500	25	25/20	0/10	15	35
Single-Family Semi-Detached	4,950	45	25/20	0/10	15	35
Multi-Family	NA	NA	25	15/25 ²	15	35
Park	NA	NA	25	15	15	35

1. The front yard setback for all single-family residences shall be 25' to the garage portion of the structure. The remaining habitable portion of the structure may be setback 20'. The front yard setback for structures with side-loaded garages shall be 20'.
2. This distance is not a side yard setback but the minimum distance between buildings. A 15' separation is required between one-story buildings. A 25' separation is required between two and three story buildings.
3. Required setbacks are based on the dominant lot width for each subphase of development.
4. There shall be a minimum ten (10) foot separation between accessory

equipment (e.g. air conditioner units, heat pumps, pumps, etc.) and structures alongside adjoining houses with 6-foot side yard setbacks. Exhibit "3"

No more than 50% of the residential lots in the DR1 shall be less than 76-feet in width.

5. Sideyard setback of 6'-permitted only if HVAC equipment is in the rear of the building."

* * *

SECTION 4. Expressly amended herein, all other prior zoning ordinances (and any site plans approved pursuant thereto) shall remain in full force and effect.

SECTION 5. LEGAL DESCRIPTION.

Legal description and sketch of the Project is attached as Exhibit 2.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect upon filing with the Department of State, State of Florida.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 3rd day of December 2009.

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

BY: *Dr. Gwendolyn S. Brown*
Dr. Gwendolyn S. Brown, Chairman

ATTEST: **R. B. SHORE**

Clerk of the Circuit Court

Wendy Shaw
Deputy Clerk

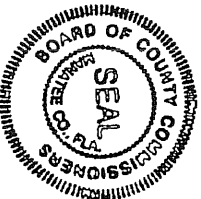
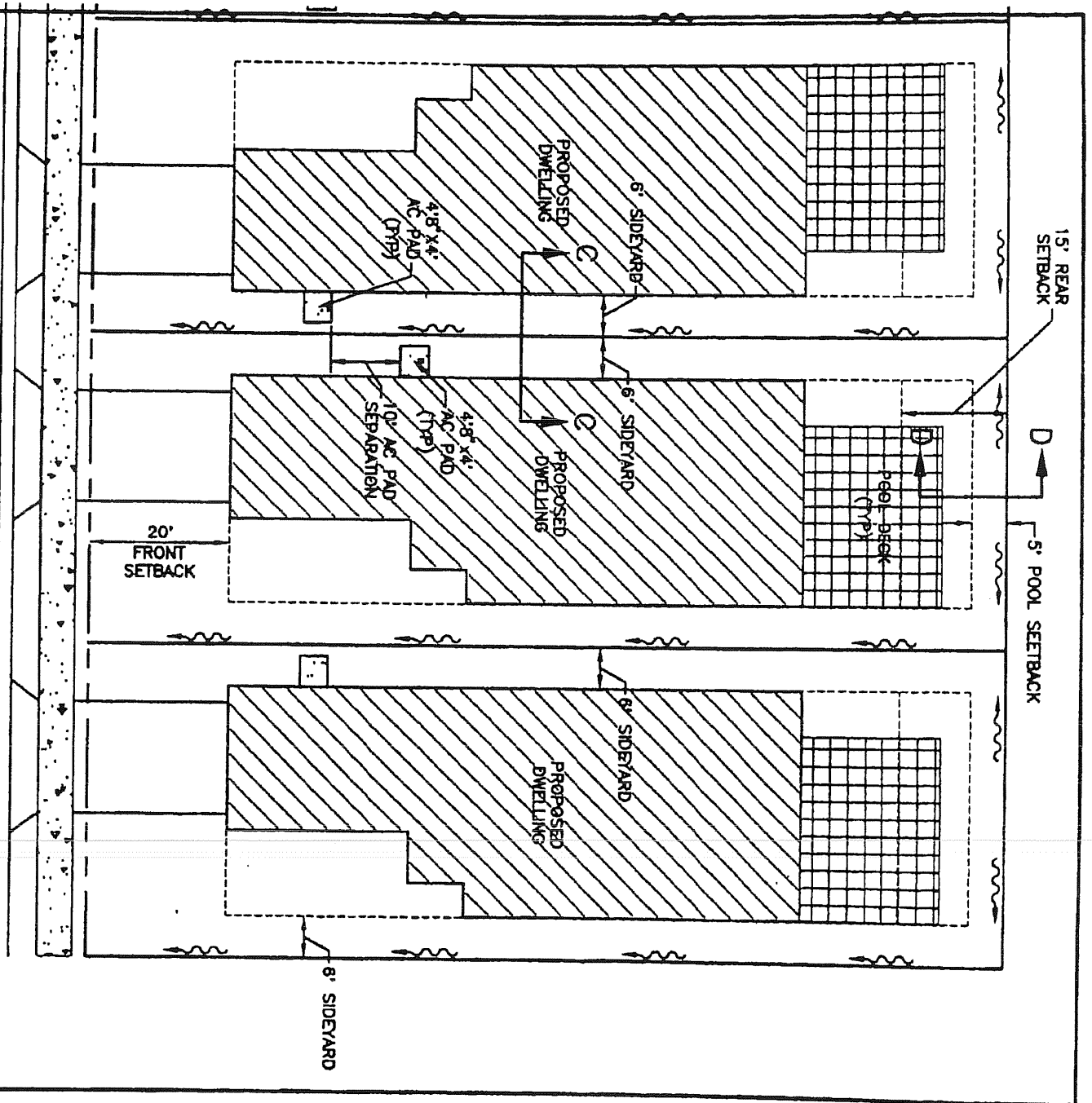


Exhibit "2"

LEGAL DESCRIPTION PARCEL 1 (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 7, 8, 9, 15 and 18, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of Section 7, Township 35 South, Range 19 East; thence S.89°34'35"E., a distance of 4,950.84 feet; thence N.00°25'25"E., a distance of 1,889.17 feet to the POINT OF BEGINNING; Thence S82°55'49"W, 912.79 feet to a point of curvature; Thence 1,287.78 feet along the arc of said curve to the left through a central angle of 34°25'49", said curve having a radius of 2,143.00 feet and being subtended by a chord which bears S65°42'55"W, 1,268.49 feet to a point of reverse curvature; Thence 1,575.57 feet along the arc of a curve to the right through a central angle of 44°37'25", said curve having a radius of 2,023.00 feet and being subtended by a chord which bears S70°48'42"W, 1,536.04 feet to the point of tangency of said curve; Thence N88°52'35"W, 1,131.57 feet to a point of curvature; Thence 79.90 feet along the arc of said curve to the right through a central angle of 91°33'16", said curve having a radius of 50.00 feet and being subtended by a chord which bears N41°05'57"W, 71.66 feet to the point of tangency of said curve; said point being a point on the east line of Lakewood Ranch Boulevard as recorded in Official Record Book 1443, Page 4980 of the Public Records of Manatee County, Florida; the following 2 calls are along said east line of Lakewood Ranch Boulevard; Thence N04°40'41"E, 2,619.78 feet to a point of curvature; Thence 933.27 feet along the arc of said curve to the left through a central angle of 25°57'27", said curve having a radius of 2,080.00 feet and being subtended by a chord which bears N08°18'02"W, 925.31 feet to a point of reverse curvature; Thence 83.52 feet along the arc of a curve to the right through a central angle of 95°42'23", said curve having a radius of 50.00 feet and being subtended by a chord which bears N26°34'26"E, 74.14 feet; Thence N 74°25'37"E, 50.78 feet to a point of curvature; Thence 721.58 feet along the arc of said curve to the right through a central angle of 14°53'05", said curve having a radius of 2,777.50 feet and being subtended by a chord which bears N81°52'09"E, 719.53 feet; Thence N00°41'18"W, 12.50 feet to a point on the arc of a curve; Thence 643.57 feet along the arc of said curve to the right through a central angle of 13°12'58", said curve having a radius of 2,790.00 feet and being subtended by a chord which bears S84°04'48"E, 642.15 feet to a point of reverse curvature; Thence 2,117.80 feet along the arc of a curve to the left through a central angle of 41°16'07", said curve having a radius of 2,940.00 feet and being subtended by a chord which bears N81°53'37"E, 2,072.13 feet to a point of reverse curvature; Thence 805.71 feet along the arc of a curve to the right through a central angle of 16°32'46", said curve having a radius of 2,790.00 feet and being subtended by a chord which bears N69°31'57"E, 802.91 feet; Thence S12°11'41"E, 12.50 feet to a point on the arc of a curve; Thence 633.68 feet along the arc of said curve to the right through a central angle of 13°04'19", said curve having a radius of 2,777.50 feet and being subtended by a chord which bears N84°20'29"E, 632.31 feet; Thence S89°07'21"E, 354.65 feet to a point on the arc of a curve; Thence 36.14 feet along the arc of said curve to the right through a central angle of 41°24'35", said curve having a radius of 50.00 feet and being subtended by a chord which bears N70°10'21"E, 35.36 feet; Thence S89°07'21"E, 809.68 feet; Thence N00°52'38"E, 10.36 feet to a point on the arc of a curve; Thence 127.15 feet along the arc of said curve to the left through a central angle of 02°29'11",



AC PAD DETAIL

Exhibit "3"

PROJECT: **FOREST CREEK**
 CLIENT: **COMPASS PROPERTY HOLDINGS, LLC**

WisdomMiller

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants
 WisdomMiller, Inc.

8800 Piedmont Parkway East Suite 100 • Atlanta, Georgia 30340-9644 • Phone 404-607-4800 • Fax 404-607-4809 • Web Site www.wisdommiller.com
 Street: 12/2/2008 10:31:43 AM BROUUGH | Plotnote 12/2/2008 3:11:05 PM BROUUGH | X:\EKO\043244\001\REV18\043244-001\187.dwg

SCALE	1" = 20'	DATE	12/09
SHEET	187	REV. NO.	
PROJECT NO.	043244-001-000	DRAWN BY/DATE	BPK/12/9
NO. OF SHEETS	1 OF 1	CHECK NO.	043244-00187
		SHEET NO.	1 OF 1



STATE OF FLORIDA, COUNTY OF MANATEE

This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 25th day of

December, 2005

R.B. SHORE

Clerk of Circuit Court

By: Debra Spence