FILED FCA RECORD R. B. SHORE

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### MANATEE COUNTY ORDINANCE NO. PDMU-05-19(G)(R3) NORTHWEST SECTOR

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MANATEE CO. FLANA ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT. **AMENDING** ORDINANCE PDMU-05-19(Z)(G)(R) PDMU-05-AND 19(Z)(G)(R2) PERTAINING TO STIPULATIONS APPROVAL REGARDING A SITE GENERALLY LOCATED EAST OF LAKEWOOD RANCH BOULEVARD, SOUTH OF 44<sup>TH</sup> AVENUE EAST EXTENSION, WEST OF LORRAINE AND NORTH OF SR 70 (±1,518.9 ACRES); PROVIDING FOR AMENDMENT OF CONDITIONS OF APPROVAL TO ALLOW AN OPTION FOR ZERO LOT LINES. TO UPDATE THE EXPIRATION DATE FOR THE CERTIFICATE OF LEVEL OF SERVICE, AND TO UPDATE THE PHASING TABLE TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS; 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) and PDMU-05-19(Z)(G)(R2) is hereby amended regarding certain stipulations to allow an option for zero lot lines, to update the expiration date for the Certificate of Level of Service to reflect prior extension approved with LDA-10-01, and to update the phasing table to reflect legislatively approved extensions, 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)(G)(G) and PDMU-05-19(Z)(G)(G)(G).

**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 April 7, 2011, 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 A, Development Approvals, Subparagraph (1) regarding Development Totals and Phase Dates, and Condition A(2) regarding the Certificate of Level of Service expiration date. Said amended Stipulation A(1) and A(2) shall be provided as follows:

A(1). This Zoning Ordinance shall constitute approval of the General Development Plan subject to the conditions set forth herein and limited to the development amounts set forth in Table 1, below.

TABLE 1 - DEVELOPMENT TOTALS  TYPE OF DEVELOPMENT: Multi-Use Development.						
Commercial	200,000 s.f.	0	200,000 s.f.			
Office	105,000 s.f.	0	105,000 s.f.			
Residential <sup>2</sup>						
Single-family	2,650 units	1,422 units	4,072 units			
Multi-family	350 units	0	350 units			
Total Residential Units	3,000 units	1,422 units	4,422 units			

December 31<sup>st</sup> of referenced year which includes legislatively approved extensions (SB 360 and SB 1752) for Phase I.

- Includes the option for a group care facility for up to 120 beds as part of a land use exchange. The Land Use Equivalency Matrix allows the exchange of other approved land uses (single-family detached, multi-family, commercial, and office space) for Group Care Facility (a.k.a. Assisted Living Facility) beds.
- A(2). For Phase I, the Developer has demonstrated the availability of adequate infrastructure and the ability to meet Acceptable Levels of Service for roadways, mass transit, drainage, and parks and recreation. The Certificate of Level of Service for Phase I shall be valid until December 31, 2019, or as it may be extended pursuant to the terms of the Northwest Sector/Lakewood Centre Local Development Agreement (LDA-10-01), and subject to limitations set forth in stipulations B(3) and B(21).

**SECTION 4.** Ordinance No. PDMU-05-19(Z)(G)(R2) Stipulation S, Design Standards, Subparagraph (3) Residential, regarding minimum sideyard setbacks. Said amended

Stipulation S(3) shall be provided as follows:

#### S(3). Residential

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

Туре	Min. Lot Size (Sq. Ft.)	Minimum Lot Width <sup>4</sup> (Ft.)	Front Setback (Ft.) <sup>1</sup>	Side Setback (Ft.)	Rear Setback (Ft.)	Maximum Height (Ft.)
Single-Family Detached <sup>3</sup> .8	4,950	42	25/20	6 <sup>4<u>.5</u></sup>	15	35
Single-Family Detached <sup>3</sup> .8	9,000	76	25/20	6 <sup>4.5</sup>	15	35
Single-Family Detached <sup>3_8</sup>	9,000	80	25/20	7.5 <sup>6</sup>	15	35
Single-Family Attached <sup>8</sup>	2,500	25	25/20	0/10 <sup>z</sup>	15	35
Single-Family Semi-Detached <sup>8</sup>	4,950	45	25/20	0/10 <sup>Z</sup>	15	35
Multi-Family	NA	NA	25	15/25²	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 of ten (10) foot separation between accessory equipment (e.g. air condition units, heat pumps, pumps, etc.) and structures alongside adjoining houses with 6-foot side yard setbacks.
- 5. Zero Lot Line alternative allows a side setback of 11'/1' (min.) with

- a building separation of no less than 12'.
- 6. Zero Lot Line alternative allows a side setback of 14'/1' (min.) with a building separation of no less than 15'.
- 7. Zero Lot Line alternative allows a side setback of 19'/1' (min.) with a building separation of no less than 20'.
- 8. Use of the Zero Lot Line alternative shall be stated by the Applicant on the application for a Preliminary Subdivision Plat approval and Preliminary/Final Site Plan approval.

SECTION 5. Except as expressly amended herein, all other prior zoning ordinances (and any site plans approved pursuant thereto) shall remain in full force and effect.

#### SECTION 6. LEGAL DESCRIPTION.

Legal description and sketch of the Project is attached as Exhibit 1.

SECTION 7. 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 7th day of April 2011.

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

BY:

Carol Whitmore, Chairman

R. B. SHORE ATTEST:

**Clerk of the Circuit Court** 

**Deputy Clerk** 

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### **EXHIBITS**:

Legal Description (Exhibit 1)
General Development Plan (Exhibit 2)

## Exhibit A-1 - Legal Description

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

A tract of land lying in Sections 7, 8, 9, 15 and 16, 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 4,650.84 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 N86°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 2,060.00 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 721.56 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°12'59", said curve having a radius of 2,790.00 feet and being subtended by a chord which bears S84°04'49"E, 642.15 feet to a point of reverse curvature; Thence 2,117.60 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,

808.68 feet; Thence N00°52'39"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". said curve having a radius of 2,930.00 feet and being subtended by a chord which bears N88°44'06"E, 127.14 feet to the point of reverse curvature of said curve; Thence 2.138.82 feet along the arc of said curve to the right through a central angle of 43°45'59", said curve having a radius of 2.800.00 feet and being subtended by a chord which bears S770°37'30"E, 2.087.20 feet to the point of tangency of said curve : Thence S48°44'31"E, 1,779.99 feet to a point of curvature; Thence 1,253.44 feet along the arc of said curve to the left through a central angle of 24°30'39", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears S60°59'50"E, 1,243.90 feet to the point of tangency of said curve; Thence S00°10'39"W, 111.78 feet; Thence continue along said line S00°10'39"W, 1,324.27 feet; Thence continue along said line S00°10'39"W, 1,324.27 feet; Thence S00°12'01"W, 1,321.71 feet; Thence S89°26'33"E. 601.98 feet; Thence S00°02'33"W, 660.46 feet; Thence S89°28'53"E, 735.80 feet; Thence S00°06'56"E, 659.98 feet; Thence N89°31'12"W, 1,343.23 feet; Thence S00°24'15"E, 1,319.40 feet; Thence S00°25'33"E, 1,253.39 feet; Thence N89°20'55"W. 129.12 feet; Thence N00°13'59"E, 756.06 feet; Thence N89°05'49"W, 353.71 feet; Thence S15°32'18"W, 181.54 feet; Thence S69°04'52"E, 191.91 feet; Thence S40°52'20"E. 174.58 feet: Thence S01°06'51"W, 127.77 feet; Thence S84°30'37"W, 241.82 feet; Thence S04°24'14"W, 231.83 feet; Thence N89°20'55"W, 644.47 feet; Thence N89°43'18"W, 1,128.10 feet; Thence N00°16'21"E, 195.76 feet; Thence N34°32'27"W, 127.88 feet; Thence N74°22'37"W, 27.04 feet; Thence N89°06'07"W, 130.35 feet; Thence N50°59'38"W, 52.87 feet; Thence N89°43'39"W, 67.72 feet; Thence S34°23'48"W, 150.71 feet; Thence N00°07'45"W, 1,045.68 feet; Thence N89°21'00"W, 672.60 feet; Thence S00°08'39"E, 1,267.67 feet; Thence N89°43'18"W, 66.35 feet; Thence N10°16'40"E, 140.44 feet; Thence N03°14'20"W, 121.92 feet; Thence N89°43'20"W, 265.15 feet; Thence N67°44'14"W, 65.42 feet; Thence N89°03'25"W, 74.89 feet; Thence South, 285.36 feet; Thence N89°43'18"W, 150.77 feet to a point of curvature; Thence 78.54 feet along the arc of said curve to the right through a central angle of 90°00'00", said curve having a radius of 50.00 feet and being subtended by a chord which bears N44°43'18"W, 70.71 feet to the point of tangency of said curve; Thence N00°16'42"E, 1,581.12 feet to a point of curvature; Thence 1,394.32 feet along the arc of said curve to the left through a central angle of 27°15'57", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears N13°21'17"W, 1,381.21 feet to the point of tangency of said curve: Thence N26°59'15"W, 1,159.92 feet to a point of curvature; Thence 853.47 feet along the arc of said curve to the right through a central angle of 17°27'52", said curve having a radius of 2,800.00 feet and being subtended by a chord which bears N18°15'19"W, 850.17 feet to a point of reverse curvature; Thence 1,194.50 feet along the arc of a curve to the left through a central angle of 23°21'30", said curve having a radius of 2,930,00 feet and being subtended by a chord which bears N21°12'08"W, 1,186.24 feet to a point of reverse curvature; Thence 1,321.41 feet along the arc of a curve to the right through a central angle of 27°02'23", said curve having a radius of 2,800.00 feet and being subtended by a chord which bears N19°21'42"W, 1,309,18 feet to the POINT OF BEGINNING.

Containing 1479.6 acres, more or less.

### TOGETHER WITH:

LEGAL DESCRIPTION PARCEL 2 (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 7 AND 8, 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 4,650.84 feet; thence N.00°25'25"E., a distance of 1,889.17 feet; 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 N86°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; thence along said east line of Lakewood Ranch Boulevard, N04°40'41"E, 1649.57 feet; Thence N85°19'19"W, 120.00 feet to an intersection with the west line of said Lakewood Ranch Boulevard and the POINT OF BEGINNING; Thence S86°50'17"W, 227.27 feet; Thence S40°02'37"W, 121.13 feet; Thence S28°36'43"W, 108.34 feet; Thence S43°57'34"W, 79.62 feet; Thence S56°46'06"W, 71.21 feet; Thence N22°59'39"W, 32.80 feet; Thence S59°56'00"W, 91.50 feet; Thence S54°50'36"W, 42.43 feet; Thence S21°03'16"W, 42.67 feet; Thence S64°33'59"W, 57.70 feet; Thence S78°35'00"W, 52.83 feet; Thence S26°29'07"W, 28.22 feet; Thence S72°42'09"W, 41.01 feet; Thence N88°04'14"W, 58.26 feet; Thence N63°20'21"W, 61.49 feet; Thence N77°09'41"W, 34.90 feet; Thence N87°11'33"W, 50.79 feet; Thence N88°21'13"W, 70.97 feet; Thence N59°06'15"W, 54.56 feet; Thence S87°08'17"W, 75.46 feet; Thence N27°44'24"E, 782.09 feet; Thence N08°14'34"E, 859.88 feet; Thence N04°53'06"W, 605.45 feet to a point on the arc of a curve; Thence 552.19 feet along the arc of said curve to the left through a central angle of 10°42'56", said curve having a radius of 2,952.50 feet and being subtended by a chord which bears N79°47'05"E, 551.38 feet to the point of tangency of said curve; Thence N74°25'37"E, 69.64 feet to a point of curvature; Thence 72.98 feet along the arc of said curve to the right through a central angle of 83°37'55", said curve having a radius of 50.00 feet and being subtended by a chord which bears S63°45'26"E, 66.67 feet to a point of compound curvature; Thence 901.48 feet along the arc of said curve to the right through a central angle of 26°37'27", said curve having a radius of 1,940.00 feet and being subtended by a chord which bears S08°38'03"E, 893.39 feet; Thence S04°40'41"W, 970.22 feet to the POINT OF BEGINNING.

Containing 39.281 acres (1,711,094 square feet), more or less.

#### LESS AND EXCEPT

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

Commence at the Southwest corner of Section 8, Township 35 South, Range 19 East; thence S.89\*34'35"E., a distance of 4,473.76 feet; thence N.00°25'25"E., a distance of 1,865.88 feet to the POINT OF BEGINNING; thence S.82°55'49"W., a distance of 734.17 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 34°25'49"; thence southwesterly along the arc of said curve, an arc length of 1,287.78 feet to the point of reverse curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of 44°37'24"; thence westerly along the arc of said curve, an arc length of 1,575.56 feet to the point of tangency of said curve; thence N.86"52'35"W., a distance of 1,131.57 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 91°33'16"; thence northwesterly along the arc of said curve, an arc length of 79.90 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 N.04°40'41"E., a distance of 2,819.78 feet to the point of curvature of a curve to the left having a radius of 2,060.00 feet and a central angle of 25°57'09"; thence northerly along the arc of said curve, an arc length of 933.09 feet to the point of reverse curvature of a curve to the right having a radius of 50.00 feet and a central angle of 95°03'03"; thence northeasterly along the arc of said curve, an arc length of 82.95 feet to the point of compound curvature of a curve to the right having a radius of 2,777.50 feet and a central angle of 13°25'53"; thence easterly along the arc of said curve, an arc length of 651.10 feet to the end of said curve; thence N.02\*47'33"W. along a line radial to the last described curve, a distance of 22.50 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.02°47'33"E., a radial distance of 2,800.00 feet; thence easterly along the arc of said curve, through a central angle of 15'31'49", an arc length of 758.95 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 41°52'42"; thence easterly along the arc of said curve. an arc length of 2,141.57 feet to the point of reverse curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 23 02 13"; thence easterly along the arc of said curve, an arc length of 1,125.80 feet to the end of said curve; thence S.06'06'13"E. along a line radial to the last described curve, a distance of 20.00 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.06°06'13"E., a radial distance of 2,780.00 feet; thence easterly along the arc of said curve, through a central angle of 06°58'51", an arc length of 338.71 feet to the point of tangency of said curve; thence S.89°07'21"E., a distance of 101.47 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 89°22'24"; thence southeasterly along the arc of said curve, an arc length of 77.99 feet to the point of tangency of said curve; thence S.00°15'03"W., a distance of 371.57 feet to the point of curvature of a curve to the right having a radius of 2,780.00 feet and a central angle of 01°37'40"; thence southerly along the arc of said curve, an arc length of 78.98 feet to the end of said curve; thence S.88\*07'17"E. along a line radial to the last described curve, a distance of 20.00 feet to the point of curvature of a non-langent curve to the right, of which the radius point lies N.88°07'17"W., a radial distance of 2,800.00 feet; thence southerly along the arc of said curve, through a central angle of 24°46'23", an arc length of 1,210.64 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 31°36'21"; thence southerly along the arc of said curve, an arc length of 1,616.27 feet to the point of reverse curvature of a curve to the right having a radius of 50.00 feet and a central angle of 87°53'04"; thence southwesterly along the arc of said curve, an arc length of 76.69 feet to the POINT OF BEGINNING.

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PLANNING MAR 3 0 2911 DEPARTMENT

# GENERAL DEVELOPMENT PLAN NORTHWEST SECTOR DRI



SECTIONS 7, 8, 9, 15, AND 16 TWP. 35S., RGE. 19E.

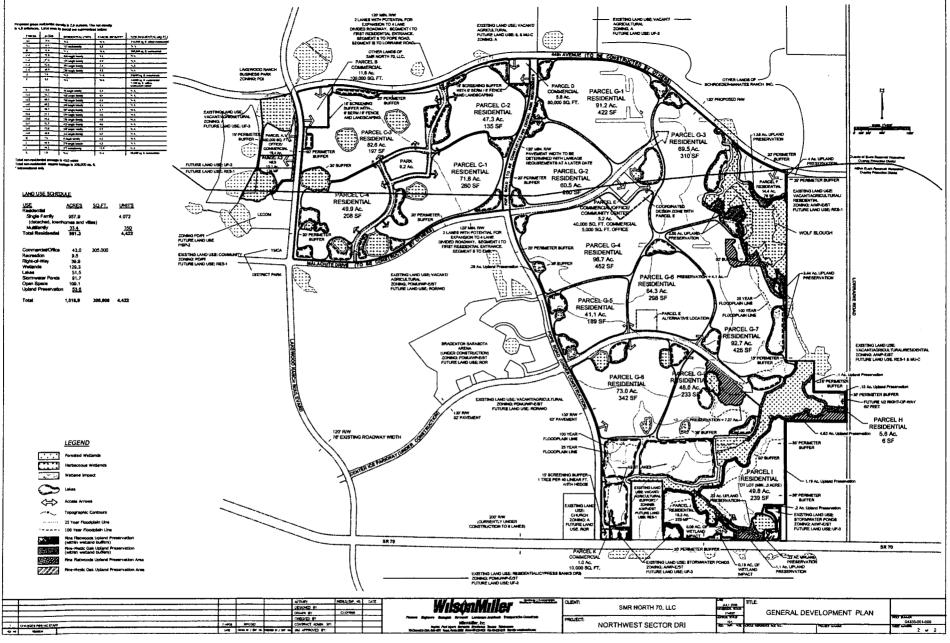
Manatee County, Florida DATE: March 2005 DATE REVISED: MARCH 2011

CLIENTS: SMR North 70, LLC & Resource Conservation of Manatee, LLC

PARCE.	ACRES	RESIDENTIAL UPETS	GROSS DEPOSITY	HOM-RESERVITING SC	
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STE MANAGER COUNTY MANAGER COUNTY
LOCATION MAP







2011 APR 14 PM 2: 28



CLERK COME CAUCH COURT MANATEE CO. FLORIDA

## FLORIDA DEPARTMENT OF STATE

Governor

#### DIVISION OF LIBRARY AND INFORMATION SERVICES

**KURT S. BROWNING**Secretary of State

April 12, 2011

Honorable R. B. "Chips" Shore Clerk of the Circuit Court Manatee County Post Office Box 25400 Bradenton, Florida 34206

Attention: Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated April 8, 2011 and certified copies of Manatee County Ordinance No. PDMU-05-19(G)(R3), which was filed in this office on April 11, 2011.

As requested, one date stamped copy is being returned for your records.

Sincerely,

Liz Cloud

Program Administrator

LC/vm

**Enclosures** 

DIRECTOR'S OFFICE

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