

**TAB 16**

**CITY OF PALMETTO  
ORDINANCE NO. 2011-24**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A GENERAL DEVELOPMENT PLAN AND PRELIMINARY PLAT FOR 8.01 ACRES OF PROPERTY GENERALLY LOCATED AT 2007 AND 2011 21st STREET WEST, PALMETTO, AND LOCATED IN THE PLANNED DEVELOPMENT – HOUSING (PD-H) ZONING DISTRICT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (GDP-2011-03 Applicants: Charles and Pamela Roy, Brian and Heidi Allwood)**

**WHEREAS**, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and,

**WHEREAS**, Chapter 166, Florida Statutes, the “Municipal Home Rule Powers Act,” authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and,

**WHEREAS**, the City Commission of the City of Palmetto has certain regulatory authority granted to it by the Florida Constitution, the Florida Statutes and the City Charter to regulate the use of land within its corporate boundaries; and,

**WHEREAS**, on October 3, 2011, the City Commission of the City of Palmetto approved PD-H Zoning, pursuant to Ordinance No. 2011-23, on the lands described in **Exhibit A** (the “Property”) (approximately 8.01 acres); and

**WHEREAS**, the City of Palmetto has received a request for approval of a General Development Plan and a Preliminary Plat for eight (8) single-family lots on the Property, and this General Development Plan and Preliminary Plat is attached hereto as **Exhibit B**; and

**WHEREAS**, the Planning and Zoning Board reviewed the proposed General Development Plan and Preliminary Plat, held a properly noticed public hearing on August 18, 2011, received public comment and testimony, and recommended approval of the proposed General Development Plan and Preliminary Plat; and

**WHEREAS**, the City Commission held a properly noticed public hearing on October 3, 2011, and received public comment and testimony at said hearing; and

**WHEREAS**, the City Commission finds that approval of the proposed General Development Plan and Preliminary Plat provides for the health, safety, and welfare of the citizens of Palmetto.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:**

**Section 1. Findings of Fact.**

- A. The above-referenced "WHEREAS" clauses are adopted herein as findings of fact.
- B. The Planning and Zoning Board, acting as the Local Planning Agency, has recommended approval of the proposed General Development Plan and Preliminary Plat, a copy of which is attached hereto and incorporated herein as **Exhibit B**.
- C. The proposed General Development Plan and Preliminary Plat are consistent with the City of Palmetto's Comprehensive Plan.
- D. The proposed General Development Plan and Preliminary Plat are compatible with adjacent land uses and complies with all pertinent provisions of the City of Palmetto's Zoning Code.

**Section 2. General Development Plan and Preliminary Plat Approval.** The proposed General Development Plan and Preliminary Plat are hereby approved.

**Section 3. Repeal of Ordinance.** This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

**Section 4. Severability.** If any section, sub-section, paragraph, sentence, clause or phrase in this Ordinance shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions hereof.

**Section 5. Effective Date.** This Ordinance shall take effect as provided for by law and by City Charter, Section 14, upon execution by the Mayor, or, if the Mayor vetoes the Ordinance, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes.

**PASSED AND DULY ADOPTED,** by the City Commission, in open session, with a quorum present and voting, this 3rd day of October, 2011.

First Reading:	September 12, 2011
Publication:	September 19, 2011 and September 26, 2011
Second Reading and Public Hearing:	October 3, 2011

CITY OF PALMETTO, FLORIDA, BY  
AND THROUGH THE CITY  
COMMISSION OF THE CITY OF  
PALMETTO

By: \_\_\_\_\_  
SHIRLEY GROOVER BRYANT, MAYOR

ATTEST: James R. Freeman  
City Clerk

By: \_\_\_\_\_  
City Clerk/Deputy Clerk

**EXHIBIT "A"****DESCRIPTION PARCEL 1A:** (ORB 1732, PAGE 1455)

**COMMENCE** AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY FLORIDA; THENCE S00°13'30"E, 33 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 21ST STREET WEST FOR THE **POINT OF BEGINNING**; THENCE EAST, ALONG SAID RIGHT-OF-WAY LINE, 26.8 FEET; THENCE S02°13'15"W, 515.3 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10; THENCE S14°40'15"W, 231 FEET MORE OR LESS TO THE WATER OF LAKE ROWLETT; THENCE NORTHWESTERLY, ALONG THE WATERS OF LAKE ROWLETT, 180 FEET MORE OR LESS TO A POINT 223.2 FEET WEST OF THE SAID EAST LINE OF SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE N00°13'30"W, 687 FEET, MORE OR LESS, TO THE SAID SOUTH RIGHT-OF-WAY LINE OF 21ST STREET WEST; THENCE N89°53'45"E, 223.2 FEET TO THE POINT OF BEGINNING.

**TOGETHER WITH** THE FOLLOWING DESCRIBED PARCEL:

**DESCRIPTION PARCEL 1B:** (ORB 1942, PAGE 7690)

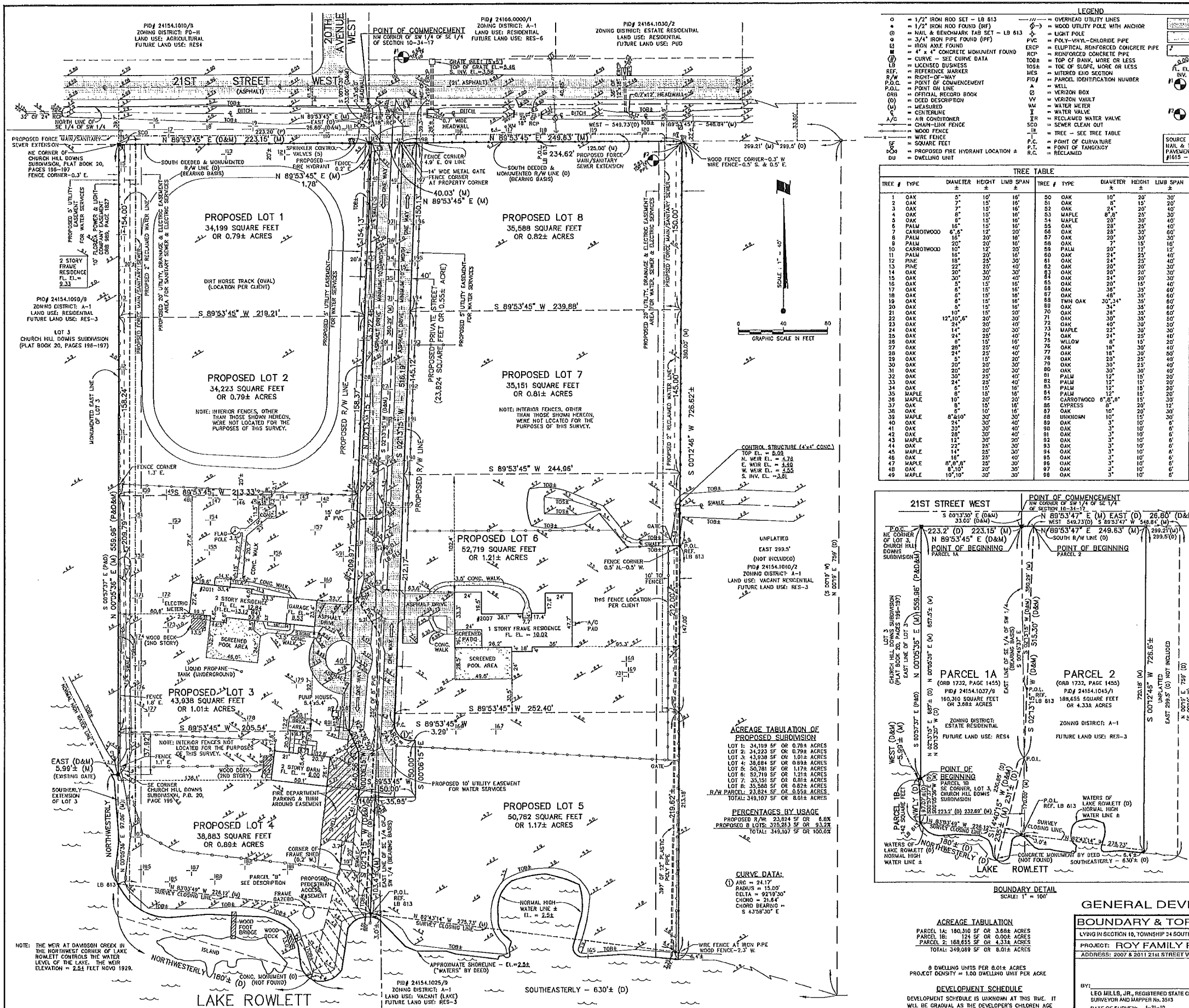
THAT CERTAIN PARCEL OF LAND LYING SOUTHERLY OF LOT 3, "CHURCH HILL DOWNS SUBDIVISION" AS RECORDED IN PLAT BOOK 20, PAGE 196 AND 197 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND EASTERLY OF LAKE ROWLETT DESCRIBED AS FOLLOWS: **COMMENCE** AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE S00°57'37"E, ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 559.96 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3 FOR A **POINT OF BEGINNING**; THENCE CONTINUE S00°57'37"E, ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 3, A DISTANCE OF 97.07 FEET, MORE OR LESS TO THE WATER'S EDGE OF LAKE ROWLETT; THENCE MEANDERING SAID WATER'S EDGE IN A NORTHWESTERLY DIRECTION TO A POINT LYING WEST OF THE POINT OF BEGINNING; THENCE EAST TO THE POINT OF BEGINNING.

**DESCRIPTION PARCEL 2:** (ORB 2233, PAGE 4309)

**COMMENCE** AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°13'30"E, 33 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 21ST STREET WEST; THENCE EAST ALONG SAID SOUTH LINE, 26.8 FEET FOR THE **POINT OF BEGINNING**; THENCE S02°13'15"W, 515.3 FEET; THENCE S14°40'15"W, 230.65 FEET TO A CONCRETE MONUMENT; THENCE CONTINUE S14°40'15"W, TO THE WATERS OF LAKE ROWLETT; THENCE SOUTHEASTERLY ALONG SAID WATERS, 630 FEET, MORE OR LESS, TO A POINT WHICH LIES 549.73 FEET EAST OF THE POINT OF BEGINNING AND ON A LINE THAT BEARS S00°19'W, AND 759 FEET FROM SAID SOUTH LINE OF 21ST STREET WEST; THENCE N00°19'E, 759 FEET; THENCE WEST, ALONG SAID SOUTH LINE OF 21ST STREET WEST, 549.73 FEET TO THE POINT OF BEGINNING. **LESS** THE EAST 299.5 FEET THEREOF.

# ROY FAMILY GDP/PRELIMINARY PLAT

ORD 2011-24  
EXHIBIT B



**LEGEND**

- 1/2" IRON ROD SET - LB 613
- 1/2" IRON ROD FOUND (RF)
- NAIL & BENCHMARK TAG SET - LB 613
- 3/4" IRON PIPE FOUND (IPF)
- IRON AXLE FOUND
- 4" x 4" CONCRETE MONUMENT FOUND
- CURVE - SEE CURVE DATA
- LICENSED BUSINESS
- REFERENCE MARKER
- RIGHT-OF-WAY
- POINT OF COMMENCEMENT
- POINT ON LINE
- SPECIAL RECORD BOOK
- DEED DESCRIPTION
- MEASURED
- CENTERLINE
- AIR CONDITIONER
- CHAIN-LINK FENCE
- WOOD FENCE
- WIRE FENCE
- SQUARE FEET
- PROPOSED FIRE HYDRANT LOCATION
- DWELLING UNIT
- OVERHEAD UTILITY LINES
- WOOD UTILITY POLE WITH ANCHOR
- LIGHT POLE
- PVC
- ELIPITICAL REINFORCED CONCRETE PIPE
- REINFORCED CONCRETE PIPE
- TOP OF BANK, MORE OR LESS
- TOP OF SLOPE, MORE OR LESS
- MITERED END SECTION
- PARCEL IDENTIFICATION NUMBER
- VERIZON BOX
- WATER METER
- WATER VALVE
- RECLAIMED WATER VALVE
- SEWER CLEAN OUT
- TREE - SEE TREE TABLE
- POINT OF CURVATURE
- POINT OF TANGENCY
- RECLAIMED

**TREE TABLE**

TREE #	TYPE	DIAMETER	HEIGHT	LMBS	SPAN	TREE #	TYPE	DIAMETER	HEIGHT	LMBS	SPAN
1	OAK	5"	10'	16"	50'						
2	OAK	7"	15'	16"	50'						
3	OAK	7"	15'	16"	50'						
4	OAK	7"	15'	16"	50'						
5	OAK	8"	15'	16"	50'						
6	PALM	8"	15'	16"	50'						
7	CASHEW	8"	15'	16"	50'						
8	PALM	16"	20'	16"	50'						
9	PALM	16"	20'	16"	50'						
10	CASHEW	10"	12'	20"	50'						
11	PALM	18"	20'	16"	50'						
12	PINE	18"	20'	16"	50'						
13	PINE	22"	25'	40"	50'						
14	OAK	20"	30'	40"	50'						
15	OAK	30"	40'	40"	50'						
16	OAK	5"	15'	16"	50'						
17	OAK	6"	15'	16"	50'						
18	OAK	6"	15'	16"	50'						
19	OAK	6"	15'	16"	50'						
20	OAK	6"	15'	16"	50'						
21	OAK	10"	15'	20"	50'						
22	OAK	12"	10'	6"	50'						
23	OAK	24"	20'	30"	50'						
24	OAK	14"	24"	30"	50'						
25	OAK	24"	25'	40"	50'						
26	OAK	24"	25'	40"	50'						
27	OAK	28"	25'	40"	50'						
28	OAK	5"	15'	16"	50'						
29	OAK	5"	15'	16"	50'						
30	OAK	20"	20'	30"	50'						
31	OAK	20"	20'	30"	50'						
32	OAK	30"	25'	40"	50'						
33	OAK	24"	25'	40"	50'						
34	OAK	8"	15'	16"	50'						
35	MAPLE	10"	15'	16"	50'						
36	MAPLE	8"	10'	16"	50'						
37	MAPLE	8"	10'	16"	50'						
38	OAK	8"	10'	16"	50'						
39	MAPLE	8"	10'	16"	50'						
40	OAK	24"	30'	40"	50'						
41	OAK	30"	30'	40"	50'						
42	MAPLE	14"	30'	20"	50'						
43	MAPLE	12"	30'	20"	50'						
44	OAK	7"	25'	30"	50'						
45	MAPLE	11"	25'	30"	50'						
46	MAPLE	11"	25'	30"	50'						
47	MAPLE	8"	10'	16"	50'						
48	OAK	8"	10'	16"	50'						
49	MAPLE	10"	10'	30"	50'						

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- NOTES:**
- ALL EASINGS SHOWN HEREON REFER TO THE SOUTH RIGHT-OF-WAY LINE OF 21ST STREET WEST BEING N 89°53'45" E AS PER DEED DESCRIPTION.
  - THE SUBJECT LAND LIES IN ZONE "A" OF THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY-PANEL NUMBER 120153 0189 B & 120153 0187 B (FIRM INDEX DATED 6/30/89), BASE FLOOD ELEVATION OF 9 FEET REQUIRED BY FEMA (FEDERAL EMERGENCY MANAGEMENT AGENCY), FLOOD PROTECTION ELEVATION OF 15 FEET REQUIRED BY THE CITY OF PALMETTO, SUBJECT TO VERIFICATION.
  - THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THEREFORE MAY NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
  - USE OF THIS SURVEY BY ANYONE OTHER THAN THOSE CERTIFIED TO WILL BE AT THEIR SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.
  - ELEVATIONS SHOWN HEREON REFER TO NATIONAL GEODETIC VERTICAL DATUM (NGVD) 1929 AND ARE UNDERLINED.
  - FENCES MAY NOT BE DRAWN TO SCALE FOR PURPOSES OF CLARITY.
  - DESCRIPTIONS SHOWN HEREON WERE TAKEN FROM PUBLIC RECORD BOOKS SHOWN, ALL IN THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.
  - THE PROPERTIES AS SURVEYED CONTAIN A TOTAL OF 8.01 ACRES, MORE OR LESS.
  - THE DIVISION OF LANDS SHOWN HEREON IS BASED ON INFORMATION PROVIDED TO THIS FIRM AND AS OF THIS DATE HAS NOT BEEN SUBMITTED FOR REVIEW TO THE REGULATORY AGENCIES EXERCISING JURISDICTION OVER SUCH MATTERS.
  - THE PARCEL IDENTIFICATION NUMBERS SHOWN WERE OBTAINED FROM THE MANATEE COUNTY PROPERTY APPRAISER'S WEB SITE.
  - SUBJECT TO EASEMENTS, ENCUMBRANCES AND RESTRICTIONS OF RECORD.

**GENERAL DEVELOPMENT PLAN**

**SETRBACKS NOTES:**

- EXISTING DEVELOPMENT: SINGLE FAMILY DETACHED UNITS ON LOTS 3 & 6; BARN & GAZEBO ON LOT 3.
- PROPOSED DEVELOPMENT: SINGLE FAMILY DETACHED UNITS ON LOTS 1, 2, 4, 5, 7 & 8.
- PERMITTED USES: SINGLE FAMILY DETACHED RESIDENTIAL AND ASSOCIATED ACCESSORY USES AND PRIVATE STABLES.

**PROPOSED BUILDING SETBACKS:**

FRONT: 30'  
SIDE: 10'  
REAR: 25'  
WATER: 25'

\*EXISTING BUILDING SETBACKS ARE AS IDENTIFIED. ADDITIONS TO THESE EXISTING STRUCTURES MUST MEET THE PROPOSED BUILDING SETBACK STANDARDS.

**DIMENSIONAL REQUIREMENTS FOR FUTURE DEVELOPMENT:**

AREA/SP: 21,780  
AREA/DW: 21,780  
WIDTH: 100'  
MINIMUM HEIGHT: 7'

DRG Member	OK	Signature	Date
City Planner			
Fire Marshall			
City Engineer			
Stipulations	Yes		
	No		

Director of Public Works \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

**BOUNDARY & TOPOGRAPHIC SURVEY**

LIVING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA

**PROJECT: ROY FAMILY RANCHES**

ADDRESS: 2007 & 2011 21st STREET WEST PALMETTO, FLORIDA 34221

**Leo Mills & Associates, Inc.**  
LICENSED BUSINESS NO. 513 • SURVEYING • LAND PLANNING  
2909 AVENUE WEST, PALMETTO, FL 34221 22 NORTH POOL AVENUE, ARCADIA, FL 34224  
PHONE: (813) 725-2489 FAX: (813) 725-2484 PHONE: (863) 933-4141 FAX: (863) 933-2946

CERTIFIED TO: CHARLES ROY, PAMELA A. ROY, ALLISON ENGINEERING

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DATE OF SURVEY: 1-21-10

BY: LEO MILLS, JR., REGISTERED STATE OF FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 3513

REVISIONS: DATE: INT:

NOOTL IMPROVEMENTS LOC'D	11-11-10	LKC
REVISED LOT 3 L&S BY CLIENT	1-24-11	LKC
PREDISTURBANCE EASEMENT	6-03-11	LKC
SETBACKS & FENCE NOTE	8-01-11	LKC
EXTRANEAN NOTE	8-03-11	LKC
MURPHY NOTES-CITY COMMENTS	8-12-11	LKC

SCALE: 1" = 40' (SEE GRAPHIC SCALE)

Dr. 27 of 156A