

TAB 10

**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

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 continued to November 7, 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:

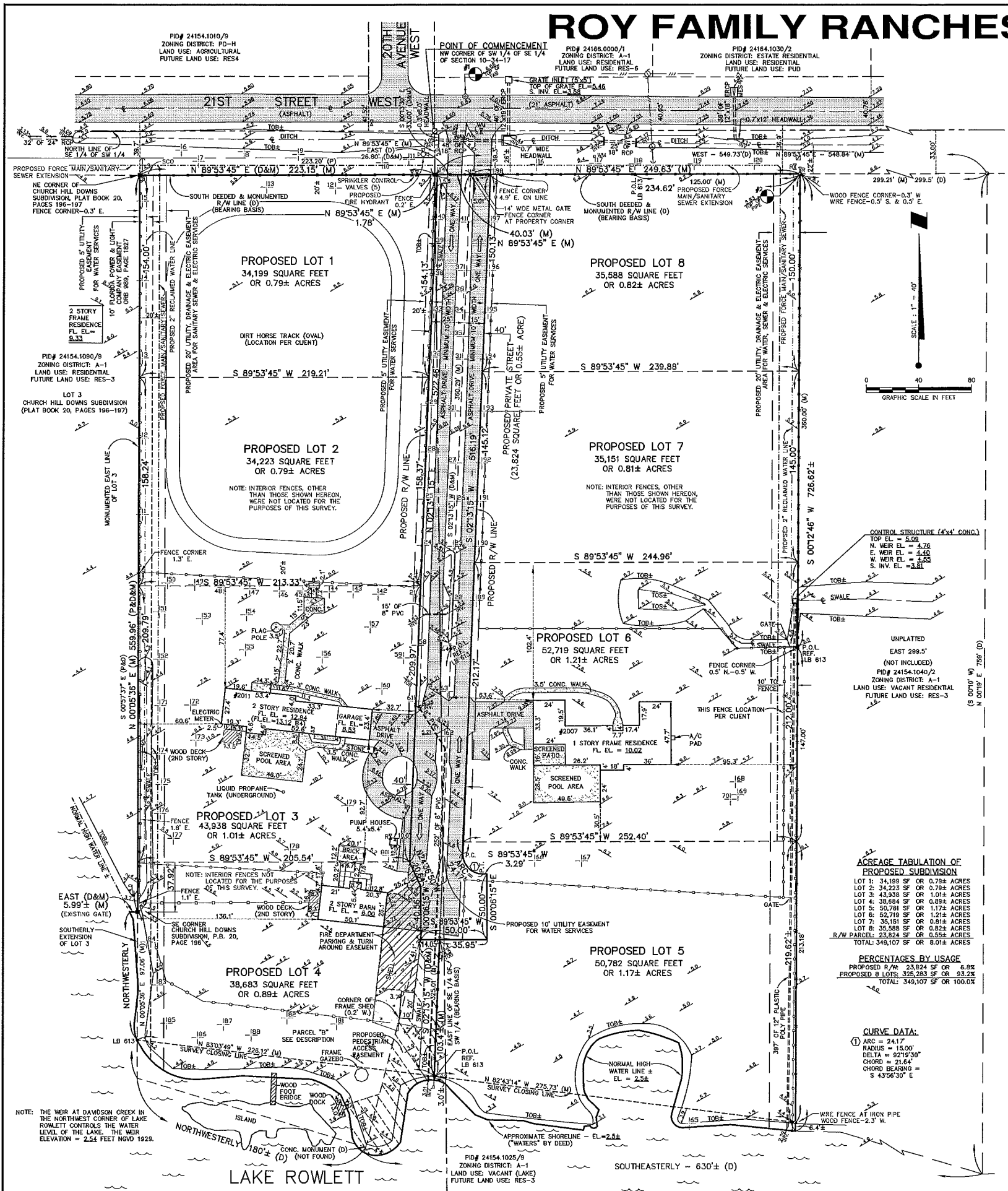
DESCRIPTION PARCEL 1B: (ORB 1942, PAGE 7690)

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 RANCHES



LEGEND

- 1/2" IRON ROD SET - LB 613
- 3/4" IRON PIPE FOUND (R/F)
- 4" x 4" CONCRETE MONUMENT FOUND
- CURVE - SEE CURVE DATA
- LICENSED BUSINESS
- REFERENCE MARKER
- DEED DESCRIPTION
- MEASURED
- CENTERLINE
- AIR CONDITIONER
- CHAIN/LINK FENCE
- WOOD FENCE
- WIRE FENCE
- SQUARE FENCE
- PROPOSED FIRE HYDRANT LOCATION
- DWELLING UNIT
- OVERHEAD UTILITY LINES
- WOOD UTILITY POLE WITH ANCHOR
- LIGHT POLE
- POLY-ETHYLENE GLYCOL PIPE
- ELLIPTICAL REINFORCED CONCRETE PIPE
- RCP
- REINFORCED CONCRETE PIPE
- TOP OF BANK, MORE OR LESS
- F.O.S. OF SLOPE, MORE OR LESS
- MITERED END SECTION
- PARCEL IDENTIFICATION NUMBER
- WELL
- VERIZON BOX
- VERIZON VAULT
- WATER METER
- RECLAIMED WATER VALVE
- SEWER CLEAN OUT
- TREE - SEE TREE TABLE
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- R.C. RECLAIMED

TREE TABLE

TREE #	TYPE	DIAMETER	HEIGHT	LT	SPAN	TREE #	TYPE	DIAMETER	HEIGHT	LT	SPAN
1	OAK	5"	10'	16'		50	OAK	10"	20'	30'	
2	OAK	7"	15'	18'		51	OAK	8"	15'	20'	
3	OAK	6"	12'	15'		52	MAPLE	8"	24'	40'	
4	OAK	6"	10'	18'		53	MAPLE	8"	25'	30'	
5	OAK	6"	15'	18'		54	MAPLE	20"	30'	40'	
6	OAK	6"	15'	20'		55	OAK	20"	25'	40'	
7	CARROTWOOD	6"	12'	20'		56	OAK	28"	30'	60'	
8	PALM	16"	20'	16'		57	OAK	20"	30'	30'	
9	PALM	16"	25'	30'		58	OAK	6"	15'	20'	
10	CARROTWOOD	10"	12'	20'		59	PALM	20"	12'	12'	
11	PALM	16"	20'	16'		60	OAK	24"	25'	40'	
12	OAK	18"	25'	30'		61	OAK	24"	25'	40'	
13	PINE	22"	25'	40'		62	OAK	20"	20'	30'	
14	OAK	20"	30'	30'		63	OAK	20"	20'	30'	
15	OAK	20"	30'	40'		64	OAK	24"	24'	20'	
16	OAK	5"	15'	16'		65	OAK	20"	15'	40'	
17	OAK	6"	15'	16'		66	OAK	36"	35'	60'	
18	OAK	6"	15'	16'		67	OAK	48"	35'	60'	
19	OAK	5"	15'	16'		68	TWIN OAK	30"	34"	35'	60'
20	OAK	5"	15'	16'		69	OAK	34"	34'	60'	
21	OAK	5"	15'	16'		70	OAK	30"	30'	35'	60'
22	OAK	12"	10"	20"		71	OAK	30"	35'	50'	
23	OAK	24"	20"	40"		72	OAK	20"	30'	30'	
24	OAK	24"	20"	40"		73	MAPLE	22"	30'	30'	
25	OAK	24"	25'	40"		74	OAK	24"	25'	40'	
26	OAK	15"	15'	15'		75	WILLOW	8"	15'	20'	
27	OAK	28"	30'	40'		76	OAK	10"	15'	40'	
28	OAK	24"	25'	40"		77	OAK	18"	20'	50'	
29	OAK	20"	25'	40"		78	OAK	18"	25'	40'	
30	OAK	20"	30'	30'		79	OAK	30"	25'	40'	
31	OAK	20"	20'	30'		80	OAK	30"	30'	40'	
32	OAK	30"	25'	40"		81	OAK	30"	40'	40'	
33	OAK	24"	20"	40"		82	PALM	12"	15'	20'	
34	OAK	6"	15'	16'		83	PALM	12"	15'	20'	
35	MAPLE	10"	20"	20"		84	OAK	18"	15'	20'	
36	MAPLE	10"	20"	20"		85	CARROTWOOD	6", 8", 8"	15'	15'	30'
37	OAK	6"	15'	16'		86	CYPRESS	8"	20"	12'	
38	OAK	6"	15'	16'		87	OAK	10"	10'	15'	
39	MAPLE	8", 10"	30"	30"		88	UNKNOWN	10"	15'	30'	
40	OAK	24"	30'	40"		89	OAK	3"	10'	6'	
41	OAK	20"	30'	40"		90	OAK	3"	10'	6'	
42	OAK	28"	30'	40"		91	OAK	3"	10'	6'	
43	MAPLE	12"	30'	20"		92	OAK	3"	10'	6'	
44	OAK	12"	30'	20"		93	OAK	3"	10'	6'	
45	MAPLE	14"	25'	40"		94	OAK	3"	10'	6'	
46	OAK	12"	25'	40"		95	OAK	3"	10'	6'	
47	MAPLE	8", 10"	25'	40"		96	OAK	3"	10'	6'	
48	OAK	8", 10"	20"	30'		97	OAK	3"	10'	6'	
49	MAPLE	10", 10"	30"	30"		98	OAK	3"	10'	6'	

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DESCRIPTION PARCEL 2: (ORB 2233, PAGE 4309)
 COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA; THENCE SOUTH 31°30' E, 33 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 21ST STREET WEST; THENCE EAST ALONG SAID SOUTH LINE, 26.6 FEET FOR THE POINT OF BEGINNING; THENCE S 02°13'15" W, 515.3 FEET; THENCE S 14°01'15" W, 230.6 FEET TO A CONCRETE MONUMENT; THENCE CONTINUE S 14°01'15" 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 S 09°19' W, AND 759 FEET FROM SAID SOUTH LINE OF 21ST STREET WEST; THENCE NORTH 89°53'45" 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.

GENERAL DEVELOPMENT PLAN NOTES:
 1. BEARINGS SHOWN HEREON REFER TO THE SOUTH RIGHT-OF-WAY LINE OF 21ST STREET WEST BEING N 89°53'45" E AS PER DEED DESCRIPTION.
 2. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS IF ANY, NOT LOCATED FOR PURPOSES OF THIS SURVEY.
 3. THE SUBJECT LAND LIES IN ZONE "A10" OF THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY-PANEL NUMBERS 12015 0181 B & 12015 0181 B (FIRM INDEX DATED 6/30/2009). BASE FLOOD ELEVATION OF 9 FEET REQUIRED BY FEMA (FEDERAL EMERGENCY MANAGEMENT AGENCY), FLOOD PROTECTION ELEVATION OF 10 IS REQUIRED BY THE CITY OF PALMETTO. SUBJECT TO VERIFICATION.
 4. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THEREFORE MAY NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
 5. USE OF THIS SURVEY BY ANYONE OTHER THAN THOSE CERTIFIED TO WILL BE AT THEIR SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.
 6. ELEVATIONS SHOWN HEREON REFER TO NATIONAL GEODETIC VERTICAL DATUM (NGVD) 1929 AND ARE UNADJUSTED.
 7. FENCES MAY NOT BE DRAWN TO SCALE FOR PURPOSES OF CLARITY.
 8. DESCRIPTIONS SHOWN HEREON WERE TAKEN FROM OFFICIAL RECORD BOOKS SHOWN, ALL IN THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.
 9. THE PROPERTIES AS SURVEYED CONTAIN A TOTAL OF 8.01 ACRES, MORE OR LESS.
 10. 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.
 11. THE PARCEL IDENTIFICATION NUMBERS SHOWN HEREON WERE OBTAINED FROM THE MANATEE COUNTY PROPERTY APPRAISER'S WEB SITE.
 12. SUBJECT TO EASEMENTS, DEDICATIONS AND RESTRICTIONS OF RECORD.
 13. EXISTING FENCES MAY BE REMOVED OR RELOCATED AT THE OWNER'S DISCRETION. NEW FENCE CONSTRUCTION OR RELOCATIONS SHALL CONFORM TO THE APPLICABLE CITY OF PALMETTO FENCE ORDINANCES.
 14. THE SUBJECT PROPERTIES HAVE ENJOYED EQUESTRIAN RECREATIONAL ACTIVITIES FOR THE PAST TEN YEARS. IT IS THE DESIRE OF THE PETITIONERS TO RETAIN THIS USE (THROUGH THE REZONE PROCESS) FOR THE ENJOYMENT OF THE ROY FAMILY.
 15. ALL RESIDENTIAL UNITS SHALL BE PROVIDED WITH TWO (2) OFF-STREET PARKING SPACES PER DWELLING UNIT AS PER CITY OF PALMETTO CODE OF ORDINANCES, SECTION 28-76, (b) RESIDENTIAL (1).
 16. IF THE PROPOSED PROJECT WILL HAVE UTILITIES UNDERGROUND.
 17. APPLICANT AGREES THAT THIS PROJECT SHALL CONFORM TO ALL APPLICABLE REGULATIONS UPON APPROVAL OF THE GENERAL DEVELOPMENT PLAN/PRELIMINARY PLAN.
 18. IF REQUIRED, THE APPLICANT AGREES TO MEET THE DRAINAGE REQUIREMENTS SPECIFIED IN SECTION 26-21.(c) OF THE CITY OF PALMETTO LAND DEVELOPMENT CODE.
DEVIATIONS:
 19. DEVIATIONS:
 20. SUBDIVISION REGULATIONS:
 SEC. 26-16 (1) PRIVATE STREETS OR DRIVES SHALL HAVE AN IMPERVIOUS TRAVELWAY WIDTH OF A MINIMUM OF 11 FEET PER TRAVEL LANE; EXISTING TRAVEL LANES HAVE A MINIMUM 10' WIDTH-APPROVED BY NORTH RIVER FIRE DISTRICT.
SETBACKS NOTES:
 1. EXISTING DEVELOPMENT: SINGLE FAMILY DETACHED UNITS ON LOTS 3 & 6; BARN & GAZEBO ON LOT 4.
 2. PROPOSED DEVELOPMENT: SINGLE FAMILY DETACHED UNITS ON LOTS 1, 2, 4, 5, & 8.
 3. PERMITTED USES: SINGLE FAMILY DETACHED RESIDENTIAL AND ASSOCIATED ACCESSORY USES AND PRIVATE STABLES.
PROPOSED BUILDING SETBACKS:
 FRONT: 30'
 SIDE: 10' (W/ NORMAL HIGH WATER LINE)
 REAR: 25'
 WATER: 25'
 EXISTING BUILDING SETBACKS ARE AS IDENTIFIED. ADDITIONS TO THESE EXISTING STRUCTURES MUST MEET THE PROPOSED BUILDING SETBACKS STANDARDS.
DIMENSIONAL REQUIREMENTS FOR FUTURE DEVELOPMENT:
 AREA/SF: 21,780
 AREA/DW: 21,780
 WIDTH: 100'
 MAXIMUM HEIGHT: 35'

GENERAL DEVELOPMENT PLAN

BOUNDARY & TOPOGRAPHIC SURVEY
 LYING 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

BY: LEO MILLS, JR., REGISTERED STATE OF FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. 2513
 DATE OF SURVEY: 11-21-10

8 DWELLING UNITS PER 8.01± ACRES
 PROJECT DENSITY = 1.00 DWELLING UNIT PER ACRE

DEVELOPMENT SCHEDULE IS UNKNOWN AT THIS TIME. IT WILL BE GRADUAL AS THE DEVELOPER'S CAPITALS ARE RAISED AND OBTAIN THE FUNDS TO BUILD THEIR RESIDENCES.

DRC Member	OK	Signature	Date
City Planner			
Fire Marshal			
City Engineer			
Stipulations	Yes	No	
		Signature	Date

Leo Mills & Associates, Inc.
 LICENSED BUSINESS NO. 619 • SURVEYING • LAND PLANNING

820 8th AVENUE WEST, PALMETTO, FL 34221
 PHONE: (813) 782-2450 FAX: (813) 782-2450

22 NORTH POLK AVENUE, ARCADIA, FL 34266
 PHONE: (888) 923-4141 FAX: (853) 283-2616

CERTIFIED TO:
 CHARLES ROY FABELLA G. ROY,
 ALLISON ENGINEERING

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REVISION NO.	DATE	DESCRIPTION
1	11-24-11	REVISED PER COMMENTS
2	12-03-11	REVISED PER COMMENTS
3	03-03-12	REVISED PER COMMENTS
4	03-03-12	REVISED PER COMMENTS
5	03-03-12	REVISED PER COMMENTS
6	03-03-12	REVISED PER COMMENTS

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