

ORDINANCE 2012-13

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, ADOPTING A CHANGE OF ZONING FROM SINGLE-FAMILY LOW-MEDIUM DENSITY RESIDENTIAL DISTRICT (R-3SF) TO OPEN SPACE – CONSERVATION (OS-C) FOR TOWN-OWNED PROPERTY LOCATED AT 5810 GULF OF MEXICO DRIVE; ADOPTING REVISIONS TO THE ZONING MAP LEGEND TO REFLECT THE NEW ZONING DISTRICT NAMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a goal of the Town of Longboat Key's land development regulations is to ensure the provision of adequate recreational facilities and open space areas to satisfy the health, safety and welfare of the Town; and

WHEREAS, the Town wishes to expand its inventory of open space areas by amending the zoning classification of certain property owned by the Town located at 5810 Gulf of Mexico Drive, Longboat Key, Florida 34228; and

WHEREAS, the Town has amended the Comprehensive Plan to designate the future land use of said property as Open Space – Conservation; and

WHEREAS, the Town requests approval of its application to change the zoning district of said property from Single-Family Low-Medium Density Residential (R-3SF) to Open Space-Conservation to be consistent with the property's future land use designation; and

WHEREAS, the Town previously amended the names of the Planned Development (PD), Gulf Planned Development (GPD), and Negotiated Planned Development (NPD) zoning districts to Mixed Use Community - Bay Isles (MUC-1), Mixed Use Community - Islandside (MUC-2), and Mixed Use Community - Water Club/Promenade (MUC-3), respectively, and administratively revised the Zoning Map legend to reflect the new names; and

WHEREAS, the Town now wishes to formally adopt the revised Zoning Map legend; and

WHEREAS, the Planning and Zoning Official has, in a timely fashion, accepted the rezoning application and referred the same to the Planning and Zoning Board along with the required documentation and staff recommendations; and

WHEREAS, the Town of Longboat Key Planning and Zoning Board, after due public notice, held a public hearing on **XX XX, 2012**, concerning the requested change of zoning and revised Zoning Map legend; and

WHEREAS, following the public hearing before the Planning and Zoning Board, the Board recommended approval of the requested change of zoning and revised Zoning Map legend, forwarding the same to the Town Commission for their review and approval; and

WHEREAS, the Town Commission of the Town of Longboat Key, after due public notice, held public hearings on **XX XX, 20012**, and **XX XX, 2012**, on the proposed change of zoning and revised Zoning Map legend as recommended by the Planning and Zoning Board; and

WHEREAS, the proposed zoning and revised Zoning Map legend are consistent with the Town's Comprehensive Plan Future Land Use Map; and

WHEREAS, the Town Commission of the Town of Longboat Key finds that the proposed change of zoning and revised Zoning Map legend are in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

Section 1. The Whereas clauses set forth above are hereby adopted as findings by the Town Commission for the adoption of this Ordinance.

Section 2. The Town of Longboat Key Zoning Map is hereby amended for approximately 3.90 acres located at 5810 Gulf of Mexico Drive, Longboat Key, Florida 34228 (BEG AT THE NE COR OF SEC 26 FOR A POB; TH W, ALG THE N LN OF SD SEC, ALSO BEING THE S R/W LN OF BINNACLE PT DR, A DIST OF 317.57 FT TO THE NE COR OF THAT CERTAIN PARCEL OF LAND AS DESC IN OR 829 P 503; TH S 50 DEG 58 MIN 0 SEC W, ALG THE SELY LN OF SD CERTAIN PARCEL, 727.96 FT TO INTERSECT WITH THE NELY R/W OF S.R. 780; TH S 39 DEG 57 MIN 00 SEC E, ALG SD NELY R/W 200.00 FT TO INTERSECT WITH THE SELY LN OF LOT "A" OF SUB ON LONGBOAT KEY OF FRAC SECS 24, 25 & 26 (PB 7 P 16); TH N 50 DEG 58 MIN 00 SEC E, ALG SD SELY LN OF SD LOT "A", 971.44 FT TO THE POB AS DESC IN OR 1247 P 649 PRMCF PI#80028.0000/4) from Medium Density Single Family/Mixed Residential (RM-3) to Open Space – Conservation (OS-C) (hereinafter "Property"), as depicted on Exhibit "A" attached hereto..

Section 3. The legend of the Town of Longboat Key Zoning Map is hereby amended to change the names of the Planned Development (PD), Gulf Planned Development (GPD), and Negotiated Planned Development (NPD) zoning districts to Mixed Use Community - Bay Isles (MUC-1), Mixed Use Community - Islandside (MUC-2), and Mixed Use Community - Water Club/Promenade (MUC-3), respectively, as depicted on Exhibit "A" attached hereto.

Section 4. If any section, subsection, sentence, clause or provision of this Ordinance is held to be invalid or ineffective, except for the recording requirement in Section 7, the validity of the remaining portions of this Ordinance shall not be affected.

Section 5. All ordinances and parts of ordinances in conflict herewith shall be deemed repealed.

Section 6. This Ordinance shall become effective as provided for by law.

Section 7. This Ordinance shall be recorded in the Official Records of Manatee County.

Passed on the first reading and public hearing the _____ day of _____, 2012.

Adopted on the second reading and public hearing the _____ day of _____, 2012.

Jams L. Brown, Mayor

ATTEST:

Trish Granger, Town Clerk

Exhibit "A": Revised Zoning Map