


**MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT	Riva Trace, PDR-04-14(P)(R) Updated Access Management Plan	TYPE AGENDA ITEM	Advertised Public Hearing
DATE REQUESTED	July 27, 2010	DATE SUBMITTED/REVISED	July 13, 2010
BRIEFINGS? Who?	None	CONSEQUENCES IF DEFERRED	Continue with Existing Access Management Plan Approved in March 2007
DEPARTMENT/DIVISION	Transportation Management	AUTHORIZED BY TITLE	Ron Schulhofer Public Works Director
CONTACT PERSON TELEPHONE/EXTENSION	Tony Rodriguez 7425	PRESENTER/TITLE TELEPHONE/EXTENSION	Tony Rodriguez Deputy Director 7425
ADMINISTRATIVE APPROVAL			
ACTION DESIRED INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED			
Approval of the Riva Trace Subdivision, PDR-04-14(P)(R) updated Access Management Plan, as required by Stipulation E.6 of Zoning Ordinance PDR-04-14(P) requiring Board approval prior to Final Site Plan and Construction Plan approval.			
ENABLING/REGULATING AUTHORITY Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy			
Stipulation E.6 of Zoning Ordinance PDR-04-14(P).			
BACKGROUND/DISCUSSION			
See attached page.			
COUNTY ATTORNEY REVIEW			
APPROVED IN OPEN SESSION			
Check appropriate box			
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)	JUL 27 2010 BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY, FLORIDA	
<input checked="" type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)		
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)		
<input type="checkbox"/>	OTHER		
ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
1. Zoning Ordinance PDR-04-14(P) 2. Proof of Publication 3. Access Management Plan		File for Public Record Unless Otherwise Noted	
COST:	N/A	SOURCE (ACCT # & NAME):	N/A
COMMENTS:	N/A	AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	N/A

BACKGROUND & DISCUSSION

- On August 3, 2006, the Board of County Commissioners (BCC) approved Preliminary Site Plan PDR-04-14(P) for the Riva Trace subdivision for 86 single-family detached lots.
- Riva Trace is located north of University Parkway, on the east side of Honore Ave., north of the University Place subdivision and west of I-75.
- Access to the subdivision is from Honore Ave.
- The BCC expressed concern with the access and circulation onto and on Honore Ave. in combination with the proposed widening of Honore Ave. and the extension of the Tara Blvd. Bridge.
- The BCC approved the Preliminary Site Plan with a stipulation requiring the applicant bring the Access Management Plan (AMP) to the BCC for review and approval, prior to Final Site Plan and Construction Plan approval, to ensure adequate and safe access to Honore Ave.
- This updated AMP replaces and supersedes the AMP approved in March 2007, for the Riva Trace entranceway and the adjoining roadway plans that were in place at that earlier time.
- At its May 25, 2010 meeting, the BCC approved several revisions to the Riva Trace entranceway design along Honore Ave. These revisions take the place of the “pre-construction” or “interim” plan proposed in 2007.
- Transportation Management Division staff reviewed the above-mentioned entranceway design revisions with the applicant, and it was confirmed by staff that there is no objection to the Riva Trace entranceway revisions in the current configuration of Honore Ave.

RECOMMENDATION

Staff recommends approval of the updated Access Management Plan.

BRADENTON HERALD


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Bradenton, FL 34205-8894
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Fax: 941-708-7758

Bradenton Herald
Published Daily
Bradenton, Manatee County, Florida

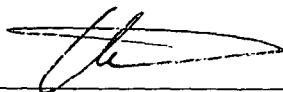
STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Danica Sherrill, who, on oath, says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, **LEGAL NOTICE OF ZONING CHANGES** as published in said newspaper in the issue **07/14/2010**.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn to and subscribed before me this
15 Day of July, 2010



SEAL & Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____



BRADENTON HERALD

CLASSIFIED ADVERTISING

Order:	131977784	Pubs:	1,9	Rate:	LE
Phone:	9417493070	Class:	4995	Charges:	\$ 0.00
Account:	11950	Start Date:	07/14/2010	List Price:	\$ 195.30
Name:	MANATEE,	Stop Date:	07/14/2010	Payments:	\$ 0.00
Firm:	MANATEE CO PLANNING	Insertions:	2	Balance:	\$ 195.30

**NOTICE OF ZONING CHANGES
IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on **Tuesday, July 27, 2010, at 9:00 A.M.** at the Manatee County Government Administrative Center, 1st Floor Chambers, to consider and act upon the following matter:

**PDR-04-14(P)(R) –
RIVA TRACE - UPDATED
ACCESS MANAGEMENT PLAN**

Request: Approval of an updated access management plan for the Riva Trace project. Board of County Commission review and approval of this plan was required with the approval of the Riva Trace project revision at the May 25, 2010 Board of County Commissioners public hearing.

Riva Trace is west of I-75, east of the future road and bridge connection between Honore Avenue and Tara Boulevard, and south of the Braden River (±41.2 acres).

Interested parties may examine the plan and related documents and may obtain assistance regarding this matter from the Manatee County Public Works Transportation Department, 1022 26th Avenue East, Bradenton, Florida; telephone number (941) 708-7425 e-mail to: tony.rodriquez@mymanatee.org

According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Americans With Disabilities:

The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Planning Department
Manatee County, Florida

07/14/2010

AFFIDAVIT OF PUBLICATION

SARASOTA HERALD-TRIBUNE
PUBLISHED DAILY
SARASOTA, SARASOTA COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED SHARI BRICKLEY, WHO ON OATH SAID SHE IS DIRECTOR OF ADVERTISING FOR THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY FLORIDA; AND CIRCULATED IN MANATEE COUNTEE DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT BEING A NOTICE IN THE MATTER OF:

Legal description documented below:

IN THE _____ COURT WAS PUBLISHED IN THE MANATEE EDITION OF SAID NEWSPAPER IN THE ISSUES OF:

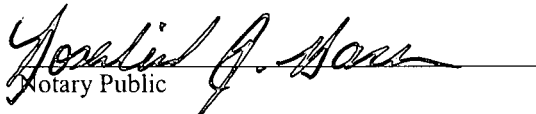
7/14 1x

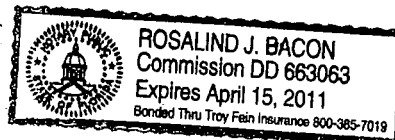
AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE POST OFFICE IN BRADENTON, IN SAID MANATEE COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT SHE HAS NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN THE SAID NEWSPAPER.

SIGNED _____



SWORN OR AFFIRMED TO, AND SUBSCRIBED BEFORE ME THIS 14 DAY OF July, A.D., 2010
BY SHARI BRICKLEY WHO IS PERSONALLY KNOWN TO ME.


Notary Public



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MANATEE COUNTY BOARD OF
COUNTY COMMISSIONERS
Manatee County Planning Department
Manatee County, Florida

Date of pub: July 14, 2010

BRADENTON HERALD

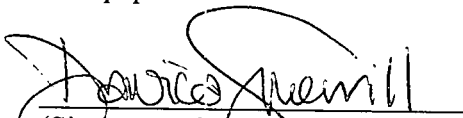
WWW.BRADENTON.COM
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Bradenton, FL 34206-0921
102 Manatee Avenue West
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Ph: 941-745-7066
Fax: 941-708-7758

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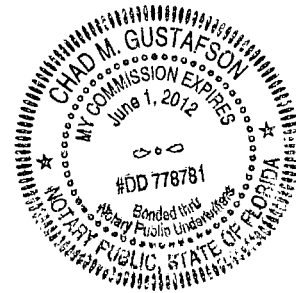
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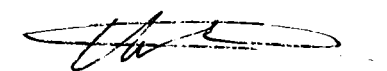
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(Signature of Affiant)

Sworn to and subscribed before me this
15 Day of July, 2010




SEAL & Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

BRADENTON HERALD

CLASSIFIED ADVERTISING

Order:	131977784	Pubs:	1,9	Rate:	LE
Phone:	9417493070	Class:	4995	Charges:	\$ 0.00
Account:	11950	Start Date:	07/14/2010	List Price:	\$ 195.30
Name:	MANATEE,	Stop Date:	07/14/2010	Payments:	\$ 0.00
Firm:	MANATEE CO PLANNING	Insertions:	2	Balance:	\$ 195.30

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MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Planning Department
Manatee County, Florida

07/14/2010

Date to be Published: Wednesday, July 14, 2010

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MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Planning Department
Manatee County, Florida

RIVA TRACE - ACCESS MANAGEMENT PLAN, AS UPDATED

JUNE, 2010

THIS ACCESS MANAGEMENT PLAN, AS UPDATED, replaces and supersedes the earlier Access Management Plan (AMP) which had been approved in March, 2007, for the Riva Trace entranceway and the adjoining roadway plans which had been in place at that earlier time.

At its May 25, 2010 meeting, the Board of County Commissioners approved several revisions to the Riva Trace entranceway design along Honore Avenue, which revisions take the place of the "pre-construction" or "interim" plan proposed in 2007.

Specifically, and as illustrated on the attached revised entranceway design, the Board permitted the applicant's engineer to move or shift the Riva Trace entranceway slightly to the northwest (as far as possible there), and at the same time to shift or move the existing median island slightly to the southeast, without affecting the required traffic patterns for the Fire Station to the south.

With these adjustments, entering and exiting Riva Trace traffic will now have full access and egress capabilities in all directions, with no need to seek U-turns further along Honore Avenue. Also, the existing emergency entrance into University Park will remain in place, unaffected by these revisions.

The above northwesterly shift of the Riva Trace entranceway, however, is limited to the extent that the adjoining property to the north of Riva Trace cannot be considered for use in this relocation, since this property is not currently in the County's full ownership. This entranceway shift must also remain on Riva Trace lands, since Riva Trace is planned for private streets, and so could not use the tract to the north for private roadway purposes.

The applicant had reviewed the above entranceway design revisions earlier with the Manatee County Transportation Management Division staff, and the staff confirmed no objection to the above revisions to the Riva Trace entranceway in the current configuration of Honore Avenue.

With these above revisions, as illustrated on the enclosed entranceway design, Riva Trace residents will have safe and adequate access to Honore Avenue.

FILED FOR RECORD
R. B. SHORE

MANATEE COUNTY ZONING ORDINANCE
PDR-04-14(P) – AEGIS REALTY INC. / RIVA TRACE

CLERK OF THE CIRCUIT COURT
MANATEE COUNTY, FLORIDA

2006 AUG 17 AM 9:27

FILED

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT
APPROVING A PRELIMINARY SITE PLAN FOR 86 LOTS FOR SINGLE-
FAMILY RESIDENCES ON APPROXIMATELY 41.2 ACRES; GENERALLY
LOCATED WEST OF I-75, EAST OF THE FUTURE ROAD AND BRIDGE
CONNECTION BETWEEN HONORE AVENUE AND TARA BOULEVARD, AND
SOUTH OF THE BRADEN RIVER, BRADENTON; SUBJECT TO
STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH
FINDINGS; GRANTING SPECIAL APPROVAL FOR A PROJECT: 1)
ADJACENT TO A PERENNIAL STREAM; 2) PARTIALLY WITHIN THE
COASTAL HIGH HAZARD OVERLAY; 3) PARTIALLY WITHIN THE 25-YEAR
FLOODPLAIN; 4) WITHIN THE WATERSHED PROTECTION – EVERS
OVERLAY DISTRICT; 5) WITHIN THE SPECIAL TREATMENT OVERLAY
DISTRICT; AND 6) IN THE ENTRANCEWAY; GRANTING SPECIFIC
APPROVAL FOR ALTERNATIVES TO SECTIONS 907.9.1.3, 907.9.3.1, AND
907.9.4.2 OF THE LAND DEVELOPMENT CODE; PROVIDING A LEGAL
DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, Aegis Realty, Inc. (the "Applicant") has filed an application for a Preliminary Site Plan for approximately 41.2 acres described in Exhibit "A", attached hereto, (the "Property") for 86 lots for single-family residences; and

WHEREAS, the Applicant has also request Specific Approval for alternatives to Section 907.9.1.3, 907.9.3.1, and 907.9.4.2 of the LDC; and

WHEREAS, the Applicant has also requested Special Approval for a project: 1) adjacent to a perennial stream; 2) partially within the Coastal High Hazard Overlay; 3) partially within the 25-year floodplain; 4) within the Watershed Protection – Evers Overlay District; 5) within the Special Treatment Overlay District; and 6) in the Entranceway; and

WHEREAS, Planning Department staff recommended approval of the Preliminary Site Plan, Specific Approval, and Special Approval applications, subject to the stipulations contained in the staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on May 25, 2006 to consider the Preliminary Site Plan application, received the staff's recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the Preliminary Site Plan, Specific Approval, and Special Approval applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code, recommended approval of the application, subject to the stipulations contained in the staff report; and

WHEREAS, the Board finds that the public purpose and intent of Sections; 907.9.1.3 of the LDC regulations have been satisfied to an equivalent degree by the project design since an emergency tie is provided, 907.9.3.1 have been satisfied to an equivalent degree by the project design since emergency vehicles will have adequate access, and 907.9.4.2 have been satisfied to an equivalent degree by project design because emergency vehicles can turn around without going to the end of the road.

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

Section 1. FINDINGS OF FACT. The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

The Board of County Commissioners, after considering the testimony, evidence, documentation, the recommendation and findings of the Planning Commission, as well as 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 has received and considered the report of the Manatee County Planning Commission concerning the application for a Preliminary Site Plan as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners held a duly noticed public hearing on August 3, 2006 regarding the proposed Preliminary Site Plan described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, (the Manatee County Land Development Code), and has further considered the information received at the public hearing.

C. Notwithstanding the failure of the site plan to comply with the following LDC Sections the Board finds that the public purpose and intent the LDC regulations have been satisfied to an equivalent degree for Sections 907.9.1.3 by the project design since and emergency tie is provided, 907.9.3.1 by the project design since emergency vehicles will have adequate access and 907.9.4.2 by project design because emergency vehicles can turn around without going to the end of the road.

D. The proposed Preliminary Site Plan regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved for 86 lots for single-family residences subject to the Stipulations below. The Board hereby grants Special Approval for a project: 1) adjacent to a perennial stream; 2) partially within the Coastal High Hazard Overlay; 3) partially within the 25-year floodplain; 4) within the Watershed Protection – Evers Overlay District; 5) within the Special Treatment Overlay District; and 6) in the Entranceway; and Specific Approval for alternatives to Sections 907.9.1.3, 907.9.3.1, and 907.9.4.2 of the Land Development Code, with the following stipulations:

STIPULATIONS:

A. DESIGN AND LAND USE CONDITIONS:

1. A nature trail shall be provided as shown on the Preliminary Site Plan. The trail may be constructed as a boardwalk, with mulch, or other material as approved by the Planning Department, Building Department, and Stormwater Management Division of the Transportation Department.
2. Prior to Final Site Plan approval a noise analysis shall be done based on the potential 10 lane configuration of I-75 and anticipated traffic in 2025.

Manatee County noise level criteria for residential properties

MANATEE COUNTY NOISE STIPULATION*
No residential dwelling units shall be allowed in areas where the exterior noise level is; Ldn > 65 dBA.; Leq design hour > 65 dBA; or L10 design Hour > 68 dBA Unless protected by some performance equivalent measure to achieve; Ldn # 65 dBA, Leq design hour # 65 dBA, or L10 design Hour # 68 dBA
NOISE REDUCTION REQUIRED*
Sound attenuating barriers should be provided between the residential units and the noise source. Living areas shall be located and designed in a manner which orients the living areas and outdoor activity areas away from the noise source. Living areas include bedrooms, lanais, and florida rooms. Buildings shall be positioned to maximize the distance between the residential units and the noise source.

* For more detailed information see "The Noise Guidebook – A reference document for implementing the Department of Housing and Urban Development's Noise Policy", prepared by The Environmental Planning Division, Office of Environment and Energy.

3. All two story homes built within the second story 64 dBA or higher noise contour levels (Lots 52-71) must include additional attenuation in the second story construction in addition to that of normal construction in order to meet the Ldn 45 dBA interior sound level identified by the EPA as sufficient to protect health and welfare.
4. The landscape buffer along the east perimeter, adjacent to I-75, shall include a 50' wide buffer, noise barrier wall, and landscaping to reduce the impacts of the noise from the traffic along I-75 and to address Stipulation A.2 above. At time of Final Site Plan, if the County determines additional measures are required to mitigate the noise impacts (pursuant to Stipulation A.2 above), the applicant shall detail the necessary measures to achieve compliance on the Final Site Plan. The buffer, including the wall and landscaping, shall be installed or bonded prior to first Final Plat. The wall shall be in place and tested by the design noise consultant to ensure compliance with Stipulation A.2 prior to issuance of any building permits (with the exception of model homes).
5. A 15 foot wide landscape buffer shall be provided along the south. This buffer shall be planted with canopy trees, understory trees, and evergreen shrubs in accordance with the following:
 - a. Canopy Trees.
 - (i) 3 canopy trees (3 inch caliper as measured 6 inches from the base of the tree) per 100 linear feet,
 - (ii) 12' high in height, and
 - (iii) 5' spread.
 - b. Understory evergreen trees. Six (6) understory evergreen trees per 100 linear feet of buffer, or fraction thereof, which meet the following minimum standards:
 - (i) one and one-half (1.5) inch caliper,
 - (ii) six (6) feet in height, and
 - (iii) three (3) foot spread.
 - c. Evergreen shrubs. Thirty three (33) evergreen shrubs per 100 linear feet of buffer, or fraction thereof, which meet the following minimum standards:
 - (i) 30 inches in height.

The buffer shall include a 6' high fence or wall. The landscaping shall be planted on the exterior of the wall in an informal, staggered manner. The buffer shall be entirely planted (not bonded) prior to the first Final Plat.

6. A 20' wide landscape buffer shall be provided along the west perimeter of the

site. This buffer shall be planted with canopy trees, understory trees, and evergreen shrubs in accordance with the following:

- a. Canopy Trees.
 - (i) 3 canopy trees (3 inch caliper as measured 6 inches from the base of the tree) per 100 linear feet,
 - (ii) 12' high in height, and
 - (iii) 5' spread.
- b. Understory evergreen trees. Six (6) understory evergreen trees per 100 linear feet of buffer, or fraction thereof, which meet the following minimum standards:
 - (i) one and one-half (1.5) inch caliper,
 - (ii) six (6) feet in height, and
 - (iii) three (3) foot spread.
- c. Evergreen shrubs. Thirty three (33) evergreen shrubs per 100 linear feet of buffer, or fraction thereof, which meet the following minimum standards:
 - (i) 30 inches in height.

The buffer shall include a 6' high fence or wall. The landscaping shall be planted on the exterior of the wall in an informal, staggered manner.

7. Existing native vegetation shall be preserved to meet screening requirements, unless otherwise approved by the Planning Department.
8. No lots shall be platted through any greenbelt, landscape buffer, retention pond, wetland, or wetland buffer.
9. No detention or retention ponds shall be constructed within landscape buffers or greenbelts.
10. The developer is put on notice that the County and School Board are required to establish school concurrency. Until such time as the details of that program are adopted, this approval does not guarantee capacity under the terms of the future program, to the extent school concurrency is legally applicable to the project.
11. No construction traffic shall utilize the emergency access to Meeting Street.
12. 75% of trees exceeding 24" dbh or greater shall be preserved and identified as such on the Final Site Plan.
13. Open burning shall be prohibited during any land clearing associated with the development of the project of this site.

B. ENVIRONMENTAL CONDITIONS:

1. Tree barricades for trees to be preserved shall be located at the drip line unless otherwise approved by the Planning Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the tree barricades shall remain undisturbed. The following activities are prohibited within the barricades of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height or other material as approved by the Planning Department.
2. Prior to the first Final Site Plan approval, the site shall be re-evaluated for gopher tortoises, and a Wildlife Management Plan for gopher tortoises shall be approved by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission and be submitted to the Planning Department for review.
3. The developer shall provide an updated study, consistent with Policy 3.3.2.3 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or federal agency, shall be provided to the Planning Department for any listed species found on-site, prior to Final Site Plan approval.
4. A Construction Wafer Quality Monitoring Program shall be submitted to the Planning Department for review and approval with the Final Site Plan submittal.
5. If an approved third-party entity for gopher tortoise relocation is available to relocate on-site gopher tortoises at such third-party entity's expense, the developer shall request approval for such third-party relocation, subject to permitting of agencies having jurisdiction. The Developer shall be allowed to proceed with incidental take permits if such third-party entity is not available or such permits cannot be procured.

C. FLOODPLAIN MANAGEMENT AND DRAINAGE CONDITIONS:

1. A no-rise permit will be required for all encroachment within the FEMA 100-year floodway of the Braden River. Any existing or proposed structures within the floodway shall be modeled.
2. Any fill within the 25-year or 100-year floodplains of the Braden River shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. 100-year and 25-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation).
3. The existing 25-year flood elevation along the Braden River shall be utilized as tailwater condition.

4. All residential lots shall be located outside of the post-development 25-year floodplain.
5. This project shall be required to reduce the calculated pre-development flow rate by twenty-five percent (25%) for all stormwater outfall flow directly or indirectly into Braden River. Modeling shall be used to determine pre- and post development flows.
6. This project shall be required to provide 150% water quality treatment for Braden River.
7. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and runoff.
8. Routing and modeling of the existing conditions shall be provided with the Drainage Model and Construction Plan for all natural drainage systems within and surrounding this project taking into consideration all wetland storage and ground depressions.
9. The easement width for public and private pipe systems as described in Stormwater Management Design Manual shall be no less than 15 feet wide.
10. The applicant shall be responsible for any adverse impacts created to neighboring residents surrounding the site in respect to drainage routing, grading, and site runoff.

D. INFRASTRUCTURE CONDITIONS:

1. Effluent reuse is not permitted within the Watershed Overlay District. The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project, including on individual lots. Prior to Final Site Plan approval applicant shall specify source of irrigation on site plan.
2. Prior to Final Site Plan approval the Engineer of Record or Architect must provide documentation to prove that concurrency has been met relative to fire flow per Policy 9.6.1.4 of the Comprehensive Plan.
3. All waste water manhole rims, service clean-outs, lift station wet well, and valve vault covers that are within the 100 year floodplain shall be set 12 inches above the 25 year floodplain elevation or 4 inches above the 100 year floodplain elevation, whichever is higher.
4. All public roads within the 100 year floodplain shall be above the flood elevation set by the FEMA flood zone maps. This shall be depicted on the Final Site Plan and Construction Plans.

5. Prior to Final Site Plan approval, the finish grading and drainage plans shall comply with Ordinance 06-16 and Resolution 06-15 respectfully.

E. PUBLIC SAFETY AND TRANSPORTATION CONDITIONS:

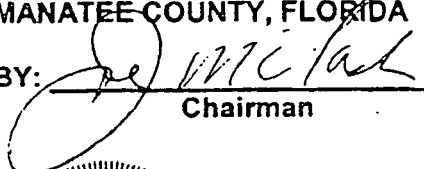
1. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan, and shall include language informing prospective homeowners in the project of: 1) the Hurricane Evacuation Plan approved by the Public Safety Department for this project; 2) the future bridge between Honore Avenue and Tara Boulevard; 3) the proximity of the project to I-75 and anticipated noise levels, 4) the future 10 lane configuration of I-75, and 5) expansion of Honore Avenue and limitation on future access to the project, and holding harmless FDOT and Manatee County for such matters.
2. Any gates or emergency access points within or to the project shall be accessible to emergency service providers by either a remote control or siren activated system, in accordance with Manatee County Ordinance 04-30. Prior to Final Site Plan approval, the applicant shall obtain written approval from EMS and the Fire Marshal approving the proposed system.
3. The design of the eyebrow at the east end of the project shall be designed in accordance with the LDC and be approved by Transportation and Planning Departments prior to Final Site Plan and Construction Plan approvals.
4. Prior to the issuance of a building permit for the first home in Riva Trace, other than the developer's model center, a new transportation concurrency analysis shall be required if (i) the existing, committed improvements by other to complete the connection of Honore Avenue from University Parkway to Lockwood Ridge Road have not been completed, or (ii) such existing commitments have been revoked, cancelled or repudiated.
5. At the request of the County the developer in lieu of required transportation improvements shall contribute funds. The purpose of the contribution is to minimize improvements to the roadway which would be eliminated by future action. The amount of the contribution shall be determined based on the cost of the required improvements for the project.
6. Prior to Final Site Plan and/or Construction Plan approval, the applicant shall conduct an updated access management plan to ensure adequate, safe access to Honore Avenue. Such access management plan shall be reviewed and approved by the Board of County Commissioners at a public hearing with mailed notice in a manner required for a rezoning application.

Section 3. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 4. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 3rd day of August, 2006.

BY: BOARD OF COUNTY
COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY: 
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

BY: 
Deputy Clerk



EXHIBIT "A"
LEGAL DESCRIPTION OF THE PROPERTY

That part of the South ½ of the NW ¼ of Section 25, Township 35 South, Range 18 East, lying West of State Road No. 93 (I-75) and South of the centerline of Braden river, more fully described as follows, to-wit:

Begin at a concrete monument, marking the SW corner of the NW ¼ of Section 25, Township 35 South, Range 18 East; thence South 89°16'09" East, along the South line of said NW ¼, 2638.43 feet to a concrete monument, marking the intersection with the Westerly R/W of State Road No. 93 (I-75); thence North 13°40'40" West, along said Westerly R/W 769.91 feet to a concrete monument on the Southerly Bank of the Braden River; thence continue North 13°40'40" West, 112.50 feet to the intersection with the centerline of said Braden River; thence North 39°40'41" West, along said centerline, 182.00 feet; thence North 50°40'41" West, along said centerline, 260.00 feet to the P.C. of a curve, concave to the South, having a radius of 190.00 feet; thence Westerly, along said centerline, and the arc of said curve, through a central angle of 84°00'00", 278.56 feet to the P.C.C. of a curve, concave to the Southeast, having a radius of 1280.00 feet; thence Southwesterly, along said centerline, and the arc of said curve, through a central angle of 16°23'39", 366.25 feet to the P.T. of said curve; thence South 28°55'40" West, along said centerline, 167.35 feet to the P.C. of a curve, concave to the Northwest, having a radius of 86.49 feet; thence Southwesterly, along said centerline, and the arc of said curve, through a central angle of 69°30'00", 104.91 feet to the P.T. of said curve; thence North 81°34'20" West, along said centerline, 169.88 feet to the P.C. of a curve, concave to the North, having a radius of 896.63 feet; thence Westerly, along said centerline, and the arc of said curve, through a central angle of 16°29'58", 258.20 feet to the P.R.C. of a curve, concave to the South, having a radius of 650.00 feet; thence Westerly, along said centerline, and the arc of said curve, through a central angle of 51°35'58", 585.38 feet to the P.T. of said curve; thence South 57°35'19" West, along said centerline, 155.00 feet to the P.C. of a curve, concave to the North, having a radius of 300.00 feet; thence Westerly, along said centerline, and the arc of said curve, through a central angle of 67°11'31", 351.82 feet to the intersection with the West line of said NW ¼; thence South 02°46'50" West, along the West line of said NW ¼, 96.89 feet to a concrete monument on the South Bank of said Braden River; thence continue South 02°46'50" West, 496.73 feet to the P.O.B., being and lying in the South ½ of the NW ¼ of Section 25, Township 35 South, Range 18 East, Manatee County, Florida.

And more particularly described as follows:

Beginning at the Southwest corner of the NW ¼ of Section 25, Township 35 South, Range 18 East, thence run S 89°11'02" E along the South line of said NW ¼, a distance of 2639.36 feet to the Westerly limited access Right-of-Way line of I-75; thence N13°40'40" W along said Westerly limited access Right-of-Way line, a distance of 773.90 feet to the meander line running along the South bank of the Braden River; thence Westerly along said meander line the following seventeen courses; thence N 41°59'47" W, a distance of 238.63 feet; thence N 57°36'11" W, a distance of 107.52 feet; thence N 47°04'12" W, a distance of 173.52 feet; thence N 77°27'35" W, a distance of 134.37 feet; thence S 45°52'02" W, a distance of 165.78 feet; thence S 31°10'48"

W, a distance of 261.22 feet; thence S 05°29'58" W, a distance of 111.27 feet; thence S 43°41'39" W, a distance of 127.01 feet; thence N 84°16'36" W, a distance of 179.46 feet; thence N 88°36'19" W, a distance of 173.33 feet; thence N 70°37'55" W, a distance of 180.84 feet; thence N 75°07'07" W, a distance of 202.71 feet; thence S 71°21'40" W, a distance of 122.18 feet; thence S 53°05'44" W, a distance of 199.82 feet; thence S 74°34'26" W, a distance of 185.11 feet; thence N 80°29'40" W, a distance of 200.24 feet to the intersection with the West line of the NW ¼ of said Section 25; Thence S 02°46'35" W along said West line, a distance of 496.73 feet to the point of beginning. Lying and being in Section 25, Township 35 South, and Range 18 East.

Less land deeded to the County of Manatee as described in O.R. Book 1436, Page 7208.



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 14th day of August, 2000
R.B. SHORE
Clerk of Circuit Court
By: E. Colorado D.C.



CONTRACTOR TO VERIFY ALL
EXISTING CONDITIONS PRIOR TO THE
START OF CONSTRUCTION

2

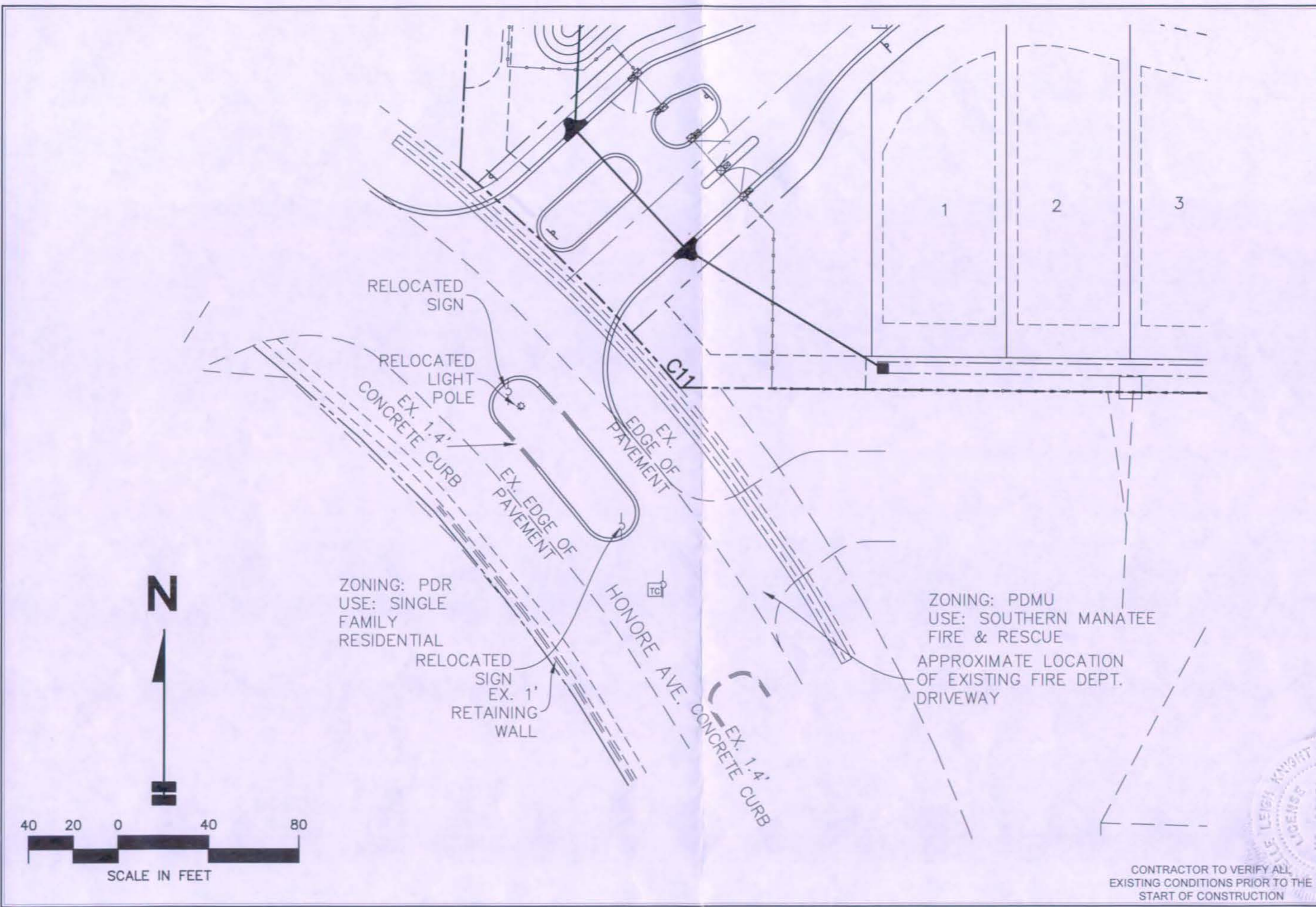
Janet Knight
JANET L. KNIGHT, P.E.
FL LICENSE NO.: 69931

NO.	REVISIONS	DATE	BY

CLIENT: RIVA TRACE, LLC
PROJECT: RIVA TRACE

SHEET: ACCESS MANAGEMENT PLAN W/ AERIAL

JLB Engineering, LLC
 FL Cert. of Auth. No. 28902
 2212 58th Avenue East, Bradenton, FL 34203
 (941) 359-9000 Ext. 151
 Fax: (941) 359-9300



JLB Engineering, LLC
 P.E. Cert. of Auth. No. 28002
 2212 58th Avenue, Suite 111, Ft. Meade, FL 34633
 (941) 399-0000 Fax (941) 399-7300

CLIENT: RIVA TRACE, LLC
 PROJECT: RIVA TRACE
 SHEET: ACCESS MANAGEMENT PLAN

NO.	REVISIONS	DATE	BY

DRAWN	JLK
CHECKED	JLK
DATE	8/28/10
JOB NO.	BRUF21
SCALE	1"=40'
SHEET	1

CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS PRIOR TO THE START OF CONSTRUCTION

AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND NOTIFICATION BY U.S. MAIL TO CONTIGUOUS PROPERTY OWNERS

RECEIVED
AUG 05 2010
BOARD RECORDS

STATE OF FLORIDA

COUNTY OF MANATEE

BEFORE ME, the undersigned authority, personally appeared Connor Chambers, who, after having first been duly sworn and put upon oath, says as follows:

1. That he/~~she~~ is the Agent for Owner (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for PDR-04-14(P)(R) - 20100081 - Riva Trace, LLC/ Riva Trace to be heard before the Manatee County Board of County Commissioners at a public hearing to be held on 7/27/10, and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein, and they are true to the best of his/her knowledge, information and belief.

2. That the Affiant has caused the required public notice ~~sign~~^{signs} to be posted pursuant to Manatee County Ordinance No. 90-01, on the property identified in the application, and said ~~sign was~~^{signs were} conspicuously posted ~~less than five (5)~~^{less than five (5)} feet from the front property line on the 13 day of July, 2010.

3. That the Affiant has caused the mailing of the required letter of notification to property owners within 500 feet of the project boundary pursuant to Manatee County Ordinance No. 90-01, as amended, by U.S. Mail, on the 14 day of July, 2010, and attaches hereto, as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice.

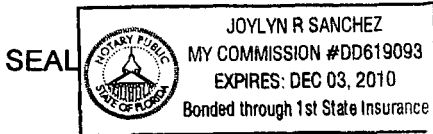
4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01, as it relates to the required public notice, may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.

Connor Chambers

~~Property Owner~~/Agent Signature
Connor Chambers

SIGNED AND SWORN TO before me on July 14, 2010 (date) by Connor Chambers (name of affiant). (He/she is personally known to me/ or has produced _____ (type of identification) as identification and who did take an oath.



Joylyn Sanchez
Signature of Person Taking Acknowledgment

Type Name

N/A
Title or Rank

DD619093
Serial Number, if any

My Commission Expires: Dec 31 2010

Commission No.: DD619093

Parcel Owners With In a 500 Foot Buffer Around a Parcel

	OWNER	MAILING ADDR1	MAILING ADDR2	CITYNAME	ST	ZIP	+4	COUNTRY	POSTALCODE	PARID	NO	STREET	STR	DIR	UNIT
1	1323412 ONTARIO INC	610 WESTMINISTER AVE	OTTAWA, ONTARIO					CANADA	K2A 2V5	2054735409	7330	MEETING	ST		
2	ALLEN, JODI D	7724 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729109	7724	HEYWARD	CIR		
3	ARSENAULT, LAURA ASHLEY	7312 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554509	7312	BLACK WALNUT	WAY		
4	AUSTIN, LINDA M	7334 MEETING ST		UNIVERSITY PARK	FL	34201				2054735359	7334	MEETING	ST		
5	B & B SUNCOAST LAND DEVELOPMENT INC	8441 BIG BUCK LN		SARASOTA	FL	34240				1918800159	8210	LINGER LODGE	RD		
6	BART, LESLIE C	6966 74TH STREET CIR E		BRADENTON	FL	34203				1901325459	6966	74TH	ST	E	
7	BATE, MARILYN ANNE	8706 RAMSEY AVE		SILVER SPRING	MD	20910				2054735559	7318	MEETING	ST		
8	BAYLIS, SCOTT E	7720 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729059	7720	HEYWARD	CIR		
9	BAYNE, GRANT	7334 BLACK WALNUT WAY		BRADENTON	FL	34202				1918555309	7334	BLACK WALNUT	WAY		
10	BELO, ROLLIE R	6983 74TH STREET CIR E		BRADENTON	FL	34203				1901324859	6983	74TH	ST	E	
11	BROOKS, HUGH W	7009 74TH STREET CIR E		BRADENTON	FL	34203				1901324259	7009	74TH	ST	E	
12	BRUDNER, CHRISTINE	5 RAYMOND DR		WOODSTOCK	NY	12498				2054729559	7723	HEYWARD	CIR		
13	BRUDNER, GARY M	7646 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054728859	7646	HEYWARD	CIR		
14	BURKE, MICHAEL	7708 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054728959	7708	HEYWARD	CIR		
15	BUSSE, JOHN	7305 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554159	7305	BLACK WALNUT	WAY		
16	CARDENAS, CRISTINA	7735 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729409	7735	HEYWARD	CIR		
17	CASADONTE, JOSEPH F SR	7314 BLACK WALNUT WAY		LAKEWOOD RANCH	FL	34202	6400			1918554459	7314	BLACK WALNUT	WAY		
18	CERRON, GEORGE	PO BOX 8335		WHITE PLAINS	NY	10602	8335			2054729509	7727	HEYWARD	CIR		
19	CHARLEBOIS, MAURICE	7315 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922508	7315	WINDEMERE	LN		

Parcel Owners With In a 500 Foot Buffer Around a Parcel

OWNER	MAILING ADDR1	MAILING ADDR2	CITYNAME	ST	ZIP	+4	COUNTRY	POSTALCODE	PARID	NO	STREET	STR	DIR	UNIT
20 CICCONI, ROBERT D	8634 MAJESTIC ELM DR		BRADENTON	FL	34202				1918520809	8634	MAJESTIC ELM	CT		
21 CLARK, PETER	6970 74TH STREET CIR E		BRADENTON	FL	34203				1901325559	6970	74TH	ST	E	
22 CORBETT, DARLEEN	8630 MAJESTIC ELM CT		BRADENTON	FL	34202				1918520859	8630	MAJESTIC ELM	CT		
23 CORBETT, JEANNE	8646 MAJESTIC ELM CT		BRADENTON	FL	34202				1918520659	8646	MAJESTIC ELM	CT		
24 COTE, MATTHEW	4507 OAKDALE DR		LYNCHBURG	VA	24502				1918520409	8617	MAJESTIC ELM	CT		
25 COYNE, BRIAN J	6999 74TH STREET CIR E		BRADENTON	FL	34203				1901324459	6999	74TH	ST	E	
26 CRISMON, WILLIAM BRANDON	7321 BLACK WALNUT WAY		BRADENTON	FL	34202				1918553859	7321	BLACK WALNUT	WAY		
27 CRISTO, NICHOLAS	21 GREGORY LN		LOUDONVILLE	NY	12211				1918553659	7339	BLACK WALNUT	WAY		
28 CRONIN, SONIA	7306 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554659	7306	BLACK WALNUT	WAY		
29 CZAJKOWSKI, NORBERT P	5240 DAVIS RD		SAINT CLAIR	MI	48079				1901325009	6977	74TH	ST	E	
30 DAVIS, CARLISLE R JR	512 ANDOVER CT		LAKE FOREST	IL	60045				1919922409	7307	WINDEMERE	LN		
31 DELPH, ASHLEY	7337 BLACK WALNUT WAY		BRADENTON	FL	34202				1918553609	7337	BLACK WALNUT	WAY		
32 DEMPSEY, TERENCE P	THE VALE HAMLET RD	HAVRHILL SUFFOLK					UNITED KINGDOM	CB98QQ	1901325359	6963	74TH	ST	E	
33 DENNY, MICHAEL L	10622 WILLOW BROOK DRIVE		DAYTON	OH	45458				1919923258	7339	ST GEORGES	WAY		
34 DEUTSCHE BANK NATIONAL TRUST COMPANY	3476 STATEVIEW BLVD	MACX7801013	FORT MILL	SC	29715				2054735859	7315	MEETING	ST		
35 DIXON, HOLLY	7712 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729009	7712	HEYWARD	CIR		
36 DUNHAM, DANIEL	8614 MAJESTIC ELM CT		BRADENTON	FL	34202				1918520509	8614	MAJESTIC ELM	CT		
37 EKES, STEPHEN	7637 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729659	7637	HEYWARD	CIR		
38 FALLER, KELLY	7320 BLACK WALNUT WAY		BRADENTON	FL	34202				1918555009	7320	BLACK WALNUT	WAY		

Parcel Owners With In a 500 Foot Buffer Around a Parcel

OWNER	MAILING ADDR1	MAILING ADDR2	CITYNAME	ST	ZIP	+4	COUNTRY	POSTALCODE	PARID	NO	STREET	STR	DIR	UNIT
39 FARBER, EDWARD I	7327 ST GEORGES WAY		UNIVERSITY PARK	FL	34201				1919923100	7327	ST GEORGES	WAY		
40 FARRIS, CHARLES JR	7313 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554359	7313	BLACK WALNUT	WAY		
41 FIEDLER, EDWIN KIMBALL	7728 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729159	7728	HEYWARD	CIR		
42 FLORIO, ERNEST R	6972 74TH STREET CIR E		BRADENTON	FL	34203				1901325609	6972	74TH	ST	E	
43 GIBBS, FREDERICK W	7007 74TH STREET CIR E		BRADENTON	FL	34203				1901324309	7007	74TH	ST	E	
44 GILL, GORDON	8627 MAJESTIC ELM CT		BRADENTON	FL	34202				1918520109	8627	MAJESTIC ELM	CT		
45 GOLDBERG, JESSE I	7629 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729759	7629	HEYWARD	CIR		
46 GRANDE, JOHN	7328 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554809	7328	BLACK WALNUT	WAY		
47 GREEN, DEBORAH	26845 WINGED ELM DR		WESLEY CHAPEL	FL	33544				1918554909	7324	BLACK WALNUT	WAY		
48 GRISSOM, CHAD	7325 BLACK WALNUT WAY		BRADENTON	FL	34202				1918553959	7325	BLACK WALNUT	WAY		
49 GRUNDY, DAVID	7322 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554959	7322	BLACK WALNUT	WAY		
50 HALL, DAVID W	7642 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054728809	7642	HEYWARD	CIR		
51 HARBOUR, DALE E	7001 74TH STREET CIR E		BRADENTON	FL	34203				1901324409	7001	74TH	ST	E	
52 HURLEY, JANET	7331 MEETING ST		UNIVERSITY PARK	FL	34201				2054736059	7331	MEETING	ST		
53 IRONS, JOHN R	7321 ST GEORGES WAY		UNIVERSITY PARK	FL	34201				1919923050	7321	ST GEORGES	WAY		
54 JACOBS, RODNEY A	6993 74TH STREET CIR E		BRADENTON	FL	34203				1901324609	6993	74TH	ST	E	
55 KAUL, SANJIV M	1608 NE 31ST ST		LAWTON	OK	73507	3432			2054735709	7306	MEETING	ST		
56 KENNEDY, ROBERT LEE	8310 LINGER LODGE RD		BRADENTON	FL	34202				1919000008	8310	LINGER LODGE	RD		
57 KHAN, MASOOD	8631 MAJESTIC ELM DR		BRADENTON	FL	34202				1918520159	8631	MAJESTIC ELM	CT		
58 KIEPURA, ROBERT	7304 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554709	7304	BLACK WALNUT	WAY		

Parcel Owners With In a 500 Foot Buffer Around a Parcel

OWNER	MAILING ADDR1	MAILING ADDR2	CITYNAME	ST	ZIP	+4	COUNTRY	POSTALCODE	PARID	NO	STREET	STR	DIR	UNIT
59 KOEHLER, DANIEL CHRISTOPHER	7330 BLACK WALNUT WAY		LAKEWOOD RANCH	FL	34202				1918554759	7330	BLACK WALNUT	WAY		
60 KOLODY, BOHDAN	6985 74TH STREET CIR E		BRADENTON	FL	34203				1901324809	6985	74TH	ST	E	
61 LAI, TIEP	6976 74TH STREET CIR E		BRADENTON	FL	34203				1901325709	6976	74TH	ST	E	
62 LAING, DONALD N	6967 74TH STREET CIR E		BRADENTON	FL	34203				1901325259	6967	74TH	ST	E	
63 LARKIN, DEIDRE J	7341 BLACK WALNUT WAY		BRADENTON	FL	34202				1918553709	7341	BLACK WALNUT	WAY		
64 LATKO, CHRISTOPHER	7327 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554009	7327	BLACK WALNUT	WAY		
65 LEE, RUTH M	6997 74TH STREET CIR E		BRADENTON	FL	34203				1901324509	6997	74TH	ST	E	
66 LITLE, DAVID K	7303 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922359	7303	WINDEMERE	LN		
67 LIVINGSTON, ERIC	7630 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054728659	7630	HEYWARD	CIR		
68 LOPEZ, HUGO J	7003 74TH STREET CIR E		BRADENTON	FL	34203				1901324359	7003	74TH	ST	E	
69 LOPEZ, SANDRA	7311 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554309	7311	BLACK WALNUT	WAY		
70 LORA, ROSA E	6975 74TH STREET CIR E		BRADENTON	FL	34203				1901325059	6975	74TH	ST	E	
71 LU, LEANNE	7327 38TH CT E		SARASOTA	FL	34243				2054728709	7634	HEYWARD	CIR		
72 MAGAZINO, JANET	8626 MAJESTIC ELM DR		BRADENTON	FL	34202				1918520909	8626	MAJESTIC ELM	CT		
73 MALIK, JON	1223 HAWK RIDGE CR	ORILLIA, ONTARIO					CANADA	L3V 6H4	1901325759	6978	74TH	ST	E	
74 MALLINGER, JACK A	109 PORTOFINO DR		NORTH VENICE	FL	34275				2054735659	7310	MEETING	ST		
75 MARIN, RODOLFO J	6987 74TH STREET CIR E		BRADENTON	FL	34203				1901324759	6987	74TH	ST	E	
76 MARTIN, GREGORY WILLIAM	7334 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922102	7334	WINDEMERE	LN		
77 MASTRO, NICHOLAS J	7338 MEETING ST		UNIVERSITY PARK	FL	34201	2060			2054735309	7338	MEETING	ST		
78 MCCURRY, JULENE	6969 74TH STREET CIR E		BRADENTON	FL	34203				1901325209	6969	74TH	ST	E	

Parcel Owners With In a 500 Foot Buffer Around a Parcel

OWNER	MAILING ADDR1	MAILING ADDR2	CITYNAME	ST	ZIP	+4	COUNTRY	POSTALCODE	PARID	NO	STREET	STR	DIR	UNIT
79 MCINTYRE, JOSEPH	7308 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554609	7308	BLACK WALNUT	WAY		
80 MERCIER, WILLIAM H	7641 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729609	7641	HEYWARD	CIR		
81 METCALFE, JAMES	PO BOX 3764		SARASOTA	FL	34230				1918520459	8618	MAJESTIC ELM	CT		
82 MILLER, JASON	7309 MEETING ST		UNIVERSITY PARK	FL	34201				2054735809	7309	MEETING	ST		
83 MUESSLE, STANLEY P	7326 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922201	7326	WINDEMERE	LN		
84 MULLEN, MICHAEL I	7317 ST GEORGES WAY		UNIVERSITY PARK	FL	34201				1919923001	7317	ST GEORGES	WAY		
85 MURGA, JAMES	8635 MAJESTIC ELM CT		BRADENTON	FL	34202				1918520209	8635	MAJESTIC ELM	CT		
86 NAUMAN, KENDRA	7345 BLACK WALNUT WAY		LAKEWOOD RANCH	FL	34202				1918553809	7345	BLACK WALNUT	WAY		
87 NORTHERN CAPITAL GROUP	8210 LAKEWOOD RANCH BLVD		BRADENTON	FL	34202				1919700201		NO ASSIGNED ADDRESS			
88 NORTHERN CAPITAL GROUP	8210 LAKEWOOD RANCH BLVD		BRADENTON	FL	34202				1919924355		NO ASSIGNED ADDRESS			
89 O'LEARY, CORNELIUS J	7331 ST GEORGES WAY		UNIVERSITY PARK	FL	34201				1919923159	7331	ST GEORGES	WAY		
90 OPSOMER, MICHAEL D	8995 74TH STREET CIR E		BRADENTON	FL	34203				1901324559	6995	74TH	ST	E	
91 PAAPE, GERALD	4222 PALAU DR		SARASOTA	FL	34241				1918555259	7336	BLACK WALNUT	WAY		
92 PALMERI, BARBARA A	21 OAK MANOR LN		PITTSFORD	NY	14534				2054736109	7335	MEETING	ST		
93 PANDOS, EDWARD J	7318 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922300	7318	WINDEMERE	LN		
94 PARKER, ROGER W	THE BARN NEARTON END	SWANBOURNE BUCKS					UNITED KINGDOM	MK 170SL	2054735959	7323	MEETING	ST		
95 PASCARELLA, MARK J	6973 74TH STREET CIR E		BRADENTON	FL	34203				1901325109	6973	74TH	ST	E	
96 PAULUS, BARBARA JEAN	7314 MEETING ST		UNIVERSITY PARK	FL	34201				2054735609	7314	MEETING	ST		
97 PEARCE, GRANT	7307 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554209	7307	BLACK WALNUT	WAY		

Parcel Owners With In a 500 Foot Buffer Around a Parcel

OWNER	MAILING ADDR1	MAILING ADDR2	CITYNAME	ST	ZIP	+4	COUNTRY	POSTALCODE	PARID	NO	STREET	STR	DIR	UNIT
98 PERE, DAVID B	7638 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054728759	7638	HEYWARD	CIR		
99 PHAM, THAI H	6965 74TH STREET CIR E		BRADENTON	FL	34203				1901325309	6965	74TH	ST	E	
100 POPTIC, GEORGE J	7323 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922607	7323	WINDEMERE	LN		
101 PORTER, WILLIAM F	3828 BUCKINGHAM CT		MURRYSVILLE	PA	15668				1901325659	6974	74TH	ST	E	
102 POWELL, STEVEN K	7736 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729259	7736	HEYWARD	CIR		
103 PRAGER, BARBARA L	14876 SUNNYVIEW LN		DELRAY BEACH	FL	33484				1918520709	8642	MAJESTIC ELM	CT		
104 PSITOS, BERTHA	7322 MEETING ST		UNIVERSITY PARK	FL	34201				2054735509	7322	MEETING	ST		
105 RHODES, MICHAEL	7310 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554559	7310	BLACK WALNUT	WAY		
106 RICHARDS, KELLY	7338 BLACK WALNUT WAY		BRADENTON	FL	34202				1918555209	7338	BLACK WALNUT	WAY		
107 RIOUX, STEPHEN M	6981 74TH STREET CIR E		BRADENTON	FL	34203				1901324909	6981	74TH	ST	E	
108 RIVA TRACE LLC	2212 58TH AVE E		BRADENTON	FL	34203				1918910009		NO ASSIGNED ADDRESS			
109 RIVER PLACE PROPERTY OWNERS' ASSOCIATION	6030 ULMERTON RD		CLEARWATER	FL	33760				1901328259	6839	74TH	ST	E	A
110 RIVER PLACE PROPERTY OWNERS' ASSOCIATION	6030 ULMERTON RD		CLEARWATER	FL	33760				1901328309		NO ASSIGNED ADDRESS			
111 RIVER PLACE PROPERTY OWNERS' ASSOCIATION	6030 ULMERTON RD		CLEARWATER	FL	33760				1901328359		NO ASSIGNED ADDRESS			
112 RIVER PLACE PROPERTY OWNERS' ASSOCIATION	6030 ULMERTON RD		CLEARWATER	FL	33760				1901327909		NO ASSIGNED ADDRESS			

Parcel Owners With In a 500 Foot Buffer Around a Parcel

OWNER	MAILING ADDR1	MAILING ADDR2	CITYNAME	ST	ZIP	+4	COUNTRY	POSTALCODE	PARID	NO	STREET	STR	DIR	UNIT
113 RIZK, VICTOR	505 VISTA DEL LAGO LN		WAKE FOREST	NC	27587				1901325509	6968	74TH	ST	E	
114 ROBINSON, MORRIS	7732 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729209	7732	HEYWARD	CIR		
115 ROGERS, HARRY J	7330 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922151	7330	WINDEMERE	LN		
116 ROQUE, ILLAVANETTE	7331 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554109	7331	BLACK WALNUT	WAY		
117 RUBI, ANA I	7339 MEETING ST		UNIVERSITY PARK	FL	34201				2054736159	7339	MEETING	ST		
118 SALAZAR, MARIANO G	8605 MAJESTIC ELM DR		BRADENTON	FL	34202				1918520259	8605	MAJESTIC ELM	CT		
119 SALAZAR, RICHARD	7326 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554859	7326	BLACK WALNUT	WAY		
120 SALTZBERG, SASHA	1081 MALLARD MARSH WAY		OSPREY	FL	34229				1901324659	6991	74TH	ST	E	
121 SANDERS, PHYLLIS M	7322 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922250	7322	WINDEMERE	LN		
122 SANTOS, LUIS A	7315 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554409	7315	BLACK WALNUT	WAY		
123 SAUVEUR, TATIANA	8623 MAJESTIC ELM CT		BRADENTON	FL	34202				1918520059	8623	MAJESTIC ELM	CT		
124 SCHMIDT, ANNA	7329 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554059	7329	BLACK WALNUT	WAY		
125 SCLATER, NEIL	7327 MEETING ST		UNIVERSITY PARK	FL	34201				2054736009	7327	MEETING	ST		
126 SETHNA, PHEROZA	7326 MEETING ST		UNIVERSITY PARK	FL	34201				2054735459	7326	MEETING	ST		
127 SHANE, KENNETH	7319 MEETING ST		UNIVERSITY PARK	FL	34201	2061			2054735909	7319	MEETING	ST		
128 SHORT, CHACHA LIZETTE	8606 MAJESTIC ELM CT		BRADENTON	FL	34202				1918520609	8606	MAJESTIC ELM	CT		
129 SIMMONS, ARTHUR	7307 MEETING ST		UNIVERSITY PARK	FL	34201				2054735759	7307	MEETING	ST		
130 SMILOW, PAUL	7311 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922458	7311	WINDEMERE	LN		
131 SMITH, ANDREW A	8613 MAJESTIC ELM CT		BRADENTON	FL	34202				1918520359	8613	MAJESTIC ELM	CT		
132 SMITH, ELIZABETH	6962 74TH STREET CIR E		BRADENTON	FL	34203				1901321009	6962	74TH	ST	E	

Parcel Owners With In a 500 Foot Buffer Around a Parcel

OWNER	MAILING ADDR1	MAILING ADDR2	CITYNAME	ST	ZIP	+4	COUNTRY	POSTALCODE	PARID	NO	STREET	STR	DIR	UNIT
133 SMITH, JENNIFER J	7309 BLACK WALNUT WAY		BRADENTON	FL	34202				1918554259	7309	BLACK WALNUT	WAY		
134 SMITH, OLGA	8609 MAJESTIC ELM CT		BRADENTON	FL	34202				1918520309	8609	MAJESTIC ELM	CT		
135 SOLORZANO, MARVIN A	6971 74TH STREET CIR E		BRADENTON	FL	34203				1901325159	6971	74TH	ST	E	
136 SOMMER, NICHOLAS	7340 BLACK WALNUT WAY		BRADENTON	FL	34202				1918555159	7340	BLACK WALNUT	WAY		
137 SOUTHERN MANATEE COUNTY FIRE & RESCUE	P O BOX 20216		BRADENTON	FL	34204				1918701009	7301	HONORE	AVE		
138 SPENCE, JONATHAN	7342 BLACK WALNUT WAY		BRADENTON	FL	34202				1918555109	7342	BLACK WALNUT	WAY		
139 THEOFILOS, CONSTANTINE T	7731 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054729459	7731	HEYWARD	CIR		
140 THEOPHILOPOULOS, SUSAN	7335 BLACK WALNUT WAY		BRADENTON	FL	34202				1918553559	7335	BLACK WALNUT	WAY		
141 TOMPARY, MATTHEW J	10990 FREDERICK PIKE		VANDALIA	OH	45377				1918520759	8638	MAJESTIC ELM	CT		
142 UNGARO, TANYA	7323 BLACK WALNUT WAY		BRADENTON	FL	34202				1918553909	7323	BLACK WALNUT	WAY		
143 UNIVERSITY PARK COMMUNITY	7671 PARK BOULEVARD		UNIVERSITY PARK	FL	34201				1919924256		NO ASSIGNED ADDRESS			
144 UNIVERSITY PARK COMMUNITY	7671 PARK BOULEVARD		UNIVERSITY PARK	FL	34201				1919924207		NO ASSIGNED ADDRESS			
145 UNIVERSITY PARK COMMUNITY	7671 PARK BOULEVARD		UNIVERSITY PARK	FL	34201				1919924058		NO ASSIGNED ADDRESS			
146 UNIVERSITY PARK COMMUNITY	7671 PARK BOULEVARD		UNIVERSITY PARK	FL	34201				1919705369		NO ASSIGNED ADDRESS			
147 UNIVERSITY PLACE COMMUNITY DEVELOPMENT	210 N UNIVERSITY DR SUITE 702		CORAL SPRINGS	FL	33071				2054744789		NO ASSIGNED ADDRESS			

Parcel Owners With In a 500 Foot Buffer Around a Parcel

OWNER	MAILING ADDR1	MAILING ADDR2	CITYNAME	ST	ZIP	+4	COUNTRY	POSTALCODE	PARID	NO	STREET	STR	DIR	UNIT
161 VAIL, JOHN B	6960 74TH STREET CIR E		BRADENTON	FL	34203				1901321059	6960	74TH	ST	E	
162 VARGA, THOMAS J	1651 GLENEAGLE DR		CARPENTERSVII	IL	60110				2054729709	7633	HEYWARD	CIR		
163 VARTEVAN, NORVAN	3217 WELLS DR		PLANO	TX	75093				1918553759	7343	BLACK WALNUT	WAY		
164 VERCAEMERT, GERARD A	4004 GROVES EDGE LANE		WAXHAW	NC	28173				1919922656	7329	WINDEMERE	LN		
165 WATSON, DOROTHY LOUISE	7335 ST GEORGES WAY		UNIVERSITY PARK	FL	34201				1919923209	7335	ST GEORGES	WAY		
166 WEISS, STANFORD L	7319 WINDEMERE LN		UNIVERSITY PARK	FL	34201				1919922557	7319	WINDEMERE	LN		
167 WICKSON, PHILLIP JAMES	3 CROXTON CLOSE	LUTON, BEDFORDSHERI					UNITED KINGDOM	LU32UQ	1918555059	7344	BLACK WALNUT	WAY		
168 WILSON, JAIME S	7704 HEYWARD CIR		UNIVERSITY PARK	FL	34201				2054728909	7704	HEYWARD	CIR		
169 WITTEVEEN, MICHAEL J	102 N 3RD ST 301		LAFAYETTE	IN	47905				1901325409	6964	74TH	ST	E	
170 YODER, AMANDA L	8610 MAJESTIC ELM DR		BRADENTON	FL	34202				1918520559	8610	MAJESTIC ELM	CT		
171 YODER, DENNIS C	6979 74TH STREET CIR E		BRADENTON	FL	34203				1901324959	6979	74TH	ST	E	

Select Year:

The 2009 Florida Statutes

Title VI
CIVIL PRACTICE AND PROCEDUREChapter 73
EMINENT DOMAIN[View Entire Chapter](#)**73.013 Conveyance of property taken by eminent domain; preservation of government entity communications services eminent domain limitation; exception to restrictions on power of eminent domain.--**

(1) Notwithstanding any other provision of law, including any charter provision, ordinance, statute, or special law, if the state, any political subdivision as defined in s. 1.01(8), or any other entity to which the power of eminent domain is delegated files a petition of condemnation on or after the effective date of this section regarding a parcel of real property in this state, ownership or control of property acquired pursuant to such petition may not be conveyed by the condemning authority or any other entity to a natural person or private entity, by lease or otherwise, except that ownership or control of property acquired pursuant to such petition may be conveyed, by lease or otherwise, to a natural person or private entity:

(a) For use in providing common carrier services or systems;

(b)1. For use as a road or other right-of-way or means that is open to the public for transportation, whether at no charge or by toll;

2. For use in the provision of transportation-related services, business opportunities, and products pursuant to s. 338.234, on a toll road;

(c) That is a public or private utility for use in providing electricity services or systems, natural or manufactured gas services or systems, water and wastewater services or systems, stormwater or runoff services or systems, sewer services or systems, pipeline facilities, telephone services or systems, or similar services or systems;

(d) For use in providing public infrastructure;

(e) That occupies, pursuant to a lease, an incidental part of a public property or a public facility for the purpose of providing goods or services to the public;

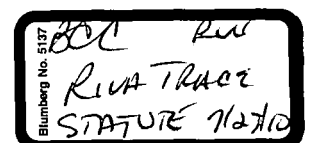
(f) Without restriction, after public notice and competitive bidding unless otherwise provided by general law, if less than 10 years have elapsed since the condemning authority acquired title to the property and the following conditions are met:

1. The condemning authority or governmental entity holding title to the property documents that the property is no longer needed for the use or purpose for which it was acquired by the condemning authority or for which it was transferred to the current titleholder; and

2. The owner from whom the property was taken by eminent domain is given the opportunity to repurchase the property at the price that he or she received from the condemning authority;

(g) After public notice and competitive bidding unless otherwise provided by general law, if the property was owned and controlled by the condemning authority or a governmental entity for at least 10 years after the condemning authority acquired title to the property; or

(h) In accordance with subsection (2).



(2)(a) If ownership of property is conveyed to a natural person or private entity pursuant to paragraph (1)(a), paragraph (1)(b), paragraph (1)(c), paragraph (1)(d), or paragraph (1)(e), and at least 10 years have elapsed since the condemning authority acquired title to the property, the property may subsequently be transferred, after public notice and competitive bidding unless otherwise provided by general law, to another natural person or private entity without restriction.

(b) If ownership of property is conveyed to a natural person or private entity pursuant to paragraph (1)(a), paragraph (1)(b), paragraph (1)(c), paragraph (1)(d), or paragraph (1)(e), and less than 10 years have elapsed since the condemning authority acquired title to the property, the property may be transferred, after public notice and competitive bidding unless otherwise provided by general law, to another natural person or private entity without restriction, if the following conditions are met:

1. The current titleholder documents that the property is no longer needed for the use or purpose for which the property was transferred to the current titleholder; and

2. The owner from whom the property was taken by eminent domain is given the opportunity to repurchase the property at the price that he or she received from the condemning authority.

(3) This section does not affect the limitation on a government entity's powers of eminent domain contained in s. 350.81(2)(j).

(4) The power of eminent domain shall be restricted as provided in this chapter and chapters 127, 163, and 166, except when the owner of a property relinquishes the property and concedes to the taking of the property in order to retain the ability to reinvest the proceeds of the sale of the property in replacement property under s. 1033 of the Internal Revenue Code.

History.--s. 1, ch. 2006-11.

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