

BOARD OF COUNTY COMMISSIONERS
PORT AUTHORITY
CIVIC CENTER AUTHORITY
COMMUNITY REDEVELOPMENT AGENCY
MANATEE COUNTY, FLORIDA

WEBSITE: WWW.MYMANATEE.ORG

Manatee County Administrative Center
Commission Chambers - First Floor - 1112 Manatee Avenue West
Bradenton, Florida 34205

Commission Office: (941) 745-3700
Commission Fax: (941) 745-3790

PLEDGE OF PUBLIC CONDUCT
WE MAY DISAGREE, BUT WE WILL BE RESPECTFUL OF ONE ANOTHER
WE WILL DIRECT ALL COMMENTS TO ISSUES
WE WILL AVOID PERSONAL ATTACKS

AGENDA
and
NOTICE OF PUBLIC MEETING

9:00 a.m. LAND USE MEETING September 2, 2010

MEETING CALLED TO ORDER: *Donna G. Hayes, Chairman*

INVOCATION: Pastor Herb McMillian, First Church of the Nazarene

PLEDGE OF ALLEGIANCE

CITIZEN'S COMMENTS

*Comments should be limited to two minutes per person and should concern items on **Consent Agenda**.*

CONSENT AGENDA

THE FOLLOWING ITEMS ARE DETERMINED TO BE ROUTINE IN NATURE AND SHOULD BE CONSIDERED IN A SINGLE MOTION. ITEMS DETERMINED TO WARRANT INDIVIDUAL DISCUSSION SHOULD BE REMOVED FROM THIS LIST PRIOR TO THE MOTION TO ADOPT. SUCH ITEMS SHOULD BE DISCUSSED SEPARATELY.

CLERK OF CIRCUIT COURT

- **Clerk's Consent Calendar:** Approval

PLANNING

1. **Final Plat: Bentley Subdivision** – Approve, execute, and record

RECOMMENDED MOTION: I MOVE TO APPROVE THE CONSENT AGENDA INCORPORATING THE LANGUAGE AS STATED IN THE RECOMMENDED MOTIONS IN THE AGENDA MEMORANDA (AS MAY HAVE BEEN AMENDED IN THE SUPPLEMENTAL AGENDA).

(END CONSENT)

ADVERTISED PUBLIC HEARINGS

9:00 a.m. or as soon thereafter as same may be heard

SWEARING IN OF STAFF AND PUBLIC WHO WILL GIVE TESTIMONY

PRESENTATIONS UPON REQUEST – ITEMS 2-12

2. **PDMU-06-39(P)(R) MORGAN'S GLEN**
(Barney Salmon, Planner) DTS#20100076

(To be continued to 9/14/10 and readvertised)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding Land Development, approving a revised Preliminary Site Plan pertaining to a two acre portion in the southwest corner of the 138.18± acres to add 80,000 ± future retail/commercial use and delete 13 single-family residential units; revision of stipulations for the overall 138 ± acres; generally located west of Parrish (approximately 2/3rd of a mile west of U.S. 301) between Moccasin Wallow Road and Erie Road in the PDMU/NCO (Planned Development Mixed Use/North Central Overlay) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing for severability, and providing an effective date.

Donna G. Hayes, District 5, Chairman

Carol Whitmore, District 6 At-Large, 1st Vice-Chairman; John R. Chapple, District 3, 2nd Vice-Chairman; Larry Bustle, District 1, 3rd Vice-Chairman
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

3. **ORDINANCE 10-44 (DRI #21) GATEWAY NORTH DRI (ARTISAN LAKES)**

(Lisa Barrett, Planning Manager) **(To be continued to 11/4/10)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending a Development Order pursuant to Chapter 380.06, Florida Statutes, and a determination of whether the following changes constitute a Substantial Deviation to the Gateway North Development of Regional Impact:

1. Extend the Phase 1 build-out date by five (5) years;
2. Extend the Phase 2 start date by five (5) years and extend the build-out date by six (6) years;
3. Extend the Phase 3 start date by five (5) years and extend the build-out date by five (5) years;
4. Eliminate the subphasing of Phase 1;
5. Move 225 single family units from Phase 3 to Phase 1;
6. Move 38 Townhouse/Attached Villa units from Phase 1 to Single-Family Phase 1;
7. Move 65 Townhouse/Attached Villa units from Phase 1 to Phase 3;
8. Relocate the Community Service parcel;
9. Add a Mixed Use parcel located north of Moccasin Wallow Road;
10. Delete one access point to 40th Avenue E;
11. Add one access point to Gillet Drive;
12. Increase the overall project area by 1.0 acre;
13. Based on jurisdictional determination and Environmental Resource Permitting, decrease wetland acreage by 28.2 acres;
14. Increase Residential acreage by 70.7 acres;
15. Decrease Community Service acreage by 0.7 acres;
16. Decrease Recreational acreage by 6.6 acres;
17. Increase Open Space acreage by 12.2 acres;
18. Decrease the Lake/Detention area by 45.8 acres;
19. Decrease the Row/Transmission Lines land use category by 0.6;
20. Add hotel as land use allowed through the land use equivalency matrix;
21. Add telecommunication tower as a land use to the project;
22. Amend the monitoring frequency to Biennial;
23. Update the Authorized Agent and the Master Developer;
24. Delete or modify conditions to reflect new standard language; and
25. Make the necessary amendments to Map H and the Development Order to reflect these changes and any other revisions deemed necessary or appropriate during the public hearing process.

The ordinance amends, replaces, and supersedes Ordinance 08-58 (DRI#21), as amended; providing for severability, and an effective date.

The Gateway North DRI is northwest of the intersection of I-75 and Moccasin Wallow Road. Present zoning is PDMU (+/-1,039.2 acres).

4. **PDMU-91-01(G)(R5) GATEWAY NORTH DRI (ARTISAN LAKES)**

(Lisa Barrett, Principal Planner) DTS#20100078 **(To be continued to 11/4/10)**

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida approving a revised Zoning Ordinance and General Development Plan to:

1. Extend the Phase 1 build-out date by five (5) years; *
2. Extend the Phase 2 start date by five (5) years and extend the build-out date by six (6) years; *
3. Extend the Phase 3 start date by five (5) years and extend the build-out date by five (5) years; *
4. Move 225 single family units from Phase 3 to Phase 1;
5. Move 38 Townhouse/Attached Villa units from Phase 1 to Single-Family Phase 1;
6. Move 65 Townhouse/Attached Villa units from Phase 1 to Phase 3;
7. Relocate the Community Service parcel;
8. Add a Mixed Use parcel located north of Moccasin Wallow Road;
9. Delete one access point to 40th Avenue E;
10. Add one access point to Gillet Drive;

11. Increase the overall project area by 1.0 acre;
 12. Based on jurisdictional determination and Environmental Resource Permitting decrease wetland acreage by 28.2 acres;
 13. Increase Residential acreage by 70.7 acres;
 14. Decrease Community Service acreage by 0.7 acres;
 15. Decrease Recreational acreage by 6.6 acres;
 16. Increase Open Space acreage by 12.2 acres;
 17. Decrease the Lake/Detention area by 45.8 acres;
 18. Decrease the Row/Transmission Lines land use category by 0.6;
 19. Add Hotel as a land use allowed through the land use equivalency matrix;
 20. Add telecommunication tower as a land use to the project;
 21. Modify land development parcel layout and land uses;
 22. Modify dimensional criteria;
 23. Update the Authorized Agent and the Master Developer
 24. Delete or modify conditions to reflect new standard language; and
 25. Make the necessary amendments to the GDP and the Zoning Ordinance to reflect these changes and any other revisions deemed necessary or appropriate during the public hearing process.
- *Build-out dates had been previously approved but were never changed due to a scrivener's error.

The Applicant is also requesting Special Approval for Administrative Review of cul-de-sac designs of greater than 800'.

The Gateway North DRI is northwest of the intersection of I-75 and Moccasin Wallow Road. Present zoning is PDMU (+/-1,039.2 acres).

5. **PA-10-20/ORDINANCE 10-22 COUNTY INITIATED KINGFISH BOAT RAMP**

(Sharon Tarman, Planner) DTS#20100009 **(To be continued to 10/12/10)**

Adoption of an Ordinance of Manatee County, Florida, amending Manatee County Ordinance 89-01, as amended, the Manatee County Comprehensive Plan; providing for a small scale Plan Amendment to the Future Land Use Map of the Future Land Use Element to correct a mapping oversight and designate the Kingfish Boat Ramp R/OS (Recreation/Open Space) Future Land Use Classification comprising a total of 5.48 ± acres; located on Anna Maria Island, north of Manatee Avenue, east of the City of Holmes Beach (Westbay Cove Condominium), south of Anna Maria Sound and west of the Intracoastal Waterway; providing for severability, and providing for an effective date.

6. **PDC-04-16(Z)(P) COVERED BRIDGE HOLDINGS II, LLC / THE FORUM**

(Lisa Barrett, Planning Manager) DTS#20050545 **(To be continued to 10/12/10)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezone of approximately 3.05 acres at the northwest corner of Tallevast Road and U.S. 301, Bradenton from A-1 (Suburban Agriculture, 1 dwelling unit per acre) and LM (Light Manufacturing) to the PDC (Planned Development Commercial) zoning district; approving a Preliminary Site Plan for 23,378 square feet of neighborhood commercial uses (including 5,400 square foot canopy area); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

7. **PA-10-16/ORDINANCE 10-16 BRADEN RIVER HIGH SCHOOL**

(Sharon Tarman, Planner)

Adoption of an Ordinance of Manatee County, Florida, amending Manatee County Ordinance 89-01, as amended, the Manatee County Comprehensive Plan; providing for a small scale Plan Amendment to the Future Land Use Map of the Future Land Use Element from RES-3 (Residential – 3 dwelling units per gross acre) to the ROR (Retail/Office/Residential) Future Land Use Classification comprising a total of 9.99 ± acres; located approximately 290 ± feet north of the northeast corner of SR 70 and Caruso Road; providing for severability, and providing for an effective date.

8.

Donna G. Hayes, District 5, Chairman

Carol Whitmore, District 6 At-Large, 1st Vice-Chairman; John R. Chapple, District 3, 2nd Vice-Chairman; Larry Bustle, District 1, 3rd Vice-Chairman
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

PDR-03-41(P)(R) OLD MILL PRESERVES (fka JACLYN OAKS)

(Stephanie Moreland, Planner) DTS#20100153

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance and Preliminary Site Plan to allow three additional lots for a total of 243 lots for single-family detached residences and revisions to various conditions of approval, on approximately 128.5± acres south of 69th Street East, at the intersection of 71st Street East (Dump Road) and 69th St. E., across from Virgil Mills Elementary and Buffalo Creek Middle schools; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

9. **PDR-10-05(Z)(G) SLAB, LLC & SLAB LIDO, LLC/RITZ CARLTON MEMBERS GOLF CLUB**

(Stephanie Moreland, Planner) DTS#20100066

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezone of approximately 326.03 acres on the east side of Lorraine Road, south of Braden River, at 15150 70th Terrace East, approximately one mile south of SR 70 East, Bradenton, from A/WP-E/ST (General Agriculture-one dwelling unit per five acres/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts) to PDR (Planned Development Residential); retaining the Overlay Districts; approving a General Development Plan for;

- an existing golf course, clubhouse, and accessory structures, tennis courts, and
- 100 new dwelling units to include; a mix of single-family attached and detached units, and multi-family units to include single and attached units,
- pool and clubhouse,

subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

10. **PDMU-10-08(Z) JG64, LLC./GETTEL S.R. 64 REZONE**

(Stephanie Moreland, Planner) DTS#20100026

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 3.38 acres on the north side of S.R. 64, approximately 970 feet west of Cypress Creek Boulevard, at 5719 and 5807 S.R. 64 east, Bradenton from A-1 (Suburban Agriculture – one dwelling unit per acre) to the PDMU (Planned Development Mixed Use) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

11. **Z-10-04 PALOMINO REZONE**

(Katie LaBarr, Principal Planner) DTS#20100136 **(Continued from 8/05/10)**

An Ordinance of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for the rezoning of approximately 0.51 acres east of the intersection of Ellenton Gillette Road and US 301, west of Franklin Avenue, at 3820 North US 301, Ellenton from RSF-4.5 (Residential Single-Family 4.5 dwelling units per acre) zoning district to the NC-M (Neighborhood Commercial – Medium) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

12.

PDR-04-55(P)(R) HBT OF EAGLE POINTE LLC

(Robert Wenzel, Development Review Coordinator) DTS#20100111

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance and Revised Preliminary Site Plan reducing the required side setbacks for the single-family dwelling units, adding a new stipulation regarding separation between accessory equipment and structures, and deleting a stipulation regarding Education Facility Impact Fees in Eagle Pointe subdivision on approximately 679 acres located on the east side of Carter Road, north of Moccasin Wallow Road, and south of Buckeye Road in the PDR/NCO (Planned Development Residential/North Central Overlay) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

RECOMMENDED MOTION: I MOVE TO APPROVE THE PRESENTATIONS UPON REQUEST AGENDA INCORPORATING THE LANGUAGE AS STATED IN THE RECOMMENDED MOTIONS IN THE AGENDA MEMORANDA (AS MAY HAVE BEEN AMENDED IN THE SUPPLEMENTAL AGENDA).

PRESENTATIONS SCHEDULED - ITEMS 13-14

13. **Z-10-03 MOSAIC FERTILIZER, LLC./DUETTE FIRE STATION AND COMMUNITY PARK REZONE**

(Stephanie Moreland, Planner) DTS#20100102

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 80.09 acres on the north side of SR 62, and west side of the most eastern segment of Bunker Hill Road, approximately 1.5 miles west of CR 39, at 9050 Bunker Hill Road, Parrish from EX (Extraction District) to the A (General Agriculture) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

14. **ORDINANCE 10-58 TELECOMMUNICATION TOWER LDC AMENDMENT**

(Sharon Tarman, Planner)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; providing findings; amending Chapter 7 of the Land Development Code, development standards of general applicability; Section 704.59, Personal Wireless Service Facilities (PWSF); specifically amending Section 704.59.2 to provide clarifications regarding approval of plans for telecommunication towers and projects categorized as Developments of Regional Impact; amending Section 704.59.3.13.12, siting preferences to clarify siting preferences for personal wireless service facilities; amending other provisions as necessary for internal consistency; providing for codification; providing for severability; and providing an effective date.

REPORT

PLANNING

15. **Annual Report**

COMMISSIONERS' COMMENTS

ADJOURN

* Documents have been reviewed by County Attorney's Office

The Board of County Commissioners of Manatee County, the Manatee County Port Authority, the Manatee County Civic Center Authority, and the Manatee County Community Redevelopment Agency may elect not to convene, if no business is scheduled; however, each reserves the right to take action on any matter during its meeting, including items not set forth within this agenda. The Chair of each governing body at his/her option may take business out of order if he/she determines that such a change in the schedule will expedite the business of the governing body.

The Board of County Commissioners of Manatee County, Florida, 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, participation in, employment with, or treatment in, its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802, wait 60 seconds; FAX 745-3790.

PUBLIC NOTICE: According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners (or the other entities that are meeting) with respect to any matter considered at said public hearing/meeting will need a record of the proceedings, and for such purposes 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.

Prepared/Revised on 9/7/2010

Donna G. Hayes, District 5, Chairman

Carol Whitmore, District 6 At-Large, 1st Vice-Chairman; John R. Chapple, District 3, 2nd Vice-Chairman; Larry Bustle, District 1, 3rd Vice-Chairman
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

MEMORANDUM



County Administrator's Office
1112 Manatee Avenue West
Bradenton, FL 34205

MANATEE COUNTY FLORIDA

Phone: 941.745.3717
Fax: 941.745.3790
www.mymanatee.org

DATE: September 2, 2010
TO: John Osborne, Planning Director
FROM: Marianne Lopata, Agenda Coordinator
SUBJECT: AGENDA UPDATE FOR MEETING OF SEPTEMBER 2, 2010

CHANGES TO ADVERTISED PUBLIC HEARINGS

PLANNING

8. **PDR-03-41(P)(R) Old Mill Preserves (fka Jaclyn Oaks)**
ATTACHED: CORRECTION TO TABLE-LOT DEVELOPMENT STANDARDS (ON PAGE 3 OF STAFF REPORT)
11. **Z-10-04 Palomino Rezone**
ATTACHED: ORDINANCE CORRECTING TYPOGRAPHICAL ERROR IN SECTION 2
14. **Ordinance 10-58 Telecommunication Tower LDC Amendment**
ATTACHED: MEMO FROM COUNTY ATTORNEY'S OFFICE INCLUDING REVISED RECOMMENDED MOTION, REDLINED VERSION OF ORDINANCE 10-58, AND COPY OF MEMO (8/30/10); AND PUBLIC COMMENT LETTERS (SUBMITTED TO THE CLERK FOR THE OFFICIAL RECORD)

CHANGES TO REPORTS

PLANNING

15. **Annual Report** – *PRESENTATION DEFERRED TO A FUTURE MEETING*

UPDATE MEMO

Case Name: Old Mill Preserve
Case Number: PDR-03-41(P)(R)
B.O.C.C. – 09/02/10
Case Planner: Stephanie Moreland

Correction to table at bottom of Page 3.

Lot Development Standards	
Front Building Setback	
Front Loaded	23 feet (see note #3)
Side Loaded	20 feet (see note #3)
Recessed garage	20 feet
Side setback	5 feet
Rear setback	10 feet
Wetland Buffer Setback	10 feet (see note #4)
Waterfront	25 feet (see note #2)
Accessory setback	5 feet (including pools)
Notes:	
<ol style="list-style-type: none"> 1. The outside edge of the sidewalk is two feet within the right-of-way except on cul-de-sacs where it is one foot within the right-of-way. 2. A waterfront setback of 20 feet will be allowed for <u>Lots 69, and 117-124.</u> 3. A front building setback of 18 feet will be allowed for <u>Lots 60, 84, 105, 127, 128, 129, 164, 165, 183, 203 and 204.</u> 4. A five foot wide wetland buffer setback is allowed only if there is no access from the house on the side which abuts the wetland buffer. 	

**MANATEE COUNTY ZONING ORDINANCE
Z-10-04 – PALOMINO REZONE DTS#20100136**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE NO. 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 0.51 ACRES EAST OF THE INTERSECTION OF ELLENTON GILLETTE ROAD AND US 301, WEST OF FRANKLIN AVENUE, AT 3820 NORTH US 301, ELLENTON, FROM RSF-4.5 (RESIDENTIAL SINGLE-FAMILY, 4.5 DWELLING UNITS PER ACRE) TO THE NC-M (NEIGHBORHOOD COMMERCIAL – MEDIUM) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Dr. Celestino Palomino, President, Royal Palm Associates, Inc. (the “Applicant”) filed an application to rezone approximately 0.51 acres described in Exhibit “A”, attached hereto, (the “Property”) from RSF 4.5 (Residential Single-Family, 4.5 dwelling units per acre) to the NC-M (Neighborhood Commercial – Medium) zoning district; and

WHEREAS, the Planning staff has recommended approval of the rezone, as described in the Planning staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held public hearings on July 8, 2010 and August 12, 2010 to consider the rezone, received the staff 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 rezone consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the applications.

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 of Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the

recommendation and findings of the Planning Commission of the County, 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 Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from RSF 4.5 (Residential Single-Family, 4.5 dwelling units per acre) to the NC-M (Neighborhood Commercial - Medium) zoning district.

B. The Board of County Commissioners, after due public notice, held public hearings on August 5, 2010 and September 2, 2010 regarding the proposed Official Zoning Atlas Amendment 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. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01 (the Manatee County Comprehensive Plan) and to satisfy the criteria for approval in the Land Development Code

D. By the adoption of this Ordinance, the County does not waive its discretion to consider and grant, grant with conditions, or deny any future exemption from the commercial locational criteria that may be requested by the applicant pursuant to Policy 2.2.1.12.4.d. of the Comprehensive Plan.

Section 2. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property described in Exhibit "A", incorporated by reference herein, from RSF 4.5 (Residential Single-Family, 4.5 dwelling units per acre) to the NC-M (Neighborhood Commercial – Medium) zoning district; and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

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 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. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 5. 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 2nd day of September, 2010.

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

**BY: _____
Donna G. Hayes, Chairman**

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

**BY: _____
Deputy Clerk**

Exhibit "A"

LEGAL DESCRIPTION

W1/2 OF BEG AT POINT 120 FT N OF INTERSEC OF DIVISION & PINE STS. TH N ON W SIDE OF PINE ST 110 FT. W TO CENTER OF LARGE DITCH, S 110 FT. E TO POB, ALSO 132 FT E OF MIDDLE OF ELLENTON EASTERN DRAIN WHERE IT INTERSECTS DIVISION ST. TH N 120 FT. E 63 FT. S 120 FT. W 63 FT TO POB, ALL AS PER PLAT OF ELLENTON REC IN PB 1 P 133 LESS HW R/W, SUBJ TO F P L EASMT DESC IN ORB 911 P 1567; SUBJ TO UTY EASMT AS DESC IN OR 1128 P 1301 PRMCF PI#9554.0000/7



Office of
**MANATEE COUNTY
ATTORNEY**

Tedd N. Williams, Jr., County Attorney

James A. Minix, Chief Deputy County Attorney
Maureen S. Sikora, Deputy County Attorney*
Robert M. Eschenfelder, Deputy County Attorney
Rodney C. Wade, Deputy County Attorney*
William E. Clague, Deputy County Attorney
James R. Cooney, Deputy County Attorney
Sarah A. Schenk, Deputy County Attorney*

M E M O R A N D U M

DATE: September 1, 2010
TO: Board of County Commissioners
THRU: Tedd N. Williams, Jr., County Attorney *Tedd Williams 9/1/10*
FROM: Sarah A. Schenk, Deputy County Attorney *SAS 9/1/10*
RE: *Proposed Ordinance No. 10-58 - Amendment to LDC -
Telecommunication Towers; RLS-10-244; CAO File No. 1113-430-O(C) -
September 2, 2010; Agenda Item #14*

Attached you will find a supplemental item for your September 2, 2010 Board meeting. This item could not be prepared in time to meet the deadlines of the Agenda Coordinator for distribution with the regular agenda on Thursday, September 2, 2010, but it should be considered at the September 2, 2010 meeting. Therefore, we are adding it to the Board's supplemental agenda which will be distributed the morning of September 2, 2010. We have already provided the Agenda Coordinator with the original of the agenda memo for this item together with the copies required for her distribution immediately prior to the September 2, 2010 meeting. Meanwhile, we are supplying you with this advance copy to give you a better opportunity to be informed prior to the meeting.

SAS:mz

Enclosure

* Board Certified City, County & Local Government Law



Office of
**MANATEE COUNTY
ATTORNEY**

Tedd N. Williams, Jr., County Attorney

James A. Minix, Chief Deputy County Attorney
Maureen S. Sikora, Deputy County Attorney*
Robert M. Eschenfelder, Deputy County Attorney
Rodney C. Wade, Deputy County Attorney*
William E. Clague, Deputy County Attorney
James R. Cooney, Deputy County Attorney
Sarah A. Schenk, Deputy County Attorney*

M E M O R A N D U M

DATE: September 1, 2010
TO: Board of County Commissioners
THRU: Tedd N. Williams, Jr., County Attorney *Tedd 9/1/10*
FROM: Sarah A. Schenk, Deputy County Attorney *SAS 9.1.10*
RE: *Proposed Ordinance No. 10-58 - Amendment to LDC - Telecommunication Towers; RLS-10-244; CAO File No. 1113-430-O(C) - September 2, 2010; Agenda Item #14*

Enclosed please find a Revised Recommended Motion for consideration under Item #14 and a redlined version of Ordinance No. 10-58. Also attached is a copy of my August 30, 2010 memorandum to the Board.

In summary, the redlined version of the attached Ordinance shows the revisions regarding Siting Preferences stricken out.

If you have any questions, kindly let me know.

SAS:mz
Enclosure

cc: Ed Hunzeker, County Administrator
Michael Gallen, Commissioner Elect
John Osborne, Director, Planning Department
Robert Schmitt, Planning Services Division Manager, Planning Dept.
Doug Means, Planning Division Manager, Planning Dept.
Sharon Tarman, Planner, Planning Dept.
Robert M. Eschenfelder, Deputy County Attorney
William E. Clague, Deputy County Attorney
Marianne Lopata, Agenda Coordinator, County Administration
Bobbi Roy, Project Coordinator, Planning Dept.

* Board Certified City, County & Local Government Law

ORDINANCE NO. 10-58

Revised Recommended Motion:

The modified motion would read: "I move to adopt Ordinance No. 10-58 to amend Sections 704.59.2, B, 3 (amended General Development Plan) and 704.59.2, C (Development of Regional Impact), excluding the amendment to Section 704.59.3.13.2 (Siting Preferences)."

ORDINANCE NO. 10-58

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING CHAPTER 7 OF THE LAND DEVELOPMENT CODE, DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY; SECTION 704.59, PERSONAL WIRELESS SERVICE FACILITIES (PWSF); SPECIFICALLY AMENDING SECTION 704.59.2 TO PROVIDE CLARIFICATIONS REGARDING APPROVAL OF PLANS FOR TELECOMMUNICATION TOWERS AND PROJECTS CATEGORIZED AS DEVELOPMENTS OF REGIONAL IMPACT; ~~AMENDING SECTION 704.59.3.13.12, SITING PREFERENCES TO CLARIFY SITING PREFERENCES FOR PERSONAL WIRELESS SERVICE FACILITIES;~~ AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of and exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulation Act, Part II of Chapter 163, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings for the adoption of this Ordinance:

1. Pursuant to Chapter 7 of the Manatee County Land Development Code (the "Land Development Code") the County considers the location of telecommunication towers through an application process for development approval and permitting in Planned Development Zoning Districts, (Section 704.59.2, B), the location of such telecommunication towers within Developments of Regional Impact (Section 704.59.2, C) and provides for locating telecommunication towers through the use of siting preferences as described in Section 704.59.3.13.12 of the Land Development Code.

2. Section 365.172(12)(b)1, Florida Statutes, authorizes local governments to contain within the adopted Land Development Regulations standards specific to telecommunication towers, including but not limited to, aesthetics, landscaping, land use based location priorities, structural design and setbacks.

3. It is in the interest of the public, health, safety and welfare to adopt the amendments to Chapter 7 of the Land Development Code set forth herein to further minimize adverse visual impacts and the effects of telecommunication towers through the utilization of careful design, landscaping, screening, innovative camouflage techniques and siting preference standards.

4. The Planning Commission, as the County's local planning agency, held a duly noticed public hearing on _____August 12, 2010 to review this Ordinance and adopted a motion finding the proposed Ordinance consistent with the Comprehensive Plan and recommending its adoption to the Board of County Commissioners.

5. The Board of County Commissioners held a duly noticed public hearing on _____September 2, 2010 to seek public comment and review and consider the Staff Report and the report of the Planning Commission on this Ordinance.

6. The Board of County Commissioners, after considering public comment, the recommendations of the Planning Commission and Planning staff, has found this Ordinance to be consistent with the Comprehensive Plan and in furtherance of the public health, safety and welfare and has adopted this Ordinance as set forth herein.

Section 3. Amendment of Chapter 7, Land Development Code. Chapter 7 of the Land Development Code is hereby amended in Section 704.59.2, Approval Types; Subparagraph B, Telecommunication Towers in All Planned Development Zoning Districts and Subparagraph C, Development of Regional Impacts. Additionally, ~~Section 704.59.3.13.12, Siting Preferences, is hereby amended.~~ Said amended Sections are indicated by underlining additional language and ~~striking through~~ deleted language as detailed in Exhibit A, a copy attached hereto to this Ordinance and made a part hereof by reference.

Section 4. Applicability. The amendments set forth in Section 3 of this Ordinance shall apply to all applications for approvals of Personal Wireless Service Facilities filed with the County after the effective date hereof. Applications for approvals for Personal Wireless Service Facilities filed with the County and deemed complete by the County prior to the effective date of this Ordinance shall not be subject to the regulations contained in this Ordinance.

Section 5. Codification. The publisher of the County's Land Development Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this Ordinance into the Land Development Code.

Section 6. 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 to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 2nd-day of September, 2010.

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

By: _____
Donna G. Hayes, Chairman

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

By: _____
Deputy Clerk

EXHIBIT A
ORDINANCE NO. 10-58
PERSONAL WIRELESS SERVICE FACILITIES (PWSF)

Section 704. Conditional Use Criteria

* * *

Section 704.59. Personal Wireless Service Facilities

* * *

Section 704.59.2. Approval Types

* * *

B. Telecommunication Towers in all Planned Development Zoning Districts:

* * *

3. All telecommunication towers, depicted either on a General Development Plan or a Preliminary Site Plan, shall be required to comply with Section 704.59. In the event the process requires approval of an amended General Development Plan by the Board of County Commissioners, then the ordinance approving the amended General Development Plan shall specify whether the Final Site Plan for the proposed telecommunication tower demonstrating compliance with Section 704.59 is required to be reviewed by the Board of County Commissioners at a public hearing or will be reviewed administratively. In determining whether a public hearing for the Final Site Plan is required, the Board of County Commissioners shall consider whether the amended General Development Plan is of sufficient detail to demonstrate compliance with the requirements of Section 704.59 of this Code, including the preservation of community aesthetics to be determined by the Board of County Commissioners.

* * *

C. *“Development of Regional Impact:* If a telecommunication tower is proposed in an approved Development of Regional Impact, then the development order for the Development of Regional Impact would need to specify the telecommunication tower as an identified allowed use. If the telecommunication tower is identified as an allowed

use, then the application for Final Site Plan is required to be reviewed administratively and the requirements of Section 704.59 of this Code shall be applicable. In the event the telecommunication tower is not identified within the DRI development order as an allowable use, then the applicant would need to process the required applications regarding the DRI in accordance with applicable State law prior to submitting an application for approval of the telecommunication tower to the Planning Director in accordance with the requirements of Section 704.59 of this Code. Obtain from the Department of Community Affairs either a clearance letter stating that the Development Review of Regional Impact process is not applicable to the proposed request or would need to proceed with filing an application for a Notice of Proposed Change if required by the Department of Community Affairs.

* * *

~~Section 704.59.3.13.12. *Siting Preferences:*~~

~~1. A statement by the applicant indicating that it has reviewed properties within its search area currently being used for governmental operations (not including property in the Conservation Zone District with an approved Environmental Preserve Management Plan).~~

~~2. A statement by the applicant indicating whether property within the search area of the PWSF within a Preferred Zone District in Section 7-A of this section is available upon which the PWSF could be constructed in compliance with Section 704.59.~~

~~704.59.3.13.13. Each application shall identify the zone district and location preference that the proposed PWSF is meeting. (Reference the siting preference in Number 1 above and Figure 7-A of this section). If the proposed PWSF is not in a Preferred Zone identified in Figure 7-A of this section or satisfying the siting preference in Number 1 above, the applicant shall provide a map of the geographical area and a written discussion of sites within Preferred Zones within the applicant's search area and describe why each preferred site or siting preference in Number 1 above is not available for siting the PWSF. The written explanation shall address whether the Preferred Zone identified in Figure 7-A or the siting preference in Number 1 above:~~

- ~~1. Meets the applicant's engineering requirements for the proposed PWSF;~~
- ~~2. Is of sufficient height to meet the applicant's engineering requirements;~~
- ~~3. Has sufficient strength to support the applicant's proposed antenna;~~
- ~~4. Has sufficient vertical space to accommodate the applicant's antenna; and~~
- ~~5. Is available for lease under a reasonable leasing agreement, as~~

determined by industry standards for the geographic area.

6. ~~Is preferable due to aesthetic and community character compatibility as compared to sites in Non-Preferred Zone Districts or not within the siting preference described in Number 1 above. Such statement shall be signed by an official of the applicant with authority to make the submission who has personal knowledge of the matters discussed therein.~~
7. ~~Would have the effect of preventing the applicant from providing wireless services to the intended coverage area.~~



Office of
**MANATEE COUNTY
ATTORNEY**

Tedd N. Williams, Jr., County Attorney

James A. Minix, Chief Deputy County Attorney
Maureen S. Sikora, Deputy County Attorney*
Robert M. Eschenfelder, Deputy County Attorney
Rodney C. Wade, Deputy County Attorney*
William E. Clague, Deputy County Attorney
James R. Cooney, Deputy County Attorney
Sarah A. Schenk, Deputy County Attorney*

M E M O R A N D U M

DATE: August 30, 2010
TO: Board of County Commissioners
THRU: Tedd N. Williams, Jr., County Attorney *TNW 8/30/10*
FROM: Sarah A. Schenk, Deputy County Attorney *SAS 8.30.10*
RE: *Proposed Ordinance No. 10-58 - Amendment to LDC -
Telecommunication Towers; RLS-10-244; CAO File No. 1113-430-O(C) -
September 2, 2010; Agenda Item #14*

Background:

The Board of County Commissioners at their meeting on February 23, 2010, adopted Ordinance No. 10-26 amendment the Land Development Code to update the regulations regarding Personal Wireless Service Facilities (PWSF) to be consistent with applicable Florida Statutes and to provide for siting preferences. At that Board meeting, the CAO was requested to bring back a subsequent amendment to the Land Development Code to further clarify the regulations regarding telecommunication towers in response to public comments received at the public hearing. The attached proposed Ordinance No. 10-58 amends three sections of Section 704.5, LDC, to clarify regulations regarding telecommunication towers, all of these changes were recommended by Robert M. Eschenfelder, our litigation counsel in telecommunication matters.

Detailed Discussion:

The three amendments to the LDC contained in proposed Ordinance No. 10-26 are outlined as follows:

* Board Certified City, County & Local Government Law

1. Section 704.59.2, B, 3, LDC: This amendment clarifies the Board, in determining whether a public hearing on a Final Site Plan is required depicting a proposed Personal Wireless Service Facility, will consider whether the amended General Development Plan is of sufficient detail to demonstrate the preservation of community aesthetics, in addition to compliance with requirements of Section 704.59, LDC (remainder of PWSF regulations). This clarification would emphasize consideration of community aesthetics, which is a valid component of a Land Development Code regulation is expressly authorized under Section 365.172(12)(b)1, Florida Statutes.

2. Amendment to Section 704.59.2.C, Development of Regional Impact: Clarifies approval procedures for telecommunication towers which are proposed in an approved Development of Regional Impact. It requires the applicant to process the required applications regarding the DRI in accordance with applicable State law to allow the PWSF prior to submitting the application for approval to the Planning Director. In other words, a more general reference to "in accordance with applicable State law" is substituted for the more detailed phrase of obtaining from the Department of Community Affairs either a clearance letter or a Notice of Proposed Change. DRIs, as pointed out in the initial public hearing in February 2010, are regulated extensively by State law and this will complement the State process already in place.

3. Amendment to Section 704.59.3.13.12, Siting Preferences: This revision consolidates two separate paragraphs into one paragraph. Specifically, subparagraph 1 requires a statement by the applicant indicating that they have reviewed properties within its search area currently being used for governmental operations (not including property in the Conservation Zone District and in an approved Environmental Preserve Management Plan). Subparagraph 2 requires the applicant to submit a statement indicating whether property within the search area of the PWSF is within a Preferred Zone District in Section 7A is available upon which the PWSF could be constructed.

In other words, the siting preferences include preference being given to (1) property already used for governmental operations, or (2) property within a Preferred Zone District. If neither of these properties are available, the applicant has the requirement in the third paragraph (Section 704.59.3.13.3) to submit certain information as to why the property within the Preferred Zone identified in Figure 7A or the siting preference in number 1 above, (the governmental operation preference) is not available.

Conclusion:

The three proposed changes to the LDC, described in detail above, do not dilute the effectiveness of the regulations in Section 704.59 but rather serve to enhance the legal defensibility and are recommended for approval by the CAO. The legal burden of proof remains upon the applicant under applicable case law to show the unavailability of either the Preferred Zone District or the governmental operation preference (siting preference in number 1 of the ordinance) remains unchanged from the prior Ordinance No. 10-58. One option for the Board to consider at the public hearing on September 2, 2010 is to give consideration to adopting Ordinance No. 10-58 with only the changes described in number 1 and number 2 above and not adopting the third change regarding siting preferences.

The modified motion would read: "I move to adopt Ordinance No. 10-58 to amend Sections 704.59.2, B, 3 (amended General Development Plan) and 704.59.2, C (Development of Regional Impact), excluding the amendment to Section 704.59.3.13.2 (Siting Preferences)."

SAS:mz

Enclosure

cc: Ed Hunzeker, County Administrator
Michael Gallen, Commissioner Elect
John Osborne, Director, Planning Department
Robert Schmitt, Planning Services Division Manager, Planning Dept.
Doug Means, Planning Division Manager, Planning Dept.
Sharon Tarman, Planner, Planning Department
Robert M. Eschenfelder, Deputy County Attorney
William E. Clague, Deputy County Attorney
Bobbi Roy, Project Coordinator, Planning Dept/

BRADENTON HERALD

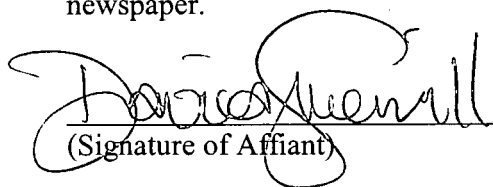
WWW.BRADENTON.COM
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
Ph: 941-745-7066
Fax: 941-708-7758

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Bradenton, Manatee County, Florida

STATE OF FLORIDA
COUNTY OF MANATEE

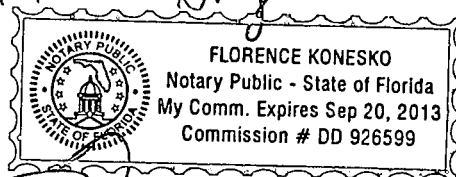
Before the undersigned authority personally appeared Danica Sherrill, who, on oath, says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, **LEGAL NOTICE OF ZONING AND DRI CHANGES** as published in said newspaper in the issue **08/18/2010**.

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

19 Day of Aug, 2010




SEAL & Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

BRADENTON HERALD

CLASSIFIED ADVERTISING

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Phone:	9417493070	Class:	4995	Charges:	\$ 0.00
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NOTICE OF ZONING AND DRI CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on **Thursday, September 2, 2010, at 9:00 A.M. at the Manatee County Government Administrative Center, 1st Floor Chambers,** to consider and act upon the following matters:

PDR-03-41(P)(R) - OLD MILL PRESERVES, (f.k.a. JACLYN OAKS)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance and Preliminary Site Plan to allow three additional lots for a total of 243 lots for single-family detached residences and revisions to various conditions of approval, on approximately 128.5± acres south of 69th Street East, at the intersection of 71st Street East (Dump Road) and 69th St. E., across from Virgil Mills Elementary and Buffalo Creek Middle schools; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDC-04-16(Z)(P) - COVERED BRIDGE HOLDINGS II, LLC / THE FORUM DTS#20050545

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezone of approximately 3.05 acres at the northwest corner of Tallevast Road and U.S. 301, Bradenton from A-

1 (Suburban Agriculture, 1 dwelling unit per acre) and LM (Light Manufacturing) to the PDC (Planned Development Commercial) zoning district; approving a Preliminary Site Plan for 23,378 square feet of neighborhood commercial uses (including 5,400 square foot canopy area); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDR-10-05(Z)(G) - SLAB, LLC & SLAB LIDO, LLC/ RITZ CARLTON MEMBERS GOLF CLUB DTS#20100066

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezone of approximately 326.03 acres on the east side of Lorraine Road, south of Braden River, at 15150 70th Terrace East, approximately one mile south of SR 70 East, Bradenton, from A/WP-E/ST (General Agriculture-one dwelling unit per five acres/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts) to PDR (Planned Development Residential); retaining the Overlay Districts; approving a General Development Plan for;

- an existing golf course, clubhouse, and accessory structures, tennis courts, and
- 100 new dwelling units to include; a mix of single-family attached and detached units, and multi-family units to include single and attached units,
- pool and clubhouse,

subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDMU-10-08(Z) - JG64, LLC./GETTEL S.R. 64 REZONE DTS#20100026

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 3.38 acres on the north side of S.R. 64, approximately 970 feet west of Cypress Creek Boulevard, at 5719 and 5807 S.R. 64 east, Bradenton from A-1 (Suburban Agriculture - one dwelling unit per acre) to the PDMU (Planned Development Mixed Use) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Z-10-03 - MOSAIC FERTILIZER, LLC./ DUETTE FIRE STATION AND COMMUNITY PARK REZONE (DTS#20100102)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 80.09 acres on the north side of SR 62, and west side of the most eastern segment of Bunker Hill Road, approximately 1.5 miles west of CR 39, at 9050 Bunker Hill Road, Parrish from EX (Extraction District) to the A (General Agriculture) zoning district; setting forth findings; providing a legal description; pro-

viding for severability, and providing an effective date.

Z-10-04 - PALOMINO REZONE DTS # 20100136

An Ordinance of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for the rezoning of approximately 0.51 acres east of the intersection of Ellenton Gillette Road and US 301, west of Franklin Avenue, at 3820 North US 301, Ellenton from RSF-4.5 (Residential Single-Family 4.5 dwelling units per acre) zoning district to the NC-M (Neighborhood Commercial - Medium) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-04-55(P)(R) - HBT OF EAGLE POINTE LLC DTS #20100111

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance and Revised Preliminary Site Plan reducing the required side setbacks for the single-family dwelling units, adding a new stipulation regarding separation between accessory equipment and structures, and deleting a stipulation regarding Education Facility Impact Fees in Eagle Pointe subdivision on approximately 679 acres located on the east side of Carter Road, north of Moccasin Wallow Road, and south of Buckeye Road in the PDR/NCO (Planned Development Residential/North Central Overlay) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDMU-06-39(P)(R) -
MORGAN'S GLEN
DTS#20100076

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding Land Development, approving a revised Preliminary Site Plan pertaining to a two acre portion in the southwest corner of the 138.18± acres to add 80,000 ± future retail/commercial use and delete 13 single-family residential units; revision of stipulations for the overall 138 ± acres; generally located west of Parrish (approximately 2/3rd of a mile west of U.S. 301) between Moccasin Wallow Road and Erie Road in the PDMU/NCO (Planned Development Mixed Use/North Central Overlay) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing for severability, and providing an effective date.

Interested parties may examine the proposed Ordinance and related documents and may obtain assistance regarding this matter from the Manatee County Planning Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 x6878; e-mail to: planning.agenda@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.

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

**MANATEE COUNTY BOARD OF
COUNTY COMMISSIONERS**
Manatee County Planning
Department
Manatee County, Florida
08/18/2010

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:

8/18 1x

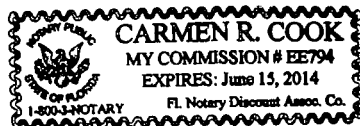
AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE 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 19 DAY OF August, A.D., 2010
BY SHARI BRICKLEY WHO IS PERSONALLY KNOWN TO ME.


Notary Public



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

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on Thursday, September 2, 2010, at 9:00 A.M. at the Manatee County Government Administrative Center, 1st Floor Chambers, to consider and act upon the following matters:

PDR-03-41(P)(R) - OLD MILL PRESERVES, (f.k.a.JACLYN OAKS)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance and Preliminary Site Plan to allow five additional lots for a total of 245 lots for single-family detached residences and revisions to various conditions of approval, on approximately 128.5± acres south of 69th Street East, at the intersection of 71st Street East (Dump Road) and 69th St. E., across from Virgil Mills Elementary and Buffalo Creek Middle schools; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDC-04-16(Z)(P) - COVERED BRIDGE HOLDINGS II, LLC / THE FORUM
DTS#20050545
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezoning of approximately 3.05 acres at the northwest corner of Tallevast Road and U.S. 301, Bradenton from A-1 (Suburban Agriculture, 1 dwelling unit per acre) and LM (Light Manufacturing) to the PDC (Planned Development Commercial) zoning district; approving a Preliminary Site Plan for 23,378 square feet of neighborhood commercial uses (including 5,400 square foot canopy area); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDR-10-05(Z)(G) - SLAB, LLC & SLAB LIDO, LLC/RITZ CARLTON MEMBERS GOLF CLUB
DTS#20100066
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezoning of approximately 326.03 acres on the east side of Lorraine Road, south of Braden River, at 15150 70th Terrace East, approximately one mile south of SR 70 East, Bradenton, from A/WP-E/ST (General Agriculture-one dwelling unit per five acres/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts) to PDR (Planned Development Residential); retaining the Overlay Districts; approving a General Development Plan for;

- an existing golf course, clubhouse, and accessory structures, tennis courts, and
- 100 new dwelling units to include; a mix of single-family attached and detached units, and multi-family units to include single and attached units,
- pool and clubhouse,

subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDMU-10-08(Z) - JG64, LLC./GETTEL S.R. 64 REZONE
DTS#20100026
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 3.38 acres on the north side of S.R. 64, approximately 970 feet west of Cypress Creek Boulevard, at 5719 and 5807 S.R. 64 east, Bradenton from A-1 (Suburban Agriculture - one dwelling unit per acre) to the PDMU (Planned Development Mixed Use) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Z-10-03 - MOSAIC FERTILIZER, LLC./DUETTE FIRE STATION AND COMMUNITY PARK REZONE
(DTS#20100102)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 80.09 acres on the north side of SR 62, and west side of the most eastern segment of Bunker Hill Road, approximately 1.5 miles west of CR 39, at 9050 Bunker Hill Road, Parrish from EX (Extraction District) to the A (General Agriculture) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Z-10-04 - PALOMINO REZONE
DTS # 20100136
An Ordinance of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for the rezoning of approximately 0.51 acres east of the intersection of Ellenton Gillette Road and US 301, west of Franklin Avenue, at 3820 North US 301, Ellenton from RSF-4.5 (Residential Single-Family 4.5 dwelling units per acre) zoning district to the NC-M (Neighborhood Commercial - Medium) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-04-55(P)(R) - HBT OF EAGLE POINTE LLC
DTS #20100111
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance and Revised Preliminary Site Plan reducing the required side setbacks for the single-family dwelling units, adding a new stipulation regarding separation between accessory equipment and structures, and deleting a stipulation regarding Education Facility Impact Fees in Eagle Pointe subdivision on approximately 679 acres located on the east side of Carter Road, north of Moccasin Wallow Road, and south of Buckeye Road in the PDR/NCO (Planned Development Residential/North Central Overlay) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDMU-06-39(P)(R) - MORGAN'S GLEN
DTS#20100076
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding Land Development, approving a revised General Development Plan pertaining to a two acre portion in the southwest corner of the 138.18± acres to add 80,000 ± future retail/commercial use and delete 13 single-family residential units; revision of stipulations for the overall 138 ± acres; generally located west of Parrish (approximately 2/3rd of a mile west of U.S. 301) between Moccasin Wallow Road and Erie Road in the PDMU/NCO (Planned Development Mixed Use/North Central Overlay)

zoning district; subject to stipulations as conditions of approval; setting forth findings; providing for severability, and providing an effective date.

Interested parties may examine the proposed Ordinance and related documents and may obtain assistance regarding this matter from the Manatee County Planning Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 x6878; e-mail to: planning.agenda@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.

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

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

Date of pub: August 18, 2010

BRADENTON HERALD

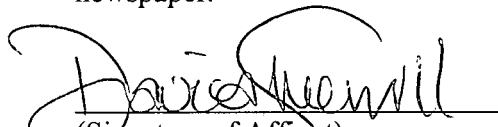
WWW.BRADENTON.COM
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
Ph: 941-745-7066
Fax: 941-708-7758

Bradenton Herald
Published Daily
Bradenton, Manatee County, Florida

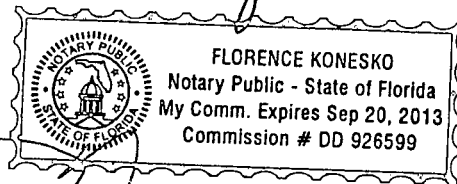
STATE OF FLORIDA
COUNTY OF MANATEE

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 PUBLIC HEARING** as published in said newspaper in the issue **08/18/2010**.

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
 8 Day of Aug , 2010



SEAL & Notary Public

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 125.66 of Florida Statutes, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing in the Chambers of the Board at the Manatee County Administrative Complex, 1112 Manatee Avenue West, first floor, Bradenton, Florida, during its regular meeting of **September 2, 2010, at 9:00 a.m.**, or as soon thereafter to consider, act upon, enact, or reject the following Ordinance.

ORDINANCE -10-58

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FINDINGS; AMENDING CHAPTER 7 OF THE LAND DEVELOPMENT CODE, DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY; SECTION 704.59, PERSONAL WIRELESS SERVICE FACILITIES (PWSF); SPECIFICALLY AMENDING SECTION 704.59.2 TO PROVIDE CLARIFICATIONS REGARDING APPROVAL OF PLANS FOR TELECOMMUNICATION TOWERS AND PROJECTS CATEGORIZED AS DEVELOPMENTS OF REGIONAL IMPACT; AMENDING SECTION 704.59.3.13.12, SITING PREFERENCES TO CLARIFY SITING PREFERENCES FOR PERSONAL WIRELESS SERVICE FACILITIES; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Board of County Commissioners to consider.

Interested parties may appear and be heard at the meeting with respect to the proposed Ordinance. Pursuant to Section 286.0105 of Florida Statutes, if any person decides to appeal any decision made by the Board with respect to any matter to be considered at the meeting or hearing, he or she will need a record of the proceedings, and for such purpose, she or he may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

The proposed Ordinance is available for public inspection at the Manatee County Planning Department, 1112 Manatee Avenue West, fourth floor, Bradenton, Florida, during regular business hours. A reasonable charge may be made for the provision of copies.

Rules of procedure for this public hearing are in effect pursuant to Resolution 05-180. A copy of this Resolution is available for review or purchase from the Planning Department (see address below).

Please Send Comments To: Manatee County Planning Department
Attn: Agenda Coordinator
1112 Manatee Ave. West Suite 427
Bradenton, FL 34205

All written comments will be entered into the record.

For More Information: Copies of the proposed amendment will be available for review and copying at cost approximately ten (10) days prior to the public hearing. Information may also be obtained by calling 749-3070 x-6878, between 8:00 AM - 5:00 PM.

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

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

011623

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

Bobbi Roy
Manatee County Planning Dept.
1112 Manatee Ave. W., 4th. fl.
Bradenton, FL 34205

STATE OF FLORIDA
COUNTY OF MANATEE

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

Ordinance 10-58

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

August 18, 2010

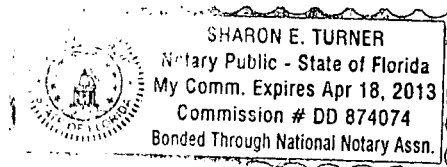
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SIGNED _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18th DAY OF AUGUST, 2010 A.D., BY SHARI BRICKLEY WHO IS PERSONALLY KNOWN TO ME.

(SEAL) _____

NOTARY PUBLIC



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 125.66 of Florida Statutes, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing in the Chambers of the Board at the Manatee County Administrative Complex, 1112 Manatee Avenue West, first floor, Bradenton, Florida, during its regular meeting of **September 2, 2010, at 9:00 a.m.**, or as soon thereafter to consider, act upon, enact, or reject the following Ordinance.

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Attn: Agenda Coordinator
1112 Manatee Ave. West Suite 427
Bradenton, FL 34205

All written comments will be entered into the record.

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

BRADENTON HERALD

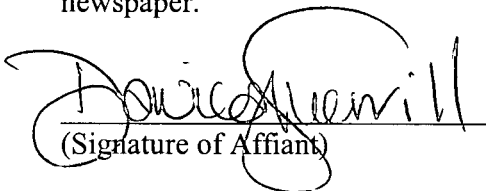
WWW.BRADENTON.COM
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Bradenton Herald
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STATE OF FLORIDA
COUNTY OF MANATEE

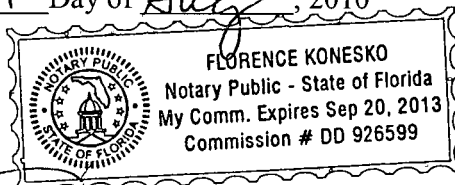
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Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered 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

19 Day of Aug, 2010




SEAL & Notary Public

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

NOTICE OF LAND USE CHANGE

Official Actions Will Affect and Regulate Use of Real Property in Unincorporated Manatee County – Notice to Real Property Owners and General Public.

The Manatee County Board of County Commissioners will hold a public hearing to consider the adoption of amendments to the Manatee County Comprehensive Plan. Said amendments pertain to the unincorporated area of Manatee County. At the conclusion of the public hearing the Board of County Commissioners shall determine whether to adopt, adopt with modifications or not adopt the amendments to the Manatee County Comprehensive Plan.

Date: Thursday, September 2, 2010
Time: 9:00 a.m. or soon thereafter
Place: Manatee County Government Administrative Center
1112 Manatee Ave. West, Board Chambers (1st Floor)

Additional amendments to the following may be necessary to implement these changes and ensure internal consistency.

A. PA-10-16/ORDINANCE 10-16 - BRADEN RIVER HIGH SCHOOL

Adoption of an Ordinance of Manatee County, Florida, amending Manatee County Ordinance 89-01, as amended, the Manatee County Comprehensive Plan; providing for a small scale Plan Amendment to the Future Land Use Map of the Future Land Use Element from RES-3 (Residential – 3 dwelling units per gross acre) to the ROR (Retail/Office/Residential) Future Land Use Classification comprising a total of 9.99 ± acres; located approximately 290 ± feet north of the northeast corner of SR 70 and Caruso Road; providing for severability, and providing for an effective date.

B. PA-10-20 (PROPOSED ORDINANCE 10-22) - COUNTY INITIATED KINGFISH BOAT RAMP

Adoption of an Ordinance of Manatee County, Florida, amending Manatee County Ordinance 89-01, as amended, the Manatee County Comprehensive Plan; providing for a small scale Plan Amendment to the Future Land Use Map of the Future Land Use Element to correct a mapping oversight and designate the Kingfish Boat Ramp R/OS (Recreation/Open Space) Future Land Use Classification comprising a total of 5.48 ± acres; located on Anna Maria Island, north of Manatee Avenue, east of the City of Holmes Beach (Westbay Cove Condominium), south of Anna Maria Sound and west of the Intracoastal Waterway; providing for severability, and providing for an effective date.

Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Board of County Commissioners to consider.

Please Send Comments To: Manatee County Planning Department
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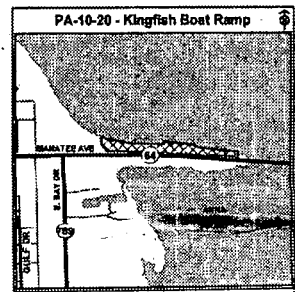
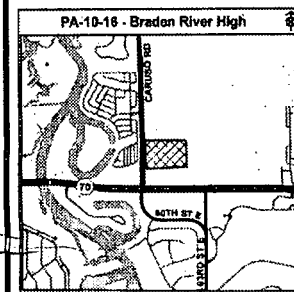
planning.agenda@mymanatee.org

All written comments will be entered into the record.

For More Information: Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 748-4501, Ext. 6878, between 8:00 AM and 5:00 PM.

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

Bobbi Roy
Manatee County Planning Dept.
1112 Manatee Ave. W., 4th. flr.
Bradenton, FL 34205

STATE OF FLORIDA
COUNTY OF MANATEE

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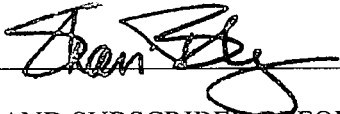
Notice of Land Use Change

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

August 18, 2010

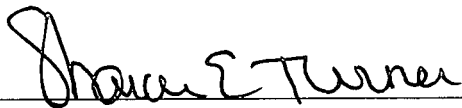
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SIGNED _____

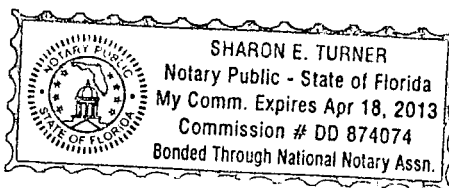


SWORN TO AND SUBSCRIBED BEFORE ME THIS 18th DAY OF AUGUST, 2010 A.D., BY SHARI BRICKLEY WHO IS PERSONALLY KNOWN TO ME.

(SEAL) _____



8/24/10
NOTARY PUBLIC



NOTICE OF LAND USE CHANGE

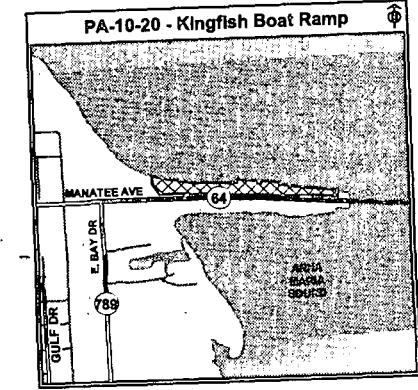
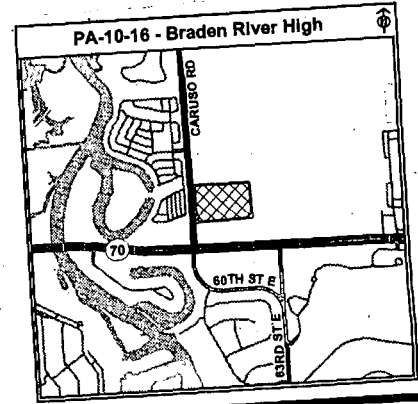
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