



**BLALOCK
WALTERS**
ATTORNEYS AT LAW

WE MAKE A DIFFERENCE

October 7, 2013

The Honorable Larry Bustle, Chairman
The Manatee County Board of County Commissioners
P.O. Box 1000
Bradenton, FL 34206-1000

RE: Tom Howze Rezone (PDC-13-23(Z)(G)) (DTS #20130153) – Request for Reconsideration

Dear Chairman Bustle:

This firm has recently been hired on behalf of Thomas A. Howze U/A/D Howze, property owner for the above referenced project and relative the Board's decision to deny the Howze application on October 3, 2013. Please accept this letter as a request for reconsideration of this action. Pursuant to your rules, this matter must be brought up for reconsideration at the next meeting of the County Commission which will be tomorrow, Tuesday, October 8, 2013. As you are aware, a vote for reconsideration does not result in a vote for the project, but would allow a revised plan to be considered at a re-advertised and re-noticed public hearing.

My client was surprised at the outcome of the meeting last week as the project team had worked extensively with the staff and neighborhood to create a project that met all standards of the Comprehensive Plan and Land Development Code. The Howze parcel is located at the intersection of two major thoroughfares and meets all criteria required for rezoning of the property to allow commercial development. As such, this is the most appropriate location for commercial development for several miles and increasing residential development in the area indicates a need for this type of small commercial development. Further, commercial development had been approved previously across the street.

The property owners are willing to revise the application again in an effort to be a good neighbor and provide an excellent community project. We heard the concerns of the neighbors and the Board at the October 3rd hearing and in response request that you allow us revise the plans to attempt to address the issues raised. We would anticipate revising the plan, providing more detail and reduce the square footage of the planned project. We intend to meet again

*Mark P. Barnebey
Anthony D. Bartirome
Robert G. Blalock
Ann K. Breitingner
Lisbeth P. Bruce
Jonathan D. Fleece
Dana Carlson Gentry
Charles F. Johnson, III
Mary Fabre LeVine
Melanie Luten
Michael D. Magidson
Fred E. Moore
Stephen G. Perry
Matthew R. Plummer
Marisa J. Powers
William C. Robinson, Jr.
Scott E. Rudacille
Jenifer S. Schembri
Robert S. Stroud
Clifford L. Walters
Matthew D. Westerman*

BRADENTON
802 11th Street West
Bradenton, FL 34205

SARASOTA
2 North Tamiami Trail
Suite 408
Sarasota, FL 34236

941.748.0100 phone
941.745.2093 fax
BlalockWalters.com

mbarnebey@blalockwalters.com

749658/1



October 7, 2013

Page 2

with the neighbors. A reduction in square footage in combination with showing additional design details should provide the assurances needed to properly address any remaining compatibility issues. As you know, if the rezone is approved, a Preliminary Site Plan, Traffic Analysis, and Final Site Plan will still be required prior to construction.

While I know that you understand land use decisions are not based on public opinion, it should be noted that there were many people in favor of the rezone and project. As you know, it is rare for those in support of a project to attend a hearing to voice their favorable opinion, however at least six people phoned in their support to the application prior to the first hearing. There are many people who are excited about a development at this thoroughfare intersection as it will provide a location for retail and professional uses without residents having to travel a significant distance, thus saving substantial amounts of both gas and time.

Thank you for considering our request for a reconsideration.

Sincerely,

BLALOCK WALTERS, P.A.

Mark P. Barnebey, Esquire

Cc: County Commissioners
Ms. Shelly Hamilton
Mr. John Barnott
Sarah Schenk, Esq.

CITIZENS' COMMENTS

Do your comments refer to an item on today's agenda? NO YES

Item #: _____ CONSENT: NO YES

The Board of County Commissioners welcomes your comments. Your presentation will be limited to two (2) minutes. If appropriate, the matter(s) you present will be placed on a future commission agenda.

It is requested that you complete this form and return it to the receptionist prior to the beginning of the Citizens' Comments portion of the agenda.

Name: MARK BARNESBY

Address: ~~1234 5th Ave SW~~ 502 11TH AVE W.

Phone: (Home) _____ (Work) _____

Brief description of problem or concern:

Reconsideration request
