From: Mark vanderee <vanderee2@gmail.com>
Sent: Wednesday, September 2, 2026 6:14 PM
To: Bobbi Roy <bobbi.roy@mymanatee.org>
Cc: Selena Cunningham <selena.cunningham@mymanatee.org>
Subject: file2: Fwd: Ivy Run BOCC Hearing Sept 3: PDR-25-06(Z)(P), PLN2503-0127

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Bobbi,

Please add this email thread to the project's public comments records.

thanks,

Mark VanDeRee

---------- Forwarded message ---------
From: **Mark vanderee** <vanderee2@gmail.com>
Date: Fri, Aug 28, 2026 at 2:46 PM
Subject: file1: Fwd: Ivy Run BOCC Hearing Sept 3: PDR-25-06(Z)(P), PLN2503-0127
To: Nicole Knapp <nicole.knapp@mymanatee.org>
Cc: Rachel Layton <rachel.layton@mymanatee.org>, Lindsey Craig <lindsey.craig@mymanatee.org>, Bobbi Roy <bobbi.roy@mymanatee.org>, Robert McCann <DrBob.McCann@mymanatee.org>, Jason Bearden <jason.bearden@mymanatee.org>, George Kruse <george.kruse@mymanatee.org>

Dear Nicole,

Thank you for the reply. Your observation is interesting. While the synopsis of meeting the minimum legal requirements is accurate, the fact remains that the minimum legal requirements provide no practical relief for our citizens in this circumstance. We believe the County can do better and the citizens deserve better.

Please consider asking this applicant to withdraw the rezone application until such a time that they are realistically ready to present to the BOCC. The County has allowed this applicant to repeatedly inconvenience the public by the multiple requests for continuance. The applicant claimed the first continuation was needed to address public comments on the proposed development. The reality is that all the applicant's changes are self-serving to make the development more marketable. Remember the Planning Commission denied this rezone unanimously June 11, 2026.

The continuation request letter was posted on Accela this morning- 4 working days before the Sept. 3 hearing. They are asking for another continuance, this time to Nov. 19, so they can have more time with Public Works for their proposed redesign of the Rye Road/Waterline Road

intersection. The County's Weekly Project Work List for the past several months has shown zero activity with the applicant. If they needed more time with Public Works, they would have known this several months ago and made their first continuance request accordingly. (If you remember, the first continuance request was made just the night before the Planning Commission hearing May 14, 2026). Deciding to request a continuance 4 working days before a hearing is a terrible burden on the citizens who planned to attend and have cleared schedules, took time off from work, got babysitters, rescheduled doctor appointments, hired workers to mind farm animals and crops, etc.

Sincerely,

Mark VanDeRee

Waterline Road Preservation Group

On Fri, Aug 28, 2026 at 6:06 AM Nicole Knapp <nicole.knapp@mymanatee.org> wrote:

Good morning Mark

I know you might think that, but so long as the original hearing date, or one of the continuance dates are on the sign, and even if the project is continued, the advertising statute has been met.

They have only told us verbally to this point that they plan to ask for a continuance.

Nicole M. Knapp, Director

Manatee County

Development Services Department

941-748-4501 x7824 (office)

941-705-8542 (cell)

From: Mark vanderee <vanderee2@gmail.com>
Sent: Thursday, 27 August 2026 23:59:56
To: Rachel Layton <rachel.layton@mymanatee.org>
Cc: Lindsey Craig <lindsey.craig@mymanatee.org>; Bobbi Roy <bobbi.roy@mymanatee.org>; Nicole Knapp <nicole.knapp@mymanatee.org>; Robert McCann <DrBob.McCann@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; George Kruse <george.kruse@mymanatee.org>
Subject: Re: file: Fwd: Ivy Run BOCC Hearing Sept 3: PDR-25-06(Z)(P), PLN2503-0127

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Rachel,

Thank you for the update. The signs went up late this afternoon. They should have waited for the continuance date.

Sincerely,

Mark VanDeRee

Waterline Road Preservation Group

On Thu, Aug 27, 2026 at 5:28 PM Rachel Layton <rachel.layton@mymanatee.org> wrote:

Good evening Mr. Vanderee,

The applicant followed up today with a verbal request to continue the hearing. We are awaiting the written request so that we can update the agenda.

In the meantime, the advertising signs are in fabrication. The applicant has been notified they will be required to install the new signs as soon as possible.

Rachel W Layton, AICP | Division Manager/Impact Fee Administrator

Manatee County Government

Development Services Department

Mailing Address: P.O. Box 1000, Bradenton, FL 34205

Office Location: 9000 Town Center Pkwy, Lakewood Ranch, FL 34202

Office: 941-748-4501 ext. 6862

Mobile: 941-920-3364

mymanatee.org

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From: Nicole Knapp <nicole.knapp@mymanatee.org>
Sent: Thursday, August 27, 2026 4:00 PM
To: Mark vanderee <vanderee2@gmail.com>; Robert McCann <DrBob.McCann@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; George Kruse <george.kruse@mymanatee.org>
Cc: Lindsey Craig <lindsey.craig@mymanatee.org>; Rachel Layton <rachel.layton@mymanatee.org>; Bobbi Roy <bobbi.roy@mymanatee.org>
Subject: RE: file: Fwd: Ivy Run BOCC Hearing Sept 3: PDR-25-06(Z)(P), PLN2503-0127

Mark,

My apologies if no one has responded, but we have called the applicant and notified them of the missing signs. We have also put a rush on ordering new signs and once they are fabricated, we will have the applicant install them immediately.

Thank you

Nicole M. Knapp, CPM | Director

Manatee County Government

Development Services Department

Mailing Address: P.O. Box 1000, Bradenton, FL 34205

Office Location: 9000 Town Center Pkwy, Lakewood Ranch, FL 34202

Office: 941-748-4501 ext. 7824

Mobile: 941-705-8542

Website: mymanatee.org

Under Public Records Act, email communications sent to and from this address may be subject to public disclosure. Please be advised that any correspondence may be retained as a public record and could be disclosed upon request.

From: Mark vanderee <vanderee2@gmail.com>
Sent: Thursday, August 27, 2026 2:09 PM
To: Robert McCann <drbob.mccann@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; George Kruse <george.kruse@mymanatee.org>
Cc: Nicole Knapp <nicole.knapp@mymanatee.org>
Subject: file: Fwd: Ivy Run BOCC Hearing Sept 3: PDR-25-06(Z)(P), PLN2503-0127

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Dear Commissioners,

Please see if you can help me get a reply from County staff on the email request below. It has been about 3 months since these yellow hearing notice signs were demolished. With the County getting about 30,000 new residents per year (mostly in District 1), that means 7,500 new residents affected by this hearing will not have notice.

Sincerely,

Mark VanDeRee

Waterline Road Preservation Group

---------- Forwarded message ---------
From: **Mark vanderee** <vanderee2@gmail.com>

Date: Mon, Aug 24, 2026 at 9:57 AM
Subject: Ivy Run BOCC Hearing Sept 3: PDR-25-06(Z)(P), PLN2503-0127
To: Nicole Knapp <nicole.knapp@mymanatee.org>, <lindsey.craig@mymanatee.org>

Good morning Nicole & Lindsey,

Please let me know if the notice of yellow public hearing signs will be installed for the September 3 BOCC hearing. The original signs from last Spring have long been destroyed and disintegrated by the weather and mowers.

thanks,

Mark VanDeRee

Waterline Road Preservation Group

Board of County Commissioners: 9/3/2026

PDR-25-25(Z)(P) - GUARDIAN ANGELS US 19 - GUARDIAN ANGELS OF SW FLORIDA INC. (OWNER) – PLN2511-0044

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area, providing for a rezone of approximately 2.73 acres generally located 0.21 miles south of 45th Street Court West, 0.5 miles north of 33rd Street West, on the west side of US 19, and commonly known as 4150 3rd Avenue West, Palmetto, FL (Manatee County) from Neighborhood Commercial-Medium (NC-M) to Planned Development Residential (PDR) Zoning District; approving a Preliminary Site Plan for eight single-family semi-detached dwelling units; subject to conditions of approval voluntarily proffered by the applicant; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

Planning Commission: 8/13/2026

Board of County Commissioners: 9/3/2026

Alternative Motions

APPROVAL

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and in compliance with the applicable review standards in the Manatee County Land Development Code, subject to conditions of approval voluntarily proffered by the Applicant, I move to ADOPT Manatee County Zoning Ordinance Number PDR-25-25(Z)(P); and APPROVE the Preliminary Site Plan with Conditions A.1 – A.8, B.1 – B.6, , C.1 – C.2, and D.1 - D.3 as recommended by the Planning Commission.

DENIAL

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be INCONSISTENT with the Manatee County Comprehensive Plan and not in compliance with the applicable review standards in the Manatee County Land Development Code, I move to DENY Manatee County Zoning Ordinance Number PDR-25-25(Z)(P); and DENY the Preliminary Site Plan and direct the County Attorney's Office along with staff to prepare written Findings of Denial and to bring back before the Board of County Commissioners on the _____ day of _____, 2026.

PLANNING COMMISSION ACTION:

- **On August 13, 2026, by a vote of 6-0, the Planning Commission voted to recommend Approval with Member Ziegler absent.**

PUBLIC COMMENT AND CORRESPONDENCE:

August 13, 2026 – Planning Commission

- **Glen Gibellina questioned the program requirements and the coastal evacuation timeline.**
- **Andra Griffin addressed traffic conditions in the surrounding area of the project.**
- **Nothing was entered into the record.**

Section	
1	Project Summary
2	Maps & Discussion
3	Project Details
4	Land Development Code Analysis
5	Comprehensive Plan Analysis
6	Positive/Negative Aspects/Mitigating Measures
7	Specific Approval Requests
8	Conditions of Approval

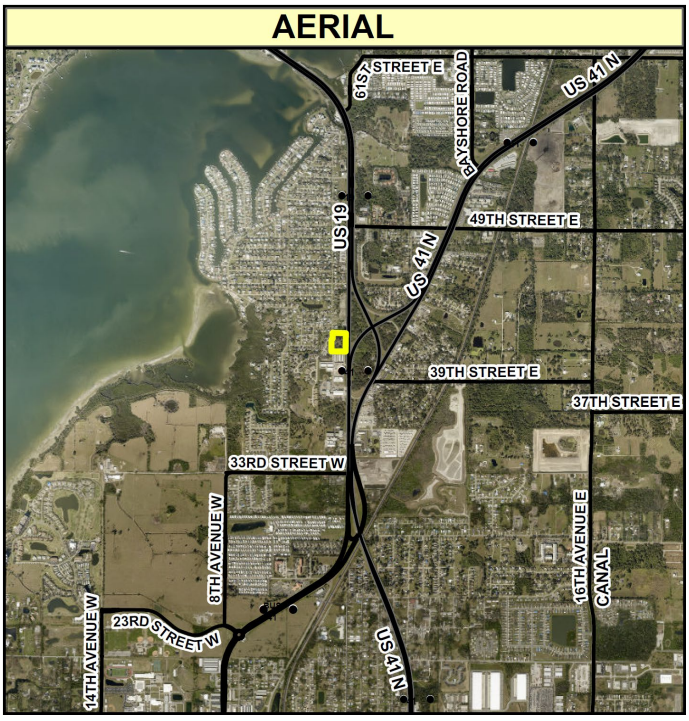
SECTION 1	
PROJECT SUMMARY	
CASE NUMBER	PDR-25-25(Z)(P) / PLN2511-0044
PROJECT NAME	Guardian Angels US 19
PARCEL ID / ADDRESS	2380700001 / 4150 3rd Avenue West, Palmetto FL 34221
GENERAL LOCATION	0.21 miles south of 45th Street Court West, 0.5 miles north of 33rd Street West, on the west side of US 19.
SECTION / TOWNSHIP / RANGE	02 / 34S / 17E
ACRES	2.73
APPLICANT(S) / AGENT	Paige Estigarribia, ZNS Engineering
FUTURE LAND USE CATEGORY	Residential-9 (RES-9)
EXISTING ZONING / USE(S)	**Zoning:** Neighborhood Commercial Medium (NC-M) **Use:** Vacant Commercial
PROPOSED ZONING	Planned Development Residential (PDR)
PROPOSED USE	Single-Family Residential
DENSITY *Dwelling units per Gross Acre (DU/GA)*	**Proposed:** 2.93 DU/GA (8 dwelling units) **Maximum:** 9 DU/GA (24 dwelling units)
INTENSITY *Floor Area Ratio (FAR)*	Not applicable as only residential uses are proposed.
OVERLAYS/SPECIAL AREAS	Coastal Evacuation Area (CEA), Coastal High Hazard (CHH), and Coastal Planning Area (CPA)
SPECIFIC APPROVAL REQUEST(S)	No Specific Approvals requested
CASE MANAGER	CJ Mills, Planner II

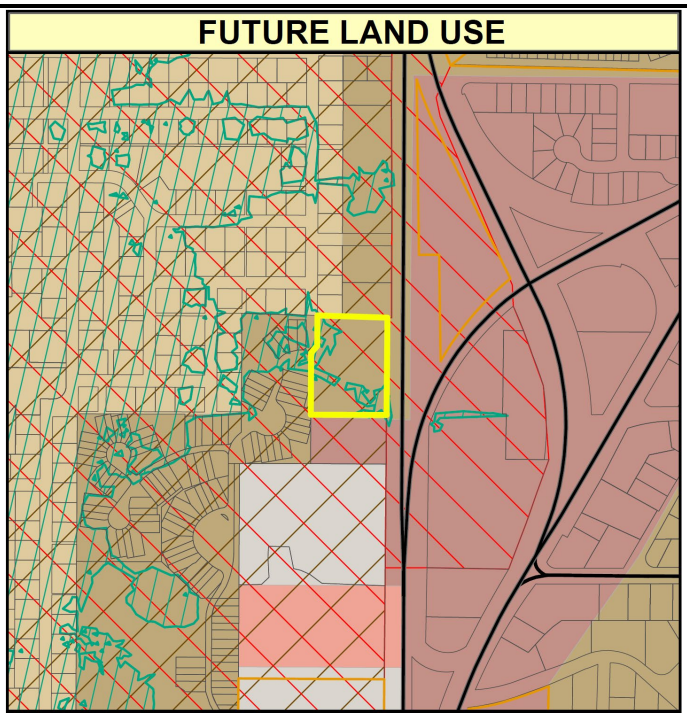
SECTION 2

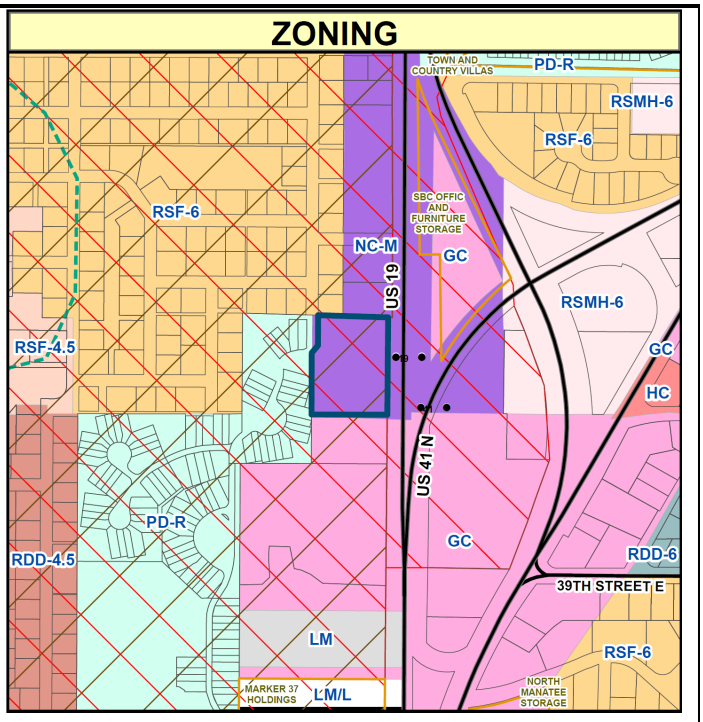
MAPS & DISCUSSION

History

The subject property is approximately 2.73 acres and generally located 0.21 miles south of 45th Street Court West, 0.5 miles north of 33rd Street West, on the west side of US 19, and commonly known as 4150 3rd Avenue West, Palmetto, FL 34221 (Manatee County). Since the adoption of the Manatee County Comprehensive Plan (1989) and the Land Development Code (1990), the site has been designated within the Residential-9 (RES-9) Future Land Use Category (FLUC) and Neighborhood Commercial-Medium (NC-M) Zoning District. Guardian Angels of SW Florida, Inc. purchased the property in August 2024 from First Baptist Church of Palmetto, LLC. Per historical GIS imagery, the property has been vacant dating back to 1984.







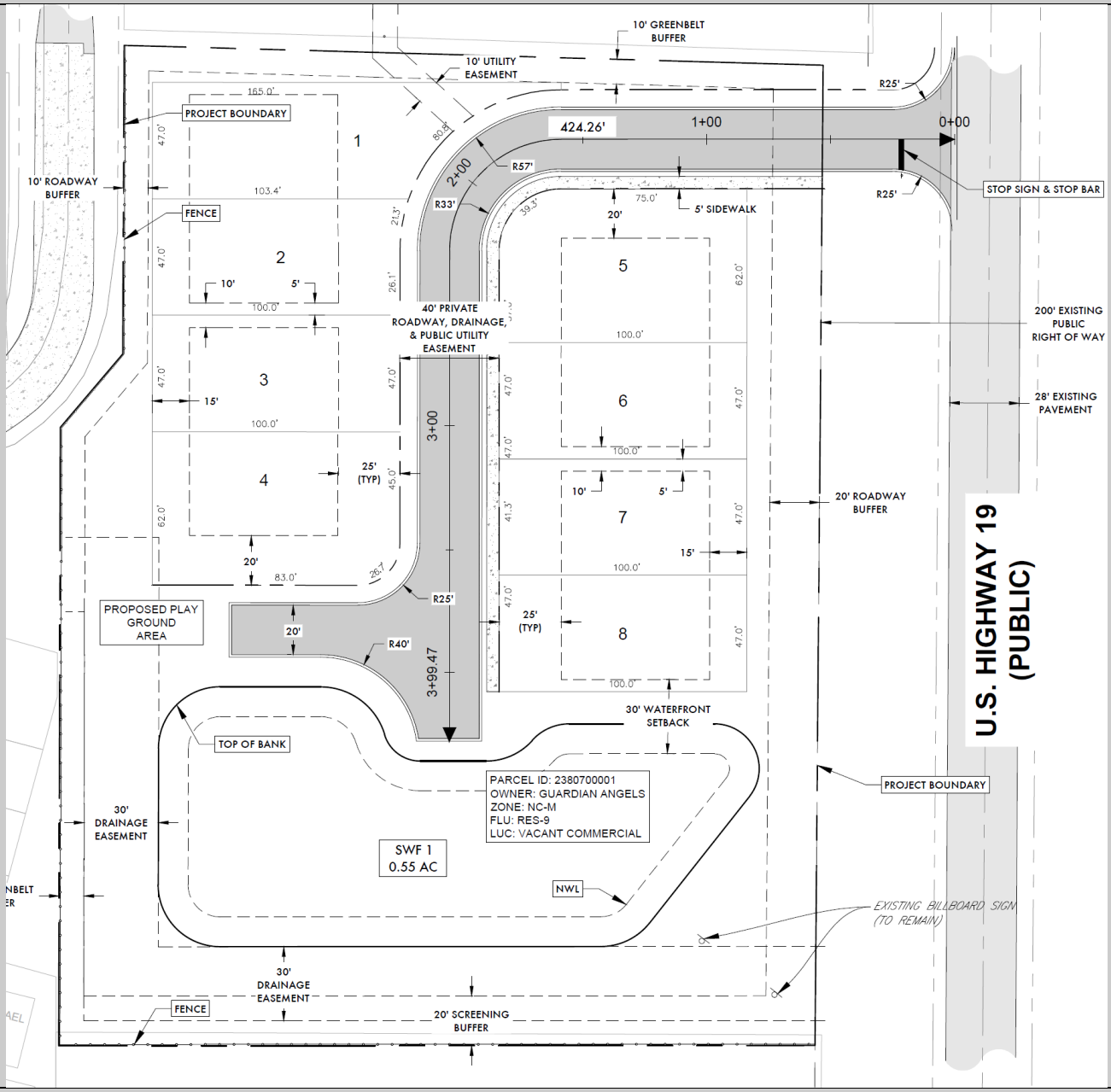
Request

The applicant is requesting to rezone the subject property from the NC-M to PDR Zoning District with an accompanying PSP for eight single-family semi-detached residential dwelling units. Due to the project's requirement for site plan approval the proposed development is not permitted in the current zoning district pursuant to LDC Section 531.47.C. The restriction of the NC-M Zoning District requires a rezone request. The request to develop eight dwelling units on the 2.73-acre property results in a gross density of 2.93 dwelling units per gross acre (DU/GA).

SURROUNDING FLUC, ZONING, AND USES	
NORTH	RES-9 and RES-6 / NC-M / vacant commercial and single-family residential
SOUTH	RES-9 / General Commercial (GC) / mini-warehouse
EAST	Residential/Office/Retail (ROR) / NC-M / US 19 and vacant commercial
WEST	ROR / PDR / single-family residential

SECTION 3

PROJECT DETAILS



- Eight single-family semi-detached dwelling units for a gross density of 2.93 DU/GA
- One access point from US 19 (requires Florida Department of Transportation review and approval)
- 44.7% open space (35% required)
- No Specific Approvals requested
- 40-foot wide private right-of-way (ROW), including 5-foot sidewalks on both sides (Design Exception approved)
- 0.55 acre stormwater pond
- Playground area proposed on the west side of the project

SITE DESIGN DETAILS	
SETBACKS PROPOSED	Front: 25 feet (20 feet for secondary front) Rear: 15 feet Side: 5 feet (0 feet for attached side) Waterfront: 30 feet
MINIMUM LOT SIZE(S) / LOT TYPE(S)	Minimum of 4,800 square feet / single-family semi-detached
HEIGHT	Maximum 1 story
OPEN SPACE	**Required:** 35% (0.95 acres) **Provided:** 44.7% (1.22 acres)
ACCESS	Proposed ingress/egress from US 19
FLOOD ZONE(S)	The site lies in Flood Zone X, Panel 12081C0162F (8/10/21)
AREA OF KNOWN FLOODING	**Project Located in Flood Prone Area:** Yes. **Type of Flooding:** Rainfall. **Project Subject to flow reduction:** N/A **Watershed/Basin:** Tampa Bay Direct Watershed. **Project located within Floodplain and/or Floodway:** Project IS NOT located in the FEMA 1% Annual Chance Flood Hazard. **Methodology Meeting:** A methodology meeting may be requested separately with Stormwater Engineering staff with respect to drainage modeling. **Drainage Easements/Access Easements required for existing system(s):** N/A **Impairment:** Please contact FDEP/SWFWMD regarding impairment and any required net improvement.
UTILITIES	POTABLE WATER INFRASTRUCTURE • 16-inch County water main within the US 19 ROW WASTEWATER INFRASTRUCTURE • 2-inch County force main within the US 19 ROW (see approved record PLN2103-0045.FC02) RECLAIMED WATER INFRASTRUCTURE • No reclaimed water within the vicinity

COMPLIANCE WITH LAND DEVELOPMENT CODE STANDARDS			
Standard(s) Required	**Design Proposal**	**Compliance**	**Comments**
BUFFERS			
Roadway Buffers	• 10 feet (West/3rd Ave W) • 20 feet (East/US 19)	Yes	LDC § 701
Perimeter Buffer	• 10 feet (North) • 20 feet (South)	Yes	LDC § 701

SIDEWALKS			
5-foot Sidewalks	5-foot sidewalks proposed throughout project site.	Yes	LDC § 1001.6

DRIVEWAYS, ROADS AND RIGHTS-OF-WAY			
Standard(s) Required	**Design Proposal**	**Compliance**	**Comments**
24-foot Paved Roadways	24 feet	Yes	
40-foot Private ROW	40 feet	No	The minimum ROW width required per the Manatee County Public Works Standards Manual is 50 feet. A design exception has been submitted and approved to deviate from the minimum required ROW width.

TRANSPORTATION

Major Transportation Facilities
The proposed development is located west of US 19, approximately 0.5 miles north of 33rd Street West. The following roadways are adjacent to or near the project site:

- US 19 is an existing four-lane road with a 50-mph posted speed. It is designated as a six-lane arterial roadway with a planned right of way width of 200-feet in the Comprehensive Plan's Future Traffic Circulation Plan, or as determined by FDOT.
- 3rd Avenue West is a local roadway.

Transportation Link Capacity Analysis
The application includes a Rezone and Preliminary Site Plan (PSP) from Neighborhood Commercial-Medium (NC-M) to Planned Development Residential (PDR). The PSP will allow for the construction of eight single-family attached dwelling units. The PSP will generate 4 PM peak hour trips. Staff have waived the requirements for the traffic study for this application, which is considered as De Minimis.

NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	EXISTING LOS	FUTURE LOS WITHOUT PROJECT	FUTURE LOS WITH PROJECT
US 19	3260	D	B	B	B

Access
As the County has repealed transportation concurrency and implemented an Alternative Transportation System (ATS), at the time of future site plan submittal and accompanying Trip Reservation Report (TRR) and Operational Analysis (OA) review, all proposed access points will be evaluated to determine if any site and safety related improvements will be required for the site.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE

CLOS APPLIED FOR: No, the applicant has elected to defer concurrency.
TRAFFIC STUDY REQ'D: A Traffic Study Waiver has been issued.

OTHER CONCURRENCY COMPONENTS

Solid waste landfill capacity, preliminary drainage intent, potable water, wastewater, and school facilities will be reviewed at the time of FSP/application for Concurrency.

ENVIRONMENTAL INFORMATION

Minimum Open Space Requirements
Required Open Space: 35% (0.95 acres) (LDC § 403.8.D.8)
Provided Open Space: 44.7% (1.22 acres)

Uplands
Per the Environmental Narrative provided by Monarch Ecology Group (April 2026) the subject site is comprised of Australian Pine (FLUCFCS 437; 1.04 acres), Brazilian Pepper (FLUCFCS 422; 1.32 acres), Disturbed Lands Previously Cleared (FLUCFCS 748; 0.33 acre) and an other surface waters ditch (FLUCFCS 513; 0.09 acre). There are no native upland habitats on site.

Endangered Species
Per the Environmental Narrative provided by Monarch Ecology Group (April 2026) an on-site assessment was conducted in March and September 2025 for listed floral and faunal species. The assessment included both direct and indirect observations such as tracks, burrows, tree markings, and vocalizations which would indicate the presence of listed species. Monarch Ecology Group also conducted a preliminary gopher tortoise survey that was conducted in accordance with FWC's *Gopher Tortoise Permitting Guidelines.*

Based on the site assessment, no listed species or gopher tortoise burrows were found on the site.

Trees and Landscaping
Tree removal and replacement will be reviewed with FSP, in accordance with LDC § 700 and 701.

LANDSCAPE BUFFERS			
	Required	Provided	LDC Section
Roadway Buffer (U.S. Highway 19)	20 feet	20 feet	402.7.D.1
Roadway Buffer (3rd Avenue West)	10 feet	10 feet	701.4.B.2
Greenbelt Buffer (North and West)	10 feet	10 feet	402.7.D.5
Screening Buffer (South)	20 feet	20 feet	701.4, Figure 7-4

Landscaping will be reviewed with FSP, in accordance with LDC Section 701.

PROJECT LOCATION

SECTION 4

COMPLIANCE WITH THE LAND DEVELOPMENT CODE

LDC SECTION 312.6 – NEIGHBORHOOD WORKSHOPS

LDC SECTION 322.2 – PRELIMINARY SITE PLAN REVIEW CRITERIA

LDC SECTION 342.4 – REVIEW CRITERIA FOR ALL ZONING MAP AMENDMENTS

LDC SECTION 402.6 - GENERAL DESIGN REQUIREMENTS FOR ALL PLANNED DEVELOPMENT SITE PLANS

LDC SECTION 402.7 - PLANNED DEVELOPMENT RESIDENTIAL

LDC SECTION 403.8 – COASTAL OVERLAY DISTRICTS

The following represents an analysis of how the application achieves compliance with LDC Sections 312.6, 322.2, 342.4, 402.6, 402.7, and 403.8. The criteria listed below were used to evaluate each specific request for rezoning to ensure compliance with the Comprehensive Plan and to establish conditions to be adopted for Planned Development districts.

SECTION 312.6 – NEIGHBORHOOD WORKSHOPS

Neighborhood Workshop Details*	
Required Documents	**Requirement Met**
Date and Time of Workshop	February 25, 2026, at 5:30 p.m.
Workshop Format	Virtual
Workshop Requirement	• Application received after July 2025 • Neighborhood Workshop was recommended during Pre-Application process (PLN2501-0038)
Citizen Attendees	8
Sign-In Sheet	Provided
Summary	Provided
Issues, Suggestions, and Concerns	See Attachment 7. Neighborhood Workshop summary
Mail Notice	• Notice mailed to 241 addresses • Mailing distance/radius: 500 feet northeast, east, southeast, and south. 1400 feet in all other directions.
Workshop Signage	• 2 signs posted (one on US 19 and the second along 3rd Avenue West) • Map and photos provided of signage locations

*For further details, please see attachment 7. Neighborhood Workshop Summary.

LDC SECTION 322.2 – PRELIMINARY SITE PLAN REVIEW CRITERIA

A. **Previous Approvals. The site plan substantially conforms and is consistent with prior approvals such as a General Development Plan, rezoning, Special Permit, variance, etc.**
Analysis: There are no prior approvals associated with the subject property.

B. **Comprehensive Plan. The proposed plan must be consistent with all applicable provisions of the Manatee County Comprehensive Plan.**
Analysis: The proposed development may be found to be consistent with all applicable Comprehensive Plan Policies. For a detailed analysis of Comprehensive Plan Policies, refer to Section 5 of this staff report.

C. **Land Development Code. The proposed plan must be in conformance with all applicable provisions of the Land Development Code.**
Analysis: The application has been reviewed for conformance with all applicable LDC Sections. In addition, there are no Specific Approvals requested with the proposed development.

D. **Use and District Requirements. The proposal must conform to the requirements of the zoning district(s) in which it is located and, where applicable, to the requirements of Chapter 5 for the particular use or activity under consideration.**
Analysis: Per LDC Section 531.47.C, single-family development is allowed in NC-M Zoning Districts if the site can be developed without generating a requirement for site plan review. The current rezone request results from the restrictions on single-family development in the NC-M Zoning District. The application meets the applicable land use and district requirements for the PDR Zoning District. For full analysis, see below analysis for LDC Sections 402.6 and 402.7.D.

E. **Environment. The proposal shall not adversely impact environmentally sensitive lands or natural resources.**
Analysis: Per the Environmental Narrative provided by Monarch Ecology Group, there were no native upland habitats, listed species, or gopher tortoises on site. Any tree removal and landscaping requirements shall be in compliance with LDC Sections 700 and 701.

F. **Circulation. Ingress and egress to the property and internal traffic patterns must be designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe.**
Analysis: The project proposed one access point from US 19 with sufficient traffic circulation for emergency vehicles (see auto turn within PSP plan set) and the eight single-family dwelling units. There is also a 5-foot-wide sidewalk along the east side of the project to provide safe maneuverability for pedestrians. Per the Manatee County Public Works Standards Manual all rights-of-way shall be required to have a minimum width of 50 feet. Because the applicant is proposing a 40-foot wide private ROW, a Design Exception has been submitted and approved with the PSP.

G. **Concurrency. The site plan must meet the requirements of Section 360, Certificate of Level of Service, or the site plan must be conditioned upon a Certificate of Level of Service being granted prior to Construction Drawing approval (this second option is available only where the applicant is required to obtain Construction Drawing approval).**
Analysis: The Applicant has elected to defer concurrency and will be reviewed at FSP.

LDC SECTION 342.4 – REVIEW CRITERIA FOR ALL ZONING MAP AMENDMENTS

A. **Compatibility with the Existing Development Pattern and the Zoning of Nearby Properties.**
Analysis: The proposed rezone from NC-M to PDC can be found to be compatible with the existing development patterns and zoning in the area. The Melwood Oaks Subdivision, also zoned PDR, is on the west side of the subject property along with the mixed residential Palmetto Point to the northwest. There is a mini-warehouse use to the south and vacant commercial to the north, both of which provide minimal compatibility issues with the

proposed development. In addition, the proposed gross density of 2.93 DU/GA is well below the 9 du/a permitted within the RES-9 FLUC.

B. Changes in Land Use or Conditions Upon Which the Original Zoning Designation was Based.
Analysis: There is a mixture of commercial and residential uses in the area with higher densities in the neighboring subdivision. The NC-M Zoning District permits residential development and the RES-9 FLUC allows for higher densities than what is being proposed; however, because the development requires site plan review, the subject property is required to rezone. Per LDC Section 531.47.C, single-family development is allowed in NC-M Zoning Districts if the site can be developed without generating a requirement for site plan review. Due to the requirement for site pan approval, the site must rezone from NC-M in order for the single-family units to be developed.

C. Consistency with the Current Comprehensive Plan.
Analysis: The proposed development can be found to be consistent with applicable Comprehensive Plan Policies. See Section 5 of this staff report for a detailed analysis of applicable Comprehensive Plan Policies.

D. Conflicts with Existing or Planned Public Improvements.
Analysis: there are no planned or anticipated CIP projects in the area that would conflict with the development proposal.

E. Availability of Public Facilities.

1. **Impact on the Traffic Characteristics – Specifically Trip Generation Potential.**
Analysis: There is no negative impact anticipated on the area's traffic characteristics. The addition of eight single-family semi-detached dwelling units is projected to add four p.m. peak hour trips to the roadway network. Transportation Planning has found no negative impacts resulting from the proposed development.

2. **Impact on Population Density or Development Intensity Demand for Schools, Sewers, Streets, Recreational Areas and Facilities and Other Public Facilities.**
Analysis: The project is not anticipated to affect population density, or require additional demand for schools, sewers, streets, recreational areas, and other public facilities. There are existing potable water and wastewater facilities; Manatee County School Board review is not required for developments of 10 dwelling units or less.

3. **Impact on Public Facilities Planned and Funded to Support Any Change in Density or Intensity.**
Analysis: Emergency services, school capacity, and utilities are anticipated to be available at time of CLOS issuance. As previously mentioned, the additional eight dwelling units result in a gross density of 2.93 DU/GA and is well below the maximum permitted and anticipated when the subject property was designated with its current FLUC.

F. Health, Safety or Welfare of the Neighborhood and County.
Analysis: The proposed development is not anticipated to negatively impact the health, safety, or welfare of the neighborhood and County. The current request is compatible and a continuation of the mixed residential development to the north, northwest, west, and southwest.

G. Conformance with All Applicable Requirements of this Code.
Analysis: The PSP has been reviewed for compliance with all applicable sections of the LDC. No Specific Approvals have been requested, and no apparent negative factors have been identified. Upon FSP submittal, additional review will be provided to ensure further compliance with the applicable provisions.

H. Consistency with the Development Patterns in the Area.
Analysis: The residential development patterns in this area consist of medium-density residential development with a mixture of attached, semi-attached, and detached dwelling unit types. The lot sizes are comparable with the Melwood Oaks Subdivision and is compatible with 2.67 DU/GA found in the Palmetto Point Subdivision.

I. Logical Expansion of Adjacent Zoning Districts.
Analysis: As previously mentioned, the Melwood Oaks Subdivision is zoned PDR and the other Euclidean residential zoning districts in the area support the similar density that is proposed with this project. A rezone to RSF-4.5 or RSF-6 (Palmetto Point's Zoning Districts) would also be logical, but a rezone with a PSP allows for a detailed review, ensuring compatibility with the adjacent land uses.

J. Impact on Historic Resources.
Analysis: There have been no known historic resources located on the subject property.

K. Environmental Impacts.
Analysis: Per the Environmental Narrative provided by Monarch Ecology Group, there are no known native upland habitats, listed species, or gopher tortoise burrows on site. For a detailed environmental analysis, refer to the environmental information found in Section 3 of this staff report or Attachment 5 - Environmental Narrative.

L. Types of Allowable Uses and Impact of those on Surrounding Residential Areas.
Analysis: The only permitted use being proposed with this request is single-family semi-detached residential. If additional uses are proposed at a later date, the applicant will be required to submit a PSP amendment and receive BCC approval.

M. Relocation of Mobile Homeowners.
Analysis: N/A. There are no mobile homes currently occupying the project area.

N. Consistency with the Planned Development District Standards.
Analysis: The application has been reviewed for consistency with LDC Sections 402.6 and 402.7.D, see below sections for a detailed analysis.

O. Any Other Matters Which May Be Appropriate.
Analysis: No other matters have been identified to analyze.

P. Transportation Impact Review pursuant to Section 343.
Analysis: The proposed project will generate an additional 4 p.m. peak-hour trips, a negligible amount that has qualified for a traffic study waiver.

LDC SECTION 402.6 – GENERAL REQUIREMENTS FOR ALL PLANNED DEVELOPMENT SITE PLANS

A. Physical Characteristics of the Site; Relation to Surrounding Property.
Analysis: the property may be found to be suitable for development without hazard to persons or property, on or off the tract, without risk of erosion, subsidence, flood hazard, destruction of wetlands or other dangers. There are no wetlands on site, it is within Flood Zone X, and stormwater facilities shall be constructed in accordance with the applicable Manatee County requirements.

B. Relation to Public Utilities, Facilities and Services.
Analysis: The property is serviced by existing potable and wastewater facilities. There is adequate roadway infrastructure in place with this segment of US 19 operating at a B level of service with, the adopted level of service is D.

C. Relation to Major Transportation Facilities.
Analysis: The project has one access point to US 19, a functionally classified arterial roadway operating below the adopted level of service. At time of FSP submittal, FDOT will be required to review and approve the proposed access point.

D. Compatibility.
Analysis: As previously mentioned, the proposed single-family development can be found to be compatible with the existing residential development to the north, northwest, west, and southwest. There are comparable densities and lot sizes with the existing Melwood Oaks and Palmetto Point subdivisions in the area.

E. Transitions.
Analysis: The PSP has been reviewed and provides the adequate buffer requirements required by LDC Section 701. In addition, there is a gradual decrease in density from the subdivision to the west, adequately reducing possible traffic constraints when accessing US 19.

F. Design Quality.
Analysis: The proposed PSP may be found to implement superior design quality in certain areas when including almost 10% additional open space and a playground/recreational area. A Design Exception has been submitted and approved to reduce the private ROW width from 50 feet to 40 feet due to specific site constraints.

G. Relationship to Adjacent Property.
Analysis: The required landscape and roadway buffers have been reviewed in accordance with the applicable LDC sections. In addition, there is a proposed fence along the south and west perimeter to further reduce incompatibilities with the surrounding uses.

H. Access.
Analysis: There is one access point along US 19 that shall be reviewed by FDOT at time of FSP submittal. The project is designed with sufficient traffic circulation that provides maneuverability for domestic and emergency vehicles.

I. Streets, Drives, Parking and Service Areas.
Analysis: The 40-foot ROW width has been approved via the attached Design Exception (Attachment #10). The Auto Turn exhibit provided by the applicant in Attachment #2-Preliminary Site Plan, Sheet 04A, shows adequate maneuverability for emergency vehicles. The parking requirements shall comply with LDC Section 1005 and there is 5-foot sidewalk along the east side of the project site.

J. Pedestrian Systems.
Analysis: As previously mentioned, the 5-foot sidewalk provides adequate internal circulation for pedestrians to safely traverse the project site. At time of FSP submittal a more detailed review will be required to ensure required pedestrian crossings are designed in accordance with LDC requirements.

K. Natural and Historic Features, Conservation and Preservation Areas.
Analysis: There is no known historical or archaeological significance associated with the subject property. Per the previously mentioned environmental report, there are no known species to preserve, and the majority of the site consists of Australian Pine and Brazilian Pepper, common nuisance exotic plant species that require removal within the coastal overlays.

L. Density/Intensity.
Analysis: The project proposes a gross residential density of 2.93 DU/GA (8 dwellings ÷ 2.73 acres = 2.93 DU/GA), less than the maximum 9 DU/GA permitted within the RES-9 FLUC. There are no non-residential uses proposed with this application, resulting in a FAR (intensity) of zero.

M. Height.
Analysis: The maximum proposed building height is one story and is consistent with the residential development patterns in the area.

N. Fences and Screening.
Analysis: The PSP provides adequate roadway, screening, and greenbelt buffers on the perimeter of the subject property. In addition, a fence is proposed along the southern and western edges of the development to further reduce possible incompatibilities with the adjacent uses.

O. Yards and Setbacks.
Analysis: The PDR Zoning District is afforded the opportunity to provide specific setbacks that will provide adequate separation between structures and property lines. See Section 3 of this staff report for specific setback information.

P. Trash and Utility Plant Screens.
Analysis: The Applicant intends to have individual can service provided by the County's contract hauler. Any required utility screening shall be reviewed at time of FSP submittal.

Q. Signs.
Analysis: Any signs proposed at time of FSP submittal shall comply with LDC Chapter 6 – Signs. There is an existing billboard located on the southeast corner of the property that will remain.

R. Landscaping.
Analysis: The proposed landscaping shall be provided in accordance with LDC § 701. Refer to the environmental information found in Section 3 of this staff report for additional analysis.

S. Special Guidelines for Review of Projects with Mixed Used Plan Designations and Projects at Designated Entranceways.
Analysis: N/A. The proposed project does not include a mixed use component and is not located within any designated entranceways.

T. Environmental Factors.

Water Conservation.
Analysis: Site development concepts for water conservation will be provided as a part of FSP/Construction Plan (CP), and the site design will retain stormwater runoff onsite.

Minimum Open Space Requirements.
Analysis: The Applicant is providing 44.7% open space, nearly 10% more than the 35% required for residential projects within the Coastal Overlay Districts. All open space shall be approved and maintained by the developer/homeowner's association.

Preservation of Existing Plant Communities.
Analysis: There are no on-site existing native plant communities. Refer to Attachment 5, Environmental Narrative, for a full analysis.

U. Rights-of-Way and Utility Standards.
Analysis: There is a proposed 40-foot private ROW with an Auto Turn Exhibit (Attachment #2-Preliminary Site Plan, Sheet 04A) to show adequate maneuverability for domestic and emergency vehicles. A Design Exception has been approved for the reduced ROW width. Additional review of the ROW standards shall occur to ensure adherence to applicable County and FDOT standards.

V. Stormwater Management.
Analysis: Stormwater and floodplain management design and engineering shall be in accordance with Section 801 of the LDC and Part 2, Stormwater Management Design Manual of the Public Works Standards.

W. Consistency with Comprehensive Plan.
Analysis: The proposed project may be found to be consistent with all applicable Comprehensive Plan Policies. See Section 5 of this staff report for a detailed consistency analysis.

X. Other Factors.
Analysis: No other factors are applicable.

LDC SECTION 402.7.D. – PDR – PLANNED DEVELOPMENT RESIDENTIAL

A. Site Planning.
Analysis: The project proposes adequate 20-foot buffers along the east and south side of the property lines, as well as 10-foot greenbelt and roadway buffers on the north and western perimeters. The development's orientation includes an internal ROW and pedestrian system that connects to US 19. There is additional separation between the mini-warehouse uses to the south by the proposed stormwater pond.

B. Landscaped Open Space and Pervious Area Requirements.
Analysis: The Applicant is providing 44.7% open space, nearly 10% more than the 35% required for residential projects within the Coastal Overlay Districts. All open space shall be approved and maintained by the developer/homeowner's association.

C. Frontage and Accessibility.
Analysis: The proposed development provides adequate frontage and accessibility to each of the eight dwelling units. As previously mentioned, the 40-foot private ROW allows for internal connectivity and maneuverability for domestic and emergency vehicles.

D. Neighborhoods.
Analysis: The proposed development is designed to promote neighborhoods by having pedestrian systems, buffers, a neighborhood focal point, and a playground/recreational area to the west.

E. Greenbelts.
Analysis: As previously mentioned, the proposed development provides adequate screening, greenbelt, and landscape buffers in compliance with the applicable Sections of the LDC.

F. Traffic Circulation.
Analysis: The applicant attempted to create a neighborhood tie and access with the Melwood Oaks Subdivision (3rd avenue West); however, the homeowner's association holding the final determination declined the proposal. As a result, no neighborhood ties are proposed and a single access point is proposed along US 19.

G. Yards and Setbacks.
Analysis: See Section 3 – Project Design Details for specific setback information.

H. Minimum Lot Width.
Analysis: the project proposes a minimum lot size of 4,800 square feet with a minimum lot width of 47 feet. The PDR Zoning District is afforded the opportunity to implement independent minimum lot sizes specific to the site and accompanying Zoning Ordinance.

I. Building Height.
Analysis: The maximum proposed building height is one story and is consistent with the residential development patterns in the area.

LDC SECTION 403.8 – COASTAL OVERLAY DISTRICTS

Analysis: There are many requirements for specialized review within the Coastal Overlay Districts that apply to land uses other than residential. The applicable requirements regarding the proposed development are: 1) removal of nuisance and exotics plant species, 2) 35% required open space, 3) preserving native plant species, and 4) providing a Hurricane Evacuation Plan. The project proposes to meet and/or exceed these additional requirements, therefore making the request consistent with the additional requirements of the coastal overlays.

SECTION 5

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the Residential-9 (Res-9) Future Land Use Category. This project was specifically reviewed for compliance with the following objectives and policies:

Policy 2.2.1.13. RES-9: Establish the Residential-9 future land use category as follows:

Policy 2.2.1.13.1. Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas of medium density residential development and complementary support uses normally utilized during the daily activities of residents of these urban areas.

Policy 2.2.1.13.2. Range of Potential Uses (see Policies 2.1.2.3—2.1.2.7, 2.2.1.5): Primarily medium density residential and high density clustered residential development, with support uses such as neighborhood commercial, office, public/semi-public, recreation and school uses. See also Objectives 4.2.1 and 2.10.4.

Analysis: The proposed development consists of eight single-family semi-detached dwelling residential dwelling units with a total gross density of 2.93 du/a. The proposed medium density residential development can be found to be consistent with the RES-9 range of potential uses.

Policy 2.2.1.13.3. Range of Potential Density/Intensity:
Maximum gross residential density:
- **Nine (9) dwelling units per acre.**
- **Twenty (20) dwelling units per acre along designated Urban Corridors if a density bonus is approved.**
- **Twenty (20) dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."**
- **Twenty (20) dwelling units per acre for mixed-use developments at activity nodes (see Policy 2.2.1.13.4). Properties within the CEA and CHHA are not eligible for the additional density offered for urban corridors, activity nodes and affordable housing.**

Minimum gross residential density:
- **7.0 only in UIRA for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "affordable housing".**

Maximum net residential density:
- **Sixteen (16) dwelling units per acre.**
- **Twenty-four (24) dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."**
- **Twenty-four (24) dwelling units per acre for mixed-use developments at activity nodes (see Policy 2.2.1.13.4).**
- **Maximum "net" densities shall not apply to projects within designated Urban Corridors and may not apply to clustered development in the WO or CHHA Overlay Districts, pursuant to Policies 2.3.1.5 and 4.3.1.5.**

Maximum floor area ratio:
- **0.35.**
- **1.00 inside the UIRA and within designated Urban Corridors.**
- **1.00 at activity nodes (see Policy 2.2.1.13.4).**

Maximum Square Footage for Neighborhood Commercial Uses:
- **Medium (One hundred fifty thousand (150,000) s.f.), subject to the Commercial Locational Criteria (see Policy 2.2.1.13.4).**

Analysis: The proposed 2.93 DU/GA is within the maximum 9 DU/GA permitted within the RES-9 FLUC. There are no proposed non-residential uses with this project, resulting in an FAR of zero.

Policy 2.2.1.13.4. Other Information:
(a) Generally, limit the use of the RES-9 future land use category on vacant land to locations that are adjacent to the roadways shown on the Future Traffic Circulation: Functional Classification Map (Map 5B) as collector or higher.
(b) In order to serve the neighborhood commercial needs within the RES-9 future land use category, activity nodes with neighborhood-serving commercial uses may be allowed subject to the Commercial Locational Criteria (see Land Use Operative Provisions and Objective 2.10.1). Residential uses may also be permitted at nodes, but the higher densities noted in Table 2-1 and Policy 2.2.1.13.3 are only allowed in conjunction with a mixed-use development that includes a commercial component.
(c) Professional office uses within this category are exempt from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, provided such office is located on a roadway classified as a minor or principal arterial (not including interstates), and meets all other commercial development standards and the goals, objectives, and policies in this Comprehensive Plan.
Analysis: The proposed development is located and takes access from US 19, a functionally classified arterial roadway owned and maintained by FDOT. No other information is applicable to the proposed project.

Policy 2.1.1.4. Promote development in currently undeveloped areas which have the greatest level of public facility availability and investment.
Analysis: The subject property has been vacant and underutilized but is located on a major thoroughfare with adequate public facilities available. The request to rezone and develop eight residential dwelling units is more compatible and consistent with the other residential uses in the area.

Policy 2.1.2.3 - Permit the consideration of new residential and nonresidential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development, and compatible with future areas of development.
Analysis: There is existing single-family residential development in the area. This application provides compatibility with the proposed development.

Policy 2.1.2.4. Limit urban sprawl through consideration of new and redevelopment when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.
Analysis: The project site is located west of the FDAB and limits urban sprawl by allowing a contiguous expansion of the existing residential uses to the west.

Policy 2.1.2.7. Review all proposed development for compatibility and appropriate timing of development.
Analysis: It is not anticipated that the proposed single-family development will have any negative impacts to existing development in the area. The rezone request can be found compatible with the existing single-family uses to the north, west, and southwest of the subject property. There is a mixture of uses to the north and south, but the adjacent and surrounding areas are predominately comprised of different single-family dwelling types. The density of 2.93 DU/GA proposed with this development is comparable or less dense than the subdivisions to the west, providing a gradual transition of densities toward US 19. The area is serviced by existing roadway and utility infrastructure that will support the additional residential uses and there are no proposed CIP projects that would conflict with the development.

Policy 2.6.1.1. An application for a development order that proposes a use, intensity, height, and/or density that could be found incompatible with the use on the adjacent site shall utilize techniques to mitigate potential incompatible characteristics of the proposed use.
Analysis: While the project may not be considered incompatible with the surrounding uses, there are certain mitigating factors in place to mitigate for any possible incompatibility. The project proposes more open space than is required in addition to the increased open space requirements of the coastal overlay districts. There are adequate buffers in place in accordance with LDC Section 701, as well as appropriate building setbacks providing space between buildings and boundary lines. Innovative site design locates the stormwater facilities on the southern portion of the site, providing additional separation between the mini-warehouse off-site and the proposed residential uses. Finally, the proposed density is less than the approximate 5.5 DU/GA found in the Melwood Oaks Subdivision to the west.

Policy 2.2.1.6. The land development regulations may restrict development potential to less than the maximum provided for in this Comprehensive Plan, to address land use compatibility, public facility and natural resource considerations as identified in this Comprehensive Plan. Furthermore, nothing in this Comprehensive Plan shall guarantee the achievement of maximum development potential, noted in this element and the Future Land Use Map.
Analysis: The applicant is proposing a density of 2.93 DU/GA, which is well within the maximum density permitted of 9 DU/GA in the RES-9 FLUC.

Policy 2.9.1.4. Encourage the development of a variety of housing options and architectural styles within a community.
Analysis: The proposed development consists of eight single-family semi-detached residential dwelling units. The proposed dwelling types provide further compatibility with the mixture of existing single-family semi-detached, attached, and detached units in the surrounding subdivisions.

SECTION 6
POSITIVE ASPECTS
• Site design provides 44.7% open space, exceeding the required 35% open space for the project. • No State or Federally listed species were observed on site. • The project is a very low trip generator. • The first impacted thoroughfare level of service is within the standard.
NEGATIVE ASPECTS
• No apparent negative aspects have been identified with the proposed project.
MITIGATING FACTORS
• There are no known negative aspects to mitigate for.

SECTION 7
SPECIFIC APPROVAL REQUESTS
No specific approvals are proposed with this application.

SECTION 8

CONDITIONS OF APPROVAL

A. DESIGN AND LAND USE

1. All other applicable local, state or federal permits shall be obtained prior to commencement of development.

2. All roof mounted mechanical equipment (e.g., HVAC) shall be screened with a solid parapet wall or other visual and noise deflecting materials. The materials shall be consistent with the construction of the principal building(s). Compliance shall be verified with review of the building permit.

3. All dumpsters, compactors, and other utility equipment shall be screened with a six-foot-high wall constructed with building materials consistent with the principal building(s). Compliance shall be verified with review of the building permit.

4. Final Site Plan review and approval is required for recreational area(s) and any proposed amenities. Any structures and/or uses shall comply with the Land Development Code requirements for parking, screening buffer (recreational use to single-family), structure height, signage, etc. Recreation Area structure(s) shall have a minimum setback of 20 feet from property lines.

5. Prior to FSP approval, a non-vehicular ingress/egress easement shall be recorded with the Manatee County Clerk of Courts, prohibiting cross access to 3rd Avenue West, as well as limiting ingress/egress from US 19 to the approved access point.

6. Any significant historical or archaeological resource discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statues (Offences Concerning Dead Bodies and Graves) shall be followed.

7. A Hurricane Evacuation Plan shall be provided at time of FSP submittal in accordance with the Division of Emergency Management.

8. The setbacks along 3rd Avenue West and US 19 shall be considered rear setbacks with a minimum distance of 15 feet.

B. ENVIRONMENTAL

1. There are no impacts to jurisdictional wetlands or wetland buffers being approved by the adoption of this Ordinance.

2. The landward extent of wetlands shall be determined in accordance with Chapter 62-340 of the Florida Administrative Code. If the Southwest Florida Water Management District's (SWFWMD) Formal Determination of Wetlands and Other Surface Waters identifies a greater wetland acreage than indicated in the Preliminary Site Plan, the project's maximum density may be subject to a reduction at time of Final Site Plan submittal in accordance with the Comprehensive Plan and Land Development Code. The project's maximum density shall be contingent upon SWFWMD's Formal Determination of Wetlands and Other Surface Waters for the site.

3. No lots shall be platted through post-development wetlands, wetland buffers, or upland preservation areas.

4. Pursuant to the April 2026 Environmental Narrative prepared by Monarch Ecology Group, a 100% pre-construction survey will be required within 90-days of any future clearing or construction in accordance with FWC's *Gopher Tortoise Permitting Guidelines.* If gopher tortoises (or burrows) are found, a relocation permit will be required (from FWC) to relocate tortoises to an FWC-approved recipient site before any clearing or construction occurs.

5. If wells are encountered, a Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the EPS for review and approval prior to recommencing construction activities. The Well Management Plan shall include the following information:
    - Digital photographs of the well along with nearby reference structures (if existing);
    - GPS coordinates (latitude/longitude) of the well;
    - The methodology used to secure the well during construction (e.g. fence, tape); and
    - The final disposition of the well - used, capped, or plugged.

6. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

C. DEVELOPMENT REVIEW

1. Connection to the County water and wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting, and construction of off-site extensions of lines, shall be the responsibility of the applicant. Such off-site extension shall be designed and constructed in accordance with the applicable County Master Plan. The connection shall be designed, engineered, and permitted by the applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the Development Services review process for the project.

2. If this project is in the Coastal High Hazard Area, the potable water and reclaimed water shall be master metered. All potable water and reclaimed water facilities downstream of the master meter and all sanitary sewer facilities within the development shall be privately owned and maintained. Furthermore, the applicant shall adhere to any special construction requirements for utilities within the Coastal High Hazard Area that are in place at the time of Final Site Plan submittal. Such special construction requirements may include but are not limited to installation of leak proof manhole covers, and/or controlling the elevation that any at or above grade potable water, reclaimed water, or sanitary sewer facility or appurtenance is installed.

D. STORMWATER ENGINEERING

1. Pursuant to Section 801 Land Development Code, Manatee County Floodplain Ordinance (Chapter 2-10 - Drainage and Flood Control, or as amended), and Code of Federal Regulations (CFR), Title 44, Section 60.3, the Construction Plan and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect post-development discharge of runoff. The following storm frequency events, corresponding cumulative rainfall, and rainfall distribution shall be provided as a comparison of the existing pre-development condition versus the proposed post-development development condition:

    NOAA Atlas 14 rainfall data shall be used for stormwater modeling

Storm Frequency	Cumulative Rainfall	Rainfall Distribution
2.33-year/24-hour	4.5 inches	FLMOD
10-year/24-hour	NOAA Atlas 14	FLMOD
25-year/24-hour	NOAA Atlas 14	FLMOD
50-year/24 hour	NOAA Atlas 14	FLMOD
100-year/24-hour	NOAA Atlas 14	FLMOD
100-year/72-hour	18 inches	FDOT-72

50-year storm event modeling applies to thoroughfare drainage systems only.

The comparison of existing pre-development condition versus the proposed post-development development condition shall include results in terms of runoff and staging.

2. Any fill within the FEMA 1% annual chance flood hazard area (or as otherwise known as 100-year floodplain) as delineated by the Tampa Bay Direct Watershed Management Plan (WMP) shall be compensated by the creation of an equal or greater storage volume above seasonal high-water table. FEMA 1% annual chance flood hazard area compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation). Alternatively, the applicant can utilize drainage modeling (using best available county watershed studies as tailwater conditions) to demonstrate no adverse drainage impacts to a no-rise condition.

3. A Public Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan for the existing ditch reroute along the southern property line within the project boundaries as needed. In addition, a Drainage-Maintenance Access Easement shall be provided along the top-of-bank of the system. Manatee County is only responsible for maintaining the public free flow of drainage through these systems.

ATTACHMENTS

1. Staff Report Maps and Aerials
2. Preliminary Site Plan
3. Traffic Study Waiver
4. Environmental Report
5. Zoning Disclosure Affidavit
6. Concurrency Deferral Form
7. Neighborhood Workshop Summary
8. Affidavit of Publishing
9. Ordinance PDR-25-25(Z)(P)
10. Design Exception

Manatee County Zoning Ordinance

PDR-25-25(Z)(P) - GUARDIAN ANGELS US 19 - GUARDIAN ANGELS OF SW FLORIDA INC. (OWNER) – PLN2511-0044

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area, providing for a rezone of approximately 2.73 acres generally located 0.21 miles south of 45th Street Court West, 0.5 miles north of 33rd Street West, on the west side of US 19, and commonly known as 4150 3rd Avenue West, Palmetto, FL (Manatee County) from Neighborhood Commercial-Medium (NC-M) to Planned Development Residential (PDR) Zoning District; approving a Preliminary Site Plan for eight single-family semi-detached dwelling units; subject to conditions of approval voluntarily proffered by the applicant; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

WHEREAS, Guardian Angels Of SW Florida Inc (the "Applicant") filed an application to rezone approximately 2.73 acres described in Exhibit "A", attached hereto, (the "Property") from Neighborhood Commercial Medium (NC-M) to Planned Development Residential (PDR) zoning district; and

WHEREAS, the applicant also filed a Preliminary Site Plan for for eight single-family semi-detached dwelling units (the "project") on the property; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on August 13, 2026 to consider the rezone, Preliminary Site Plan and Specific Approval applications 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 applications 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 subject to the stipulations contained in the staff report.

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, application for amendment of the Official Zoning Atlas, 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 Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from

Neighborhood Commercial Medium (NC-M) to Planned Development Residential (PDR) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on September 3, 2026 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at said 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 the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved for eight single-family semi-detached dwelling units upon the property subject to the following Conditions:

A. DESIGN AND LAND USE

1. All other applicable local, state or federal permits shall be obtained prior to commencement of development.

2. All roof mounted mechanical equipment (e.g., HVAC) shall be screened with a solid parapet wall or other visual and noise deflecting materials. The materials shall be consistent with the construction of the principal building(s). Compliance shall be verified with review of the building permit.

3. All dumpsters, compactors, and other utility equipment shall be screened with a six-foot-high wall constructed with building materials consistent with the principal building(s). Compliance shall be verified with review of the building permit.

4. Final Site Plan review and approval is required for recreational area(s) and any proposed amenities. Any structures and/or uses shall comply with the Land Development Code requirements for parking, screening buffer (recreational use to single-family), structure height, signage, etc. Recreation Area structure(s) shall have a minimum setback of 20 feet from property lines.

5. Prior to FSP approval, a non-vehicular ingress/egress easement shall be recorded with the Manatee County Clerk of Courts, prohibiting cross access to 3rd Avenue West, as well as limiting ingress/egress from US 19 to the approved access point.

6. Any significant historical or archaeological resource discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statues (Offences Concerning Dead Bodies and Graves) shall be followed.

7. A Hurricane Evacuation Plan shall be provided at time of FSP submittal in accordance with the Division of Emergency Management.

8. The setbacks along 3rd Avenue West and US 19 shall be considered rear setbacks with a minimum distance of 15 feet.

B. ENVIRONMENTAL

1. There are no impacts to jurisdictional wetlands or wetland buffers being approved by the adoption of this Ordinance.

2. The landward extent of wetlands shall be determined in accordance with Chapter 62-340 of the Florida Administrative Code. If the Southwest Florida Water Management District's (SWFWMD) Formal Determination of Wetlands and Other Surface Waters identifies a greater wetland acreage than indicated in the Preliminary Site Plan, the project's maximum density may be subject to a reduction at time of Final Site Plan submittal in accordance with the Comprehensive Plan and Land Development Code. The project's maximum density shall be contingent upon SWFWMD's Formal Determination of Wetlands and Other Surface Waters for the site.

3. No lots shall be platted through post-development wetlands, wetland buffers, or upland preservation areas.

4. Pursuant to the April 2026 Environmental Narrative prepared by Monarch Ecology Group, a 100% pre-construction survey will be required within 90-days of any future clearing or construction in accordance with FWC's *Gopher Tortoise Permitting Guidelines.* If gopher tortoises (or burrows) are found, a relocation permit will be required (from FWC) to relocate tortoises to an FWC-approved recipient site before any clearing or construction occurs.

5. If wells are encountered, a Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the EPS for review and approval prior to recommencing construction activities. The Well Management Plan shall include the following information:
    - Digital photographs of the well along with nearby reference structures (if existing);
    - GPS coordinates (latitude/longitude) of the well;
    - The methodology used to secure the well during construction (e.g. fence, tape); and
    - The final disposition of the well - used, capped, or plugged.

6. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

C. DEVELOPMENT REVIEW

1. Connection to the County water and wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting, and construction of off-site extensions of lines, shall be the responsibility of the applicant. Such off-site extension shall be designed and constructed in accordance with the applicable County Master Plan. The connection shall be designed, engineered, and permitted by the applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the Development Services review process for the project.

2. If this project is in the Coastal High Hazard Area, the potable water and reclaimed water shall be master metered. All potable water and reclaimed water facilities downstream of the master meter and all sanitary sewer facilities within the development shall be privately owned and maintained. Furthermore, the applicant shall adhere to any special construction requirements for utilities within the Coastal High Hazard Area that are in place at the time of Final Site Plan submittal. Such special construction requirements may include but are not limited to installation of leak proof manhole covers, and/or controlling the elevation that any at or above grade potable water, reclaimed water, or sanitary sewer facility or appurtenance is installed.

D. STORMWATER ENGINEERING

1. Pursuant to Section 801 Land Development Code, Manatee County Floodplain Ordinance (Chapter 2-10 - Drainage and Flood Control, or as amended), and Code of Federal Regulations (CFR), Title 44, Section 60.3, the Construction Plan and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect post-development discharge of runoff. The following storm frequency events, corresponding cumulative rainfall, and rainfall distribution shall be provided as a comparison of the existing pre-development condition versus the proposed post-development development condition:

   NOAA Atlas 14 rainfall data shall be used for stormwater modeling

Storm Frequency	Cumulative Rainfall	Rainfall Distribution
2.33-year/24-hour	4.5 inches	FLMOD
10-year/24-hour	NOAA Atlas 14	FLMOD
25-year/24-hour	NOAA Atlas 14	FLMOD
50-year/24 hour	NOAA Atlas 14	FLMOD
100-year/24-hour	NOAA Atlas 14	FLMOD
100-year/72-hour	18 inches	FDOT-72

   50-year storm event modeling applies to thoroughfare drainage systems only.

   The comparison of existing pre-development condition versus the proposed post-development development condition shall include results in terms of runoff and staging.

2. Any fill within the FEMA 1% annual chance flood hazard area (or as otherwise known as 100-year floodplain) as delineated by the Tampa Bay Direct Watershed Management Plan (WMP) shall be compensated by the creation of an equal or greater storage volume above seasonal high-water table. FEMA 1% annual chance flood hazard area compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation). Alternatively, the applicant can utilize drainage modeling (using best available county watershed studies as tailwater conditions) to demonstrate no adverse drainage impacts to a no-rise condition.

3. A Public Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan for the existing ditch along the southern property line within the project boundaries as needed. In addition, a Drainage-Maintenance Access Easement shall be provided along the top-of-bank of the system. Manatee County is only responsible for maintaining the free flow of drainage through these systems.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County (Ordinance No. 15-17, 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 Neighborhood Commercial Medium (NC-M) to Planned Development Residential (PDR) zoning district, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

Section 4. 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 5. 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 6. STATE AND FEDERAL PERMITTING. The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 7. 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 September 2026.

BOARD OF COUNTY COMMISISONERS OF MANATEE COUNTY, FLORIDA.

BY: _____
Chairperson

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: _____
Deputy Clerk

Exhibit "A"

Legal Description

DESCRIPTION PER ORI 202441086545

Parcel Number 1:

Begin at the SW corner of the E 1/2 of SE 1/4 of NE 1/4 of Section 2, Township 34 South, Range 17 East; thence North 132 yards, thence East 220 yards, thence South 132 yards, thence West 220 yards to Point of Beginning, less a strip of land off the East side of the above-described land, said strip being 69.76 feet wide at the South end and 70.66 feet wide at the North end to State for highway right of way, and LESS that part included in O.R. Book 1111, Page 2150, Public Records of Manatee County, Florida.

Parcel Number 2:

Begin at the S.E. comer of Lot 946, PALMETTO POINT SUBDIVISION, as per Plat thereof, as recorded in Plat Book 8, at Pages 145, 146 and 147, of the Public Records of Manatee County, Florida, thence S 88° 40' 24" East, 182,29 feet; thence South 1.81 feet to the Northeast corner of land described as Parcel "II" in that certain Deed recorded in Official Records Bock 611, at Page 869 of the Public Records of Manatee County, Florida; thence in a Westerly direction along the Northern boundary of said Parcel II to the Northwest corner thereof; thence North 15.67 feet to the Southerly line of Lot 970, PALMETTO POINT SUBDIVISION, if extended, thence S 88°40' 24" East to the Point of Beginning.

Manatee County Zoning Ordinance

PDR-25-25(Z)(P) - GUARDIAN ANGELS US 19 - GUARDIAN ANGELS OF SW FLORIDA INC. (OWNER) – PLN2511-0044

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area, providing for a rezone of approximately 2.73 acres generally located 0.21 miles south of 45th Street Court West, 0.5 miles north of 33rd Street West, on the west side of US 19, and commonly known as 4150 3rd Avenue West, Palmetto, FL (Manatee County) from Neighborhood Commercial-Medium (NC-M) to Planned Development Residential (PDR) Zoning District; approving a Preliminary Site Plan for eight single-family semi-detached dwelling units; subject to conditions of approval voluntarily proffered by the applicant; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

WHEREAS, Guardian Angels Of SW Florida Inc (the "Applicant") filed an application to rezone approximately 2.73 acres described in Exhibit "A", attached hereto, (the "Property") from Neighborhood Commercial Medium (NC-M) to Planned Development Residential (PDR) zoning district; and

WHEREAS, the applicant also filed a Preliminary Site Plan for for eight single-family semi-detached dwelling units (the "project") on the property; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on August 13, 2026 to consider the rezone, Preliminary Site Plan and Specific Approval applications 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 applications 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 subject to the stipulations contained in the staff report.

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, application for amendment of the Official Zoning Atlas, 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 Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from

Neighborhood Commercial Medium (NC-M) to Planned Development Residential (PDR) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on September 3, 2026 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at said 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 the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved for eight single-family semi-detached dwelling units upon the property subject to the following Conditions:

A. DESIGN AND LAND USE

1. All other applicable local, state or federal permits shall be obtained prior to commencement of development.

2. All roof mounted mechanical equipment (e.g., HVAC) shall be screened with a solid parapet wall or other visual and noise deflecting materials. The materials shall be consistent with the construction of the principal building(s). Compliance shall be verified with review of the building permit.

3. All dumpsters, compactors, and other utility equipment shall be screened with a six-foot-high wall constructed with building materials consistent with the principal building(s). Compliance shall be verified with review of the building permit.

4. Final Site Plan review and approval is required for recreational area(s) and any proposed amenities. Any structures and/or uses shall comply with the Land Development Code requirements for parking, screening buffer (recreational use to single-family), structure height, signage, etc. Recreation Area structure(s) shall have a minimum setback of 20 feet from property lines.

5. Prior to FSP approval, a non-vehicular ingress/egress easement shall be recorded with the Manatee County Clerk of Courts, prohibiting cross access to 3rd Avenue West, as well as limiting ingress/egress from US 19 to the approved access point.

6. Any significant historical or archaeological resource discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statues (Offences Concerning Dead Bodies and Graves) shall be followed.

7. A Hurricane Evacuation Plan shall be provided at time of FSP submittal in accordance with the Division of Emergency Management.

8. The setbacks along 3rd Avenue West and US 19 shall be considered rear setbacks with a minimum distance of 15 feet.

B. ENVIRONMENTAL

1. There are no impacts to jurisdictional wetlands or wetland buffers being approved by the adoption of this Ordinance.

2. The landward extent of wetlands shall be determined in accordance with Chapter 62-340 of the Florida Administrative Code. If the Southwest Florida Water Management District's (SWFWMD) Formal Determination of Wetlands and Other Surface Waters identifies a greater wetland acreage than indicated in the Preliminary Site Plan, the project's maximum density may be subject to a reduction at time of Final Site Plan submittal in accordance with the Comprehensive Plan and Land Development Code. The project's maximum density shall be contingent upon SWFWMD's Formal Determination of Wetlands and Other Surface Waters for the site.

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Section 7. 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 September 2026.

BOARD OF COUNTY COMMISISONERS OF MANATEE COUNTY, FLORIDA.

BY: _____
Chairperson

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: _____
Deputy Clerk

Exhibit "A"

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DESCRIPTION PER ORI 202441086545

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