

**SP-25-05 – RISEN SAVIOR CAMPUS EXPANSION - PLN2504-0207**

**FINAL ORDER OF MANATEE COUNTY HEARING OFFICER KELLY FERNANDEZ ON BEHALF OF MANATEE COUNTY GRANTING SPECIAL PERMIT SP-25-05 TO ALLOW MIDDLE AND HIGH SCHOOL USES WITHIN THE GENERAL AGRICULTURE (A) ZONING DISTRICT ON APPROXIMATELY 10.0 ACRES OF LAND LOCATED AT 14605 59<sup>TH</sup> AVENUE EAST, BRADENTON (MANATEE COUNTY), GENERALLY LOCATED SOUTH OF RANGELAND PKWY AVE AND NORTH OF SR 70 E; SUBJECT TO STIPULATIONS OF APPROVAL; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Manatee County adopted the Manatee County Land Development Code (LDC), Manatee County Ordinance 15-17, as amended; and

**WHEREAS**, pursuant to the LDC, the Hearing Officer has the authority to grant Special Permits; and

**WHEREAS**, Risen Savior Evangelical Lutheran Church Wels, Inc., requested a Special Permit to allow middle and high schools uses within the General Agriculture (A) Zoning District on approximately 10.0 acres of land; and

**WHEREAS**, on April 20, 2026, the aforementioned Hearing Officer held a public hearing to receive the staff report, applicant, and public comment, and argument regarding the proposed Special Permit.

**NOW, THEREFORE**, after consideration of the application for Special Permit 25-05 requested by Risen Savior Evangelical Lutheran Church Wels Inc., the Hearing Officer makes the following Findings of Fact and Conclusions of Law and issues the Final Order as follows:

**Section 1. Findings of Fact.** The aforementioned Hearing Officer, after considering comment, argument, evidence, documentation and staff report presented, as well as all other matters presented at the Public Hearing above referenced, hereby makes the following Findings of Fact:

- A. The site is in the RES-1 (Residential-1) Future Land Use Category.
- B. The site is in the A (General Agriculture) zoning district. Private middle and high school uses are permitted within the A zoning district through a Special Permit.
- C. The site is in an ST (Airport Impact Height Overlay) Overlay District.

- D. The request is to approve a Special Permit allowing middle and high school uses.
- E. The site lies in X Zone, Panel# 12081C0178E, effective 3/17/2014.

**Section 2. Conclusions of Law.** Based upon the prior Findings of Fact and considering the testimony, evidence, documentation and the staff report presented, and a review of the applicable provisions of the Manatee County Comprehensive Plan and Manatee County LDC, the above referenced Hearing Officer hereby makes the following Conclusions of Law:

- A. This Hearing Officer has jurisdiction over the parties and subject matter in this proceeding pursuant to the LDC.
- B. The applicant has the burden of proving entitlement to the Special Permit it seeks. Irvine v. Duval Cty Planning Commission, 495 So.2d 167 (Fla. 1986); Florida Department of Transportation v. J.W.C. Company, Inc., 396 So.2d 778 (Fla. 1st DCA 1981).
- C. The proposed use of the subject property is consistent with the Manatee County Comprehensive Plan.
- D. The proposed use is in compliance with the Manatee County LDC, including Sections 316.6 (Special Permit Review Criteria) and 531.50.B. (All Other Schools).
- E. The proposed use will not be detrimental to or endanger the public health, safety or general welfare.
- F. The proposed use will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district.
- G. Adequate measures exist and will be taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets.
- H. The use, as proposed, is compatible with the surrounding uses and the general desired character of the area (height, bulk, scale, intensity, traffic, noise, drainage, lighting, and appearance).
- I. Development of the proposed use will not have a substantial adverse effect on a known archaeological, historical or cultural resource located on or off the parcel proposed for development as there are no known resources located on or near the subject site.
- J. Adequate provisions have been made for screening and buffers to improve compatibility and harmony of the proposed use and structures with the uses and structures of adjacent and nearby properties.

- K. The proposed use will not have a significant adverse effect on the natural environment, including land, air, water, wetlands, minerals, flora, fauna, and ambient noise.

**Section 3. Order.** Based upon the foregoing, a Special Permit is hereby approved and issued to Risen Savior Evangelical Lutheran Church Wels, Inc. for middle and high school uses within the General Agriculture (A) zoning district on approximately 10.0 acres of land located at 14605 59<sup>th</sup> Ave. E., Bradenton (Manatee County), as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference, subject to the following stipulations:

**A. DESIGN AND LAND USE CONDITIONS**

1. This Special Permit shall not be effective until it has been recorded in the Public Records of Manatee County, Florida, by the Applicant and a copy of the recorded Order is received by Development Services.
2. All roof mounted HVAC equipment shall be screened from view from driveways, and adjacent properties at ground level. Screening shall consist of similar colors and materials consistent with the construction of the exterior finish of the buildings. Details of screening shall be submitted with Final Site Plan.
3. Any significant historical or archeological resources discovered during development activities shall be immediately reported to the Florida Department of State, Division of Historical Resources, and treatment of such resources shall be determined in cooperation with the Division of Historical Resources, and the County. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) must be completed before resource disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offenses Concerning Dead Bodies and Graves) shall be followed.
4. Signs are not approved with this request. Signs details (size and type) shall be reviewed and approved with Building Permits. Limitations may apply.
5. Any new or temporary use proposed at this property, other than those approved with this application, shall be required to apply for a new permit through Development Services-Planning & Zoning, as required by the LDC.
6. All other required federal, state, or local building permits shall be obtained before commencement of the project.
7. Any proposed dumpsters shall be screened from view from internal driveways, and adjacent properties. Screening shall consist of building materials matching the

building on site, or opaque fence. Details of screening shall be submitted with Final Site Plan.

8. A "Lighting Plan" will be required at time of Final Site Plan and shall be compliant with the requirements of LDC Section 806.

## **B. ENVIRONMENTAL STIPULATIONS**

1. All other applicable state or federal permits shall be obtained prior to commencement of development.
2. There are no impacts to jurisdictional wetlands or wetland buffers being approved by the adoption of this Ordinance.
3. 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 intensity 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 intensity shall be contingent upon SWFWMD's Formal Determination of Wetlands and Other Surface Waters for the site.
4. Pursuant to the April 2025 Environmental Narrative prepared by Monarch Ecology Group, ninety (90) days prior to construction and land clearing, a 100% survey of suitable habitat for gopher tortoises shall be conducted as recommended. If evidence of gopher tortoises is found, a FWC permit will be obtained for relocation and/or management of tortoises.
5. If wells were 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); &
  - Addition 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. STORM WATER ENGINEERING STIPULATIONS**

The following will be required at Final Design:

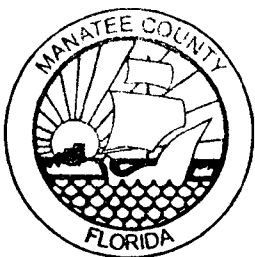
1. There shall be a full 25-year attenuation on all stormwater ponds within the development.
2. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to the neighboring residents surrounding the site in respect to drainage routing, grading, and runoff.
3. Drainage modeling shall use the Pearce Drain / Gap Creek Plan (attenuation, water quality and floodplain analysis). The corresponding flood elevations as derived from the Pearce Drain / Gap Creek Watershed Management Plan shall be utilized as tailwater condition for each storm frequency event modeled.
4. Flowage Easements and Maintenance-Access Easements shall be required for all drainage systems which convey runoff from public right-of-way. Manatee County is only responsible for maintaining the free flow of drainage through these systems. Refer to Appendix A of the Public Works Stormwater Management Design Manual for easement width requirements.
5. Topographic information shall be provided in North American Vertical Datum (NAVD) and include conversion factor to National Geodetic Vertical Datum (NGVD).
6. Please be advised that TV video inspection is required for all stormwater pipes (public or private) associated with the proposed development. In addition, laser profiles is required for all ADS/HDPE stormwater pipes.
7. Stormwater and floodplain management design and engineering shall be in accordance with Section 801 of the Land Development Code (effective June 9, 2015), Manatee County Floodplain Ordinance (Ordinance #20-22 or as amended), and the Public Works Standards Manual.

**Section 4. Severability.** In the event that any portion or section of this Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decisions shall in no manner affect the remaining portions or sections of the Special Permit which shall remain in full force and effect.

**Section 5. Effective Date.** The effective date of this Special Permit shall be upon execution of this Order and its recordation in the Official Records by the applicant with the Office of the Clerk of the Circuit Court and receipt of a copy of the recorded Order by the Development Services Department.

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ORDERED ON BEHALF OF MANATEE COUNTY this 2<sup>nd</sup> day of JUNE, 2026.



MANATEE COUNTY, FLORIDA

BY: Kelly S, as  
Hearing Officer for Manatee County

ATTEST: ANGELINA COLONNESO,  
Clerk of the Circuit Court

BY: Uebir Assmer  
Deputy Clerk

**EXHIBIT "A"**

**LEGAL DESCRIPTION:**

PER ORB 2244, PG 3120, OFFICIAL RECORDS OF MANATEE COUNTY, FLORIDA)

DESCRIPTION: 10.00 ACRE PARCEL

COMMENCE AT A CONCRETE MONUMENT FOUND MARKING THE OCCUPIED NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 35 SOUTH, RANGE 19 EAST; THENCE S89°31'12"E, ALONG THE OCCUPIED NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1343.23 FT. TO THE INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SOUTHWEST 1/4; THENCE S00°04'29"E, ALONG SAID WEST LINE, A DISTANCE OF 808.08 FT.; THENCE N89°55'31"E, PERPENDICULAR WITH SAID WEST LINE, A DISTANCE OF 60.00 FT. FOR A POINT OF BEGINNING; THENCE S87°56'19"E, 916.57 FT.; THENCE S00°25'16"E, A DISTANCE OF 423.92 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 50.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 92°28'57", A DISTANCE OF 80.71 FT. TO THE P.T. OF SAID CURVE, SAID POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF "59TH AVENUE EAST", A 100.00 FT. WIDE PUBLIC ROADWAY AS SHOWN ON "CRAWLEY SUBSTATION ROADWAY", A ROADWAY PLAT AS RECORDED IN PLAT BOOK 43, PAGES 84 AND 85, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N87°56'19"W, ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 819.06 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 50.00 FT.; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 87°51'50", A DISTANCE OF 76.68 FT. TO THE P.T. OF SAID CURVE; THENCE N00°04'29"W, A DISTANCE OF 427.85 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 15, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 10.00 ACRES, MORE OR LESS.