



August 4, 2026- Hearing Officer

Subject

VA-26-02 – 7154 Hawks Harbor Circle - Variance - PLN2604-0052 - Quasi-Judicial - Laura Gonzalez, Principal Planner - District 5

Approval of a variance to the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures to allow variable encroachments along the northerly extension of the existing pool and pool deck, ranging from approximately 1.9 feet at the northwestern corner, a maximum of 5 feet where the deck intersects the rear property line, and approximately 0.6 feet at the northeastern corner, and to allow a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line.

Category

ADVERTISED PUBLIC HEARINGS (Presentation Scheduled)

Briefings

None

Contact and/or Presenter Information

Presenter: Laura Gonzalez, Principal Planner, 941-748-4501 x3891,

Laura.Gonzalez@mymanatee.org

Contact: Abigail Bonds, Planning and Zoning Tech III, 941-748-4501 x3927,

Abigail.bonds@mymanatee.org

Action Requested

N/A

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Applicable Advisory Board

N/A

Background Discussion

- **Request**

Approval of a variance to the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures to allow variable encroachments along the northerly extension of the existing pool and pool deck, and a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line.

- **General Information**

- Location:

- The subject property is Parcel ID 6663610409, located at 7154 Hawks Harbor Circle, Bradenton, 34207 (Manatee County).

- Acreage of Project:

- 5,442 square feet (0.1249 acres)

- Density/Intensity of Project:

- N/A

- **Neighborhood Workshop**

- NA

- **Affordable Housing**

- NA

- **Future Land Use Category**

- Residential-16 (RES-16).

- **Zoning District**

- PDR

- **Land Use History**

- A building permit (BLD2104-1880) for the construction of an inground pool and spa was submitted in April of 2021 by owners at that time. The building permit showing the pool a minimum 5-feet from the northeastern property line, was reviewed by Manatee County and approved in July 27, 2021, but it is unclear if it included the location of the pool deck.

- The applicant and current owner of the property, Mr. Baker, is now under contract to sell the property, and the survey commissioned by the buyer revealed that the existing pool and decking extend into the required 5-foot setback and encroach into the 5-foot utility easement along the rear lot line.

- **Surrounding Area**

- Residential single-family units within the Hawk's Harbor Subdivision and common area owned by the HOA north of the property.

- **Conclusion**

- The request can be found to satisfy most of the review criteria set forth in LDC Section 367.5. Specifically, the encroachment does not appear to be the result of bona fide staff error alone. Rather, as discussed in this staff report, additional contributing circumstances likely played a role in the resulting encroachment.

Attorney Review

Other (Requires explanation in field below) Welch

Kate Welch reviewed and responded by email to Matter #FY25/26-0352.

Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

H.O. 8/04/2026

VA-26-02 – 7154 Hawks Harbor Cir - Variance
(PLN2604-0052)

Approval of a variance to the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures to allow variable encroachments along the northerly extension of the existing pool and pool deck, ranging from approximately 1.9 feet at the northwestern corner, a maximum of 5-feet where the deck intersects the rear property line, and approximately 0.6 feet at the northeastern corner, and to allow a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line; for a site located at 7154 Hawks Harbor Circle, Bradenton, 34207 (Manatee County) on approximately 0.12 acres; providing for severability; and providing for an effective date.

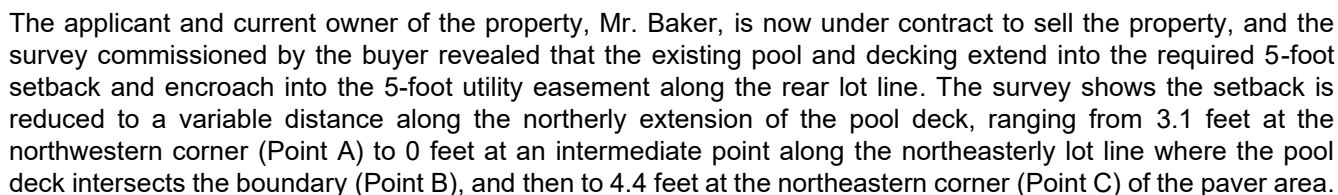
Hearing Officer:

07/20/2026 & 8/04/2026

PROJECT SUMMARY	
CASE#:	VA-26-02 (PLN2604-0052)
PROJECT NAME:	7154 Hawks Harbor Cir-Variance Request
APPLICANT(S):	Mark Baker (owner and applicant) Scott Rudacille (Agent)
REQUEST:	Approval of a variance to the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures to allow variable encroachments along the northerly extension of the existing pool and pool deck, ranging from approximately 1.9 feet at the northwestern corner, a maximum of 5-feet where the deck intersects the rear property line, and approximately 0.6 feet at the northeastern corner, and to allow a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line; for a site located at 7154 Hawks Harbor Circle, Bradenton, 34207 (Manatee County) on approximately 0.12 acres; providing for severability; and providing for an effective date.
CASE PLANNER:	Laura Gonzalez, Principal Planner
SITE CHARACTERISTICS	
ADDRESS:	7154 Hawks Harbor Circle, Bradenton, FL 34207
GENERAL LOCATION:	South of 69 Ave W (Bay Dr) and West of US 41 in Bradenton, Manatee County
PID	6663610409
SIZE	5,442 square feet (0.1249 acres)
EXISTING USE(S):	Single family residential
PREVIOUS APPROVAL(S):	PDR-98-03(P)(R)
ZONING:	PDR (Planned Development Residential)
FUTURE LAND USE CATEGORY:	RES-16 (RESIDENTIAL-16)
OVERLAY DISTRICT(S):	• Airport Impact (SRQ-AI Height Overlay Part 77 Surface) • Airport Impact (SRQ Special Area of Consideration - C) • Coastal Evacuation Area • Coastal High Hazard • Coastal Planning Area

An application for a building permit (BLD2104-1880) was submitted in April of 2021 by owners at that time Mr. Christopher and Amy Forrest, for the construction of an inground pool and spa. The building permit shows the pool a minimum 5-feet from the northeastern property line. The permit was reviewed by Manatee County, approved on July 27, 2021, showing the required 5-foot distance, but it is unclear if it included the location of the pool deck.

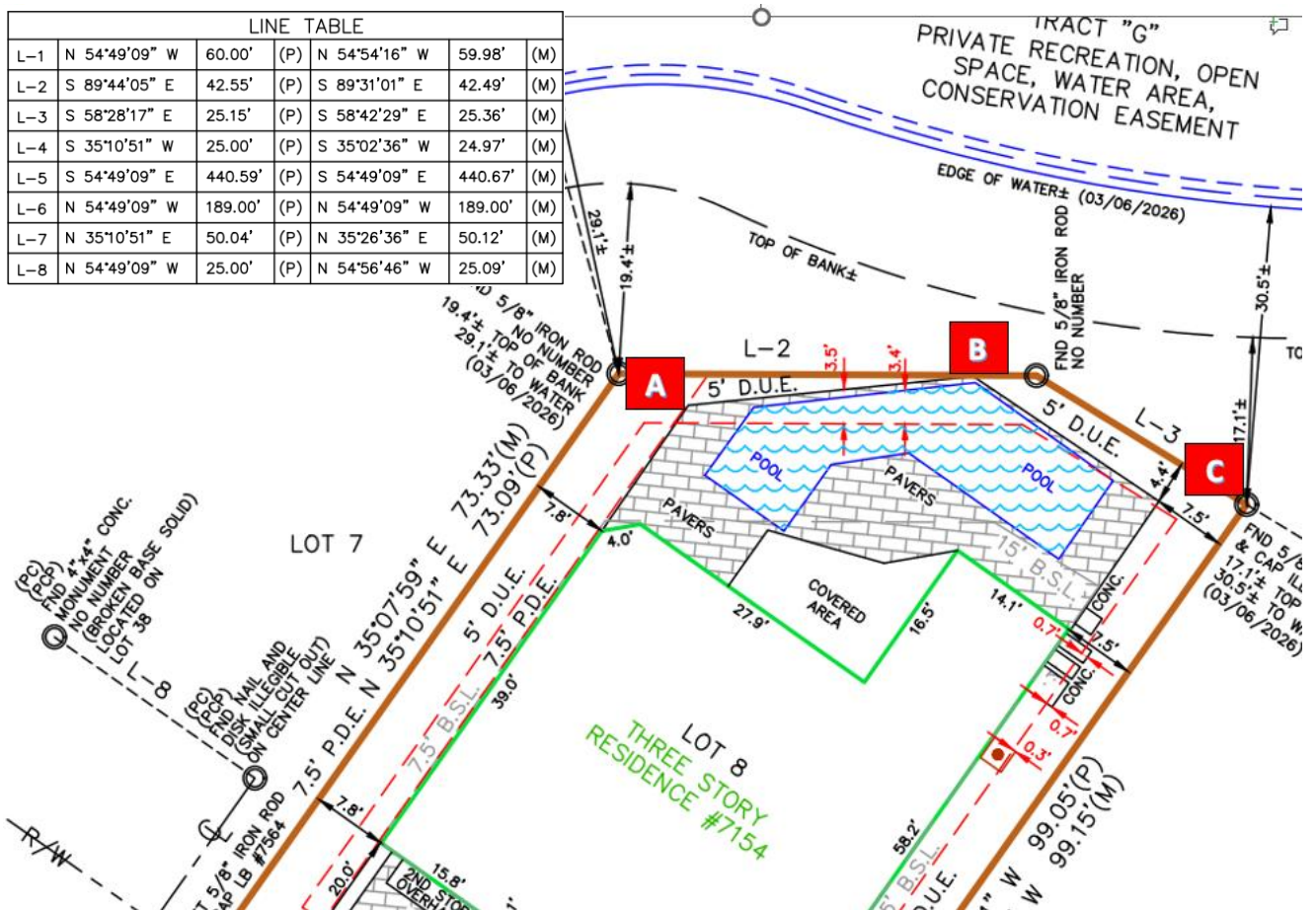
MANATEE COUNTY
BUILDING & DEVELOPMENT SERVICES
 2020-2021
BLD2104-1890
REVIEWED FOR CODE COMPLIANCE
 This set of plans must be kept on the job site at all times. It is unlawful to make changes without written approval from Manatee County Building & Development Services. The approval of these documents does not grant authority to violate any current Local, State or Federal Codes.



	Setback Distance from the pool deck to rear lot line (In feet)	Encroachment (In feet)	Deviation to the required 5' setback (Encroachment*100/5) (%)
A	3.1	1.9	38%
B	0	5	100%
C	4.4	0.6	12%

Consequently, the pool deck encroaches into the 5-foot reserved rear easement to accommodate surface and underground drainage and underground utilities and cable TV, as recorded in the subdivision plat (Book 35, Page 77). The encroachment varies from 1.9 feet at the northwestern corner (Point A), to 5 feet at an intermediate point along the northeasterly lot line where the pool deck intersects the boundary (Point B), and then to 0.6 feet at the northeastern corner (Point C) of the paver area.

Figure 2: Enlarged – Current Survey showing location of pool and decking .



This error was not discovered until recently by the current owner when the property was put under contract for sale,

Based on staff's review of the existing conditions and the unique circumstances of this case, the request can be found to satisfy most of the review criteria set forth in LDC Section 367.5. Specifically, the encroachment does not appear to be the result of bona fide staff error alone. Rather, as discussed in this staff report, additional contributing circumstances likely played a role in the resulting encroachment.

COMPLIANCE WITH THE LAND DEVELOPMENT CODE
Administrative Modifications (LDC Section 365.3)
Purpose and Scope (LDC Section 367.1)
Prohibitions (LDC Section 367.2)
Review Criteria (LDC Section 367.5)

LDC Section 365.3 – Administrative Modifications.

The Department Director or designee shall have the authority to grant limited modifications, as set forth below, where it is determined that the proposed development meets the intent of the zoning district, the requested modification is the minimum necessary to allow reasonable development of the site and the requested modification is not injurious to the public health, safety and welfare. Administrative modifications are limited to ten (10) percent of the numerical requirements established in the following sections. In the case of residential projects that include at least twenty-five (25) percent of the units as affordable (as defined in this Code), the administrative modifications are limited to thirty (30) percent of a numerical requirement.

Analysis: The requested setback deviation and encroachment ranges from 38% at the northwestern corner to 100% at an intermediate point along the northeasterly lot line where the pool deck intersects the boundary, and then to 12% at the northeastern corner, exceeding the 10% that could be approved administratively. It occurs on a single lot within a Planned Development Subdivision. Consistent with the LDC, as a result of deviations greater than 10%, this request shall be reviewed by the Hearing Officer, rather than administratively determined by the Department Director.

LDC Section 367.1. – Purpose and Scope.

The purpose of a variance is to provide limited relief from the requirements of this Code in those cases where strict application of those requirements will create a practical difficulty or unnecessary hardship, or where the requirements of this Code render the land difficult to use because of some rare and unique physical attribute of the property itself or some other factor unique to the property for which the variance is requested. Section 365.3 contains the list of code requirements eligible for variance. Floodplain elevation variances are addressed in Section 802, Floodplain Management.

Analysis: The request is to reduce the minimum distance from the pool and pool deck to the rear lot line for a single lot, as required by LDC Section 511.16.A, and allow the encroachment of the pool deck into the reserved 5-foot easement. These modifications fall within criterion E. Chapter 5, Standards for Accessory and Specific Uses and Structures, and criterion K. Easements of Section 365.3 of the LDC. The requested variance does not propose any departures from other development requirements in the Ordinance PDR-98-03(P)(R), that rezoned this parcel to PDR.

Section 367.2. - Prohibitions.

Even if a requested variance complies with the requirements of this Section, such variance shall not be granted if such variance:

- A. Allows the expansion or establishment of a use in a zone or district in which such use is not permitted by this Code;**

Analysis: The variance being requested pertains to the departure from the minimum distance of 5 feet between the pool deck and the rear lot line, as required by LDC Section 511.16.A and to the encroachment of the pool deck into the reserved easement. This request does not propose any expansion or establishment of a use not currently permitted in the Zoning Ordinance PDR-98-03(P)(R).

- B. Permits the establishment or expansion of a use without the required review process;**

Analysis: The modification of standard being requested does not propose any establishment or expansion

of previous approved use without the required review process. And it pertains solely to the departure from the minimum distance of 5 feet between the pool deck and the rear lot line, as required by LDC Section 511.16.A and to the encroachment of the pool deck into the reserved easement along the rear lot line.

C. Relates in any way to a nonconforming use, except to the extent such a use has been approved pursuant to this Code;

Analysis: The variance request pertains solely to a deviation from the dimensional requirement in LDC Section 511.16.A and the resulting encroachment into the drainage and utility easement. It is not associated with any nonconforming use referenced in this review criterion.

D. Modifies the Concurrency Management requirements (Chapter 3, Part VIII);

Analysis: If the requested variance is granted, it will not modify the Concurrency Management requirements of Chapter 3, Part VIII.

E. Purports to modify any definitions set forth in Chapter 2, Definitions;

Analysis: The variance being requested does not modify any definitions in Chapter 2 of the LDC – Definitions.

F. Results in an increase in density or intensity above that permitted by the future land use category of the site;

Analysis: This variance is limited to the dimensional regulation in LDC Section 511.16.A and the resulting encroachment into the drainage and utility easement. It does not create or authorize any increase in density or intensity above what was previously approved or allowed under the site's Future Land Use category.

G. Relaxes any requirements for accessibility by individuals with disabilities;

Analysis: The variance being requested pertains solely to the departure from the dimensional regulation and resulting encroachment into the drainage and utility easement. If approved, it will not affect any requirements for accessibility by individuals with disabilities.

H. Pertains to the visibility triangle (Section 1002).

Analysis: The subject property is not a corner lot and is not located at any driveway intersection with streets or at a dead-end street. The requirements of Section 1002 – Visibility Triangles – are not applicable to this variance request.

I. Pertains to impact fees (Chapter 11).

Analysis: The variance request pertains solely to a departure from a dimensional regulation and the resulting encroachment into the drainage and utility easement; as such, it proposes no relief from impact fees.

J. Wetlands and Cultural Resources;

Analysis: The parcel does not have any jurisdictional wetlands nor cultural resources.

K. Watershed Overlays;

Analysis: The variance property is not in any watershed overlays.

L. Will be inconsistent with the Manatee County Comprehensive Plan; or

Analysis: The variance application is consistent with the Manatee County Comprehensive Plan and does not establish or expand any use, density, or intensity beyond what the Future Land Use Element allows. The request seeks relief from a dimensional standard and the resulting encroachment into the drainage and utility easement.

M. Results in approval of any action which would violate any floodplain management provision of Manatee County; any floodplain management provision of the National Flood Insurance Program; and/or any floodplain management provision of the Community Rating System Program.

Analysis: Site lies in AE, Panel#12081C0312F, effective 8/10/2021. This variance will not impact any

flood management provisions and will not result in any violation of any floodplain management provisions of the listed organizations.

Section 367.5. Review Criteria.

All variances shall comply with the following criteria:

- A. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;**
Analysis: The parcel is an irregular polygonal lot adjacent to a conservation area along its northern rear lot line. This irregular configuration likely contributed to a survey error during pool permitting, resulting in a reduced rear setback from the pool deck to the rear lot line and an encroachment into the easement. Enforcing the required 5-foot setback would require demolition of the existing pool, which was lawfully permitted in 2021 and constructed by a previous owner. This would impose a particular hardship on the current property owner.
- B. The conditions upon which the request for a variance is based are unique to the parcel and would not be applicable, generally to other property within the vicinity.**
Analysis: The request for a variance to allow reduced setbacks from the pool deck to the rear lot line resulting in encroachment into the drainage and utility easement is unique to this parcel and will not be applicable to any future development under Ordinance PDR-98-03(P)(R).
- C. The variance is not based on any conditions, including financial, occupational, or ability, which are personal to the applicant as applied to the property involved in the application.**
Analysis: The requested application for this variance to allow reduced setbacks from the pool deck to the rear lot line and resulting encroachment into the drainage and utility easement are not based upon any conditions, including financial, occupational, or ability, which are personal to the applicant / owner of the property.
- D. The alleged hardship has not been created by any person presently having an interest in the property or was created as the result of a bona fide error.**
Analysis: The building permit was approved based on the survey submitted by the previous owners that demonstrated compliance with the Land Development Code (LDC) standards and did not indicate any encroachments. The alleged hardship may be caused by an inaccurate survey, unnoticed during the permit review, and/or the pool and pool deck not being constructed in accordance with the approved permit. This error was not discovered until the property came under contract for sale after the building permit was issued and the improvements were constructed.
- E. The granting of the variance will not be detrimental to the public welfare or injurious to other property of improvements in the vicinity.**
Analysis: The variance request poses no detriment to the public welfare and does not create any conditions that would be injurious to surrounding properties, including the conservation area to the north.
- F. The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety.**
Analysis: The variance request as proposed will not result in any substantial increase in congestion on public streets, create additional fire hazards, or otherwise endanger public safety.
- G. The variance granted is the minimum variance that will make possible the reasonable use of the property.**
Analysis: The variance requested is the minimum needed to allow the existing structure to remain. Without the variance, the structure may need to be demolished and reconstructed.

H. The property cannot be put to a reasonable use which complies fully with the requirements of the Code unless the variance is granted.

Analysis: The setback reduction and easement encroachment involve an accessory structure and do not affect the reasonable use of the property. However, full Code compliance would require demolition and reconstruction of the pool and decking, which have been in place since 2022 and were permitted by the prior owner. The variance is requested solely to allow the deck and pool to remain in its current location, which may be approved by the Hearing Officer under LDC Section 367.

I. A variance may be issued if it is found that it will correct a bona fide staff error that has led to construction that does not comply with the Code.

Analysis: The variance request to reduce the pool-deck setback and allow the resulting encroachment into the utility easement would permit this accessory structure to remain. However, it is not simply bona fide staff error but rather it may have been caused by an inaccurate survey, unnoticed during the permit review, and/or the pool and pool deck not being constructed by the previous owner in accordance with the approved permit.

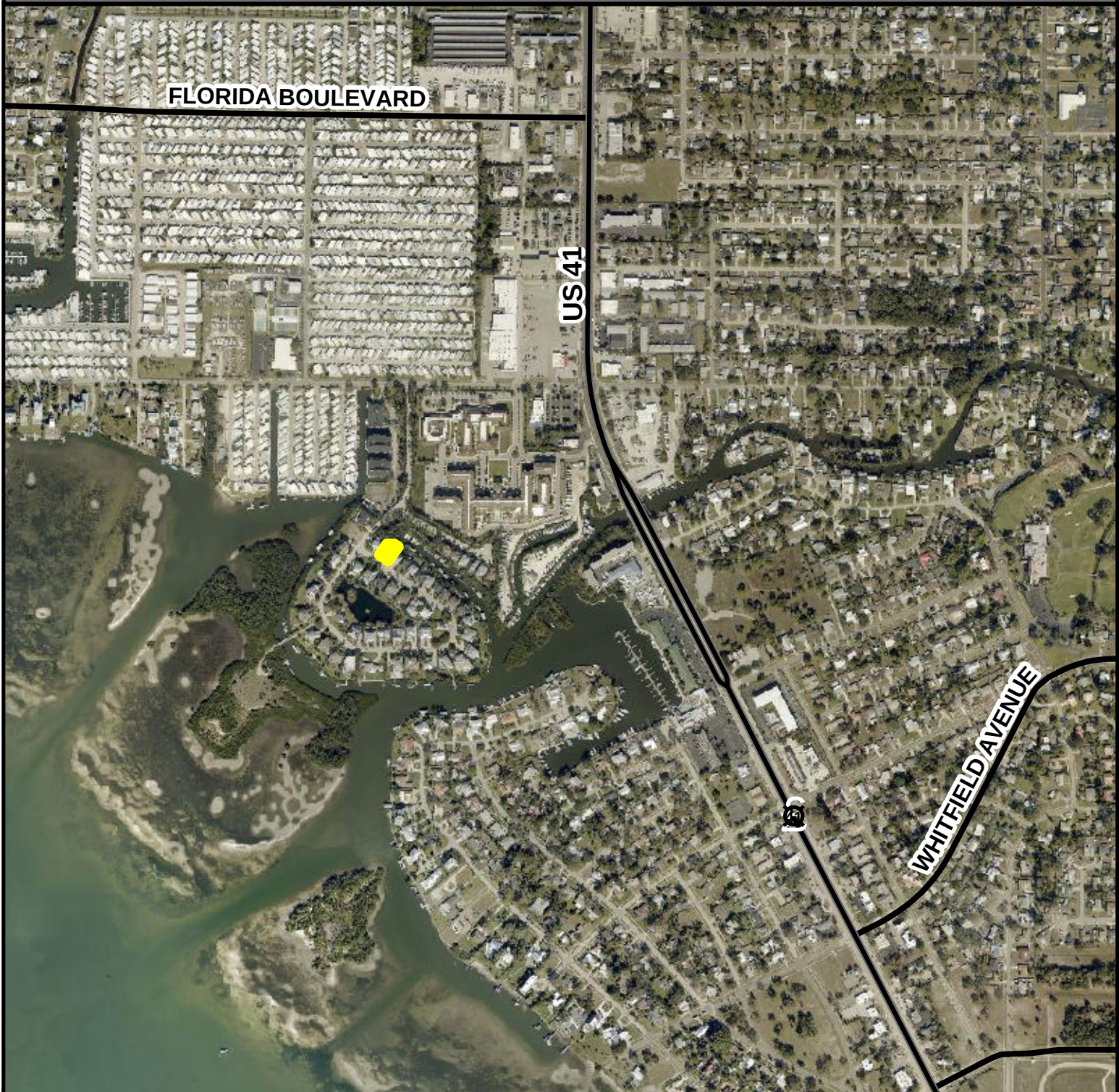
CONDITIONS

1. This variance 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 the Development Services Department.

ATTACHMENTS

1. Staff Report Maps
2. Hardship Narrative
3. Hawk's Harbor Subdivision Plat (Book 35, Page 77)
4. Building Permit BLD2104-1880
5. Survey revised on 3/10/2026
6. PDR- 98-03(P)(R)
7. No Objection Letter from the Hawks Harbor Association
8. Affidavit of Publishing

AERIAL



Parcel ID #(s) 6663610409

Project Name: 7154 Hawks Harbor Cir Variance

Project #: VA-26-02

Accela #: PLN2604-0052

S/T/R: 33 34S 18E

Acreage: 0.12

Existing Zoning: PD-R

Existing FLU: RES-16

Overlays: ASC, CEA, CHH, CPA, SUR

Special Areas: SWTIF

CHH: Yes

Watershed: NONE

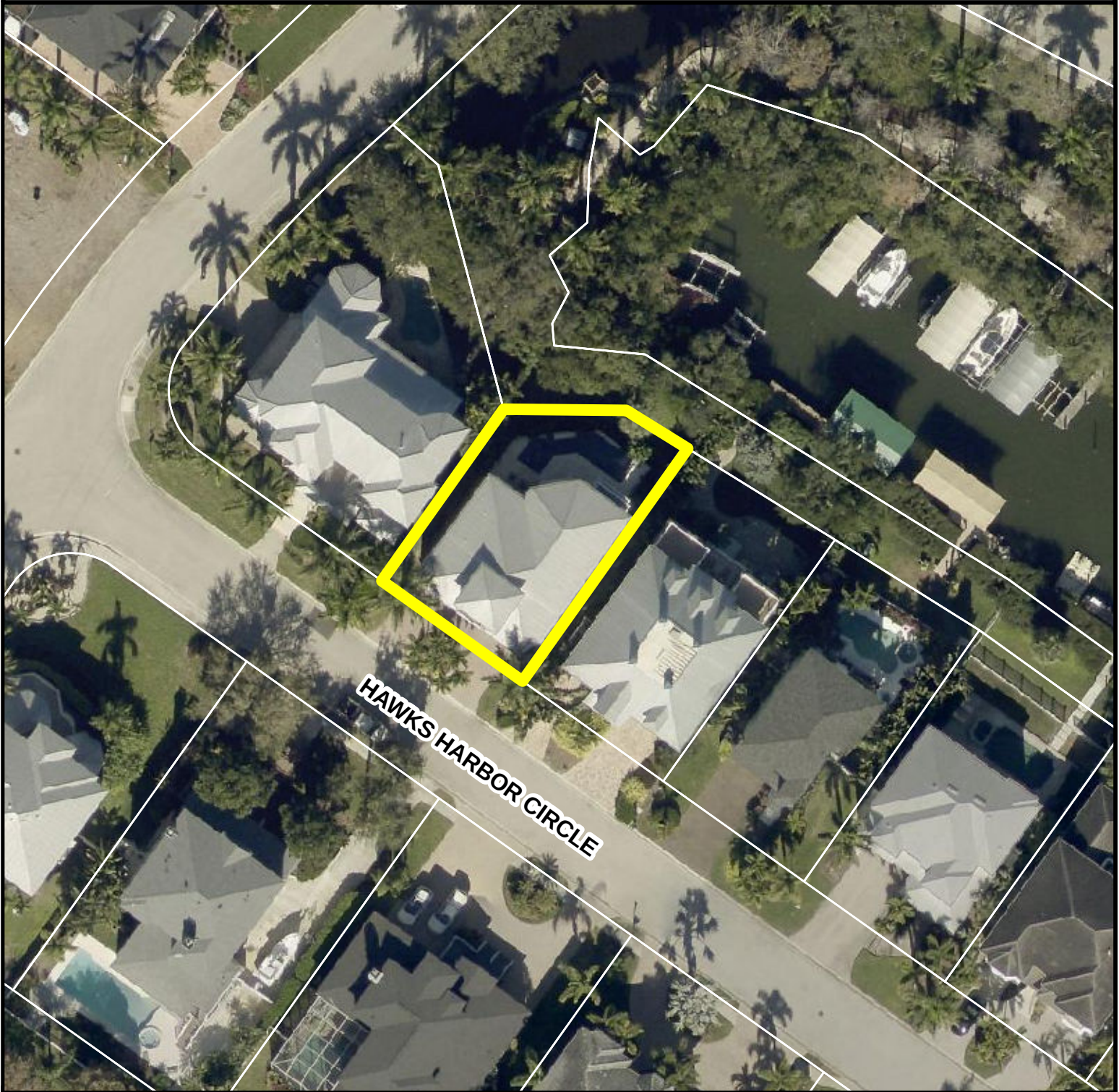
Drainage Basin: BOWLEES CREEK

Commissioner: Mike Rahn

Manatee County
Staff Report Map
Map Prepared 5 / 2026

Feet
0 475 950

AERIAL



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Project Name: 7154 Hawks Harbor Cir Variance

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Special Areas: SWTIF

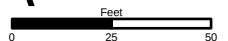
CHH: Yes

Watershed: NONE

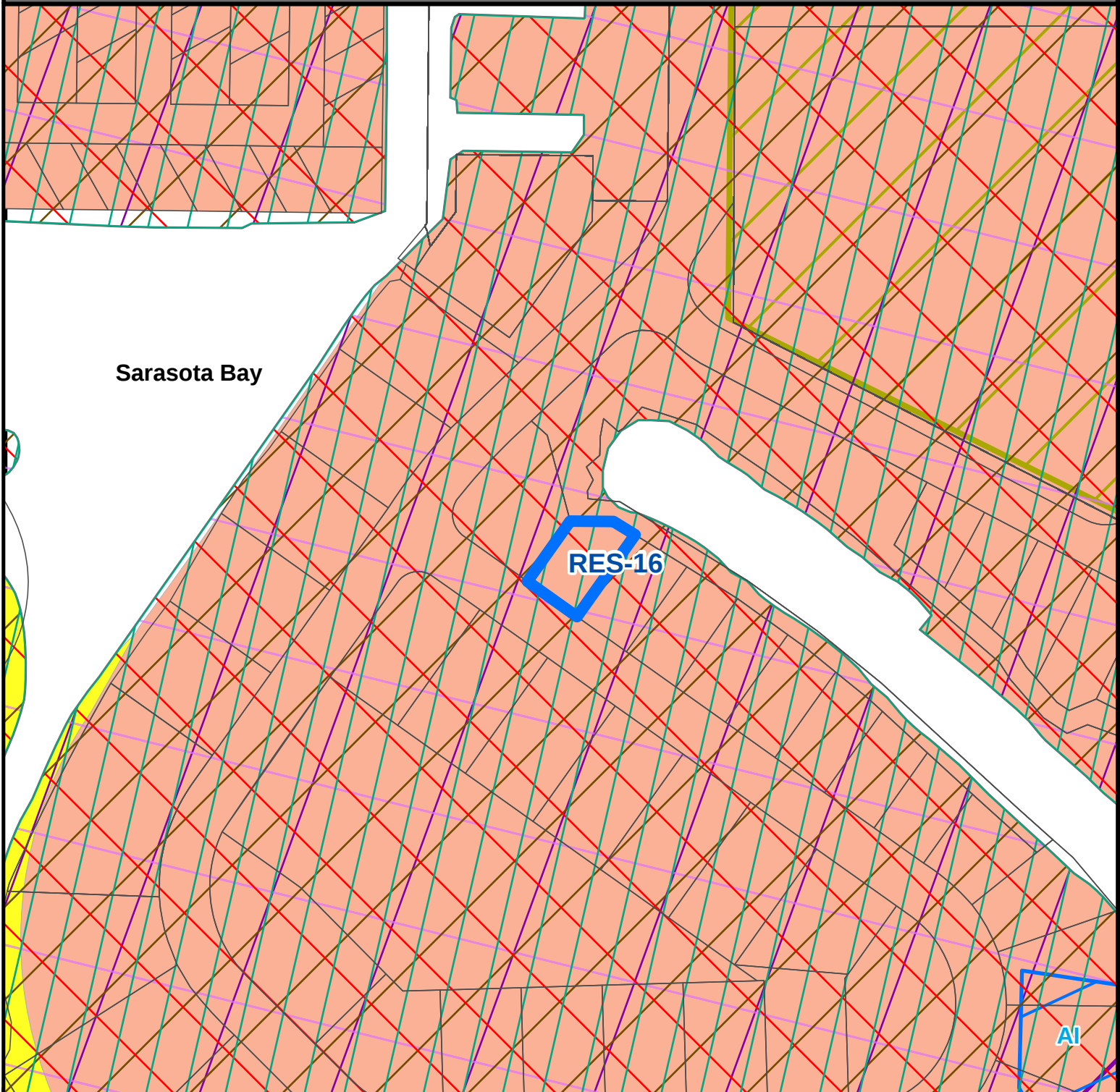
Drainage Basin: BOWLEES CREEK

Commissioner: Mike Rahn

Manatee County
Staff Report Map
Map Prepared 5 / 2026



FUTURE LAND USE



Parcel ID #(s) 6663610409

Project Name: 7154 Hawks Harbor Cir Variance

Project #: VA-26-02

Accela #: PLN2604-0052

S/T/R: 33 34S 18E

Acreage: 0.12

Existing Zoning: PD-R

Existing FLU: RES-16

Overlays: ASC, CEA, CHH, CPA, SUR

Special Areas: SWTIF



CHHA



Coastal Planning Area



Coastal Evacuation Area

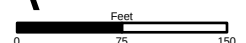
CHH: Yes

Watershed: NONE

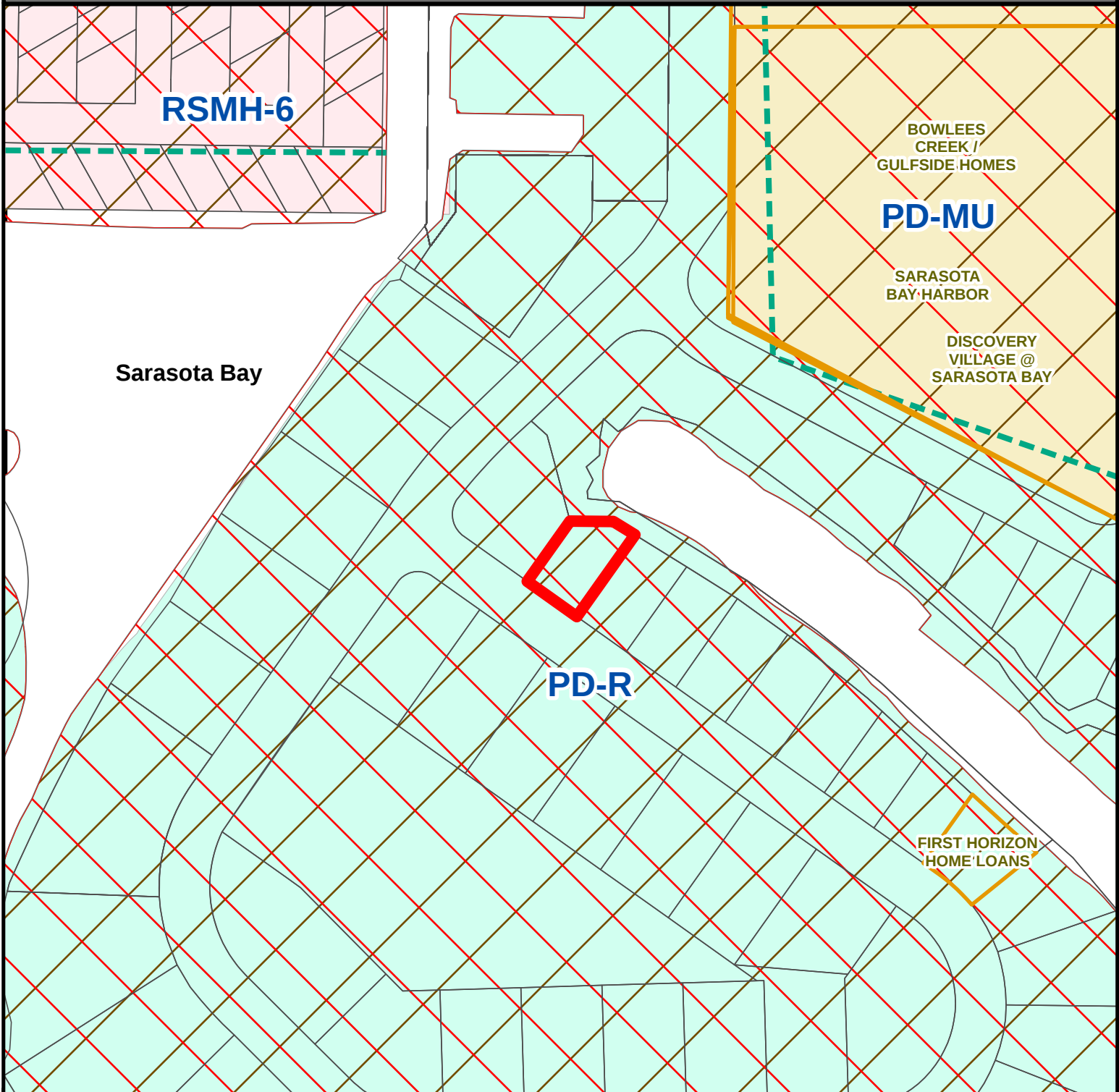
Drainage Basin: BOWLEES CREEK

Commissioner: Mike Rahn

Manatee County
Staff Report Map
Map Prepared 5 / 2026



ZONING



Parcel ID #(s) 6663610409

Project Name: 7154 Hawks Harbor Cir Variance

Project #: VA-26-02

Accela #: PLN2604-0052

S/T/R: 33 34S 18E

Acreage: 0.12

Existing Zoning: PD-R

Existing FLU: RES-16

Overlays: ASC, CEA, CHH, CPA, SUR

Special Areas: SWTIF

CHH: Yes

Watershed: NONE

Drainage Basin: BOWLEES CREEK

Commissioner: Mike Rahn

Coastal High Hazard - Zoning

Coastal Planning Area

Coastal Evacuation Area

Manatee County
Staff Report Map
Map Prepared 5 / 2026

Feet
0 75 150

Baker Variance Request

7154 Hawks Harbor Circle

Demonstration of Hardship

The applicant, Mark Baker, acquired the property at 7154 Hawks Harbor Circle in 2024. The property contains a single family home with a pool and associated decking in the rear. The pool and deck were constructed by a prior owner in 2021 (COBLD 2104-1880). Dr. Baker is now under contract to sell the property, and the survey commissioned by the buyer revealed that the existing pool and decking extend into the required 5-foot setback, as well as a 5-foot platted drainage and utilities easement. The encroachment extends at its furthest point the entire width of the setback/easement area.

Based on the information contained on the plat for Hawk's Harbor (PB 35, PG 70), it appears that the drainage and utilities easement was reserved for the benefit of the Hawks Harbor Community Association, Inc. The property owner will work with the Association directly to resolve any concerns they may have regarding the location of the pool and decking in the easement.

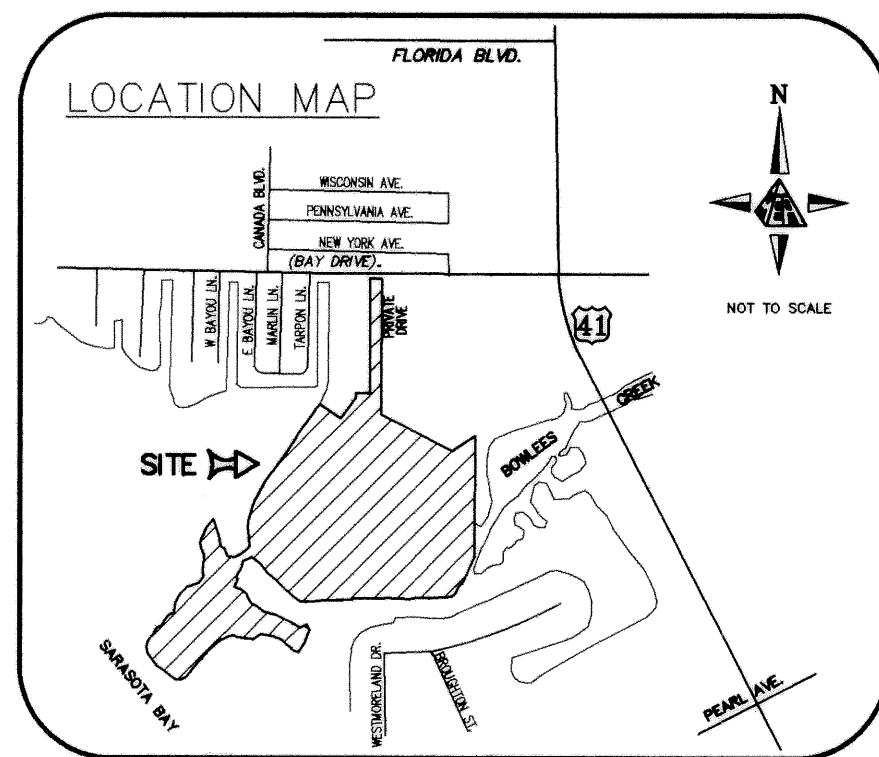
HAWK'S HARBOR

SECTIONS 26 & 27, TOWNSHIP 35 SOUTH, RANGE 17 EAST

MANATEE COUNTY, FLORIDA

133/243

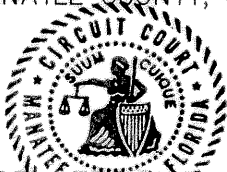
PLAT BOOK 35 PAGE 70
SHEET 1 OF 9 SHEETS



CERTIFICATE OF APPROVAL OF CLERK OF CIRCUIT COURT

STATE OF FLORIDA)S.S.
COUNTY OF MANATEE)

I, R.B. SHORE, CLERK OF THE CIRCUIT COURT OF MANATEE COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF THE STATUTES OF FLORIDA PERTAINING TO MAPS AND PLATS, AND THAT THIS PLAT HAS BEEN FILED FOR RECORD IN PLAT BOOK 35, PAGE 70, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THIS 28 DAY OF February, 2000.



BY: [Signature]
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA

CERTIFICATE OF APPROVAL OF BOARD OF COUNTY COMMISSIONERS

STATE OF FLORIDA)S.S.
COUNTY OF MANATEE)

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN OFFICIALLY APPROVED FOR RECORD AND ALL OFFERS OF DEDICATION ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THIS 22nd DAY OF February, 2000.

ATTEST: [Signature] BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

R.B. SHORE
CLERK OF THE CIRCUIT COURT



CHAIRMAN

NOTE:

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ARE SIMULTANEOUSLY RECORDED IN OFFICIAL RECORDS BOOK 1625 AT PAGES 667 THRU 676 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

"NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVISION LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY."

RESERVATION OF EASEMENTS

THERE ARE HEREBY EXPRESSLY RESERVED EASEMENTS OF (5) FEET IN WIDTH, ALONG ALL SIDE AND REAR LOT LINES AND TEN (10) FEET IN WIDTH, ALONG ALL FRONT LOT LINE, FOR THE EXPRESS PURPOSES OF ACCOMMODATING SURFACE AND UNDERGROUND DRAINAGE AND UNDERGROUND UTILITIES AND CABLE TV. WHERE MORE THAN ONE LOT IS INTENDED AS A BUILDING SITE, THE OUTSIDE BOUNDARIES OF SAID BUILDING SITE SHALL CARRY SAID EASEMENTS. ALL OTHER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY RESERVED IN PERPETUITY FOR THE PURPOSES NOTED.

CERTIFICATE OF APPROVAL OF THE COUNTY SURVEYOR

STATE OF FLORIDA)S.S.
COUNTY OF MANATEE)

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 177 OF THE FLORIDA STATUTES AND THE LAND DEVELOPMENT CODE OF MANATEE COUNTY.

William K. Aliff
WILLIAM K. ALIFF, PLS 4047
COUNTY SURVEYOR

DATE 01/26/00

DESCRIPTION:

A PARCEL OF LAND BEING AND LYING IN SECTIONS 26 AND 27, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA; THENCE S.00°17'47"W. ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 650.99 FEET; THENCE S.22°17'45"W. A DISTANCE OF 53.82 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SARABAY COVES, A CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 3, PAGES 77-81, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE S.54°49'09"E., ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 9.84 FEET TO THE SOUTHWEST CORNER OF THE RECREATION AREA AS SHOWN ON THE PLAT OF SAID SARABAY COVES; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID SARABAY COVES THE FOLLOWING FOUR COURSES:

- 1) S.54°49'09"E., A DISTANCE OF 115.00 FEET;
- 2) N.35°10'51"E., A DISTANCE OF 141.22 FEET;
- 3) N.00°17'47"E., A DISTANCE OF 20.14 FEET;
- 4) S.89°42'13"E., A DISTANCE OF 75.00 FEET TO THE SOUTHEAST CORNER OF SAID SARABAY COVES;

THENCE N.00°17'47"E., ALONG THE EAST LINE OF SAID SARABAY COVES, A DISTANCE OF 613.07 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 69TH AVENUE WEST (SAID SOUTH RIGHT-OF-WAY LINE LYING 25.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 26); THENCE N.89°52'01"E., ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET; THENCE S.00°17'47"W. AND PARALLEL WITH THE EAST LINE OF SAID SARABAY COVES, A DISTANCE OF 727.98 FEET; THENCE S.62°49'14"E., A DISTANCE OF 429.69 FEET; THENCE N.56°18'47"E., A DISTANCE OF 148.53 FEET; THENCE S.00°06'57"W., A DISTANCE OF 644.47 FEET; THENCE S.24°53'28"W., A DISTANCE OF 63.45 FEET; THENCE S.07°57'17"E., A DISTANCE OF 4.08 FEET; THENCE S.23°00'26"W., A DISTANCE OF 138.45 FEET; THENCE S.42°02'56"W., A DISTANCE OF 29.73 FEET; THENCE S.60°11'51"W., A DISTANCE OF 21.27 FEET; THENCE S.80°59'39"W., A DISTANCE OF 62.23 FEET; THENCE S.88°22'53"W., A DISTANCE OF 616.68 FEET; THENCE S.77°10'30"W., A DISTANCE OF 43.55 FEET; THENCE N.87°34'27"W., A DISTANCE OF 108.12 FEET; THENCE N.55°37'57"W., A DISTANCE OF 35.23 FEET; THENCE N.44°10'41"W., A DISTANCE OF 290.32 FEET; THENCE N.79°13'16"W., A DISTANCE OF 18.34 FEET; THENCE S.67°20'58"W., A DISTANCE OF 68.15 FEET; THENCE S.24°29'10"W., A DISTANCE OF 62.20 FEET; THENCE S.44°46'31"W., A DISTANCE OF 52.33 FEET; THENCE S.08°45'20"E., A DISTANCE OF 20.22 FEET; THENCE S.42°20'01"E., A DISTANCE OF 70.09 FEET; THENCE S.27°49'12"W., A DISTANCE OF 60.62 FEET; THENCE S.00°13'29"E., A DISTANCE OF 10.50 FEET; THENCE S.77°32'40"E., A DISTANCE OF 20.50 FEET; THENCE N.67°58'26"E., A DISTANCE OF 40.39 FEET; THENCE S.82°56'59"E., A DISTANCE OF 23.69 FEET; THENCE S.50°35'57"E., A DISTANCE OF 101.92 FEET; THENCE S.65°55'13"E., A DISTANCE OF 68.03 FEET; THENCE S.74°39'08"E., A DISTANCE OF 31.66 FEET; THENCE S.60°13'00"E., A DISTANCE OF 107.97 FEET; THENCE S.36°33'06"E., A DISTANCE OF 21.10 FEET; THENCE S.13°30'35"E., A DISTANCE OF 36.99 FEET; THENCE S.47°48'39"W., A DISTANCE OF 22.98 FEET; THENCE N.61°47'24"W., A DISTANCE OF 130.21 FEET; THENCE N.60°41'09"W., A DISTANCE OF 51.72 FEET; THENCE S.58°52'31"W., A DISTANCE OF 76.92 FEET; THENCE S.76°58'16"W., A DISTANCE OF 22.56 FEET; THENCE N.78°09'09"W., A DISTANCE OF 88.46 FEET; THENCE S.81°54'05"W., A DISTANCE OF 47.45 FEET; THENCE S.64°11'37"W., A DISTANCE OF 52.11 FEET; THENCE S.47°48'39"W., A DISTANCE OF 93.47 FEET; THENCE S.38°52'09"W., A DISTANCE OF 123.69 FEET; THENCE S.36°44'53"W., A DISTANCE OF 55.70 FEET; THENCE S.65°32'51"W., A DISTANCE OF 32.90 FEET; THENCE N.84°41'50"W., A DISTANCE OF 15.57 FEET; THENCE N.65°46'51"W., A DISTANCE OF 18.12 FEET; THENCE N.48°04'17"W., A DISTANCE OF 64.07 FEET; THENCE N.54°00'55"W., A DISTANCE OF 104.11 FEET; THENCE N.08°10'40"W., A DISTANCE OF 68.66 FEET; THENCE N.13°48'41"E., A DISTANCE OF 16.49 FEET; THENCE N.38°19'33"E., A DISTANCE OF 40.92 FEET; THENCE N.28°46'37"E., A DISTANCE OF 52.60 FEET; THENCE N.62°03'24"E., A DISTANCE OF 33.32 FEET; THENCE N.34°31'52"E., A DISTANCE OF 59.64 FEET; THENCE N.53°28'15"E., A DISTANCE OF 30.40 FEET; THENCE N.37°15'05"E., A DISTANCE OF 18.90 FEET; THENCE N.11°11'10"E., A DISTANCE OF 55.60 FEET; THENCE N.32°43'28"E., A DISTANCE OF 32.18 FEET; THENCE N.46°15'47"E., A DISTANCE OF 54.47 FEET; THENCE N.69°02'59"E., A DISTANCE OF 39.56 FEET; THENCE N.73°10'06"E., A DISTANCE OF 29.74 FEET; THENCE N.34°33'11"E., A DISTANCE OF 21.91 FEET; THENCE N.23°36'50"E., A DISTANCE OF 23.51 FEET; THENCE N.15°35'22"E., A DISTANCE OF 89.90 FEET; THENCE N.14°15'40"W., A DISTANCE OF 26.80 FEET; THENCE N.35°19'14"W., A DISTANCE OF 45.22 FEET; THENCE N.13°33'25"E., A DISTANCE OF 27.29 FEET; THENCE N.04°12'42"E., A DISTANCE OF 58.17 FEET; THENCE N.51°24'28"E., A DISTANCE OF 15.31 FEET; THENCE N.28°17'54"E., A DISTANCE OF 26.18 FEET; THENCE S.62°55'31"E., A DISTANCE OF 52.33 FEET; THENCE S.20°15'20"W., A DISTANCE OF 44.30 FEET; THENCE S.19°49'25"E., A DISTANCE OF 70.06 FEET; THENCE S.38°53'04"E., A DISTANCE OF 38.42 FEET; THENCE S.69°33'01"E., A DISTANCE OF 28.32 FEET; THENCE N.82°55'57"E., A DISTANCE OF 37.77 FEET; THENCE N.61°18'04"E., A DISTANCE OF 67.12 FEET; THENCE N.27°12'54"E., A DISTANCE OF 29.30 FEET; THENCE N.02°57'18"E., A DISTANCE OF 27.04 FEET; THENCE N.14°00'56"W., A DISTANCE OF 56.63 FEET; THENCE N.03°44'24"E., A DISTANCE OF 50.62 FEET; THENCE N.13°48'41"E., A DISTANCE OF 32.98 FEET; THENCE N.25°07'17"E., A DISTANCE OF 189.21 FEET; THENCE N.35°33'51"E., A DISTANCE OF 132.52 FEET; THENCE N.30°48'32"E., A DISTANCE OF 140.63 FEET; THENCE N.39°40'23"E., A DISTANCE OF 39.76 FEET; THENCE N.35°00'02"E., A DISTANCE OF 181.17 FEET; THENCE N.40°14'15"E., A DISTANCE OF 22.34 FEET; THENCE N.86°45'45"E., A DISTANCE OF 9.51 FEET; THENCE N.22°17'45"E., A DISTANCE OF 17.64 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 29.92 ACRES, MORE OR LESS.

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF FLORIDA)S.S.
COUNTY OF MANATEE)

WE, MICHAEL S. BENNETT, AS PRESIDENT OF BOWLEES CREEK DEVELOPMENT, INC., A FLORIDA CORPORATION, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA AND MICHAEL S. BENNETT, INDIVIDUALLY, CERTIFY OWNERSHIP BY SAID CORPORATION AND INDIVIDUAL OF THE PROPERTY DESCRIBED HEREON. BOWLEES CREEK DEVELOPMENT, INC., AND MICHAEL S. BENNETT, JOINED BY HIS WIFE, DIANE M. BENNETT, DO HEREBY DEDICATE THE (PRIVATE ACCESS, UTILITY & DRAINAGE EASEMENT), AND CONSERVATION EASEMENT SHOWN ON THIS PLAT ENTITLED "HAWK'S HARBOR" FOR THE (USE OF), BY THE GENERAL PUBLIC, UNLESS SPECIFICALLY RESERVED.

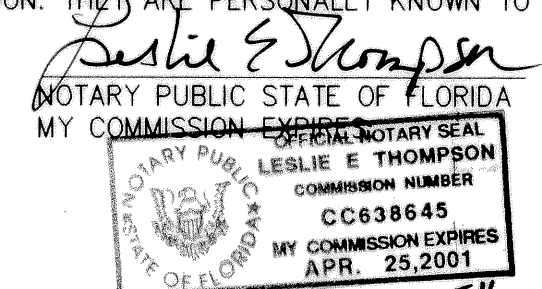
IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS 12 DAY OF JANUARY, 2000.

ATTEST:
[Signature]
JON S. GRANTHAM
VICE PRESIDENT & SECRETARY
WITNESS TO BENNETTS

BOWLEES CREEK DEVELOPMENT, INC.
A FLORIDA CORPORATION
BY: [Signature]
MICHAEL S. BENNETT, INDIVIDUALLY
[Signature]
DIANE M. BENNETT, INDIVIDUALLY

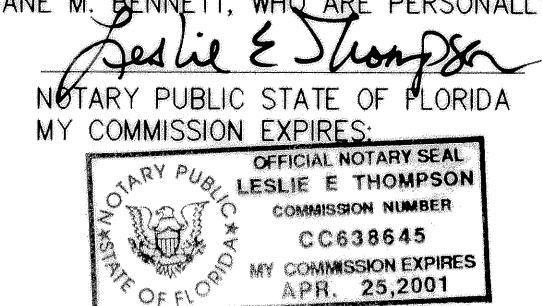
STATE OF FLORIDA) S.S.
COUNTY OF MANATEE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 12 DAY OF JANUARY, 2000 BY MICHAEL S. BENNETT AND JON S. GRANTHAM, AS PRESIDENT AND SECRETARY, RESPECTIVELY, OF BOWLEES CREEK DEVELOPMENT, INC. A CORPORATION ORGANIZED UNDER THE LAW OF THE STATE OF FLORIDA. THEY ACKNOWLEDGED BEFORE ME THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS IN THE NAME AND ON BEHALF OF THE CORPORATION, AND THAT THEY ALSO AFFIXED THERETO THE OFFICIAL SEAL OF THE CORPORATION. THEY ARE PERSONALLY KNOWN TO ME.



STATE OF FLORIDA) S.S.
COUNTY OF MANATEE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 12 DAY OF JANUARY, 2000, BY MICHAEL S. BENNETT AND DIANE M. BENNETT, WHO ARE PERSONALLY KNOWN TO ME.

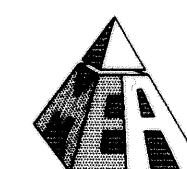


CERTIFICATE OF SURVEYOR

I, THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT THE SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SURVEY DATA COMPLIES WITH ALL REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES AND THE MANATEE COUNTY LAND DEVELOPMENT CODE AND THAT THE PERMANENT REFERENCE MONUMENTS, AND THE PERMANENT BENCH MARKS WERE SET ON 10/23/99. THE PERMANENT CONTROL POINTS AND THE LOT CORNERS WILL BE INSTALLED AND CERTIFIED BY AN AFFIDAVIT WITHIN ONE (1) YEAR OF THE RECORDING OF THIS PLAT OR PRIOR TO THE RELEASE OF THE IMPROVEMENT BOND.

1-12-00
DATE OF CERTIFICATION
MEA GROUP, INC.
LB 6170

J. B. Burchett
J. B. BURCHETT, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA, REG. NO. 5701

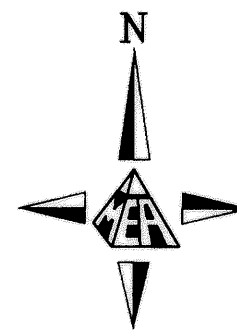


MEA GROUP, INC.
CONSULTING ENGINEERS, SURVEYORS AND PLANNERS
5971 CATTLEBRIDGE BLVD.
SARASOTA, FLORIDA 34232
PHONE: 941 342-6321
FAX NO.: 941 379-6474

HAWK'S HARBOR

SECTIONS 26 & 27, TOWNSHIP 35 SOUTH, RANGE 17 EAST MANATEE COUNTY, FLORIDA

PLAT BOOK 35 PAGE 71
SHEET 2 OF 9 SHEETS



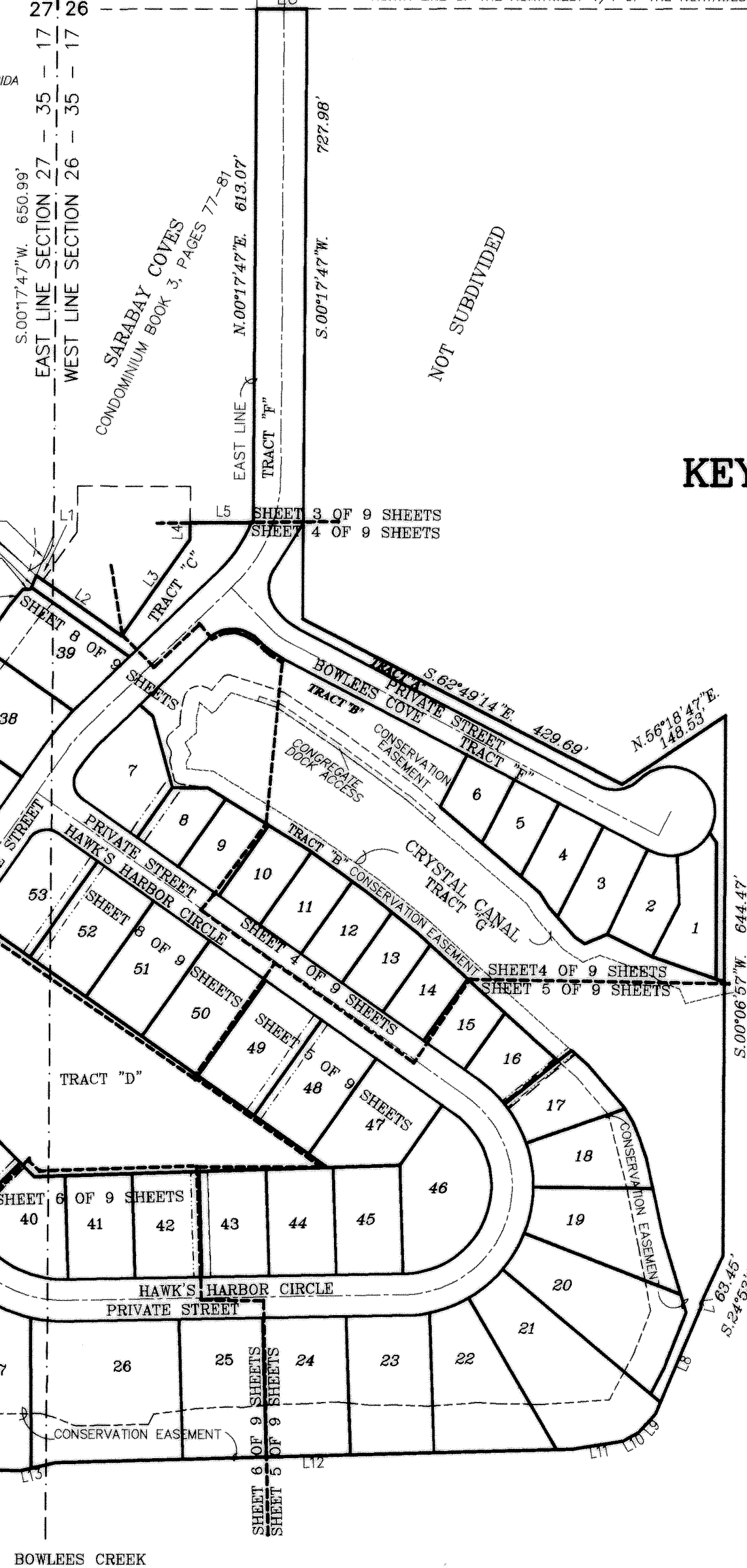
NOT TO SCALE

POINT OF COMMENCEMENT

FOUND IRON ROD
NORTHWEST CORNER,
SECTION 26,
TOWNSHIP 35 SOUTH,
RANGE 17 EAST,
MANATEE COUNTY, FLORIDA

22 23
27 26
69 TH AVENUE WEST
N.89°52'01"E
NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, SECTION 26

FOUND NAIL & DISK
NORTHWEST CORNER,
NORTHWEST 1/4,
SECTION 26,
TOWNSHIP 35 SOUTH,
RANGE 17 EAST,
MANATEE COUNTY, FLORIDA

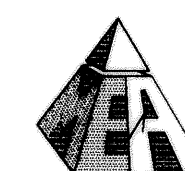


KEY MAP

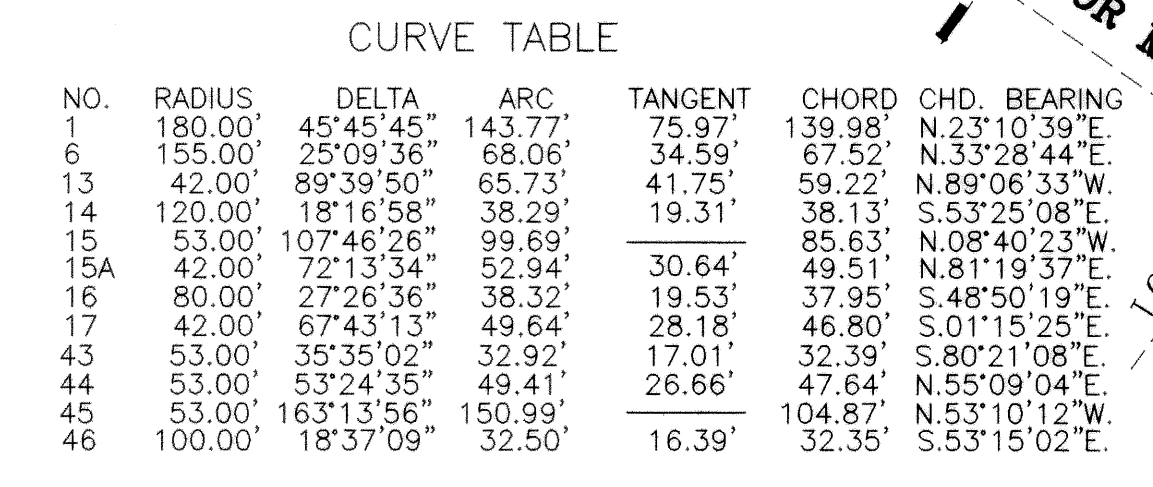
BOUNDARY LINE TABLE

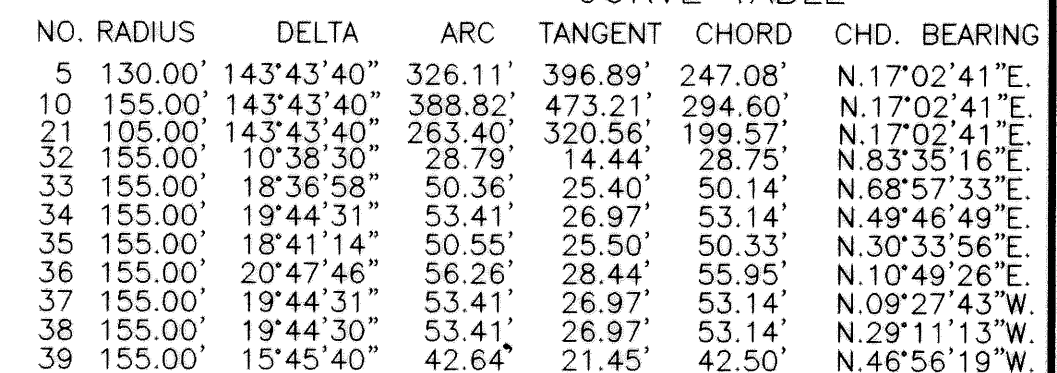
LINE	BEARING	DISTANCE
L1	S.54°49'09"E	9.84'
L2	S.54°49'09"E	115.00'
L3	N.35°10'51"E	141.22'
L4	N.00°17'47"E	20.14'
L5	S.89°42'13"E	75.00'
L6	N.89°52'01"E	60.00'
L7	S.07°57'17"E	4.08'
L8	S.23°00'26"W	138.45'
L9	S.42°02'56"W	29.73'
L10	S.60°11'51"W	21.27'
L11	S.80°59'39"W	62.23'
L12	S.88°22'53"W	616.68'
L13	S.77°10'30"W	43.55'
L14	N.87°34'27"W	108.12'
L15	N.55°37'57"W	35.23'
L16	N.44°10'41"W	290.32'
L17	N.79°13'16"W	18.34'
L18	S.67°20'58"W	68.15'
L19	S.24°29'10"W	62.20'
L20	S.44°46'31"W	52.33'
L21	S.08°45'20"E	20.22'
L22	S.42°20'01"E	70.99'
L23	S.27°49'12"W	60.62'
L24	S.00°13'29"E	10.50'
L25	S.77°32'40"E	20.50'
L26	N.67°58'26"E	40.39'
L27	S.82°56'59"E	23.69'
L28	S.50°35'57"E	101.92'
L29	S.65°55'13"E	68.33'
L30	S.74°39'08"E	31.66'
L31	S.60°13'00"E	107.97'
L32	S.36°33'06"E	21.10'
L33	S.13°30'36"E	36.99'
L34	S.45°39'24"W	22.98'
L35	N.61°47'24"W	130.21'
L36	N.60°41'09"W	51.72'
L37	S.58°52'31"W	76.92'
L38	S.76°58'16"W	22.56'
L39	N.78°09'09"W	88.46'
L40	S.81°54'05"W	47.45'
L41	S.64°11'37"W	52.11'
L42	S.47°48'39"W	93.47'
L43	S.38°52'09"W	123.69'
L44	S.36°44'53"W	55.70'
L45	S.65°32'51"W	32.90'
L46	N.84°41'50"W	15.57'
L47	N.65°46'51"W	18.12'
L48	N.48°04'17"W	64.07'
L49	N.54°00'55"W	104.11'
L50	N.08°10'40"W	68.66'
L51	N.13°48'41"E	16.49'
L52	N.38°19'33"E	40.92'
L53	N.28°46'37"E	52.60'
L54	N.62°03'24"E	33.32'
L55	N.34°31'52"E	59.64'
L56	N.53°28'15"E	30.40'
L57	N.37°15'05"E	18.90'
L58	N.11°11'10"E	55.60'
L59	N.32°43'28"E	32.18'
L60	N.46°15'47"E	54.47'
L61	N.69°02'59"E	39.56'
L62	N.73°10'06"E	29.74'
L63	N.34°33'11"E	21.91'
L64	N.23°36'50"E	23.51'
L65	N.15°35'22"E	89.90'
L66	N.14°15'40"W	26.80'
L67	N.35°19'14"W	45.22'
L68	N.13°33'25"E	27.28'
L69	N.04°12'42"E	58.17'
L70	N.51°24'28"E	15.31'
L71	N.28°17'54"E	26.18'
L72	S.62°55'31"E	52.33'
L73	S.20°15'20"W	44.30'
L74	S.19°49'25"E	70.06'
L75	S.38°53'04"E	38.42'
L76	S.69°33'01"E	28.32'
L77	N.82°55'57"E	37.77'
L78	N.61°18'04"E	67.12'
L79	N.27°12'54"E	29.30'
L80	N.02°57'18"E	27.04'
L81	N.14°00'56"W	56.63'
L82	N.03°44'24"E	50.62'
L83	N.13°48'41"E	32.98'
L84	N.25°07'17"E	189.21'
L85	N.35°33'51"E	132.52'
L86	N.30°48'32"E	140.63'
L87	N.39°40'23"E	39.76'
L88	N.35°00'02"E	181.17'
L89	N.40°14'15"E	22.34'
L90	N.86°45'45"E	9.51'
L91	N.22°17'45"E	17.64'

SARASOTA BAY



MEAG GROUP, INC.
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SARASOTA, FLORIDA 34232
PHONE: 941 342-6321
FAX NO.: 941 379-6474

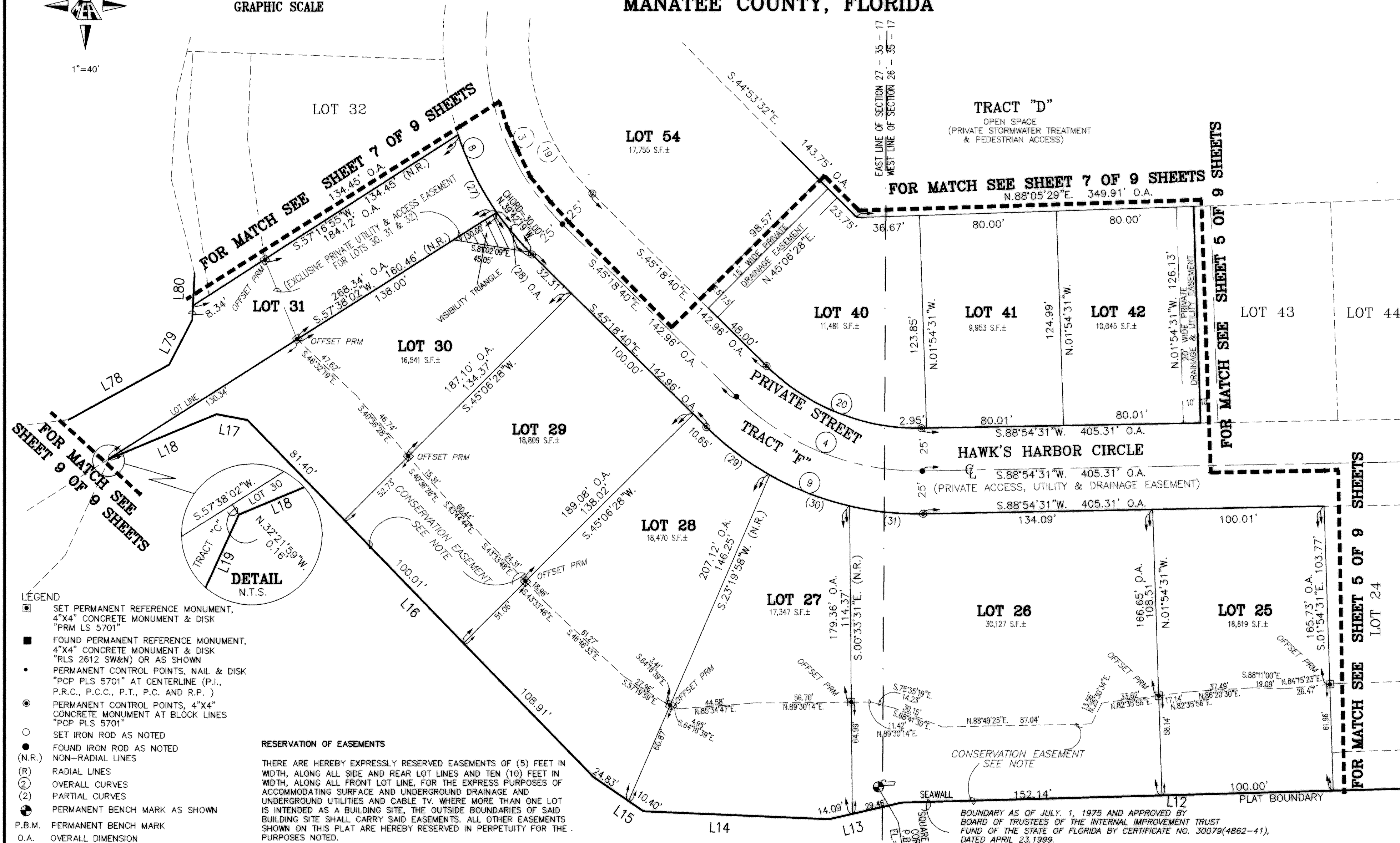
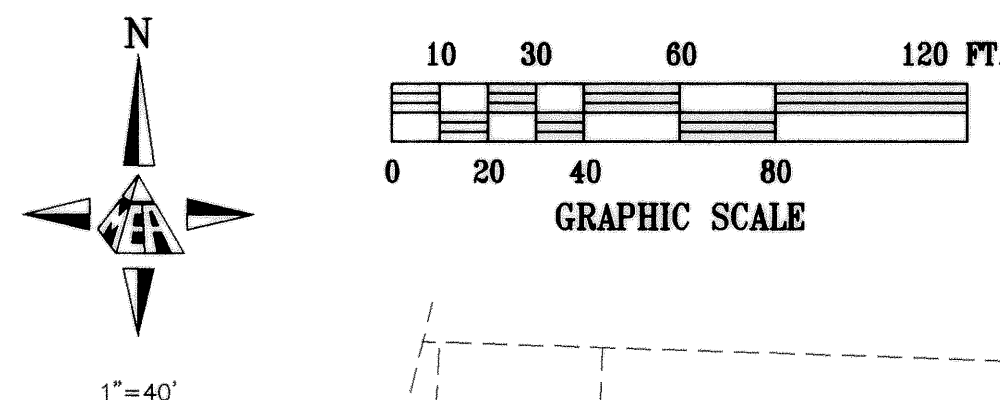




CONSULTING ENGINEERS, SURVEYORS AND PLANNERS
5971 CATTLEDGE BLVD.
SARASOTA, FLORIDA 34232
PHONE: 941 342-6321
FAX NO.: 941 379-6474

HAWK'S HARBOR

SECTIONS 26 & 27, TOWNSHIP 35 SOUTH, RANGE 17 EAST MANATEE COUNTY, FLORIDA



- LEGEND**
- SET PERMANENT REFERENCE MONUMENT, 4"x4" CONCRETE MONUMENT & DISK "PRM LS 5701"
 - FOUND PERMANENT REFERENCE MONUMENT, 4"x4" CONCRETE MONUMENT & DISK "RLS 2612 SW&N) OR AS SHOWN"
 - PERMANENT CONTROL POINTS, NAIL & DISK "PCP PLS 5701" AT CENTERLINE (P.I., P.R.C., P.C.C., P.T., P.C. AND R.P.)
 - PERMANENT CONTROL POINTS, 4"x4" CONCRETE MONUMENT AT BLOCK LINES "PCP PLS 5701"
 - SET IRON ROD AS NOTED
 - FOUND IRON ROD AS NOTED
 - (N.R.) NON-RADIAL LINES
 - (R) RADIAL LINES
 - (2) OVERALL CURVES
 - (2) PARTIAL CURVES
 - ⊙ PERMANENT BENCH MARK AS SHOWN
 - P.B.M. PERMANENT BENCH MARK
 - O.A. OVERALL DIMENSION
 - S.F. ± SQUARE FEET PLUS/MINUS
 - EL. ELEVATION
 - CL CENTER LINE
 - P.I. POINT OF INTERSECTION
 - R.P. RADIUS POINT
 - P.C. POINT OF CURVATURE
 - P.T. POINT OF TANGENCY
 - P.C.C. POINT OF COMPOUND CURVATURE
 - P.R.C. POINT OF REVERSE CURVATURE
 - BRG. BEARING
 - CHD. CHORD
 - O.R.BK. OFFICIAL RECORDS BOOK
 - PG. PAGE
 - PRM PERMANENT REFERENCE MONUMENT
 - LS LICENSE SURVEYORS
 - PLS PROFESSIONAL LICENSE SURVEYORS
 - PSM PROFESSIONAL SURVEYOR AND MAPPER
 - RLS REGISTERED LICENSE SURVEYORS
 - ▽ VISIBILITY TRIANGLE EASEMENT

RESERVATION OF EASEMENTS

THERE ARE HEREBY EXPRESSLY RESERVED EASEMENTS OF (5) FEET IN WIDTH, ALONG ALL SIDE AND REAR LOT LINES AND TEN (10) FEET IN WIDTH, ALONG ALL FRONT LOT LINE, FOR THE EXPRESS PURPOSES OF ACCOMMODATING SURFACE AND UNDERGROUND DRAINAGE AND UNDERGROUND UTILITIES AND CABLE TV. WHERE MORE THAN ONE LOT IS INTENDED AS A BUILDING SITE, THE OUTSIDE BOUNDARIES OF SAID BUILDING SITE SHALL CARRY SAID EASEMENTS. ALL OTHER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY RESERVED IN PERPETUITY FOR THE PURPOSES NOTED.

NOTES:

BEARINGS ARE BASED ON THE NORTH LINE, NORTHWEST 1/4, NORTHWEST 1/4, SECTION 26, AS BEING N.89°52'01"E.

ELEVATIONS BASED ON N.G.V.D. (NATIONAL GEODETIC VERTICAL DATUM) ESTABLISHED FROM MANATEE COUNTY BENCHMARK NO. (RM#) F.D.O.T. DISK IN S.E. CORNER OF U.S. 41 BRIDGE AND BOWLEES CREEK ON RAIL (ELEVATION 16.34 FEET).

PLAT BEARINGS ARE NOT BASED ON STATE PLANE COORDINATES.

VISIBILITY TRIANGLE

VISIBILITY TRIANGLE EASEMENT SHALL BE KEPT CLEAR OF ANY STRUCTURE, FENCE OBSTRUCTION PLANTING, OR PARKING PER MANATEE COUNTY CODE.

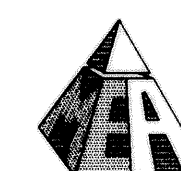
CONSERVATION EASEMENT USE RESTRICTED TO COVENANTS & RESTRICTIONS AS RECORDED IN MANATEE COUNTY.

BOWLEES CREEK

CURVE TABLE						
NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHD. BEARING
3	150.00'	80°29'31"	210.73'	126.97'	193.82'	S.05°03'55"E.
4	150.00'	45°46'49"	119.85'	63.33'	116.69'	S.68°12'05"E.
8	175.00'	80°29'31"	245.85'	148.13'	226.12'	S.05°03'55"E.
9	175.00'	45°46'49"	139.83'	73.89'	136.14'	S.68°12'05"E.
19	125.00'	80°29'31"	175.61'	105.81'	161.52'	S.05°03'55"E.
20	125.00'	45°46'49"	99.88'	52.78'	97.24'	S.68°12'05"E.
27	175.00'	16°36'45"	50.74'	25.55'	50.56'	S.26°28'55"E.
28	175.00'	10°31'23"	32.14'	16.12'	32.10'	S.40°02'59"E.
29	175.00'	15°11'22"	46.39'	23.33'	46.26'	S.52°54'22"E.
30	175.00'	16°25'10"	50.15'	25.25'	49.98'	S.68°42'38"E.
31	175.00'	14°10'16"	43.28'	21.75'	43.17'	S.84°00'21"E.

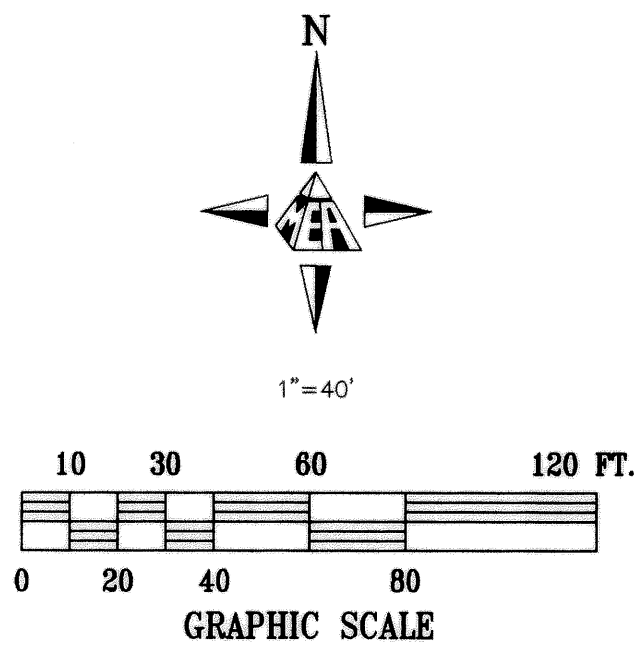
BOUNDARY LINE TABLE

L12	S.88°22'53"W.	616.68'
L13	S.77°10'30"W.	43.55'
L14	N.87°34'27"W.	108.12'
L15	N.55°37'57"W.	35.23'
L16	N.44°10'41"W.	290.32'
L17	N.79°13'16"W.	18.34'
L18	S.67°20'58"W.	68.15'
L19	S.24°29'10"W.	62.20'
L78	N.61°18'04"E.	67.12'
L79	N.27°12'54"E.	29.30'
L80	N.02°57'18"E.	27.04'



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CONSULTING ENGINEERS, SURVEYORS AND PLANNERS
5971 CATTLETRIDGE BLVD.
SARASOTA, FLORIDA 34232
PHONE: 941 342-6321
FAX NO.: 941 379-6474

HAWK'S HARBOR
SECTIONS 26 & 27, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA



- LEGEND
- SET PERMANENT REFERENCE MONUMENT, 4"x4" CONCRETE MONUMENT & DISK "PRM LS 5701"
 - FOUND PERMANENT REFERENCE MONUMENT, 4"x4" CONCRETE MONUMENT & DISK "RLS 2612 SW&N) OR AS SHOWN"
 - PERMANENT CONTROL POINTS, NAIL & DISK "PCP PLS 5701" AT CENTERLINE (P.I., P.R.C., P.C.C., P.T., P.C. AND R.P.)
 - PERMANENT CONTROL POINTS, 4"x4" CONCRETE MONUMENT AT BLOCK LINES "PCP PLS 5701"
 - SET IRON ROD AS NOTED
 - FOUND IRON ROD AS NOTED
 - (N.R.) NON-RADIAL LINES
 - (R) RADIAL LINES
 - (2) OVERALL CURVES
 - (2) PARTIAL CURVES
 - PERMANENT BENCH MARK AS SHOWN
 - P.B.M. PERMANENT BENCH MARK
 - O.A. OVERALL DIMENSION
 - S.F. ± SQUARE FEET PLUS/MINUS
 - EL. ELEVATION
 - CL CENTER LINE
 - P.I. POINT OF INTERSECTION
 - R.P. RADIUS POINT
 - P.C. POINT OF CURVATURE
 - P.T. POINT OF TANGENCY
 - P.C.C. POINT OF COMPOUND CURVATURE
 - P.R.C. POINT OF REVERSE CURVATURE
 - BRG. BEARING
 - CHD. CHORD
 - O.R.BK. OFFICIAL RECORDS BOOK
 - PG. PAGE
 - PRM PERMANENT REFERENCE MONUMENT
 - LS LICENSE SURVEYORS

PLS PROFESSIONAL LICENSE SURVEYORS
PSM PROFESSIONAL SURVEYOR AND MAPPER
RLS REGISTERED LICENSE SURVEYORS
VISIBILITY TRIANGLE EASEMENT

RESERVATION OF EASEMENTS

THERE ARE HEREBY EXPRESSLY RESERVED EASEMENTS OF (5) FEET IN WIDTH, ALONG ALL SIDE AND REAR LOT LINES AND TEN (10) FEET IN WIDTH, ALONG ALL FRONT LOT LINE, FOR THE EXPRESS PURPOSES OF ACCOMMODATING SURFACE AND UNDERGROUND DRAINAGE AND UNDERGROUND UTILITIES AND CABLE TV. WHERE MORE THAN ONE LOT IS INTENDED AS A BUILDING SITE, THE OUTSIDE BOUNDARIES OF SAID BUILDING SITE SHALL CARRY SAID EASEMENTS. ALL OTHER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY RESERVED IN PERPETUITY FOR THE PURPOSES NOTED.

NOTES:

BEARINGS ARE BASED ON THE NORTH LINE, NORTHWEST 1/4, NORTHWEST 1/4, SECTION 26, AS BEING N.89°52'01"E.
ELEVATIONS BASED ON N.G.V.D. (NATIONAL GEODETIC VERTICAL DATUM) ESTABLISHED FROM MANATEE COUNTY BENCHMARK NO. (RM#1 F.D.O.T. DISK IN S.E. CORNER OF U.S. 41 BRIDGE AND BOWLEES CREEK ON RAIL (ELEVATION 16.34 FEET)).
PLAT BEARINGS ARE NOT BASED ON STATE PLANE COORDINATES.
CONSERVATION EASEMENT USE RESTRICTED TO COVENANTS & RESTRICTIONS AS RECORDED IN MANATEE COUNTY.

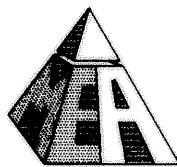
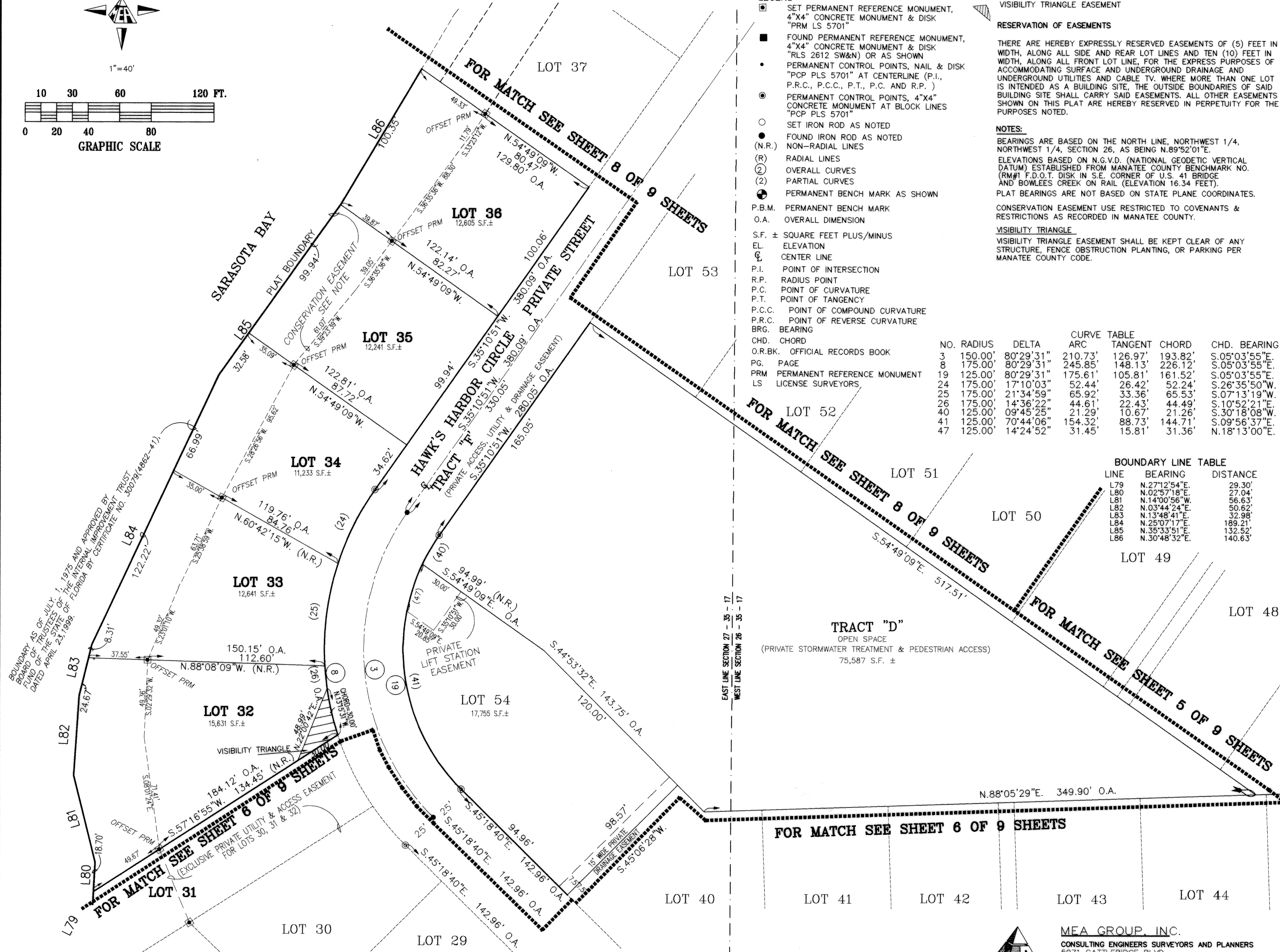
VISIBILITY TRIANGLE

VISIBILITY TRIANGLE EASEMENT SHALL BE KEPT CLEAR OF ANY STRUCTURE, FENCE OBSTRUCTION PLANTING, OR PARKING PER MANATEE COUNTY CODE.

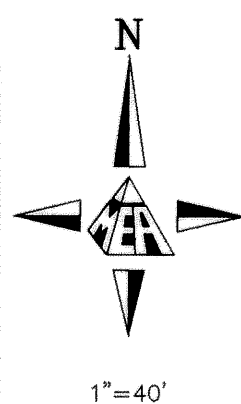
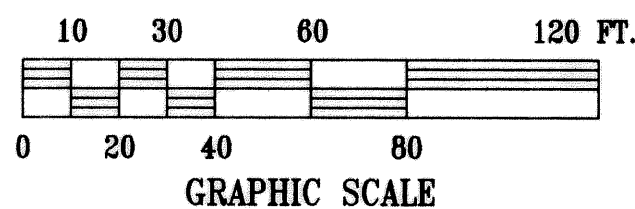
NO.	RADIUS	DELTA	CURVE TABLE		CHD.	BEARING
			ARC	TANGENT		
3	150.00'	80°29'31"	210.73'	126.97'	193.82'	S.05°03'55"E.
8	175.00'	80°29'31"	245.85'	148.13'	226.12'	S.05°03'55"E.
19	125.00'	80°29'31"	175.61'	105.81'	161.52'	S.05°03'55"E.
24	175.00'	17°10'03"	52.44'	26.42'	52.24'	S.26°35'50"W.
25	175.00'	21°34'59"	65.92'	33.36'	65.53'	S.07°13'19"W.
26	175.00'	14°36'22"	44.61'	22.43'	44.49'	S.10°52'21"E.
40	125.00'	09°45'25"	21.29'	10.67'	21.26'	S.30°18'08"W.
41	125.00'	70°44'06"	154.32'	88.73'	144.71'	S.09°56'37"E.
47	125.00'	14°24'52"	31.45'	15.81'	31.36'	N.18°13'00"E.

BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
L79	N.27°12'54"E.	29.30'
L80	N.02°57'18"E.	27.04'
L81	N.14°00'56"W.	56.63'
L82	N.03°44'24"E.	50.62'
L83	N.13°48'41"E.	32.98'
L84	N.25°07'17"E.	189.21'
L85	N.35°33'51"E.	132.52'
L86	N.30°48'32"E.	140.63'



MEA GROUP, INC.
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5971 CATTLEDGE BLVD.
SARASOTA, FLORIDA 34232
PHONE: 941 342-6321
FAX NO.: 941 379-6474



POINT OF BEGINNING

SOUTHERLY BOUNDARY SARABAY COVES

STATE PLANE COORDINATES
N. 1120990.1392
E. 468123.2948

HAWK'S HARBOR

SECTIONS 26 & 27, TOWNSHIP 35 SOUTH, RANGE 17 EAST

MANATEE COUNTY, FLORIDA

PLAT BOOK **35** PAGE **77**
SHEET **8** OF **9** SHEETS

RESERVATION OF EASEMENTS

THERE ARE HEREBY EXPRESSLY RESERVED EASEMENTS OF (5) FEET IN WIDTH, ALONG ALL SIDE AND REAR LOT LINES AND TEN (10) FEET IN WIDTH, ALONG ALL FRONT LOT LINE, FOR THE EXPRESS PURPOSES OF ACCOMMODATING SURFACE AND UNDERGROUND DRAINAGE AND UNDERGROUND UTILITIES AND CABLE TV. WHERE MORE THAN ONE LOT IS INTENDED AS A BUILDING SITE, THE OUTSIDE BOUNDARIES OF SAID BUILDING SITE SHALL CARRY SAID EASEMENTS. ALL OTHER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY RESERVED IN PERPETUITY FOR THE PURPOSES NOTED.

VISIBILITY TRIANGLE

VISIBILITY TRIANGLE EASEMENT SHALL BE KEPT CLEAR OF ANY STRUCTURE, FENCE OBSTRUCTION PLANTING, OR PARKING PER MANATEE COUNTY CODE.

NOTES:

BEARINGS ARE BASED ON THE NORTH LINE, NORTHWEST 1/4, NORTHWEST 1/4, SECTION 26, AS BEING N.89°52'01"E.

ELEVATIONS BASED ON N.G.V.D. (NATIONAL GEODETIC VERTICAL DATUM) ESTABLISHED FROM MANATEE COUNTY BENCHMARK NO. (RM#1 F.D.O.T. DISK IN S.E. CORNER OF U.S. 41 BRIDGE AND BOWLEES CREEK ON RAIL (ELEVATION 16.34 FEET).

PLAT BEARINGS ARE NOT BASED ON STATE PLANE COORDINATES.

TRACT "B" (PRIVATE OPEN SPACE AREA) CONSISTING OF A STORMWATER MANAGEMENT (DETENTION) POND, CONSERVATION AREA, ENTRY FEATURE IMPROVEMENTS, MANATEE AWARENESS EDUCATION SIGNS, ACCESS WALKWAY, PARKING, AND ACCESS TO TRACT "G".

CONSERVATION EASEMENT USE RESTRICTED TO COVENANTS & RESTRICTIONS AS RECORDED IN MANATEE COUNTY.

CURVE TABLE						
NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHD. BEARING
2	300.00'	10°52'41"	56.96'	28.56'	56.87'	S.40°37'11"W.
7	325.00'	10°52'41"	61.70'	30.94'	61.61'	S.40°37'11"W.
11	25.00'	90°05'39"	39.11'	25.04'	35.38'	S.09°46'20"E.
12	275.00'	10°52'41"	52.21'	26.18'	52.13'	S.40°37'11"W.
13	42.00'	89°39'50"	65.73'	41.75'	59.22'	N.89°06'33"W.
14	120.00'	18°16'58"	38.29'	19.31'	38.13'	S.53°25'08"E.
18	25.00'	90°00'00"	39.27'	25.00'	35.36'	N.80°10'51"E.
22	325.00'	01°13'11"	6.92'	3.46'	6.92'	S.45°26'56"W.
23	325.00'	09°39'30"	54.79'	27.46'	54.72'	S.40°00'36"W.
46	100.00'	18°37'09"	32.50'	16.39'	32.35'	S.53°15'02"E.
48	275.00'	01°02'00"	4.96'	2.48'	4.96'	N.35°41'51"E.
A	10.00'	66°54'41"	11.68'	6.61'	11.03'	S.74°12'34"W.
B	20.01'	128°17'52"	44.82'	41.31'	36.02'	S.69°22'49"W.
C	10.00'	76°31'08"	13.36'	7.89'	12.38'	S.10°45'58"W.
D	10.00'	54°55'32"	9.59'	5.20'	9.22'	N.00°01'50"W.

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
L1	S.54°49'09"E.	9.84'
L2	S.54°49'09"E.	115.00'
L86	N.30°48'32"E.	140.63'
L87	N.39°40'23"E.	39.76'
L88	N.35°00'02"E.	181.17'
L89	N.40°14'15"E.	22.34'
L90	N.88°45'45"E.	9.51'
L91	N.22°17'45"E.	17.64'

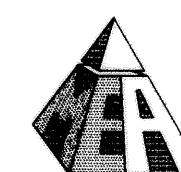
WETLAND BUFFER LINE TABLE

LINE	BEARING	DISTANCE
W1	S.40°45'13"W.	20.08'
W2	S.10°38'03"W.	17.65'
W3	S.01°30'04"W.	11.47'
W4	S.49°01'32"W.	16.48'
W5	S.27°29'36"E.	6.85'
W6	S.03°36'09"W.	5.06'
W7	S.13°49'26"E.	24.27'
W8	S.58°12'45"E.	5.92'
W9	S.82°36'21"E.	34.91'
W10	N.05°03'21"W.	7.61'
W11	N.27°25'36"E.	12.22'
W12	N.27°29'32"W.	17.46'
W13	N.49°01'32"E.	17.40'
W14	N.01°30'04"E.	18.72'
W15	N.10°24'52"E.	17.90'
W16	S.48°37'40"E.	19.18'
W17	N.58°54'02"E.	5.75'
W18	N.40°45'13"E.	28.21'

LEGEND

- SET PERMANENT REFERENCE MONUMENT, 4"x4" CONCRETE MONUMENT & DISK "PRM LS 5701"
- FOUND PERMANENT REFERENCE MONUMENT, 4"x4" CONCRETE MONUMENT & DISK "RLS 2612 SW&N) OR AS SHOWN"
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- O.R.BK. OFFICIAL RECORDS BOOK

- PG. PAGE
- PRM PERMANENT REFERENCE MONUMENT
- LS LICENSE SURVEYORS
- PLS PROFESSIONAL LICENSE SURVEYORS
- PSM PROFESSIONAL SURVEYOR AND MAPPER
- RLS REGISTERED LICENSE SURVEYORS
- VISIBILITY TRIANGLE EASEMENT



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HAWK'S HARBOR SECTIONS 26 & 27, TOWNSHIP 35 SOUTH, RANGE 17 EAST MANATEE COUNTY, FLORIDA

RESERVATION OF EASEMENTS

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NOTES:

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ELEVATIONS BASED ON N.G.V.D. (NATIONAL GEODETIC VERTICAL DATUM) ESTABLISHED FROM MANATEE COUNTY BENCHMARK NO. (RM#) F.D.O.T. DISK IN S.E. CORNER OF U.S. 41 BRIDGE AND BOWLEES CREEK ON RAIL (ELEVATION 16.34 FEET).
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CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHD. BEARING
47	100.00'	47°28'25"	82.86'	43.97'	80.51'	S.40°20'05"W.
48	53.00'	81°58'24"	75.83'	46.05'	69.52'	S.16°38'50"W.

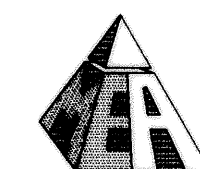
BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L18	S.67°20'58"W.	68.15'	L48	N.48°04'17"W.	64.07'
L19	S.24°29'10"W.	62.20'	L49	N.54°00'55"W.	104.11'
L20	S.44°46'31"W.	52.33'	L50	N.08°10'40"W.	68.66'
L21	S.08°45'20"E.	20.22'	L51	N.13°48'41"E.	16.49'
L22	S.42°20'01"E.	70.09'	L52	N.38°19'33"E.	40.92'
L23	S.27°49'12"W.	60.62'	L53	N.28°46'37"E.	52.60'
L24	S.00°13'29"E.	10.50'	L54	N.62°03'24"E.	33.32'
L25	S.77°32'40"E.	20.50'	L55	N.34°31'52"E.	59.64'
L26	N.67°58'26"E.	40.39'	L56	N.53°28'15"E.	30.40'
L27	S.82°56'59"E.	23.69'	L57	N.37°15'05"E.	18.90'
L28	S.50°35'57"E.	101.92'	L58	N.11°11'10"E.	55.60'
L29	S.65°55'13"E.	68.03'	L59	N.32°43'28"E.	32.18'
L30	S.74°39'08"E.	31.66'	L60	N.46°15'47"E.	54.47'
L31	S.60°13'00"E.	107.97'	L61	N.69°02'59"E.	39.56'
L32	S.36°33'06"E.	21.10'	L62	N.73°10'06"E.	29.74'
L33	S.13°50'35"E.	36.99'	L63	N.34°33'11"E.	21.91'
L34	S.45°39'24"W.	22.98'	L64	N.23°36'50"E.	23.51'
L35	N.61°47'24"W.	130.21'	L65	N.15°35'22"E.	89.90'
L36	N.60°41'09"W.	51.72'	L66	N.14°15'40"W.	26.80'
L37	S.58°52'31"W.	76.92'	L67	N.35°19'14"W.	45.22'
L38	S.76°58'16"W.	22.56'	L68	N.13°33'25"E.	27.29'
L39	N.78°09'09"W.	88.46'	L69	N.04°12'42"E.	58.17'
L40	S.81°54'05"W.	47.45'	L70	N.51°24'28"E.	15.31'
L41	S.64°11'37"W.	52.11'	L71	N.28°17'54"E.	26.18'
L42	S.47°48'39"W.	93.47'	L72	S.62°55'31"E.	52.33'
L43	S.38°52'09"W.	123.69'	L73	S.20°15'20"W.	44.30'
L44	S.36°44'53"W.	55.70'	L74	S.19°49'25"E.	70.06'
L45	S.65°32'51"W.	32.90'	L75	S.38°53'04"E.	38.42'
L46	N.84°41'50"W.	15.57'	L76	S.69°33'01"E.	28.32'
L47	N.65°46'51"W.	18.12'	L77	N.82°55'57"E.	37.77'

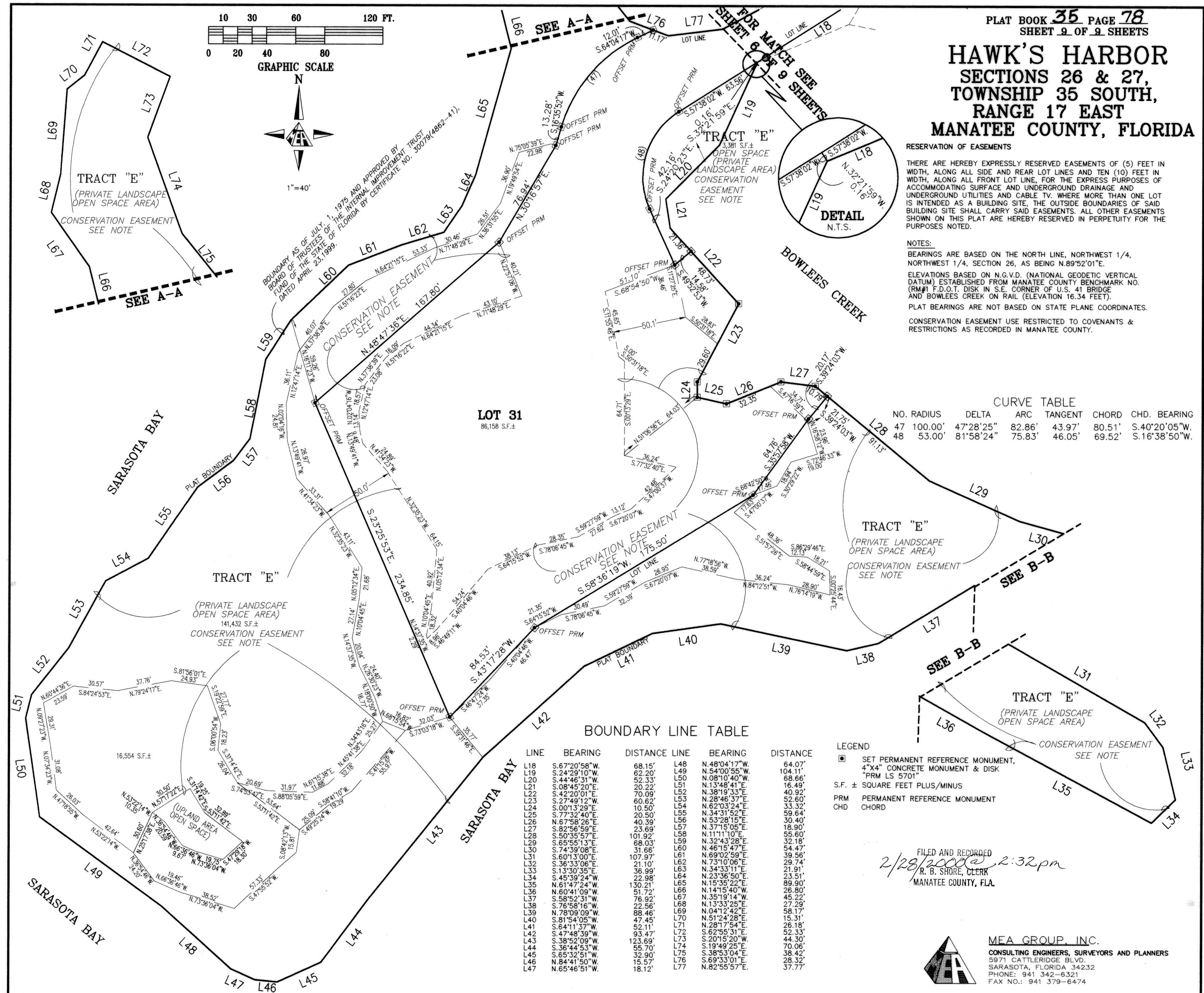
LEGEND

- SET PERMANENT REFERENCE MONUMENT, 4"x4" CONCRETE MONUMENT & DISK "PRM LS 5701"
- S.F. ± SQUARE FEET PLUS/MINUS
- PRM PERMANENT REFERENCE MONUMENT
- CHD CHORD

FILED AND RECORDED
2/28/2000 @ 2:32pm
R. B. SHORE, CLERK
MANATEE COUNTY, FLA.



MEA GROUP, INC.
CONSULTING ENGINEERS, SURVEYORS AND PLANNERS
5971 CATTLEBRIDGE BLVD.
SARASOTA, FLORIDA 34232
PHONE: 941 342-6321
FAX NO.: 941 379-6474



APPROVED
880 714 207
ZONING REVIEWED

SURVEYORS NOTES

- LEGAL DESCRIPTION**
LOT 8, HAWKS HARBOR, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 35, PAGE 77, OF THE OFFICIAL RECORDS OF MANATEE COUNTY, FLORIDA

LEGEND

- [illegible]

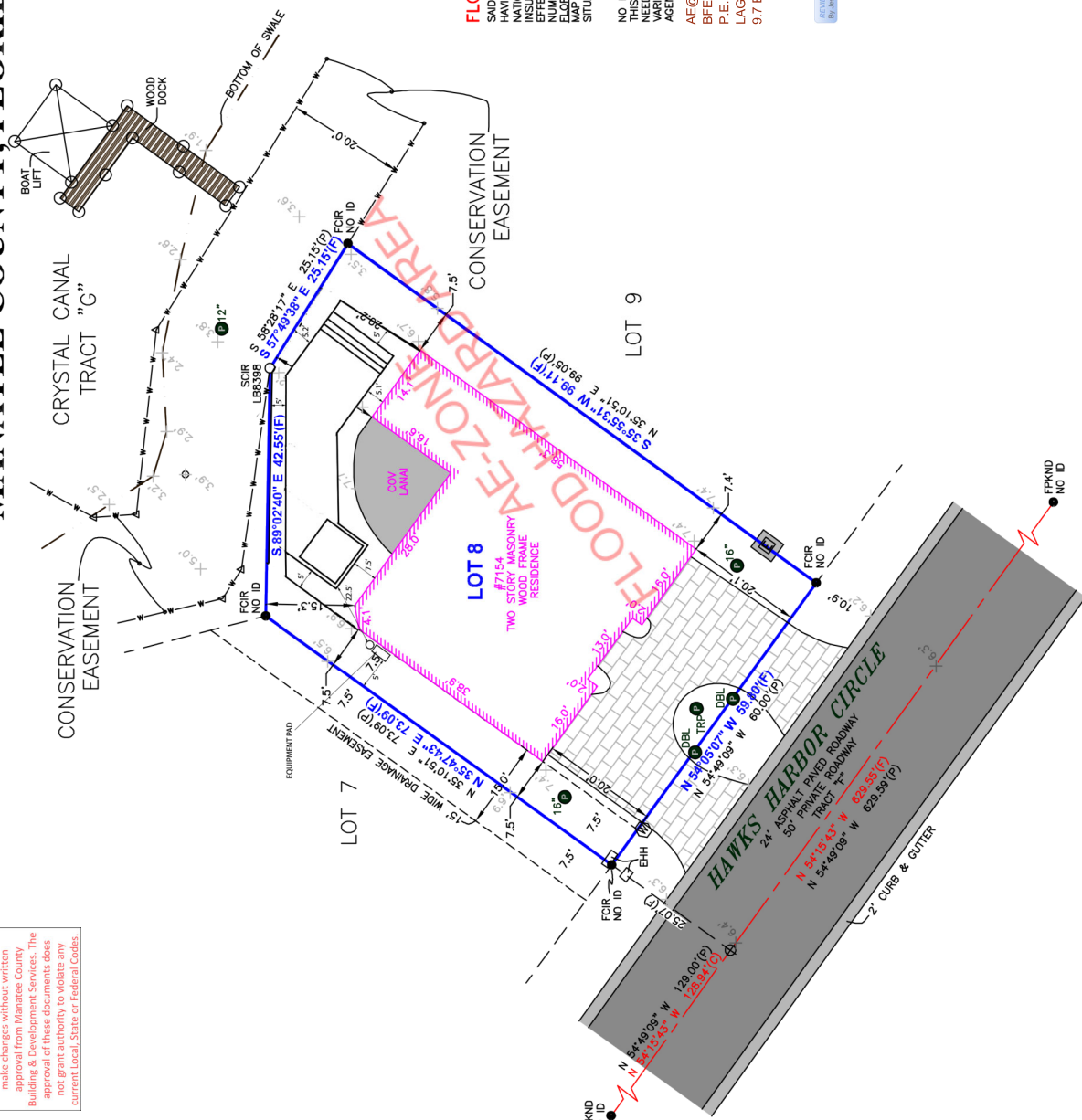
CERTIFICATION

CERTIFICATION
I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT
WAS PREPARED BY ME OR UNDER MY DIRECT
PERSONAL SUPERVISION AND THAT I AM A DULY
REGISTERED LAND SURVEYOR UNDER THE LAWS OF
THE STATE OF FLORIDA

Kevin E. Ransolf

01-19-2021
DATE

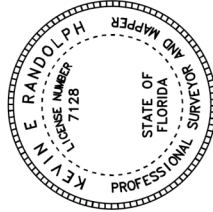
THE SEAL APPEARING ON THIS
DOCUMENT WAS AUTHORIZED BY
KEVIN E. RANDOLPH, P.S.M. 7128



LOT 9

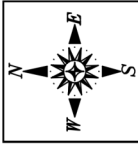
P.E. ON 30" EQUIPMENT PAD
LAG=3.3 NAVD
9.7 BELOW BFE

REVIEWED
By Jessica Remkiewicz at 7/16/2021 3:39:48 PM



THE SEAL APPEARING ON THIS
DOCUMENT WAS AUTHORIZED BY
KEVIN E. RANDOLPH, P.S.M. 7128

01-19-2021
DATE



LEGEND SURVEYING, LLC.
 8398 BEACH FLORIDA (813)-833-2617 LB 8398
 website — www.legendsurveying.com
 email — dfranklin@legendsurveying.com

[illegible]

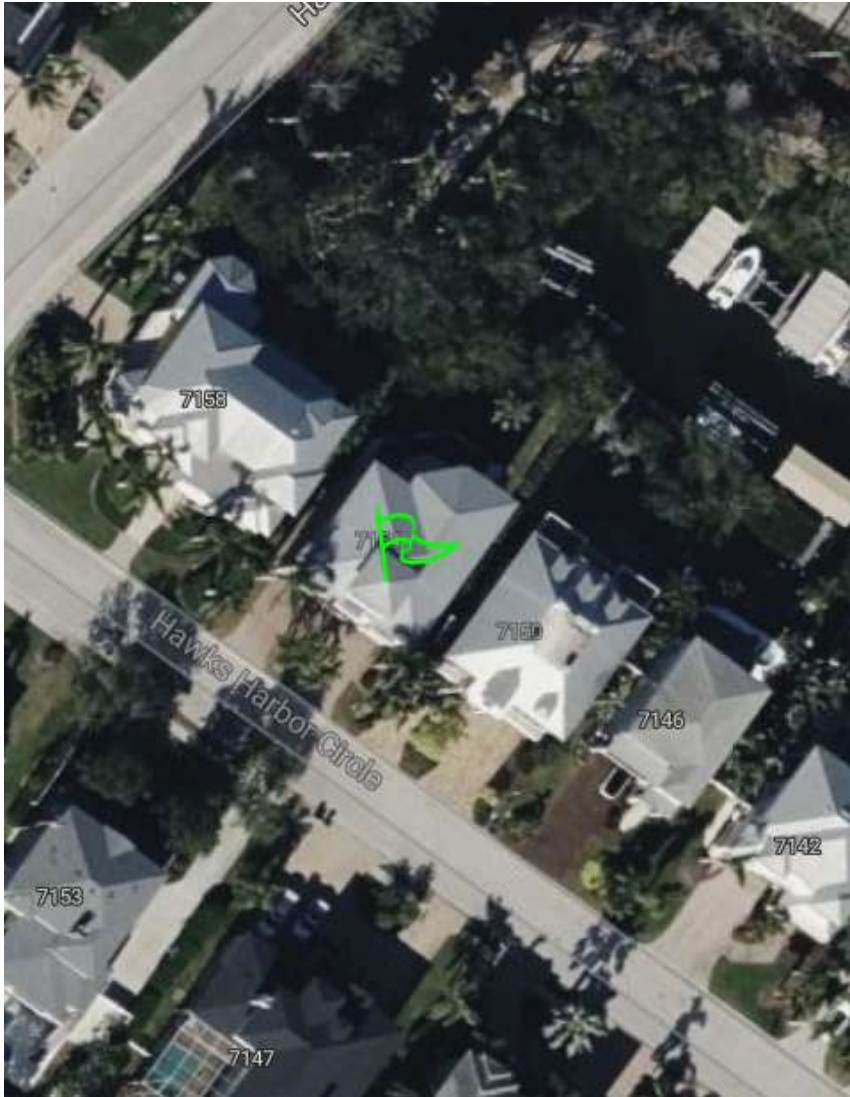
#7154 HAWKS HARBOR CIR
BRADENTON, FLORIDA
TO: FORREST, AMY S
PLAT OF SURVEY



JOB NO:	2020-044
FIELD:	01-15-2021
DATE:	01-19-2021
SCALE:	1:500

AERIAL
VIEW

SHEET 2 OF 2 (SURVEY RELATED INFORMATION) - SEE SHEET ONE FOR MAP OF SURVEY. SURVEY IS NOT COMPLETE WITHOUT BOTH SHEETS.
AERIAL PROVIDED IS FOR VIEWING PURPOSES ONLY AND MAY NOT SHOW CURRENT IMPROVEMENTS. AERIAL IS NOT TO SCALE.



PROPERTY ADDRESS: 7154 HAWKS HARBOR CIRCLE, BRADENTON, FLORIDA 34207

LEGAL DESCRIPTION:

LOT 8, HAWK'S HARBOR, ACCORDING TO PLAT THEREOF AS SHOWN RECORDED IN PLAT BOOK 35, PAGE 70, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

LEGEND			
AE = ACCESS EASEMENT	FND = FOUND	PK = PARKER KALON NAIL	= CATCH BASIN
BFP = BACKFLOW PREVENTER	GV = GATE VALVE	PL = PROPERTY LINE	= MANHOLE
BSL = BUILDING SETBACK LINE	INST = INSTRUMENT NUMBER	PLS = PROFESSIONAL LAND SURVEYOR	= SANITARY MANHOLE
(C) = CALCULATED	L = ARC LENGTH	POB = POINT OF BEGINNING	= POWER POLE
Δ = CENTRAL ANGLE	LB = LICENSED BUSINESS	POC = POINT OF COMMENCEMENT	= AIR CONDITIONER
CB = CHORD BEARING	LE = LANDSCAPE EASEMENT	PRC = POINT OF REVERSE CURVATURE	= CLEANOUT
CH = CHORD LENGTH	LME = LAKE MAINTENANCE EASEMENT	PRM = PERMANENT REFERENCE MONUMENT	= TEMPORARY BENCHMARK
CL = CENTER LINE	LS = LICENSED SURVEYOR	PT = POINT OF TANGENCY	WOOD
CME = CANAL MAINTENANCE EASEMENT	LS = LICENSED SURVEYOR	PUE = PUBLIC UTILITY EASEMENT	BRICK/PAVER/TILE
CNA = CORNER NOT ACCESSIBLE	MB = MAP BOOK	PVUE = PRIVATE UTILITY EASEMENT	ASPHALT
CONC = CONCRETE	ME = MAINTENANCE EASEMENT	RP = RADIAL POINT	CONCRETE
COV = COVERED	MH/L = MEAN HIGH WATER LINE	R = RADIUS	
C/S = CONCRETE SLAB	MN = MAG NAIL	RE = REAL ESTATE NUMBER	
(D) = DEED	N&D = NAIL AND DISK	RLS = REGISTERED LAND SURVEYOR	
DB = DEED BOOK	ORB = OFFICIAL RECORDS BOOK	RSR = RISER	
DE = DRAINAGE EASEMENT	(P) = PLAT	R/W = RIGHT OF WAY	
DH = DRILL HOLE	PC = PLAT BOOK	SQ FT = SQUARE FOOT	
DUE = DRAINAGE/UTILITY EASEMENT	PC = POINT OF CURVATURE	SV = SEWER VALVE	
ELEV = ELEVATION	PCC = POINT OF COMPOUND CURVATURE	UE = UTILITY EASEMENT	
EM = ELECTRIC METER	PCP = PERMANENT CONTROL POINT	+/- = PLUS OR MINUS	
EOW = EDGE OF WATER	PDE = PRIVATE DRAINAGE EASEMENT	= SPOT ELEVATION	
EP = EDGE OF PAVEMENT	P/E = POOL EQUIPMENT	= SURFACE WATER SHEET FLOW	
FCC = FOUND CROSS CUT	PG = PAGE		
FF = FINISHED FLOOR	PI = POINT OF INTERSECTION		
	PID = PARCEL IDENTIFICATION NUMBER		

SURVEYOR'S NOTES:

- THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT. THE SURVEYOR DID NOT PULL OR RESEARCH ANY DOCUMENTS OTHER THAN THOSE PROVIDED BY THE TITLE COMPANY. UNLESS OTHERWISE AGREED, IT IS THE RESPONSIBILITY OF THE TITLE COMPANY OR CLIENT TO REQUEST THE SURVEYOR TO OBTAIN SUCH DATA AS REQUIRED PER AGREEMENT. ANY DOCUMENTS PROVIDED WITH THE TITLE COMMITMENT WILL BE REVIEWED. ADDITIONAL FEES MAY APPLY.
- UNLESS SPECIFICALLY SHOWN, THIS SURVEY DOES NOT LOCATE OVERHANGS, UNDERGROUND UTILITIES, IMPROVEMENTS, FOUNDATIONS, FOOTERS, OR OTHER SUBSURFACE STRUCTURES.
- BEARINGS ARE BASED ON THE NORTHEASTERLY RIGHT OF WAY LINE OF HAWK'S HARBOR CIRCLE, AS BEING, N 54°49'09" W, PER PLAT, ASSUMED.
- THIS SURVEY IS PROVIDED SOLELY FOR THE PURPOSE OF FINANCING AND/OR SALE TRANSACTIONS. IT SHALL NOT BE USED FOR ANY CONSTRUCTION, PERMITTING, DESIGN, OR OTHER PURPOSES WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING LAND SURVEYOR. ANY UNAUTHORIZED USE OF THIS SURVEY IS STRICTLY PROHIBITED, AND THE SURVEYOR DISCLAIMS ALL LIABILITY FOR SUCH USE.
- THE SURVEYOR DID NOT RESEARCH OR ABSTRACT LAND RECORDS FOR RIGHT-OF-WAYS, EASEMENTS, RESERVATIONS, DEED RESTRICTIONS, ZONING REGULATIONS, SETBACKS, LAND USE, ADJOINING DEEDS, OR OTHER SIMILAR JURISDICTIONAL DETERMINATIONS. ANY INFORMATION SHOWN ON THE SURVEY IS BASED SOLELY ON DATA PROVIDED BY THE CLIENT AND MAY NOT BE COMPLETE.
- FENCE OWNERSHIP HAS NOT BEEN DETERMINED. THE SURVEYOR IS NOT RESPONSIBLE FOR DAMAGES RESULTING FROM THE REMOVAL OR MODIFICATION OF ANY FENCES.
- THE SURVEY DEPICTED HEREON FORMS A CLOSED GEOMETRIC FIGURE.
- THIS SURVEY IS CERTIFIED EXCLUSIVELY TO THE NAMED PARTIES. CERTIFICATIONS DO NOT EXTEND TO ANY UNNAMED THIRD PARTIES AND ARE NOT TRANSFERABLE.
- UNLESS OTHERWISE NOTED, THIS IS A BOUNDARY SURVEY. AREA SIZES AND MEASUREMENTS SHOWN ARE BASED ON PLATTED BOUNDARY LINES UNLESS OTHERWISE STATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND SHALL NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
- PURSUANT TO FS. 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT MAY NOT BE HELD PERSONALLY LIABLE FOR NEGLIGENCE.
- THIS SURVEY DOES NOT CONSTITUTE PROOF OF OWNERSHIP. IT DOES NOT GUARANTEE OR WARRANT OWNERSHIP IN ANY FORM. THE SURVEYOR ACCEPTS NO LIABILITY FOR ANY COSTS OR DAMAGES ARISING FROM DISPUTES OVER OWNERSHIP OF THE LANDS SHOWN AND DESCRIBED HEREON.
- THIS SURVEY SHALL NOT BE ALTERED. ANY MODIFICATIONS TO THE ORIGINAL DOCUMENT ARE MADE AT THE RISK OF THE PARTY MAKING SUCH CHANGES. THE SURVEYOR AND COMPANY DISCLAIM ANY LIABILITY FOR ALTERATIONS NOT MADE BY THEM.

CERTIFIED TO:

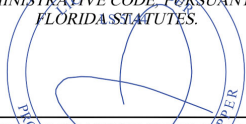
STEPHEN AND MEGAN FOX
REVOCABLE TRUST; BERLIN PATTEN
EBLING; OLD REPUBLIC TITLE
INSURANCE COMPANY

FLOOD ZONE
(FOR INFORMATIONAL PURPOSES ONLY)

SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE
LOCATED IN ZONE AE(BFE 9'), PER F.I.R.M MAP
NUMBER 12081C0312F, DATED 8/10/2021.

THIS SURVEYOR MAKES NO GUARANTEES AS THE
ACCURACY OF THE ABOVE INFORMATION. THE
LOCAL F.E.M.A AGENT SHOULD BE CONTACTED FOR
VERIFICATION.

I HEREBY CERTIFY THAT THE SURVEY OF THE HEREON DESCRIBED
PROPERTY WAS PREPARED UNDER MY DIRECT SUPERVISION AND MEETS THE
STANDARD OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF
PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050 THROUGH
5J-17.053, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027,
FLORIDA STATUTES.



CERTIFIED BY: JON SHOEMAKER PSM NO. 5144

FIRST CHOICE SURVEYING, INC.

P.O. 470978 LAKE MONROE, FL 32747

407.951.3425 (OFFICE); 407.520.5453 (FAX); LB 7564

NOT VALID WITHOUT SIGNATURE AND RAISED SEAL OR ELECTRONIC SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER

ORDERED BY:



DATE SIGNED: 03/10/26

THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, having specifically considered the criteria set forth in Manatee County Ordinance No. 90-01 (the Manatee County Land Development Code); and finding PDR-98-03(P)(R) consistent with Manatee County Ordinance No. 89-01 (the Manatee County Comprehensive Plan), Revised Preliminary Site Plan No. PDR-98-03(P)(R) - Bennett and Icard/Hawks Harbor is hereby approved subject to the following stipulations, specific approvals, and waiver:

STIPULATIONS

1. All infrastructure, including lift stations, cleanouts, and manhole rims shall be elevated above the coastal high hazard area.
2. The applicant shall comply with all conditions attached to the Certificate of Level of Service for this project.
3. All nuisance exotic plant species shall be removed from the project in accordance with Policy 4.1.2.3 of the Comprehensive Plan. Prior to Final Plat approval, all said species from the mainland and at least 50 percent of said species from the island portion of the project shall be removed. Prior to the issuance of a building permit for a residence on Lot 31 or 18 months after Final Plat approval, whichever occurs first, the remaining nuisance species shall be removed. In the event this is not completed, no further building permits for the project shall be issued until it has been completed.
4. Prior to Final Plat approval, the applicant shall demonstrate compliance with Sections 603.14.5.3., and 603.14.5.4.(1)(2)(3)(4)(5)(6), Operational Guidelines for Waterfront Uses. The applicant will erect "idle/no-wake," manatee awareness, and Manatee Education signs in locations approved by the Planning Department at Final Site Plan approval.
5. All docks within this development shall be located and configured in a manner which minimizes impacts to the mangrove fringe, as determined by EMD at time of Final Site Plan approval.
6. An open water area at the end of the canal where the congregate docking facility is proposed shall be provided to allow for boats to turn around. This area shall have a minimum radius of 30 feet, and be clear of mangroves, docks, or moored water craft.
7. Prior to issuance of building permit for the congregate docking facility, the manmade boat canals abutting the project on the northeast portion of the site shall be dredged to a depth of at least 4 feet.
8. A Hurricane Evacuation Plan for the project, pursuant to Policy 4.4.2.2 of the Comprehensive Plan, will be approved by EMS prior to Final Site Plan approval. The Homeowner's documents, disclosure statements, and Final Site Plans shall include language to inform homeowners in the project of these requirements.
9. Access for lot 31 from the main portion of the lot to Hawks Harbor Circle shall be elevated above the coastal high hazard area (5 foot contour) in a manner that does not result in any deposition of fill. This access way shall maintain a minimum width of 12 feet and shall include a turn around, sufficient in size to accommodate emergency vehicles, on the main portion of the lot.
10. Prior to Final Site Plan approval, the applicant will demonstrate compliance with Sections 721.4.1.1, 721.4.1.2, and 721.4.1.3, Habitat and Endangered Species Protection.
11. Wildlife Management Plans, as approved by the U.S. Fish and Wildlife Service and the Florida Game and Freshwater Fish Commission (FGFWFC) shall be submitted to EMD prior to the first Final Site Plan approval.

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12. No construction activity on Lots 22, 23, and 24 or disturbances of the nest shall occur during periods of osprey nesting.
13. Buffer encroachment and compensation areas shall be individually delineated and quantified on the Final Site Plan and shall be consistent with the requirements of Section 719.11.1 of the LDC.
14. A Construction Water Quality Monitoring Program and proposed sampling locations shall be submitted to the EMD for review and approval prior to any land clearing activities, or Final Site Plan approval, whichever occurs first.
15. An integrated Pest Management Plan shall be submitted to the EMD for review and approval, prior to Final Site Plan approval.
16. Manatee County shall review any proposal by the applicant and all future owners to trim mangroves in the conservation easement or any man-made canal which abuts the site. Approval of any request shall be based upon compliance with Policy 3.3.2.2 of the Comprehensive Plan. At a minimum, unless otherwise approved for dock crossings, mangroves shall not be trimmed to less than 6 feet in height and no mangroves shall be removed. The Homeowner's documents, disclosure statements, and Final Site Plans shall include language to inform homeowners in the project of these requirements. A site visit by EMD staff is required prior to authorization of mangrove trimming events.
17. The elevated boardwalk north of Lot 31 shall be located outside of the mangrove fringe area. The land area underlying the easement, where it crosses Lot 31, shall be recorded as a Pedestrian Access easement.
18. The applicant and their heirs, assigns, or transferees, are hereby notified that a payment of an impact fee for school purposes shall be required if such impact fee is adopted by the School Board of Manatee County or the Board of County Commissioners.
19. The Homeowner's documents, disclosure statements, and Final Site Plans shall include language to inform homeowners in the project that the property is subject to aircraft noise and aircraft overflights associated from the Sarasota Bradenton International Airport. Information shall be provided in the sales office and provided to all lot purchasers. Interior noise levels for all new residential dwellings shall not exceed 45 DNL (average day and night noise level, measured in dBAs) in any habitable room. Evidence of compliance shall be required prior to Certificate of Occupancy.
20. All lot owners shall be encouraged to participate in the Florida Yards and Neighborhoods Program. Information shall be provided in the sales office and provided to all lot purchasers. The Homeowner's documents, disclosure statements, and Final Site Plans shall include language to inform homeowners in the project of these requirements.
21. Prior to Final Plat approval, the fuel tank and boat ramp located in the vicinity of Lot 27 shall be removed.
22. The parking area for the congregate boating facility shall maintain a minimum setback of 10 feet from all adjacent lots. These parking spaces shall not overlap with the sidewalk along Bowlees Cove. A pedestrian walkway shall connect the parking spaces with an access to the docks.
23. A fire hydrant shall be located within 400 feet of the residence on Lot 31 and adjacent to the docking facilities.
24. Prior to Final Site Plan approval, sediment analysis shall be performed on the spoil material from the dredging using the Toxicity Characteristic Leachate Procedure (TCLP) for total metals, organics, P.C.B.'s, Pesticides EPA 8140 and Herbicides EPA 8150. Analysis shall be performed by a Florida

- Department of Health and Rehabilitative Services certified laboratory with an approved Comprehensive Quality Assurance Plan (COMPQAP). Should contaminant levels exceed Federal regulatory limits for hazardous wastes, the spoil material shall be disposed of accordingly.
- 25. The applicant has applied for a clearance letter from the DRI process for the docking facility associated with this project. Should DEP or DCA determine that the docking facility needs to be reviewed under an Application for Development Approval, no Final Site Plan shall be issued prior to issuance of a DRI Development Order.
- 26. A replacement osprey platform shall be constructed prior to removal of the nest tree. This activity shall not occur during nesting season, and the nest shall not be removed until the building permit is issued for the lot in question. The location of any platform shall be approved by EMD.
- 27. The Homeowner's documents, disclosure statements, and Final Site Plans shall include language to inform homeowners in the project that ongoing maintenance dredging of the canals shall be the responsibility of the property owners of this project.
- 28. The area located between Lots 6 and 7 and the congregate docking facilities in Crystal Canal, as shown on the revised Preliminary Site Plan, shall serve as the project's focal point.
- 29. A Wetland Buffer Enhancement Plan for wetland buffers adjacent to the congregate docking facility shall be submitted to the EMD for review and approval prior to Final Site Plan approval.

SPECIFIC APPROVALS

Specific Approval of an alternative to Section 710.1.5.1.1 of the Manatee County Land Development Code, Orientation of Parking Spaces.

Specific Approval of an alternative to Section 907.9.3 of the Manatee County Land Development Code, Right-of-Way Width.

WAIVER

Waiver of Section 741 of the Manatee County Land Development Code to allow the use of street names

APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this 4th day of January, 2000.

BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

BY: Sean Stephen
Chairman

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

By: [Signature]
[Seal of the Board of County Commissioners of Manatee County, Florida]

June 4, 2026

Dr. Mark Baker
7154 Hawk's Harbor Circle
Bradenton, FL 34207

Re: Pool Encroachment into Easement – 7154 Hawk's Harbor Circle

Dear Dr. Baker:

Thank you for providing documentation regarding the encroachment of the existing pool structure located at 7154 Hawk's Harbor Circle into the rear drainage and utility easement maintained by Hawk's Harbor Community Association, Inc. (the "Association").

Based upon the information provided, the Board of Directors understands that the encroachment was created by a prior owner and was not intentionally constructed by the current owner.

Accordingly, the Board has determined that it has no objection to the existing pool remaining in its current location within the easement area.

This accommodation applies solely to the existing pool and its current encroachment and shall not be construed as a waiver, modification, abandonment, or limitation of any easement rights held by the Association.

Further, if the existing pool is replaced, substantially reconstructed, expanded, or otherwise requires permitting for a new or modified pool structure in the future, any replacement or modified pool and associated improvements shall be relocated entirely outside the easement area and shall comply with the Association's governing documents and all applicable laws, regulations, and permitting requirements.

The Board appreciates your cooperation in resolving this matter.

Sincerely,



Gavan Hunt, President
For the Board of Directors
Hawk's Harbor Community Association

MANATEE COUNTY GOVERNMENT

STATE OF FLORIDA

COUNTY OF MANATEE

Before the undersigned authority personally appeared **Abigail Bonds**, who on oath says that she is a **County Employee of Manatee County Government, Manatee County, Florida**; that the attached copy of advertisement, being a public notice in the matters of **Notice of Establishment or Change of a Regulation affecting the use of Land in Unincorporated Manatee County** for the **Manatee County Hearing Officer Public Hearing on July 20, 2026**, in Manatee County Florida, was published on the publicly accessible website of Manatee County Government, Manatee County, Florida, of www.mymanatee.org on **July 6, 2026**.

Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

By: Abigail Bonds
Abigail Bonds, Planning and Zoning Tech III

Sworn to and subscribed before me this 6th day of July, 2026, by Abigail Bonds, who is personally known to me or who has produced (type of identification) as identification.



Q Acevedo
(Signature of Notary Public)

Quantana Acevedo
(Print Name of Notary Public)

Notary Public
(Title)

My Commission Expires: 3/6/28
Commission Number: HH 500953

NOTICE OF PUBLIC HEARING

NOTICE OF ESTABLISHMENT OR CHANGE OF A REGULATION AFFECTING THE USE OF LAND IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Hearing Officer for Manatee County, will conduct a Public Hearing on **July 20, 2026, at 3:00 p.m. at the Manatee County Government Administration Building, 1112 Manatee Avenue West, First Floor, Patricia M. Glass Chambers, Bradenton Florida** to consider and act upon the following matters:

VA-26-02 - 7154 Hawks Harbor Circle - Variance - [PLN2604-0052](#)

Approval of a variance to the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures to allow variable encroachments along the northerly extension of the existing pool and pool deck, ranging from approximately 1.9 feet at the northwestern corner, a maximum of 5-feet where the deck intersects the rear property line, and approximately 0.6 feet at the northeastern corner, and to allow a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line; for a site located at 7154 Hawks Harbor Circle, Bradenton, 34207 (Manatee County) on approximately 0.12 acres; providing for severability; and providing for an effective date.

Rules of Procedure for this public hearing are in effect pursuant to Section 312.8 of the Manatee County Land Development Code. Copies of this section of the Code are available for review at the Development Services Department, 9000 Town Center Parkway, Lakewood Ranch, FL 34205 or at mymanatee.org.

All interested parties are invited to appear at this Hearing and be heard, subject to proper rules of conduct. Additionally, any written comments filed with the Director Development Services Department will be heard and considered by the Hearing Officer and entered into the record.

Interested parties may examine the Official Zoning Atlas, the application, related documents, and may obtain assistance regarding this matter from the Manatee County Development Services Department, 9000 Town Center Parkway, Lakewood Ranch, Florida, telephone number (941) 748-4501 ext. 6878 or email at: public.comments@mymanatee.org.

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

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability. Manatee County is committed to providing full access to facilities, programs, and services to all, as well as supporting the employment of qualified individuals with disabilities in its workforce in accordance with federal and state laws and regulations, including the Americans with Disabilities Acts of 1990 (ADA) and as amended ("ADAA"), and 503 and 504 of the Rehabilitation Act of 1973. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio, ADA Compliance Coordinator, at (941)792-4501 ext. 6016 or carmine.demilio@mymanatee.org, as least 3 business days prior to the scheduled meeting. If you are deaf/hard of hearing and require the services of an interpreter, please contact the Florida Relay Service at 711.

THE PUBLIC HEARING MAY BE CONTINUED FROM TIME-TO-TIME PENDING
ADJOURNMENTS.

MANATEE COUNTY HEARING OFFICER

Manatee County Development Services Department

Manatee County, Florida

Date of Publishing: July 6, 2026



August 4, 2026 - Hearing Officer

Subject

Updates to Agenda

Category

ANNOUNCEMENTS

Briefings

None

Contact and/or Presenter Information

Bobbi Roy, Agenda Division Supervisor, ext 6878

Action Requested

Updates incorporated appropriately

Enabling/Regulating Authority

N/A

Applicable Advisory Board

N/A

Background Discussion

Below are agenda updates(dated August 3, 2026) for the meeting of 8/4/2026 3:00 PM - August 4, 2026 - Hearing Officer

Affidavit of Publishing for the August 4, 2026, Hearing Officer meeting attached.

Attorney Review

Not Reviewed (No apparent legal issues)

Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

MANATEE COUNTY GOVERNMENT

STATE OF FLORIDA

COUNTY OF MANATEE

Before the undersigned authority personally appeared **Abigail Bonds**, who on oath says that she is a **County Employee of Manatee County Government, Manatee County, Florida**; that the attached copy of advertisement, being a public notice in the matters of **Notice of Establishment or Change of a Regulation affecting the use of Land in Unincorporated Manatee County** for the **Manatee County Hearing Officer Public Hearing on July 20, 2026**, in Manatee County Florida, was published on the publicly accessible website of Manatee County Government, Manatee County, Florida, of www.mymanatee.org on **July 6, 2026**.

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By: Abigail Bonds
Abigail Bonds, Planning and Zoning Tech III

Sworn to and subscribed before me this 6th day of July, 2026, by Abigail Bonds, who is personally known to me or who has produced (type of identification) as identification.



Q Acevedo
(Signature of Notary Public)

Quantana Acevedo
(Print Name of Notary Public)

Notary Public
(Title)

My Commission Expires: 3/6/28
Commission Number: HH 500953

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VA-26-02 - 7154 Hawks Harbor Circle - Variance - [PLN2604-0052](#)

Approval of a variance to the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures to allow variable encroachments along the northerly extension of the existing pool and pool deck, ranging from approximately 1.9 feet at the northwestern corner, a maximum of 5-feet where the deck intersects the rear property line, and approximately 0.6 feet at the northeastern corner, and to allow a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line; for a site located at 7154 Hawks Harbor Circle, Bradenton, 34207 (Manatee County) on approximately 0.12 acres; providing for severability; and providing for an effective date.

Rules of Procedure for this public hearing are in effect pursuant to Section 312.8 of the Manatee County Land Development Code. Copies of this section of the Code are available for review at the Development Services Department, 9000 Town Center Parkway, Lakewood Ranch, FL 34205 or at mymanatee.org.

All interested parties are invited to appear at this Hearing and be heard, subject to proper rules of conduct. Additionally, any written comments filed with the Director Development Services Department will be heard and considered by the Hearing Officer and entered into the record.

Interested parties may examine the Official Zoning Atlas, the application, related documents, and may obtain assistance regarding this matter from the Manatee County Development Services Department, 9000 Town Center Parkway, Lakewood Ranch, Florida, telephone number (941) 748-4501 ext. 6878 or email at: public.comments@mymanatee.org.

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THE PUBLIC HEARING MAY BE CONTINUED FROM TIME-TO-TIME PENDING
ADJOURNMENTS.

MANATEE COUNTY HEARING OFFICER

Manatee County Development Services Department

Manatee County, Florida

Date of Publishing: July 6, 2026

**NOTICE OF INTENT TO APPROVE
VARIANCE NO. VA-26-02
7154 Hawks Harbor Cir Variance - PLN2604-0052**

This Notice is to all parties of record for Variance Application No. VA-26-02, which requests a variance to the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures in the Planned Development Residential (PDR) zoning district to allow variable encroachments along the northerly extension of the existing pool and pool deck, ranging from approximately 1.9 feet at the northwestern corner, a maximum of 5-feet where the deck intersects the rear property line, and approximately 0.6 feet at the northeastern corner, and to allow a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line, for a lot located at 7154 Hawks Harbor Circle, Bradenton, 34207 (Manatee County) on approximately 0.12 acres. It is the intent of the Hearing Officer to approve this application. The Findings of Fact, Conclusions of Law, and Conditions for Approval are contained in the attached draft Final Order.

Section 312.8.B.5 of the Manatee County Land Development Code provides as follows:

Final Order. After issuance of the Notice of Intent by a Hearing Officer, parties of record shall have five (5) business days in which to file a response with the Department Director. Within ten (10) business days from the date of receipt of response, the Hearing Officer shall:

- a. Issue the order approving, approving with conditions or denying the application; or
- b. If, after reviewing the responses, the Hearing Officer determines that there is substantial new information which would materially affect the decision and which was not reasonably available at the time of the public hearing, he/she shall reopen the public hearing pursuant to Section 312.8.A.6.

ISSUED ON BEHALF OF MANATEE COUNTY, this 18th day of August, 2026.



MANATEE COUNTY, FLORIDA

Kooz E, as
Manatee County Hearing Officer

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: Hannah Bishop
Deputy Clerk

**VARIANCE NO. NO. VA-26-02
7154 HAWKS HARBOR CIR VARIANCE
PLN2604-0052**

FINAL ORDER OF MANATEE COUNTY HEARING OFFICER KELLY FERNANDEZ ON BEHALF OF MANATEE COUNTY GRANTING VARIANCE NO. VA-26-02 TO ALLOW A VARIANCE TO THE 5-FOOT SETBACK REQUIREMENT APPLICABLE TO SWIMMING POOLS, SPAS, AND SCREEN ENCLOSURES TO ALLOW VARIABLE ENCROACHMENTS ALONG THE NORTHERLY EXTENSION OF THE EXISTING POOL AND POOL DECK, RANGING FROM APPROXIMATELY 1.9 FEET AT THE NORTHWESTERN CORNER, A MAXIMUM OF 5 FEET WHERE THE DECK INTERSECTS THE REAR PROPERTY LINE, AND APPROXIMATELY 0.6 FEET AT THE NORTHEASTERN CORNER, AND TO ALLOW A CORRESPONDING VARIABLE ENCROACHMENT INTO THE 5-FOOT SURFACE AND UNDERGROUND DRAINAGE AND UNDERGROUND UTILITIES EASEMENT ALONG THE REAR LOT LINE, FOR A SITE LOCATED AT 7154 HAWKS HARBOR CIRCLE, BRADENTON, 34207 (MANATEE COUNTY) ON APPROXIMATELY 0.12 ACRES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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 variances; and

WHEREAS, Mark Baker, owner, through his agent, Scott Rudacille, Esq., requested a Variance to the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures to allow variable encroachments along the northerly extension of the existing pool and pool deck, ranging from approximately 1.9 feet at the northwestern corner, a maximum of 5 feet where the deck intersects the rear property line, and approximately 0.6 feet at the northeastern corner, and to allow a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line; and

WHEREAS, on August 4, 2026, the aforementioned Hearing Officer held a public hearing to receive the staff report, applicant, and public comment, and argument regarding the proposed Variance.

NOW, THEREFORE, after consideration of the application for Variance 26-02 requested by Mark Baker, 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-16 (Residential-16) Future Land Use Category.
- B. The site is in the PDR (Planned Development Residential) zoning district.
- C. The request is to approve a Variance to the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures to allow variable encroachments

along the northerly extension of the existing pool and pool deck, ranging from approximately 1.9 feet at the northwestern corner, a maximum of 5-feet where the deck intersects the rear property line, and approximately 0.6 feet at the northeastern corner, and to allow a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line.

- D. A building permit application for the construction of an inground pool and spa was submitted by prior owners in 2021 and approved by the County on July 27, 2021. The application shows the pool a minimum of 5-feet from the northeastern property line. However, the application shows an inaccurate location of the pool deck and there is a discrepancy in the survey bearings.
- E. The pool and pool deck were subsequently built and received final approval from the County in 2022.
- F. The current property owner did not learn of the encroachments until the property was under contract to be sold and the prospective purchaser acquired a survey reflecting the encroachments.
- G. The Hawk's Harbor Community Association, Inc. maintains the rear drainage and utility easement and is the owner of the land underlying the abutting conservation easement and has no objection to the granting of the variance for the existing encroachments.
- H. The site lies in AE Zone, Panel# 12081C0191F, effective 8/10/2021.

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 Variance sought. See *Gomez v. City of St. Petersburg*, 550 So. 2nd 7 (Fla 2d DCA 1989).
- C. The variance is not the type prohibited by Section 367.2 of the LDC.
- D. The variance meets the applicable criteria set forth in Section 367.5 of the LDC.
- E. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- F. The conditions upon which the request for a variance is based are unique to the parcel and would not be applicable, generally, to other property within the vicinity.
- G. The variance is not based on any conditions, including financial, occupational, or ability, which are personal to the applicant as applied to the property involved in the application.

- H. The alleged hardship was not created by any person presently having an interest in the property.
- I. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.
- J. The variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger public safety.
- K. The variance granted is the minimum variance that will make possible the reasonable use of the property.
- L. The property cannot be put to a reasonable use which complies fully with the requirements of the LDC unless the variance is granted.

Section 3. Order. Based upon the foregoing, a Variance is hereby approved and issued to Mark Baker to variably reduce the 5-foot setback requirement applicable to swimming pools, spas, and screen enclosures along the northerly extension of the existing pool and pool deck from approximately 1.9 feet at the northwestern corner, a maximum of 5 feet where the deck intersects the rear property line, and approximately 0.6 feet at the northeastern corner, and to allow a corresponding variable encroachment into the 5-foot surface and underground drainage and underground utilities easement along the rear lot line, for a site located at 7154 Hawks Harbor Circle, Bradenton, 34207 (Manatee County) on approximately 0.12 acres, subject to the following condition:

1. This variance 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 the Development Services Department.

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 Variance which shall remain in full force and effect.

Section 5. Effective Date. The effective date of this Variance 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 Building and Development Services Department.

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ORDERED ON BEHALF OF MANATEE COUNTY this ____ day of _____, 2026.

MANATEE COUNTY, FLORIDA

BY: _____, as
Hearing Officer for Manatee County

ATTEST: ANGELINA COLONNESO,
Clerk of the Circuit Court

BY: _____
Deputy Clerk

DRAFT

EXHIBIT "A"

LOT 8 HAWKS HARBOR PI#66636.1040/9

DRAFT