

E. J. ...

RECEIVED

- AGENDA -

NOV 13 2000

BOARD RECORDS

HEARING OFFICER
Manatee County Government Administrative Center
1112 Manatee Avenue West
1st Floor Chambers
Bradenton, Florida 34205

4:00 P.M.

November 15, 2000

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

SWEARING IN BY CLERK'S OFFICE:

All Staff/Public Wishing to Speak

PUBLIC HEARING APPLICATIONS (INDIVIDUAL CONSIDERATION)

SP-00-02 - WHISENANT-SHORE, INC. /SPRINT COM, INC. TELECOMMUNICATION TOWER (Dorothy Rainey, Planner)
(TO BE CONTINUED TO 12/20/00 @ 4:00 PM)

Approval of a Special Permit to construct a 250 ft. tall lattice telecommunications structure in the A (General Agriculture, 1 dwelling unit per 5 acres) zoning district. The site is located at 19205 S.R. 62, approximately 737 feet south of S.R. 62, 5 miles east of Parrish. (±50 acre parent parcel and a +0.2167 acre lease parcel).

NOTE: PARCEL SIZE AND LOCATION HAS BEEN CHANGED.

PUBLIC NOTICE

Within 21 calendar days of today's public hearing, the Hearing Officer shall issue a written report detailing the findings of fact, conclusions of law and recommendations regarding approval or denial of an application for development approval (LDC Section 502.6.6.7).

If you wish to receive notice of the final decision or recommendation of the Hearing Officer, you must supply the Planning Department with two stamped, self-addressed envelopes for that purpose (LDC Section 502.6.6.8).

Rules of Procedure for this public hearing are in effect pursuant to Sections 502.6.6 and 505 of the Manatee County Land Development Code. Copies of these sections of the Code are available for review, or purchase at cost, at the Planning Department, 4th Floor, Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida.

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

Hearing Officers of Manatee County, Florida, do not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Hearing Officer's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Rita Dralus at 742-5800; TDD ONLY 742-5802 and wait 60 seconds; FAX 745-3790.

4020001115 DOC 001

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BRADENTON HERALD

www.bradenton.com

P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/745-7064

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

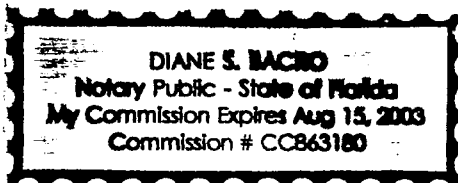
STATE OF FLORIDA
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sheila Dalesio, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Manatee County Planning Notice of Establishment or Change of a Regulation SP-00-02 in the Court, was published in said newspaper in the issues of November 3, 2000.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sheila Dalesio
(Signature of Affiant)

Sworn to and subscribed before me this
3rd Day of November, 2000



Diane S. Bacro

SEAL & Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

SP-00-02-WHISENANT-SHORE, INC./SPARNT...
Request for a special Permit to construct a 250.4 sq. ft. office telecommunications structure on the A General Agriculture, 1...
Procedure for this public hearing are in effect pursuant to Sections 502.6.6 and 505 of the Manatee County Code...
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 of the Planning Department will be heard and considered by the Hearing Officer and entered into the record.
Interested parties may request a hearing...
Any person who receives a copy of this notice of intent or final order on the special permit must request so in writing and...

with...
considered...
proceed...
ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based.
With Disabilities: The Hearing Officer of Manatee County does not discriminate on the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Hearing Officer's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting should contact Rita Dretus at 742-5600; TDD ONLY 742-5602 and...
3790, Page 2-
Hearing Officer Ad...
SAID HEARING...
CONTINUED FROM...
TO TIME...
ADJOURNMENT...
Manatee County...
Hearing Officer...
Manatee County...
Planning Department...
Manatee County...
11/3/00

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

AD NUMBER 00AVBC0010

MANATEE COUNTY GOVERNMENT
1112 MANATEE AVE W 4TH FLR
ATTN: KIM SPARKS
BRADENTON FL 34206

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED MOYA NEVILLE, WHO ON OATH SAYS SHE IS THE ADVERTISING DIRECTOR OF THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY FLORIDA; AND CIRCULATED IN MANATEE COUNTY DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT, BEING A NOTICE IN THE MATTER OF: NOTICE OF ESTABLISHMENT SP-00-02

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

NOV 3, 2000

AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE POST OFFICE IN BRADENTON, IN SAID MANATEE COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT SHE HAS NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN THE SAID NEWSPAPER.

SIGNED *Moya Neville*

SWORN TO AND SUBSCRIBED BEFORE ME THIS 3RD DAY OF NOVEMBER A.D., 2000 BY MOYA NEVILLE WHO IS PERSONALLY KNOWN TO ME.

(SEAL) *[Signature]*

OFFICIAL NOTARY SEAL
BOBBIE J CLARK
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC968394
MY COMMISSION EXP. OCT. 11, 2004

NOTARY PUBLIC

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 Wednesday, November 15, 2000, at 4:00 P.M. in the Chambers of the Board of County Commissioners, located at the Manatee County Government Administrative Center, 1112 Manatee Avenue West, 1st Floor, Bradenton, Florida to consider and act upon the following matters:

SP-00-02 - WINDMOUNT SMOKE, INC./SPRINT COM, INC. TELECOMMUNICATIONS TOWER

Requester approval of a Special Permit to construct a 250 ft. tall tower for telecommunication structure in the A (General Agriculture, 1 dwelling unit per 5 acre) zoning district. This tower is located at 19906 S.W. 62, approximately 737 feet south of S.W. 62 1/2 miles east of Paroleh (= 50 acre parent parcel and a ±0.2167 acre lease parcel).

Rules of Procedure for this public hearing are in effect pursuant to Sections 502.6.6 and 505 of the Manatee County Land Development Code. Copies of these sections of the Code are available for review at the Planning Department.

All interested parties are invited to appear at this hearing and be heard, subject to proper notice of conduct. All testimony and other information submitted with the Director of the Planning Department will be heard and considered by the Hearing Officer and placed in 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 Planning Department, 1112 Manatee Avenue West, 1st Floor, Bradenton, Florida, telephone number (813) 749-6970. Any person wishing to receive a copy of the Hearing Officer's Notice of Intent and Final Order on the Special Permit must request so in writing and furnish the Planning Department with the stamped, self-addressed envelope.

According to Florida Statute, Section 218.30, any person desiring to appeal any decision made by the Hearing Officer with respect to any matter considered at said 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 Hearing Officer of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves equal access to the Board's functions, including public hearings and participation in public hearings. Any person who is unable to attend a public hearing should contact the Hearing Officer at (813) 749-6970 for assistance.

AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND NOTIFICATION BY U.S. MAIL TO CONTIGUOUS PROPERTY OWNERS

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned authority, personally appeared William Bailey who, after having first been duly sworn and put upon oath, says as follows:

1. That he/she is the agent (owner agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Special Permit No. SP-00-02 - Whisenant-Shore, Inc./Sprint Com, Inc. Telecommunication Tower, to be heard before the Manatee County Hearing Officer at a public hearing to be held on November 15, 2000, and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein, and they are true to the best of his/her knowledge, information and belief.

2. That the Affiant has caused the required public notice sign to be posted pursuant to Manatee County Ordinance No. 90-01, on the property identified in said application, and said sign was conspicuously posted 5 feet from the front property line on the 3 day of Nov, 2000.

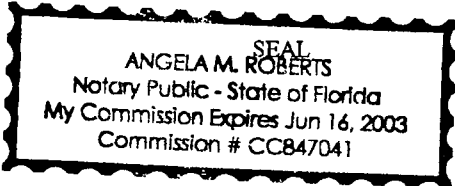
3. That the Affiant has caused the mailing of the required letter of notification to property owners within 500 feet of the project boundary pursuant to Manatee County Ordinance No. 90-01, as amended, by U.S. Mail, on the 3 day of Nov, 2000, and attaches hereto, as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice.

4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01, as it relates to the required public notice, may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.

William Bailey
Property Owner/Agent Signature

SIGNED AND SWORN TO before me on Nov 9th 2000 (date) by William Bailey (name of affiant). He/she is personally known to me or has produced NA (type of identification) as identification and who did take an oath.



Angela M Roberts
Signature of Person Taking Acknowledgment

ANGELA M. Roberts
Type Name

NOTARY
Title or Rank

NA
Serial Number, if any

My Commission Expires: 6/16/03

Commission No.: CC847041

Parcel ID	Site Address	Owner	Mailing Address	Mailing Address2	City State Zip
1 114700008	NO ASSIGNED ADDRESS	J-D INC	85 SUGAR MILL DR		OSPREY FL 34229
2 117900001	NO ASSIGNED ADDRESS	FLYING L RANCH COMPANY	5022 BAYSHORE RD		SARASOTA FL 34234
3 242800009	NO ASSIGNED ADDRESS	J-D INC	85 SUGAR MILL DR		OSPREY FL 34229
4 243000007	16550 COKER GULLY RD	TEUTON, DANIEL W	16501 COKER GULLY RD		MYAKKA CITY FL 34251 8877
5 243300001	16211 COKER GULLY RD	J-D INC	85 SUGAR MILL DR		OSPREY FL 34229
6 243400009	16501 COKER GULLY RD	TEUTON, DANIEL W	16501 COKER GULLY RD		MYAKKA CITY FL 34251 8877
7 243500006	NO ASSIGNED ADDRESS	TITF/STATE OF FLORIDA DEP REC & PARKS	3900 COMMONWEALTH BLVD		TALLAHASSEE FL 32399
8 243600004	NO ASSIGNED ADDRESS	TITF/STATE OF FLORIDA DEP REC & PARKS	3900 COMMONWEALTH BLVD		TALLAHASSEE FL 32399
9 256600008	19050 SR 62	FLORIDA POWER & LIGHT COMPANY	P O BOX 14000		JUNO BEACH FL 33408 0420
10 256710054	19735 SR 62	WHISENANT SHORE INC	BOX 207		PARRISH FL 34219
11 256712001	19755 SR 62	WHISENANT, BLAKE	19725 SR 62		PARRISH FL 34219
12 256900002	19205 SR 62	WHISENANT-SHORE INC	BOX 207		PARRISH FL 34219
13 257000000	NO ASSIGNED ADDRESS	WHISENANT-SHORE INC	BOX 207		PARRISH FL 34219
14 257010058	19725 SR 62	WHISENANT, BLAKE	19725 SR 64		PARRISH FL 34219
15 257210054	19141 SR 62	WHISENANT-SHORE INC	P O BOX 207		PARRISH FL 34219
16 257210203	19045 SR 62	WHISENANT FARMS INC	P O BOX 207		PARRISH FL 34219
17 257210351	19071 SR 62	WHISENANT FARMS INC	P O BOX 207		PARRISH FL 34219
18 257300004	18975 SR 62	TRACE, CRAIG J	P O BOX 416		PARRISH FL 34219