

BD Rec.

- A G E N D A -

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

10:00 A.M.

January 21, 2009

PLEDGE OF ALLEGIANCE

SWEARING IN BY CLERK'S OFFICE:

All Staff/Public Wishing to Speak

PLEASE TURN ALL CELL PHONES AND PAGERS OFF BEFORE ENTERING CHAMBERS

PUBLIC HEARING APPLICATIONS (INDIVIDUAL CONSIDERATION)

1. SP- 07- 09 – Forest Glen Properties, LLC/FVP Florida Development, LLC – Forest Glen Borrow Pit (DTS #20070148)

(Erika Barrett, Planner) (Continued from 12/22/08)

Request: Approval of a Special Permit for major earthmoving in the A (General Agriculture) zoning district. The site is on the south side of SR 64 bordering the Manatee County / Hardee County Line at 46850 SR 64, Myakka City (± 553.14 acres).

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 Section 502.8.7 of the Manatee County Land Development Code. Copies of this section 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 Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds; FAX 745-3790.

BRADENTON HERALD


WWW.BRADENTON.COM
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941-745-7048

Bradenton Herald
Published Daily
Bradenton, Manatee County, Florida

STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Danica Sherrill, 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, **NOTICE OF ESTABLISHMENT OR CHANGE** as published in said newspaper in the issue **12/11/2008**.

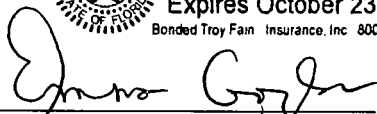
Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in 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.


(Signature of Affiant)

Sworn to and subscribed before me this
12 Day of Dec, 2008



Emma Gogias
Commission # DD484714
Expires October 23, 2009
Bonded Troy Fain Insurance, Inc. 800-385-7019



SEAL & Notary Public

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

BRADENTON HERALD

CLASSIFIED ADVERTISING

Order:	131871639	Pubs:	1,9	Rate:	LE
Phone:	9417493070	Class:	4995	Charges:	\$ 0.00
Account:	11950	Start Date:	12/11/2008	List Price:	\$ 197.99
Name:	MANATEE,	Stop Date:	12/11/2008	Payments:	\$ 0.00
Firm:	MANATEE CO PLANNING	Insertions:	2	Balance:	\$ 197.99

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 **Monday, December 22, 2008 at 2:00 P.M. at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton Florida** to consider and act upon the following matters:

SP- 07- 09 - FOREST GLEN PROPERTIES, LLC/FVP FLORIDA DEVELOPMENT, LLC - FOREST GLEN BORROW PIT

Request: Approval of a Special Permit for major earthmoving in the A (General Agriculture) zoning district. The site is on the south side of SR 64 bordering the Manatee County / Hardee County Line at 46850 SR 64, Myakka City (± 553.14 acres).

Rules of Procedure for this public hearing are in effect pursuant to Section 502.8.7 of the Manatee County Land Development Code. Copies of this section 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 rules of conduct. Additionally, any written comments filed with the Director of the Planning Department will be heard and con-

sidered 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 Planning Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 749-3070.

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 Hearing Officer of Manatee County does 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 and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX

THE PUBLIC HEARING MAY BE CONTINUED

FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY HEARING OFFICER
Manatee County Planning Department
Manatee County, Florida
12/11/2008

BRADENTON HERALD

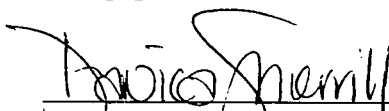
WWW.BRADENTON.COM
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941-745-7048

Bradenton Herald
Published Daily
Bradenton, Manatee County, Florida

STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Danica Sherrill, 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, **NOTICE OF ZONING CHANGES** as published in said newspaper in the issue **11/20/2008**.

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.

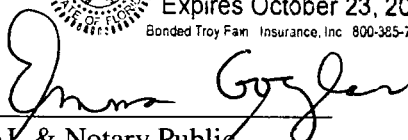


(Signature of Affiant)

Sworn to and subscribed before me this
2 Day of Dec, 2008



Emma Goglas
Commission # DD484714
Expires October 23, 2009
Bonded Troy Fam Insurance, Inc. 800-385-7019



SEAL & Notary Public
Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Board of County Commission will hold a public hearing to consider an amendment to certain provisions of the Manatee County Land Development Code (Ordinance 90-01, as amended).

Date: Thursday, December 4, 2008
Time: 9:00 AM or as soon thereafter
Place: Manatee County Government Administrative Center
1112 Manatee Avenue West, 1st Floor Chambers

ORDINANCE 08-81

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; AMENDING SECTION 809.8 REGARDING AUTOMATIC ADJUSTMENTS TO IMPACT FEES TO OFFSET INFLATION; AMENDING OTHER PROVISIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

The Public is invited to speak at these hearings, subject to proper rules of conduct. The hearings may be continued from time to time to a date and time certain. The Public may also provide written comments for the Board of County Commissioners to consider.

Rules of procedure for these public hearings are in effect pursuant to Resolution 05-180. A copy of this Resolution is available for review or purchase from the Planning Department. (see address below).

Please Send Comments To: Manatee County Planning Department
Attn: Agenda Coordinator
1112 Manatee Ave. West Suite 427
Bradenton, FL 34205
planning_agenda@mymanatee.org

All written comments will be entered into the record.

For more information: Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information can also be obtained by calling 700-3070 x 6829, between 8:00 AM and 5:00 PM.

Americans With Disabilities: The Board of County Commissioners of Manatee County does not discriminate on the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee at 742-5800; TDD ONLY 742-5800, and wait 60 seconds, FAX 742-5800.

According to Section 218.105, Florida Statutes, if a person desires to appeal a decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings. For such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

PAID HEARING MAY BE CONTINUED FROM TIME TO TIME
PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Planning Department
Manatee County

AFFIDAVIT OF PUBLICATION

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

**STATE OF FLORIDA
COUNTY OF MANATEE**

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED SHARI BRICKLEY, WHO ON OATH SAID SHE IS DIRECTOR OF ADVERTISING FOR THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY FLORIDA; AND CIRCULATED IN MANATEE COUNTEE DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT BEING A NOTICE IN THE MATTER OF:

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 Monday, December 22, 2008 at 2:00 P.M. at

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

12/11 1x

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 Shari Brickley

SWORN OR AFFIRMED TO, AND SUBSCRIBED BEFORE ME THIS 11 DAY OF Dec., A.D., 2008 BY SHARI BRICKLEY WHO IS PERSONALLY KNOWN TO ME.

Patricia A. Mattingly
Notary Public
My commission expires 20 day of April, 2012



NOTICE IS HEREBY GIVEN, that the Hearing Officer for Manatee County, will conduct a Public Hearing on **Monday, December 22, 2008 at 2:00 P.M. at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton Florida** to consider and act upon the following matters:

SP- 07- 09 – FOREST GLEN PROPERTIES, LLC/FVP FLORIDA DEVELOPMENT, LLC – FOREST GLEN BORROW PIT

Request: Approval of a Special Permit for major earthmoving in the A (General Agriculture) zoning district. The site is on the south side of SR 64 bordering the Manatee County / Hardee County Line at 46850 SR 64, Myakka City (0.553.14 acres).

Rules of Procedure for this public hearing are in effect pursuant to Section 502.8.7 of the Manatee County Land Development Code. Copies of this section 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 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 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, 4th Floor, Bradenton, Florida, telephone number (941) 749-3070.

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 Hearing Officer of Manatee County does 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 and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX

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

MANATEE COUNTY HEARING OFFICER
Manatee County Planning Department
Manatee County, Florida

Pub: December 11, 2008

**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 Denise Greer, who, after having first been duly sworn and put upon oath, says as follows:

1. That he/she is the Agent for Owner (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for SP-07-09 – FOREST GLEN PROPERTIES, LLC/FVP FLORIDA DEVELOPMENT, LLC – FOREST GLEN BORROW PIT to be heard before the Manatee County Hearing Officer at a public hearing to be held on December 22, 2008, 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 the application, and the sign(s) was conspicuously posted _____ feet from the front property line on the 11th day of December, 2008.

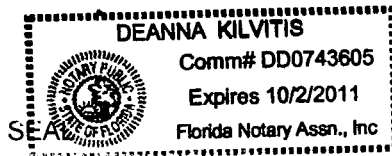
3. That the Affiant has caused the mailing of the required letter of notification to property owners within 500 feet of the project boundary pursuant to Manatee County Ordinance No. 90-01, as amended, by U.S. Mail, on the 9th day of December, 2008, and attaches hereto, as a part of and incorporated herein, 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.

Denise Greer
Property Owner/Agent Signature

SIGNED AND SWORN TO before me on December 11, 2008 (date) by Denise Greer (name of affiant). He/she is personally known to me or has produced _____ (type of identification) as identification and who did take an oath.



Deanna Kilvitis
Signature of Person Taking Acknowledgment
Deanna Kilvitis, Admin
Type Name and Title
N/A
Serial Number, if any

My Commission Expires: 10/2/2011
Commission No.: DD0743605



Mr. James Affolter
3504 34th Street East
Bradenton, FL 34208
51210003

Mr. Robert L. Cain
P.O. Box 400
Ona, FL 33865
5000108

Susan Carlton
47300 SR 64 East
Ona, FL 33865
500600006

Mr. Robert C. Dickinson
47251 SR 64 East
Myakka City, FL 34251
50000058

Forest Glen Properties, LLC
1611 12th Street East B
Palmetto, FL 34221

Mr. Kent Geartz
5610 33rd Street East
Bradenton, FL 34203
51100109

Holly A. Hawkinson
46201 SR 64
Myakka City, FL 34251

Mr. Stephen H. Lamanna
11510 Pimpernel Drive
Bradenton, FL 34202
51800109

Mr. Daniel Loggins
12007 73rd St. East
Parrish, FL 34219
50901109

Batista J. Madonia, Sr.
P.O. Box 2636
Plant City, FL 33564
59900050

Michael F. Rio
3611 1st Avenue West
Bradenton, FL 34205
50900359

Opal Rooney
46680 SR 64 East
Myakka City, FL 34251
52100005

Zuhair Sabra
1115 Sandpine Circle
Titusville, FL 32796
52300001

Mr. Michael T. Strozier
2810 Hampton Circle East
Delray Beach, FL 33445
51200004

Mr. James Williams
P.O. Box 279
Ona, FL 33865
51300002

Mr. Virgil L. Womble
P.O. Box 401
Highland City, FL 33846
52805009



Dave and Brooke Yahraus
713 Roy Moore Road
Ona, FL 33865

Ms. Merle Moore Davis
747 Roy Moore Road
Ona, FL 33865

Todd Garrett
713 Roy Moore Road
Ona, FL 33865

Dutch and Robin Cain
6275 Wauchula Rd
Myakka City, FL 34251
(owners of 712 Roy Moore Rd)

Roger C Morris, Charles Adam
UltraBox
P O Box 1025
Palmetto, FL34221
(owners of 710 Roy Moore Rd)

Terry and Jeanie Neals
704 Roy Moore Road
Ona, FL 33865

Johnny Long
Jacquelyn M Long
165 Roy Moore Road
Ona, FL 33865

Justin and Jeanie Blalock
575 Roy Moore Road
Ona, FL 33865

