

- A G E N D A -

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

April 23, 2012

1:30 pm

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-11-03- INSURANCE AUTOMOBILE AUCTION

DTS#20110435

Rossina Leider, Planner

Request: Approval of a Special Permit to allow auto action. The site is in the HC (Heavy Commercial) zoning district. The site is on the north side of 61st Avenue East approximately 420 feet west of 15th Street East (± 7.2 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 502.8.7.4).

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 502.8.7.5).

Rules of Procedure for this public hearing are in effect pursuant to Sections 502.8.6 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 Building and Development Services Department, 2nd 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.

MEMORANDUM



Building and Development
Services
1112 Manatee Avenue W
Bradenton, FL 34205

MANATEE COUNTY
FLORIDA

Phone: 941-748-4501 x 6878
Fax: 941-749-3098
www.mymanatee.org

To: Lisa Barrett, Planning Manager
From: Bobbi Roy, Planning Coordinator
Date: April 23, 2012
Subject: Agenda Update for the April 23, 2012 Hearing Officer

Handwritten initials "BR" in a circle, likely representing Bobbi Roy.

INSURANCE AUTOMOBILE AUCTION – SP-11-03 – DTS20110435
Changes to the staff report and a public comment letter – see attached

/br
cc: Hearing Officer
Sarah Schenk, Assistant County Attorney
Rossina Leider, Planner
Board Records
Counter Copy

Update Memo

Hearing Officer

Date: 4/23/2012

Case Name: Insurance Automobile Auction – DTS# 20110435

Case Number: SP-11-03

Planner: Rossina Leider

Staff Summary - Clarification

The northwest corner of the site (± 0.42 acres) is zoned RSF-6 (Residential Single-Family, 6 dwelling units per acre) and within the RES-9 (Residential, 9 dwelling units per acre). The site plan shows that this portion of the site will be used only for open space, including a required 15 foot landscape buffer and part of the stormwater facility. No activities related to the auto auction facility or to the short-term outdoor storage of vehicles will be conducted in this portion of the site.

The only activities that will be performed in this area of the site are related with the maintenance of the pond and the landscape buffer. The complete north and west portion of the site, that includes the required 200 feet separation from the existing residential areas, will be utilized for the location of the stormwater facilities (pond, flood plain compensation area and dry retention area), the landscape buffer, and open areas as well as additional trees which will account for tree removal mitigation purposes.



Public Comment w: SP-11-03 hearing
Bobbi Roy to: Rossina Leider, Lisa Barrett

04/23/2012 08:39 AM

Public Comment for Todays hearing.

--- Forwarded by Bobbi Roy/MCG on 04/23/2012 08:36 AM ---



re: SP-11-03 hearing

David A. Kronenwetter to: planning.agenda

04/23/2012 06:07 AM

I would like to submit the following comments concerning SP-11-03.

For context, we own residential parcel 5848600002 which shares the western border of the project site. When we purchased our property in 2001, there appeared to be multiple access routes for our future development.

When we inquired about the 'road' from 12 St E to the NW corner of our lot, the county decided to return 5848801509/5848801009 to the previous owners. This surprising decision effectively landlocked parcel 5848800008. Mr. Radcliff was forced to repurchase his driveway at considerable expense and now has exclusive use.

The NW corner of the project site is still zoned residential. If that region were sold off and developed as residential, then either 13th St E would be extended or I'd have some hope of negotiating an easement into our property. However, in the hands of a large commercial entity, there'd be little motivation for them to grant me access. Thus, it would be in our best (selfish?) interest if the NW corner remain excluded from this otherwise commercial development.

Both our parcel and the project site share a common deficiency. We both lack substantial road frontage. You're going to have 9+ acres with just 2 or 3 driveways for access. Has anyone considered continuing 13th St E to 61st Ave E? That would open everything up for both sides. Neither side has an immediate need, but would it be that painful to reserve the space? The project owners have already conceded that much land to brush. It's been that way for 10+ years.

Also related to 13th St E-- or where it would be. There's currently a shallow ditch running N/S along the full length of our shared property line. It connects to the storm sewers on both ends, but has never been maintained. I see no mention in either parcel's legal description. While this ditch may aid in drainage, it's mainly a swamp where mosquitoes and invasive trees thrive. If 13th St E won't continue, then the ditch should be filled and graded as part of the project.

I recently spoke with 2 county employees while they were inspecting the project site. I was assured that all Brazilian Pepper and Australian Pine trees must be removed. However, when I asked about the Java Plum in the SW corner, they weren't so sure. These trees cover the power lines and my driveway. They drop messy purple fruit and aggressively sprout new trees. The wood is soft and we continually find large branches fallen across our driveway. They need to be removed along with everything else. There are multiple date palms along the property line. These have thorns, but are manageable. I don't care if they stay. Some are probably 20+ years old and

would look quite attractive if the surrounding mess were cleared.

Finally, the real issues that everyone else cares about. It's not clear exactly what will change functionally as a result of this project. There's already a warehouse, parking lot, stadium lights, and cars. Historically, there have been car carriers parked on the south side of 61st Ave E with an army of drivers crossing the street. I consider that activity disruptive. Ideally, the loading/unloading should be fully contained to the project site. Don't forget that the nearby fire station uses 61st Ave E as their return path and often exits there as well. There's also significant foot/bike traffic as this largely poor neighborhood commutes to/from work.

Has there been any discussion of a traffic light at 15th St E and 61st Ave E? It's already nearly impossible to make a left during peak periods. Instead, we have to backtrack to the light on 57th Ave E.

--David

PS: If possible, please confirm receipt.

PPS: As of 8:30 PM Sunday, the public notice sign at the project entrance had blown across the street.