

**NOTICE OF INTENT TO APPROVE
SPECIAL PERMIT NO. 14-06
6, LLC/RENOVO RESOURCE SOLUTIONS, INC.**

This Notice is to all parties of record for Special Permit Application No. SP-14-06, for a "resource recovery facility" as defined in Section 403.02, Florida Statutes, as a light industrial use in the LM (Light Manufacturing) zoning district. 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.

Pursuant to Section 505.4.3 of the Manatee County Land Development Code which states in part, the following shall apply:

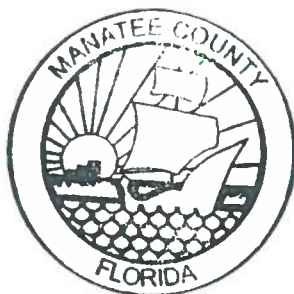
"After issuance of the NOTICE OF INTENT, parties of record shall have five (5) days, excluding Saturday, Sunday, and County holidays, in which to respond to the report and proposed conditions. Responses shall be filed with the Building and Development Services Director.

Within ten (10) days, excluding Saturday, Sunday, and County holidays, of the issuance of the NOTICE OF INTENT, after review of any responses to the Notice and proposed Final Order, the Hearing Officer shall:

1. Issue the Order approving the Special Permit with such conditions as may be necessary.

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 or she shall reopen the public hearing."

ISSUED ON BEHALF OF MANATEE COUNTY, this 17 day of June, 2015.



MANATEE COUNTY, FLORIDA

Dennis M. Stoltz, as
Manatee County Hearing Officer

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

BY: R. B. Shore
Deputy Clerk

**SPECIAL PERMIT NO. SP-14-06
6, LLC / RENOVO RESOURCE SOLUTIONS, INC.
(DTS20140538)**

FINAL ORDER OF MANATEE COUNTY HEARING OFFICER DENNIS STOTTS ON BEHALF OF MANATEE COUNTY GRANTING/DENYING A SPECIAL PERMIT NO. SP-14-06 FOR A “RESOURCE RECOVERY FACILITY” AS DEFINED IN SECTION 403.702, FLORIDA STATUTES, AS A LIGHT INDUSTRIAL USE IN THE LM (LIGHT INDUSTRIAL) ZONING DISTRICT LOCATED AT THE SOUTHEAST CORNER OF 33RD STREET EAST AND 63RD AVENUE EAST, BRADENTON, FLORIDA (9.37 ± ACRES).

WHEREAS, the Board of County Commissioners of Manatee County adopted the Manatee County Land Development Code, Manatee County Ordinance 90-01, as amended; and

WHEREAS, pursuant to the Land Development Code, Manatee County Ordinance 90-01, as amended, the Hearing Officer has the authority to grant Special Permits; and

WHEREAS, 6, LLC requested a Special Permit for a “resource recovery facility” as defined in Section 403.702, Florida Statutes, as a light industrial use in the LM (Light Manufacturing) zoning district; and

WHEREAS, on June 3, 2015 the aforementioned Hearing Officer held a public hearing to receive the staff, applicant, and public comment, and argument regarding the proposed Special Permit for a “resource recovery facility” as defined in Section 403.702, Florida Statutes, as a light industrial use in the LM (Light Manufacturing) zoning district.

NOW, THEREFORE, after consideration of the application for Special Permit 14-06 requested by 6, LLC 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 IL (Industrial Light) and RES-6 (Residential – 6 du/ ac - Pearce Drain) Future Land Use Categories.
- B. The request is to permit a Special Permit for a “resource recovery facility” as defined in Section 403.702, Florida Statutes, as a light industrial use in

the LM (Light Manufacturing) zoning district located at the southeast corner of 33rd Street East and 63rd Avenue East, Bradenton, Florida.

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 Land Development Code, 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 Land Development Code.
- B. The applicant has the burden of proving entitlement to the Special Permit it seeks. Irvine v. Duval County Planning Commission, 495 So.2d 167 (Fla. 1986); Florida Department of Transportation v. J.W.C. Company, Inc., 396 So.2d 778 (Fla. 1st DCA 1981).
- C. The proposed use is consistent with the Comprehensive Plan Policies 2.2.1.18.2 which provides a range of light industrial uses, offices, research/corporate uses, warehouse/distribution uses, intensive commercial uses, and wholesale commercial uses, as potential uses in the IL (Industrial Light) future land use category and 2.6.3.1 which considers performance standards or other measures to distinguish between light and heavy industries.
- D. The applicant has met present requirements of the Manatee County Comprehensive Plan and present requirements for the issuance of a Special Permit pursuant to the Manatee County Land Development Code, Sections 505 (Special Permit Criteria) and 704.64 (Resource Recovery Facility).
- E. Adequate measures have been taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets.
- F. Adequate measures have been taken to ensure that the proposed use is consistent with the community character of the immediate neighborhood.
- G. There are no known archaeological, historical, or cultural resources on-site.
- H. Adequate provisions have been made for buffers, landscaping, open space, and other improvements associated with the proposed use.

Section 3. Order. Based upon the foregoing, a Special Permit is hereby approved/denied and issued to 6, LLC and more particularly described in Exhibit "A" attached hereto and incorporated herein, for a Special Permit allow/deny for a "resource recovery facility" as defined in Section 403.702, Florida Statutes, as a light industrial use

in the LM (Light Manufacturing) zoning district subject to the following conditions:

1. This Special Permit shall not be effective until it has been recorded in the Public Records of Manatee County, Florida by the applicant and a copy of the recorded Order is received by the Building and Development Services Department.
2. The height of the materials stored outside shall not exceed 8-feet.
3. The shredding of automobiles is not permitted as part of this Special Permit
4. The 8-foot wall shown on the Preliminary Site Plan shall be opaque and shall be installed/erected in the locations shown on the Preliminary Site Plan.
5. Hours of Operation shall be limited to Monday – Saturday 8:00 a.m. – 7:00 p.m.
6. Landscape plant species shown on the Preliminary Site Plan are not approved at this time and shall be reviewed for consistency with the LDC at the time of Final Site Plan. Approval of tree species shall be dependent upon the site design, and building envelopes, in order to have sufficient room to thrive and to reduce the potential for impacts to infrastructure and utilities.
7. Vegetation within the 63rd Avenue East roadway buffer shall be installed in accordance with FPL's "Guide to Trees and Power Lines".
8. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.
9. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:
 - Digital photographs of the well along with nearby reference structures (if existing).
 - GPS coordinates (latitude/longitude) of the well.
 - The methodology used to secure the well during construction (e.g. fence, tape).
 - The final disposition of the well - used, capped, or plugged.
10. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.
11. Connection to the County wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. Such off-site extension shall be designed and constructed in accordance with the County's Wastewater System Master Plan. The connection shall be designed, engineered and permitted by the Applicant

consistent with Manatee County Public Works Standards and approved by the County Engineer through the construction plans review process for the project.

12. This project shall be required to reduce the calculated pre-development flow rate by a full fifty percent (50%) for all stormwater outfall flow directly or indirectly into Pearce Drain. Modeling shall be used to determine pre- and post-development flows.
13. All fill within the 100-year floodplain shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. The 100-year compensation shall be compensated in sole compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation), except as provided below. The Applicant must demonstrate either:
 - The available storage volume above the 25-year Design High Water Level of any proposed compensation requirement; **or**
 - Provide a stormwater routing model that utilizes reverse flow into the on-site lakes during a 100-year/24-hour storm event. The volume of stormwater that backfeeds into the on-site lakes will be credited as floodplain compensation volume.
14. The Applicant or operator of the resource recovery facility shall provide the County Building and Development Services Department with a copy of the certification provided to the Florida Department of Environmental Protection (FDEP) in accordance with Section 403.7046, Florida Statutes, as may be amended, on an annual basis.

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

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

ORDERED ON BEHALF OF MANATEE COUNTY this ____ day of _____, 2015.

MANATEE COUNTY, FLORIDA

**BY: _____, as
Hearing Officer for Manatee County**

**ATTEST: R. B. Shore,
Clerk of the Circuit Court**

**BY: _____
Deputy Clerk**

DRAFT

**EXHIBIT “A”
Legal Description**

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S89°36'42"E, ALONG THE NORTH LINE OF SAID SOUTHWEST ¼ OF THE NORTHEAST ¼, A DISTANCE OF 42.00 FEET; THENCE S00°11'14"E, 50.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF 63RD AVENUE EAST AND THE EAST RIGHT-OF-WAY LINE OF 33RD STREET EAST AS DESCRIBED IN OFFICIAL RECORD BOOK 715, PAGE 147 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA FOR A POINT OF BEGINNING; THENCE CONTINUE S00°11'14"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 600.00 FEET; THENCE S89°34'28"E, 617.65 FEET TO A POINT ON THE CENTERLINE OF THE PEARCE DRAIN DRAINAGE EASEMENT AS DESCRIBED AND RECORDED IN OFFICIAL RECORD BOOK 715, PAGE 129 OF SAID PUBLIC RECORDS; THENCE N11°57'21"E, ALONG SAID CENTERLINE, A DISTANCE OF 607.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID 63RD AVENUE EAST AS RECORDED IN OFFICIAL RECORD BOOK 1768, PAGE 4839, OF SAID PUBLIC RECORDS; THENCE N89°35'07"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 297.39 FEET; THENCE N00°24'56"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 4.62 FEET TO A POINT ON THE AFOREMENTIONED SOUTH RIGHT-OF-WAY LINE OF SAID 63RD AVENUE EAST AS RECORDED IN OFFICIAL RECORD BOOK 715, PAGE 147; THENCE N89°36'42"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 448.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.37 ACRES, MORE OR LESS.

**SPECIAL PERMIT NO. SP-14-06
6, LLC / RENOVO RESOURCE SOLUTIONS, INC.
(DTS20140538)**



FINAL ORDER OF MANATEE COUNTY HEARING OFFICER DENNIS STOTTS ON BEHALF OF MANATEE COUNTY GRANTING A SPECIAL PERMIT NO. SP-14-06 FOR A “RESOURCE RECOVERY FACILITY” AS DEFINED IN SECTION 403.702, FLORIDA STATUTES, AS A LIGHT INDUSTRIAL USE IN THE LM (LIGHT MANUFACTURING) ZONING DISTRICT LOCATED AT THE SOUTHEAST CORNER OF 33RD STREET EAST AND 63RD AVENUE EAST, BRADENTON, FLORIDA (9.37 ± ACRES).

WHEREAS, the Board of County Commissioners of Manatee County adopted the Manatee County Land Development Code, Manatee County Ordinance 90-01, as amended; and

WHEREAS, pursuant to the Land Development Code, Manatee County Ordinance 90-01, as amended, the Hearing Officer has the authority to grant Special Permits; and

WHEREAS, 6, LLC requested a Special Permit for a “resource recovery facility” as defined in Section 403.702, Florida Statutes, as a light industrial use in the LM (Light Manufacturing) zoning district; and

WHEREAS, on June 3, 2015 the aforementioned Hearing Officer held a public hearing to receive the staff, applicant, and public comment, and argument regarding the proposed Special Permit for a “resource recovery facility” as defined in Section 403.702, Florida Statutes, as a light industrial use in the LM (Light Manufacturing) zoning district.

NOW, THEREFORE, after consideration of the application for Special Permit 14-06 requested by 6, LLC 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 IL (Industrial Light) and RES-6 (Residential – 6 du/ ac - Pearce Drain) Future Land Use Categories.
- B. The request is to permit a Special Permit for a “resource recovery facility” as defined in Section 403.702, Florida Statutes, as a light industrial use in

the LM (Light Manufacturing) zoning district located at the southeast corner of 33rd Street East and 63rd Avenue East, Bradenton, Florida.

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 Land Development Code, 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 Land Development Code.
- B. The applicant has the burden of proving entitlement to the Special Permit it seeks. Irvine v. Duval County Planning Commission, 495 So.2d 167 (Fla. 1986); Florida Department of Transportation v. J.W.C. Company, Inc., 396 So.2d 778 (Fla. 1st DCA 1981).
- C. The proposed use is consistent with the Comprehensive Plan Policies 2.2.1.18.2 which provides a range of light industrial uses, offices, research/corporate uses, warehouse/distribution uses, intensive commercial uses, and wholesale commercial uses, as potential uses in the IL (Industrial Light) future land use category and 2.6.3.1 which considers performance standards or other measures to distinguish between light and heavy industries.
- D. The applicant has met present requirements of the Manatee County Comprehensive Plan and present requirements for the issuance of a Special Permit pursuant to the Manatee County Land Development Code, Sections 505 (Special Permit Criteria) and 704.64 (Resource Recovery Facility).
- E. Adequate measures have been taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets.
- F. Adequate measures have been taken to ensure that the proposed use is consistent with the community character of the immediate neighborhood.
- G. There are no known archaeological, historical, or cultural resources on-site.
- H. Adequate provisions have been made for buffers, landscaping, open space, and other improvements associated with the proposed use.

Section 3. Order. Based upon the foregoing, a Special Permit is hereby approved and issued to 6, LLC and more particularly described in Exhibit "A" attached hereto and incorporated herein, for a Special Permit to allow for a "resource recovery facility" as defined in Section 403.702, Florida Statutes, as a light industrial use in the LM (Light

Manufacturing) zoning district subject to the following conditions:

1. This Special Permit shall not be effective until it has been recorded in the Public Records of Manatee County, Florida by the applicant and a copy of the recorded Order is received by the Building and Development Services Department.
2. The height of the materials stored outside shall not exceed 8-feet.
3. The shredding of automobiles is not permitted as part of this Special Permit
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 - GPS coordinates (latitude/longitude) of the well.
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11. Connection to the County wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the

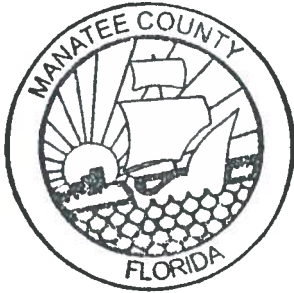
design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. Such off-site extension shall be designed and constructed in accordance with the County's Wastewater System Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by the County Engineer through the construction plans review process for the project.

12. This project shall be required to reduce the calculated pre-development flow rate by a full fifty percent (50%) for all stormwater outfall flow directly or indirectly into Pearce Drain. Modeling shall be used to determine pre- and post-development flows.
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 - Provide a stormwater routing model that utilizes reverse flow into the on-site lakes during a 100-year/24-hour storm event. The volume of stormwater that backfeeds into the on-site lakes will be credited as floodplain compensation volume.
14. The Applicant or operator of the resource recovery facility shall provide the County Building and Development Services Department with a copy of the certification provided to the Florida Department of Environmental Protection (FDEP) in accordance with Section 403.7046, Florida Statutes, as may be amended, on an annual basis.

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

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

ORDERED ON BEHALF OF MANATEE COUNTY this 7 day of July, 2015.



MANATEE COUNTY, FLORIDA

BY: Dennis M. Stets, as
Hearing Officer for Manatee County

ATTEST: R. B. Shore,
Clerk of the Circuit Court

BY: [Signature]
Deputy Clerk

EXHIBIT "A"
Legal Description

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S89°36'42"E, ALONG THE NORTH LINE OF SAID SOUTHWEST ¼ OF THE NORTHEAST ¼, A DISTANCE OF 42.00 FEET; THENCE S00°11'14"E, 50.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF 63RD AVENUE EAST AND THE EAST RIGHT-OF-WAY LINE OF 33RD STREET EAST AS DESCRIBED IN OFFICIAL RECORD BOOK 715, PAGE 147 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA FOR A POINT OF BEGINNING; THENCE CONTINUE S00°11'14"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 600.00 FEET; THENCE S89°34'28"E, 617.65 FEET TO A POINT ON THE CENTERLINE OF THE PEARCE DRAIN DRAINAGE EASEMENT AS DESCRIBED AND RECORDED IN OFFICIAL RECORD BOOK 715, PAGE 129 OF SAID PUBLIC RECORDS; THENCE N11°57'21"E, ALONG SAID CENTERLINE, A DISTANCE OF 607.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID 63RD AVENUE EAST AS RECORDED IN OFFICIAL RECORD BOOK 1768, PAGE 4839, OF SAID PUBLIC RECORDS; THENCE N89°35'07"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 297.39 FEET; THENCE N00°24'56"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 4.62 FEET TO A POINT ON THE AFOREMENTIONED SOUTH RIGHT-OF-WAY LINE OF SAID 63RD AVENUE EAST AS RECORDED IN OFFICIAL RECORD BOOK 715, PAGE 147; THENCE N89°36'42"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 448.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.37 ACRES, MORE OR LESS.

Clerk of the Circuit Court - Manatee County
R.B."Chips" Shore
P.O. Box 25400 Bradenton FL 34206
Visit our website: "www.manateeclerk.com"

Thank You - Rec.# 470070162 -
470070162
Case No: 2015 RC 000007 - 2015 RC 000007
Bk./Pg./Doc.# 2577/5811/3409570 -
2577/5816/3409570
07/13/2015 10:22:24
CW0067 RECORDING CASH BOOK
CHECK/MONEY 24653 52.50
ORDER
Total 52.50
Receipt(s) Amount 52.50
Change 0.00

BOARD RECORDS

RECEIPT
#1 of #1

AR PAYOR: Book# Page#
DOC TYPE: ORD CALC AMOUNT: \$0.00
PAGES: 6 FILE#
Receipt: 470070162 7/13/15 10:21AM By: HHOEY

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	3.50
R	RECORDING FEES	001	000000341100	0	25.00
R	CLERK CT TECH FUND	199	000000341160	0	11.40
R	FL ASSOC COURT CLERK	001	000000208911	0	0.60
R	BD OF COUNTY COMM	001	000000208912	0	12.00



RECEIPT TOTAL: \$52.50
GRAND TOTAL: \$52.50

Receipt#
470070162 thru 470070162

OFFICE HOURS *****8:30 AM - 5:00 PM
"Pride in Service with a Vision to the Future"

THIS RECEIPT MUST BE VALIDATED BY CENTRAL CASHIERING



Building and Development Services
/ Public Hearings
1112 Manatee Ave. W.
Bradenton, FL 34205
Phone: (941) 748-4501 ext. 6878
www.mymanatee.org

July 7, 2015

Jerry Zoller, AIA
914 14th Street West
Bradenton, FL 34205

Sent via email: jerry@zaarch.com

Re: SP-14-06 – 6, LLC/Renovo Resource Solutions, Inc.

Dear Mr. Zoller:

Enclosed is the Final Order issued by Hearing Officer Dennis Stotts on behalf of Manatee County for the above mentioned Special Permit.

In order for this Special Permit to be effective, it must be recorded with the Clerk of the Circuit Court of Manatee County. There is a recording fee of \$10.00/1st page and \$8.50/page thereafter. To do this, please contact Vicki Tessmer, Deputy Clerk, Board Records Department at 1115 Manatee Avenue West, Bradenton, or call 748-4501, ext. 4180.

If we may be of further assistance, please let us know.

Sincerely,

Bobbi Roy
Planning Coordinator

/br
Enclosure

cc: Hearing Officer Dennis Stotts via email
Sarah Schenk, CAO via email
Bill Clague, CAO via email
Robin Meyer, Zoning Official via email
Margaret Tusing, Planner via email
John Barnott, Director via email
Board Records via email
Case File