

H.O. 01/02/03

SP-02-03 - Andy and Evelyn Karas d/b/a 53rd Avenue Cafe 2-COP Permit

Request: Approval of a Special Permit for a 2-COP (Beer & Wine, Consumption on Premises) Alcoholic Beverage Licenses as an accessory use for a restaurant within the Market Place West shopping center. The 53rd Avenue Café is at the southwest corner of 34th Street West and 53rd Avenue West. The current zoning is PD-C (Planned Development Commercial) zoning district (16.28± acres).

App Received: 02/02/02

D.R.C.: 02/15/02

Hearing Officer: 01/02/03

To be CONTINUED to January 15, 2003 at 4:00 p.m. at the Manatee County Government Administrative Center, 1st Floor Chambers.

HO20030102DOC002

BRADENTON HERALD

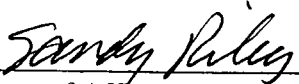
www.bradenton.com
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/748-0411 ext. 7065

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE;

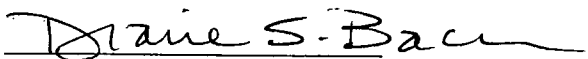
Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **NOTICE OF ESTABLISHMENT OR CHANGE OF A REGULATION AFFECTING THE USE OF LAND IN UNINCORPORATED MANATEE COUNTY** in the Court, was published in said newspaper in the issues of, **12/20,'02**

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
23rd Day of December, 2002

DIANE S. BACRO
Notary Public - State of Florida
My Commission Expires Aug 15, 2003
Commission # CC863180



SEAL & Notary Public

Personally Known X OR Produced Identification _____
Type of Identification Produced _____

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 **Thursday, January 2, 2003 at 4:00 P.M. in the Chambers of the Board of County Commissioners, located at the Manatee County Administrative Center, 1112 Manatee Avenue West, 1st Floor, Bradenton, Florida** to consider and act upon the following matter:

PDC-98-01/SP-02-03 - 53RD AVENUE CAFE 2-COP PERMIT

Approval of a Special Permit for a 2-COP (Beer & Wine, Consumption on Premises) Alcoholic Beverage Licenses as an accessory use for a restaurant within the Market Place West shopping center. The 53rd Avenue Cafe is at the southwest corner of 34th Street West and 53rd Avenue West at 3550 53rd Avenue West. The current zoning is PD-C (Planned Development Commercial) zoning district (16.28± acres).

SP- 02-07 - GRASS FARM BORROW PIT

Approval of a Special Permit for a Borrow Pit in the A (General Agriculture) zoning district on the west side of Grass Farm Road approximately 2,700 ft north of Buckeye Road (±295.1 acres).

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 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. Anyone 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 two stamped, self-addressed envelopes.

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
12/20/02

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

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

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED MOYA NEVILLE, WHO ON OATH SAYS SHE IS 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
PDC-98-01

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

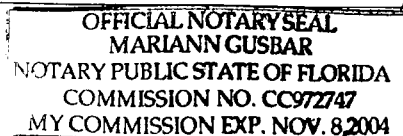
December 20, 2002

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 20TH DAY OF
DECEMBER A.D., 2002 BY MOYA NEVILLE WHO IS PERSONALLY
KNOWN TO ME.

(SEAL)



Mariann Gusbar
NOTARY PUBLIC

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

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SP-02-07-Grass Farm Borrow Pit Approval of a Special Permit for a Borrow Pit in the A (General Agriculture) zoning district on the west side of Grass Farm Road approximately 2,700 ft north of Buckeye Road (± 295.1 acres).
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MANATEE COUNTY HEARING OFFICER
Manatee County Planning Department
Manatee County, Florida
Published: December 20, 2002

SARASOTA HERALD TRIBUNE
PUBLISHED DAILY
SARASOTA, SARASOTA COUNTY, FLORIDA

MANATEE COUNTY GOVERNMENT
1112 MANATEE AVE W. FL 4
BRADENTON, FL 34205-7804
ATTN: KIM SPARKS

STATE OF FLORIDA
COUNTY OF MANATEE

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

DECEMBER 20, 2002

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SIGNED

Moya Neville

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20TH DAY OF DECEMBER A.D., 2002 BY MOYA NEVILLE WHO IS PERSONALLY KNOWN TO ME.

(SEAL)

OFFICIAL NOTARY SEAL
MARIANN GUSBAR
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC972747
MY COMMISSION EXP. NOV. 8, 2004

Marian Gusbar
NOTARY PUBLIC

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MANATEE COUNTY HEARING OFFICER
Manatee County Planning Department
Manatee County, Florida
Published: December 20, 2002

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

STATE OF Florida

COUNTY OF Manatee

BEFORE ME, the undersigned authority, personally appeared David Gustafson, 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. PDC-98-01/SP-02-03 - 53RD AVENUE CAFE 2-COP PERMIT, to be heard before the Manatee County Hearing Officer at a public hearing to be held on January 2, 2003, 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 2 feet from the front property line on the 23 day of Dec., 2003.

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 23 day of Dec., 2003, 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

[Signature]
Property Owner/Agent Signature

SIGNED AND SWORN TO before me on 12-18-02 (date) by David Gustafson (name of affiant). ~~He~~she is personally known to me or has produced _____ (type of identification) as identification and who did take an oath.

[Signature]
Signature of Person Taking Acknowledgment

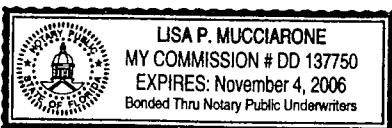
SEAL

Lisa P. Mucciarone

Type Name

Assistant

Title or Rank



My Commission Expires: 11-4-06

Serial Number, if any

Commission No.:

5188539759
1ST NATIONAL BANK & TRUST
5817 MANATEE AVE W
BRADENTON FL 34209

5188540107
BENNETT, BROOKE A
3806 52ND DR W
BRADENTON FL 34210

5188540057
FOSTER, DONALD A
3802 52ND DR W
BRADENTON FL 34210

5188540206
LAM, VICTOR
391 TAMiami TRL S
VENICE FL 34285 2423

5188510039
NB/85 ASSOCIATES
570 DELAWARE AVENUE
BUFFALO NY 14202

6145550502
SCHOOL BOARD OF MANATEE
COUNTY
P O BOX 9069
BRADENTON FL 34206 9069

6145400109
BENDERSON DEVELOPMENT
COMPANY INC
570 DELAWARE AVENUE
BUFFALO NY 14202

5264700005
BOYS CLUB OF MANATEE COUNTY
INC
PO BOX 315
BRADENTON FL 34206

5188541808
GERAGHTY, THOMAS J
5149 39TH W
BRADENTON FL 34210

5264300004
MACRAE, DOUGLAS WHITNEY
6405 APPLE ROAD
SEBRING FL 33875 6166

5188540156
SCHNEIDER, MARGARET W
3904 52ND DR W
BRADENTON FL 34210

5188541907
TOLENTINO, STEPHEN M
5157 39TH ST W
BRADENTON FL 34210

6145400159
BENDERSON DEVELOPMENT
COMPANY INC
570 DELAWARE AVENUE
BUFFALO NY 14202

5264100008
FITZPATRICK, PAUL
3308 52ND AVENUE DR W
BRADENTON FL 34207

5188540958
HOUK, RICHARD L
5158 39TH ST W
BRADENTON FL 34210

5188541857
METCALF, ROBERT L
5153 39TH ST W
BRADENTON FL 34210 3273

6100200002
SCHOOL BOARD OF MANATEE
COUNTY
P O BOX 9069
BRADENTON FL 34206

5188541956
WEST GLENN HOME OWNERS
501 BAYVIEW DR
HOLMES BEACH FL 34217 2140