

THE HERALD

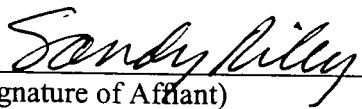
WWW.HERALDTODAY.COM
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/748-0411 ext. 7065

The Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE;

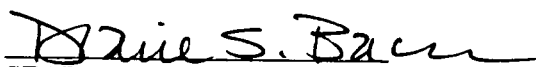
Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of The Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **NOTICE OF ESTABLISHMENT** in the Court, was published in said newspaper in the issues of, **3/17,'06**

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
20th Day of March 2006

DIANE S. BACRO
Notary Public
State of Florida
My comm. exp. 08-15-2007
Comm. No. DD 206531



SEAL & Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

HO20060328DOC002

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

HEARING OFFICER: The Hearing Officers for Manatee County will conduct a Public Hearing on Tuesday March 28, 2006 at 9:00 A.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:

MANATEE TECHNICAL INSTITUTE, SP-05-03

Request: Approval of a Special Permit for The Manatee Technical Institute School for 1,000 daytime students, a community high school for up to 400 daytime students and 300 evening students.

This is a new Public Hearing at the direction of the Manatee County Hearing Officer. To receive additional testimony regarding the following issues:

- (1) The siting of the structure on the parcel.
- (2) The increased traffic on Caruso Road and Route 70 and the traffic control thereof.
- (3) The erection of a berm and or wall at a height sufficient to afford significant sight, noise, and other relief to residential property owners.

It is the intention of the Hearing Officer to limit the testimony, rebuttal and public comment to the above issues.

The site is north of Braden River High School on Caruso Road in the A zoning district at 6545 SR 70 East, Bradenton (±47.53 acres)

BALIAN / OPERATION PAR OUTPATIENT TREATMENT FACILITY, SP-05-07

Request: Approval of a Special Permit for a 7,320 square foot outpatient treatment facility in an existing shopping center. The site is in the GC (General Commercial) zoning district. The site is at the northeast corner of 14th Street West and 63rd Avenue West at 6229 14th Street West, Bradenton (± 2.9 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
3/17/06

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 SAYD SHE IS ADVERTISING MANAGER OF 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 Tuesday March 28, 2006 at 9:00 A.M. In the

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

3/17 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 17 DAY OF March, A.D., 2006 BY SHARI BRICKLEY WHO IS PERSONALLY KNOWN TO ME.

Mariann Gusbar

Notary Public



Mariann Gusbar
My Commission DD355235
Expires November 6, 2008.

My commission expires 6 day of Nov, 2008

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 Tuesday March 28, 2006 at 9:00

A.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:

MANATEE TECHNICAL INSTITUTE- SP-05-05

Request: Approval of a Special Permit for The Manatee Technical Institute School for 1,000 daytime students, a community high school for up to 400 daytime students and 300 evening students.

This is a new Public Hearing at the direction of the Manatee County Hearing Officer. To receive additional testimony regarding the following issues:

- (1) The siting of the structure on the parcel.
- (2) The increased traffic on Caruso Road and Route 70 and the traffic control thereof.
- (3) The erection of a berm and or wall at a height sufficient to afford significant sight, noise, and other relief to residential property owners

It is the intention of the Hearing Officer to limit the testimony, rebuttal and public comment to the above issues.

The site is north of Braden River High School on Caruso Road in the A zoning district at 6545 SR 70 East, Bradenton (+/-47.53 acres)

BALIAN I OPERATION PAR OUTPATIENT TREATMENT FACILITY-SP-05-07

Request: Approval of a Special Permit for a 7,520 square foot outpatient treatment facility in an existing shopping center. The site is in the GC (General Commercial) zoning district. The site is at the northeast corner of 14th Street West and 63rd Avenue West at 6229 14th Street West, Bradenton (+/- 2.9 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 Officers 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
Pub: March 17, 2006

**PORGES, HAMLIN, KNOWLES, PROUTY,
THOMPSON & NAJMY, P.A.
1205 Manatee Avenue, West
Bradenton, Florida 34205
941/748-3770**

FAX COVER SHEET

TO: Susan Romine

FAX NUMBER: 941-741-4089

CLIENT NUMBER: 9639-02

NUMBER OF PAGES (including cover sheet): 2

FROM: Daphne Bishop assistant to
Jamie L. Goble, Esquire

DATE: **March 28, 2006**

COMMENTS:

IN CASE OF ANY PROBLEMS DURING TRANSMISSION, PLEASE CONTACT 941/748-3770.
DIRECT LINE TO OUR FAX IS 941/746-4160. OUR MACHINE IS AN AUTOMATIC RICOH 5600L.

The information contained in this transaction is attorney privileged and confidential. It is intended only for the use of this individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone collect and return the original message to us at the above address via the U.S. Postal Service. We will reimburse you for postage.

Original Documents Will

Will Not

Follow by mail

**PORGES, HAMLIN, KNOWLES,
PROUTY, THOMPSON & NAJMY, P.A.**

ATTORNEYS AT LAW

JASON M. DEPAOLA
JAMIE L. GOBLE
CURTIS D. HAMLIN*
JAMES A. HARRISON
MARY R. HAWK***
SANJIT KAUR
TIMOTHY A. KNOWLES
JOSEPH L. NAJMY**
GREGORY J. PORGES***
STEVEN W. PROUTY
STEPHEN W. THOMPSON
JESSE M. TILDEN
RICHARD A. WELGER

OF COUNSEL:

HARRY W. HASKINS*
Susan Romine

Manatee County Clerk of Court
1115 Manatee Avenue West
P.O. Box 25400
Bradenton, Florida 34206

BRADENTON
1206 MANATEE
AVENUE WEST
BRADENTON, FL 34206
TEL: (941) 748-3770
FAX: (941) 748-4180

LAKEWOOD RANCH
8820 VENTURE DRIVE
SUITE 108
BRADENTON, FL 34202
TEL: (941) 907-3218
FAX: (941) 907-3947

SARASOTA
3400 SOUTH TAMiami TRAIL
SUITE 201
SARASOTA, FL 34239
TEL: (941) 368-1368
FAX: (941) 363-4284

* BOARD CERTIFIED REAL ESTATE LAWYER
** ALSO CERTIFIED PUBLIC ACCOUNTANT
*** ALSO ADMITTED IN NEW YORK
*** BOARD CERTIFIED IN CIVIL AND BUSINESS LAW
ALSO ADMITTED IN IOWA
*** ALSO ADMITTED IN GEORGIA

VIA FACSIMILE (941)741-4089

March 28, 2006

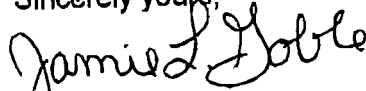
REPLY TO: Bradenton

RE: SP-05-05 Reopening of MTI hearing for April 19, 2006
OFN: 9639-02

Dear Ms. Romine:

Please accept this letter as my formal objection to the rescheduling of the March 28, 2006 reopening of the MTI hearing for April 19, 2006. In addition to the unavailability of Laurie Suess, the County's primary planner involved, and Patricia Petruff, a near-by resident and attorney for another property owner, my client, Brad Hawkins, a property owner immediately adjacent to the proposed MTI site, is also unavailable on this date as a previously scheduled conference will keep him out-of-town. I would respectfully ask that Mr. Roe take into consideration the availability of those involved as the reopening of the hearing is to specifically address issues and concerns raised by property owners during the initial hearing. Additionally, I would also request that the hearing be scheduled for a time more conducive to working citizens' schedules. Many interested property owners are unable to attend hearings scheduled for early to mid-day. Thank you for your consideration.

Sincerely yours,



Jamie L. Goble
Firm Associate
jlg@phkplaw.com

JLG/dmb

cc: Client
Carol Clarke
Robert Pederson
Patricia Petruff, Esq.
Jeff Steinsnyder, Esq.
Bill Clague, Esq.



KIRK • PINKERTON

A PROFESSIONAL ASSOCIATION

Serving Our Community
Since 1926

ATTORNEYS AT LAW

JAMES E. KIRK, 1902-1983

JOHN C. PINKERTON, 1916-1997

DONALD C. McCLELLAND, JR., 1922-2003

ROBERT J. CARR
L. NORMAN VAUGHAN-BERCH^{CCAA}
TIMOTHY S. SEAV^T
WILLIAM E. ROBERTSON, JR.
DAVID M. SILBERSTEIN^{COA***}
MARK P. BARNEBY²
THOMAS D. SEULIS
JOHN W. WEST III^{***}
JULIE A. HORSTKAMP^{*}
JEFFREY N. STEINSNYDER²

JACKSON C. KRACHT^{°°}
DANIEL A. HOFFE^{□□□□}
WHITNEY C. GLASER
CINDY H. FORD
SCOTT E. RUDACILLE

OF COUNSEL
WILLIAM C. STRODE
BRENDA L. PATTEN^{*}

[°]BOARD CERTIFIED IN WILLS, TRUSTS AND ESTATES
^{AA}BOARD CERTIFIED BUSINESS LITIGATION LAW
^BBOARD CERTIFIED REAL ESTATE LAW / FINDER
^BBOARD CERTIFIED CIVIL TRIAL ATTORNEY
^{**}BOARD CERTIFIED TAX ATTORNEY
^BBOARD CERTIFIED IN CITY, COUNTY AND LOCAL GOVERNMENT LAW
^{OO}ALSO ADMITTED IN NEW MEXICO
^AALSO ADMITTED IN COLORADO
^{••}ALSO ADMITTED IN OKLAHOMA
[□]ALSO ADMITTED IN WASHINGTON, D.C.
^{□□}ALSO ADMITTED IN MASSACHUSETTS
[■]ALSO ADMITTED IN NORTH CAROLINA

PLEASE RESPOND TO BRADENTON OFFICE

March 29, 2006

RECEIVED

APR 6 2006

BOARD RECORDS

Ms. Susan Romine
Deputy Clerk
Manatee County Clerk of the Court
1115 Manatee Avenue West
Bradenton, Florida 34205

Re: SP-05-05 Manatee Technical Institute Caruso Road

Dear Ms. Romine:

Pursuant to yesterday's hearing on the MTI matter please consider this the Manatee County School District's formal objection to the re-scheduling of the March 28, 2006 reopening of the MTI Hearing to the April 19, 2006 date.

Section 502.6.6.6 of the Manatee County Land Development Code governs hearing reopenings by a Hearing Officer.

In pertinent part, this Section states:

...Upon making a finding of that the hearing should be reopened the Hearing Officer shall schedule with the Planning Director a date for the hearing, not to exceed forty five (45) days for the filing of the affidavit...

April 19, 2006 would be the forty first (41) day since the Hearing Officer's initial letter to Carol Clarke. Additionally, Florida Statute 1013.22 and the Interlocal Agreement between the Manatee County School Board and the Manatee County Board of County Commissioners require expedited review of Educational Facilities.

SARASOTA MAILING ADDRESS
P.O. BOX 3798
SARASOTA, FLORIDA 34230
attorney@kirkpinkerton.com

720 SOUTH ORANGE AVENUE
SARASOTA, FLORIDA 34236
TELEPHONE 941•364•2400
FACSIMILE 941•364•2490

1301-6TH AVE. W., SUITE 401
BRADENTON, FLORIDA 34205-7435
TELEPHONE 941•744•2288
FACSIMILE 941•744•9691

KIRK • PINKERTON

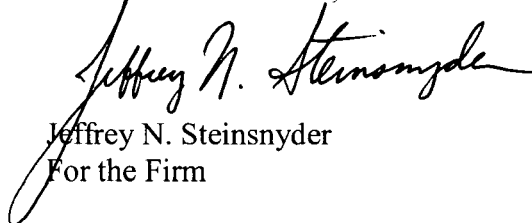
Ms. Susan Romine
Re: SP-05-05 Manatee Technical Institute Caruso Road
March 29, 2006
Page 2 of 2

School Board staff has tried to be cooperative in the timing of the review of this new campus, however, further delay beyond the minimum timeframes for notice does not meet the spirit and intent of the statute or the interlocal agreement. This reopening should be scheduled at the earliest date possible.

Thank you for your consideration in this matter.

Sincerely,

KIRK • PINKERTON, P.A.



Jeffrey N. Steinsnyder
For the Firm

cc: Mike Pendley
Carol B. Clarke, AICP
Robert Pederson
Patricia Petruff, Esquire
William Clague, Esquire
Jamie L. Goebel, Esquire