

Z-01-21 - VOGEL REZONE

Request: Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, one dwelling unit per acre) to RSF-3 (Residential Single-Family, three dwelling units per acre); and providing an effective date. Located at 4619 37th Street East, Bradenton (± 1.54 acres).

App. Received: 11/28/01

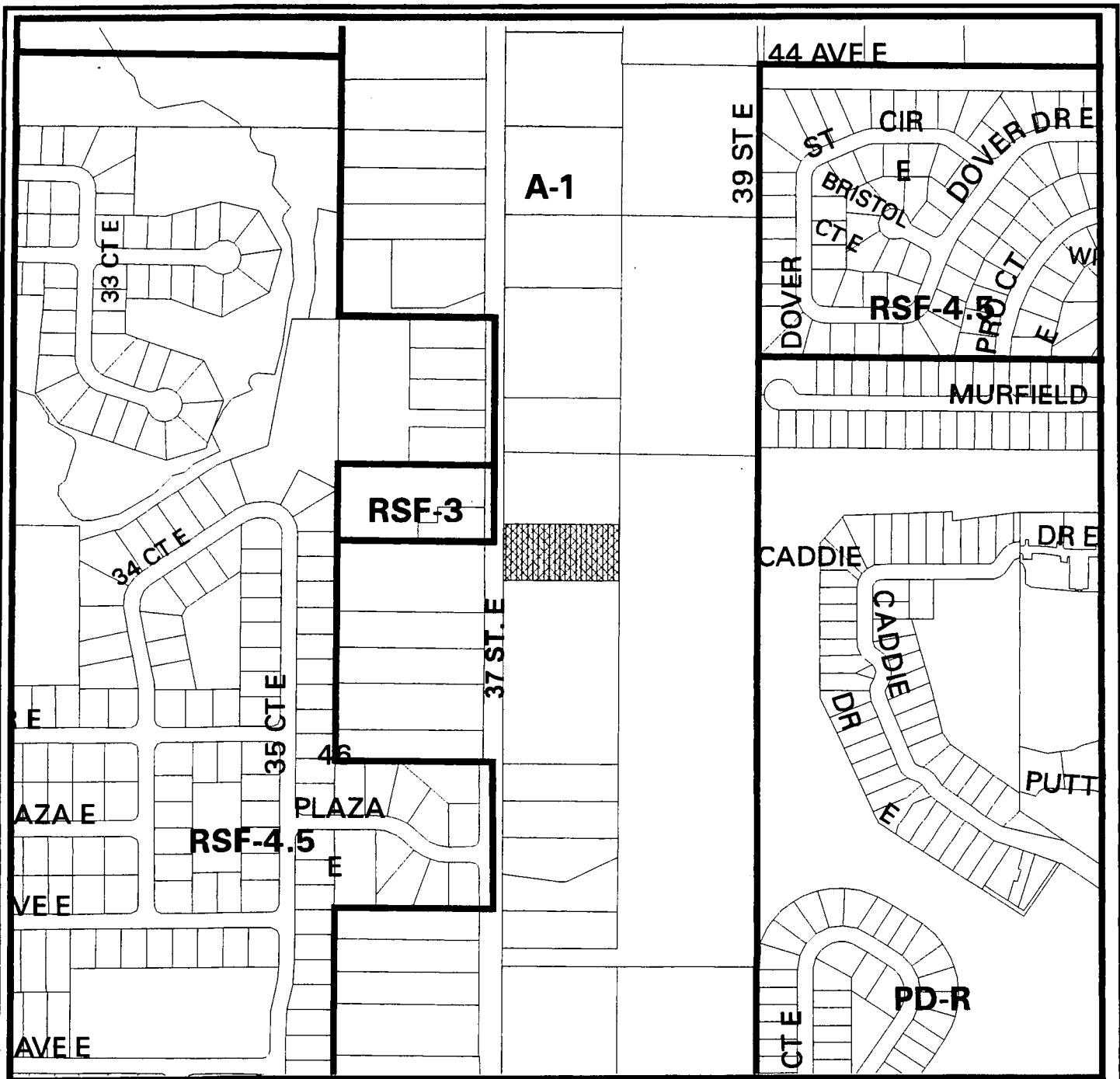
D.R.C.: 12/14/01

P.C.: 04/11/02

B.O.C.C.: 04/23/02



RECOMMENDED MOTION:

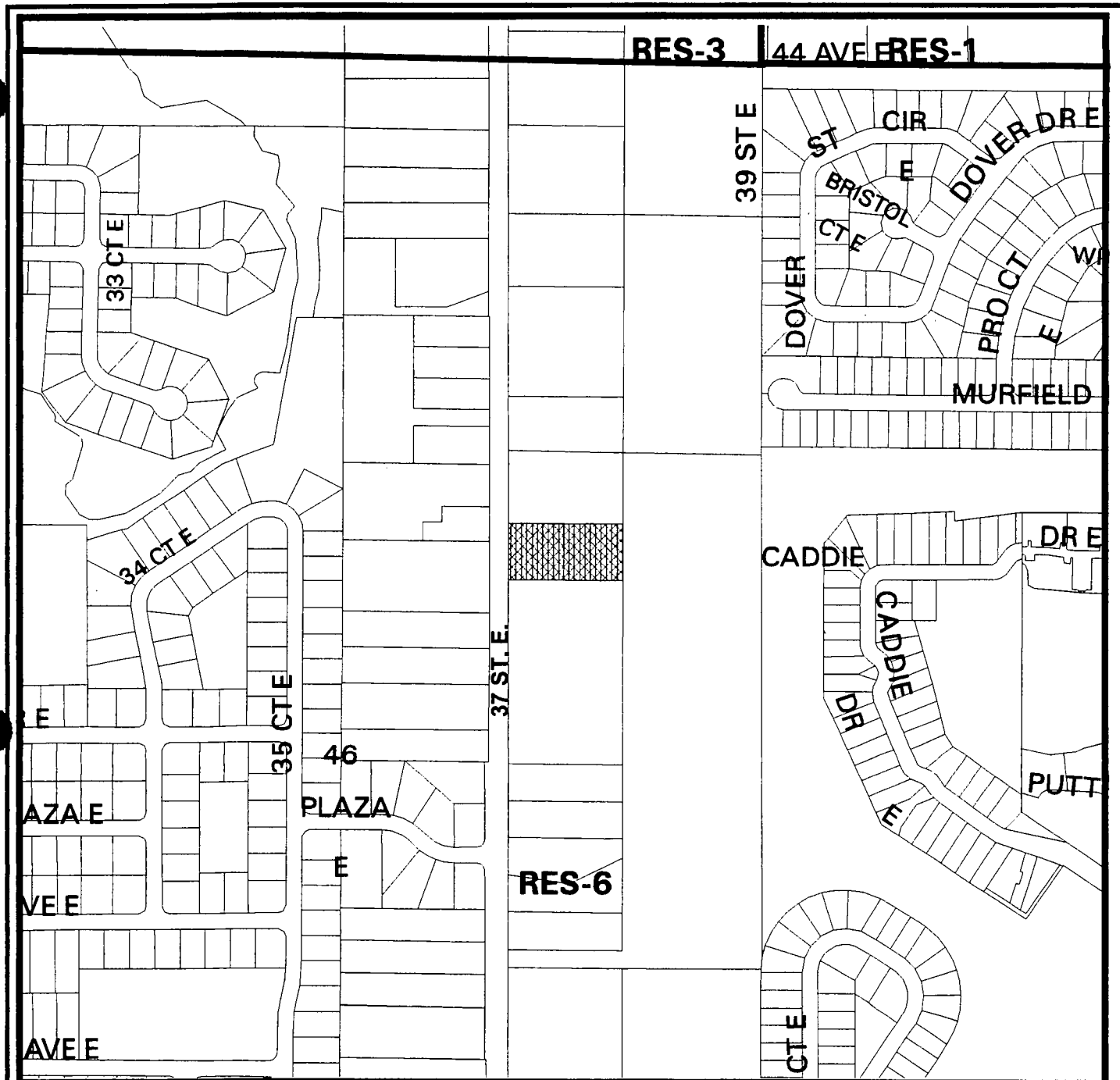
Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, I move to recommend ADOPTION of Manatee County Zoning Ordinance No. Z-01-21; and GRANTING Special Approval to waive the connection by this project to public sanitary sewer system and connect to septic, as recommended by staff.



Project Number: Z-01-21
Proposed Use: RESIDENTIAL
Proposed Zoning: RSF-3
Existing Zoning: A-1
Existing FLUC: RES-6
Flood Zone: X
Floodway: NO
Acreage: 1.54
Drainage Basin: SUGAR HOUSE CREEK
Commissioner: Jonathan Bruce
Map Prepared: February 19, 2002
Requested By: FRANK VOGEL
Section: 8 Township: 35 Range: 18

Tax I.D.: 168391047

**Manatee County
 Zoning
 Staff Report Map**
1 inch = 430'
Overlays:
ST, AI, HA, WR, RV: NONE
Watershed: NONE
Coastal Hazard: Not Available

 **Coastal High Hazard Line**



Project Number: Z-01-21
Proposed Use: RESIDENTIAL
Proposed FLUC: RSF-3
Existing Zoning: A-1
Existing FLUC: RES-6
Flood Zone: X
Floodway: NO
Acreage: 1.54
Drainage Basin: SUGAR HOUSE CREEK
Commissioner: Jonathan Bruce
Map Prepared: February 19, 2002
Requested By: FRANK VOGEL
Section: 8 Township: 35 Range: 18

Tax I.D.: 168391047

**Manatee County
 Future Land Use
 Staff Report Map**

1 inch = 430'



Overlays:
 ST, AI, HA, WR, RV: NONE
 Watershed: NONE
 Coastal Hazard: NO



CASE SUMMARY

CASE NO.: Z-01-21

APPLICANT: Frank & Patricia Vogel

REQUEST: Rezone ±1.54 acres from A-1 (Suburban Agriculture, one dwelling unit per acre) to RSF-3 (Residential single-family/3 dwelling units per acre).

STAFF

RECOMMENDS: APPROVAL with Limited Issues

REQUEST, LOCATIONAL INFORMATION, AND LAND USE CHARACTERISTICS

- The site is located approximately 3,600 feet north of 53rd Avenue, at 4619 37th Street East Bradenton. The ±1.54 acre parcel has an existing single-family residence.
- To the NORTH is a single-family residence zoned A-1 (Suburban Agriculture), with
- To the EAST is a retention pond zoned A-1 .
- To the SOUTH is vacant property zoned A-1.
- To the WEST is 37th Street East, with a single-family home on a parcel zoned RSF-3 and a single-family home on a parcel zoned A-1.

SUMMARY: (BHS)

The request is to rezone from A-1 to RSF-3. The site is located at 4619 37th Street East, approximately 3,600 feet north of 53rd Avenue. The site is currently utilized for a single-family home. Adjacent property is zoned A-1 and RSF-3. There is a portion of the Wallingford Subdivision zoned RSF-4.5 that fronts along 37th Street East to the northwest of the site. Beyond the adjacent property is property zoned RSF-4.5 and PDR. The RSF-4.5 and PDR sites include Wallingford and Manatee Oaks to the west, and Peridia to the east.

The zoning change is compatible with the surrounding uses and is consistent with the Comprehensive Plan Future Land Use Category of RES-6 (Residential, 6 d.u./gross acre). Special Approval is required to allow septic tank systems for

wastewater disposal (Policy 9.2.1.2) with coordination between the Departments of Project Management, Utilities Operations, Building, Planning, and the Manatee County Public Health Unit. LDC Chart 605 does not include reference to Special Approval for septic tanks and therefore, Planned Development is not required for this site. The use of septic with this application is consistent with the surrounding use of septic tanks along 37th Street for single-family homes. Although, the rezone will potentially allow 3 units per acre, the site will likely only accommodate one additional single-family residence. Manatee County Project Management Department and Utility Operations have no immediate plans to construct sewer along 37th Street East. . Policy 9.2.1.2 requires that all wastewater from any project located within the waste water treatment collection areas be collected and treated through Manatee, County's public sanitary sewer system except as allowed by Special Approval. This is based upon proposed wastewater impacts, accessibility of central system, proposed infrastructure improvements, environmental sensitivity, development trends and timing, compatibility of development, and proposed mitigation measures.

The closest connection point is \pm 800' south of the site at the entrance of Manatee Oaks Subdivision on 37th Street East. There are no gravity lines along 37th Street East and none proposed. Existing homes on 37th Street East are on septic. There are no future plans to extend gravity sewer along 37th Street East.

The Manatee County Health Department assures that septic systems are designed, constructed, installed, and maintained in compliance with applicable regulations. Septic tank permits are only issued if the requirements of the State are met.

Staff recommends approval with limited issues.

POSITIVE ASPECTS OF THE APPLICATION

- RSF-3 zoning is consistent with the RES-6 (Residential-6 Dwelling Units/Gross Acre) Future Land Use Category.
- This rezone may be considered a logical expansion of the RSF-4.5 district to the northwest (Wallingford Subdivision) albeit across 37th Street East, Manatee Oaks Subdivision zoned RSF-3 southwest of the site, and the RSF-3 site located just west of the site.

NEGATIVE ASPECTS OF THE APPLICATION

- **A-1 zoning to the north, south, east, and along a portion of the western side of the site may pose incompatibility concerns because of potential agricultural uses.**
- **Property to the south is vacant and could be developed agriculturally.**
- **37th Street East serves as the current dividing line between residential and A-1 zoning.**
- **The property is within the Wastewater Treatment Collection for Southeast Manatee County, but is proposed to be on septic tank.**

MITIGATING FACTORS

- **Properties to the north and west already have established single-family homes, effectively precluding intensive agricultural activities from occurring on those lots.**

DETAILED CASE REVIEW

PRIMARY REVIEWERS

Bernard Salmon (PD)	Compatibility, Timing, Health, Safety and Welfare, Consistency with LDC and Comp. Plan, Historic Resource Impacts, Site Design
Al Wallace (PD)	Impacts to Infrastructure (Public Utilities & Facilities)
Michel Tenney (PD)	Impacts to Infrastructure (Transportation, Concurrency)
Bill O'Shea (EMD)	Environmental Resource Impacts

DETAILED STAFF REVIEW OF THE FACTORS FOR CONSIDERATION OF REZONING PURSUANT TO SECTION 504 OF THE LAND DEVELOPMENT CODE

1. COMPATIBILITY

The site is located in the RES-6 (Residential, 6 d.u./gross acre) Future Land Use Category of the Comprehensive Plan. The intent of this category is to identify areas which are established for a range of residential and residential support uses. There is currently a single-family home on the northern portion of the site.

The site is surrounded by A-1 and RSF zoning districts as illustrated in the matrix below:

Surrounding Area	Existing use	Zoning classification	Density allowed
north	residential	A-1	1 du/acre
south	vacant with vegetation	A-1	1 du/acre
east	retention pond	A-1	1 du/acre
west	residential	A-1, RSF-3	1 du/acre & 3 du/acre

This area is within the developing urban core of Manatee County. As illustrated by the matrix above, development within the area generally consists of A-1 zoning with single-family homes fronting on 37th Street East corridor. Yet, there is existing development within this area, just beyond this site, zoned PDR and RSF-3 and RSF-4.5. There is a parcel to the west which was rezoned in 1996 from A-1 to RSF-3. Just beyond the retention area to the east is Peridia, a single-family and multi-family residential community zoned PDR. Wallingford subdivision approximately 500 feet northwest of 37th Street East, is zoned PDR and consists of 142 single-family lots. A portion of Wallingford fronts on 37th Street East. Manatee Oaks Phase III (± 300 feet southwest) has 106 single-family lots. The property to the south is vacant and could pose a compatibility issue if used for agricultural purposes.

There is no compatibility issue with the property to the east since it is a retention pond. A single-family home zoned A-1 is located to the north. Based on the surrounding uses, the RSF-3 district can be considered a logical expansion and is also consistent with the FLUC RES-6.

2. TIMING, TRENDS, CHANGES TO EXISTING CONDITIONS

Nearby Wallingsford Subdivision was approved in 1999 for 142 single-family homes and is zoned PDR. Manatee Oaks Phase III to the southwest was approved in 2001 for 106 single-family homes under RSF-4.5 zoning. The timing and trends of a rezone to RSF-3 appear to be consistent with the development trends in the area.

Under the RES-6 Future Land Use Designation it is likely that the surrounding area will continue to develop with higher density residential uses in the future.

3. IMPACTS TO INFRASTRUCTURE

This request will have no adverse effect on existing or planned public improvements. The rezone will potentially allow three additional single-family homes, although the applicant has requested the rezone to allow an additional house to be constructed.

Although this project lies within the Southeast Regional Wastewater Treatment Plant's service area, the closest point of connection would be approximately 800' ± to the south, located at the entrance of Manatee Oaks subdivision. There is no gravity sewer available along 37th Street East and no future plans for construction. The majority of homes fronting on 37th Street East are served by septic tanks.

Even though sewer service is not available, the impact of up to 3 new septic systems will be minimal. Policy 9.2.1.2 requires "all wastewater from any project located within the waste water treatment collection areas as shown on Map 9-A, to be collected and treated through Manatee County's public sanitary sewer system, except as allowed by special approval". Special approval is based upon the following factors:

- *Proposed wastewater impacts:* According to Project Management, it is estimated that a maximum of 855 gallons of waste (285 gallons per home) could be produced from this site.
- *Accessibility of the central system:* The site is within the Southeast Regional Wastewater Treatment Plant's service area (2020 Manatee Comprehensive Plan Wastewater Treatment Collection Area Map). The following are approximate distances to connection points:
 - 800' ± south of the site at the entrance of Manatee Oaks subdivision located on 37th Street East.
 - 1,800' ± south of the site at the intersection of 37th Street East and 51st Avenue East.

Since there is no county maintained sanitary sewer line within the area of the proposed rezone, connection to sanitary sewer will not be required. Special approval is required for the alternative use of an individual septic tank for sewage disposal (Policy 9.2.1.2).

- *Proposed infrastructure improvements:* no sanitary sewer improvements or extensions are proposed at this time.
- *Environmental sensitivity:* The utilization of a maximum of 3 new septic tank systems within this area should have little impact. The site is not located within any environmentally sensitive area or within a watershed.
- *Compatibility of development:* The utilization of a maximum of 3 additional septic tank systems is consistent with the surrounding use of septic systems for the single-family homes that front along 37th Street East.
- *Proposed mitigation measures:* The project will implement Best Management Practices for septic tank design. In addition, the State of Florida has adopted regulations pertaining to onsite sewage treatment and disposal systems to protect groundwater and surface water and preserve the public health. The Manatee County Health Department assures that the systems are designed, constructed, installed and maintained in compliance with these regulations. Septic tank permits are only issued if the requirements of the State are met.

The proposed development will not adversely affect traffic patterns, congestion, population density, or development intensity.

At this time, 37th Street East (between 38th Avenue East and SR70) has adequate capacity and is operating at or above the adopted level of service "D". However, applicant is advised that capacity is not reserved at this stage, nor is capacity guaranteed as being available at time of actual development.

Pursuant to the "Concurrency Transportation Link Sheet" for this segment of 37th Street East, the generalized tables reflect a p.m. peak hour base/existing count of 262 trips with 0 trips currently reserved. To maintain the required Level of Service Standard of "D", the total existing and reserved trips cannot exceed 1,064 p.m. peak hour trips.

A "Deferral and Acknowledgment of Eventual Requirement for Concurrency Certification" has been received. Applicant is advised that when seeking further development approval(s) for this project, the "Deferral" does not exempt the applicant from the requirement for a Certificate of Level of Service Compliance.

As designated on the Manatee County Right-of-Way Needs Map in this location, 37th Street East requires a right-of-way of 84 feet (42' half-width right-of-way) with the existing half width adjacent to this proposed development of 30'.

Depending on the proposed impact, up to 12' of additional right-of-way may be required at time of site plan approval.

4. GENERAL HEALTH, SAFETY & WELFARE CONCERNS

Based upon the information available, the general health and safety of the area should not be significantly impacted with the approval of this rezone, except as otherwise described in this report.

5. ENVIRONMENTAL & HISTORIC RESOURCE IMPACTS

A comprehensive environmental assessment of this parcel will be conducted at the site plan review stage of the process.

There are no historic structures shown on the boundary survey. There is a single family home located along the northeast corner of the site.

There are no wetlands mentioned within the application. The utilization of a maximum of 3 additional septic tank systems should have little impact within the area because the site is not located within any environmentally sensitive areas or within a watershed.

6. CONSISTENCY WITH LAND DEVELOPMENT CODE AND COMPREHENSIVE PLAN

The proposed zoning atlas amendment must be in strict compliance with the Manatee County Comprehensive Plan. The following policies were considered in preparing this staff report and are important policies to review and consider in evaluating the proposal:

The Future Land Use Map designates the site as RES-6.

The proposed RSF-3 zoning is consistent with the RES-6 Future Land Use category.

Policy 2.1.2.3 Permit the consideration of new residential and non-residential development with characteristics compatible with existing development, in areas which are internal to or are contiguous expansions of existing development if compatible with future areas of development.

Policy 2.1.2.4 Limit urban sprawl through the consideration of new development, when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.

Policy 2.1.2.5 Permit the consideration of new residential and non-residential development in areas which are currently undeveloped, which are suitable for new residential or non-residential uses.

Policy 2.1.2.6 Limit urban sprawl through the consideration of new development, when deemed compatible with future growth, in areas which are currently undeveloped yet suitable for improvements.

Policy 2.1.2.7 Review all proposed development for compatibility and appropriate timing. This analysis shall include:

- consideration of existing development patterns,
- types of land uses,
- transition between land uses,
- density and intensity of land uses,
- natural features,
- approved development in the area,
- availability of adequate roadways,
- adequate centralized water and sewer facilities,
- other necessary infrastructure and services.
- limiting urban sprawl

Policy 2.2.1.12 RES-6: Establish the Residential-6 Dwelling Units/Gross Acre future land use category as follows:

Policy 2.2.1.12.1 Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density urban, or a clustered low-moderate density urban, residential environment. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban areas.

Policy 2.2.1.12.2 Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, small or medium retail and office commercial uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).

Policy 2.2.1.12.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:
6 dwelling units per acre

Maximum Net Residential Density:
12 dwelling units per acre
(except within the WO or CSVA Overlay Districts pursuant to Policies 2.3.1.4 and 4.3.1.5)

Maximum Floor Area Ratio:
0.23
(0.35 for mini-warehouse uses only)

Policy 2.6.1.1 Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:

- use of undisturbed or undeveloped and landscaped buffers
- use of increased size and opacity of screening
- increased setbacks
- innovative site design (which may include planned development review)
- appropriate building design
- limits on duration/operation of uses
- noise attenuation techniques
- limits on density and/or intensity [see policy 2.6.1.3]

Policy 2.6.1.3 Require appropriate limits on net residential density to achieve compatibility between adjacent residential land uses. Limits on net density may reduce net density on a project, or part thereof, into less than the maximum net density associated with the future land use category or categories on the project site (see also policy 2.6.1.1).

Policy 2.6.2.1 Limit location of new residential development and residential support uses adjacent to intensive and incompatible agricultural operations.

This request is for a rezone only. All future development shall comply with the provisions of the Land Development Code and the Comprehensive Plan. Although the surrounding zoning is A-1, there are no active agricultural uses at present.

This request can be found to be consistent with both the Comprehensive Plan and the Land Development Code. The requested RSF-3 zoning can be found compatible with the surrounding land uses, particularly the subdivisions to the west and southwest; (Wallingsford and Manatee Oaks) and Peridia, to the east.

Any development application will be reviewed in detail for conformance with all applicable provisions of the LDC.

Policy 9.2.1.2 Require all wastewater from any project located within the wastewater treatment collection areas as shown on Map 9-A, to be collected and treated through Manatee County's public sanitary sewer system, except as allowed by special approval. Special approval under this policy shall include analysis of the following factors: proposed wastewater impacts, accessibility of the central system, proposed infrastructure improvements, environmental sensitivity, development trends and timing, compatibility of development, and proposed mitigation measures.

Policy: 9.2.4.1 Require that any on-site sewage disposal system be located and constructed in accordance with all local, state, and federal regulations.

Policy: 9.2.4.5 Require, where connection to the Manatee County public wastewater system is not required under policy 9.2.1.2, that any project within the Wastewater Treatment Collection Areas utilizing septic tanks or an interim wastewater treatment plant shall be constructed with dry-lines so as to readily permit connection to the public sanitary sewer system for all residential development of 1 du/ga and higher, and all non-residential development.

Dry-lines shall be extended to the appropriate project boundary or boundaries. The interim wastewater treatment plant and associated collection system shall be installed so as to readily provide for a connection to the Manatee County sanitary sewer system.

Developed portions of a project shall connect within two years of the reasonable availability of a central system sanitary sewer line which has adequate capacity to accommodate wastewater flows.

When the requirement for dry lines are not appropriate due to unforeseeable engineering conditions, special approval is required to ensure compliance with the intent of this policy.

Implementation Mechanism(s):

- (a) **Coordination between the Project Management, Utilities Operations and Planning Departments to ensure policy compliance.**
- (b) **Revision of the Land Development Code and other regulatory documents as appropriate to implement this policy.**

Section 722.1.8.1.3 of the Land Development Code, requires the installation of dry-lines to readily permit connection to the public sanitary sewer system. Dry -lines are required to be installed "on all residential developments equal to or greater than one (1) dwelling unit per acre"... This development will require dry-lines to be installed. Within two (2) years of the availability of a sanitary sewer line with adequate capacity to accommodate wastewater flows from the site, all dry-lines shall be connected.

ATTACHMENTS:

1. Development Review Committee Comments
2. Zoning Disclosure Affidavit
3. Narrative from Leo Mills & Associates regarding the Zoning Atlas Amendment date stamped December 04, 2001.
4. Copy of Newspaper Advertising

SOUTHERN MANATEE FIRE CONTROL DISTRICT
1640 60 Avenue Dr. E., Bradenton, FL 34203-5020 #941/751-7675 Fax #941/751-7694

TRANSMITTAL #4215.Z

DATE: December 14, 2001

TO: Manatee County Building
Department

APPROVED
 **CONDITIONAL APPROVAL AS
SUBMITTED AND NOTED**
 **INSUFFICIENT DRAWINGS
FOR FULL REVIEW/DENIED**
 UNACCEPTABLE SYSTEM DRAWINGS/DENIED

RE: Permit Application # Z-01-21

Project Name: Vogel Rezone
4619 34 St E

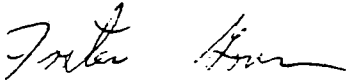
This department has reviewed the above referenced plans under the 1991 Edition of the N.F.P.A. Life Safety Code and related amendments; the Fire Prevention Code of Southern Manatee Fire Control District, Ordinance 93-01; the 1997 Standard Building Code, as related to life safety and fire protection; and the State Fire Marshal's Uniform Rules and Standards, as legislated.

The following comments and requirements are contingent for permit approval and Certificate of Occupancy by the Southern Manatee Fire Control District.

* Upon fire department review of referenced prints no noted problems or code violations were found.

Fire department review for code compliance shall not be construed as authority to violate, cancel alter or set aside any provisions of the adopted codes; nor shall such review prevent the Fire Marshal from thereafter requiring a correction of errors in plans, or in construction, or of violation of the codes.

If you have any questions, please contact this department.



Foster Gover
Division Chief

FG/smp

cc: Manatee County Planning Department, Barney Salmon, Fourth Floor, PO Box 1000, Bradenton, FL 34206
Leo Mills, Jr, Leo Mills & Assoc, 620 8th Ave W, Palmetto, FL 34221

MANATEE COUNTY GOVERNMENT
INTEROFFICE MEMORANDUM

DATE: December 21, 2001

TO: Barney Salmon, Planning Department

FROM: Sandy Tudor, Construction Tech III, Floodplain Section, Building Department

SUBJECT: Vogel Rezone, Z-01-21
(Rezone from A-1 to RSF-3)

1. Project site falls in Zone X per FIRM Panel 120153 0334C, revised 7/15/92.
2. There are no floodplain management requirements.

DRC REVIEW COMMENTS

DATE: December 14, 2001

PROJECT NAME: VOGEL REZONE

PLANNING NUMBER: Z-01-21

PLANNER: Salmon **REVIEW ENGINEER:** Wallace

COMMENTS:

Distribution

No comment.

Petersen

There is no water or sewer shown on comments.

Eartlhey / Andruzzi

Curbside service is done for all residential property.

Lilly

No comment.

Archer

No comment.

MANATEE COUNTY PLANNING DEPARTMENT
GROWTH MANAGEMENT SECTION
DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENTS
(941) 749-3070

DATE: DECEMBER 28, 2001

PROJECT NAME: VOGEL REZONE
Z-01-21
REZONE FROM A-1 TO RSF-3

ADDRESS: 4619-34TH STREET EAST, SCT

PLANNER: BARNEY SALMON (x)6902
ENGINEER: AL WALLACE (X)6858
TRANSPORTATION
PLANNER: MICHEL TENNEY (x)6862
CONCURRENCY: MICKI RYAN (X)6904/SUSAN BARFIELD (x)3842

[PLEASE NOTE: THESE COMMENTS ARE BASED ON INFORMATION SUBMITTED AND ARE SUBJECT TO REVIEW AS APPLICABLE]

CONCURRENCY/TRANSPORTATION RELATED COMMENTS:

- I. This submittal may proceed when the comments listed below and the comments issued by the other DRC members are satisfactorily addressed.

N/A

- II We offer the following suggestions, comments and concerns for this proposal; however, these do not necessarily require a revision to your application at this time.

At this time, 37th Street East (between 38th Ave E and SR 70) has adequate capacity and is operating at or above the adopted level of service "D". However, applicant is advised that capacity is not reserved at this stage, nor is capacity guaranteed as being available at time of actual development.

Pursuant to the "Concurrency Transportation Link Sheet" for this segment of 37th Street East, the generalized tables reflect a pm peak hour base/existing count of 262 trips with 0 trips currently reserved. To maintain the required Level of Service Standard of "D", the total existing and reserved trips cannot exceed 1064 pm peak hour trips.

A detailed traffic analysis may be required prior to final site plan approval depending on type and size of development.

Additional on-site and/or off-site improvements may be required as the property is developed.

- III. General Information

A "Deferral and Acknowledgment of Eventual Requirement for Concurrency Certification" has been received. Applicant is advised that when seeking further development approval(s) for this project, the "Deferral" does not exempt applicant from the requirement for a Certificate of Level of Service Compliance.

If there are any questions pertaining to concurrency and/or transportation, please contact Micki Ryan at 749-3070 extension 6904.

RIGHT-OF-WAY RELATED COMMENTS:

- I. This submittal may proceed when the comments listed below and the comments issued by the other DRC members are satisfactorily addressed.

N/A

- II We offer the following suggestions, comments and concerns for this proposal; however, these do not necessarily require a revision to your application at this time:

N/A

III. **General Information**

As designated on the Manatee County Right-of-Way Needs Map in this location, 37th Street East requires a right-of-way of 84 feet (42' half-width right-of-way) with the existing half width adjacent to this proposed development of 30 feet.

Depending on the proposed impact, up to 12' of additional right-of-way may be required at time of site plan approval.

If there are any questions pertaining to the right-of-way comments, please contact Micki Ryan at 749-3070 extension 6904.

cc: Concurrency File #Z-01-21
Public Works and Transportation Concurrency Group
(Linda Petersen, Wayne Roberts, Sia Mollanazar)

MANATEE COUNTY GOVERNMENT
INTEROFFICE MEMORANDUM

DATE: December 21, 2001

TO: Barney Salmon, Planning Department

FROM: Sandy Tudor, Construction Tech III, Floodplain Section, Building Department

SUBJECT: Vogel Rezone, Z-01-21
(Rezone from A-1 to RSF-3)

1. Project site falls in Zone X per FIRM Panel 120153 0334C, revised 7/15/92.
2. There are no floodplain management requirements.



Post-it® Fax Note	7671	Date	12/31/01	# of pages	1
To	Leo Muelo Jr	From			
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	772-9640	Fax #			

MEMORANDUM

DATE: December 31, 2001

TO: Barney Salmon, Planner
Planning Department

FROM: William C. O'Shea, Environmental Manager WCO
Environmental Management Department

SUBJECT: Development Review Comments
Vogel Rezone Z-01-21

The Environmental Management Department has reviewed the above referenced application for rezone, and offers the following comments:

- This proposal is a request to rezone 1.54 acres from A-1 to RSF-3.
- No plan has been submitted as part of this request.
- A comprehensive environmental review of this parcel cannot be conducted, based on the information provided.
- It is also our understanding that the two created lots will be subject to the requirements of the Manatee County Comprehensive Plan and Manatee County Land Development Code. The applicant should be advised that certain environmental constraints may restrict development activities.

If you have any questions or comments, please call me at extension 5980.

WCO:hs

PLANNING

DEC 04 2001

DEPARTMENT

ZONING DISCLOSURE AFFIDAVIT

File Number 201-21

File Name Vogel Rezne

The Manatee County Land Development Code 90-01 as amended under Ordinance 91-29 requires that all applications for Zoning Atlas Amendments shall include public disclosure of applicants and their percentage of interest.

If the property is owned by a CORPORATION, list the principal officers and principal stockholders and the percentage of stock owned by each.

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

If the property is in the name of a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the principals below, including general and limited partners.

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. If any contingency clause or contract terms involve additional parties list all individuals or officers, if a corporation, partnership, or trust. This is in addition to the list of owners.

FOR ANY CHANGES OF OWNERSHIP OR CHANGES IN CONTRACTS FOR PURCHASE SUBSEQUENT TO THE DATE OF THE APPLICATION, BUT PRIOR TO THE DATE OF FINAL PUBLIC HEARING, A SUPPLEMENTAL DISCLOSURE OF INTEREST SHALL BE FILED.

Disclosure shall not be required of any entity whose interests are solely equity interest which are regularly traded on an established securities market in the United State or another country.

NAME, ADDRESS AND OFFICER

PERCENTAGE STOCK, INTEREST OR OWNERSHIP

Check if owner (*) or contract purchaser ()

Mr. and Mrs. Frank Vogel
25450 SR 64 East
Myakka City, Florida 34251

100%

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature: Frank Vogel

(Applicant): Frank Vogel

COUNTY OF MANATEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 27th day of November, 2000.

FRANK VOGEL

who is personally known to me or who has produced _____

_____ as identification.

(type of identification)

Gail H. Coleman

Notary Signature

Commission Expires: 7-5-04

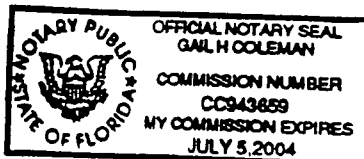
Gail H. Coleman

Print or type name of Notary

Commission No.: CC943659

Title or Rank

1-26-2000





Leo Mills & Associates

LAND PLANNERS • SURVEYORS • ENGINEERS

620 - 8th AVENUE WEST, PALMETTO, FLORIDA 34221

TELEPHONE (941) 722-2460

FAX (941) 722-9640

Narrative Regarding the Zoning Atlas Amendment For Parcel #16839.1047/3

The owner of the subject parcel is seeking an amendment of the current zoning category A-1 to RSF-3 allowing the construction of a second residence on a 1.54-acre parcel (upon subdivision approval).

The subject parcel is a portion of a lot in Lazy B Ranches (Plat Book 15, Page 82 & 83). While the majority of the subdivision is zoned A-1, immediately west of this parcel is RSF-3 zoning. RSF-4.5 zoning exists east and west of the site as well as PDR zoning east of the site.

The proposed zoning of RSF-3 is compatible with the future land use of Res6 established by the Comprehensive Plan.

Infrastructure in this area is adequate to support this amendment and as stated in the pre-application conference comments, timing appears to be appropriate for the revision.

Should additional information be required, please contact this office.

**PLANNING
DEC 04 2001
DEPARTMENT**

Manatee County Property Appraiser

Home General Info Help

Tax Records

Manatee Tax Map

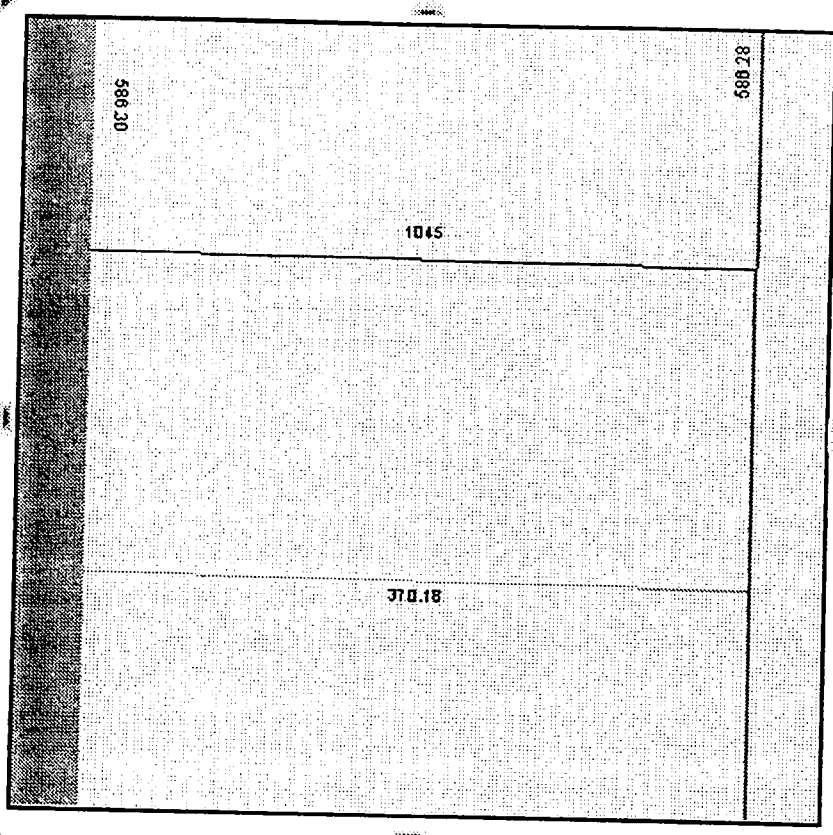
Configure Map
Select Parcel

Yes

View Area

- County
- 1 Mile
- 1/2 Mile
- 1/4 Mile
- 500 Feet

Select setting then click on map.



Search Manage

Current Record: 1683910

Add

Your Search List: 1 of 2

- View Search
- Refine Search
- New Search

Portfolio Manager

Key Map



■ Current View

▲ Selected Parcel

Site Design Copyright 1999-2001 Akanda Group LLC. All rights reserved.

**NOTICE OF ZONING CHANGES
IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, April 11, 2002, at 9:00 A.M. at the Manatee County Government Administrative Center, 1st Floor Chambers, to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matters:

PDP/PDI-01-03(Z) - CRESCENT MOON ENTERPRISES

Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, 1 dwelling unit per acre) to PDP (Planned Development Public Interest) and PDI (Planned Development Industrial); and providing an effective date. Located at the southeast corner of Buckeye Road and Bud Rhoden Road (239 acres).

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IF APPROVED, General Commercial zoning allows a variety of commercial uses such as retail sales, restaurants, vehicle sales and repair, service stations, miniwarehouses, etc.

Z-01-17 - YNR DEVELOPMENT CORPORATION

Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, 1 dwelling unit per acre) to RSF-2 (Residential Single-Family, 2 dwelling units per acre); and providing an effective date. Located on the south side of 17th Avenue N.W., approximately 90' east of 89th Street Northwest at 8725 and 8733 17th Avenue N.W. (9.87 acres).

IF APPROVED, the applicant may develop with single-family lots at 2 units per acre. Other residential support uses may be permitted. The current zoning allows for suburban agricultural uses.

Z-01-21 - VOGEL REZONE

Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, one dwelling unit per acre) to RSF-3 (Residential Single-Family, three dwelling units per acre); and providing an effective date. Located at 4619 37th Street East, Bradenton (1.54 acres).

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PDC-01-07(Z)(P) - HARRY AND BETTY BAKKER

Approval of (1) a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, 1 dwelling unit per acre), RSF-6 (Residential Single-Family, 6 dwelling units per acre), and GC (General Commercial) to PDC (Planned Development Commercial); and (2) Approval of a Preliminary Site Plan to allow an 89,585 square foot mini-warehouse and 2,400 square feet of accessory office; and providing an effective date. Located on the northwest corner of S.R. 64 and Kay Road (6.1 acres).

Z-01-13 PHIL STEWART

Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A (General Agricultural, 5 dwelling units per acre) to RSF-1 (Residential Single-Family, 1 dwelling unit per acre) and providing an effective date. Located on the north side of Upper Manatee River Road at 1064 169th Street N.E. (10.1 acres).

IF APPROVED, the applicant may develop with single-family lots at 1 unit per acre. Other residential support uses may be permitted. The current zoning allows for general agricultural uses.

PDMU-01-04(Z)(G) HARRISON RANCH L.L.C., ET. AL.

Approval of: (1) a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A (Agriculture, 1 dwelling unit per 5 acres) to PDMU (Planned Development Mixed Use); and (2) Approval of a General Development Plan to allow:

- A. 1,250 single-family detached units;
- B. 300 single-family attached units;
- C. 38,000 square feet of public use facilities and residential support uses; and providing an effective date.

The project is located on the north side of U.S. 301, approximately 1/3 mile west of Chin Road, and extending northward to Erie Road (940.15 acres).

LDA-01-03 - HARRISON RANCH

Approval of a Local Development Agreement to secure development rights and mitigate transportation and infrastructure (water and sewer) impacts for a mixed use development consisting of:

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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 Planning Commission and entered into the record.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the application, and related documents, and may obtain assistance regarding these matters from the Manatee County Planning Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 749-3070; e-mail to: planning.agenda@co.manatee.fl.us

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

MANATEE COUNTY PLANNING COMMISSION
Manatee County Planning Department
Manatee County, Florida
Published: March 29, 2002

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03 - PETER AND JOLE

Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from RSF-1 (Residential Single Family, one dwelling unit per acre) to GC (General Commercial); and providing an effective date. Located at 8155 US 301 North (± 9.1 acres).

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Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for

the rezoning of certain land from A-1 (Suburban Agriculture, 1 dwelling unit per acre) to RSF-2 (Residential Single-Family, 2 dwelling units per acre); and providing an effective date. Located on the south side of 17th Avenue N.W., approximately 90' east of 89th Street Northwest at 8725 and 8733 17th Avenue N.W. (± 9.67 acres).

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IF APPROVED, the applicant may develop with single-family lots at 3 units per acre. Other residential support uses may be permitted. The current zoning allows for suburban agricultural uses.

PDC-01-07(Z)(P) - HARRY AND BETTY BAKKER

Approval of (1) a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, 1 dwelling unit per acre), RSF-6 (Residential Single-Family, 6 dwelling units per acre), and GC (General Commercial) to PDC (Planned Development Commercial); and (2) Approval of a Preliminary Site Plan to allow an 89.585

COPY OF NEWSPAPER ADVERTISING

square foot mini-warehouse and 2,400 square feet of accessory office; and providing an effective date. Located on the northwest corner of S.R. 64 and Kay Road (± 6.1 acres).

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Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A (General Agricultural, 5 dwelling units per acre) to RSF-1 (Residential Single-Family, 1 dwelling unit per acre) and providing an effective date. Located on the north side of Upper Manatee River Road at 1064 169th Street N.E. (± 10.1 acres).

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- A. 1,250 single-family detached units;
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The project is located on the north side of U.S. 301, approximately 1/3 mile west of Chin Road, and extending northward to Erie Road (± 940.15 acres).

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Approval of a Local Development Agreement to secure development rights and mitigate transportation and infrastructure (water and sewer) impacts for a mixed use development consisting of:

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It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the application, and related documents, and may

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Planning Department
Manatee County, Florida
3/29/01

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

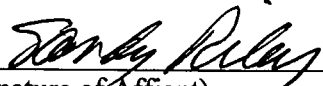
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Published Daily
Bradenton, Manatee, Florida

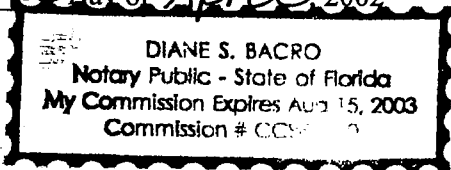
STATE OF FLORIDA
COUNTY OF MANATEE;

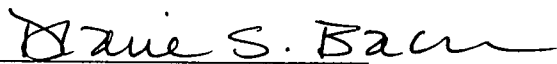
Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter **NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY** in the Court, was published in said newspaper in the issues of 3/29, '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
2nd Day of April, 2002




SEAL & Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

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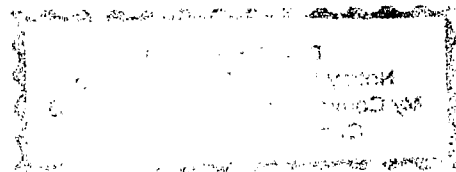
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MANATEE COUNTY PLANNING COMMISSION
Manatee County Planning Department
Manatee County, Florida
3/29/01



SARASOTA HERALD TRIBUNE
PUBLISHED DAILY
SARASOTA, SARASOTA COUNTY, FLORIDA

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

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED MOYA NEVILLE, WHO ON OATH SAYS SHE IS THE 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 ZONING CHANGES

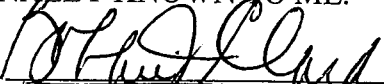
IN THE COURT, WAS PUBLISHED IN MANATEE EDITION OF SAID NEWSPAPER IN THE ISSUES OF:

MARCH 29, 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 29TH DAY OF MARCH A.D., 2002 BY MOYA NEVILLE WHO IS PERSONALLY KNOWN TO ME.

(SEAL) 

OFFICIAL NOTARY SEAL
BOBBIE J CLARK
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC968394
MY COMMISSION EXP. OCT. 11, 2004

NOTARY PUBLIC

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, April 11, 2002, at 9:00 A.M. at the Manatee County Government Administrative Center, 1st Floor Chambers, to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matters:

PDP/PDI-01-03(Z) - CRESCENT MOON ENTERPRISES
Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, 1 dwelling unit per acre) to PDP (Planned Development Public Interest) and PDI (Planned Development Industrial); and providing an effective date. Located at the southeast corner of Buckeye Road and Bud Rhoden Road (239 acres).

Z-01-23 - PETER AND KIM VOLE
Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from RSF-1 (Residential Single Family, one dwelling unit per acre) to GC (General Commercial); and providing an effective date. Located at 8155 US 301 North (.91 acres).
IF APPROVED, General Commercial zoning allows a variety of commercial uses such as retail sales, restaurants, vehicle sales and repair, service stations, miniwarehouses, etc.

Z-01-17 - YNR DEVELOPMENT CORPORATION
Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, 1 dwelling unit per acre) to RSF-2 (Residential Single-Family, 2 dwelling units per acre); and providing an effective date. Located on the south side of 17th Avenue N.W., approximately 90' east of 89th Street Northwest at 8725 and 8733 17th Avenue N.W. (9.87 acres).
IF APPROVED, the applicant may develop with single-family lots at 2 units per acre. Other residential support uses may be permitted. The current zoning allows for suburban agricultural uses.

Z-01-21 - VOGEL REZONE
Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, one dwelling unit per acre) to RSF-3 (Residential Single-Family, three dwelling units per acre); and providing an effective date. Located at 4619 37th Street East, Bradenton (1.54 acres).
IF APPROVED, the applicant may develop with single-family lots at 3 units per acre. Other residential support uses may be permitted. The current zoning allows for suburban agricultural uses.

PDC-01-07(Z)(P) - HARRY AND BETTY BAKKER
Approval of (1) a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A-1 (Suburban Agriculture, 1 dwelling unit per acre), RSF-6 (Residential Single-Family, 6 dwelling units per acre), and GC (General Commercial) to PDC (Planned Development Commercial); and (2) Approval of a Preliminary Site Plan to allow an 89,585 square foot mini-warehouse and 2,400 square feet of accessory office; and providing an effective date. Located on the northwest corner of S.R. 64 and Kay Road (6.1 acres).

Z-01-13 PHIL STEWART
Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A (General Agricultural, 5 dwelling units per acre) to RSF-1 (Residential Single-Family, 1 dwelling unit per acre) and providing an effective date. Located on the north side of Upper Manatee River Road at 1064 169th Street N.E. (10.1 acres).
IF APPROVED, the applicant may develop with single-family lots at 1 unit per acre. Other residential support uses may be permitted. The current zoning allows for general agricultural uses.

**PDMU-01-04(Z)(G) HARRISON RANCH L.L.C.,
ET. AL.**

Approval of: (1) a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A (Agriculture, 1 dwelling unit per 5 acres) to PDMU (Planned Development Mixed Use); and (2) Approval of a General Development Plan to allow:

- A. 1,250 single-family detached units;
- B. 300 single-family attached units;
- C. 38,000 square feet of public use facilities and residential support uses; and providing an effective date.

The project is located on the north side of U.S. 301, approximately 1/3 mile west of Chin Road, and extending northward to Erie Road (940.15 acres).

LDA-01-03 - HARRISON RANCH

Approval of a Local Development Agreement to secure development rights and mitigate transportation and infrastructure (water and sewer) impacts for a mixed use development consisting of:

- 1. 1,250 single-family detached units;
- 2. 300 single-family attached units;
- 3. 38,000 square feet of public use facilities and residential support uses.

The project is located on the north side of U.S. 301, approximately 1/3 mile west of Chin Road, and extending northward to Erie Road. Present Zoning: A (General Agricultural, 1 dwelling unit per acre) (940.15 acres).

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-104(PC). Copies of this Resolution are available for review or purchase at cost, from 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 Planning Commission and entered into the record.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the application, and related documents, and may obtain assistance regarding these matters from the Manatee County Planning Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 749-3070; e-mail to: planning.agenda@co.manatee.fl.us

Americans With Disabilities: The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board'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 Rita Dralus at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

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

MANATEE COUNTY PLANNING COMMISSION
Manatee County Planning Department
Manatee County, Florida
Published: March 29, 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 Leo Mills, Jr.
____, who, after having first been duly sworn and put upon oath, says as follows:

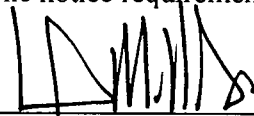
1. That he/she is the Agent for Owner (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for **Z-01-21 - Vogel Rezone**, to be heard before the **Manatee County Planning Commission** at a public hearing to be held on **April 11, 2002** and to be heard before the **Manatee County Board of County Commissioners** at a public hearing to be held on **April 23, 2002** 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 -0- feet from the front property line on the 20th. day of March, 2002.

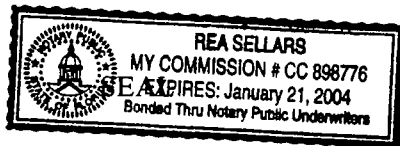
3. That the Affiant has caused the mailing of the required letter of notification to property owners within 500 feet of the project boundary pursuant to Manatee County Ordinance No. 90-01, as amended, by U.S. Mail, on the 22nd day of March, 2002, and attaches hereto, as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice.

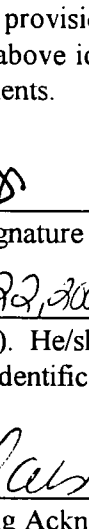
4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01, as it relates to the required public notice, may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.


~~Property Owner~~/Agent Signature Leo Mills, Jr

SIGNED AND SWORN TO before me on March 22, 2002 (date) by Leo Mills, Jr (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 of Person Taking Acknowledgment

Rea Sellars
Type Name

Notary public
Title or Rank

Serial Number, if any

My Commission Expires: 1-21-04

Commission No.: CC 898776

Parcel Owners in 500 Foot Buffer Around a Parcel

Parcel ID	Site Address	Owner	Mailing Address	Mailing Address2	City State Zip
1 1683910002	4500 39TH ST E	MANNING, DANNY ROBERT	P O BOX 243		ONECO FL 34264
2 1683910069	4704 37TH ST E	JOHNSON, DOUGLAS L	4704 37TH STREET EAST		BRADENTON FL 34203
3 1683910077	4706 37TH ST E	FROST, TAMMY	4706 37TH ST E		BRADENTON FL 34203
4 1683910149	4708 37TH ST E	BAKER, GERALD	4708 37TH ST E		BRADENTON FL 34203
5 1683910159	4712 37TH ST E	BROWN, EUGENE C	4607 35TH CT E		BRADENTON FL 34203
6 1683910176	4929 37TH ST E	DIMARE, SCOTT M	6401 GLEN ABBY LN		BRADENTON FL 34202
7 1683910440	4603 37TH ST E	ROOSA, DENISE	4603 37TH ST E		BRADENTON FL 34203 3410
8 1683910465	4611 37TH ST E	WINANS, RILEY E II	4611 37TH ST E		BRADENTON FL 34203
9 1683910473	4619 37TH ST E	VOGEL, FRANK	4619 37TH ST E		BRADENTON FL 34203
10 1683910507	4719 37TH ST E	WOLTZ, SHREVE S	9611 OAK RUN DR		BRADENTON FL 34211 9409
11 1683910519	37TH ST E	MURPHY, LEIGH M	4427 37TH STREET E		BRADENTON FL 34203 3409
12 1683910853	4620 37TH ST E	TOBIAS, THEODORE J SR	4620 37TH ST E		BRADENTON FL 34203
13 1683911752	4520 37TH ST E	KREMER, ALLEN R	2829 COOLIDGE ST NE		ST ANTHONY MN 55418 3216
14 1683911802	4516 37TH ST E	MOSS, JAMES R	4516 37TH ST E		BRADENTON FL 34203
15 1683911851	4514 37TH ST E	MOSS, JAMES R	5705 28TH STREET EAST		BRADENTON FL 34203
16 1683911901	4512 37TH ST E	RIVERA, JOSE A	4512 37TH ST E		BRADENTON FL 34203
17 1683912057	4616 37TH ST E	ANDRADE, JUAN A	4616 37TH ST E		BRADENTON FL 34203
18 1683912107	4618 37TH ST E	PERKINS, ARTHUR W	4618 37TH ST E		BRADENTON FL 34203

Parcel Owners In 500 Foot Buffer Around a Parcel

Parcel ID	Site Address	Owner	Mailing Address	Mailing Address2	City State Zip
19 1698021555	4950 PERIDIA BLVD E	PERIDIA PROPERTY OWNERS	4950 PERIDIA BLVD E		BRADENTON FL 34203