

P.C. 10/10/02

Z-02-04 - KENDAR MARSAC, LLC

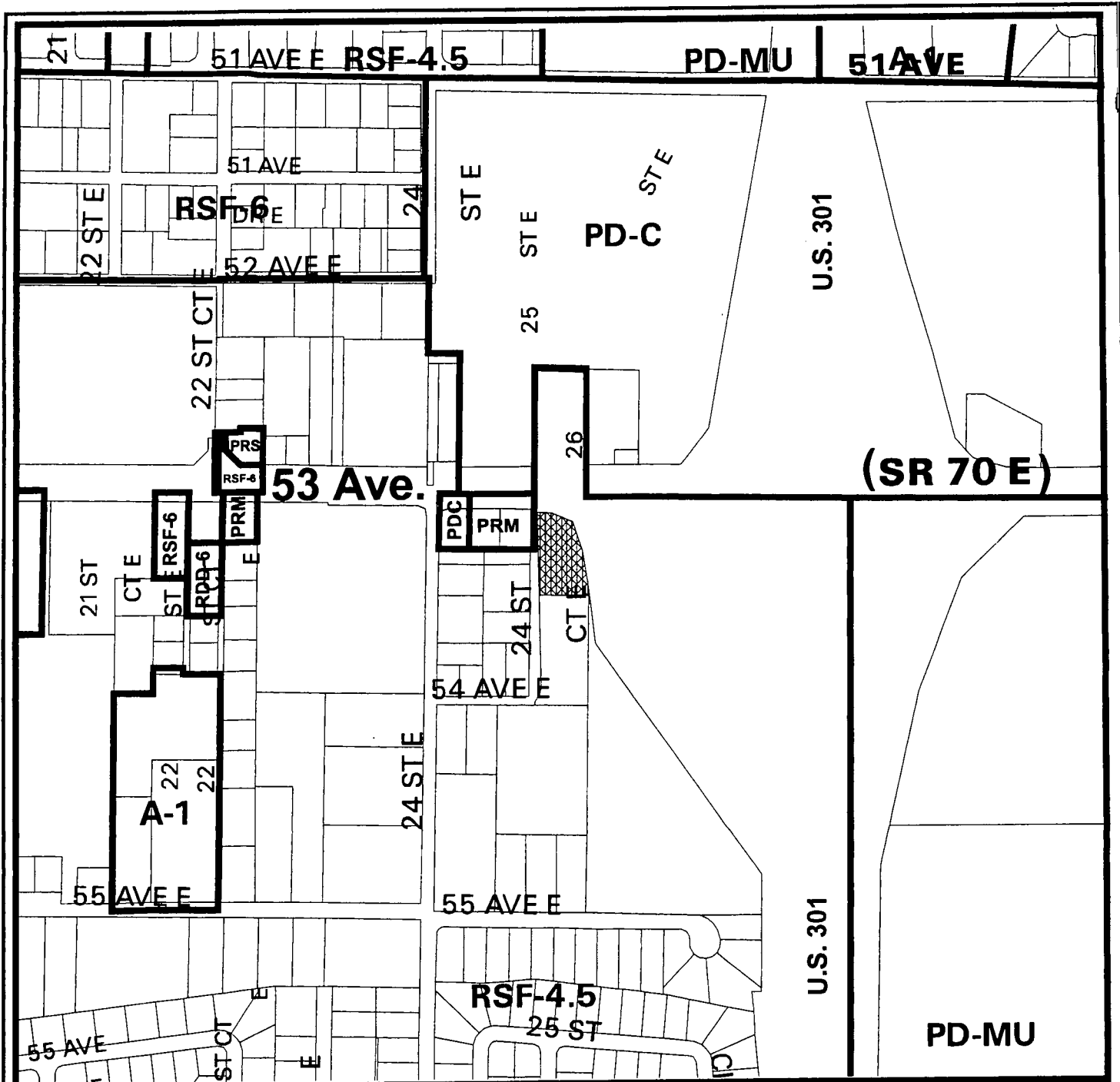
Request: Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre) to PR-M (Professional-Medium); and providing an effective date. Located at 5315 24th Street Court East approximately 600' west of the S.R.70 and U.S.301 intersection at the southeast corner of S.R.70 and 24th Street Court East (± 0.80 Acres).

<u>App Received:</u>	04/09/02	<u>D.R.C.:</u>	04/19/02
<u>P.C.:</u>	10/10/02	<u>B.O.C.C.:</u>	10/22/02

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-02-04, as recommended by staff.

PC20021010DOC006



Project Number: Z-02-04

Tax I.D.: 178250005

Proposed Use: N/A

Proposed Zoning: PRM

Existing Zoning: RSF-4.5

Existing FLUC: RES-9

Flood Zone: X

Floodway: NO

Acresage: 0.80

Drainage Basin: PEARCE DRAIN

Commissioner: Jonathan Bruce

Map Prepared: May 14, 2002

Requested By: KENDAR MARSAC, LLC REZONE

Section: 18 Township: 35 Range: 18



**Manatee County
Zoning
Staff Report Map**

1 inch = 430'

Overlays:

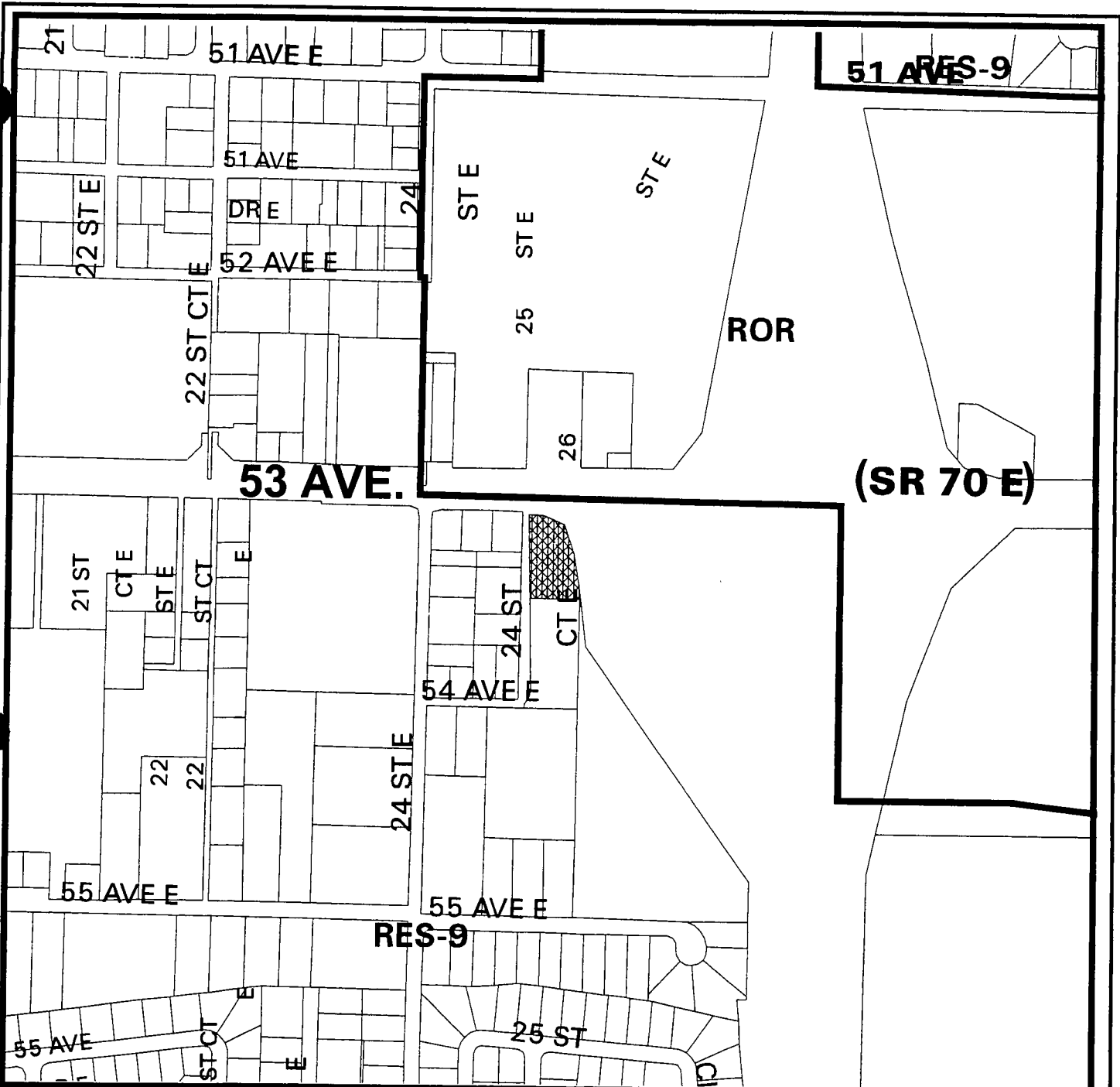
ST, AI, HA, WR, RV: NONE

Watershed: NONE

Coastal Hazard: Not Available



Coastal
High Hazard
Line



Project Number: Z-02-04

Tax I.D.: 178250005

Proposed Use: N/A

Proposed FLUC: N/A

Existing Zoning: RSF-4.5

Existing FLUC: RES-9

Flood Zone: X

Floodway: NO

Acreage: 0.80

Drainage Basin: PEARCE DRAIN

Commissioner: Jonathan Bruce

Map Prepared: May 14, 2002

Requested By: KENDAR MARSAC, LLC REZONE

Section: 18 Township: 35 Range: 18



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

1 inch = 430'

Overlays:

ST, AI, HA, WR, RV: NONE

Watershed: NONE

Coastal Hazard: NO



**Coastal
High Hazard
Line**

CASE SUMMARY

CASE NO.: Z-02-04

APPLICANT: Kendar Marsac, LLC

REQUEST: A rezone from RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre) to PR-M (Professional-Medium).

STAFF RECOMMENDS: APPROVAL with Limited Issues.

REQUEST, LOCATIONAL INFORMATION, AND LAND USE CHARACTERISTICS

- The request is for a rezone from RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre) to PR-M (Professional-Medium).
- To the NORTH, across 53rd Avenue East (S.R.70), is Royal Palm Crossing, a Movie Theater zoned PDC (Planned Development Commercial). Further north across 51st Avenue East is the Oneco Post Office zoned RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre).
- To the SOUTH is vacant land and single-family homes zoned RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre).
- To the WEST are a doctors office zoned PR-M (Professional-Medium), Grove Trucking Services Zoned PDC (Planned Development Commercial), and single-family homes zoned RSF-4.5.
- To the EAST is a retention pond and vacant property owned by the Department of Transportation zoned RSF-4.5. Further east is U.S.301.

SUMMARY: (BHS)

The site is ± 600' west of the southwest corner of 53rd Avenue East (S.R.70) and U.S.301, along the south side of 53rd Avenue East (S.R.70). The applicant requests a rezone from RSF- 4.5 to PR-M. A single-family residence and detached 3 car garage currently exist on-site. The site has road frontage on 53rd Avenue East (S.R. 70), a Principal Arterial Roadway. The site meets commercial locational criteria.

The Future Land Use Category of this site is RES-9 (Residential, 9 dwelling units per acre). Uses potentially allowed within the RES-9 FLUC include residential, small or medium retail, and commercial office uses. PR-M zoning is consistent with the RES-9 FLUC because PR-M is designed to provide for office development on a medium scale to serve residential neighborhoods. The applicant would have the ability to construct up to 8,000 square feet of professional uses based on the allowable floor area ratio for the lot size in question. Realistically, the allowable square footage of the office would be reduced because of required parking, drive aisles, open space and retention areas.

The request is generally compatible with the surrounding development, but there are some compatibility concerns with professional uses adjacent to residential properties. If approved, the rezone will extend the depth of commercial use in this area an additional 150' beyond the existing doctors office and trucking company located to the west and adjacent to this site. There is a residential lot located across from the site on 24th Street Court East which will face the site. Because the site also fronts 24th Street Court East, there is the potential for increased traffic through the neighborhood.

However, professional and residential land uses can exist together. Landscape buffering, 15% open space requirements and building setbacks will help mitigate compatibility concerns between the residential lot to the west and southwest. The nature of professional offices is that they are generally visited during daytime hours when residents are not home which reduces the potential traffic incompatibilities between the residential and office use local streets.

Staff recommends approval with limited issues.

POSITIVE ASPECTS OF THE APPLICATION

- The site has frontage on a Principle Arterial, 53rd Avenue East (S.R. 70).
- The site meets commercial locational criteria.
- The 53rd Avenue East (S.R. 70) corridor has been transitioning from residential uses to commercial and office development, particularly along the portion widened to 6 lanes in 1998.

NEGATIVE ASPECTS OF APPLICATION

- **PR-M zoning allows a variety of uses, with varying impacts to the surrounding area.**
- **Office uses generate more traffic than a single-family residence.**
- **There is a potential for additional traffic within the residential neighborhood.**

MITIGATING FACTORS

- **Development on this .80 acre site will be limited to 8,000 square feet of gross floor area, based on the lot size and .23 Floor Area Ratio.**
- **The nature of professional offices is that they are visited during daytime work hours when nearby residents are generally not home.**

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 Tenny (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 request for PR-M zoning is a logical expansion of existing professional and commercial zoning along 53rd Avenue East (S.R.70). The site is located within a commercial node and may be considered compatible with the development trends along 53rd Avenue East (S.R.70). Staff does have limited compatibility concerns with the proximity and depth of the proposed rezone with the residential development to the west and southwest. To the north, across 53rd Avenue East (S.R.70) is a movie theater. Further west, across 58th Avenue East is the Oneco Post Office. To the west is a doctor's office and Grove Trucking Services. To the east is a retention pond and vacant property owned by FDOT.

New homes are being constructed to the south and up to the rear property line of this site. PR-M zoning is designed to provide office development on a medium scale to serve the needs of neighborhoods. Potential compatibility issues between residential and professional uses are mitigated by buffer and landscaping requirements required by the Land Development Code.

Medium scale office developments are allowed in PR-M zoning and have the potential of increased impacts to the surrounding residential uses. Banking, professional office, clinic, personal service establishment and printing would be permitted uses in the PR-M zoning category. However, these impacts can be adequately mitigated, and staff believes that a PR-M zoning is compatible with the adjacent RSF-4.5 zoning and existing and approved land uses. In addition, it is a logical expansion of office and commercial uses within the 53rd Avenue East (S.R.70) and U.S.301 node.

2. TIMING, TRENDS, CHANGES TO EXISTING CONDITIONS

The timing of this rezone appears appropriate based on recent development trends in this area. The PDC zoning across 53rd Avenue East (S.R.70) was approved in 1999. There is existing PR-M zoning west of the site. The site also meets commercial locational criteria.

Staff believes that the commercial development trends along 53rd Avenue East (S.R.70) will continue and that PR-M zoning is an appropriate category for future development of this site.

3. IMPACTS TO INFRASTRUCTURE

It does not appear that the rezone will conflict with existing or planned public improvements. The rezone request also should not affect traffic patterns or congestion and will not adversely impact population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, or other public facilities and services would be impacted.

All utilities for development of this site appear to be in place. There is an existing 4" water main and a gravity sewer line along 24th Street Court East.

As designated on the Manatee County Right-of-Way Needs Map in this location, 53rd Avenue East (S.R.70) requires a right-of-way of 150 feet (75' half-width right-of-way) and U.S.301 requires a right-of-way of 200 feet(100' half-width right-of-way).

Depending on the proposed impact, additional right-of-way may be required at time of site plan approval. No drainage facilities, structures, parking, or landscaping shall be located within the required right-of-way.

4. GENERAL HEALTH, SAFETY & WELFARE CONCERNS

The proposed change to PR-M will not adversely affect the general health, safety, or welfare of the surrounding neighborhood or the County as a whole.

5. ENVIRONMENTAL & HISTORIC RESOURCE IMPACTS

The proposed change to PR-M will have no impact upon environmental or historic resources. There is a sign on this site erected by the Manatee County Historical Society to identify where the Thompson Grapefruit Grove once stood in 1913 and where an employee found a "biological mutation of pink-fleshed grapefruit growing on a limb of a Marsh seedless yellow-fruit grape fruit tree". Upon contact with the Florida Department of State Division of Historical Resources, there is no state historical significance or designation associated with this site. Upon development of this site, the sign may be relocated within the site.

There are no known or designated archaeological sites.

6. CONSISTENCY WITH LAND DEVELOPMENT CODE AND COMPREHENSIVE PLAN

This site is located in the RES-9 (Residential, 9 dwelling units per acre) FLUC. The proposed rezone must be in strict compliance with the Manatee County Land Development Code and Comprehensive Plan. The following policies were reviewed in preparing this staff report and are important policies to review and consider in evaluating the proposal:

Policy 2.1.2.3 Permit the consideration of new residential development 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: 2.1.2.7 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

Staff finds that this request is consistent with development trends and timing.

Policy: 2.2.1.13 RES-9: Establish the Residential-9 Dwelling Units/Gross Acre future land use category as follows:

Policy: 2.2.1.13.1 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-moderate urban, or clustered 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 urban areas.

Policy: 2.2.1.13.2 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: 2.2.1.13.3 Range of Potential Density/Intensity:

**Maximum gross residential density:
9 dwelling units per acre**

**Maximum net residential density:
16 dwelling units per acre
(Except within the WO and CSVA Overlay Districts pursuant to Policies 2.3.1.5. and 4.3.1.5)**

**Maximum Floor Area Ratio:
0.23 (.35 for mini-warehouse uses)**

Policy: 2.2.1.13.4 Other Information:

- (a) All mixed and multiple-use projects shall require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.
- (b) All projects for which gross residential density exceeds 6 dwelling units per acre, or in which any net residential density exceeds 9 dwelling units per acre shall require special approval.
- (c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.
- (d) Small commercial (professional) office uses not exceeding 3,000 square feet in gross floor area within this category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates, and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).

The Functional Classification Map of the Comprehensive Plan designates 53rd Avenue East (S.R. 70) as a Principal Arterial.

Policy: 2.10.4.1 Limit the location of all new commercial development to well-defined nodes, or compact groupings, to :

- provide a reasonable compromise of predictable, yet flexible, commercial locations for all residents and business interests in Manatee County.
- increase safety and maintain the vehicular capacity of public roads by discouraging linear "strip" commercial development and the multiple access points which are likely to accompany such linear commercial development.
- facilitate compliance with the commercial project access criteria contained in Objective 2.10.3.

- **maximize the accessibility and viability of commercial development by using location and grouping to maximize the number of trips to the commercial site.**
- **establish conveniently located commercial uses for residents of Manatee County.**

The intersection of 53rd Avenue East (S.R.70) and U.S.301 is a developing commercial node. Commercial development continues along 53rd Avenue East (S.R.70), stretching on both sides of U.S.301 and 53rd Avenue East (S.R.70).

ATTACHMENTS:

1. Development Review Committee Comments
2. Zoning Disclosure Affidavit.
3. Copy of Newspaper Advertising

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

DATE: MAY 6, 2002

PROJECT NAME: KENDAR MARSAC, LLC REZONE
Z-02-04
REZONE FROM RSF-4.5 TO PR-M

ADDRESS: 5315 24TH ST CT E, SCT

PLANNER: BARNEY SALMON (x)6902
TRANSPORTATION
ENGINEER: 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](FYI: THE ENGINEER ON THIS CASE IS MIKE HARRISON)

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, U.S. 301 (between Whitfield Avenue and SR 70) is deficient and is operating below the adopted level of service "C".

At this time, SR 70 (between 301 Blvd and US 301) 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 SR 70, the generalized tables reflect a pm peak hour base/existing count of 2594 trips with 1190 trips currently reserved. To maintain the required Level of Service Standard of "D", the total existing and reserved trips cannot exceed 4890 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 Acknowledgement 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.**

As designated on the Manatee County Right-of-Way Needs Map in this location, SR 70 requires a right-of-way of 150 feet (75' half-width right-of-way).

As designated on the Manatee County Right-of-Way Needs Map in this location, US 301 requires a right-of-way of 200 feet (100' half-width right-of-way).

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

As this is a state road (SR 70 and US 301), applicant is advised that additional right-of-way **may** be required for future roadway improvements. Please contact the Land Acquisition Division of Florida Department of Transportation at (800) 292-3368 for additional information.

- 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

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-02-04
Public Works and Transportation Concurrency Group
(Linda Petersen, Wayne Roberts, Sia Mollanazar)



MEMORANDUM

DATE: May 13, 2002

TO: Barney Salmon, Planner
Planning Department

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

SUBJECT: Development Review Comments
Kendar Marsac, LLC Rezone Z-02-04

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

- This proposal is a request to rezone 0.80 acres from RSF-4.5 to PR-M.
- 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 all development proposals are 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.
- Additional comments will be provided upon review of subsequent site plan submittals.

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

WCO:hs

DRC REVIEW COMMENTS

DATE: April 19, 2002

PROJECT NAME: KENDAR MARSAC, LLC REZONE

PLANNING NUMBER: Z-02-04

PLANNER: Salmon REVIEW ENGINEER: Harrison

COMMENTS:

Distribution

No comment at this time.

Petersen

Gravity sewer is available on 24th St. Ct. E. There is a 1-1/2" water service for this property on S.R. 70 that connects to an 8" water main on the south side of S.R. 70 and a 4" water main on 24th St. Ct. E.

Earlhey / Andruzzi

No comments at this time.

Lilly

No comment.

Archer

No water or sewer shown.

Barney

MANATEE COUNTY HEALTH DEPT.
410 6th Ave. E., Bradenton, FL. 34208
ENVIRONMENTAL HEALTH SERVICES DEVELOPMENT REVIEW COMMENTS

DATE 4-24-02

PROJECT NO: Z-02-04

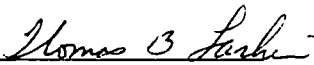
PROJECT NAME: Kendar Marsac, LLC Rezone

- ___ 1. County Water - County Sewer.
- ___ 2. Permit for Water Distribution System is required prior to start of construction.
- ___ 3. Permit for Water Treatment Plant is required prior to start of construction.
- ___ 4. County Water - Private Package Sewage Treatment Plant.
- ___ 5. County Water - Septic Tank.
- ___ 6. Private Well - Septic Tank.
- ___ 7. On-Site Sewage disposal system of adequate size currently being utilized.
- ___ 8. Abandoned septic tanks shall be pumped out, bottoms ruptured, and filled with clean sand or other suitable material (permit required from Manatee County Health Dept. unless permitted by County Public Works).
- ___ 9. Size, type and location of septic system shall be based on site survey, soil log and plan review conducted by this department or a Florida Registered Engineer.
- ___ 10. 75 feet separation between private potable well and septic system.
- ___ 11. 100 feet separation required between limited use public potable well and the septic system.
- ___ 12. 200 feet separation required between public potable well and the septic system.
- ___ 13. Any existing wells to be located, the casing extended above existing grade, marked and capped for future use.
- ___ 14. When lake water is utilized for landscape irrigation, a separate color-coded irrigation system shall be installed & written information stating that "the water is not for human consumption" shall be provided to the residents.
- ___ 15. All wells in the area to be developed/excavated shall be identified by the engineer of record and plugged with neat cement from bottom to top by a Florida Licensed Well Driller prior to development or excavation.
- ___ 16. All requirements of Chapter 64E-11 shall be met prior to approval/licensure as a public food service establishment.
- ___ 17. Any food service, e.g., coffee sales, requires installation of a three-compartment sink and separate hand washing sink.

- ___ 18. Adequate sanitary facilities shall be provided on a business per business basis.
- ___ 19. Adequate sanitary facilities shall be/have been provided for employees/patrons
- ___ 20. Any food service facility for the consumption of food on the premises shall have a urinal in the men's room, in addition to the toilet and hand washing sink.
- ___ 21. Adequate sanitary facilities, e.g., portable toilets, shall be provided for employees.
- ___ 22. Inspection and approval is required from Dept. of Agriculture and Consumer Services, Bureau of Food & Meat Inspection, Lab Complex M-A, 3125 Conner Blvd., Tallahassee, Fl. 32399-1650, Ph: 904-488-3951 or 1-800-435-7352.
- ___ 23. Inspection and approval is required from Dept. of Business & Professional Regulations, Restaurant Program, 4100 Center Pointe Dr., Suite 107, Ft. Myers, Fl. 33916, Ph: 813-278-7355 or 1-800-226-7359.
- ___ 24. A properly sized grease interceptor of not less than 750 gallon capacity shall be located external to the structure.
- ___ 25. Dumpster unit shall be located on a curbed and elevated concrete pad, sloped to a drain, equipped with a grit interceptor with a removable bucket, connected to sanitary sewer, and equipped with a hose bibb on site.
- ___ 26. Industrial wastes are to be handled in accordance with all Federal, State, and Local Regulations.
- ___ 27. A grease-grit interceptor shall be provided.
- ___ 28. Waste water from car wash shall be handled as specified by Manatee County Environmental Management Department.
- ___ 29. Fuel tanks shall be registered with the Department of Environmental Protection and comply with Chapters 17-761 and 17-762, F.A.C.
- ___ 30. To facilitate handling and maintenance, dumpster shall be placed on concrete pads, the locations to be reviewed by Manatee County Public Works Dept.
- ___ 31. Disposal of biohazardous/biomedical waste shall be in accordance with Chapter 64E-16. Permits are required for each generator in the facility.
- ___ 32. Florida Administrative Code requires adequate sanitary facilities be provided in recreational areas.
- ___ 33. Swimming pools shall meet the standards in Chapter 64E-9.
- ___ 34. All requirements of Chapter 65C-22, F.A.C., shall be met prior to licensure as a Day Care Center.

- ___ 35. Inspection and approval required from Health Care Administration, 7827 N. Dale Mabry, Tampa, Fl., prior to licensure, (e.g., nursing homes, ACLF's) 813-975-4255.
- ___ 36. Inspection and approval required from Department of Children & Families, 465 Cortez Rd. West, Bradenton, FL. 34207, Phone number 941-727-6520.
- ___ 37. Aircraft hangers: There will be no mechanical work performed at the location, nor retail sales.
- ___ 38. A hair strainer shall be provided in the sink.
- ___ 39. Water, sewer, and sanitary facilities are not required in electronic switching stations with no permanent or part-time employees.
- ___ 40. Rezone: This _____ acres to be rezoned to _____. Future use of the property shall conform to all aspects of the Florida Administrative Code with respect to sanitary sewage disposal and water supply.
- XX 41. Additional Comments: _____ No comment at this time.

Signed:


Thomas B. Larkin
Environmental Specialist II

(DRC)

ZONING DISCLOSURE AFFIDAVIT

File Number 2-02-04

File Name Kandawmusaac, LLC Rezone

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 ()

Dan Sack

50% General Partner

Darrell Reha

50% General Partner

441 Cortez Rd W Bradenton FL 34207

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

Notarization Needed

Signature: Darrell Reha

(Applicant): Dan Sack

STATE OF FLORIDA
COUNTY OF Manatee

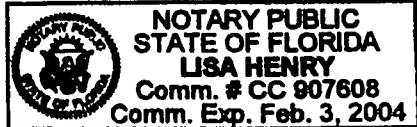
The foregoing instrument was sworn to (or affirmed) and subscribed before me this 4th day of April, 2002, by Darrell Reha, who is personally known to me or who has produced _____ as identification.

(type of identification)

[Signature]
Notary Signature

My Commission Expires: _____

Commission No.: _____



Print or type name of Notary

Title or Rank

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, October 10, 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:

Z-02-04 - KENDAR MARSAC, LLC

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-4.5 (Residential Single-Family, 4.5 dwelling units per acre) to PR-M (Professional-Medium); and providing an effective date. Located at 5315 24th Street Court East approximately 600' west of the S.R.70 and U.S.301 intersection at the southeast corner of S.R.70 and 24th Street Court East (± .80 Acres).

IF APPROVED, the PR-M (Professional-Medium) zoning district permits uses such as banks, professional offices, parking lots, clinics, small printing establishments, and family care homes.

PDR-01-23(Z)(P) - BOWEN/NORTHWOOD PARK

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Planning Department
Manatee County, Florida
9/27/02

COPY OF NEWSPAPER ADVERTISING

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, October 10, 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:

Z-02-04 - KENDAR MARSAC, LLC

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-4.5 (Residential Single-Family, 4.5 dwelling units per acre) to PR-M (Professional-Medium); and providing an effective date. Located at 5315 24th Street Court East approximately 600' west of the S.R.70 and U.S.301 intersection at the southeast corner of S.R.70 and 24th Street Court East (± .80 Acres).

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Planning Department
Manatee County, Florida
Published: September 27, 2002

BRADENTON HERALD

affidavit _____ bill _____

SARASOTA HERALD-TRIBUNE

affidavit _____ bill _____

BRADENTON HERALD

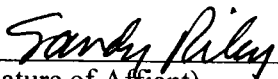
www.bradenton.com
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/748-0411 ext. 7065

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE;

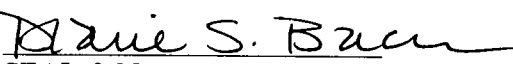
Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY** in the Court, was published in said newspaper in the issues of, **9/27,'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
30th Day of September, 2002

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


SEAL & Notary Public

Personally Known OR Produced Identification _____
Type of Identification Produced _____

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Planning Department
Manatee County, Florida
9/27/02

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

ATTN: KIM SPARKS
MANATEE COUNTY GOVERNMENT
1112 MANATEE AVE. W. FL. 4
BRADENTON, FL 34230-1719

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 Zoning Changes

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

September 27, 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 27TH DAY OF
SEPTEMBER A.D., 2002 BY MOYA NEVILLE WHO IS PERSONALLY
KNOWN TO ME.

(SEAL)

NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NUMBER
MY COMMISSION EXPIRES NOV 2002

Moya Neville
NOTARY PUBLIC

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Planning Department
Manatee County, Florida
Published: September 27, 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 Dan Sack who, after having first been duly sworn and put upon oath, says as follows:

1. That he/she is the Owner/Contractor (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Z-02-04 - Kendar Marsac, LLC, to be heard before the Manatee County Planning Commission at a public hearing to be held on October 10, 2002 and to be heard before the Manatee County Board of County Commissioners at a public hearing to be held on October 22, 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 10 feet from the front property line on the 19th day of SEPT, 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 23rd day of Sept, 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.

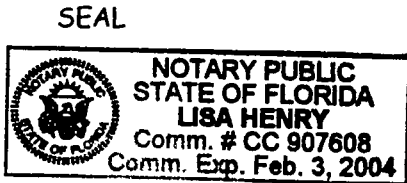
4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01, as it relates to the required public notice, may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.

[Signature]
Property Owner/Agent Signature

SIGNED AND SWORN TO before me on 9/23/02 (date) by Daniel V. Sack (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



Type Name

Title or Rank

Serial Number, if any

My Commission Expires:

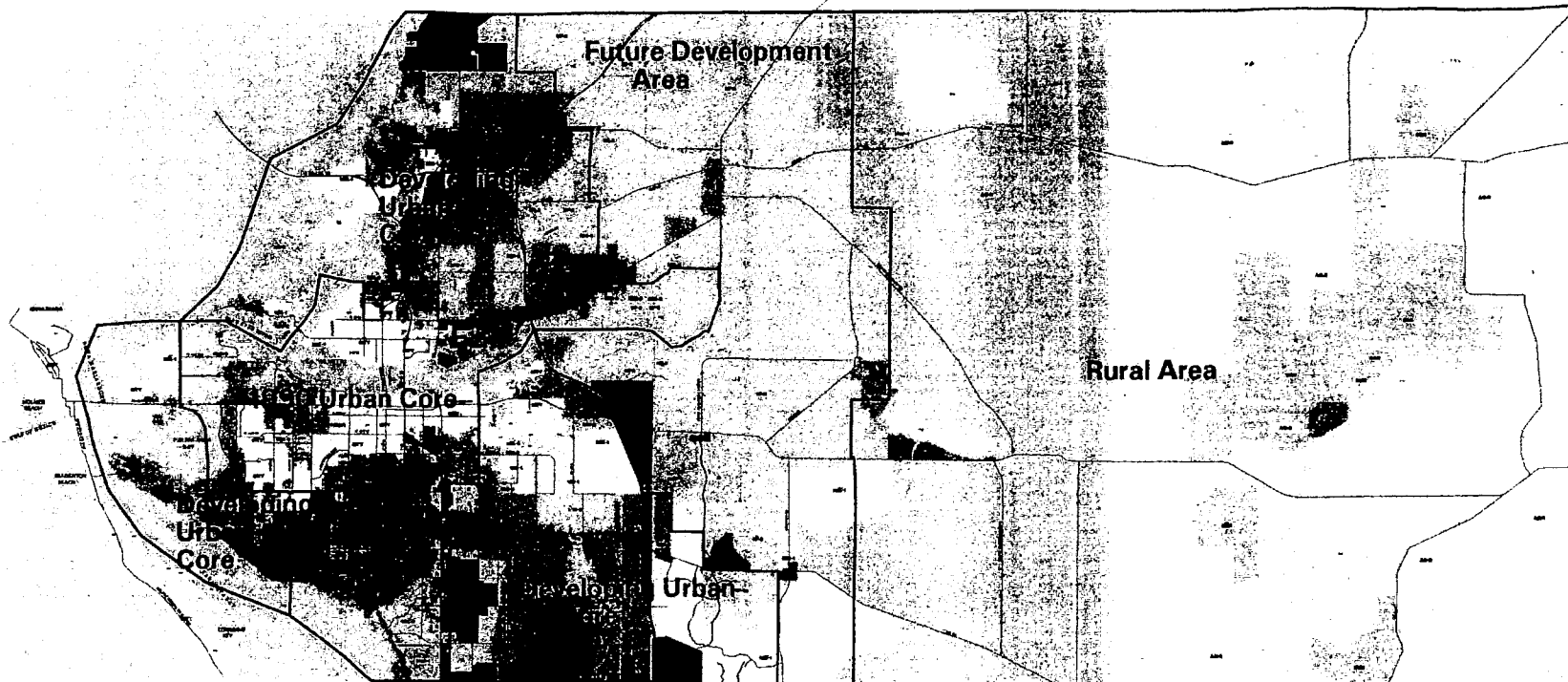
Commission No.:

Parcel Owners In 500 Foot Buffer Around a Parcel

Parcel ID	Site Address	Owner	Mailing Address	Mailing Address2	City State Zip
1 1680000005	2323 53RD AVE E	UNITED STATES POSTAL SERVICE	4000 DEKALB TECHNOLOGY PWY	BUILDING 300 SUITE	ATLANTA GA 30340 2799
2 1682200109	RIGHT OF WAY	UNITED STATES POSTAL SERVICE	4000 DEKALB TECHNOLOGY PKWY	BLDG 300-SUITE 300	ATLANTA GA 30340 2799
3 1682200159	RIGHT OF WAY	MANATEE COUNTY	P O BOX 1000		BRADENTON FL 34206 1000
4 1682600000	2507 53RD AVE E	ANTHONY PROPERTIES MANAGEMENT INC	12770 COIT RD SUITE 1170		DALLAS TX 75251
5 1682610009	2509 53RD AVE E	ANTHONY PROPERTIES MANAGEMENT INC	12770 COIT RD SUITE 1170		DALLAS TX 75251
6 1682700008	5125 26TH ST E	AP BRADENTON LIMITED	12770 COIT ROAD SUITE 1170		DALLAS TX 75251
7 1782300006	2515 55TH AVE E	STEFFENS, JAMES THOMAS	2515 55TH AVENUE E		BRADENTON FL 34203
8 1782900003	2404 53RD AVE E	GEORGI, JOHN M	146 SOUTH WASHINGTON DR		SARASOTA FL 34236
9 1783000001	2408 53RD AVE E	HOLDER, RUBY M	2408 53RD AVE E		BRADENTON FL 34203
10 1783100009	2416 53RD AVE E	FOX, WENDELL	2415 55TH AVE E		BRADENTON FL 34203
11 1783200007	5312 24TH ST CT E	METZ, MICHAEL C	5312 24TH STREET CT E		BRADENTON FL 34203
12 1783300005	5311 24TH ST E	TROYER, JOAN S	7003 32ND AVE E		BRADENTON FL 34208
13 1783400003	5319 24TH ST E	ENGEL, RONALD J	5319 24TH ST E		BRADENTON FL 34203
14 1783500000	5320 24TH ST CT E	ROYAL, MARJORIE H	BOX 445		ONECO FL 34264 0445
15 1783600008	5323 24TH ST E	MILLER, CARL F	5323 24TH ST E		BRADENTON FL 34203
16 1783700006	5328 24TH ST CT E	ROYAL, MARJORIE H	P O BOX 445		ONECO FL 34264
17 1783800053	5331 24TH ST E	BEAUPLAN, YVONNE V	5331 24TH ST E		BRADENTON FL 34203
18 1783800103	2403 54TH AVE E	MUSCOTT, JAMES ROBERT	2403 54TH AVE 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 1783800152	2407 54TH AVE E	BAKER, LISA	2407 54TH AVE E		BRADENTON FL 34203
20 1783900002	2415 54TH AVE E	QUEEN, VIRGINIA E	P O BOX 1887		ONECO FL 34264 1887
21 1784000000	5340 24TH ST CT E	BETTIKER, ROBERT C	5340 24TH STREET CT E		BRADENTON FL 34203
22 1784100008	5411 24TH ST E	MCGRATH, JOANNE B	5411 24TH ST E		BRADENTON FL 34203
23 1784100057	2408 54TH AVE E	COLLINS, DANIEL DAYTON JR	1395 BLACK WILLOW RAIL		ALTAMONTE SPRINGS FL 32714 1159
24 1784300004	2412 54TH AVE E	COLLINS, EDWIN H	P O BOX 1205		ONECO FL 34264 1205
25 1784700059	2250 53RD AVE E	SALVATION ARMY THE	P O BOX 1179		BRADENTON FL 34206
26 1785100007	5404 24TH ST E	ROMINE, ED	5404 24TH ST E		BRADENTON FL 34203



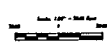
Residential Distribution and Future Land Use

Legend

Future Land Use

CON	RES-9	IU	CITY
AG-R	RES-16	MU	
RES-1	OL	P/SP-1	
UF-3	ROR	P/SP-2	
RES-3	IL	AT	
RES-6	IM	R-OS	

Manatee County, FL



Source:
The data depicted in this map were provided by agencies outside of the Land Use Division.

This map was developed using the Manatee County Land Information System. It is provided for general reference, to assist in planning, and to aid in the understanding of our geographic information system. The information contained herein is derived from various sources of varying quality and accuracy. Errors may occur and are not intended to be corrected. The Manatee County Land Information System and the Manatee County Geographic Information System are not intended to be used for any purpose other than general reference.


Z-02-04 KENDAR MARSAC, LLC REZONE

Manatee County, FL
Legend

 Subject Property

Future Land Use

- CON
- AG-R
- RES-1
- UF-3
- RES-3
- RES-6
- RES-9
- RES-16
- OL
- ROR
- IL
- IH
- IU
- MU
- P/SP-1
- P/SP-2
- AT
- R-OS
- CITY

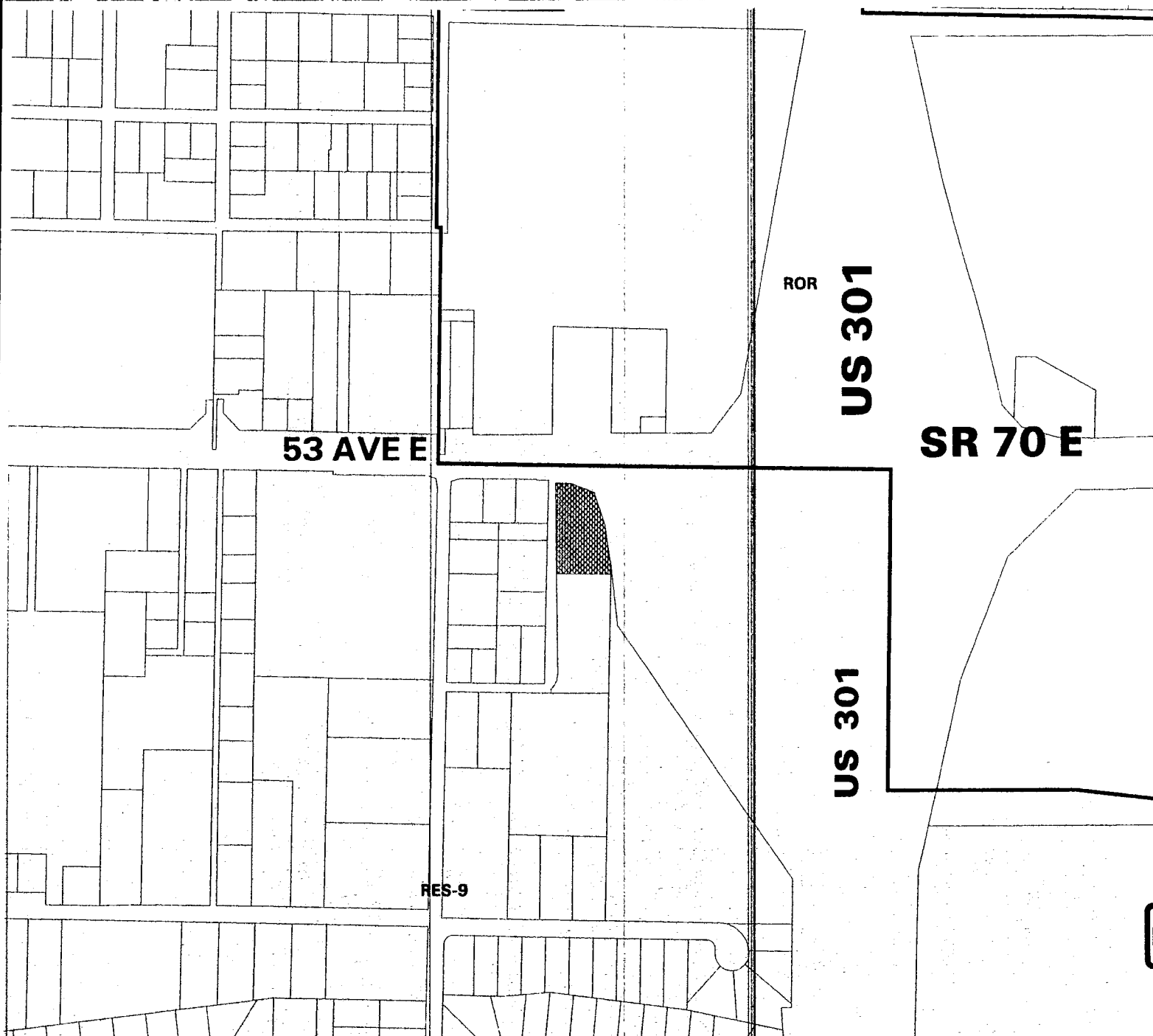
 Coastal Hazard Line

1 inch = 200

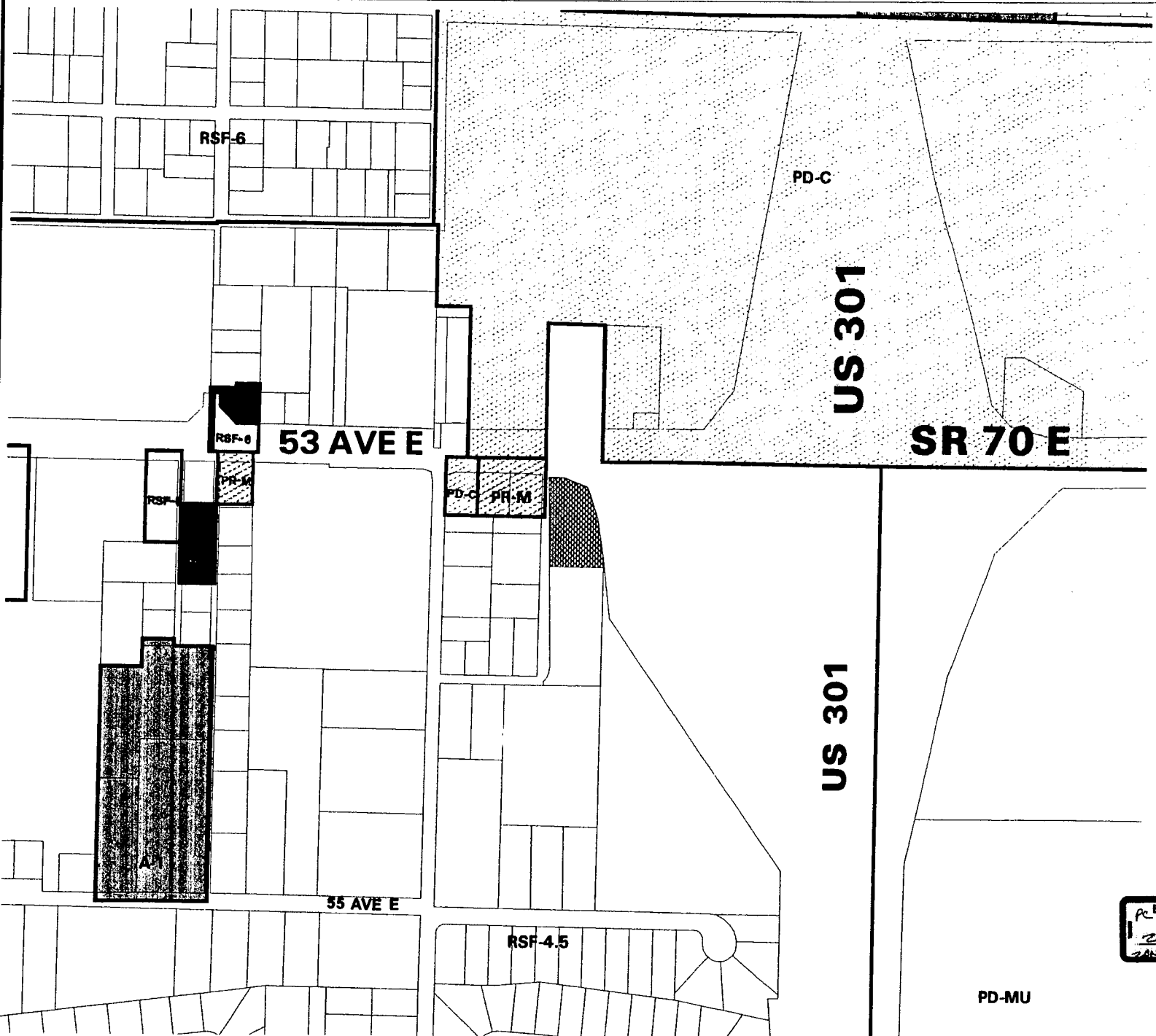
EXHIBIT 3
P.C. KENDAR
202-04
PLS 10/10/00



Figure 11
Plan as shown subject to the Florida Department of
Water Resources and Manatee County's Local Government
Scale: 1" = 200' (for actual distances)
As of 10/10/00











































Z-02-04 KENDAR MARSAC, LLC REZONE



Manatee County, FL Legend

 Subject Property

Zoning

- | | |
|--|---|
|  A |  PD-PI |
|  A-1 |  PD-W |
|  CON |  PD-PM |
|  VIL |  PD-O |
|  RSF-1 |  PD-GC |
|  RSF-2 |  PD-C |
|  RSF-3 |  PD-MU |
|  RSF-4.5 |  PD-I |
|  RSF-6 |  PD-UI |
|  RSMH-4.5 |  NC-S |
|  RSMH-6 |  NC-M |
|  RMF-6 |  PR-S |
|  RMF-9 |  PR-M |
|  RDD-3 |  GC |
|  RDD-4.5 |  HC |
|  RDD-6 |  LM |
|  CRV |  HM |
|  PD-A |  EX |
|  PD-RV |  CITY |
|  PD-R | |
|  PD-MH | |

--- Coastal Hazard Line

1 Inch = 200

PC EXHIBIT 65
Kendrar Marsac
Z-02-04
APR 17/19



PD-MU

Prepared by:
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System. It is provided for general reference, is
subject to change, and is not warranted in any way.

