

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION CENTER, HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
October 3, 2024**

Meeting video link: <https://www.youtube.com/channel/UCULgjuGhS-qV966RU2Z7AtA>

Present were:

Amanda Ballard, First Vice-Chairman, District 2  
Ray Turner, Second Vice-Chairman, District 5  
Jason Bearden, District 6  
George Kruse, District 7  
Kevin Van Ostenbridge, District 3 (entered during meeting)

Absent was:

Mike Rahn, Chairman, District 4

District 1 seat is vacant.

Also present were:

Nicole Knapp, Director Development Services  
Rachel Layton, Division Manager and Impact Fee Administrator  
Sarah Schenk, Chief Assistant County Attorney  
Vicki Tessmer, Deputy Clerk, Board Records Supervisor, Clerk of the Circuit Court

First Vice-Chairman Ballard called the meeting to order at 9:00 a.m.

All witnesses and staff giving testimony were duly sworn.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The Invocation was delivered by Pastor Todd Poppell, First Baptist Church of Palmetto, followed by the Pledge of Allegiance led by Commissioner Bearden.

**AGENDA**

Agenda Update Memorandum (10/2/24)

BC20241003DOC001

BC20241003DOC002

- Item 2 - Adoption of Resolution R-24-189, approving/executing a Grant Agreement with the National Oceanic and Atmospheric Administration (NOAA) – Resolution and Restriction of Covenants attached
- Item 13 - Resolution R-24-197 Waived Tipping Fee – Add on item to agenda and Resolution attached.
- Item 5 - ZL-23-33 – EJ-Manatee, LLC Rezone/EJ-Manatee LLC (Owner) - Ordinance attached.
- Item 9 - PA-23-13/Ordinance 24-09 Bradenton Crossings Small Scale Comprehensive Plan Map Amendment – Revised motion to continue to November 7, 2024 at 9:00 a.m. or as soon thereafter as same may be heard.
- Item 10 - PDMU-23-27(Z)(G)/Bradenton Crossings Rezone/Sage Development LLC/JACK 95, LLC, ROSY 95 LLC, PETER 74 OAK LLC, TCG LLC- SCHOOLOFHARDKNOCKS LLC (Owners) - Revised motion to continue to November 7, 2024 at 9:00 a.m. or as soon thereafter as same may be heard.
- Item 11 - LDCT-24-06/Ordinance 24-75 County-Initiated Land Development Code Text Amendment Fences and Walls – Added motions for action and Revised staff report and Ordinance attached.
- Item 12 - LDCT-24-06/Ordinance 24-75 County Initiated Land Development Code Text Amendment Fences and Walls - Deleted Item to request 2nd hearing prior to 5:00 pm as this is not needed.

BC20241003DOC003

CITIZEN COMMENTS: (Future Agenda Items)

There being no citizen comment, First Vice-Chairman Ballard closed citizen comment.

CONSENT AGENDA

A motion was made by Commissioner Turner, seconded by Commissioner Kruse, and carried 4-0 with Chairman Rahn and Commissioner Van Ostenbridge absent.

It was noted the tipping fees for a private dumpster are not covered by the tipping fee waiver (Item 13).

1. DEVELOPMENT SERVICES/FINAL PLAT/STONEGATE PRESERVE, PHASE IIA

- Executed and authorized recording of Final Subdivision Plat;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Public Improvements Stonegate Preserve Phase IIA;
- Authorized the County Administrator to accept and execute Letter of Credit for Performance of Required Improvements, Stonegate Preserve Phase IIA, Letter of Credit FGAC-24439, \$2,572,047.34;
- Authorized the County Administrator to accept and execute Letter of Credit for Performance of Required Improvements, Stonegate Preserve Phase IIA, Letter of Credit FGAC-24440, \$131,935.38;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Private Improvements Stonegate Preserve Phase IIA; and
- Authorized the County Administrator to accept and execute Letter of Credit for Performance of Required Improvements, Stonegate Preserve Phase IIA, Letter of Credit FGAC-24660, \$65,681.20

BC20241003DOC004

2. PROPERTY MANAGEMENT/RESOLUTION

- Adopted Resolution R-24-189, approving/executing a Grant Agreement with the National Oceanic and Atmospheric Administration (NOAA) for an awarded grant proposal in the amount of \$5,000,000; and
- Authorized the Chairman, the County Administrator, Deputy County Administrator, the Natural Resources Department Director or their designee, and the Senior Grants Manager to execute all necessary documents related to the grant acceptance and all relevant documents required for grant administration, which includes the signing of the Resolution to accept the award and the signing of the Grant Agreement

BC20241003DOC005

13. UTILITIES/RESOLUTION

Adopted Resolution R-24-197 Waiver of Tipping Fees for Manatee County Residents during State of Local Emergency

BC20241003DOC006

(End Consent Agenda)

(Enter Commissioner Van Ostenbridge)

PUBLIC HEARINGS (Presentations upon Request)

3. DEVELOPMENT SERVICES/ORDINANCE

A duly advertised public hearing was opened to consider adoption of proposed Ordinance PA-23-21 / Ordinance 24-36 Penler CPA – Small-Scale Comprehensive Plan Map and Text Amendment - To be continued to October 17, 2024.

There were no ex-parte communications.

There being no public comment, First Vice-Chairman Ballard closed public comment.

Commissioner Kruse moved to continue the public hearing for PA-23-21/Ordinance 24-36 to October 17, 2024, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administration Building, 1112 Manatee Avenue West, 1st Floor, Patricia M. Glass Chambers. The motion was seconded by Commissioner Van Ostenbridge and carried 5-0, with Chairman Rahn absent. BC20241003DOC007

4. **DEVELOPMENT SERVICES/ORDINANCE**

A duly advertised public hearing was opened to consider adoption of proposed Ordinance PDMU-23-49(Z)(G)/Penler Rezone/William Curtis Langford and Roberta Lee Lagford, and Sher-Rock-Rand Ranch (Owners)/Brian Metzler (Contract Purchaser). To be continued to October 17, 2024.

There were no ex-parte communications.

There being no public comment, First Vice-Chairman Ballard closed public comment.

Commissioner Kruse moved to continue the public hearing for PDMU-23-49(Z)(G)6 to October 17, 2024, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administration Building, 1112 Manatee Avenue West, 1st Floor, Patricia M. Glass Chambers. The motion was seconded by Commissioner Van Ostenbridge and carried 5-0, with Chairman Rahn absent. BC20241003DOC008

5. **DEVELOPMENT SERVICES/ORDINANCE**

A duly advertised public hearing was held to consider adoption of proposed Ordinance ZL-23-33/EJ-Manatee, LLC Rezone/EJ-Manatee LLC (Owner). The Planning Commission recommended approval.



There were no ex-parte communications.

There being no public comment, First Vice-Chairman Ballard closed public comment.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission and finding the request to be consistent with the Manatee County Comprehensive Plan and in compliance with the applicable review standards of the Land Development Code, Commissioner Turner moved to adopt Manatee County Zoning Ordinance ZL-23-33 with Stipulation A.1, as recommended by the Planning Commission. The motion was seconded by Commissioner Kruse and carried 5-0, with Chairman Rahn absent. BC20241003DOC009

6. **DEVELOPMENT SERVICES/ORDINANCE**

A duly advertised public hearing was held to consider adoption of proposed Ordinance PA-23-25/Ordinance 24-34 Skyway Trailers Privately-Initiated Small-Scale Comprehensive Plan Map Amendment. The Planning Commission recommended approval.

and

7. **DEVELOPMENT SERVICES/ORDINANCE**

A duly advertised public hearing was held to consider adoption of proposed Ordinance Z-23-31/Skyway Trailers Rezone/Skyway Trailers, LLC (Owner). The Planning Commission recommended approval.

There were no ex-parte communications.

There being no public comment, First Vice-Chairman Ballard closed public comment.

Ordinance 24-34

Based upon the staff report, evidence presented, and finding the request to be consistent with the Manatee County Comprehensive Plan and the applicable portions of Chapter 163, Part II, Florida Statutes, Commissioner Turner moved to adopt Plan Amendment PA-23-25/Ordinance 24-34, as recommended by the Planning Commission. The motion was seconded by Commissioner Kruse and carried 5-0, with Chairman Rahn absent.

BC20241003DOC010

Z-23-31

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission and finding the request to be consistent with the Manatee County Comprehensive Plan and in compliance with the applicable review standards in the Manatee County Land Development Code, Commissioner Turner move to adopt Manatee County Zoning Ordinance Z-23-31, subject to the Comprehensive Plan Amendment PA-23-25/Ordinance 24-34 being adopted by the Board of County Commissioners and becoming effective, as recommended by the Planning Commission. The motion was seconded by Commissioner Kruse and carried 5-0, with Chairman Rahn absent.

BC20241003DOC011

8. **DEVELOPMENT SERVICES/ORDINANCE**

A duly advertised public hearing was held to consider adoption of proposed Ordinance PDC-24-02(Z)(G)/SR 70/Uihein Road Commercial/SMR Northeast LLC (Owner). The Planning Commission recommended approval.

There were no ex-parte communications.

There being no public comment, First Vice-Chairman Ballard closed public comment.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission and finding the request to be consistent with the Manatee County Comprehensive Plan and in compliance with the applicable review standards in the Manatee County Land Development Code, as stipulated herein, Commissioner Van Ostenbridge move to adopt Manatee County Zoning Ordinance PDC-24-02(Z)(G); and approve of a General Development Plan with Stipulations A.1 – A.4, B.1 – B.4, C.1 – C.2, and D.1 – D.4, as recommended by the Planning Commission. The motion was seconded by Commissioner Kruse and carried 5-0, with Chairman Rahn absent.

BC20241003DOC012

**PUBLIC HEARINGS** (Presentations Scheduled)

9. **DEVELOPMENT SERVICES/ORDINANCE**

A duly advertised public hearing was held to consider adoption of proposed Ordinance PA-23-13 / Ordinance 24-09 Bradenton Crossings Small Scale Comprehensive Plan Map Amendment. The Planning Commission recommended approval.

and


10. **DEVELOPMENT SERVICES/ORDINANCE**

A duly advertised public hearing was opened to consider adoption of proposed Ordinance PDMU-23-27(Z)(G) – Bradenton Crossings Rezone/Sage Development LLC, JACK 95 LLC, ROSY 95 LLC, PETER 74 OAK LLC, TCG LLC, SCHOOLOFHARDKNOCKS LLC (Owners). The Planning Commission recommended approval.

There were no ex-parte communications.

There being no public comment, First Vice-Chairman Ballard closed public comment.

Ordinance 24-09

 Commissioner Van Ostenbridge moved to continue the public hearing for Ordinance 24-09 to November 7, 2024, at 9:00 a.m., or as soon thereafter as same may be heard at the

Manatee County Government Administration Building, 1112 Manatee Avenue West, 1st Floor, Patricia M. Glass Chambers. The motion was seconded by Commissioner Turner and carried 5-0, with Chairman Rahn absent.

BC20241003DOC013

Ordinance PDMU-23-27(Z)(G)

Commissioner Van Ostenbridge moved to continue the public hearing for Ordinance PDMU-23-27(Z)(G) to November 7, 2024, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administration Building, 1112 Manatee Avenue West, 1st Floor, Patricia M. Glass Chambers. The motion was seconded by Commissioner Turner and carried 5-0, with Chairman Rahn absent.

11. DEVELOPMENT SERVICES/ORDINANCE

A duly advertised public hearing was held to consider adoption of proposed Ordinance LDCT-24-06/Ordinance 24-75 County-Initiated Land Development Code Text Amendment Fences and Walls. The Planning Commission recommended approval.

There were no ex-parte communications.

Charles Andrews, Planner, used a slide presentation to review the proposed language regarding chain link fences.

There being no public comment, First Vice-Chairman Ballard closed public comment.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in accordance with the criteria for Land Development Code (LDC) Text Amendments in Section 341, Commissioner Turner moved to adopt Manatee County Ordinance 24-75/LDCT-24-06, amending the Manatee County LDC, as recommended by the Planning Commission. The motion was seconded by Commissioner Bearden and carried 5-0, with Chairman Rahn absent.

BC20241003DOC014

COMMISSIONER REQUESTS

There were no Commissioner Requests.

ADJOURN

There being no further business, First Vice-Chairman Ballard adjourned the meeting at 9:21 a.m.

Minutes Approved: November 12, 2024

OCTOBER 3, 2024

(Continued)