

JULY 2, 1991

The Hearing Officer, Manatee County, Florida, convened a REGULAR HEARING in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, July 2, 1991, at 3:09 p.m.

Presiding was: Benjamin Withers

Also present were:

Mark P. Barnebey, Assistant County Attorney
Susan G. French, Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

News media notified, but not present.

The hearing was convened by Mr. Withers

All witnesses/staff giving testimony were duly sworn

MINUTES

Minutes dated January 16, March 7, and March 20, 1991, were approved by Mr. Withers.

SPECIAL PERMIT

(Court Reporter Shirley Bills present)

Public hearing (Notice in The Bradenton Herald 6/14/91) was held to consider

SP-91-004 - PEACE LUTHERAN CHURCH

Request: Special Permit to allow a 7,040 square-foot church expansion and the addition of 6,600 square feet of modular classrooms for a school on 4.52 acres located on the south side of 30th Avenue West, 2,000 feet west of 14th Street West.

If approved staff recommended the following stipulations:

1. This Special Permit shall not be effective until it has been recorded in the public records of Manatee County, Florida, by the applicant and a copy of the recorded Order is received by the Planning and Zoning Department.
2. The Site Plan submitted with this application shall be part of this approval. During construction plan review, the exact location of each tree will be determined and possible retention pond redesign will be reviewed and approved by the Manatee County Environmental Action Commission staff, based upon the Land Development Code standards.
3. As indicated on the Site Plan, existing oak trees within the area designated for the proposed retention pond shall not be removed.
4. The engineer of record shall provide documentation to prove that the proposed fire hydrant will supply the volume of fire flow, as required in the Comprehensive Plan, prior to Final Site Plan approval.
5. A drainage easement shall be provided for the proposed outfall swale to be constructed by this development prior to approval of the Final Site Plan.
6. A letter of authorization from the Bethel Baptist Church property allowing drainage access through their property is required. The letter shall be signed by a notary and submitted to the Public Works Department prior to Final Site Plan approval.
7. Construction plans for the fire sprinkler system, if required by the fire district, will be required prior to Final Site Plan approval. Also, the fire sprinkler system to the building must be shown on the Final Site Plan prior to approval.

Stuart Campbell, Planning and Zoning, located the site on a map and reviewed surrounding land uses.

He stated that based upon the information presented, the proposed use appears to be compatible with existing land uses and meets requirements of the Comprehensive Plan and Land Development Code; however, two additional stipulations are recommended to meet staff concerns:

JULY 2, 1991

(Cont'd)

8. Parking areas located adjacent to the residentially zoned property shall be screened with either solid fence or landscaping reaching 80 percent opacity within two years (east side of property).
9. Fencing shall be provided around the retention pond to provide a barrier between the proposed play area and the retention pond.

Discussion: Application for PDR zoning change (without a plan) by adjacent Bethel Baptist Church site; effect on Peace Lutheran Church.

Mark Barnebey, Assistant County Attorney, stated a drainage easement is necessary to reach the County drainage system and requested that Stipulation 5 be amended to read:

5. A drainage easement shall be provided for the proposed outfall swale to be constructed by this development and through the Bethel Baptist Church property prior to the approval of the Final Site Plan.

He recommended that Stipulation 6 be deleted.

Mr. Withers recommended that in Stipulation 2, replace "will" with "shall."

Mr. Campbell noted that prior to Final Site Plan approval, location of trees within the retention pond area will be identified and tree replacement/preservation will be addressed.

Discussion: Type of fencing required; safety for children; retention pond maintenance responsibility.

John Benson, engineer representing applicant, advised the drainage outfall will be changed to flow into an existing ditch (east); therefore, an easement may not be necessary.

He requested Stipulation 8 require a barrier rather than a fence since the pond would typically be a shallow dry system. However, upon discussion as to safety, he agreed to a fence.

Mr. Withers reviewed provisions of Section 502.6.6.7 of the Land Development Code.

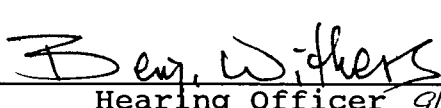
HEARING ADJOURNED

There being no further business, the hearing was adjourned.

Attest:

APPROVED:


Clerk


Hearing Officer 9/18/91

Adj: 3:34 p.m.

/jr