

AUGUST 8, 1991

The Hearing Officer, Manatee County, Florida, convened a REGULAR HEARING in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, August 8, 1991, at 3:06 p.m.

Presiding was: James Paulmann

Also present were:

Jeffrey Steinsnyder, 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. Paulmann.

All witnesses/staff giving testimony were duly sworn.

**SPECIAL PERMIT**

(Court Reporter, Shirley Bills, present)

Public hearing (Continued from 7/17/91) was held to consider

**SP-91-10 - QUALITY AGGREGATES**

Request: Special Permit to allow for the modification of a Special Exception Site Plan boundary (SE-81-1) to relocate a major earthmoving operation approximately two miles east, and the establishment of an asphalt processing plant in conjunction with the major earthmoving operation on 54.5 acres located two miles east of the intersection of University Parkway and I-75, north of University Parkway extended.

Staff recommended 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.
3. The Special Permit to allow for Major Earthmoving within the Agricultural zoning district and the asphalt plant as an accessory use shall expire when the existing earthmoving operation is no longer operational and if no other Major Earthmoving Operation has been approved by Manatee County and is operational. In no event shall this approval continue beyond April 23, 2001.
4. The asphalt plant shall be considered in conjunction with major earthmoving of sand and shell operations only in Manatee County. The asphalt plant shall not be accessory to any Major Earthmoving Operation outside of Manatee County.
5. The Special Permit shall apply to the revised legal description and site plan indicating one project boundary including the existing Major Earthmoving Operation, the proposed site and the access road connecting the two parcels. A site plan showing one project boundary with a single legal description shall be submitted to staff prior to initiation of any earthmoving or asphalt plant operations at the new site.
6. Prior to the relocation of the asphalt plant or any site modifications, a final site plan shall be submitted and approved by staff in accordance with the provision of the Land Development Code.
7. The earthmoving site shall front on a County right-of-way.
8. The applicant is proposing the site shall have access via a temporary haul route for a period of one year from the effective date of this Special Permit. The temporary haul route shall be constructed of a compact shell material and shall be designed to provide for adequate access for emergency vehicles. At the time the construction of University Parkway extension is completed, the temporary haul route shall be abandoned. If the University Parkway extension is not constructed, the proposed site shall have access to a road constructed and maintained to County standards with a dustless surface.

9. The drive aisle, from its intersection of proposed Lorraine Road, including the proposed employee parking, shall be paved with a smooth, dustless surface prior to Certificate of Occupancy.

Stuart Campbell, Planning and Zoning Department, submitted the Development Review Comments from Department of Health and Rehabilitative Services. He reported that Southern Manatee Fire Department had been contacted and Chief Steffens relayed the fire district has no jurisdiction over the proposed site.

Staff reviewed the new information submitted by the applicant in reference to the requirements in Section 732 of the Land Development Code (LDC). Mr. Campbell reviewed the site plan.

He submitted: Report "Wetlands Determination" with a Site Grading Plan; copy of a letter (5/7/81) to Wendel Kent from Bruce Siciliano, Planning and Development, with a copy of Special Permit SE-81-1 Amendment; and copy of General Permit Transmittal Letter (5/23/91) from Southwest Florida Water Management District.

Doug Means, Environmental Action Commission, stated he reviewed the request with regard to potential pollutant to the groundwater.

Discussion: Is any processed water from the facilities entering the wetland; surface water drainage is designed to go into the pretreatment area/stormwater retention area before it enters the wetland.

Mr. Campbell reviewed certain portions of Section 732 of the LDC in conjunction with the major earthmoving of sand and shell.

Betsy Benac, Planning and Zoning, reported there is no new pit being considered with application. What is being considered is an existing pit in an asphalt plant that is accessory to storage on this site.

Mr. Means submitted memorandum (8/8/91) which included the staff's findings upon a site visit on July 22, 1991. The proposal shows minimal impacts to wetlands. An isolated wetland less than a half acre in size is targeted for removal.

Wayne A. Rilko, chief engineer for Quality Aggregates, pointed to the site plan and noted that all stockpiles will be 50 feet from the parcel.

He addressed the issue of processed water and reported there is no processed water required for the processing of recycling materials or asphalt production. There will be no aggregate washing, screening or activity which will require processed water.

Mr. Rilko addressed concern with Item No. 5 in the HRS report, regarding County water/septic tank and noted that Item No. 6, Private well/septic tank should have been checked instead of Item No. 5. In Stipulation 3, he addressed concern with the last statement "in no event" and suggested it read "This approval shall not continue beyond April 23, 2001 unless it is renewed and approved in accordance with applicable standards in effect at that time."

Ms. Benac objected to his proposed language and suggested: "Regardless, this approval shall not continue beyond April 23, 2001."

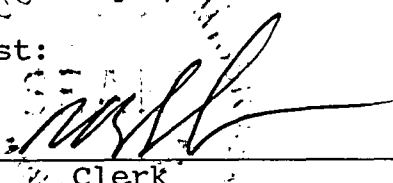
Mr. Rilko was not opposed to the proposed language.

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

**HEARING ADJOURNED**

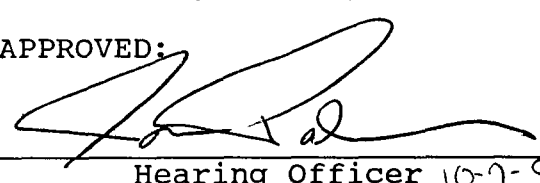
There being no further business, the hearing was adjourned.

Attest:

  
Clerk

Adj: 4:02 p.m./dmo

APPROVED:

  
Hearing Officer 10-7-91