

DECEMBER 11, 1991

The Hearing Officer, Manatee County, Florida, convened a SPECIAL HEARING in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Wednesday, December 11, 1991, at 3:12 p.m.

Presiding was: James Paulmann

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.

All witnesses/staff giving testimony were duly sworn.

**SPECIAL PERMIT**

(Court Reporter, Shirley Bills, present)

Public hearing (Notice in The Bradenton Herald 11/22/91) 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 major earthmoving operations located in both Manatee and Sarasota Counties, located two miles east of the intersection of University Parkway and I-75.

Stuart Campbell, Planning, Permitting and Inspections, stated that the Land Development Code had been amended regarding requirements for major earthmoving. He noted Section 732.6.6 was revised to state that the term "site" may include contiguous parcels in another jurisdiction, providing the site is under one ownership. This language is included in the revised stipulations in the final order. This ties the asphalt plant operation to major earthmoving operations in Sarasota County.

Conditions to the Special Permit, as recommended by staff and revised by Mark Barnebey, Assistant County Attorney, are as follows:

- A. 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, Permitting and Inspections Department.
- B. The site plan submitted with this application shall be part of this approval (attached Exhibit "B").
- C. This Special Permit which allows Major Earthmoving within the Agricultural zoning district shall expire on April 23, 2001; however, the applicant is not precluded from seeking further approvals from Manatee County to continue the operation in accordance with the Manatee County Land Development Code rules and regulations in effect at the time such applications are made.
- D. If the sand and shell earthmoving operations which support the asphalt processing plant are located in a jurisdiction other than Manatee County, then the applicant must submit copies of any reports required by the adjacent jurisdiction to Manatee County. In addition, the annual report shall contain the certification required by Section 732.6.6, as well as the information required by Section 732.5.17.1, for the entire operation and information as to the last Major Earthmoving activity occurring on the site and the nature of that activity.
- E. The Special Permit shall apply to the legal description located entirely within Manatee County (Exhibit "A").
- F. The sand and shell earthmoving site shall front on a County right-of-way.
- G. The applicant 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

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(Cont'd)

- 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.
- H. 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.
- I. If sand and shell earthmoving operations located upon the property described in "Exhibit C" (that being the site in both jurisdictions) should cease for a period of 90 days, then the asphalt processing plant shall cease operations until sand and shell earthmoving operations recommence on the above referenced property.
- J. All sand and shell earthmoving operations located within an adjacent jurisdiction must be conducted in accordance with the rules and regulations of that jurisdiction, and any violation thereof shall constitute a violation of this Special Permit and may result in revocation of the Special Permit.
- K. All property on which the sand and shell earthmoving operations and accessory asphalt processing plant is located shall be under common ownership.

Betsy Benac, Planning, Permitting and Inspections, pointed out that Exhibit "A" includes the 440 acres, minus 54 acres; Exhibit "B" will be a series of maps showing the asphalt plant site and the overall operation in Manatee County, and will total 440 acres; Exhibit "C" will be 440 acres plus the acreage in Sarasota County.

Patricia Petruff, representing the applicant, stated the applicant concurs with the exhibits and changes to the conditions. She also stated the intent is to have one asphalt processing plant in operation; however, there will be a transition period until the newly located plant is operational.

Wayne Rilko, chief engineer of Quality Aggregates, pointed out there are two parts to asphalt processing: asphalt and concrete crushing and recycling equipment, and the asphalt processing equipment. He explained the staged construction plans and noted the transition period could be up to six months.

Staff is to add one condition that there not be two asphalt plants in operation after the phased move.

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

MINUTES

The minutes of November 7, 1991, were approved.


HEARING ADJOURNED

There being no further business, the hearing was adjourned.

Attest:

APPROVED:


  
 Clerk


  
 Chairman 2/17/92

Adj: 3:56 p.m.  
/apm