

FEBRUARY 4, 1993

The Hearing Officer, Manatee County, Florida, convened a REGULAR HEARING in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, February 4, 1993 at 3:05 p.m.

Presiding was: James A. 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.

MINUTES

Mr. Paulmann approved the minutes of December 16, 1992.

SPECIAL PERMITS

(Court Reporter, Shirley Bills present)

Public hearing (Notice in The Bradenton Herald 1/15/93) was held to consider

SP-92-17 MANASOTA MEMORIAL PARK

Request: Special Permit to allow construction of a 2,000 square foot crematory on the site of an existing funeral home and cemetery in the RDD-6 zoning district on 14.49 acres, located at 1221 53rd Avenue East.

Staff recommended APPROVAL with the following conditions:

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, Permitting and Inspections Department.
2. The Site Plan (SP-92-17) submitted with this application, considered for the Hearing Officer's approval to be a preliminary site plan, shall be part of this approval.
3. This approval shall not become effective until the Final Site Plan is signed-off by all Development Review Committee members.
4. Prior to Final Site Plan sign-off, the applicant must provide an irrigation plan which meets the requirements of Land Development Code Section 715.11.2.10.
5. Prior to Final Site Plan sign-off, the applicant must clarify additional right-of-way shown on the site plan by dimensioning width and indicating whether additional right-of-way will be reserved or dedicated. Documents for the pedestrian easement and/or the right-of-way must be approved by the Public Works Department before Certificates of Occupancy will be issued.
6. A Level of Service Certificate must be issued prior to any Final Site Plan approval for this project.

Erika Barrett, Planning, Permitting and Inspections, reviewed the staff report, showing the location on a map. Staff has recommended Stipulation No. 4 be deleted.

Tim Dove, agent for applicant, explained the right-of-way reservation will be submitted upon approval of the site plan.

Charles Brown, adjacent property owner, stated he was not opposed, however, addressed concerns relating to the location of the building on the property and to the odor during the process of cremation.

Mike Uselton, Funeral Home Operations of Florida Coast, stated a new crematory has been purchased in order to comply with regulations from Department of Regulations. During cremation process, there are no odors or emissions.

Mike Pendley, Planning, Permitting and Inspections, submitted a draft of the Notice of Intent to Approve and the proposed Final Order, which had been revised to delete Stipulation No. 4.

Mr. Paulmann declared the hearing closed and stated he would issue a final Notice of Intent within 21 days, detailing the findings of fact and conclusions of law.

Public hearing (Notice in The Bradenton Herald 1/15/93) was held to consider

**SP-92-19 ROGER C. MORRIS/GALATI BOAT SALES**

Request: Special Permit with a site plan for a Vehicles Sales, Rental, Service Establishment, and approval of a Major Motor Vehicle Repair business in the GC zoning district on 1.15 acres, located at 6735 14th Street West.

Staff recommended APPROVAL with the following conditions:

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, Permitting and Inspections Department.
2. The Site Plan (SP-92-19) submitted with this application, considered for the Hearing Officer's approval to be a Preliminary Site Plan, shall be part of this approval.
3. This approval shall not become effective until the Final Site Plan is signed-off by all Development Review Committee members.
4. Prior to the issuance of a Certificate of Level of Service, a special report for solid waste and waste water is required. The solid waste report shall address the type of solid waste generated, the generation rate, the method of disposal and any recycling efforts being made by the applicant. The waste water report shall describe composition and generation rate.
5. A fugitive dust erosion and particulate abatement plan must be approved by the Environmental Action Commission prior to Final Site Plan approval.
6. All motor vehicles repairs shall be deducted within the building identified as the storage/prep building.
7. Adverse Impact Performance Standards shall be addressed prior to Final Site Plan approval.
8. A pedestrian easement is required for the proposed five foot sidewalk along U.S. 41 (14th Street West). Documents for this easement must be approved by the Public Works Department prior to issuance of Certificate of Occupancy.

Misty Martin, Planning, Permitting and Inspections, reviewed the staff report, showing the location on a map.

Ms. Martin pointed to the location of the parking and boat display area. Staff has concerns relating to the applicant's schedule of the final site plan and has asked the applicant for a clarification.

She referred to the staff report, whereas a correction should be made under the staff analysis summary. The statement reads: "The property is currently utilized as a Retail Sales Establishment and occupied by the Goodwill Store" and should read **occupied by the former Animal House** (which is currently vacant).

Ms. Martin reported the Solid Waste study has been approved by Growth Management, therefore, Stipulation No. 4 is not necessary.

Discussion: Stipulation 7/Adverse Impact Performance Standards; concerns about noise; repair activity will be kept within the building; asking for a Certificate of Level of Service for both phases with three-year maximum.

**Charlie Decker**, representing the applicant, stated he would send correspondence as to what manner he intended to clarify the phasing schedule of the final site plan.

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Ms. Martin submitted revised comments from Growth Management and Cedar Hammock Fire Department.

Mr. Pendley submitted a draft copy of the Notice of Intent to Approve and the proposed Final Order, with Stipulation No. 4 deleted.

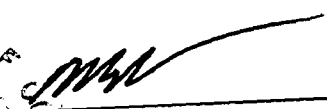
Mr. Paulmann declared the hearing closed and stated he would issue a final Notice of Intent within 21 days, detailing the findings of fact and conclusions of law.

HEARING ADJOURNED

There being no further business, the hearing was adjourned.

Attest:

APPROVED:

  
 Clerk  
 Adj: 3:36 p.m.  
 /dmo

BOARD OF COUNTY COMMISSIONERS  
 SEASIDE BEACH, FLORIDA

  
 Hearing Officer 6/3/93