

JUNE 3, 1993

The Hearing Officer, Manatee County, Florida, convened a REGULAR HEARING in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, June 3, 1993, at 3:15 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.

All witnesses/staff giving testimony were duly sworn.

**MINUTES**

Mr. Paulmann approved the minutes dated January 20, February 4, and March 4, 1993.

**SPECIAL PERMITS**

(Court Reporter, Shirley Bills, present)

Public hearing (Notice in The Bradenton Herald 5/14/93) was held to consider

**SP-93-01 CONSTANCE BLAIR**

Request: Special Permit to allow a manufactured home in the A/WP-M/ST zoning district on 5 acres located in the Waterbury Grapefruit Tracts Subdivision on the north side of L&J Road, 1-1/2 miles south of S.R. 64 and 1/4 mile west of Verna-Bethany Road.

If approved, staff recommended 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 Inspection Department.
2. The plot plan submitted with this application shall be part of this approval.
3. This Special Permit shall be granted until October 11, 1995.

Norm Luppino, Planning, Permitting and Inspections, outlined the area noting the site is surrounded by single-family residences and manufactured homes on 5- to 10-acre parcels. He depicted manufactured homes in the area on a map with yellow pins (units without permits) and blue pins (units with permits), which should be phasing out within the next two to three years.

He stated the applicant's manufactured home was previously approved under Special Permit SP-85-102 for five years with an option to extend an additional five years by administrative approval; however, the applicant failed to request the extension and the permit expired (10/11/90).

Mr. Luppino noted the applicant is requesting approval to remain on the site for three years (1996).

He stated that staff has concerns regarding compatibility, as the area is transitioning towards single-family residential development, and recommends a two-year extension (until 10/11/95), which would have been the expiration date if an extension had been approved.

Betsy Benac, Planning, Permitting and Inspections, stated a recent Land Development Code (LDC) amendment provided the mechanism for enforcing expired Special Permits and noted that no new permits will be issued for this area.

Discussion: Manufactured home is "temporary" use.

Constance Blair, applicant, requested a three-year extension in order to sell the property or to pay it off and build. She also noted she was not notified when the permit expired and was unaware of the procedures for the extension.

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(Cont'd)

Speaking in opposition were Charles McIntosh, David Rollyson and Lynn Wickersham, surrounding residents and/or property owners.

Items addressed: Citations by Code Enforcement, Animal Control and HRS; debris on property; site near reservoir; approximately 100 dogs and cats in the trailer and area; dogs destroying neighbor's chickens; run-down condition of manufactured home; odor; applicant has made no attempt to build a home; dogs attack neighbors; problems with waterline to trailer; deed restricted area.

Mr. Rollyson submitted photos (9) depicting new homes in the area.

Ms. Benac submitted photos (4) taken by staff of the manufactured home.

Rita Smith, Planning, Permitting and Inspections, stated the applicant was cited by Code Enforcement as to the expired Special Permit; Animal Control had no active complaints and they do not monitor the number of dogs/cats; HRS does not have an active complaint; however, a previous garbage complaint was investigated, but no garbage was evident when inspected.

Jeffrey Steinsnyder, Assistant County Attorney, responded to the Hearing Officer's questions regarding deed restrictions.

Ms. Benac submitted the recommended draft Notice of Intent.

Mr. Paulmann reviewed the procedures by which this request will be approved or denied, pursuant to Section 505.4.3 of the Land Development Code.


HEARING ADJOURNED

There being no further business, the hearing was adjourned.

Attest:

APPROVED:

  
Clerk

  
Hearing Officer 7/21/93

Adj: 3:50 p.m.

/jr