

NOVEMBER 17, 1993

The Hearing Officer, Manatee County, Florida, convened a REGULAR HEARING in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Wednesday, November 17, 1993, at 3:10 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.

MINUTES FOR APPROVAL

Mr. Paulmann stated that the minutes of September 15, 1993, were approved.

SPECIAL PERMITS

Public hearing (Notice in The Bradenton Herald 10/28/93) was reopened to consider

SP-93-10 BETTY HARRISON LONG - MANUFACTURED HOME

Request: Reconsideration of a Special Permit to allow a manufactured home as a temporary residence, located in the VIL zoning district on .37 acre, located at 10440 Wauchula Road, Myakka City.

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 Inspections Department.
2. The plot plan submitted with this application shall be part of this approval.
3. This Special Permit shall be for a period of five years, plus an additional five years to be approved by the Director of Planning, upon finding that the manufactured home remains compatible with residential development in the neighborhood.
4. Prior to the issuance of a Certificate of Occupancy, the applicant shall demonstrate that adequate water, sewer and electrical hook-ups are available to the site.
5. Prior to recording the Final Order for this Special Permit, the applicant must provide documentation to prove that concurrency has been met relative to fire flow per Section 11.5.1.4 of the Comprehensive Plan.
6. Prior to issuance of a Certificate of Occupancy, the applicant shall plant one tree every 50 linear feet, or substantial fraction thereof, within 20 feet of each right-of-way. The trees shall be a minimum height of 8 feet at the time of planting.
7. Foundation landscaping along both faces of the manufactured home fronting the streets, consisting of one 3-gallon shrub planted every 3 feet, shall be installed prior to issuance of a certificate of occupancy. The shrubs shall be maintained as a continuous hedge across both sides of the manufactured home, at a minimum height of 3 feet.
8. Shutters, a minimum width of one foot, shall be provided on each side of each window or window grouping that fronts a street.

Mr. Paulmann stated he has reopened this case for the purpose of entertaining new information.

Norm Luppino, Planning, Permitting and Inspections, referred to a map of the site and reviewed the staff report indicating surrounding land uses. Another mobile home was approved on one acre in 1992 in the vicinity. He reviewed a comparison of mobile homes to single-family residences as outlined in the staff report. He submitted photographs of the site.

Initially staff found the mobile home to be incompatible with the area. However, the scale of the homes in the neighborhood is similar to the proposed mobile home, and in order for the mobile home to be found compatible, staff is recommending additional design requirements and landscaping.

He recommended the following conditions be amended as follows:

7. Foundation landscaping along both faces of the manufactured home fronting the streets, consisting of one 3-gallon shrub planted every 3 feet, shall be installed within 6 months of the issuance of a certificate of occupancy. The shrubs shall be maintained as a continuous hedge across both sides of the manufactured home, at a minimum height of 3 feet.
8. Shutters, a minimum width of one foot, shall be provided on each side of each window or window grouping that fronts a street. Awnings over the windows may be substituted for shutters.

He added the new trailer proposed for the site will be double wide. He submitted additional photographs depicting the new trailer.

Chris Mowbray, Growth Management, referred to a letter (6/28/93) from **Bobby Maddox**, Fire Chief, stating the Myakka Fire Department has no objection to this request.

Condition 4 was amended as follows:

4. Prior to the issuance of a Certificate of Occupancy, the applicant shall demonstrate that adequate water, septic tank and electrical hook-ups are available to the site.

Staff recommended approval of the Special Permit and noted that the request complies with Section 602.5.2 of the Land Development Code (LDC) regarding Special Permit renewals in the Village Districts.

Betty Long, applicant, submitted a letter from Mr. Maddox, former property owner, stating she has lived on the property since 1980. The original plans that were presented were incorrect as to present location of the mobile home.

She submitted photographs of the site and a sketch of the current plans. She is having fill dirt moved onto the property.

Betsy Benac, Planning, Permitting and Inspections, stated that the setbacks are not a concern regarding the original plot plans compared to the current plans.

Ms. Long stated there is adequate water, septic tank, electric and fire protection for the new mobile home. She requested additional time with regard to planting a hedge around the home and submitted additional photographs. The home is 1,152 square feet. She submitted additional photographs of surrounding mobile homes.

Frances Scarbrough submitted various documentation regarding state statutes referencing manufactured homes; a mobile home reference guide provided by the Florida Manufactured Housing Association, Inc.; judgment in civil case Henry Scurlock, et al vs. City of Lynn Haven, Florida; two letters in favor of the Special Permit; and a petition requesting the County update the LDC to allow manufactured homes in Myakka Village.

Bob Walton stated he was in opposition to the fees required to apply for a special permit.

Mark Barnebey, Assistant County Attorney, recommended Stipulation 2 be amended as follows:

2. The plot plan submitted with this application shall be part of this approval provided that it meets the County setback requirements and any separation from septic tank requirements. The new manufactured home may be located to the west of the location of the existing manufactured home, but only one mobile home shall be permanently located on the site.

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(Cont'd)

Mr. Paulmann stated that he wrote a letter to the Board of County Commissioners regarding the subject of mobile homes being allowed in certain areas of the County.

Erwin Brown stated the new mobile home will meet all the County codes and regulations.

Angela Mae Scarbrough requested the Special Permit be approved.

Mr. Barnebey submitted a draft Notice of Intent to approve SP-93-10.

Mr. Paulmann stated his decision will be delivered within 21 days.

Public hearing (Notice in The Bradenton Herald 10/28/93) was reopened to consider

SP-93-07 ERVIN BELL - MANUFACTURED HOME

Request: Reconsideration of a Special Permit to allow a manufactured home as a caretaker's residence in the A-1 zoning district on 5.07 acres, located on the south side of Myakka-Wauchula Road, between S.R. 64 and S.R. 70.

If approved, staff recommended 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 plot plan submitted with this application shall be part of this approval.
3. This Special Permit shall be granted for a time period of five years, plus an additional five years to be approved by the Director of Planning, upon finding that the manufactured home remains compatible with residential development in the neighborhood.
4. The existing manufactured home on the site shall be replaced with a new manufactured home within 60 days of approval of this Special Permit and shall maintain a 110-foot building setback from the front property line and a 100-foot building setback from the side and rear property lines. The new manufactured home shall be a double wide, with horizontal lap siding with shutters accenting the windows, and have a sloped shingled roof with overhangs.
5. Prior to issuance of a Certificate of Occupancy, the applicant shall plant one tree every 50 linear feet, or substantial fraction thereof, within 20 feet of the right-of-way. The trees shall be a minimum height of 8 feet at the time of planting.
6. Foundation landscaping in the front and both sides of the manufactured home, consisting of one 3-gallon shrub planted every three feet, shall be installed prior to issuance of a Certificate of Occupancy. The shrubs shall be maintained as a continuous hedge across the front and sides of the manufactured home, at a minimum height of 3 feet.

Mr. Luppino referred to a map of the area and reviewed the staff report. The manufactured home will be utilized as a caretaker's home. The applicant is proposing a double-wide home with horizontal lap siding, overhangs and shutters, and a sloped roof with shingles, etc.

He submitted a copy of a photograph of a mobile home submitted by the applicant's agent.

Staff initially recommended denial of this request due to incompatibility; however, upon review of the information provided by the agent, staff has required additional design standards to aid in the appearance of the manufactured home and therefore recommends approval.

Daryl Head, agent for the applicant, stated the photograph submitted earlier was not an actual picture of Mr. Bell's mobile home. He submitted a photograph of Mr. Bell's new mobile home as well as photographs (3) of other mobile homes at the ages of two, three and five years old. He stated the mobile home is 1,400 square feet.

Mr. Barnebey submitted a recommended Notice of Intent to approve and further recommended Condition 4 be amended to read:

4. The existing manufactured home on the site shall be replaced with a new manufactured home within 60 days of approval of this Special Permit and shall maintain a 110-foot building setback from the front property line and a 100-foot building setback from the sides and rear property lines. The new manufactured home shall be a double wide, with horizontal lap siding with shutters accenting the windows, and have a sloped shingled roof with overhangs. The manufactured home shall be substantially consistent with the photograph provided during this public hearing and as attached hereto as an Exhibit.

Mr. Paulmann stated his decision will be delivered within 21 days.

Public hearing (Notice in The Bradenton Herald 10/28/93) was held to consider

SP-93-15 JOE PERRY - MANUFACTURED HOME

Request: Special Permit to allow a manufactured home as a temporary residence in the A zoning district on 7.61 acres located at 41810 State Road 64 in eastern Manatee County.

If approved, staff recommended 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 plot plan submitted with this application shall be part of this approval.
3. This Special Permit shall be granted for a period of five years. One extension of an additional five years may be granted by Administrative Permit at the discretion of the Planning Director or his/her designee and shall be reviewed against the Special Permit and Conditional Use criteria established in Sections 505 and 704 of the LDC.
4. Prior to the issuance of a Certificate of Occupancy, the applicant shall demonstrate that adequate water, sewer and electrical hook-ups are available to the site.
5. Foundation landscaping along the faces of the manufactured home fronting State Route 64 and the west property line, consisting of one 3-gallon shrub planted every 3 feet, shall be installed prior to issuance of a Certificate of Occupancy. The shrubs shall be maintained as a continuous hedge across both sides of the manufactured home, at a minimum height of 3 feet.
6. Shutters, a minimum width of one foot, shall be provided on each side of each window or window grouping that fronts a street.

Mr. Luppino referred to a map of the site and reviewed the staff report. The mobile home is 1,400 square feet, double wide, and will have a 90-foot front yard setback. A portion of the site is located in a flood zone; therefore, the applicant must comply with the LDC requirements regarding flood zones.

It was recommended Condition 4 be amended as follows:

4. Prior to the issuance of a Certificate of Occupancy, the applicant shall demonstrate that adequate water, septic tank and electrical hook-ups are available to the site.

Joe Perry, applicant, stated no objection to the conditions.

Mr. Barnebey submitted a recommended Notice of Intent to approve.

Ms. Benac stated that awnings may be utilized in the place of shutters regarding Condition 6.

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Mr. Paulmann stated his decision will be delivered within 21 days.


MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:





BOARD OF
Ad. 4:30 p.m.
7gbh
Corrected in meeting July 20, 1994

Chairman
Hearing Officer* 7/20/94