

JUNE 17, 1998

The Hearing Officer, Manatee County, Florida, convened a REGULAR HEARING in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Wednesday, June 17, 1998, at 4:04 p.m.

Presiding was: James Paulmann

Also present were:

Jeffrey Steinsnyder, Assistant County Attorney
Susan G. Romine, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

All witnesses and staff giving testimony were duly sworn.

MINUTES FOR APPROVAL

The Hearing Officer approved the minutes dated May 7, 1998.

(Carol Hensley Day, court reporter, present)

SPECIAL PERMITS

Public hearing (Notice in the Bradenton Herald 6/5/98) was held to consider

SP-98-05 TIMOTHY ROSLANSKY/ROSELAND - GROUP CARE HOME

Request: Special Permit to allow a Large Group Care Home (50 beds) in the RMF-9 zoning district on 2.0 acres located on the south side of 60th Avenue West, 500 feet west of 26th Street West at 2800 60th Avenue West.

If approved, staff recommended the following conditions:

1. This Special Permit will 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 Department.
2. The Site Plan submitted with this application shall be part of this approval.
3. Access for emergency purposes shall be provided to at least two sides of the building. The parking or drive around building shall be modified, as required by the Fire District, to accommodate emergency access. This may result in the size of the building being decreased. These requirements and other concerns of the Cedar Hammock Fire Control District shall be reviewed by staff at Final Site Plan.

Norm Luppino, Planning Department, reviewed the staff report, pointed out the property location on the site plan, referred to elevation maps and a blueprint, and noted surrounding properties and zoning. He stated the applicant is proposing a 28,200-square-foot building with two driveways onto 60th Avenue West and 24 parking spaces. He noted that the request has been reviewed pursuant to Section 704.6.2, Conditional Use Criteria, of the Land Development Code (LDC).

Mr. Luppino reviewed Stipulation 3, noting the following fire district concerns: Access on two sides of the building; the parking and drive aisles modified to accommodate emergency access possibly reducing the size of the building; the turning radius, paver blocks, and whether the width of the drive aisle is adequate to accommodate a fire truck.

Discussion: Letter from Edgar H. Wood, architect, regarding NFPA-101 Safety Code.

Robert Pederson, Planning Department, stated the elevation drawing submitted by the applicant includes more details of the building and landscaping than the line elevation drawing previously submitted to staff. He proposed the following additional stipulation:

4. The design for the facility, including the landscaping shall be in substantial conformance with the elevation submitted into the record for this case.

Mr. Luppino submitted two letters in favor of the request.

Marie Bradshaw, engineer representing the applicant, presented the elevation map and stated they agree with the additional Stipulation 4.

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(Continued)

Ms. Bradshaw stated they will comply with all the conditional use criteria. She stated the emergency access issue raised by the fire district is being addressed and noted the following aspects of the site: 347-square-foot minimum room size; one rest room in each room; one resident per room, except a couple may take two rooms with one serving as a sitting room; only 50 beds; set back from both property lines 40 to 45 feet; required to meet 100-year flood plain. She submitted a small rendering and preliminary building layout.

Tim Roslansky, owner, stated they are proposing an assisted living facility, not a nursing home.

Speaking in opposition were: **Carl Crane**, adjoining property owner, and **John Filipek**, President of Bayshore Village.

Items addressed were: Elevation; storm water runoff; screening/fencing (concrete), to provide sound barrier and security and water runoff protection; 60th Avenue West water problem; lighting; retention basin; type and location of dumpster; age of residents; loading facilities; delivery hours; fees charged residents and type of clientele; LDC requirements, etc.

Chris Mowbray, Planning Department, addressed the requirements of the 100-year storm event and the design of the drainage system.

Ms. Bradshaw addressed concerns and stated that the applicant would agree to build a wall constructed of concrete and wood around the property, and they will build a concrete block wall and landscape around the dumpster, but they do not want to change its location.

Discussion: Could stipulate specific height of wall, property directional lines, and require a painted stucco finish to be maintained by owner; applicant to submit an updated letter from architect indicating the current design meets NFPA-101 Life Safety Code, etc.

Mr. Luppino submitted a letter in opposition from a resident of Bayshore Village stating that the request is inconsistent with the character of the area.

Jeffrey Steinsnyder, Assistant County Attorney, submitted a draft Notice of Intent and proposed Order.

The Hearing Officer stated he will issue a written report within 21 calendar days indicating findings of facts, conclusions of law and recommendations regarding approval or denial. He stated a transcript of the proceedings was not necessary.


MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


 Clerk


 Hearing Officer 8-6-98

Adj: 5:01 p.m.

/jk