

APRIL 16, 2008

The Hearing Officer, Manatee County, Florida, convened a REGULAR HEARING in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Wednesday, April 16, 2008, at 3:00 p.m.

Presiding was: John Roe

Also present were:

Jason Henbest, Assistant County Attorney
Robin Liberty, Deputy Clerk,
representing R. B. Shore, Clerk of Circuit Court

All witnesses and staff giving testimony were duly sworn.

AGENDA

The agenda of April 16, 2008.

[HO20080416DOC001](#)

(Court Reporter, Penny Zuker, present)

SPECIAL PERMITS

Public hearing (Notices published) was opened to consider

SP-07-03 4 STAR TOMATO INC/4 STAR TOMATO BORROW PIT

Request: A Special Permit for major earthmoving in the A/NCO (General Agriculture/North Center Overlay) zoning district. The site is on the north side of C.R. 675, approximately 4-1/2 miles east of U.S. 301 at 18650 C.R. 675, Parrish (\pm 649.22 acres total site; \pm 179.8 acres project site)

Norm Luppino, Planning Department, requested the public hearing be continued to June 4, 2008, at 1:00 p.m., due to advertising discrepancies. Representatives of the applicant and the Planning Department are available on the 5th floor of the County Administration Building to answer the public's questions.

Robert Bolt, representing 4 Star Tomato, had no objection to the continuance.

Mr. Roe continued the public hearing to June 4, 2008, at 1:00 p.m.

Public hearing (Notices published) was held to consider

SP-06-05 BELLS TEMPLE CHURCH OF GOD/FIRST COMMUNITY CHURCH OF PALMETTO

Request: A Special Permit for a 14,308 square-foot church addition. The site is in the RSF 4.5 (Residential Single-Family, 4.5 dwelling units per acre) zoning district on the south side of 29th Street East and west of Canal Road at 1107 29th Street East, Palmetto (\pm 4.96 acres).

If approved, staff recommended stipulations.

Patricia Allen, Planning Department, used a slide presentation and a site plan to review the request. She discussed surrounding properties, noted there are no wetlands on site, and requested the tree hammock serve as a buffer on the south portion of the property. Although there will be a loss of 36 trees, 66 trees will be retained and 47 replacement trees will be added.

Dennis Simpson, applicant, was available for questions.

Mr. Roe stated he viewed the site and explained the procedural process for the Notice of Intent.

Mr. Luppino submitted a Draft Notice of Intent and Final Order for review by the Hearing Officer.

Public hearing (Notices published) was held to consider

SP-08-01 FLAME CIGAR & HOOKAH LOUNGE

Request: A Special Permit to allow for a drinking establishment and a 2-COP (Consumption on Premises) beer and wine license for the Cigar & Hookah Lounge. The site is in the GC (General Commercial) zoning district. Existing uses include the Bradenton Furniture Store and the Flame Cigar & Hookah Lounge. The site is at 4307 26th Street West, Bradenton (\pm 0.63 acres).

If approved, staff recommended stipulations.

Katie McLean, Planning Department, used a slide presentation and a site plan to review the request. She noted a church is located approximately 450 feet northwest of the property and a single family residence is within 250 feet. The property houses two businesses and is non-conforming due to limited parking. Ms. McLean recommended stipulations requiring different operating hours to allow adequate parking for both businesses and recommended limited seating due to parking constraints. The consumption of alcohol is another issue.

Mr. Luppino submitted a revised **Stipulation 15**.

Bill Hatoum, applicant/owner of building and both businesses, agreed with the 15 Stipulations. He explained the establishment is primarily a cigar and hookah establishment. Presently, they serve coffee, tea and cappuccino; however, with the Special Permit, they may serve beer and wine.

Mr. Roe stated he viewed the site and expressed concern regarding parking on the 26th Street side.

Mr. Hatoum advised he has owned the building for 16 years and there has never been an accident in front of the building. With regard to 43rd Avenue West, patrons back into the parking spaces. He is also in agreement with the revised Stipulation 15.

Mr. Luppino submitted a Draft Notice of Intent and Final Order for review by the Hearing Officer.

HEARING ADJOURNED

There being no further business, the hearing was adjourned.

Adj: 3:28 p.m.
/pk

Minutes Approved: July 16, 2008