

RESOLUTION-NO. R-04- 238

**RESOLUTION OF MANATEE COUNTY, FLORIDA,
APPROVING SPECIAL APPROVAL FOR A PROJECT
[SUNBURST ACRES 04-S-61(F)] TO UTILIZE TEN
SEPTIC TANKS RATHER THAN REQUIRING
CONNECTION TO MANATEE COUNTY'S PUBLIC
SANITARY SEWER SYSTEM**

Whereas, Comprehensive Plan Policy 9.2.1.2 requires new projects located within the wastewater treatment collection area to connect to the Manatee County sewer system except as allowed by Special Approval; and

Whereas, The Board has authorized requests for Special Approval to be presented in the form of a Resolution for consideration by the Board; and

Whereas, A pending Minor Subdivision known as Sunburst Acres [04-S-61(F)] is located within the wastewater treatment collection area as shown on Comprehensive Plan Map 9-A; and

Whereas, The applicant proposes to develop a 17.06 acre site for ten lots and ten new single-family detached homes; and

Whereas, An analysis of the factors to be reviewed when a project proposes to not connect to the Manatee County sewer system has been conducted by the appropriate review agencies, as specified in the Comprehensive Plan and the Land Development Code, recommending that the Board grant Special Approval for ten dwelling units to utilize septic tanks.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT:

SECTION 1. FINDINGS

- A. The overriding policy of Manatee County as expressed in Comprehensive Plan Policy 9.2.1.2 is to require all new development within the wastewater collection area to connect to Manatee County's public sanitary sewer system.
- B. The wastewater collection area is depicted on Map 9-A of the 2020 Manatee County Comprehensive Plan and the proposed Sunburst Acres lies within the North County wastewater collection area.
- C. The closest connection to the central sewer system is at U.S. 301 and Fort Hamer Road, 1.23 miles away.
- D. The Sunburst Acres Subdivision is proposed in an area where development is occurring at a low to moderate density.
- E. The additional expense to connect to the public sanitary sewer system is not warranted in this instance, based upon the criteria in the Comprehensive Plan and Land Development Code.

SECTION 2. The Board of County Commissioners hereby grants Special Approval for Sunburst Acres [(04-S-61(F))] to utilize ten septic systems for this project, thereby not requiring this project to connect to the Manatee County sanitary sewer system, provided that all septic tanks meet the following setback requirements:

- A. All new conventional septic tanks and drainfields shall be located a minimum distance of four hundred (400') feet from the Ordinary High Water Mark (OHWM) of nontidal rivers, streams, lakes and ponds or a minimum distance of four hundred (400') feet of the Mean High Water Line (MHWL) of tidal bodies of water, including bays and tidal portions of rivers, streams and canals.**

- B. For those situations where the above referenced setbacks cannot be met, performance-based septic systems may be approved by the County and permitted by the Department of Health, Manatee County Public Health Unit.**

ADOPTED, with a quorum present and voting this 14th Day of December, 2004.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: *Steve W. Halman*

ATTEST:

R.B. Shore
R.B. Shore
Clerk of the Circuit Court

