

PRELIMINARY SITE PLAN/PRELIMINARY SUBDIVISION PLAT  
NO. PDC-91-03(P)/91-S-11, MANATEE WALK

THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, having specifically considered the recommendation of the Planning Commission, the criteria set forth in Manatee County Ordinance No. 90-01, the Manatee County Land Development Code; and finding PDC-91-03(P)/91-S-11 consistent with Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan, Preliminary Site Plan/Preliminary Subdivision Plat No. PDC-91-03(P)/91-S-11 is hereby APPROVED to allow a 211,200 square foot shopping center and a five (5) lot subdivision, and granted Special Approval for a project that exceeds 50,000 square feet in the ROR Future Land Use Category, subject to the following stipulations:

1. A sidewalk five feet (5') wide shall be provided along SR 70 and 45th Street East prior to Certificate of Occupancy.
2. A row of live oak tree, 2-1/2" caliper, Florida Quality #1 Nursery Stock, spaced 30 feet apart, shall be provided within the 15 foot landscaped buffer along the south property line prior to Certificate of Occupancy of the first phase. An additional landscape buffer ten feet (10') wide, shall be located along the north side of the twenty-five foot (25') wide drainage easement directly south of and 85 feet to each side of major anchor store #1. A row of understory trees, 2-1/2 inch caliper, Florida Quality #1 Nursery Stock, spaced 30 feet apart, shall be provided within the ten foot (10') buffer, staggered midway between the above mentioned oak trees prior to Certificate of Occupancy of the first phase. An automatic irrigation system shall be provided within the 15 foot and 10 foot landscaped buffer. No building permits for subsequent phases shall be issued unless all trees are in a healthy condition.
3. Only one freestanding pylon sign shall be permitted along each street frontage of State Route 70. Any additional freestanding sign(s) along this street frontage shall be limited to monument signs.
4. A Certificate of Level of Service Compliance is required prior to the approval of construction drawings for this project.
5. Outparcels 2 and 3 shall be restricted to uses permitted in the NC zoning category.
6. A cross-access easement shall be provided from the parking lots of the outparcels to the entrance drives and recorded on the Final Plat. Cross access easements shall also be provided from the shopping center parking lot through the site to the west to 39th Street East.
7. The rear yard building setback for the major anchor store #1 shall not be modified to any lesser setbacks than shown on the Preliminary Site Plan. The maximum height of major anchor store #1 at the rear of the building shall not exceed 20 feet with the roof height angling to a maximum of 25 feet at the rear of the facade. Mechanical equipment on the roof of major anchor store #1 shall be set back from the rear of the building so as to not be visible from the residential properties to the south.
8. Prior to Certificate of Occupancy for the first phase, the wall along the south property line shall be constructed to a height of at least six feet (6') and shall be finished with stucco on the south face. The height of the wall shall be

increased to six feet (6') above the finished floor elevation of the proposed building or eight feet (8') above grade, whichever is greater, directly south of and 85 feet to each side of major anchor store #1.

9. An additional seven feet (7') shall be added to the north side and an additional one foot (1') shall be added to the south side of the existing twelve foot (12') utility easement located along the southern property line. The easement shall remain free of aerial encroachments and drainage retention.
10. Safeguarding the existing waterline and the proposed structure shall be the responsibility of the Engineer of Record and the Developer. The Engineer of Record shall be required to design and adequately safeguard all structures to ensure their protection.
11. Manatee Walk shall contribute Three Thousand Three Hundred and Forty-One Dollars (\$3,341.00) to Manatee County as its fair share for EMS equipment and the public safety building. This amount will be paid in full at the time of the issuance of the first Certificate of Occupancy (CO) for the Manatee Walk development. Manatee Walk shall be entitled to impact fee credits against any EMS impact fee. The developer shall enter a letter, for the record, acknowledging the Level of Service which is available at this time from the Southern Manatee Fire and Rescue District.

APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this the 25th day of April, 1991.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY:   
Chairman

ATTEST: R. B. SHORE  
Clerk of the Circuit Court



MAR 28 1991

**AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, ~~AND~~ <sup>RECEIVED</sup>  
NOTIFICATION BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED,  
TO CONTIGUOUS PROPERTY OWNERS**

STATE OF FLORIDACOUNTY OF MANATEE

BEFORE ME, the undersigned authority, personally appeared EDWARD C. MCKE, who, after having first duly sworn and put upon oath, says as follows:

1. That he/she is the AGENT FOR OWNER (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Official Preliminary Site Plan No. PDC-91-03(P)/91-S-11, to be heard on April 25, 1991, and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein and they are true to the best of his/her knowledge, information and belief.

2. That the Affiant has caused the required public notice sign be posted pursuant to Manatee County Ordinance No. 90-01, on the property identified in said application and said sign was conspicuously posted 15 feet from the front property line on the 4<sup>th</sup> day of APRIL, 1991.

3. That the Affiant has caused the mailing of the required letter of notification to contiguous property owners pursuant to Manatee County Ordinance No. 90-01, by Certified Mail, Return Receipt Requested, on the 14<sup>th</sup> day of MARCH, 1991, and attaches hereto as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice and proof of the method of mailing.

4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01 as it relates to required public notice may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.

  
SWORN TO AND subscribed before me on this 20 day  
of 20 March, 1991.



My Commission Expires:

Notary Public, State of Florida  
My Commission Expires July 25, 1994  
Bonded Thru Tray Fain - Insurance Inc.

3470



# The Bradenton Herald

102 MANATEE AVE. WEST, P.O. BOX 921  
BRADENTON, FLORIDA 34206  
TELEPHONE (813) 748-0411

PUBLISHED DAILY  
BRADENTON, MANATEE COUNTY, FLORIDA

## STATE OF FLORIDA COUNTY OF MANATEE:

Before the undersigned authority personally appeared Linda L. Rikke, who on oath says that she is the Legal Advertising Clerk and the official representative of the Publisher of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida, with the express, limited authority to execute this affidavit for the purpose of establishing proof of publication of the public or legal notice and advertisement in the form attached hereto; that the attached copy of advertisement, being a legal advertisement in the matter of

Notice of Official Action/PDC-91-03(P)

\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of \_\_\_\_\_  
4/8, '91

Affiant further says that the said The Bradenton Herald is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Bradenton, Manatee County, Florida, each day and has been entered as second class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and the affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

10th day of April

A.D. 1991

(SEAL) Notary Public

Notary Public, State of Florida at Large  
My Commission Expires May 30, 1991

**NOTICE OF OFFICIAL ACTION AFFECTING OR REGULATING USE OF REAL PROPERTY IN UNINCORPORATED MANATEE COUNTY**  
NOTICE IS HEREBY GIVEN, that the Board of County Commissioners of Manatee County, will conduct a Public Hearing on Thursday, April 25, 1991, at 9:00 A.M. in the Chambers of the Board of County Commissioners, located at the Manatee County Administrative Center, 1112 Manatee Avenue West, 1st Floor, to consider and act upon the following matter:  
**PDC-91-03(P) 71-5-11**  
**Manatee Walk**  
Approval of a Preliminary Site Plan to allow a 221, 200 square foot shopping center and grant Special Approval to a project that exceeds 50,000 square feet in the ROR Future Land Use Category and approval of a five (5) lot Preliminary Subdivision Plat. Located at the Southwest quadrant of State Route 70 and 45th Street East. Present zoning: PDC (Planned Development - Commercial) (25.87+- acres).  
All interested parties are invited to appear at this Hearing and be heard, subject to proper rules of conduct. Additionally, any written comments filed with the Director of the Planning and Zoning Department will be heard and considered by the Board of County Commissioners, and entered into the record.  
Interested parties may examine the Official Zoning Atlas, the application and related documents and may obtain assistance regarding this matter from the Manatee County Planning and Zoning Department, 1112 Manatee Avenue West, Suite 602, Bradenton, Florida, telephone number (813) 748-2070.  
According to Florida Statutes, Section 216.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.  
**SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.**  
**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS**  
Manatee County Planning & Zoning Department  
Manatee County, Florida  
4/8/91