

2005 JUN -3 AM 11:12

CLERK
MANATEE CO. FLORIDA

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA, APPROVING GENERAL DEVELOPMENT
PLAN PDPI-04-50(G) – MANATEE COUNTY GOVERNMENT/CROSLEY
ESTATE TO ALLOW ADDITIONAL OVERFLOW PARKING, A 2,160 SQUARE
FOOT KITCHEN, COVERED WALKWAY, A RESTROOM ADDITION, AND
PEDESTRIAN PATHS; GRANTING SPECIAL APPROVAL FOR A PROJECT IN
THE COASTAL HIGH HAZARD AREA, AND THE HISTORICAL AND
ARCHAEOLOGICAL OVERLAY DISTRICT; GRANTING SPECIFIC APPROVAL
OF ALTERNATIVE TO SECTIONS 710.1.5.5.5.1 AND 715.3.1(D) OF THE LAND
DEVELOPMENT CODE; PROVIDING A LEGAL DESCRIPTION; PROVIDING
FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE:

WHEREAS, Manatee County Government ("Applicant") has requested approval of a general Development Plan for the Crosley Estate to allow additional overflow parking, a 2, 160 square foot kitchen, covered walkway, a restroom addition, and pedestrian path; and

WHEREAS, the Planning Staff has recommended approval of the General Development Plan; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on May 12, 2005, to consider the General Development Plan, received the Planning staff's recommendations and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the General Development Plan consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the General Development Plan; and

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

SECTION 1. FINDINGS: The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

SECTION 2.

- (A) The General Development Plan is hereby APPROVED to allow additional overflow parking, a 2, 160 square foot kitchen, covered walkway, a restroom addition, and pedestrian path subject to the Stipulations set out below.
- (B) The Board of County Commissioners hereby GRANTS two Special Approvals for: the project in the Coastal High Hazard Area in accordance with Policy 2.2.2.4 of the Manatee County Comprehensive Plan in the Historical and Archaeological Overlay District in accordance with Policy 2.2.2.6 of the Manatee County Comprehensive Plan.

SECTION 3. The approvals in section 2 hereof are subject to the following Stipulations:

- 1. The applicant shall clearly demarcate the 12 ft. grass pedestrian path on the ground. Means of doing so shall be shown on the Final Site Plan.
- 2. O.F.W. (Outstanding Florida Water) standards apply. Water quality computations submitted with the Final Site Plan shall show an additional 50% increase of treatment volume for the 25

year 24 hour design.

3. This project shall be required to reduce the calculated predevelopment flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into Sarasota Bay.
4. The existing boat basin shall not be dredged or altered, including maintenance dredging, unless permitted by all regulatory agencies having jurisdiction. (Original Stipulation)
5. The Final Site Plan shall show the dry retention systems shall be designed to maintain dry conditions except for a 36 hour period following the design storm rainfall. There should be a minimum of a one foot clearance above the seasonal high water table (SHWT) and the bottom of the dry retention pond(s). The Final Site Plan shall show the SHWL related to within the pond(s). These areas shall have a full stand of grass or other acceptable coverage.
6. Removal of all exotic nuisance plant species from upland portions of the site shall be completed prior to the Certificate of Occupancy issuance or final inspection.
7. The proposed boardwalk through the wetland and wetland buffer areas shall be designed to comply with Section 719.11.1.2 of the LDC and shown on the Final Site Plan.
8. Tree barricades for trees to be preserved shall be located at the drip line unless otherwise approved by the County. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees; machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height, unless otherwise approved by the County. This information shall be shown on the Final Site Plan.
9. Final engineering drainage design must be approved prior to Final Site Plan approval.
10. Prior to the Final Site Plan approval, the Engineer of Record/Architect must provide documentation to prove that concurrency has been met relative to fire flow.
11. The Developer shall use the lowest quality of water available for irrigation purposes. Consideration shall be given to meeting the irrigation needs of the Project with the following sources, in order of preference: (1) reuse water, (2) treated stormwater; (3) non-potable quality groundwater. Prior to each Final Site Plan approval, the Developer shall identify the irrigation source which will be utilized. Use of Manatee County public potable water supply shall be prohibited for in-ground irrigation systems.
12. Prior to Final Site Plan Approval, the applicant shall gain approval of a Hurricane Evacuation Plan and Disaster Plan from the Director of Public Safety.
13. The applicant shall meet or exceed all appropriate federal, state, and local construction codes, setback requirements, and flood plain management regulations recognizing the vulnerability of this site to fresh water flooding and tropical storms and hurricanes. The applicant shall also apply for and receive a Floodplain Management Permit with their Building Permit.
14. The applicant shall meet all County Noise Ordinance standards for outdoor events.
15. Design for the kitchen and restroom structure shall be in substantial conformance with the elevation drawings entered into the record for this project and all requirements of COA-05-01 for these additions.

16. Any significant historical or archaeological resource discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offenses Concerning Dead Bodies and Graves) shall be followed.
17. A Phase 1 archaeological site evaluation shall be completed and submitted with the Final Site Plan.
18. A wetland buffer enhancement plan for the wetland buffer south of the boat basin shall be submitted for review and approval concurrently with the Final Site Plan. Wetland buffer plantings shall consist of native and naturalized vegetation and shall be approved by the Natural Resources Division of the Planning Department.
19. Uses, activities, events, and functions at the Crosley Estate shall be consistent with those activities outlined in the Powel Crosley Mansion Marketing Plan, as adopted by the BOCC on September 9, 1996. (Original Stipulation).
20. Any new on-site lighting shall be consistent with the design of existing lighting on the site or utilize full cut-off shielding to eliminate off-site glare.

SECTION 4.

1. **FINDING:** The Board finds that the public purpose of Section 710.1.5.5.5.1 of the Land Development Code, as proposed by the applicant, are satisfied to an equal or greater degree because these are overflow parking lots that have been serving that function adequately since the Crosley Estate began it's life as an event center.

Specific Approval of an alternative to Section 710.1.5.5.5.1 of the Land Development Code is hereby granted to allow overflow parking areas on both sides of the main entry that are grass only with no paved aisles or visible demarcation of parking spaces.

2. **FINDING:** The Board finds that the public purpose of Section 715.3.1(d) of the Land Development Code, as proposed by the applicant, are satisfied to an equal or greater degree because the new parking will meet or exceed the landscape island requirements. The existing lot functions as currently configured. The request for Specific Approval can be approved.

Specific Approval of an alternative to Section 715.3.1(d) of the Land Development Code is hereby approved to allow the existing parking area to have more than 10 consecutive parking spaces without an intervening landscape island because the new parking area will meet or exceed the landscape island requirements and the existing lot functions as currently configured.

SECTION 5. LEGAL DESCRIPTION OF THE PROPERTY:

The General Development Plan approval contained herein is applicable to the real property located at 8374 North Tamiami Trail and specifically described in Exhibit A, a copy of which is attached hereto and made a part by reference.

SECTION 6. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting, the 24th day of May, 2005.

BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

BY:

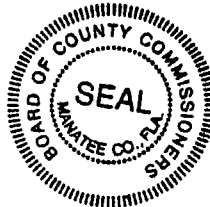
De McClas

FIRST VICE-CHAIRMAN

ATTEST:

R. B. SHORE
Clerk of the Circuit Court

R. B. Shore



STATE OF FLORIDA, COUNTY OF MANATEE
I, R. B. SHORE, Clerk of the Circuit Court, do hereby certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 25th day of

May, 2005

R. B. SHORE
Clerk of Circuit Court

By: *De McClas* D.C.



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

May 31, 2005

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

FILED FOR RECORD
R. B. SHORE
2005 JUN -3 AM 11:12
CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

Attention: Nancy Harris, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated May 25, 2005 and certified copies of Manatee County Ordinance Nos. PDC-98-02(P)(R), PDMU-99-07(R4), PDMU-03-20(Z)(P), PDPI-04-50(G), Z-04-07, 05-34 and 05-35, which were filed in this office on May 31, 2005.

As requested, the date stamped copies are being returned for your records.

Sincerely,

Liz Cloud
Program Administrator

LC/kcs

Enclosures