

PRELIMINARY SITE PLAN  
PDMU-99-05(P) - CHERRY LAKE TREE FARMS, INC/LEVEROCKS

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 PDMU-99-05(P) consistent with Manatee County Ordinance No. 89-01 (the Manatee County Comprehensive Plan), Preliminary Site Plan No. PDMU-99-05(P) - Cherry Lake Tree Farms, Inc./Leverocks is hereby approved to allow an 8,200 square foot eating establishment, granting Special Approval for a project located within the Entranceway, Coastal High Hazard Area, Coastal Evacuation Area, and adjacent to a Perennial Stream, subject to the following stipulations and specific approvals:

STIPULATIONS:

1. Existing native vegetation within required landscaped areas and buffers shall be retained to the greatest extent possible. Sufficient area around the trees shall be provided to reasonably guarantee their survival, as determined by a Registered Landscape Architect, at time of Final Site Plan approval.
2. Prior to the commencement of construction, a Registered Landscape Architect shall certify to the Planning Department that existing trees to be preserved, as shown on the site plan, will survive construction. Prior to C.O., the Landscape Architect shall certify that all trees indicated to be preserved have been preserved.
3. At least 75% of all plantings incorporated in the landscape plan shall consist of native species.
4. Prior to C.O. all nuisance exotic species (e.g., Australian Pines and Brazilian Pepper) shall be removed from the entire site.
5. No clearing or grubbing shall occur to the east of the building, within the retention pond area, unless approved by SWFWMD and EMD.
6. The design of the project shall be in substantial conformance with the architectural elevations entered into the record.
7. Prior to Final Site Plan approval, the applicant shall provide written documentation that the adjacent 0.97 acre parcel to the west of the site is combined and in common ownership with Lot 27 of Tamiami Shores or provide a cross access easement between the 0.97 acre parcel and the Leverocks site.
8. The section of sidewalk located to the east of the handicap parking spaces, in front of the 20 inch oak tree, shall be constructed of paver block.
9. There shall be no outdoor paging, loud speaker system, or outdoor telephone ringer utilized on this site.
10. One pole sign and one ground sign, in accordance with the Entranceway criteria, shall be permitted.
11. No docks are permitted unless otherwise approved by the Board at a future public hearing.
12. All roof mounted H.V.A.C. and roof-mounted mechanical equipment shall be screened from view from adjacent uses and roadways.

- 13. Prior to issuance of a Certificate of Occupancy, this project shall enter into a participation agreement with Manatee County to fund improvements to the south end of the intersection of U.S. 301 and 60<sup>th</sup> Avenue East. Nothing contained in this stipulation will delay the issuance of a Certificate of Occupancy in the event the required roadway improvements have not been determined by the County.
- 14. An Integrated Management Plan for the application of fertilizers, pesticides, and herbicides shall be submitted to the EMD for review and approval prior to Final Site Plan approval. Where practicable, native xeriscape landscape materials shall be utilized.

SPECIFIC APPROVALS:

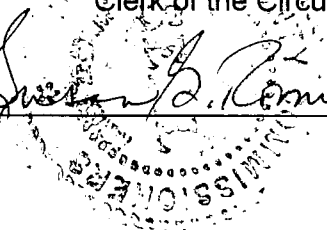
- 1. Specific Approval for an alternative to Section 715.3.1(d), of the Land Development Code to allow an alternative landscaping design containing more than 10 consecutive parking spaces without an interior landscape island.

APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this 26<sup>th</sup> day of October, 1999.

BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

BY: Stan Stephen  
Chairman

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

BY: [Signature]  


# BRADENTON HERALD

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STATE OF FLORIDA  
 COUNTY OF MANATEE;

Before the undersigned authority personally appeared Linda Wells, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of NOTICE OF ESTABLISHMENT in the Court, was published in said newspaper in the issues of 10/15, '99.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said 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 1 year next preceding the first publication of the attached copy of advertisement; and 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.

*Linda Wells*  
 (Signature of Affiant)

Sworn to and subscribed before me this  
 15th Day of October, 1999

DIANE S. BACRO  
 Notary Public - State of Florida  
 My Commission Expires Aug 15, 2003  
 Commission # CC863180

*Diane S. Bacro*

SEAL & Notary Public

Personally Known  OR Produced Identification   
 Type of Identification Produced \_\_\_\_\_

PDMU-99-05 (P)  
**NOTICE OF ESTABLISHMENT OR CHANGE OF A REGULATION AFFECTING THE USE OF LAND IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Board of County Commissioners of Manatee County will conduct a Public Hearing on Tuesday, October 26, 1999, at 9:00 A.M. at the Manatee County Convention and Civic Center, One Habern Blvd., Palmetto, Florida, to consider and act upon the following matters:

**PDMU-99-05 (P) Cherry Lake Tree Farms, Inc./Leverocks**

Approval of a Preliminary Site Plan to allow an 8,200 square foot eating establishment. Located at the southwest corner of intersection of I-75 and U.S. 301 between 19th Street East and the Manatee River in Ellenton. This site is zoned PDMU (Planned Development Mixed Use) and PDMU/CH (Planned Development Mixed Use, within the Coastal High Hazard Area) and lies within the CEA (Coastal Evacuation Area) and the CPA (Coastal Planning Area) (+/- 3.32 acres).

**PDR-98-11(Z)(P) Clarence, Charles & Leonard Pillsbury**

(1) Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01), the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from RSF-3 (Residential Single Family, 3 dwelling units per acre)/CH (Coastal High Hazard Overlay) to PDR (Planned Development Residential), retaining the CH (Coastal High Hazard) Overlay District; providing an effective date; and (2) Approval of a Preliminary Site Plan to allow 8 single-family lots at a gross density of 0.81 dwelling units per acre and 3 existing docks. Located south of 17th Street West, on the north side of the Manatee River at 5225 17th Street West, Palmetto (+/- 10.2 acres).

**PDR-97-18(P) Sam Rodgers Properties, Inc./Grey Hawk Landing**

Approval of a Preliminary Site Plan to allow 797 single-family lots for detached residences at a gross density of 1.2 dwelling units per acre. Located west of Mill Creek between SR 64 and Upper Manatee River Road. Present zoning: PDR (Planned Development Residential). (+/- 647.6 acres).

**PDC-99-07(Z)(P) BS Joint Venture/Hess Service Station**

(1) Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from LM (Light Manufacturing) to PDC (Planned Development Commercial); providing an effective date; and (2) Approval of a Preliminary Site Plan to construct a Convenience Store with gas pumps on the site. Located at the southeast corner of SR 64 and Lakewood Ranch Boulevard (+/- 2.18 acres)

**PDR-99-09(P) - Curtis Petzold/Timberly Phase II**

Approval of a Preliminary Site Plan for 112 multi-family units at a density of 8.2 dwelling units per acre. Located at the southwest corner of U.S. 301 and Foy Road. Present zoning: PDR (Planned Development Residential) (+/- 13.7 acres).

**PDR-99-13(Z)(G) - Highland Developments, L.C. et al/The Highland**

(1) Approval of a Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from A (General Agriculture, 1 dwelling unit per 5 acres) to PDR (Planned Development Residential); providing for an effective date; and (2) Approval of a General Development Plan for 304 single-family lots for detached residences at a gross density of 0.98 dwelling units per acre. Located on the east side of Rye Road, between SR 64 and Upper Manatee River Road east of Mill Creek (+/- 338.1 acres).

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution are available for review, or purchase at cost, from the Planning Department, 111 Manatee Avenue West, 4th floor, Bradenton, Florida.

All interested parties are invited to appear at the hearing and be heard, subject to proper rules of conduct. Additionally, any written comments filed with the Director of the Planning Department will be heard and considered by the Board of County Commissioners.

Interested parties may examine the proposed Ordinance, Official Zoning Atlas, the application, and related documents, and obtain assistance regarding these matters from Manatee County Planning Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 73070.

According to Florida Statutes, Section 286.0105, a person desiring to appeal any decision made by the Board of County Commissioners with respect to a matter considered at a Public Hearing will need record of the proceeding and for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony evidence upon which an appeal is to be based.

**American With Disabilities Act**  
 The Board of County Commissioners does not discriminate upon the basis of any individual's disability.

This discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for meeting as providing the ADA, should contact Dralut at 742-5800 ONLY 742-5802 and 1 seconds, or FAX 745-3 SAID HEARINGS M CONTINUED FROM TO TIME PENDING

**ADJOURNMENTS.**  
 Manatee County Board of County Commissioners Manatee County Planning Department Manatee County, Florida 10/15, '99



Leverocks

9/99

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PARID	OWNER	MAILING ADDR1	MAILING ADDR2	MAIL AD3	CITYNAME	ST	ZIP	+4
1 820000057	GERSHONI, AMNON	7432 SUNSHINE SKYWAY LAN	#706D		ST PETERSBURG	FL	33711	
2 867300006	GLOBE OIL COMPANY USA	PROPERTY TAX DEPT	539 SOUTH MAIN ST		FINDLAY	OH	45840	
3 815900055	HUMPHREY HOSPITALITY LIMITED	12301 OLD COLUMBIA PIKE			SILVER SPRING	MD	20904	
4 815900105	HUMPHREY HOSPITALITY LIMITED	12301 OLD COLUMBIA PIKE			SILVER SPRING	MD	20904	
5 823300009	MANATEE RIVER INNS INC	517 2ND ST W			BRADENTON	FL	34205	
6 872700000	MANATEE RIVER INNS INC	517 2ND ST W			BRADENTON	FL	34205	

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