AGENDA
BRADENTON PLANNING COMMISSION MEETING
2:00 p.m. Wednesday, December 11, 2024
101 OLD MAIN STREET, BRADENTON, FL 34205

1. MEETING CALLED TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MEETING MINUTES

a) Planning & Community Development: Planning Commission meeting minutes from November 20, 2024.
Meeting Minutes - 11/20/2024 (DRAFT).pdf

5. PUBLIC COMMENTS

Anyone wishing to address the Planning Commission on any non-agenda item should complete a comment slip and submit it to the Clerk.

6. AGENDA ITEMS

a) Planning & Community Development: Resolution 25-01; Case SUP.24.0001
A Resolution of the City Council of the City of Bradenton, Florida, granting Special Use Permit No. SUP.24.0001 to permit a sidewalk cafe with alcoholic beverage sales for property located at 424 12th Street West, Bradenton, Florida (Parcel ID No. 3319000000), in the T5 Urban Center Transect Zoning District; providing for severability; and providing for an effective date.
Res. 25-01 (DRAFT).pdf
Application - Res. 25-01; Case SUP.24.0001.pdf
Staff Report - Res. 25-01; Case SUP.24.0001.pdf

b) Planning & Community Development: Final Order 24.0001, Case VAR.24.0001
Final Order of the Planning Commission for the City of Bradenton, Florida, to allow for two ground signs with a total square footage exceeding 32 square feet for a residential development located at 2364 Everson Street, Bradenton, Florida (Parcel ID No 1384701109), as more particularly described herein; providing for severability; providing for recordation; and providing for an effective date.
Final Order 24.0001.pdf
Application - Final Order 24.0001, Case VAR.24.0001.pdf
Staff Report - Final Order 24.0001, Case VAR.24.0001.pdf

7. DISCUSSION ITEMS

8. DIRECTOR'S REPORT

9. ANNOUNCEMENT OF CITY COUNCIL PUBLIC HEARING DATES

a) Planning & Community Development: City Council - December 18, 2024
- Ordinance 4050, Case LU.24.2761 - Text Amendments for Tree & Land Preservation Board (Public Hearing)
- Ordinance 4051, Case RV.24.3327 - Right-of-Way vacation at 120 Manatee Ave. E. and 113 5th Ave. E. (Public Hearing)
- Resolution 24-101, Case SU.24.3686 - Special Use Permit for Public Facility Use (Animal Resource Center)

10. ADJOURN

All interested persons and parties may appear either in person and be heard or submit written comments regarding the above matter to the Planning and Community Development Director and they will be heard and considered. The hearing may be continued from time to time as necessary. Copies of the application or further information may be obtained from the Department of Planning and Community Development, 101 Old Main Street, Bradenton, Florida, 34205, or by calling (941) 932-9407.

NON-DISCRIMINATION STATEMENT:

The City of Bradenton prohibits discrimination in all of its services, programs or activities on the basis of race, color, age, disability, sex, national origin, religion, genetic information or marital status. Persons with a disability needing a reasonable accommodation to participate in, or who require assistance or an alternative means for communication of program information such as Braille, large print, etc., should contact as soon as possible, but at least 48 hours in advance:

City of Bradenton ADA/Title VI Coordinator
101 Old Main Street
Bradenton, FL 34205
ADACoordinator@cityofbradenton.com
941-932-9470
TTY: 7-1-1 or 1-800-955-8771

La ciudad de Bradenton proveera servicio de interprete a las personas quienes su primer lenguage no es el ingles. Si necesita estos servicios, usted o su representante puede comunicar al ADA/Title VI Coordinator, 101 Old Main Street, Bradenton, FL 34205. Tambien puede llamar al (941) 932-9470 o enviar correo electronico a ADACoordinator@cityofbradenton.com

AGENDA ITEM NO. 4.a

Item Cover Page

PLANNING COMMISSION MEETING AGENDA ITEM REPORT

DATE: December 11, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Minutes

AGENDA SECTION: **APPROVAL OF MEETING MINUTES**

SUBJECT: Planning Commission meeting minutes from November 20, 2024.

SUGGESTED ACTION: Approve as submitted.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:
Review and approval of the meeting minutes from the November 20, 2024, Planning Commission meeting.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Motion to approve the Planning Commission meeting minutes from November 20, 2024, as submitted.

ATTACHMENTS:
Meeting Minutes - 11/20/2024 (DRAFT).pdf

ABBREVIATED MINUTES
PLANNING COMMISSION MEETING
November 20, 2024

The Planning Commission met in the City of Bradenton Council Chambers, 101 Old Main Street, Bradenton, Florida at 2:00 p.m.

PRESENT

Planning Commission Members: Ben Bakker-Chair, Michael Neal-Vice Chair, Kurt Landefeld, Richard Whetstone.
City Staff: Scott Rudacille-City Attorney, Robin Singer-Planning and Community Development Director, Greg DeLong-Planning and Community Development Assistant Director, Jamie Schindewolf-Senior Planner, Lori Brunner-Planning and Community Development Administrative Assistant.

REGULAR MEETING

1. Meeting was called to order by the Planning Commission Chair, Ben Bakker at 2:01 p.m.
2. Pledge of Allegiance.
3. Motion to approve the September 18, 2024, Meeting Minutes by Commissioner Landefeld, and seconded by Commissioner Whetstone. Motion passed unanimously.

PUBLIC COMMENT
No speakers came forward to speak on non-agenda items.

Chair Ben Bakker asked if the Commissioners had any ex parte communication with any of the applications on today's agenda. There were none.

AGENDA ITEMS:

1. Resolution 24-101; Case SU.24.3686
A Resolution of the City Council of the City of Bradenton granting Special Use Permit No. SU.24.3686 for a Public Facility Use, to establish An Animal Resource Center at the property located at 401 17th Avenue West, Parcel ID 4493800159, Bradenton, Florida, as more particularly described herein; making findings of fact and conclusions of law; providing for severability; and providing an effective date.

Staff: Jamie Schindewolf spoke on behalf of the City. She explained the Special Use Permit for public facility use by the Manatee County Government for an animal welfare resource center. She also went over the application and staff report.
Ms. Schindewolf stated that the proposed use meets the overall requirements.

Applicant: Manatee County employee (no name given) was not briefed on the permit application and was unable to answer any questions.

DRAFT

There was some discussion about the services to be provided, parking, and the City Park area.

Public Comment: Chair Bakker opened the Public Hearing.
No one came forward in favor or in opposition.

Public Hearing was closed.

Motion: Commissioner Neal motioned to approve, and Commissioner Whetstone seconded. Motion passed unanimously.

Director's Report:
Greg DeLong reviewed the 2025 Calendar.

Motion: Commissioner Neal motioned to approve, and Commissioner Landefeld seconded. Motion passed unanimously.

Robin Singer updated the Commission on the permit activity and damage assessment from the recent storms. She stated that the Visioning Project should be finishing up soon. They would like to get to the Form Based Code by the beginning of the year, as well as the Land Use Regulations, for some changes and clean up.
She asked that if the Commission would like to see projects, such as changes to processes in the community, etc., to let her know.
There was some discussion about docks and fences in the code language.
Ms. Singer also discussed additional software with FEMA.

Adjournment: The meeting adjourned at 2:31 p.m.

Ben Bakker, Chair Date

NOTE: This is not a verbatim record. An audio recording of the meeting is available for a fee upon request.

DRAFT

AGENDA ITEM NO. 6.a

Item Cover Page

PLANNING COMMISSION MEETING AGENDA ITEM REPORT

DATE: December 11, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Resolution

AGENDA SECTION: **AGENDA ITEMS**

SUBJECT: Resolution 25-01; Case SUP.24.0001
A Resolution of the City Council of the City of Bradenton, Florida, granting Special Use Permit No. SUP.24.0001 to permit a sidewalk cafe with alcoholic beverage sales for property located at 424 12th Street West, Bradenton, Florida (Parcel ID No. 3319000000), in the T5 Urban Center Transect Zoning District; providing for severability; and providing for an effective date.

SUGGESTED ACTION: Move to recommend either approve or deny Resolution 25-01; Case SUP.24.0001.

Is this item Quasi-Judicial?
Yes

Does this item require a public hearing?
Yes

EXPLANATION:

The applicant has submitted a Special Use Permit application requesting permission to allow a sidewalk café with alcohol sales at 424 12th Street West.

While a sidewalk cafe has been in place at the subject property, the subject Special Use process will ensure compliance to the City of Bradenton's Form Based Code and Land Use Regulations, should approval be granted by City Council.

FINANCIAL IMPACT:

N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to recommend to City Council either approval or denial of Resolution 25-01; Case SUP.24.0001.

ATTACHMENTS:
Res. 25-01 (DRAFT).pdf
Application - Res. 25-01; Case SUP.24.0001.pdf
Staff Report - Res. 25-01; Case SUP.24.0001.pdf

RESOLUTION 25-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, GRANTING SPECIAL USE PERMIT NO. SUP.24.0001 TO PERMIT A SIDEWALK CAFÉ WITH ALCOHOLIC BEVERAGE SALES FOR PROPERTY LOCATED AT 424 12TH STREET WEST, BRADENTON, FLORIDA (PARCEL ID NO 3319000000), IN THE T5 URBAN CENTER TRANSECT ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Jan R. DeLesline, as Trustee of the Jan R. DeLesline Revocable Living Trust dated February 14, 2008 (the "Property Owner" or "Applicant") owns the property located at 424 12th Street West, Bradenton, Florida (Parcel ID No 3319000000), more particularly described in Exhibit "A" (the "Property"), and

WHEREAS, the City of Bradenton Comprehensive Plan's Future Land Use Map designates the Property as Urban Core (URBCORE); and

WHEREAS, the City of Bradenton Official Zoning Map classifies the Property under the (T5) Urban Center – Transect Zoning District; and

WHEREAS, the City of Bradenton Form Based Code, Table 4.7, identifies uses in the T5 transect zoning district; and

WHEREAS, the City of Bradenton Form Based Code, Table 4.7, identifies Café/Sidewalk Café with less than 20 seats as a permitted use in the T5 transect zoning district; but stipulates that City Council approval may be required per the Land Use Regulations; and

WHEREAS, the City of Bradenton Land Use Regulations, Section 4.3.11.4, states that alcoholic beverage sales served as part of any sidewalk café on public property shall require City Council approval; and

WHEREAS, the Property Owner submitted an application for a Special Use Permit to permit a sidewalk café with alcoholic sales; and

WHEREAS, the Planning Commission held a noticed public hearing on December 11, 2024, at which the Commission received testimony and evidence from the applicant and City Planning staff; and

WHEREAS, the City Council held a noticed public hearing on January 8, 2025, at which the Council received testimony and evidence from City Planning staff and members of the public in attendance.

NOW, THEREFORE, the City Council makes the following Findings of Fact and Conclusions of Law and issues the Final Order as follows:

Section 1. Findings of Fact and Conclusions of Law. After considering the evidence on the record and that presented at public hearing, including the staff report and the recommendation of the Planning Commission, the City Council hereby makes the following Findings of Fact and Conclusions of Law:

a. The Whereas clauses contained herein are hereby adopted as Findings of Fact.
b. The Property Owner is requesting approval of a Special Use Permit to operate a sidewalk café with alcoholic sales, as shown on the Site Plan attached hereto as Exhibit "B".
c. The City's professional staff determined that with the proposed stipulations, the project is consistent with the Comprehensive Plan and meets the criteria for approval under the Land Use Regulations.
d. The City's professional staff recommended stipulations to consider for an approval.
e. The Planning Commission, which is designated as the local planning agency, determined that with the proposed stipulations, the project is consistent with the Comprehensive Plan and meets the criteria for approval under the Land Use Regulations.
f. The Planning Commission recommended approval with stipulations.

The proposed use meets the review criteria in Section 3.3.2 of the City Code as follows:

3.3.2.1 The tract of land is suitable for the type of use proposed by virtue of its location, topography, shape and the nature of surrounding development.

3.3.2.2 Access points are located so as to best suit the use and property. Wide spacing between access points and intersecting streets should be required when feasible.

3.3.2.3 All buildings are located an adequate distance from property lines and streets.

3.3.2.4 Permanent screening, such as walls, fences, hedges, and other barriers, are not needed to protect surrounding properties from view of the premises or noises from the use.

3.3.2.5 The following shall be considered and cited as reasons for approval or denial of the application:

a. Adequate ingress and egress is provided to property and proposed structures with particular regard for automobiles and pedestrian safety and convenience, traffic generation, flow and control and emergency access.
b. Location and design of off-street parking and loading areas in regard to the items in "a." above and the smoke, noise, glare, dust, vibrations, fumes, pollution and other effects of the use on adjoining properties is adequate for the proposed use.
c. Location and design of refuse and service areas are sufficient in regard to availability, adequacy and effect upon surrounding properties.
d. Utilities, in regard to location, availability, adequacy and compatibility with surrounding properties are provided.
e. Screening, buffering or separation of any nuisance or hazardous feature of the use are not needed for the proposed use.
f. Proposed signs and exterior lighting are adequate with reference to glare, traffic safety and compatibility and harmony with surrounding properties.
g. Effect upon the value of surrounding properties; the use will not hinder the development of nearby vacant properties or adversely affect their economic value.
h. The land and/or building which are to be used are adequate for the proposed use.
i. The proposed use is compatible and appropriate with adjacent properties and other property in the district with special consideration given to the proposed hours of operation.
j. The proposed use will not affect the environmental quality of the district.
k. The proposed use is consistent with the city's comprehensive plan.

Section 2. Permit. Based upon the foregoing, a Special Use Permit is hereby approved and issued for the Property, to allow for a sidewalk café with alcoholic sales for a maximum of 50 seats, as generally shown on the Site Plan attached hereto as Exhibit "B", subject to the following stipulations:

a. The approved Resolution, including the approved site plan and conditions shall be on display and accessible on the Property during business hours.
b. Within 30 days following the approval, the Property Owner shall execute an Indemnification Agreement in a form acceptable to the City.
c. No more than 6-tables, 10-chairs and 7-stadium seats may remain on the sidewalk when the business is closed. The items shall be cabled in a tight cluster rendering them unusable and placed adjacent to the building unit.
d. Clear pedestrian access on the public sidewalk of no less than 5' shall be maintained at all times in a way that neither seating, tables, or

umbrellas affect the ingress/egress of travel, the safety or pedestrian and traffic circulation.

e. The property/business owner shall obtain all State licenses permitting the sale of alcohol as part of the sidewalk café.
f. Any cleaning solution used to clean the sidewalk café area shall be approved by the Bradenton Public Works Department.
g. Any future increase in seating for the sidewalk café area shall be approved by City Council.

Section 3. State and Federal Permits. Issuance of this development permit by the City does not in any way create any right on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. The applicant must obtain all applicable state and federal permits before commencing development or use.

Section 4. Severability. In the event that any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decisions shall in no manner affect the remaining portions or sections of the Resolution which shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall be effective upon adoption.

ORDERED ON BEHALF OF THE CITY OF BRADENTON THIS 8th DAY OF JANUARY 2025.

THE CITY OF BRADENTON, BY AND THROUGH THE CITY COUNCIL OF THE CITY OF BRADENTON

ATTEST:

_____ _____

Tamara Melton
CITY CLERK

Gene Brown
MAYOR

APPROVED AS TO FORM:

_____
Scott Rudacille
CITY ATTORNEY

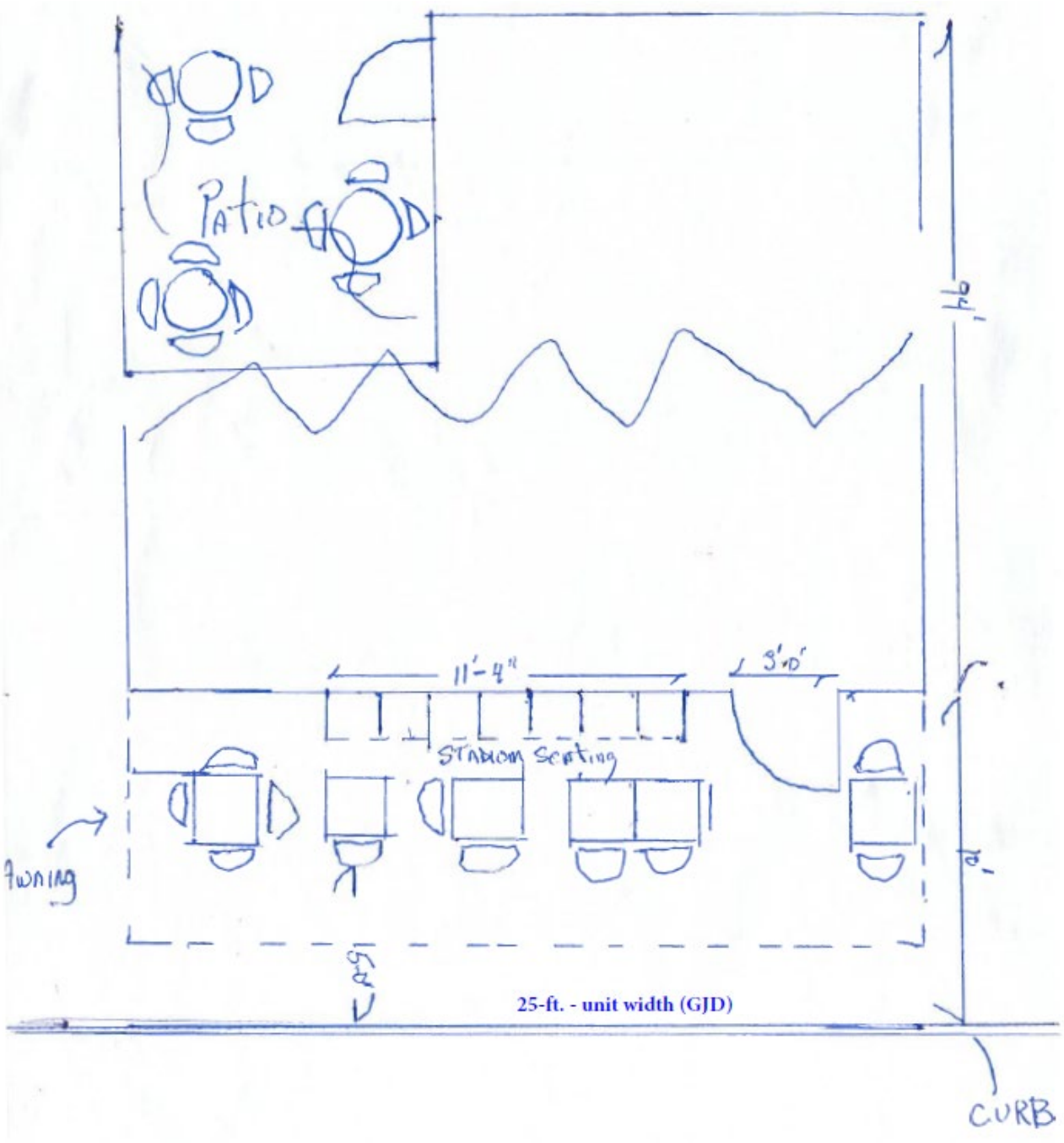
DRAFT

EXHIBIT A

Parcel 3319000000:
LOTS 8,9,10 FULLER BLOCK PI#33190.0000/0

DRAFT

EXHIBIT B


Patio
11'-4"
3'-0"
STADIUM Seating
Awning
25-ft. - unit width (GJD)
CURB

Special Use Application

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

bradenton
The Friendly City

15

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: John DeLesline

Owner Address: 320 7th St W Palmetto FL 34221 Telephone: 941 723-6112

Name of Agent: James M. Ille

Agent Address: 4241 2th Street west Telephone: 941-812-3850

Owner/Agent Email: Cork057@me.com

PROPERTY INFORMATION (REQUIRED)

Property Address: 4241 2th Street west

Parcel ID: 3319000000 Acreage: 0.148

Zoning District: *click to view Zoning map

Future Land Use: *click to view FLU map

Ward #: 3 *click to view Ward map

Neighborhood #: *click to view Neighborhoods map

DESCRIPTION (REQUIRED)

Indicate Type of Special Use Request:

Special Use ☐ Special Use-Amendment ☒

Provide a brief description of the propose land use activity: Cafe License.

MATERIALS FOR REVIEW (REQUIRED)

- **Special Use**
  - Special Use Application Fee: **$1,820**
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Review Criteria (see page 2 for Special Use Review Criteria)
  - Site Plan
  - Property Survey signed & sealed within the last 3 years
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Special Use Permit - Amendment**
  - Special Use Amendment Application Fee: **$1,820**
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Property Survey signed & sealed within the last 3 years
  - One (1) electronic copy in pdf format of Application and all required support materials including site plan
- **Application Submittal Deadline Date and Information**
  - Planning Commission meets on the third Wednesday of each month, except for December where they meet on the second Wednesday.
  - Application submittal deadline date is 40-days prior to the meeting date. Submittals found to be incomplete will be rejected and the application will not be placed on the Commission agenda. If an application is found to be incomplete, the applicant may submit missing materials by the application deadline. No late submittals will be accepted.

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,820** (Special Use)
$1,820 (Special Use-Amendment)

Application Sufficiency:
Sufficient☐
Incomplete☐

FEE COLLECTED: $

RECEIPT #:

APPLICATION #: SUP-24-0001

CITY COUNCIL:

PLANNING COMMISSION:

DRC:

REVIEW DATES – TO BE COMPLETED BY CITY STAFF

Agent Authorization Form

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

PLANNING & ZONING AGENT AUTHORIZATION FORM

Property Address: 424 12th Street West.

I, John Delesline, the registered property owner(s) of the above noted property, do hereby authorize

James Miller — Print Name of Agent
Cork's Cigar Bar. — Company Name

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standards and conditions applicable.

AGENT AUTHORIZATION — REQUIRED

320 7th St W, Palmetto FL 34221
Signature of Owner(s) — Owner(s) Address (if different than property above)

424 12th Street West 941-862-3850
Signature of Agent — Agent Address and Phone

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me by means of X physical presence or ___ online notarization, this 20th day of September, produced _____ _____ respectively, as identification and who did (did not) take an oath:

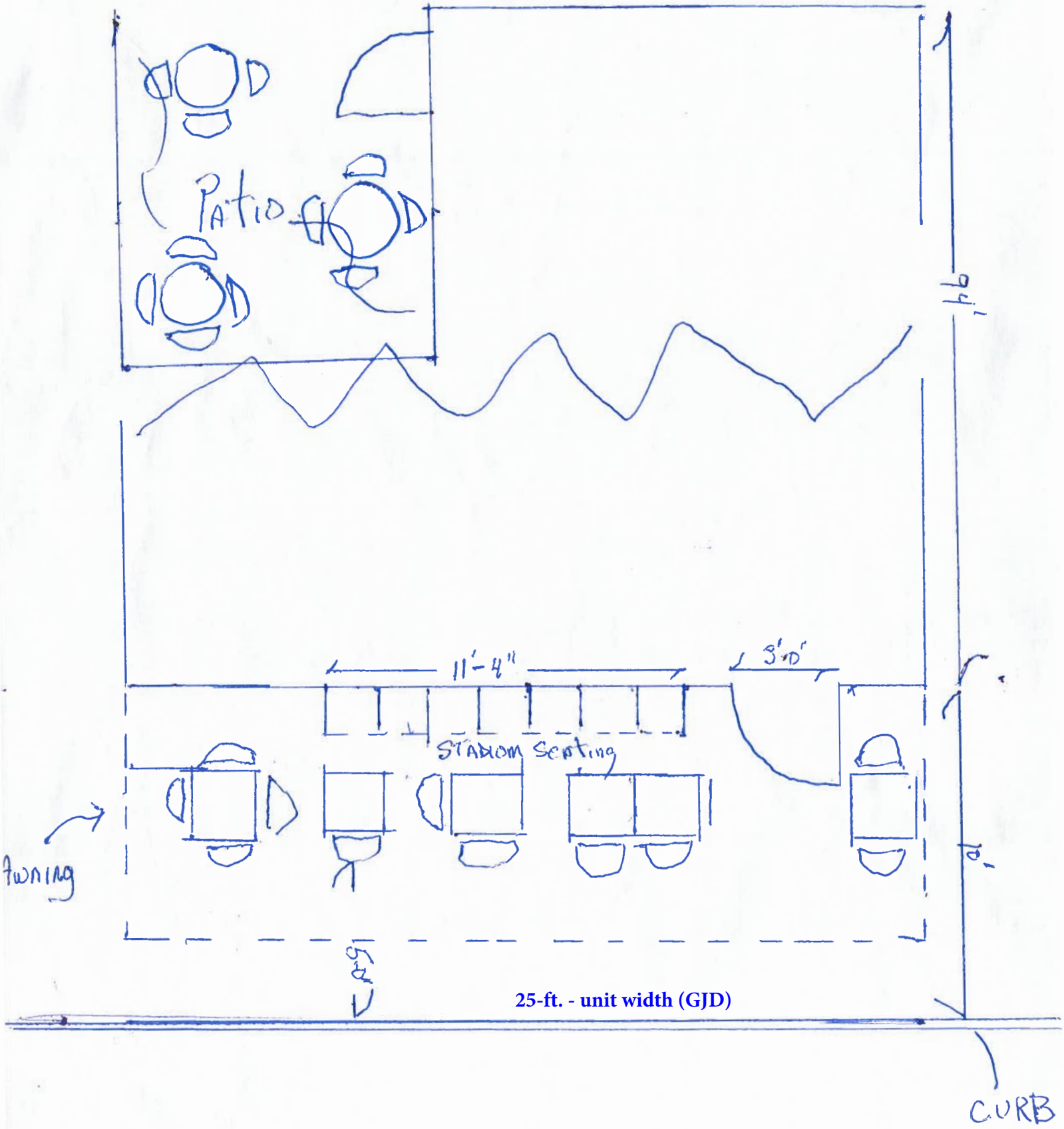
NOTARY — REQUIRED

Signature

JAN R DELESLINE
Notary Public
State of Florida
Comm# HH431320
Expires 8/8/2027

Print Name — Notary Public

State of Florida
My Commission Expires: _____



25-ft. - unit width (GJD)

From: corks cigar bar
To: Greg DeLong
Subject: Re: [EXTERNAL] Corks Special Use 2nd Page Qauestions
Date: Wednesday, November 13, 2024 2:11:37 PM
Attachments: image001.png

You don't often get email from corkscigarbar@gmail.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good Afternoon Greg

Yes, that is fine to use the application that was sent with previous email. Here is how we answered the 1-11 questions. Please let me know if you need anything else. Thank you for your time.

1. Adequacy of ingress and egress to property and proposed structures with particular regard for
automobiles and pedestrian safety and convenience, traffic generation, flow and control and emergency access. Customers enter and exit onto the city sidewalk and city alley.
2. Location and design of off-street parking and loading areas in regard to the items in "1" above
and the smoke, noise, glare, dust, vibrations, fumes, pollution and other effects of the use on adjoining properties.N/A.
3. Location and design of refuse and service areas in regard to availability, adequacy and effect
upon surrounding properties. Rear alley dumpster on property. City Trash.
4. Utilities, in regard to location, availability, adequacy and compatibility with surrounding properties. Electric is located on the North side of the building. Water is located in front of the building.
5. Screening, buffering or separation of any nuisance or hazardous feature of the use. None
6. Proposed signs and exterior lighting with reference to glare, traffic safety and compatibility and
harmony with surrounding properties. Lightning under outfront awning facing down on outside tables & charis. Flood Lights in alley and lighting dumpster. Lights outside the back door.
7. Effect upon the value of surrounding properties; the use shall not hinder the development of nearby vacant properties or adversely affect their economic values. Increase the value.
8. Adequacy of land and/or building which are to be used. Adequate.
9. General compatibility or appropriateness with adjacent properties and other property in the district with special consideration given to proposed hours of operation. Conforms with all adjacent properties.
10. Environmental quality of the district in which the use is proposed and the effect the Special Use
Permit might have on such quality. None.
11. Consistency with the City of Bradenton Comprehensive Plan. Yes.

From: corks cigar bar
To: Greg DeLong
Subject: [EXTERNAL] Corks Cafe License
Date: Monday, November 11, 2024 12:27:32 PM

You don't often get email from corkscigarbar@gmail.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good Afternoon

I have attached the photos of the table and chairs while open and while closed. The total feet of our storefront is 25ft. And we have no FDC's outside our building. Also, can we use this email to make sure we respond on time to any further requests. If you have any other questions please let me know.

Thank you

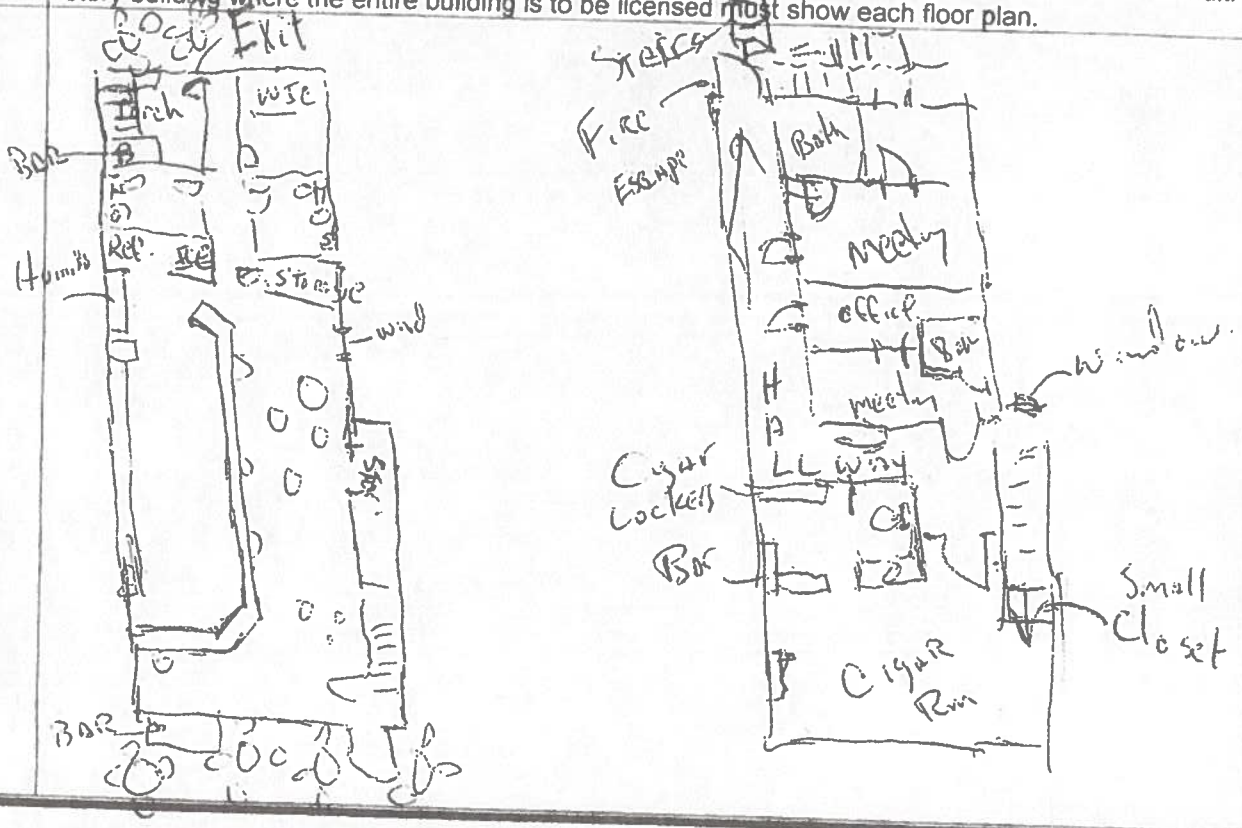
Meagan Miller
9417050635 Cell
Cork's Cigar Bar
424 12th St West
Bradenton, Fl 34205

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

SECTION 3 – DESCRIPTION OF PREMISES TO BE LICENSED

Business Name (D/B/A)	Corks Cigar Bar, LLC				
Street Address	424 ~~E~~ 12th Street West				
City	Bradenton		County Manatee	State FL	Zip Code 34205
1.	Yes ☐	No ☒	Is the proposed premises movable or able to be moved?		
2.	Yes ☐	No ☒	Is there any access through the premises to any area over which you do not have dominion and control?		
3.	Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show each floor plan.				



SECTION 4 – ZONING
TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING YOUR BUSINESS LOCATION

Street Address	424 OLD MAIN (12th Street West)		
City	BRADENTON	County Manatee	State FL	Zip Code 34205

A. The location complies with zoning requirements for the sale of alcoholic beverages or wholesale tobacco products pursuant to this application for a Series 4COP license.

B. Are there outside areas which are contiguous to the premises which are to be part of the premises sought to be licensed?" ☒ Yes ☐ No

Signed _____ Date 10/20/11

Title DEVELOPMENT REVIEW MANAGER - PDD


CORK'S
CIGAR BAR
CIGAR BAR
STELLA ARTOIS
Belgium
NO PETS
PUSH

CORK'S
CIGAR BAR
2 HOUR PARKING ONLY
CIGAR BAR
MUST BE 21 TO ENTER We I.D.
NOTICE
FOR YOUR PROTECTION ALL CITY OF BRADENTON POLICE OFFICERS ARE AUTHORIZED TO ADVISE ANY PERSON TO LEAVE THESE PREMISES. FAILURE TO LEAVE THESE PREMISES AFTER BEING INSTRUCTED MAY RESULT IN YOUR ARREST FOR TRESPASSING. FLORIDA STATUTE 810.08 & 810.09
424


WATER
424
CIGAR BAR
CIGAR BAR
42


424
CIGAR BAR
MUST BE 21 TO ENTER
CIGAR BAR
WATER

City of Bradenton
Planning and Community Development Department
Planning Commission Public Hearing
December 11, 2024

Staff Report

Case Number: SUP.24.0001
Res. Number: 25-01
Applicant: James Miller (agent)
Owner: Jan DeLesline
Addresses: 424 12th Street West
Parcel ID No: 3319000000
Current Zoning: T5 (Urban Center – Transect District)
Future Land Use: URBCORE (Urban Core)
Flood Zone: X

Surrounding Property Zoning:

Current Zoning: North: T5 (Urban Center – Transect District)
South: T5 (Urban Center – Transect District)
East: T5 (Urban Center – Transect District)
West: T5 (Urban Center – Transect District)

Future Land Use: North: URBCORE (Urban Core)
South: URBCORE (Urban Core)
East: URBCORE (Urban Core)
West: URBCORE (Urban Core)

James Miller of Corks Cigar Bar (agent), for Jan DeLesline, submitted a Special Use application requesting permission to allow a sidewalk café with alcohol sales at 424 12th Street West.

While a sidewalk cafe has been in place at the subject property, the subject Special Use process will ensure compliance to the City of Bradenton's Form Based Code and Land Use Regulations, should approval be granted by City Council.

According to the submitted application materials, the proposed café area will be located on the sidewalk along 12th Street West. Following is a summary of the request:

- Area size: 10' x 25' (unit width).
- Number of Tables: 6-tables.
- Number of Seats: 10-chairs and 7-stadium seats.

- Bussing and Hostess Stations: No.
- Table Umbrellas: No, due to an existing awning.
- Requesting to allow for furniture to remain on the sidewalk when the business is closed.

Based on the submitted site plan, a minimum of 5' of traversable space for pedestrians to pass by the café area will be provided. There are no Fire Department Connections (FDC) within the proposed café area.

The subject property is in the T5 Urban Center Transect Zoning District. According to Table 4.7 of the Form Based Code (FBC), Café/Sidewalk Café's with less than 20 seats are a permitted use. City Council approval may be required if there is the sale of Alcoholic beverages, per footnote #1 and Section 4.3.11.4 of the Land Use Regulations (LUR).

Table 4.7: Specific Function & Use.

	T3	T4-S	T4-R	T4-O	T5	T6	SD
Special Events		SU	SU	SU	SU	P	
Retail Building			P	P	P	SU	
Display Gallery			P	P	P	SU	
Restaurant			P	P	P	SU	
Kiosk			P	P	P	SU	
Cafe/Sidewalk Cafe<20 seats[1]			P	P	P	P	

1. City Council approval may be required. Refer to Sections 2.2.9 and 4.3.1 for alcoholic beverage sales and approval requirements.

As part of the application submittal packet, the applicant also included:
- Photos of the furniture (tables and chairs).
- Extension of premise liquor license.

FORM BASED CODE REGULATIONS:

12.1.d.vi *Sidewalk café.* An area where food or beverage is served from an adjacent café or restaurant to patrons seated at tables located within the sidewalk area adjacent to the café or restaurant.

COMPREHENSIVE PLAN:

Design Element:

Policy 1.1.1 Design Standards, Public Streets, Buildings/Architecture, Open Space and the Public Realm

The City shall consider inclusion of additional requirements for enhancements in the Land Development Regulations. Standards for enhancements to be considered include the following:

Public Streets

Public Streets should provide the primary vehicle and pedestrian circulation infrastructure for the City. Public and private development should use the existing street grid as a framework and should expand the public street network as necessary to provide connectivity between new and older development. Development of new and extended streets should generally be kept in scale with the existing street network found along Bradenton's waterfront including the Downtown and Old Manatee Village areas.

2. Sidewalks are important to defining streets as civic places. Sidewalks should be provided along both sides of all streets and should be wide enough to accommodate visiting and residential pedestrians comfortably and safely. The pedestrian environment should be further enhanced through the use of fixed street furniture, compatible and consistent lighting, and landscaping. Sidewalk cafes, temporary art installations, and seasonal lighting are encouraged along public sidewalks as a means to encourage the year-round activity.

Policy 1.2.5 Sidewalk Design

The City shall require sidewalks to have a minimum clear width of five feet wide.

LAND USE REGULATIONS:

2.2.10 *Alcoholic beverage sale approval*. Administrative approval is allowable for all complete alcoholic beverage state license applications, except events proposed to be held on public property or requiring public services. The PCD director may require city council approval of certain alcoholic beverage license applications to protect the public interest. Certain uses associated with alcoholic beverage licensing may require discretionary review pursuant to schedule 3.2.1.2. and shall comply with subsection 2.2.9.

2.2.10.1 Application. The application (paper or electronic media in a PDF format) must indicate the type of state license the business is to operate under, and be accompanied by a site plan showing all

churches, day care facilities and schools within a 1,000-foot radius of the subject property boundary, as well as other information that may be required by the PCD director to sufficiently review the application per subsection 4.3.1. The application fee is set forth in appendix A.

2.2.10.2 Public notice. When required, public notice shall be given as per subsection 2.3.1.

2.2.10.3 Review and approval. The application shall be reviewed using the criteria in subsection 4.3 pursuant to schedule 2.3. Upon the granting of approval by city council, or if administrative approval is authorized, the PCD director shall sign the state alcoholic beverage vending license application.

3.3 Special Use Permits.

Land uses requiring special use permits are those which have the potential of disturbing other land uses in the zoning district. Because they are not necessarily compatible with land uses in the zone in which they are allowed, they require discretionary review. Special uses are permitted only if in the specific instance the use will be compatible with surrounding uses or can be made compatible through limitations of their operation or enhancements of the site development design. The special use permit makes the stipulations of approval mandatory. The special use permit is valid for the property on which it is issued for as long as the conditions are met, unless the approval stipulates otherwise. Schedules 3.2.1.1 (residential), and 3.2.1.2 (non-residential) indicate what uses require special use permits in various zones. See section 2.2.4 for the application procedure.

4.3.1 *Alcoholic beverage sale approval.* The following are the criteria for review and approval of an application for alcoholic beverage sales (see section 2.2.9 for application requirements).

4.3.1.1 Approval shall not be granted for a site in a residential land use atlas district.

4.3.1.2 Approval shall not be granted on any site within 300 feet of any place of worship, day care center, or public or private elementary, middle, or high school. In accordance with F.S. § 562.45(2a) establishments licensed after July 1, 1999, or restaurants not meeting the 51 percent rule shall not be located within 500 feet of any such school. Such distance shall be measured from the main entrance of the applicant establishment, along the shortest route of pedestrian travel, to the main entrance of the principal building of the

place of worship or day care center, or to the nearest point on the school grounds.

4.3.1.3 Approval shall not be granted if the sale of alcoholic beverages is found to be incompatible with surrounding land uses.

4.3.1.4 Reasonable stipulations may be attached to an approval for the purpose of rendering the use compatible with surrounding land use. Stipulations may include, but are not limited to, restrictions on the hours of operation and the addition of buffer strips.

4.3.11 Sidewalk *café.* The sidewalk café provides for outdoor seating in conjunction with a restaurant or drinking establishment and is permitted in accordance with schedule 3.2.1.2 upon approval of a certificate of use or special use permit, and subject to the following restrictions:

4.3.11.1 *Seating area.* The number of outdoor seats and tables shall be limited to that number that can be reasonably accommodated according to the available widths of the associated storefront and sidewalk. Adjacent sidewalk bulb-out areas, even if not located directly in front of the associated storefront, may be considered on an individual basis, when the affected storefront owner does not object. Clear pedestrian access shall be maintained at all times, and no seating or tables shall interfere with ingress/egress of buildings or create an unsafe situation with street traffic. The sidewalk café owner/operator shall remove from the sidewalk and place out of public view any seating or tables when the business is closed, or when an authorized agent of the city makes such a request.

4.3.11.2 *Maintenance.* Public sidewalk approved as part of any sidewalk café shall be properly maintained for safety and cleanliness by the sidewalk café owner/operator on a daily basis. Litter, dirt, grime, grease, and food shall not be permitted to accumulate at any time.

4.3.11.3 *Assurance.* An indemnity agreement, provided by the PCD director shall be signed and provided by the sidewalk café owner/operator, along with proof of public liability insurance as approved by the city attorney.

4.3.11.4 *[Alcoholic beverages.]* Alcoholic beverages served as part of any sidewalk café on public property shall require city council approval, pursuant to subsections 2.2.9 and 4.3.1. and F.S. chapters

561 and 562. City council reserves the right to limit the number of sidewalk cafes providing alcoholic beverage service.

Compliance Overview with Land Use Regulations

Land uses requiring Special Use Permits are those which have the potential of disturbing other land uses in the zoning district. Because they are not necessarily compatible with land uses in the zone in which they are allowed, they require discretionary review. Special uses are permitted only if the use will be compatible with surrounding uses or can be made compatible through limitations of their operation or enhancements of the site development design. The Special Use Permit makes the stipulations of approval mandatory. The Special Use Permit is valid for the property on which it is issued for as long as the conditions are met, unless the approval stipulates otherwise.

The following is a list of required Land Use Regulations subject to review for Special Use Permits:

GENERAL STANDARDS (LAND USE REGULATIONS):

3.3.1 *General standards.* All special uses shall comply at minimum with the following standards. Additional requirements may be made by city council to ensure compatibility of uses.

3.3.1.1 All special uses shall be subject to the general regulations of these LURs for single lot development, structures, lots, yards and vehicular use areas as well as the specific dimensional regulations for lots and structures for the zoning district in which the special use is proposed.

3.3.1.2 A landscaped separation strip of at least ten feet in width shall be provided along all property lines and along all streets serving the premises, except at approved access points.

3.3.1.3 If the use is listed as a specific use in section 4.3, the standards of that section must be met.

REVIEW CRITERIA (LAND USE REGULATIONS):

3.3.2 *Review criteria.* All special uses shall comply with and be reviewed using the following criteria to determine whether to allow the use at the proposed location and to determine appropriate conditions to the use.

3.3.2.1 The tract of land must be suitable for the type of use proposed by virtue of its location, topography, shape and the nature of surrounding development.

Staff Response: It appears that the proposed use of a sidewalk café is suitable for the subject locations.

3.3.2.2 Access points must be located so as to best suit the use and property. Wide spacing between access points and intersecting streets should be required when feasible.

Staff Response: It appears that access points will not be negatively impacted by the proposed use.

3.3.2.3 All buildings shall be located an adequate distance from property lines and streets. Setbacks in excess of those required for the specific zone may be required to lessen the effect of the use on neighboring properties.

Staff Response: No new buildings will be constructed as part of the proposed use.

3.3.2.4 Permanent screening, such as walls, fences, hedges, and other barriers, may be required to protect surrounding properties from view of the premises or noises from the use. The minimum height and other parameters of such screening may be specified.

Staff Response: Requirement cannot be met due to the existing built environment.

3.3.2.5 The following shall be considered and cited as reasons for approval or denial of the application:

a. Adequacy of ingress and egress to property and proposed structures with particular regard for automobiles and pedestrian safety and convenience, traffic generation, flow and control and emergency access.

   Staff Response: No new ingress and egress points are being proposed as part of the subject request. The applicant is also proposing a minimum of 5' of traversable space on the public sidewalk.

b. Location and design of off-street parking and loading areas in regard to the items in "a." above and the smoke, noise, glare, dust, vibrations, fumes, pollution and other effects of the use on adjoining properties.

   Staff Response: It appears that the subject request will not have any negative impacts on adjacent properties as far as smoke, glare, dust, vibrations, fumes, and pollution.

c. Location and design of refuse and service areas in regard to availability, adequacy and effect upon surrounding properties.

   Staff Response: It appears that the subject request will not affect the location and design of existing refuse and service areas.

d. Utilities, in regard to location, availability, adequacy and compatibility with surrounding properties.

   Staff Response: It appears that the subject request will not affect or impact existing utilities.

e. Screening, buffering or separation of any nuisance or hazardous feature of the use.

   Staff Response: No screening, buffering or separation are being proposed as the area is a built environment.

f. Proposed signs and exterior lighting with reference to glare, traffic safety and compatibility and harmony with surrounding properties.

   Staff Response: No new lighting or signage is being proposed as part of the subject requests. Should any lighting or signage be installed in the future, it shall be in accordance with the City of Bradenton's requirements.

g. Effect upon the value of surrounding properties; the use shall not hinder the development of nearby vacant properties or adversely affect their economic value.

   Staff Response: It appears that the subject request will not adversely affect the economic value of surrounding properties.

h. Adequacy of land and/or building which are to be used.

Staff Response: It appears that the area is adequate in size for the subject request. The existing use (sidewalk cafe) has been in place at the subject property. The subject request is to ensure compliance to the Form Based Code and Land Use Regulations.

i. General compatibility or appropriateness with adjacent properties and other property in the district with special consideration given to the proposed hours of operation.

Staff Response: It appears that the proposed request is appropriate for the subject property and district.

j. Environmental quality of the district in which the use is proposed and the effect the special use permit might have on such quality.

Staff Response: It appears that there will be no negative impacts to the existing environmental quality of the district as a result of the subject request.

k. Consistency with the city's comprehensive plan.

Staff Response: It appears that the proposed sidewalk café is consistent with the Comprehensive Plan as the Comprehensive Plan encourages walkability and non-auto-oriented uses.

**** Please see the application materials for the applicant's response to the Review Criteria.**

STAFF COMMENTS:

1. Planning Commission is encouraged to evaluate the request based on the provided criteria, as well as input from staff, the applicant, and the public.
2. It is in staff's opinion that the request is found to be consistent with the intent of Section 3.3.2.5 of the Land Use Regulations and the Design Element of the Comprehensive Plan.

Should the Planning Commission wish to approve the subject request, staff recommends that the following conditions be applied to the approval:

a. The approved Resolution, including the approved site plan and conditions shall be on display and accessible on the Property during business hours.
b. Within 30 days following the approval, the Property Owner shall execute an Indemnification Agreement in a form acceptable to the City.

c. No more than 6-tables, 10-chairs and 7-stadium seats may remain on the sidewalk when the business is closed. The items shall be cabled in a tight cluster rendering them unusable and placed adjacent to the building unit.
d. Clear pedestrian access on the public sidewalk of no less than 5’ shall be maintained at all times in a way that neither seating or tables affect the ingress/egress of travel, the safety or pedestrian and traffic circulation.
e. The property/business owner shall obtain all State licenses permitting the sale of alcohol as part of the sidewalk café.
f. Any cleaning solution used to clean the sidewalk café area shall be approved by the Bradenton Public Works.
g. Any future increase in seating for the sidewalk café area shall be approved by City Council.

Respectfully submitted,



Gregory J. DeLong
Assistant Director of Planning & Community Development

EXHIBITS:

EXHIBIT "A": Location Map

EXHIBIT "B": Future Land Use Map

EXHIBIT "C": Zoning Map

EXHIBIT "D": Proposed Overall Project Site Layout

EXHIBIT "A"
Location Map



SUP.24.0001 Cafe License
owner: John DeLesline
Cork's Cigar Bar
424 12th Street West
PID: 3319000000

CITY OF BRADENTON INCORPORATED MAY 1903 FLORIDA
Bradenton Department of Planning and Community Development

Location
0 15 30 45
Yards

LEGEND
Subject Parcel
Other Parcels
Bradenton

EXHIBIT "B"
Future Land Use Map

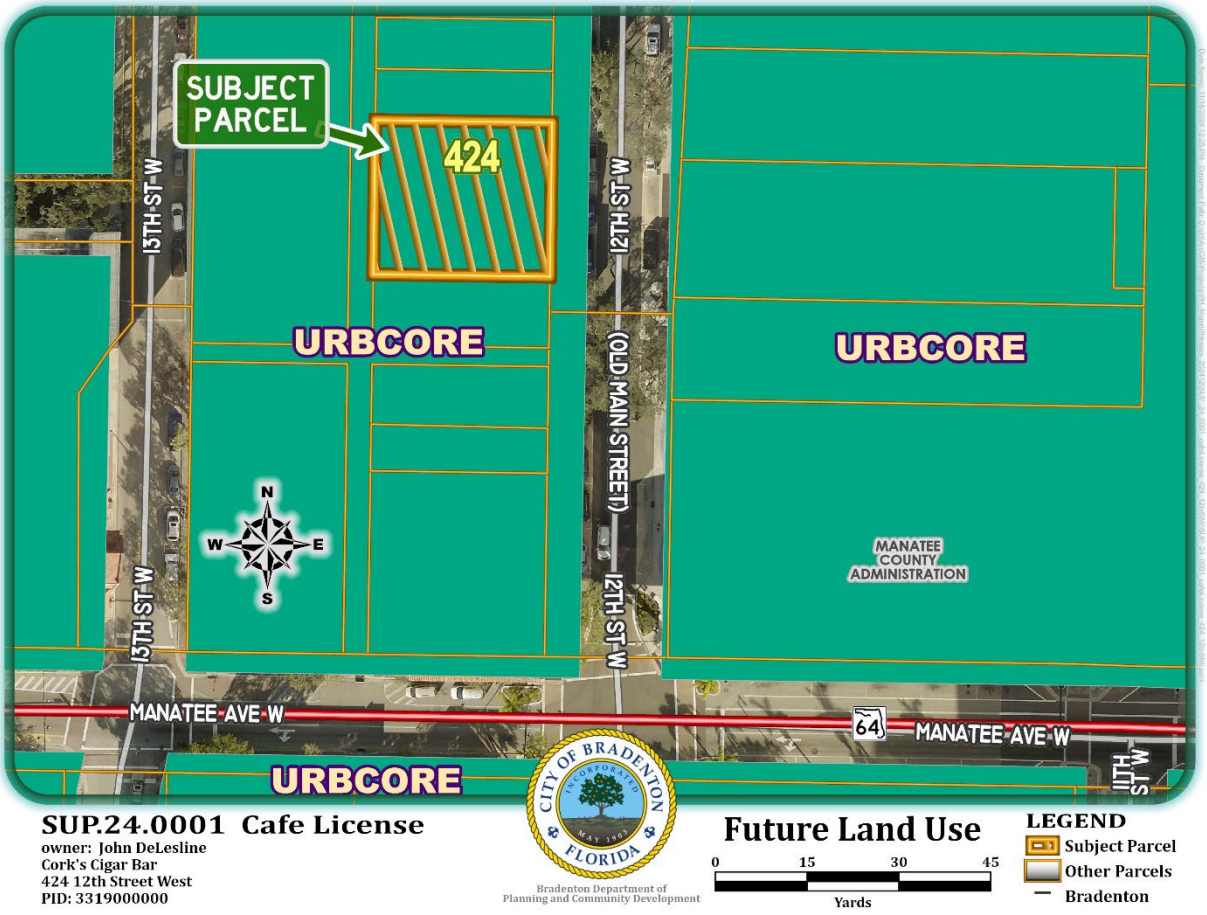


EXHIBIT "C"
Zoning Map

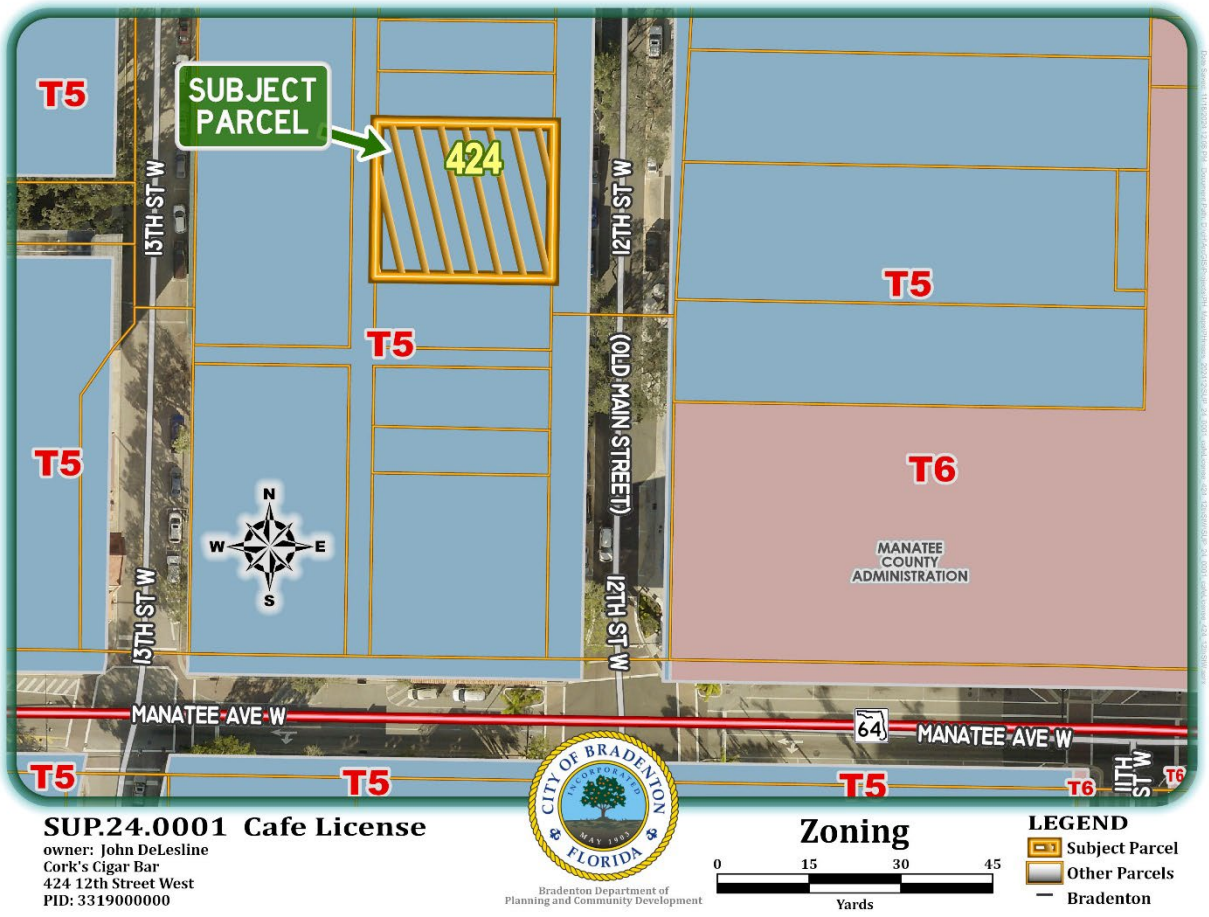
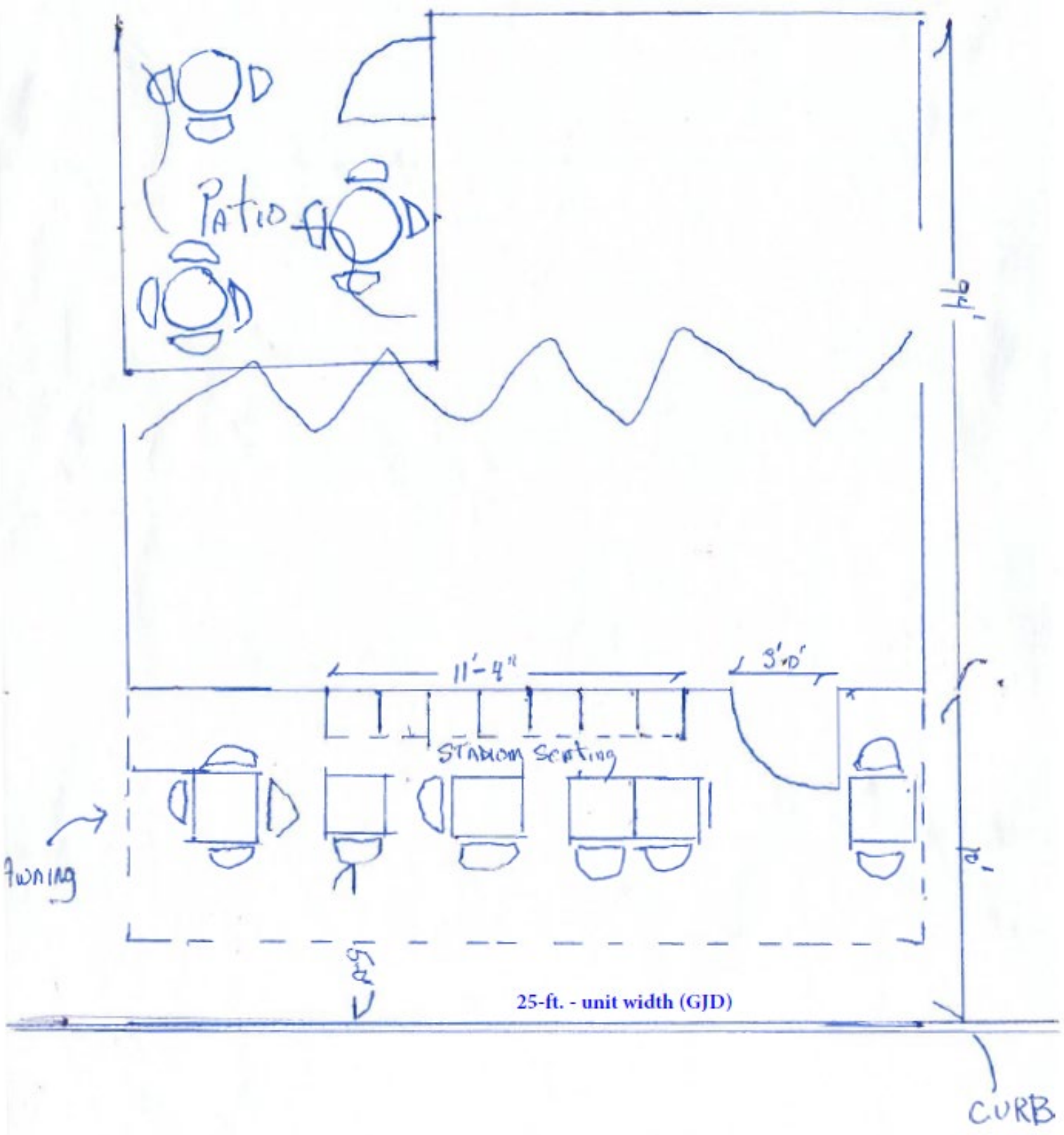


EXHIBIT "D"
Proposed Project Site Layout



AGENDA ITEM NO. 6.b

Item Cover Page

PLANNING COMMISSION MEETING AGENDA ITEM REPORT

DATE: December 11, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Miscellaneous

AGENDA SECTION: **AGENDA ITEMS**

SUBJECT: Final Order 24.0001, Case VAR.24.0001
Final Order of the Planning Commission for the City of Bradenton, Florida, to allow for two ground signs with a total square footage exceeding 32 square feet for a residential development located at 2364 Everson Street, Bradenton, Florida (Parcel ID No 1384701109), as more particularly described herein; providing for severability; providing for recordation; and providing for an effective date.

SUGGESTED ACTION: Motion to either approve or deny Final Order VAR.24.0001, Case VAR.24.0001.

Is this item Quasi-Judicial?
Yes

Does this item require a public hearing?
Yes

EXPLANATION:

The applicant is requesting approval to install a second sign on a proposed new ground sign structure; to be located at the southeast corner of the intersection of Orchid Glades Lane and Everson Street. The subject sign is 21.33 sq. ft. in size and will say "annalise".

The proposed sign structure will:

- Be a maximum of 5-ft. in height (including capping); and
- Contain five separate panels; and

- Have a stucco exterior finish; and
- Proposed to have two channel letter signs, both interior lit.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to either approve or deny Final Order 24.0001, Case VAR.24.0001.

ATTACHMENTS:
Final Order 24.0001.pdf
Application - Final Order 24.0001, Case VAR.24.0001.pdf
Staff Report - Final Order 24.0001, Case VAR.24.0001.pdf

FINAL ORDER
VARIANCE NO. VAR.24.0001

FINAL ORDER OF THE PLANNING COMMISSION FOR THE CITY OF BRADENTON, FLORIDA, APPROVING VARIANCE NO. VAR.24.0001 TO ALLOW FOR TWO GROUND SIGNS WITH A TOTAL SQUARE FOOTAGE EXCEEDING 32 SQUARE FEET FOR A RESIDENTIAL DEVELOPMENT LOCATED AT 2364 EVERSON STREET, BRADENTON, FLORIDA (PARCEL ID NO. 1384701109), AS MORE PARTICULARY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, RW Glen Creek Owner, LLC ("Property Owner" or "Applicant") owns the property located at 2364 Everson Street, Bradenton, FL (Parcel ID 1384701109), more particularly described in Exhibit "A" (the "Property"), and submitted an application for a variance to allow for a two ground signs of 21.33 square feet each to be placed on a ground sign structure located on the southeast corner of the intersection of Orchid Glades Lane and Everson Street, as identified on the site plan attached as Exhibit "B" and as depicted on the rendering attached as Exhibit "C"; and

WHEREAS, the City of Bradenton Comprehensive Plan's Future Land Use Element designates the Property as RESLOW (Low Density Residential) and UV (Urban Village); and

WHEREAS, the City of Bradenton Official Zoning Map classifies the Property as R-1 (Low Density Single Family) and UV (Urban Village); and

WHEREAS, the City of Bradenton Land Use Regulations, Section 5.5.3.1.a, provides standards regarding Area, Dimensional & Quantity requirements for identification signs for residential developments, which allows for one ground sign or two wall signs per project entrance, not to exceed a total of 32 square feet; and

WHEREAS, the Planning Commission held a noticed public hearing on December 11, 2024, at which the Planning Commission received testimony and evidence from the Applicant, City Planning staff, and members of the public in attendance.

NOW, THEREFORE, the Planning Commission makes the following Findings of Fact and Conclusions of Law and issues the Final Order as follows:

Section 1. Findings of Fact and Conclusions of Law. After considering the evidence on the record and that presented at public hearing, including the staff

report, the Planning Commission hereby makes the following Findings of Fact and Conclusions of Law:

a. The Whereas clauses contained herein are hereby adopted as Findings of Fact.
b. The Property Owner is requesting approval of a variance to allow for two ground signs of 21.33 square feet per sign to be placed on a ground sign structure in the location as shown on the site plan attached hereto as Exhibit "B" and as depicted on the rendering attached hereto as Exhibit "C".

c. The proposed variance meets the standards of Section 2.2.8.1 of the Land Use Regulations, as further described below.

    1. The need for the variance was not created by the Applicant's or previous owner's action, such as improper lot division, in violation of these LURs or previously effective land use regulations; and
    2. Strict application of the provisions of these LURs would deprive the Applicant of a reasonable use of its property, cause it unnecessary hardship, or deprive it of rights commonly enjoyed by other property owners in the same Land Use Atlas district, and
    3. The granting of the dimensional variance would not confer on the Applicant any special privilege denied to other property owners in the same Land Use Atlas district; and
    4. The application is for a dimensional variance and would not authorize a use otherwise prohibited by these LURs, and
    5. The dimensional variance is the minimum variance that will allow reasonable use of the Property.

Section 2. Order. Based upon the foregoing, a variance is hereby approved for the Property, to allow for a two ground signs of 21.33 square feet each to be placed on a ground sign structure in the location identified on the Site Plan attached hereto as Exhibit "B" and as depicted on the rendering attached hereto as Exhibit "C".

Section 3. State and Federal Permits. Issuance of this development permit by the City does not in any way create any right on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. The applicant must obtain all applicable state and federal permits before commencing development or use.

Section 4. Severability. In the event that any portion or section of this Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decisions shall in no manner affect the remaining portions or sections of the Variance which shall remain in full force and effect.

Section 5. Effective Date. The effective date of this Order shall be upon adoption and recordation of the Order in the Official Records of Manatee County. The Property Owner shall be responsible for recording the Order with the Clerk of the Court and delivering a copy of the recorded Order to the City Planning Department.

ORDERED ON BEHALF OF THE CITY OF BRADENTON THIS 11th DAY OF DECEMBER 2024.

THE CITY OF BRADENTON, BY AND THROUGH THE PLANNING COMMISSION OF THE CITY OF BRADENTON

ATTEST:

_____ _____

Lori Brunner
CLERK

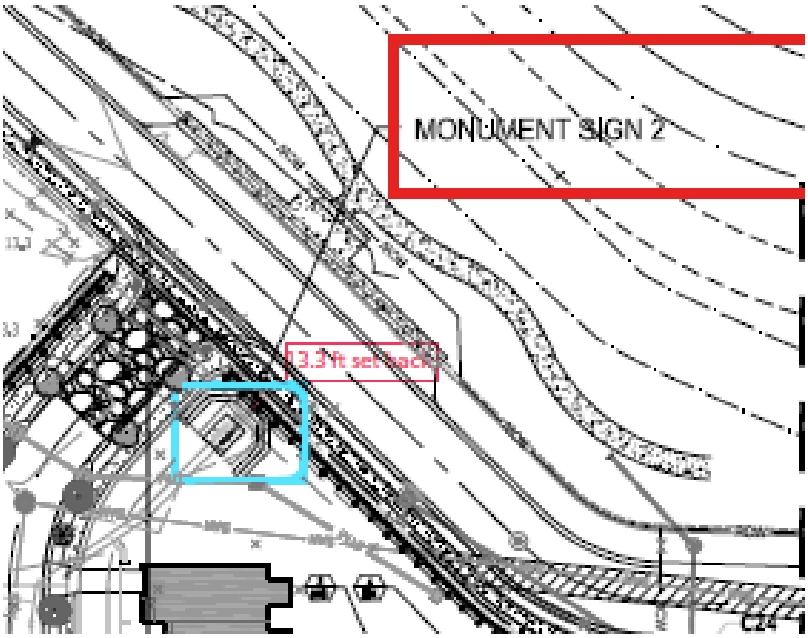
Benjamin Bakker
CHAIR

EXHIBIT "A"

Legal Description:

Sec/Twp/Rge: 31-34S-18E
Neighborhood: 7003; BRADENTON-SOUTH OF RIVER, WEST OF I-75
Subdivision: 1384700; GLEN CREEK APARTMENTS; LOT 2; PB 0076/0196
Description: LOT 2, GLEN CREEK APARTMENTS PI #13847.0110/9

EXHIBIT "B"


MONUMENT SIGN 2
3.3 ft set back

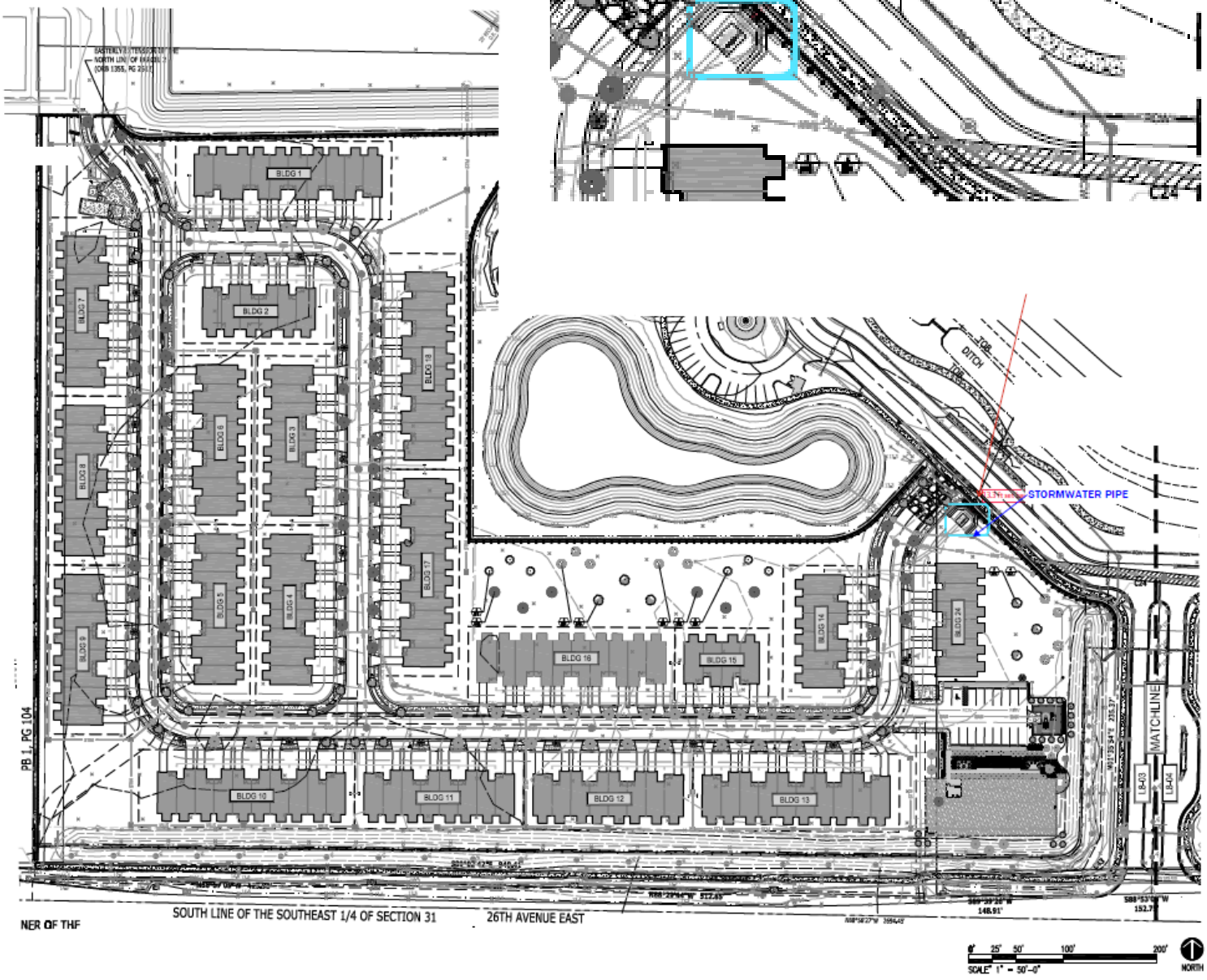
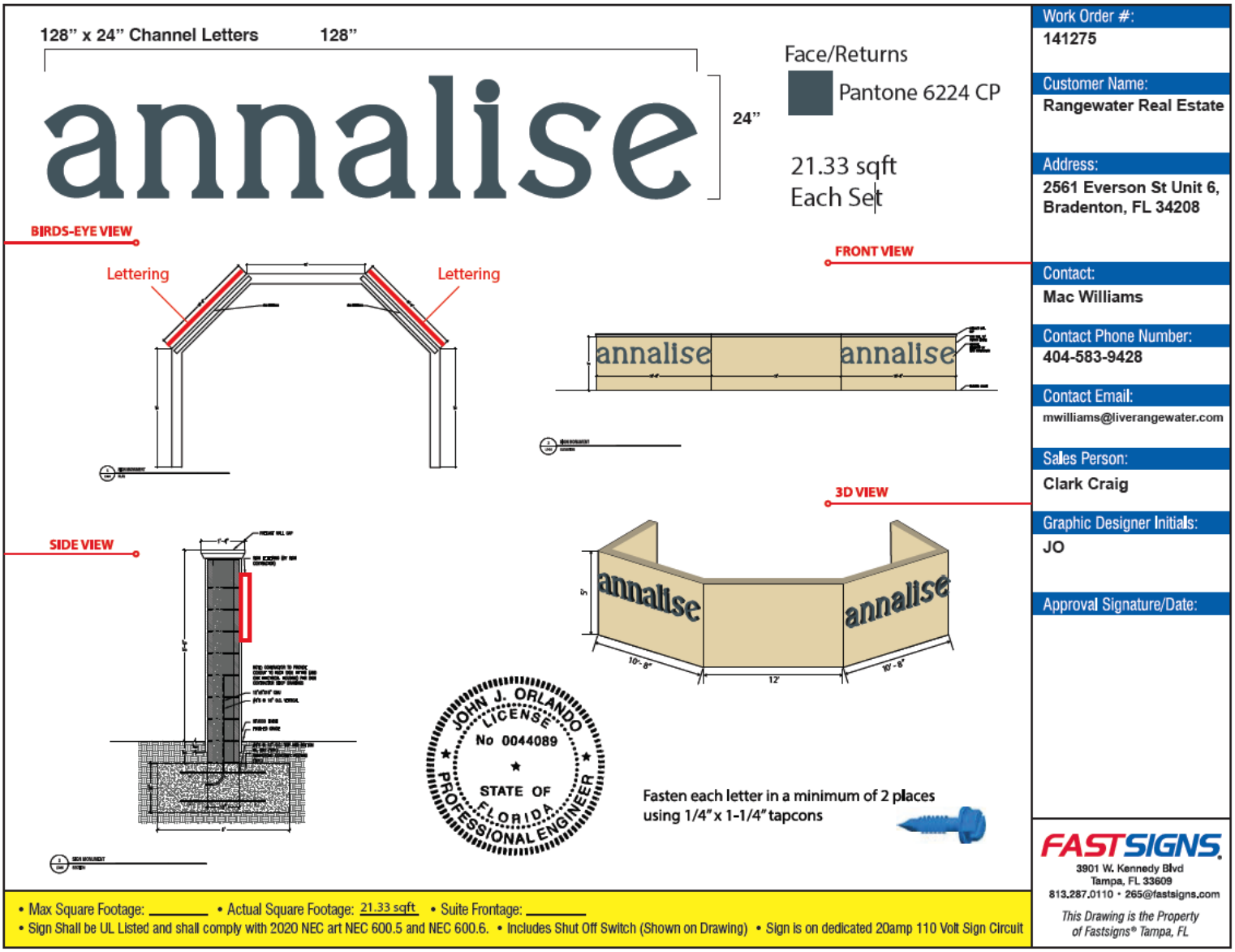

STORMWATER PIPE
DITCH
MATCHLINE
SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 31
26TH AVENUE EAST
PB 1, PG 104
SCALE: 1" = 50'-0"
NORTH

EXHIBIT "C"


128" x 24" Channel Letters
128"
annalise
24"
Face/Returns
Pantone 6224 CP
21.33 sqft
Each Set
BIRDS-EYE VIEW
Lettering
Lettering
FRONT VIEW
annalise
annalise
SIDE VIEW
3D VIEW
annalise
annalise
JOHN J. ORLANDO
LICENSE
No 0044089
STATE OF
FLORIDA
PROFESSIONAL ENGINEER
Fasten each letter in a minimum of 2 places
using 1/4" x 1-1/4" tapcons
Work Order #:
141275
Customer Name:
Rangewater Real Estate
Address:
2561 Everson St Unit 6,
Bradenton, FL 34208
Contact:
Mac Williams
Contact Phone Number:
404-583-9428
Contact Email:
mwilliams@liverangewater.com
Sales Person:
Clark Craig
Graphic Designer Initials:
JO
Approval Signature/Date:
• Max Square Footage: _____ • Actual Square Footage: 21.33 sqft • Suite Frontage: _____
• Sign Shall be UL Listed and shall comply with 2020 NEC art NEC 600.5 and NEC 600.6. • Includes Shut Off Switch (Shown on Drawing) • Sign is on dedicated 20amp 110 Volt Sign Circuit
FASTSIGNS
3901 W. Kennedy Blvd
Tampa, FL 33609
813.287.0110 • 265@fastsigns.com
This Drawing is the Property
of Fastsigns® Tampa, FL

Variance Application

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400 Fax: (941) 932-9534
www.cityofbradenton.com

bradenton
The Friendly City

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: RW Glen Creek Owner, LLC

Owner Address: _____ Telephone: _____

Name of Agent: David Hollowell

Agent Address: 16007 Penwood Dr Tampa, FL Telephone: 813-287-0110

Owner/Agent Email: michelle.pudlak@fastsigns.com

PROPERTY INFORMATION (REQUIRED)

Property Address: 2594 Everson Street

Parcel ID: 1384701109 Acreage: 5.0506

Zoning: BR_R-1,BR_UV *click to view Zoning map

Future Land Use: CITY Bradenton *click to view FLU map

Ward #: _____ *click to view Ward map

Neighborhood #: 7003; BRADENTON-SOUTH OF RIVER, WEST OF I-75 *click to view Neighborhoods map

REQUIRED

Type of Variance: Variance; After-the-fact Variance; Administrative Variance; After-the-fact Administrative Variance

Briefly Describe the Variance request: Install signage with total sq ft of 42.66 (2 sets of channel letters)

REQUIRED

MATERIALS FOR REVIEW

Before submitting an application to the City of Bradenton, please check with the Planning & Community Development Department to verify all essential information for review is present. Incomplete applications will delay the review process. Include one (1) electronic copy (pdf) of the Application and all supporting materials.

- **Variance**
  - Application Fee: $995 ($1,245 if after-the-fact variance is required)
  - Notarized Agent Authorization Form (if applicable)
  - Letter of Request
  - Findings of Fact/Review Criteria (see page 2 for variance review criteria)
  - Property Survey (signed & sealed within the last three years)
  - Scaled Site Plan/Plot Plan
- **Administrative Variance**
  - Application Fee: $210* $370 if after-the-fact variance is required*
    * If ARB/Planning Commission Review is necessary, additional cost is $620
  - Letter of Request
  - Findings of Fact/Review Criteria (see page 2 for variance review criteria)
  - Property Survey (signed & sealed within the last three years)
  - Scaled Site Plan/Plot Plan

REQUIRED

SIGNATURE

The owner of this property and/or the undersigned agree to conform to all applicable laws of the City of Bradenton and to all applicable Federal, State, and County laws.

Signature of Owner/Applicant 9/20/2024 Date

REQUIRED

CITY STAFF ONLY

Variance Fee: **$995 or $1,245**
Admin Variance Fee: **$210* or $360***
*** Additional $620 if ARB/Planning Commission review is required**
FEE COLLECTED: $_____
RECEIPT #: _____

Application Sufficiency:
Sufficient: ☐
Incomplete: ☐ _____

APPLICATION #: VAR-24-0001

CITY STAFF ONLY

REVIEW DATES – TO BE COMPLETED BY CITY STAFF

ARB: _____

Planning Commission: _____

DRC: _____

Variance Application

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400 Fax: (941) 932-9534
www.cityofbradenton.com

A Variance is permission granted by the Planning Commission to depart from a dimensional requirement of the Land Use Regulations (LURs). Variances are allowed to relieve a property owner who, because of property characteristics beyond his or her control, is unable to meet a dimensional or signage requirement of the LURs.

VARIANCE REVIEW CRITERIA: A property owner who finds that a characteristic of his or her land or buildings makes it impossible or difficult to meet a dimensional requirement of these LURs may apply for a Variance if the request meets all eligibility criteria.

VARIANCE REVIEW CRITERIA

Prepare detailed written responses, using factual statements (called Findings of Fact) to explain how the requested Variance complies with each of the following review criteria:

A:

1. The need for the Dimensional Variance was not created by the applicant's or previous owner's action, such as improper lot division, in violation of the Land Use Regulations or previously effective land use regulations, and;
2. Strict application of the provisions of the Land Use Regulations would deprive the applicant of reasonable use of his property, cause him unnecessary hardship, or deprive him of rights commonly enjoyed by other property owners in the same Land Use district, and;
3. The granting of the Dimensional Variance would not confer on the applicant any special privilege denied to other property owners in the same Land Use district, and;
4. The application is for a Dimension Variance and would not authorize a use otherwise prohibited by the Land Use Regulations, and;
5. The Dimensional Variance is the minimum variance that will allow reasonable use of the property.

B: The application does not meet all of the criteria listed above, but environmentally-sensitive areas or trees as defined in Land Use Regulation Subsection 2.2.3.1 will be saved by the granting of the Variance.

VARIANCE PROCEDURES

VARIANCE REVIEW PROCEDURE

The Planning Commission shall hold a public hearing on the application. If the eligibility criteria above are met, the Planning Commission may grant the Variance as requested or a modification if more appropriate. Latent changes to an application made by the applicant whereby insufficient review has been allowed for Staff, Board, or City Council, as determined by the Planning & Community Development (PCD) Director, may require a delay in the processing of the application, and shall result in additional review and public notice costs at the applicant's expense. If the application is for a Variance of a flood requirement (Land Use Regulation Subsection 3.4.3.2) must be complied with. In granting a Variance, the Planning Commission may impose such reasonable conditions as will ensure that the use of the property to which the Variance applies will be as compatible as practicable with the surrounding properties. A Variance is granted to the property and not to the applicant. All approved Variances, including any attached conditions or restrictions, shall be recorded with the Clerk of the Circuit Court.

ADMIN VARIANCE ELIGIBILITY

VARIANCE REVIEW PROCEDURE

An Administrative Variance may be allowed for development of a **single-family house** on certain lots of record, unless the PCD Director defers such action to the Planning Commission. Administrative Variances cannot be granted for any dimensional relief other than lot square footage, lot width at the building line, and street frontage, and is only applicable to existing lots of record.

ADMINISTRATIVE VARIANCE ELIGIBILTIY

A property owner who finds that the dimensions of his or her lot of record makes it impossible or difficult to meet the requirement of the Land Use Regulations, relating to lot width at the building line, lot square footage, or street frontage may apply for an Administrative Variance.

ADMIN VARIANCE REVIEW CRITERIA

ADMINISTRATIVE VARIANCE REVIEW CRITERIA

Prepare detailed written responses, using factual statements (called Findings of Fact) to explain how the requested Administrative Variance complies with each of the following review criteria:

1. The need for the Dimensional Variance was not created by the applicant's or previous owner's action, such as improper lot division, in violation of the Land Use Regulations or previously effective Land Use Regulations.

2. Strict application would prohibit the construction of a single family residence on the lot of record; and

3. The granting of the Administrative Variance would not confer on the applicant any special privilege denied to other property owners in the same Zoning Atlas district; and

4. The application is for an Administrative Variance for lot size, width and street frontage; and

5. The Administrative Variance is the minimum variance that will allow reasonable use of the property.

ADMIN VARIANCE POCEDURES

ADMINISTRATIVE VARIANCE REVIEW PROCEDURE

An eligible applicant may file an Administrative Variance application on forms provided by the PCD department, along with information required for review and the application review fee The applicant shall also submit a letter stating what Administrative Variance is being requested and specifically identifying the characteristics of the property that necessitates the granting of an Administrative Variance from the requirements of the Land Use Regulations.

The PCD Director shall review the application. If the eligibility criteria above are met, the PCD Director may grant the Variance as requested.

All approved Administrative Variances, including any attached conditions or restrictions, shall be recorded with the Clerk of the Circuit Court.

1. **The need for the Dimensional Variance was not created by the applicant's or previous owner's action, such as improper lot division, in violation of the Land Use Regulations or previously effective land use regulations:**

The need for the sign variance is not the result of any action taken by the applicant or the previous property owner. The property was acquired with its current dimensions and characteristics, and the need for adequate signage has arisen due to the specific requirements of visibility and business identification necessary for operating within this specific location and business context.

2. **Strict application of the provisions of the Land Use Regulations would deprive the applicant of reasonable use of his property, cause him unnecessary hardship, or deprive him of rights commonly enjoyed by other property owners in the same Land Use district:**

Strict adherence to the current sign code, which limits signage to 32 square feet, would significantly hinder our ability to effectively identify and promote our business. In an area where visibility is critical for attracting customers, a total allowable signage of 32 square feet is insufficient. This limitation would result in unnecessary hardship by reducing potential customer engagement and negatively impacting business operations. Other businesses in the district with larger permissible signage enjoy a visibility advantage that we would be deprived of without the variance.

3. **The granting of the Dimensional Variance would not confer on the applicant any special privilege denied to other property owners in the same Land Use district:**

The requested variance of 42.66 square feet of total signage does not confer any special privileges, as it merely allows for adequate business identification comparable to what other businesses in the district experience. Granting this variance ensures we have an equal opportunity for visibility and customer engagement that is essential for business success in this area.

4. **The application is for a Dimension Variance and would not authorize a use otherwise prohibited by the Land Use Regulations:**

The request for a signage variance solely pertains to a dimensional aspect and does not seek to authorize any use prohibited by the Land Use Regulations. The intended use of the property remains compliant with existing zoning and land use requirements.

5. **The Dimensional Variance is the minimum variance that will allow reasonable use of the property:**

The requested variance for two sets of channel letters totaling 42.66 square feet is the minimum necessary to ensure the visibility and identification of the business. Each sign, being 21.33 square feet, is essential for adequate representation and customer direction. Reducing the size further would undermine the effectiveness of the signage and the business operations.

bradenton

Variance Application

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400 Fax: (941) 932-9534
www.cityofbradenton.com

PLANNING & ZONING AGENT AUTHORIZATION FORM

Property Address: 2594 Everson Street

I, Michael Blair-Member of RW Glen Creek Owner LLC, the registered property owner(s) of the above noted property, do hereby authorize

David Hollowell /Clark Craig — Print Name of Agent

Hollowell Construction Services, LLC / FASTSIGNS — Company Name

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standards and conditions applicable.

AGENT AUTHORIZATION — REQUIRED

Signature of Owner(s)

Owner(s) Address (if different than property above)

Signature of Agent

3901 W Kennedy Blvd
Tampa, FL 33609

Agent Address and Phone

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me by means of ✓ physical presence or ____ online notarization, this 22 day of November, produced ID respectively, as identification and who did (did not) take an oath:

NOTARY — REQUIRED

Signature

Michelle Satterfield, Notary Public
Print Name

State of Florida
My Commission Expires: 11/18/26

MICHELLE SATTERFIELD
NOTARY PUBLIC
MY COMMISSION EXPIRES 11-18-2026
STATE OF FLORIDA
COMMISSION NUMBER HH 289487

bradenton

Variance Application

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400 Fax: (941) 932-9534
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PLANNING & ZONING AGENT AUTHORIZATION FORM

Property Address: 2594 Everson Street

I, Michael Blair Member of RW Glen Creek Owner LLC, the registered property owner(s) of the above noted property, do hereby authorize

AGENT AUTHORIZATION — REQUIRED

Michelle Satterfield	FASTSIGNS
Print Name of Agent	Company Name

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standards and conditions applicable.

Signature of Owner(s) — Owner(s) Address (if different than property above)

Michelle Satterfield — 3901 W Kennedy Blvd Tampa
Signature of Agent — Agent Address and Phone 813-287-0110

NOTARY — REQUIRED

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me by means of ✓ physical presence or ___ online notarization. this 27th day of Nov. 2024, produced Fl. License _____ respectively, as identification and who did (did not) take an oath:

Chéri Fugate-Fowler
Signature

Chéri Fugate-Fowler, Notary Public
Print Name

CHERI FUGATE FOWLER
MY COMMISSION # HH 246895
EXPIRES: March 30, 2026

State of Florida
My Commission Expires: 3-30-2026

128” x 24” Channel Letters 128”

annalise

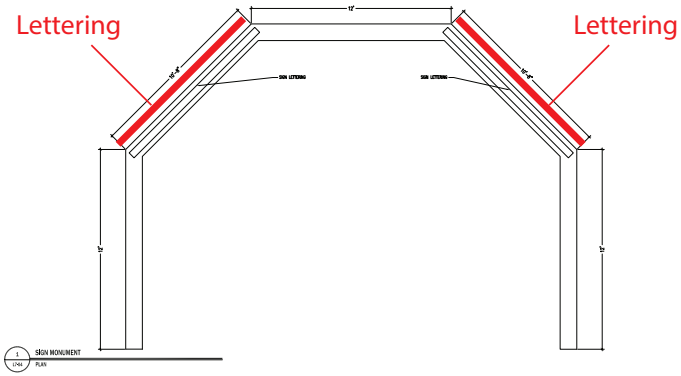
24”

Face/Returns

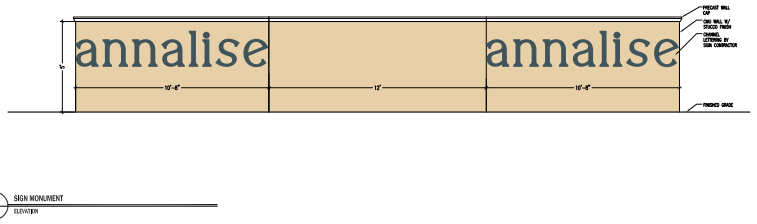
Pantone 6224 CP

21.33 sqft
Each Set

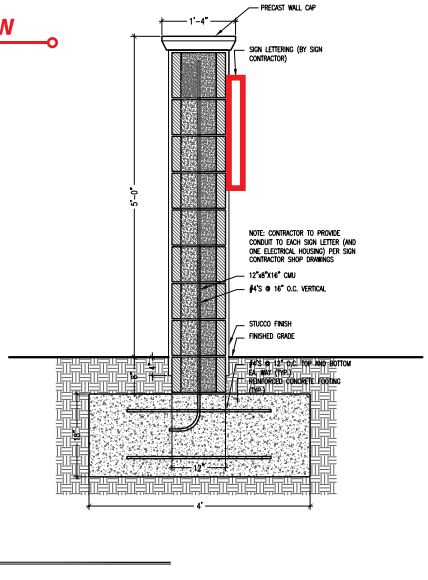
BIRDS-EYE VIEW



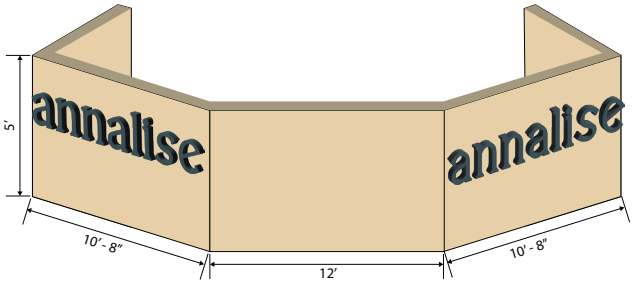
FRONT VIEW

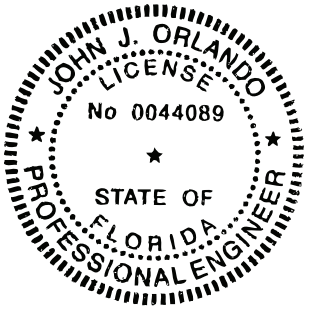


SIDE VIEW



3D VIEW





Fasten each letter in a minimum of 2 places using 1/4” x 1-1/4” tapcons



- Max Square Footage: _____ • Actual Square Footage: 21.33 sqft • Suite Frontage: _____
- Sign Shall be UL Listed and shall comply with 2020 NEC art NEC 600.5 and NEC 600.6. • Includes Shut Off Switch (Shown on Drawing) • Sign is on dedicated 20amp 110 Volt Sign Circuit

Work Order #:
141275

Customer Name:
Rangewater Real Estate

Address:
2561 Everson St Unit 6,
Bradenton, FL 34208

Contact:
Mac Williams

Contact Phone Number:
404-583-9428

Contact Email:
mwilliams@liverangewater.com

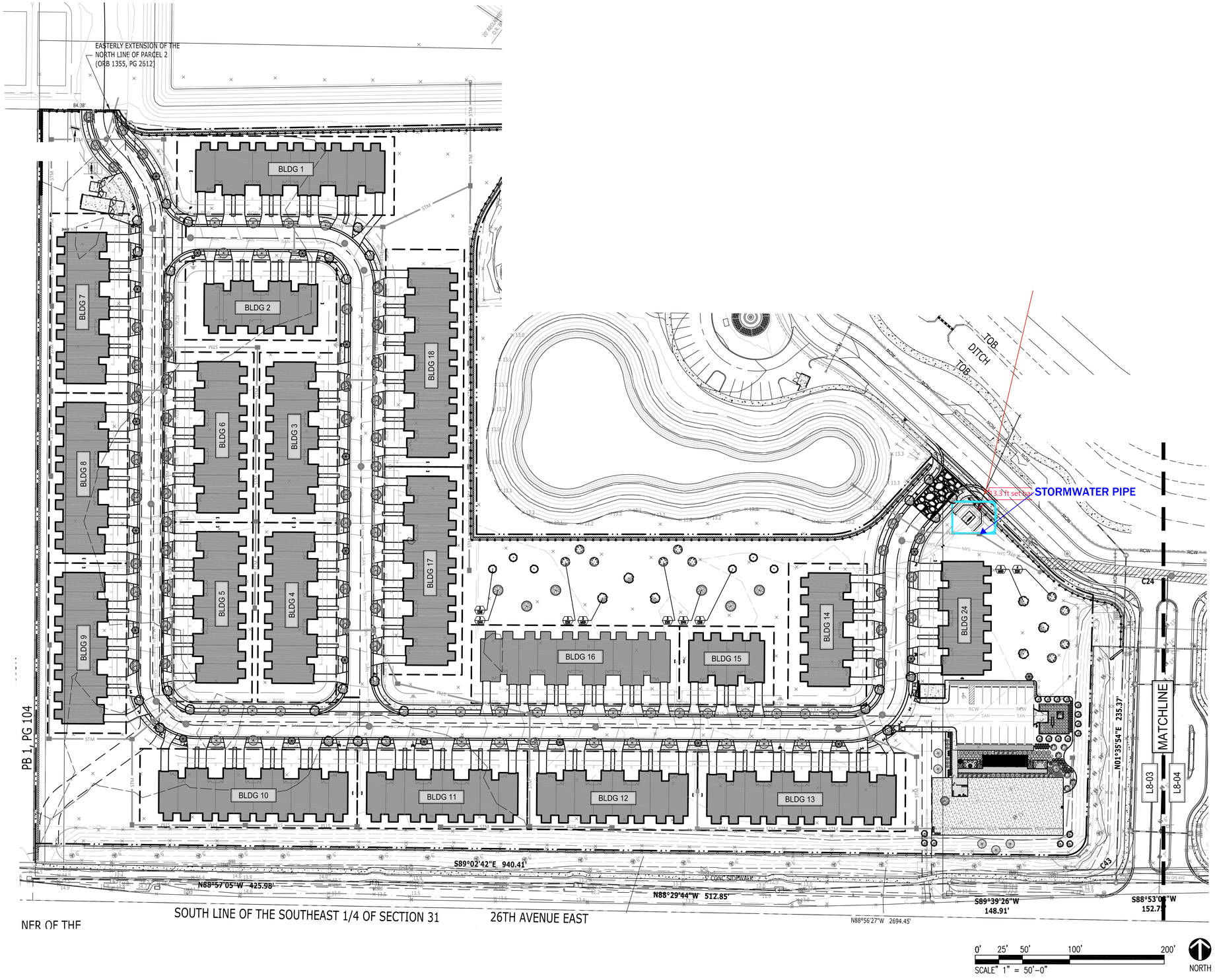
Sales Person:
Clark Craig

Graphic Designer Initials:
JO

Approval Signature/Date:

FASTSIGNS®
3901 W. Kennedy Blvd
Tampa, FL 33609
813.287.0110 • 265@fastsigns.com

This Drawing is the Property of Fastsigns® Tampa, FL



MLDA
MULTIFAMILY LANDSCAPE DESIGN ASSOCIATES
678 764-8482
P.O BOX 1968
WOODSTOCK, GA 30188
WWW.MLDASSOCIATES.COM

GENERAL LEGEND

- MATCHLINE
- PROPERTY LINE
- BUILDING SETBACK
- DECORATIVE FENCE
- WALL
- CURB
- EXPANSION JOINT
- TREE PROTECTION FENCING
- T — TRANSFORMER
- A/C UNIT
- D/M-1 — DETAIL SEC., ELEV. OR CALLOUT

LANDSCAPE LEGEND

- PROPOSED TREE
- EXISTING TREES TO REMAIN
- EXISTING TREES TO BE REMOVED
- EXISTING PALM TREE TO POTENTIALLY BE TRANSPLANTED.
- TREE PROTECTION FENCING
- PLANT QUANTITY & TYPE (CONSULT PLANT LIST FOR COMPLETE PLANT INFORMATION)
- SHRUB AND/OR GC. BEDS. (HATCHING IS NOT INDICATIVE OF PLANT TYPE)

UNLABELED PERVIOUS AREAS ON THE PLANS ARE TO BE CONSIDERED TURF AREAS AND CONTRACTOR IS RESPONSIBLE FOR PROVIDING SOD TO ALL SAID AREAS

PLANT CODE LEGEND

CSE	Italian Cypress
CSS	Gold Italian Cypress
CHX	Pygmy Date Palm
CVB	Croton
EDX	Elaeocarpus
IFL/IFS	Florida Anise
LSS	Sunshine Ligustrum
LCP	Loropetalum
LFX	Mt. Fire Hibiscus
JCK	Hollywood Juniper
JCS	Spartan Juniper
LCP	Dwarf Loropetalum
LIM	Muskogee Crape Myrtle
LJT	Ligustrum
MGB	Brackens Southern Magnolia
MGD	Blanchard Southern Magnolia
MGL	Dwarf Magnolia
PAI	Blue Plumbago
PDZ	Sylvester Palm
PMM	Podocarpus
PRX	Pygmy Date Palm
RMX	Travelers Palm
PSR	Purple Fountain Grass
PXX	Xanadu Philodendron
QVX/QVH	High Rise Live Oak
TST	Oyster Plant
TDA	Autumn Gold Bald Cypress
WBX	Foxtail Palm

SEAL

REGISTERED LANDSCAPE ARCHITECT
STEVEN MICHAEL MIDDENDORF
LA6667569
STATE OF FLORIDA

PROJECT NAME

GLEN CREEK APARTMENTS
CITY OF BRADENTON, FLORIDA

PROJECT OWNER

RANGEWATER REAL ESTATE
5605 GLENRIDGE DR. NE STE 775
ATLANTA, GEORGIA 30342
813-902-9179

RANGEWATER
Real Estate

ISSUED FOR:

REVISIONS:

SITE BACKGROUND UPDATE	12/20/2021
STAFF COMMENTS	03/03/2022
ADDITIONAL STAFF COMMENTS	03/23/2022
SITE PLAN CHANGES	09/22/2022
SITE PLAN CHANGES	09/18/2023
FENCING PLAN	06/06/2024
ADDITIONAL TREE PLAN	06/13/2024

DATE

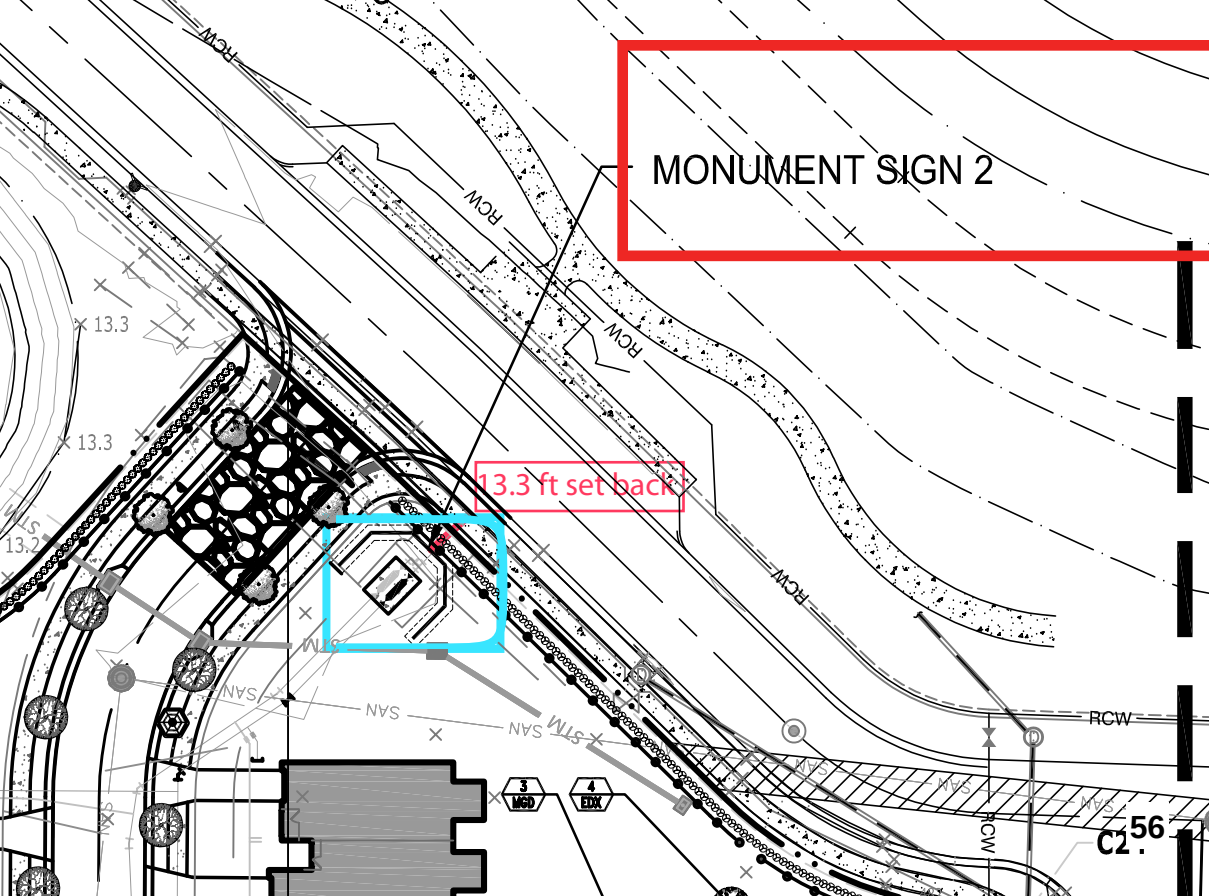
PROJECT # 21013

SHEET TITLE SIGN MONUMENT PLAN

SHEET NUMBER L7-05

COMMENTS

© 2024 MULTIFAMILY LANDSCAPE DESIGN ASSOCIATES


MONUMENT SIGN 2
13.3 ft set back
RCW
RCW
RCW
RCW
RCW
13.3
13.3
13.2
SAN
SAN
STM
STM
3
MGD
4
EDX
C2.56

City of Bradenton
Planning and Community Development Department
Planning Commission Public Hearing
December 11, 2024

Staff Report

Case Number: VAR.24.0001
Applicant: David Hollowell (agent)
Owner: RW Glen Creek Owner, LLC
Parcel ID: 1384701109
Zoning: R-1 (Low Density Single Family) and UV (Urban Village)
FLUM: RESLOW (Residential Low Density) and UV (Urban Village)
Flood Zone: X

Surrounding Properties:

Zoning:
- North: R-1 (Low Density Single Family) and UV (Urban Village)
- South: R-1 (Low Density Single Family) and UV (Urban Village)
- East: UV (Urban Village)
- West: R-1 (Low Density Single Family)

Future Land Use:
- North: RESLOW (Residential Low Density) and UV (Urban Village)
- South: RESLOW (Residential Low Density) and UV (Urban Village)
- East: UV (Urban Village)
- West: RESLOW (Residential Low Density)

The applicant is requesting approval to install a second sign on a proposed new ground sign structure; to be located at the southeast corner of the intersection of Orchid Glades Lane and Everson Street. The subject sign is 21.33 sq. ft. in size and will say "annalise".

The proposed sign structure will:
- Be a maximum of 5-ft. in height (including capping); and
- Contain five separate panels; and
- Have a stucco exterior finish; and
- Proposed to have two channel letter signs, both interior lit.

According to Section 5.5.3.1 of the Land Use Regulations, signs for the identification of multi-family buildings and residential developments are

limited to one ground sign of two wall signs per project entrance, not to exceed 32-sq. ft.

It should be noted that staff did have conversations with the applicant about the proposed sign structure and whether it can be called a wall or not, and it was determined that it was not as wall as a wall encloses an area or separates land.

Currently by code, the applicant can install one of the two signs on the proposed sign structure as it meets the maximum size requirement (also 21.33 sq. ft.).

In review of the Comprehensive Plan versus the proposed request, it appears that the proposed request meets the intent of the Plan. The Plan states:

- *Streets should be designed holistically considering the pavement, curbing, bikeways, pedestrian-ways, lighting, signs, front yard setback areas and building facades; and*
- *Neighborhood streets should be designed to address connectivity and protection of the neighborhood. This should be accomplished by providing connections to adjacent activities and neighborhood-serving businesses with streets that offer multiple route choices, but which do not encourage cut-through traffic.*

The subject property is 220,004 sq. ft. or 5.0506 acres in size and contains eight multi-family apartment buildings.

Land Use Regulations:

5.5.3 Permitted signs. Notwithstanding anything contained herein to the contrary, any sign permitted pursuant to the provisions of this section may, at the option of the owner, contain either a non-commercial message unrelated to the business located on the premises where the sign is erected or a commercial message. The non-commercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages, or from one non-commercial message to another, as frequently as desired by the owner of the sign, provided that the size and design criteria contained in this section have been satisfied. notwithstanding anything to the contrary contained in this section, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

5.5.3.1 Residential buildings.

a. Identification standards. Signs for identification of multi-family buildings and residential developments limited to one ground sign or two wall signs per project entrance, not to exceed 32 square feet. See subsection 5.5.8 regarding illumination.

5.5.8 Illumination.

5.5.8.1 Residential uses. Signs shall not be lighted except signs for identification of multi-family buildings and residential developments limited to one ground sign or wall sign per project entrance, not to exceed 32 square feet may be illuminated by a spotlight.

5.5.8.2 Non-residential uses. Signs on non-residential property may be illuminated with the exception of spectacular signs (see Prohibited signs, subsection 5.5.5 above).

a. No sign including lighting which appears by approximate size and color to be a traffic signal or emergency vehicle light will be permitted within 50 feet of a street or highway paving. Nor shall a rotating or flashing signal lamp similar to those used on emergency vehicles be permitted regardless of location where by reason of position, illumination, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic signal, sign or device; the colors specifically prohibited are: red, amber, yellow, green or blue; nor shall it make use of the words "stop," "look," "danger," or any other word, phrase, symbol or character in such a manner as to interfere with or confuse traffic.
b. The light from illuminated signs shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. Lighting shall not be directed skyward, nor toward water bodies or water courses.
c. Illuminated signs shall not interfere with pedestrian or motorist vision. The illumination shall not be reflective or phosphorescent and shall perform in a steady non-fluctuating or non-undulating manner and shall be placed in a manner that will not create a nuisance to other premises or interfere with vehicular movements. Strobe lights and flashing lights are prohibited.
d. No illuminated signs shall be constructed or maintained within 50 feet of any residential Land Use Atlas district or dwelling.

Chapter 10 – Definitions.

- Ground sign. Any sign in which the entire base or support is in contact with the ground and is independent of any other structure.

Comprehensive Plan Elements:

DESIGN ELEMENT:

Policy 1.3.1 – Street Network Design

The transportation system for the City shall provide multi-modal capabilities and be connected through a network of streets that are visually appealing and supportive of non-motorized travel modes. The visual and functional characteristics of streets are important in the design of the community and shall be guided by the following design principles to be incorporated into the Land Development Regulations by 2012:

- Streets should be designed to create a sense of place, with attention paid to maintaining the visual integrity of the community including sidewalks, street trees and landscaped medians, and other rights of way; and
- Streets should be designed to accommodate a mix of travel modes including vehicles, bikes, transit and pedestrians; and
- Streets should be designed holistically considering the pavement, curbing, bikeways, pedestrian-ways, lighting, signs, front yard setback areas and building facades; and
- Neighborhood streets should be designed to address connectivity and protection of the neighborhood. This should be accomplished by providing connections to adjacent activities and neighborhood-serving businesses with streets that offer multiple route choices, but which do not encourage cut-through traffic.

Requirements for Permits and Approvals:

2.2.8 *Variance.* A variance is permission granted by the planning commission to depart from a dimensional requirement of these LURs. Variances are allowed to relieve a property owner who, because of property characteristics beyond his or her control, is unable to meet a dimensional requirement of these LURs. Waivers granted by the PCD director as allowed in various sections of these LURs are exempt from this subsection.

2.2.8.1 *Eligibility.* A property owner who finds that a characteristic of his or her land or buildings makes it impossible or difficult to meet a dimensional requirement of these LURs may apply for a dimensional variance if:

a. The application meets all of the following criteria:

i. The need for the dimensional variance was not created by the applicant's or previous owner's action, such as improper lot division, in violation of these LURs or previously effective land use regulations.

Staff Response: It appears that the dimensional variance is being created by the current owner as the applicant can meet sign regulations with only installing one sign on the proposed sign structure.

ii. Strict application of the provisions of these LURs would deprive the applicant of a reasonable use of his property, cause him unnecessary hardship, or deprive him or her of rights commonly enjoyed by other property owners in the same land use atlas district, and

Staff Response: *Strict application of the sign standards in the LURs would not deprive the applicant reasonable use of the subject property as intended. The applicant can still install one sign at the subject location, which would match what is being installed at the west entrance to the development.*

iii. The granting of the dimensional variance would not confer on the applicant any special privilege denied to other property owners in the same land use atlas district; and

Staff Response: Identification sign standards are the same for all multi-family and residential developments; therefore, granting of the requested variance could be considered a special privilege.

iv. The application is for a dimensional variance and would not authorize a use otherwise prohibited by these LURs, and

Staff Response: The request is limited to a dimensional variance; the City is precluded from allowing consideration of a variance for use.

v. The dimensional variance is the minimum variance that will allow reasonable use of the property.

Staff Response: While staff finds reasonable use of the property can be made without the benefit of the requested variance, the applicant asserts identification as the primary reason for the request.

**** Please see the submitted application materials for the applicant's response to the Review Criteria under Section 2.2.8.1.a.***

2.2.8.4 *Review and action.* The planning commission shall hold a public hearing on the application. If the eligibility criteria above are met, the planning commission may grant the variance as requested or a modification if more appropriate. Latent changes to an application made by the applicant whereby insufficient review has been allowed for staff, board, or city council, as determined by the PCD director, may require a delay in the processing of the application, and shall result in additional review and public notice costs at the applicant's expense. If the application is for a variance of a flood requirement (subsection 3.4.3.2) must be complied with. In granting a variance, the planning commission may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties. A variance is granted to the property and not to the applicant.

***** Reminder: If approved, the variance will run in perpetuity with the land and not the use of the property or ownership.***

Planning and Community Development Analysis:
The Comprehensive Plan encourages the City to preserve and enhance existing neighborhoods and foster development which are sensitive to the development pattern of surrounding properties. Compatibility is critical to maintaining the character and integrity of an established neighborhood. As the Commission reviews the subject request, the Commission should take into consideration the intent of the Comprehensive Plan and whether the proposed request alters the character of the neighborhood.

Staff Comments:

1. The Planning Commission is encouraged to evaluate the request based on the provided criteria, as well as input from staff, the applicant, and the public.
2. It is in staff's opinion that the project is found to be inconsistent with the goals, objectives and policies of the Comprehensive Plan and is not in compliance with the requirements of the Land Use Regulations.

Respectfully submitted,



Gregory J. DeLong
Assistant PCD Director

EXHIBITS:

EXHIBIT "A": Location Map

EXHIBIT "B": Future Land Use Map

EXHIBIT "C": Zoning Map

EXHIBIT "D": Site Plan/Survey

EXHIBIT "E": Proposed Sign

EXHIBIT "A"
Location Map

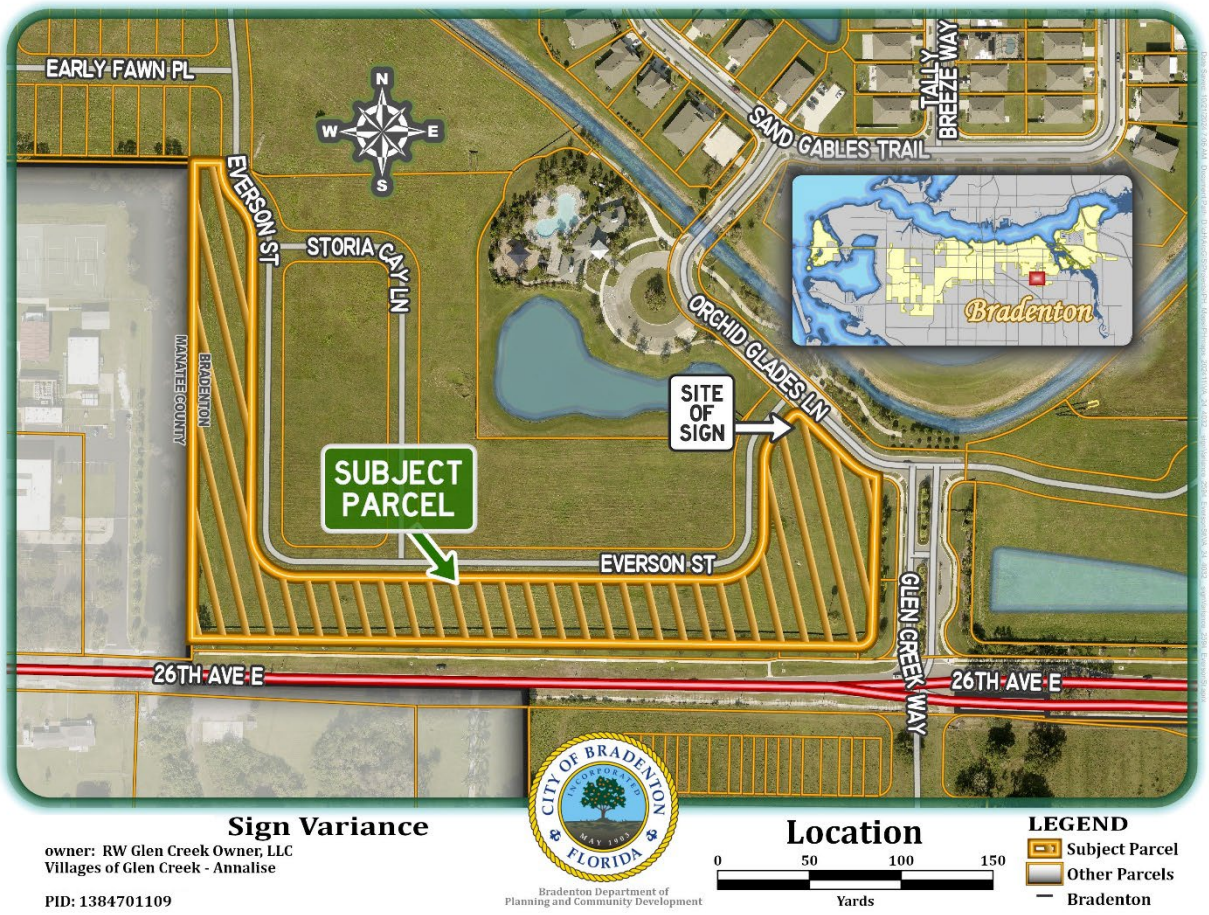


EXHIBIT "B"
Future Land Use Map

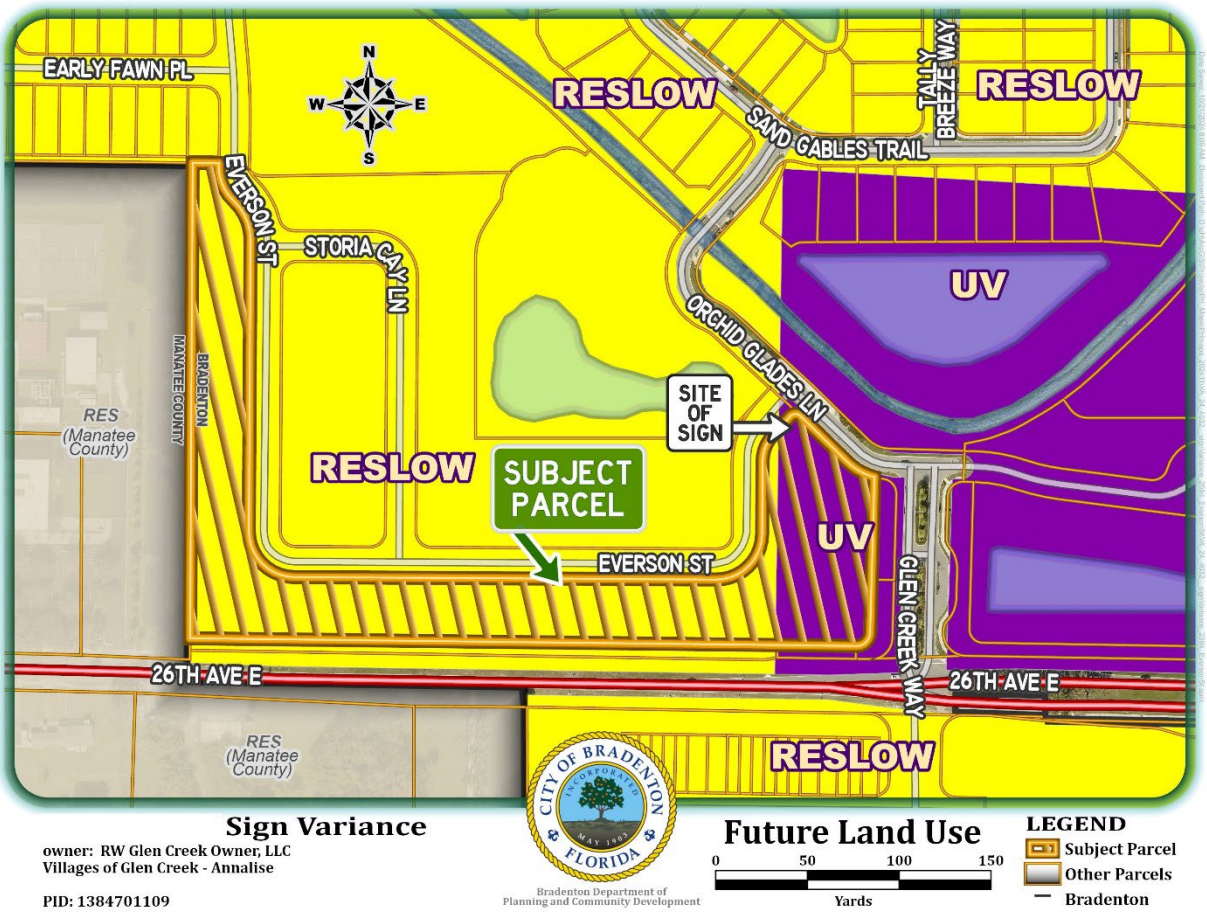


EXHIBIT "C"
Zoning Map

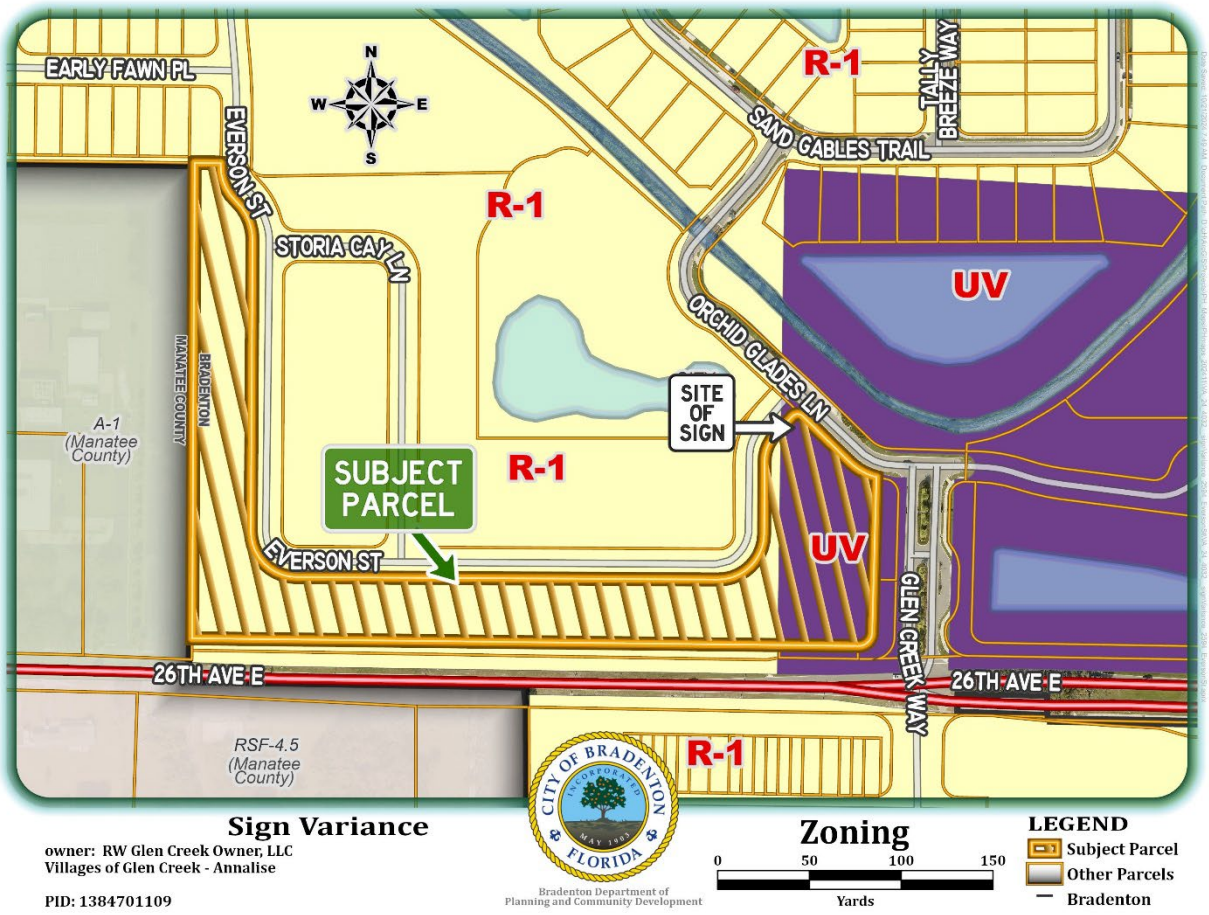


EXHIBIT "D"
Site Plan/Survey

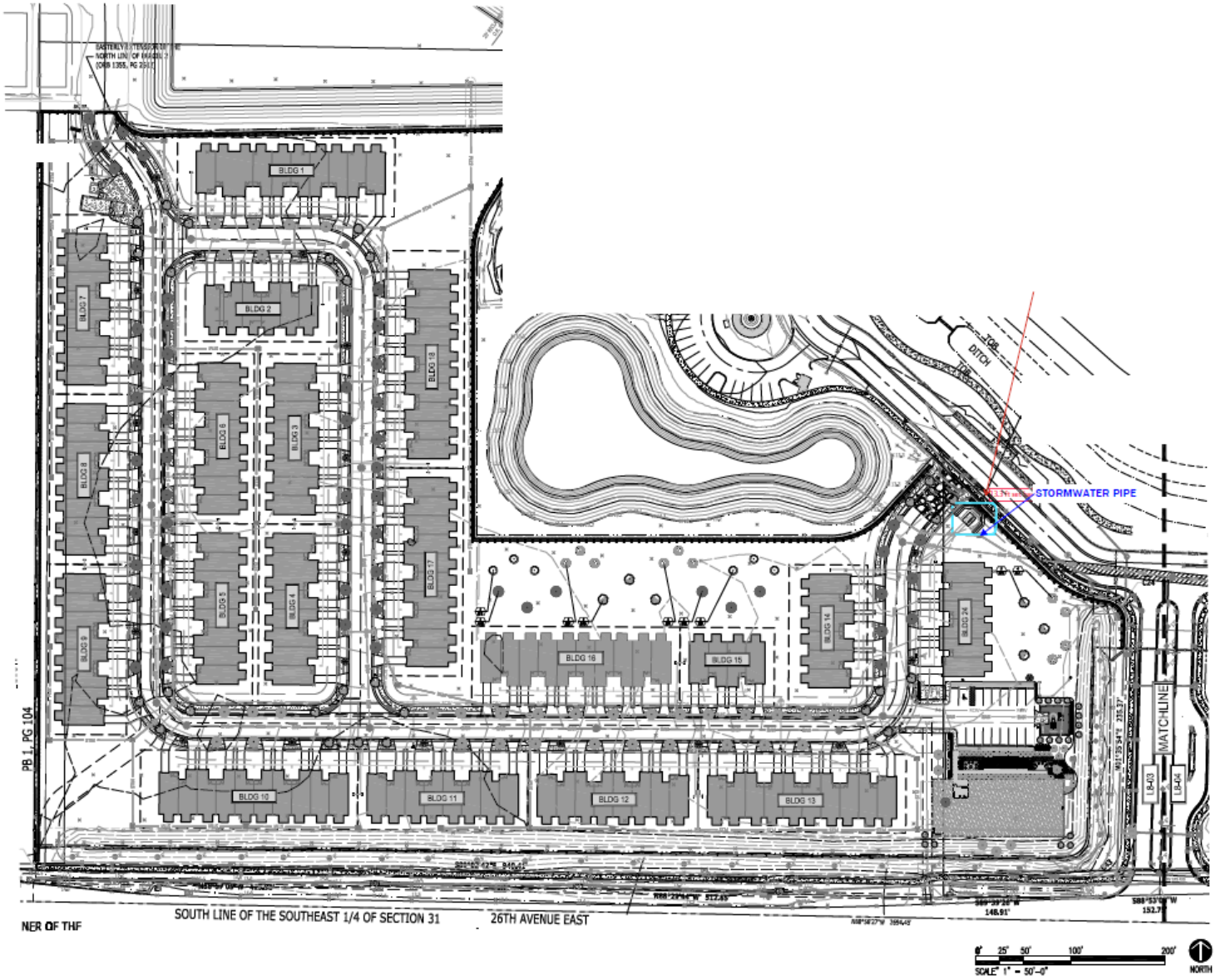


EXHIBIT "E"
Proposed Sign

128" x 24" Channel Letters 128"

annalise

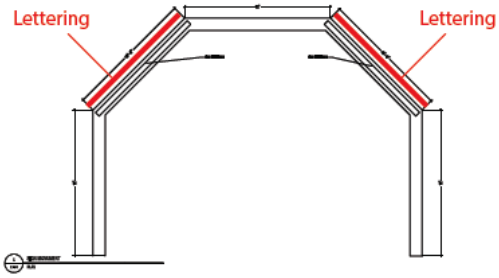
24"

Face/Returns

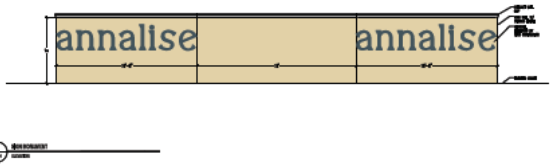
Pantone 6224 CP

21.33 sqft
Each Set

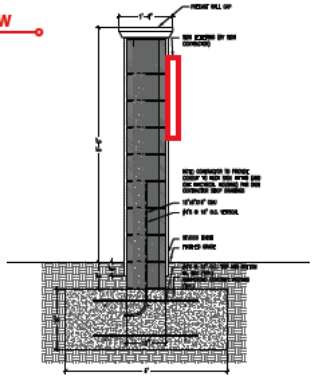
BIRDS-EYE VIEW



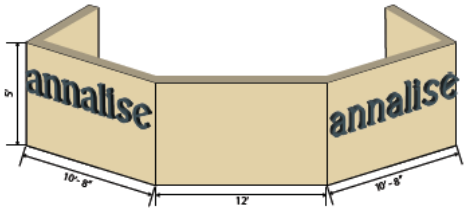
FRONT VIEW



SIDE VIEW



3D VIEW



JOHN J. ORLANDO LICENSE No 0044089 STATE OF FLORIDA PROFESSIONAL ENGINEER

Fasten each letter in a minimum of 2 places using 1/4" x 1-1/4" tapcons



Work Order #: 141275
Customer Name: Rangewater Real Estate
Address: 2561 Everson St Unit 6, Bradenton, FL 34208
Contact: Mac Williams
Contact Phone Number: 404-583-9428
Contact Email: mwilliams@liverangewater.com
Sales Person: Clark Craig
Graphic Designer Initials: JO
Approval Signature/Date:

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• Max Square Footage: _____ • Actual Square Footage: 21.33 sqft • Suite Frontage: _____
• Sign Shall be UL Listed and shall comply with 2020 NEC art NEC 600.5 and NEC 600.6. • Includes Shut Off Switch (Shown on Drawing) • Sign is on dedicated 20amp 110 Volt Sign Circuit

AGENDA ITEM NO. 9.a

Item Cover Page

PLANNING COMMISSION MEETING AGENDA ITEM REPORT

DATE: December 11, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Miscellaneous

AGENDA SECTION: **ANNOUNCEMENT OF CITY COUNCIL PUBLIC HEARING DATES**

SUBJECT: City Council - December 18, 2024

- Ordinance 4050, Case LU.24.2761 - Text Amendments for Tree & Land Preservation Board (Public Hearing)
- Ordinance 4051, Case RV.24.3327 - Right-of-Way vacation at 120 Manatee Ave. E. and 113 5th Ave. E. (Public Hearing)
- Resolution 24-101, Case SU.24.3686 - Special Use Permit for Public Facility Use (Animal Resource Center)

SUGGESTED ACTION:

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

ATTACHMENTS: