



April 1, 2014

The Honorable Larry Bustle, Chair
Manatee County Board of County Commissioners
1112 Manatee Avenue West
Bradenton, FL 34205

RE: Project Name: Cadence Property
Application Type: PDR Rezone with Preliminary Site Plan

Chairman Bustle:

On behalf of 117 Investments, LLC we respectfully request your approval of the following Specific Approvals to the Manatee County Land Development Code (LDC) for Preliminary Site Plans:

- 1. Specific Approval for alternative design standards to LDC Section 714.8.7, which requires replacement trees to be provided at calipers 3"/5"/7" depending upon the existing tree size, to allow for replacement trees at calipers 3"/4"/4".**

The proposed specific approval will be consistent with the pending LDC amendment to reduce the minimum required calipers of replacement trees. The smaller tree caliper is intended to ensure the survivability of the replacement tree, and has been approved for several projects in recent history.

- 2. Specific Approval for alternative design standards to LDC Section 715.3.4, which requires one (1) canopy tree every fifty (50) linear feet along rights-of-way in residential developments, to allow for one (1) canopy tree per lot.**

The applicant is proposing one (1) tree per lot to ensure the survivability of the required street trees. The proposed specific approval will provide one (1) street per 60' based upon the Applicant's proposed minimum lot width, as opposed to one per 50'. Two (2) trees will be provided on corner lots. The request is very nominal in nature and will serve to mitigate long-term maintenance issues associated with the prescribed canopy trees.

- 3. Specific Approval for alternative design standards to LDC Section 702.6.7, which requires a 50' separation between active agricultural uses and proposed dwelling units (35 feet plus 15 foot rear setback), to allow for a minimum 30-foot separation between the agricultural uses to the south and the proposed dwelling units on Lots 35-38, and a minimum 35-foot separation between agricultural uses to the north and the proposed dwelling units on Lots 8-9.**

The LDC requires 35 feet of separation in addition to the required setback where proposed residential dwelling units abut active agricultural uses.

A portion of the property to the south contains croplands associated with a commercial landscape nursery. The majority of the southern boundary abuts a single-family residence and associated accessory structures. The reduced agricultural setback is appropriate based upon the commercial nature of the adjacent property, and the minimal number of proposed lots that abut the area utilized for cropland purposes (Lots 35-38). Additionally, the 15' greenbelt buffer coupled with the 15-foot rear yard setback will provide appropriate screening and separation between the uses to the south.

In terms of the agricultural setback to the north, only two (2) lots (Lots 8-9) abut passive agricultural pasture area along this boundary. The Applicant respectfully submits that this property functions more as a large-lot residential use versus a bonafide agricultural operation; however the Specific Approval request is included in an abundance of caution.

The intent of the LDC is to mitigate the impacts of intensive agricultural operations on residential development and eliminate incompatibility between agricultural uses and residential uses. Based upon the passive nature of the adjacent agricultural use to the north, and the fact that it is a predominantly residential use, the Applicant respectfully submits that the proffered 30 feet of separation will address compatibility between the properties, and ensure that the agricultural uses do not conflict with residential use of the subject property.

The Applicant has increased the greenbelt buffer in this area from 15' to 20' to maximize the setback, and is amenable to conditioning approval of this request upon provision of a 6' opaque fence to further eliminate visibility between the properties.

The Applicant is also amenable to conditioning approval of this request upon the provision of HOA documents that notify future property owners of the adjacent agricultural operations, as was approved for the Raven Crest PDR (05-53), Stipulation 3 as follows:

“The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and shall include language to inform prospective homeowners of the presence of active agricultural operations nearby.”