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MANATEE COUNTY
GOVERNMENT

PLANNING DEPARTMENT
"TO SERVE WITH EXCELLENCE"

December 31, 1998

CERTIFIED MAIL
P 368 650 128

Mr. Tim Butts
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Re: Development Order for Cypress Banks DRI #17

Dear Mr. Butts:

Enclosed is a certified copy of Resolution R-98-300, the Resolution rescinding Resolution R-97-63, which was replacing Resolution R-89-161, as amended, for the Cypress Banks Development of Regional Impact (DRI #17), reinstating Resolution R-95-220 as the Cypress Banks DRI Development Order, as adopted in open session by the Manatee County Board of County Commissioners on December 15, 1998, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941) 749-3070, extension 6833.

Sincerely,

Robert H. Pederson
Community Planning Administrator

RHP/jy
Enclosure

RESOLUTION R-98-300

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA; RESCINDING RESOLUTION R-97-63, WHICH WAS REPLACING RESOLUTION R-89-161, AS AMENDED, FOR THE CYPRESS BANKS DEVELOPMENT OF REGIONAL IMPACT (DRI), ALSO KNOWN AS DRI #17; REINSTATING RESOLUTION R-95-220, AS THE CYPRESS BANKS DRI DEVELOPMENT ORDER; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1989 the Board of County Commissioners adopted R-89-161, which adopted a Development Order for the Cypress Banks Development of Regional Impact (DRI); and

WHEREAS, over the past several years, the Board of County Commissioners adopted Resolutions R-89-161(R), R-92-170 and R-94-133 amending R-89-161; and

WHEREAS, the Board of County Commissioners adopted R-95-220 to supersede and replace R-89-161, as amended, as the Cypress Banks Development of Regional Impact Development Order; and

WHEREAS, the Board of County Commissioners adopted Resolution R-97-63 approving amendments to the Development Order for the Cypress Banks DRI on January 6, 1997; and

WHEREAS, the Florida Department of Community Affairs (DCA) filed an appeal of Resolution R-97-63 based primarily on objections to the new Transportation Conditions; and

WHEREAS, the Developer has requested that R-97-63 be rescinded and that the previous Development Order R-95-220 be reinstated in its entirety as the Development Order for the Cypress Banks Development of Regional Impact to resolve the aforementioned administrative appeal; and

WHEREAS, DCA concurs that repeal of R-97-63 shall amicably resolve the administrative appeal, DEPARTMENT OF COMMUNITY AFFAIRS v. MANATEE COUNTY, a political Subdivision of the State of Florida; and SMR-1 DEVELOPMENT CORPORATION, A Florida corporation, Case No. App.-98-004.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

1. Resolution R-97-63 is hereby rescinded in its entirety.

2. Resolution R-95-220 shall be in full force and effect and shall be the Development Order for the Cypress Banks Development of Regional Impact.
3. The Planning Department is directed to send certified copies of this Resolution with thirty (30) days notice to the Developer, the Florida Department of Community Affairs and the Tampa Bay Regional Planning Council.
4. The Developer shall record a notice of the adoption of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish a copy of this recorded notice to the Planning Department.
5. This Resolution shall become effective upon adoption of this Resolution and recording of the notice as required by Paragraph 4 above.

PASSED AND DULY ADOPTED with a quorum present and voting by the Board of County Commissioners of Manatee County, Florida on this 15th day of December, 1998.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: *Harvey M. Plann*

Chairman

**ATTEST: R. B. SHORE
CLERK OF THE CIRCUIT COURT**

By: *Richard B. Shore*

STATE OF FLORIDA, COUNTY OF MANATEE

This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 28th day of

December 1998 :

R. B. SHORE

Clerk of Circuit Court

By: *Patricia A. Sutton* D.C.1