

1999 Ordinance NO 99-50 LBK - Airport  
Certified Mailing List  
Ordinance NO 99-49 LBK - Airport  
Bradenton Herald - Notice of Establishment  
Correspondence to Mr Kelly Rubio

Sarasota Bradenton international Airport  
DRI Substantial Deviation - Ordinance 99-50  
Rezone General Development Plan PDMU 97-02(Z)(G)  
Comprehensive Plan Amendment - Ordinance 99-49  
Project Summary Airport  
DRI Substantial Deviation Staff Report

2000 LBK Casa Del Mar v. Manatee County, et al.  
Petitioners' motion for extension of time to  
complete and supplement the appendix to and  
amend the - petition for writ of certiorari,  
- petition for writ of mandamus  
- complaint for declaratory relief  
Violation of procedural and substantive due process  
Order to show cause

Petition for writ of Certiorari for review of  
Quasi-judicial action,  
Petition for writ of mandamus  
Complaint for declaratory relief  
Violation of procedural and substantive due process



ORDINANCE NO. 99-50

FILED F. RECORD  
R.B. SHORE  
CLERK OF CIRCUIT COURT  
1ST JUDICIAL CIRCUIT  
IN AND FOR THE COUNTY OF SARASOTA  
DEC 31 2 18 AM '99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENDERING AN AMENDED AND RESTATED DEVELOPMENT ORDER PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL (ADA) FOR A SUBSTANTIAL DEVIATION TO AN EXISTING DEVELOPMENT OF REGIONAL IMPACT (DRI) FILED BY THE SARASOTA MANATEE AIRPORT AUTHORITY (SMAA) FOR THE SARASOTA BRADENTON INTERNATIONAL AIRPORT DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, The Sarasota Manatee Airport Authority (referred to as "SMAA" or "Authority"), possesses a Final Order approved by the Florida Land and Water Adjudicatory Commission on November 26, 1986 (Initial Development Order) for the Sarasota Bradenton International Airport (SBI); and

**WHEREAS**, The SMAA possesses an amended Development Order for the Sarasota Bradenton International Airport from Manatee County, R-90-98 (First Amendment); and

**WHEREAS**, pursuant to Subsections 380.032(3) and 380.06(8), Florida Statutes, and Rule 9J-2.0185, F.A.C., the Authority entered in to a Preliminary Development Agreement with the State of Florida Department of Community Affairs (DCA) on February 7, 1995 (AGM-984-001), for the Sarasota Bradenton International Airport Improvement Project, to construct aviation and non-aviation improvements that were not part of the then current DRI approval; and

**WHEREAS**, the improvements listed in the Preliminary Development Agreement were consistent with the SMAA Master Plan, approved by the Federal Aviation Authority, and approved by DCA, subject to further DRI review; and

**WHEREAS**, on May 13, 1998 and again on April 1, 1999, the Preliminary Development Agreement (AGM-984-001) was amended to construct light industrial development on Outparcel #2 that was not part of the then current DRI approval or the original PDA; and

**WHEREAS**, on November 30, 1996, the SMAA filed an Application for Development Approval (ADA) for a Substantial Deviation to their approved DRI with the Manatee County Board of County Commissioners, pursuant to the provisions of Section 380.06, Florida Statutes; and

**WHEREAS**, the Application for Development Approval includes all development proposals included in the approved Preliminary Development Agreement, in addition to other newly proposed airport, aviation related, and outparcel development on lands owned by the Authority; and

**WHEREAS**, the Tampa Bay Regional Planning Council, The Southwest Florida Regional Planning Council, the City of Sarasota, Sarasota County, and Florida Department of Community Affairs were

99-50 Sarasota-Bradenton Airport Amended Dev-Order

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CLERK OF CIRCUIT COURT  
STATE OF FLORIDA  
SARASOTA COUNTY

provided copies of the Application for Development Approval by the SMAA and were, therefore, afforded the opportunity to comment on the proposed change; and

**WHEREAS**, the Sarasota Manatee Airport Authority acknowledged and the Tampa Bay Regional Planning Council confirmed that the change proposed does constitute a Substantial Deviation pursuant Subsection 380.06 (19)(b)2., Florida Statutes; and

**WHEREAS**, the Planning Commission has reviewed the Application for Development Approval and has filed a recommendation on said Application with the Board of County Commissioners; and

**WHEREAS**, the Board of County Commissioners of Manatee County has on December 15, 1999, held a duly noticed public hearing on said Substantial Deviation to the Sarasota Bradenton International Airport DRI, and has solicited, received, and considered reports, comments, and recommendations from interested citizens, County staff, government agencies, and the applicant; and

**WHEREAS**, portions of the described Project lie within the unincorporated area of Manatee County; and

**WHEREAS**, the Board of County Commissioners is the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA THAT THE BOARD FINDS THAT THIS AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE SARASOTA BRADENTON INTERNATIONAL AIRPORT SUBSTANTIAL DEVIATION, SUBJECT TO THE CONDITIONS CONTAINED IN THIS ORDER, ADEQUATELY ADDRESSES THE IMPACT OF THE PROPOSED CHANGES.**

**SECTION 1. FINDINGS OF FACT:**

The Board of County Commissioners, after considering the testimony, evidence, Application for Development Approval, the recommendation and findings of the Planning Commission, and all other matters presented at the public hearings, hereby makes the following findings of fact:

- A. All "**WHEREAS**" clauses preceding Section 1 of this Resolution are adopted as findings of fact.
- B. On November 30, 1996, Fredrick J. Piccolo, authorized agent for the Applicant, Sarasota-Manatee Airport Authority ("SMAA") submitted to Manatee County an Application for Development Approval (ADA) for a Substantial Deviation to a Development of Regional Impact (DRI), known as Sarasota Bradenton International Airport.
- C. The following information, commitments, and impacts mitigating provisions submitted by the SMAA are hereby incorporated in this Development Order by reference:
  - (a) Substantial Deviation (ADA): received November 30, 1996.

- (b) Substantial Deviation (ADA) Appendices: received November 30, 1996.
  - (c) Substantial Deviation (ADA) First sufficiency response: June 30, 1997.
  - (d) Substantial Deviation (ADA) Second sufficiency response: December 1, 1997.
  - (e) Substantial Deviation (ADA) Third sufficiency response: February 4, 1998.
  - (f) Substantial Deviation (ADA) Fourth sufficiency response: March 5, 1999.
- D. In construing and enforcing the provisions of the documents incorporated in this Development Order by 1.C. above, the following shall apply:
- (a) The most recent response of the SMAA in the referenced document shall control over previous response, whenever there is a conflict, otherwise the responses shall be considered cumulative.
  - (b) Any information, commitments, or impact mitigating provisions in the above-referenced documents which are inconsistent with the specific conditions set forth in this ordinance and the exhibits hereto, shall be deemed superseded and inapplicable.
- E. The Sarasota Bradenton International Airport ("Airport") formerly known as Sarasota Bradenton Airport, consists of approximately 1,122.31 acres and is located in Manatee County, the City of Sarasota, and Sarasota County, and is described in Section 16 of this Development Order. Approximately 902.34 acres of the total DRI are located within unincorporated Manatee County.
- F. Development of the site is currently governed by DRI Development Orders and Preliminary Development Agreements of the jurisdictions listed below:
- (1) Manatee County:
    - a. Final Order approved by the Florida Land and Water Adjudicatory Commission on November 26, 1986 (Initial Development Order).
    - b. Resolution No. 90-98, approved July 26, 1990. (First Amendment).
  - (2) Sarasota County:
    - a. Resolution No. 85-48, approved October 15, 1985. (Initial Development Order).
    - b. Resolution No. 86-78, approved February 11, 1986. (First Amendment).
    - c. Resolution No. 87-516, approved October 6, 1987. (Second Amendment).
    - d. Resolution No. 85-151, approved May 16, 1989. (Third Amendment).
    - e. Resolution No. 94-201, approved July 26, 1994. (Fourth Amendment).
  - (3) City of Sarasota:
    - a. Resolution approved November 4, 1985 (Initial Development Order).
    - b. Resolution approved on February 26, 1986 (First Amendment).



c. Resolution approved on August 18, 1986 (Second Amendment).

- (4) Florida Department of Community Affairs:
  - i. Preliminary Development Agreement (File No. AGM 984-001B) approved January 31, 1995.
  - ii. First Amended and Restated Preliminary Development Agreement (File No. AGM 984-001B) dated May 13, 1998.
  - iii. Second Amended and Restated Preliminary Development Agreement (File No. AGM 984-001B) dated April 1, 1999.

G. The foregoing development orders have resulted in the existing, authorized, and approved development of the site, including development that existed on July 1, 1973, the effective date of Chapter 380, Florida Statutes, as follows:

- (1) Primary runway 14-32: 7,003 ft. x 150 ft.; 190,500 lbs pavement strength
- (2) Secondary runway 4-22: 5,004 ft. x 150 ft.; 115,000 lbs. pavement strength
- (3) Taxiways A, B, C, and F and taxiways for Dolphin Aviation and Jones Aviation
- (4) Air carrier apron: 895,500 s.f.
- (5) FAA air traffic control tower
- (6) General aviation aprons: 43,560 s.f.; 104 tie down spaces
- (7) General aviation hangars: 126
- (8) Air carrier terminal: 305,000 s.f.; 13 gates
- (9) General aviation terminals: 15,100 s.f.
- (10) Fuel farms:
  - a. commercial airlines: 130,000 gal.
  - b. general aviation: 174,000 gal.
- (11) Automobile parking
  - a. Public: 1,431 spaces
  - b. Employee: 446 spaces
  - c. Car rental ready return: 259 spaces
  - d. General aviation: 110 spaces
- (12) Miscellaneous aviation facilities:
  - a. Air freight terminal: 19,746 s.f.
  - b. Fire rescue station: 12,286 s.f.
  - c. Toll plaza operations: 1,066 s.f.
  - d. Auditorium/office: 6,220 s.f.
  - e. Facilities/O'Day Bldg.: 39,780 s.f.
  - f. New electrical vault: 1,725 s.f.
  - g. Old electrical vault: 425 s.f.
  - h. Restroom D: 484 s.f.
  - i. Restroom J: 484 s.f.
  - j. Agape Flight hangar/office: 5,760 s.f.
  - k. F.I. International hangar/office: 1,600 s.f.
- (13) Rental car maintenance facilities:
  - a. Alamo Rent A Car, Inc.: 5,880 s.f.
  - b. Avis Rent A Car System, Inc.: 2,613 s.f.

- c. Budget Rent A Car Systems, Inc.: 6,000 s.f.
- d. Hertz: 3,720 s.f.
- e. National Car Rental Systems: 3,780 s.f.
- f. Dollar Rent A Car, Inc.: 1,243 s.f.

(14) Non-aviation tenant facilities:

- a. Quonset Hut No. 1335 (Dynasty Boats): 10,260 s.f.
- b. Quonset Hut No. 1206:(Treadco Tire & Security 1<sup>st</sup> Storage) 26,404 s.f.
- c. Airport Shell: 2,343 s.f.
- d. Airport Plaza Ltd. (Silk Warehouse): 32,980 s.f.
- e. Airport Flyers, Inc. (Airport Mall): 35,700 s.f.
- f. Asolo Theater (FSU Foundation): 21,680 s.f.
- g. County Line Investments (Gilbert Waters): 30,616 s.f.
- h. Gulf Coast Karting: Racetrack
- i. University Self Storage (f.k.a. Sassaman): 9,843 s.f.
- j. 1349 University Parkway: 16,572 s.f.

(15) Daily enplanements: 1,700 passengers

(16) External vehicle trips: 10,277 (average daily trips; 591 Total PM-peak hour trips comprised of 296 in and 295 out at build-out.

H. The SMAA ADA proposed the following additional development, referred to herein as the "SBIA Substantial Deviation":

- (1) Runway 14-32 extension: add 1,150 feet at the southeast end and 1,350 feet at the northwest end, for total runway length of approximately 9,500 feet.
- (2) Expansion of terminal by 175,000 s.f., including a maximum of nine additional air carrier or commuter gates, and associated infrastructure such as aprons, taxiway lanes and connectors, lighting, security, access roads, and utilities.
- (3) Public parking structure: 800 spaces (Height not to exceed height of existing terminal)
- (4) General aviation facilities (LUC 022) consisting of:
  - a. 100 new T-hangars to be located on land not currently under lease to any fixed base operator (FBO).
  - b. 23 T-hangars to be located on airport land under lease by Dolphin Aviation, a FBO.
  - c. Corporate hangars to accommodate up to six aircraft, to be located on land not currently under lease to any FBO.
  - d. One corporate hangar to accommodate up to seven aircraft, located on airport land leased by Dolphin Aviation, an FBO.
  - e. Two corporate hangars to cumulatively accommodate up to eight aircraft to be located on airport land leased by Jones Aviation, a FBO.
- (5) Replacement of the existing picnic shelter building with the shelter not to exceed 10,000 s.f.
- (6) Wash facilities for equipment and vehicles.
- (7) Signs.
- (8) Outparcel development:

<u>Outparcel No.</u>	<u>Land Use</u>	<u>Intensity</u>
1.	a. Commercial or warehouse (LUC 814)	32,980 s.f.
	b. Golf Drive Range (LUC 430)	
	Par-3 golf course	
	Accessory pro-shop	1,200 s.f.
		(±21.26 total acres)
2.	Not to exceed an aggregate total of 315,000 s.f. of the following uses, including 125,000 s.f. of existing structures (±51.32 total acres):	
	a. Light Industrial (LUC 11)	100,000 s.f.
	b. Warehouse	120,000 s.f.
	c. Heavy Commercial	100,000 s.f.
	d. Research/Office Park	80,000 s.f.
	e. General Commercial	60,000 s.f.
3.	Not to exceed an aggregate total of 25,000 s.f. of the following uses (±6.79 acres):	
	a. Office (LUC 715)	20,000 s.f.
	b. Convenience Market, Gas Pumps	3,000 s.f.
	c. Airport Related Retail or Warehousing	22,000 s.f.
	d. Quality Restaurant	7,000 s.f.
4.	Not to exceed and aggregate total of 50,000 s.f. of the following uses, excluding the hotel (±18 acres):	
	a. Hotel (LUC 312)	200 rooms
	b. Professional Office (LUC 715)	40,000 s.f.
	c. Automotive Sales (LUC 715)	25,000 s.f.
	d. Quality Restaurant - (LUC 831)	7,000 s.f.
	e. Fast Food Restaurant	3,000 s.f.

- I. On October 7, 1993, the SMAA adopted a master plan which was accepted by the FAA, including an airport layout plan (ALP) which was approved by the Federal Aviation Administration (FAA). The master plan and ALP set forth the types of development needed to meet the short and long term air transportation needs of the air service area and to ensure compatibility of the Airport with its environs.
- J. On June 2, 1995, the FAA issued a Finding Of No Significant Impact (FONSI) that the proposed Runway 14/32 extension is consistent with federal national environmental policies and objectives as set forth in Section 101(a) of the National Environmental Policy Act of 1969 (NEPA), and that it will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. through 24.



- K. On October 24, 1995, a pre-application meeting was held for the proposed Substantial Deviation DRI, at which the regional planning councils agreed to the elimination of standard ADA questions 12 through 16, 22, 24 (A and C) and 26 through 30, and to the modification of questions 17 through 20, and 23
- L. On April 15, 1997, the FAA determined that an updated future (2000) noise exposure map (NEM) for the Airport was in compliance with the requirements of FAA Regulation, Part 150; and on October 9, 1997, the FAA approved the Airport's noise compatibility plan (NCP) update.
- M. On May 13, 1998, the First Amended And Restated Preliminary Development Agreement was approved.
- N. On April 1, 1999, the Second Amended And Restated Preliminary Development Agreement was approved.
- O. On June 25, 1999, the Tampa Bay Regional Planning Council notified Manatee County that the SMAA had declared themselves sufficient by letter dated June 18, 1999 and directed the County to set the local public hearing dates on the Substantial Deviation (ADA), pursuant to Subsection 380.06(11)(d), Florida Statutes. Manatee County subsequently requested that the SMAA waive the requirement to hold the public hearing within 90 days and by letter dated June 30, 1999, the SMAA consented. The hearing was scheduled for October 7, 1999 and subsequently canceled and rescheduled to October 21, 1999 at the request of the SMAA.
- P. On October 11, 1998, the Tampa Bay Regional Planning Council held a duly noticed public meeting on the Substantial Deviation (ADA), received all pertinent testimony and evidence, and pursuant to Section 380.06(12), Florida Statutes, issued a report recommending approval of the proposed substantial deviation.
- Q. On October 21, 1999, the Manatee County Planning Commission held a duly noticed public hearing on the Substantial Deviation ADA, received all pertinent testimony and evidence, including the Tampa Bay Planning Council report and recommendations, and recommended denial of the Substantial Deviation ADA.
- R. On December 15, 1999, The Board of County Commissioners held a public hearing regarding the Application for Development Approval for the SBIA DRI Substantial Deviation, in accordance with the requirements of the Manatee County Land Development Code (Ordinance 90-01, as amended) and the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and has further considered the testimony, comments, and information received at the public hearing.
- S. The Board of County Commissioners of Manatee County, considered all matters relevant to the proposed substantial deviation (ADA), including the report and recommendations of the Tampa Bay Regional Council, the State of Florida Department of Community Affairs, the Manatee County Planning Commission, and all pertinent testimony and evidence.

- T. When developed in accordance with the conditions imposed by this Development Order, the SBIA Substantial Deviation:
1. will have a favorable impact on the environment and natural historical resources of the region;
  2. will have a favorable economic impact on the economy of the region by providing new employment and business for the residents of the region;
  3. will efficiently use water, sewer, solid waste disposal, public school facilities, and other necessary public facilities;
  4. will efficiently use public transportation facilities;
  5. will favorably affect the ability of people to find adequate housing, reasonably accessible to their places of employment; and
  6. complies with such other criteria for determining regional impact as the regional planning agency deems appropriate, including but not limited to, the extent to which the development would create an additional demand for, or additional use of, energy.
- U. The real property which is the subject of the ADA is legally described in Section 15 of this Ordinance.
- V. The development is not in an area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.

## **SECTION 2: CONCLUSIONS OF LAW**

**Based upon the previous Findings of Fact and the following Conditions of Development Approval, the BOCC concluded that:**

- A. The Development is consistent with local land development regulations, the State Comprehensive Plan, the Comprehensive Regional Policy Plan, the Manatee County Comprehensive Plan (Ordinance 89-01, as amended), and previous local government approvals.
- B. The concerns raised in DCA's December 20, 1996, July 29, 1997, November 18, 1999 and TBRPC's December 31, 1996, January 3, 1997, July 30, 1997, January 7, 1998, and March 6, 1998 letters have been addressed. The Development is consistent with the report and recommendations of Tampa Bay Regional Planning Council issued on October 11, 1999, as conditioned herein.
- C. These proceedings have been duly conducted pursuant to applicable laws and regulations, and based upon the record in these proceedings, the Developer is authorized to conduct

development as described herein, subject to the conditions, restrictions, and limitations set forth below.

- D. The review by the County, TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order. To the extent that the ADA is inconsistent with the terms and conditions of this Order, the terms and conditions of this Order shall prevail.

### **SECTION 3. AMENDMENT AND RESTATEMENT OF PRIOR DEVELOPMENT ORDERS FOR DRI #15 (TBRPC DRI #124).**

The previous Development Order for the Sarasota Bradenton International Airport in Manatee County, which was the Final Order issued by the Florida Land and Water Adjudicatory Commission on November 26, 1986 and subsequently amended by Manatee County Resolution 90-98, is hereby amended and replaced by this Ordinance, as follows:

### **SECTION 4. DEFINITIONS.**

- A. "Acceptable Level of Service" shall, for links and intersections in Manatee County, Florida, mean Level of Service "C" on an average daily basis, or "D" on a peak hour basis, as provided in the Manatee County Comprehensive Plan. Level of Service "D" shall be measured on a peak hour basis as determined by the Highway Capacity Manual (1994), TRB Special Report 209 or the most current manual and computer software version in accordance with guidelines acceptable to Manatee County. Level of Service "C" capacity on an average daily basis shall be calculated either as 10 times the peak hour Level of Service "D" capacity, or if actual data is available to determine the "K" factor (please refer to the Florida Department of Transportation Planning and Statistics Department), then on the basis of the "K" factor.
- B. "Application" and "Application for Development Approval" or "ADA" shall mean Sarasota Manatee Airport Authority's DRI Substantial Deviation ADA submitted on November 30, 1996 and sufficiency responses submitted on June 30, 1997, December 1, 1997, February 4, 1998 and March 5, 1999.
- C. "Best Management Practices" shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code.
- D. "County" shall mean the Board of County Commissioners for Manatee County, or their designee(s).
- E. "County Transportation Authority" shall mean the County entity responsible for roadway approvals.



- F. "Developer" shall mean Sarasota Manatee Airport Authority (SMAA), their heirs, assigns, designees, agents, and successors in interest as to the Sarasota Bradenton International Airport DRI.
- G. "Development Approval\*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.
- H. "Funding Commitments" shall mean to assure completion of any improvement required by this Development Order, or any combination of the following:
1. binding commitments for actual construction with a posting of a cash bond, irrevocable letter of credit, or other financial instrument, in a form satisfactory to the County; or
  2. actual construction; or
  3. the placement of the improvements in the capital improvements work plan of a responsible entity for construction during the fiscal year when the improvement is required, as long as the improvement is within the first two years of the responsible entity's work plan at the time of Preliminary Site Plan approval of a subphase or phase; or
  4. a local development agreement as defined by Florida Statutes or the Land Development Code. The funding commitment shall guarantee that the improvement will be in place when needed or concurrent with the expected impacts of the development. Compliance with Conditions B.(3), (4), and (5) shall also constitute a funding commitment.
- I. "Horizontal Development" shall mean and shall be deemed to include the construction of any and all improvements required to serve Vertical Development\* (e.g., roadways, drainage, water, sewer, communications, utilities, etc.).
- J. "Master Development Plan" shall mean General Development Plan Maps H, H1, H2, H3, and H4, attached as Exhibits 1, 2, 3, 4, and 5, and incorporated by reference.
- K. "Owner" shall mean the Sarasota Manatee Airport Authority and their assigns, designees, agents, and successors in interest.
- L. "Phase\*" shall mean the development totals listed in Tables 1, 2, 3, 4, and 5.-
- M. "Transportation Impact Area\*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by this project in combination with prior approvals of this project will be five percent (5%) (or whatever greater percentage may be employed from time to time by TBRPC or Manatee County) or more of the Level of Service "D" Peak Hour. This area is generally based on data submitted with the ADA.

- N. "Vertical Development" shall mean and be deemed to include the new construction of any building or structure or the addition to any existing structure.
- O. "Warranted" shall mean a determination by the County based on generally accepted transportation engineering practices that the Acceptable Level of Service\* cannot be maintained on a roadway segment or intersection without the construction of a transportation improvement required by this Development Order. All reserved vehicle trips on the roadway segment or intersection shall be counted regardless of their source in making this determination.
- P. "Wetland" shall mean any wetland under the jurisdictional limits defined by Chapter 62-340, Florida Administrative Code, and implemented by the Florida Department of Environmental Protection, or as defined by Chapter 40D-4, FAC, and implemented by the Southwest Florida Water Management District.

The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order.

Note: An asterisk (\*) in the text of this Development Order denotes that the word is defined.

## **SECTION 5. DEVELOPMENT CONDITIONS.**

### **DEVELOPMENT APPROVAL AND LEVEL OF SERVICE CERTIFICATE CONDITIONS.**

- A(1). This Development Order approval shall constitute approval of the ADA Substantial Deviation, subject to the conditions set forth herein and shall be limited to the development amounts set forth in Tables 1, 2, 3, 4, and 5 below. Development is approved in three (3) phases. Phase 1 constitutes the year 2000 development and is specifically approved. The land uses proposed in Phases 2 and 3 are approved in concept, however, the Developer\* shall submit a 380.06 traffic analysis to identify transportation impacts and shall amend the Development Order to incorporate the necessary mitigation requirements for Phases 2 and 3. The Developer\* shall be entitled to utilize any mitigation option deemed appropriate by Manatee County which is consistent with the requirements of Chapter 380 and the rules and policies of the TBRPC and DCA.

Prior to construction of the proposed parking garage, the SMAA shall conduct a study to ascertain whether such development is likely to cause the carbon monoxide ambient air quality standards of Rule 62-272 F.A.C. to be exceeded. If the study shows that such standards will likely be exceeded, or the development will generate peak hour flow inside the parking garage equal to or greater than 750 vehicles per hour, the SMAA will be required to address the impact through a NOPC, pursuant to Subsection 380.06 (19), F.S.

- A(2). Preliminary and Final Site Plan Applications shall be reviewed for compliance with this Development Order and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan

application which are not specifically addressed in this Development Order or are not inconsistent with this Development Order 4.

- A(3). The Developer has demonstrated the availability of adequate infrastructure and the ability to meet Acceptable Levels of Service for roadways, potable water, waste water service, solid waste service, fire, police, and other emergency services and is hereby issued a Certificate of Level of Service for Phase 1 until December 15, 2004.
- A(4). The ADA and four sufficiency responses are hereby incorporated by reference.

**TABLE 1**  
**Sarasota Bradenton International Airport - Outparcel #1**  
**Allowed Development Totals**

<b>Outparcel #1</b>					
<b>Land Use</b> [380.0651 Guidelines]	<b>Existing Amount</b>	<b>Phase 1</b>	<b>Phase 2</b>	<b>Total Amount</b>	<b>Total Acres</b>
Golf Driving Range [380.0651(3)(f)]	19.4 acres	n.a.	n.a.	19.4 acres	19.4
Pro Shop [380.0651(3)(f)]	n.a.	1,200 s.f.	n.a.	1,200 s.f.	
Commercial/ Warehouse [380.0651(3)(c)&(f)]	32,980 s.f.	n.a.	n.a.	32,980 s.f.	1.86
<b>Build-out dates</b>		<b>12/31/05</b>	<b>12/31/10</b>	<b>12/31/15</b>	<b>21.32</b>

**TABLE 2**  
**Sarasota Bradenton International Airport - Outparcel #2**  
**Allowed Development Totals**

<b>Outparcel #2</b>					
<b>Land Use</b> [380.0651 Guidelines]	<b>Existing Amount &amp; Phase 1</b>	<b>Phase 2</b>	<b>Phase 3</b>	<b>Total Amount</b>	<b>Total Acres</b>
Light Industrial [380.0651(3)(c)]	90,000* s.f.	n.a.	84,000 sf.	174,000 s.f.	32
Warehouse [380.0651(3)(c)]	108,530** s.f.	n.a.	n.a.	108,530 s.f.	14.9
Manufacturing [380.0651(3)(c)]	9,917*** s.f.	n.a.	n.a.	9,917 s.f.	1.0



Heavy Commercial (Tire Store) [380.0651(3)(f)]	7,144*** s.f.	n.a.	n.a.	7,144 s.f.	1.4
General Commercial (Auto care center/ truck repair) [380.0651(3)(f)]	16,000 s.f.	n.a.	n.a.	16,000 s.f.	1.5
<b>Build-out Total</b>	231,591 s.f.			315,591s.f	50.79
<b>Build-out dates</b>		12/31/05	12/31/10	12/31/15	

\* Includes 70,000 sq. ft. authorized under the 1<sup>st</sup> amended PDA and 10,200 sq. ft. authorized under the 2nd amended PDA .

\*\* Represents a Cumulative Total of 108,530 sq. ft. of Vested Warehouse space (35,700 sq. ft./Airport Mall; 28,258 sq. ft./County Line Investments; 9,843 sq. ft./Sassaman Self-Storage; 16,572 sq. ft./Sassaman Self Storage; and 18,157 sq. ft./Security First Storage).

\*\*\* Existing and vested development

**TABLE 3**  
Sarasota Bradenton International Airport - Outparcel #3  
Allowed Development Totals

<b>Outparcel #3</b>						
<b>Type</b> [380.0651 Guidelines]	<b>Existing Amount</b>	<b>Phase 1</b>	<b>Phase 2</b>	<b>Phase 3</b>	<b>Total Amount</b>	<b>Total Acres</b>
Office [380.0651(3)(d)]	n.a.	15,000 s.f.	n.a.	n.a.	15,000 s.f.	3.5
Quality Restaurant [380.0651(3)(f)]	n.a.	7,000 s.f.	n.a.	n.a.	7,000 s.f.	1.5
Fast Food [380.0651(3)(f)]	n.a.	3,000 s.f.	n.a.	n.a.	3,000 s.f.	1.79
<b>Build-out Total</b>					25,000 s.f.	6.79
<b>Build-out Dates</b>		12/31/05	12/31/10	12/31/15		

**TABLE 4**  
**Sarasota Bradenton International Airport - Outparcel #4**  
**Allowed Development Totals**

<b>Outparcel #4</b>						
<b>Type</b> <small>(380.0651 Guidelines)</small>	<b>Existing Amount</b>	<b>Phase 1</b>	<b>Phase 2</b>	<b>Phase 3</b>	<b>Total Amount</b>	<b>Total Acres</b>
Hotel [380.0651(3)(g)]	n.a.	n.a.	200 rooms	n.a.	200 rooms	8.35
Office [380.0651(3)(d)]	n.a.	n.a.	5,000 s.f.	20,000	25,000 s.f.	4.0
Auto Sales [380.0651(3)(f)]	n.a.	n.a.	25,000 s.f.	n.a.	25,000 s.f.	5.0
<b>Build-out Total</b>	n.a.	n.a.	30,000 s.f.	20,000 s.f.	50,000 s.f. 200 rooms	17.35
<b>Build-out Dates</b>		<b>12/31/05</b>	<b>12/31/10</b>	<b>12/31/15</b>		

**TABLE 5**  
**Sarasota Bradenton International Airport Allowed Development Totals**

<b>Airport and Aviation Related Development</b>						
<b>Type (380.0651 - Airports)</b>	<b>Existing Amount</b>	<b>Phase 1</b>	<b>Phase 2</b>	<b>Phase 3</b>	<b>Total Amount</b>	<b>Total Acres</b>
Runway 14/32, including associated taxiways and connectors, aprons, lighting, security, access, roads, utilities, and other infrastructure	7,003 l.f.	2,500 l.f.			9,503 l.f.*	1,122.31 Total Acres  with  902.4 In Manatee County
Noise Barrier Berms and Walls	n.a.	Required				
Terminal Expansion	305,000 s.f. 13 gates		175,000 s.f. 9 Air carrier or commuter gates		175,000 s.f.**	
Enplanements - Commercial Carriers	930,000* **	930,000***	1,092,000	1,274,000		
General Aviation Operations	88,000	88,000	101,300	116,590		
General Aviation Facilities (Hangar spaces)****	126	144			270	
Parking Garage			800 spaces		800 spaces	
<b>Build-out dates</b>		<b>12/31/2005</b>	<b>12/31/10</b>	<b>12/31/15</b>		

\* The southeasterly 1,150 l.f. extension of runway 14/32 is located in Sarasota County.

\*\* The Terminal building is partially located within Manatee County.

\*\*\* The approved number of commercial enplanements includes those occurring before July 1, 1973 (i.e., vested with respect to DRI requirements) and enplanements authorized as a result of the current development order (FLWAC Final Order) for which required mitigation was completed. The number of existing enplanements is less than that shown because air traffic has decreased at SBIA.



\*\*\*\* 126 hangar spaces were existing prior to Preliminary Development Agreement (File No. AGM 984-001B) approved January 31, 1995. This PDA authorized 144 hangar spaces, as follows:

- 100 new T hangars (not on land leased to a FBO);
- 23 T hangars at Dolphin Aviation;
- Corporate hangars for 6 aircraft (not on land leased to a FBO);
- 1 corporate hangar for 7 aircraft at Dolphin Aviation; and
- 2 corporate hangars for 8 aircraft at Jones Aviation.

- A(5). The maximum allowable height for all structures at the Airport and Outparcels shall comply with all FAA regulations relative to clear zones, imaginary surfaces, etc. In addition, the maximum height of structures on the four Outparcels shall be limited by Manatee County Land Development Code requirements and any specific height limits specified in Manatee County Zoning Ordinance PDMU-97-02(Z)(G).

### **TRANSPORTATION CONDITIONS.**

- B(1). The Developer has provided for a bus stop at a location within the project. The provision of this bus stop meets all current requirements for Transportation System Management actions required by the reviewing agencies.
- B(2). Effective upon the approval of this Ordinance, a biannual monitoring program to provide p.m. peak-hour counts at all SBIA entrances shall be instituted to verify that the projected number of external trips for the development, as determined by the developer's traffic engineer and approved by the County, are not exceeded.

Effective upon the SBIA achieving 930,000 enplanements per year, the required monitoring program shall be converted to an annual basis to provide p.m. peak-hour counts at all SBIA entrances.

Effective upon any additional vertical development on Outparcel #2 or 1 year before commencing Phases 2 or 3, whichever occurs soonest, an annual monitoring program to provide p.m. peak-hour counts at all Outparcel #2 entrances shall be instituted to verify that the projected number of external trips for the development, as determined by the developer's traffic engineer and approved by the County, are not exceeded.

Traffic monitoring of p.m. peak-hour counts shall be required at all four Outparcel access points for Phases 2 and 3. Counts will continue through build-out.

Traffic monitoring information shall be supplied in the required annual report. If an annual report is not submitted within 30 days of its due date, or if the annual report indicates that the total trips exceed projected counts by more than 15 percent, Manatee County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), F.S., and may amend the Development Order to change or require additional roadway improvements. The results of the study may also serve as a basis for the developer or reviewing agencies to request Development Order amendments.

If the trip count variance is determined to be a Substantial Deviation, the revised transportation analysis required pursuant to Subsection 380.06(19), F.S., will be based upon results of the monitoring program and agreements reached at another transportation methodology meeting to be held prior to the preparation of the new analysis.

- B(3). Prior to any Preliminary Site Plan, Final Site Plan, or Construction Plan approval in Phases 2 or 3, the applicant shall submit a new transportation analysis for further 380.06 review, as described in Condition A(1), above.

#### **AIR QUALITY AND LAND.**

- C(1). Manatee County shall reserve the right to require mitigation measures or a revision of the General Development Plan to alleviate potential impacts of the project on ambient air quality. Manatee County shall not require any additional or new air quality mitigation measures unless such measures are also being required of other developments in the vicinity of the project.
- C(2). The Developer shall comply with applicable requirements of the Florida Department of Environmental Protection's air quality regulations prior to construction of any parking garage.
- C(3). The soil conservation measures and the measures to reduce erosion, fugitive dust, and air emissions referenced in the ADA shall be implemented. The measures to reduce erosion, fugitive dust and air emissions referenced on pages 15-3 and 22-1 of the ADA, at minimum, shall be implemented.

#### **WATER QUALITY, WETLANDS, AND DRAINAGE.**

- D(1). Airport water quality management shall use a combination of structural and nonstructural Best Management Practices to achieve the pollutant load reduction criteria of FAC 62-40 and meet the water quality criteria of FAC 62-302. These Best Management Practices shall also be consistent with FAA Advisory Circular 150/5200-33 "Hazardous Wildlife Attractants on or Near Airports." The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapters 40D-4, 17-25, 62-3, 62-25, and 63-302, FAC. Best Management Practices shall also include the practices listed on pages 55 A-E of the ADA.
- D(2). A ground water quality monitoring program shall be required if additional wells are constructed on-site. The requirements of the ground water monitoring program shall be set forth, if deemed necessary, by SWFWMD in the permit documents.
- D(3). The Developer\* shall be responsible for operation and maintenance for all portions of the Surface Water Management System, except for those portions which are dedicated to and accepted by the County.

- D(4). Airport water quality management shall reduce peak flows to the Bowlees Creek basin to levels below the existing peak discharge during the 25-year, 24-hour storm event. Airfield drainage shall also be consistent with FAA Advisory Circular 150/5320-5b "Airport Drainage."
- D(5). The Airport Authority shall assure the continuance of the daily (at least five times per week) vacuum/magnetic pick up cleaning of the aircraft parking apron, and three times per week cleaning of the auto parking areas.
- D(6). The Airport Authority shall assume all maintenance responsibilities for the stormwater management system.
- D(7). Drainage infrastructure improvements constructed before the Section 380.06, F.S. review if completed shall be a the developers risk and shall not vest subsequent development rights.
- D(8). During construction, appropriate measures shall be taken to prevent erosion, turbidity, oils and lubricants from impacting surface waters. the use of sediment basins in conjunction with absorbent filter pads (to aid in the removal of oils and grease) plus other appropriate controls shall be provided by the Airport Authority.
- D(9). If dewatering and impounding during construction activities results in a body of transitory water standing more than 72 hours, the Airport Authority shall notify all applicable county mosquito control district in order that appropriate control measures may be undertaken.
- D(10). The Airport Authority shall provide stocking of mosquito eating fish (i.e. Killi Fish, Gambusia) in retention/detention ponds or other permanent water holding areas, in consultation with all applicable county mosquito control districts.
- D(11). The Sarasota-Manatee Airport Authority shall routinely maintain and monitor all stormwater retention/detention systems and the perimeter ditch. If necessary, the Airport Authority shall provide restoration measures at the above to ensure proper and continual functioning as designed for.
- D(12). The Sarasota-Manatee Airport Authority shall be responsible for the routine maintenance of all open space areas within the project site, including retention/detention areas and the perimeter ditch.
- D(13). If any new or altered stormwater management systems utilizing a non-presumptive design are approved, the SMAA shall implement a surface water quality monitoring program approved by the SWFWMD prior to any site alteration activities. Details of the monitoring program shall be approved by SWFWMD. Appropriate mitigation, including additional water treatment, will be required if the treated stormwater does not meet appropriate standards.

#### **FLOODPLAIN.**

- E(1). Any encroachment of the 100-year floodplain or floodway shall be mitigated in accordance with FEMA and Manatee County standards.

#### **ECONOMICS.**

- F(1). The SMAA shall promote entrepreneurship and small and minority-owned business start up, and encourage non-discriminatory employment opportunities.

**WILDLIFE HABITAT AND VEGETATION.**

- G(1). In the event any species listed in Rule 68A-27.003 through Rule 68A-27.005, FAC are observed frequenting the sites of Outparcels 1, 2, 3, or 4 for nesting, feeding, or breeding, proper protection and mitigation measures shall be employed immediately in cooperation with the Florida Fish and Wildlife Commission (FWWC) and Manatee County EMD. This may include a wildlife management plan which contains information on impacts to listed species, site maintenance, and boundary protection. With respect to the Airport property, the requirements stated above shall not preclude SMAA from utilizing the provision of Rule 68A-27.002, F.A.C. if aircraft safety and human lives are in imminent jeopardy.

**ARCHAEOLOGICAL AND HISTORICAL RESOURCES.**

- H(1). Any historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Department of State, Division of Historical Resources (DHR), and treatment of such resources shall be determined in cooperation with DHR and Manatee County. Treatment of such resources must be completed before resource disturbing activities are allowed to continue. A description of the project's compliance with these conditions shall be included in subsequent annual reports, to be submitted for review to DHR in addition to Manatee County.

**WASTEWATER.**

- I(1). Sewer lift stations shall be designed and equipped in accordance with Manatee County's Public Works Department guidelines with several means of back-up to provide assurance against equipment failure and discharge to the environment. This design shall include:
- a. lift stations with 35 HP (or less) motors shall have an auxiliary generator receptacle on the panel box.
  - b. stations with greater than 35 HP motors shall include an on-site stationary generator set with remote transfer capability.
  - c. wet wells to contain sewage line surcharges or overflows.
  - d. emergency by-pass pumpouts for tank trucks.
  - e. 100 percent redundancy in lift station pumping equipment.
- I(2). The Developer\* previously submitted to Manatee County a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer\*. This plan was approved by Manatee County, and identified the entity responsible for the monitoring and time schedule for conducting the inspections. Any new infrastructure shall be built and maintained in accordance with this approval. Faulty lines, or any part thereof, shall be replaced as quickly as possible. A report of all inspections, findings, and repairs shall be submitted to the Public Works Department.
- I(3). Disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (91-39), or its successors.
- I(4). The Developer\* shall not utilize on-site wastewater treatment.



- I(5). The SMAA shall comply with all current design, construction, and maintenance requirements of the public utilities departments of all applicable local governments with regard to wastewater collection and disposition.
- I(6). The SMAA shall finance expansion/construction of the entire on-site wastewater treatment system and any necessary off-site expansion to assure that adequate wastewater capacity exists to accommodate the project. Additionally, the SMAA or their tenants shall pay the required connection fees, facility investment fees, and costs of any off-site improvements that may be required by the public utilities departments of all applicable local governments as a result of the project.

**WATER.**

- J(1). The Developer\* shall use only non-potable water to meet non-potable demands to the maximum extent practicable. For purposes of this Development Order, "non-potable" water is defined as water emanating from any source other than a public potable water utility. If reclaimed water is permitted by Manatee County and other agencies having jurisdiction, no amendment to the Development Order shall be required to allow the Developer to use reclaimed water for irrigation purposes.
- J(2). Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.). For the purpose of potable water conservation, installation of high-efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices shall be required. This shall include the use of toilets requiring no more than 1.6 gallons per flush and installation of self-closing and/or metered water faucets in all public and commercial restroom facilities. Native vegetation or xeriscape techniques shall be used in landscaping to the greatest extent practicable.
- J(3). The SMAA shall comply with all current design, construction and maintenance requirements of the public utilities departments of all applicable local governments with regard to water supply and distribution.
- J(4). The SMAA shall finance expansion/construction of the entire on-site water distribution system and any necessary off-site expansion to assure that adequate water capacity exists to accommodate the project. Additionally, SMAA or their tenants shall pay the required connection fees, facility investment fees, and costs of any off-site improvements that may be required by Manatee County as a result of the project.
- J(5). The SMAA shall maintain all water lines and fire hydrants in accordance with that certain agreement between the SMAA and Manatee County dated February 28, 1995.
- J(6). Adequate fire flow and water pressure shall be maintained within the project's water supply system.

**SOLID WASTE.**

- K(1). The Developer\* shall provide to all on-site tenants and businesses information that:
  - a. indicates the types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers or areas.
  - b. concerns the availability of existing companies that will accept wastes for recycle, reuse, exchange, and treatment.

- c. advises of applicable statutes and regulations regarding hazardous wastes and materials.
- K(2). The Developer\* shall notify all commercial tenants of their responsibility to comply with all applicable sections of Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA).
- K(3). Separate hazardous waste storage areas within the project shall be provided by SMAA for its operations and tenants shall be required to provide separate hazardous waste storage areas if not permitted to use those of SMAA. These areas shall be accessible to all businesses and shall be clearly marked and/or colored so as to clearly distinguish the areas intended for hazardous wastes and materials. (Hazardous wastes are those substances and materials defined in Subsection 403.703(21), F.S., and listed in Title 40 CFR part 261).
- K(4). The SMAA shall require that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

#### **ENERGY.**

- L(1). The Developer\* shall notify all tenants and businesses that the following related practices are encouraged:
- a. energy alternatives, such as solar energy, resource recovery, waste heat recovery, and co-generation, where economically feasible.
  - b. energy audits provided by energy companies or other qualified agencies.
  - c. water heater timers and water heaters set at 130 degrees Fahrenheit or lower.
  - d. energy conservation by employees.
  - e. reduced levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate.
  - f. recycling programs.
  - g. energy efficient packaging or recyclable materials.
- L(2). The Developer\* shall designate an energy officer to establish energy policies, monitor energy use, and encourage conservation for project businesses.

#### **RECREATION AND OPEN SPACE.**

- M(1). All open space areas not dedicated to the County or other state agencies shall be maintained by the Developer.

## **NOISE**

### **Noise Barriers**

- N(1). In order to mitigate noise exposure in areas located within close proximity to the end of the proposed Runway 14 extension, and prior to use of such runway extension, the SMAA shall construct noise barriers (earthen berms or wall structures or combination of both) between the end of extended Runway 14 and the impacted areas southwest and north of the runway, as proposed in the ADA, with the designs to be in substantial conformance with the SMAA's "Proposed Noise Barriers Testing Methodology" dated November 9, 1998 and incorporated herein as Exhibit 6. The appearance of the noise barriers is a local issue.

### **Noise Barriers and Reflective Traffic Noise**

- N(2). For those portions of the noise barriers required under Condition N(1), above, that include walls, the SMAA shall incorporate sound absorptive materials in the final design of the noise barrier walls if the walls have the potential to reflect noise from adjacent roadways back into residential communities. The SMAA shall show through field testing documentation that reflective noise resulting from the noise wall will be below perceptual levels within these communities. This field testing shall be accomplished through the following methodology.
- a. Surface traffic noise monitoring shall be performed prior to the construction of the barrier wall. Surface traffic noise levels will be monitored at three locations west of U.S. 41 adjacent to the wall. At two of the locations, the monitor shall be located where there is a direct line of sight from both the proposed barrier wall location and U.S. 41 and where existing reflective surfaces would not influence the results. At the third location, monitoring shall be accomplished at the closest accessible residential area.
  - b. The surface traffic noise monitoring and analysis shall be conducted consistent with Florida Department of Transportation methodology to assure that a statistically valid sample of surface traffic analyzed. This would include monitoring a LAeq level for traffic along U.S. 41 while at the same time counting the number of cars, light trucks, and heavy trucks to assure a statistically valid sample is reached. Using the field traffic counts and the monitor location, a LAeq shall also be determined through the use of the FDOT noise model. The results of the modeled and monitored conditions would be compared to validate the accuracy of the model for the monitored location. The model is considered validated if the modeled and monitored results are within 3 dB.
  - c. Following the construction of the noise barrier, surface traffic noise monitoring and traffic counts shall be conducted in the same manner as b., above. The results of the monitored condition (with the wall) will be compared with the modeled condition for surface traffic counted during the (with the wall) monitoring. The differences between the modeled condition with the wall and monitored condition with the wall will identify the amount of reflective noise resulting from the noise wall. A difference of 3 dB or less would be considered a non-perceptible impact.
  - d. Should the results of the test indicate that greater than a 3dB increase due to reflection occurs, then additional wall treatments shall be provided to reduce the reflective noise to less than a 3 dB change.

### Operational Noise Requirements

- N(3). The SMAA shall continue to expeditiously and without further delays, seek approval from FAA of the 270° radial turn for planes departing on Runway 32. In the event the approval is not received prior to the start of Phase 2, construction of the expansion of the terminal building and parking garage shall not be authorized until either :
- a. the 270° radial turn departure procedure is approved and operational or,
  - ii the SMAA can demonstrate to the County the Notice of Proposed Change pursuant to Section 380.06, Florida Statutes, that the SMAA has exerted good faith in a continued effort to gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County.
- N(4). All noise abatement measures as described in Table 6-10 of the FAR Part 150 NCP (Noise Compatibility Plan) dated February 1997 shall be implemented as described with the modifications herein:
- a. All aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 32 shall be instructed to turn left at 0.9 DME to join the Sarasota 270° radial outbound to at least 7 DME, then proceed on course as directed by Air Traffic Control (ATC). Should, after implementation, the turn at the 7DME result in splay of aircraft that is further east than anticipated, the aircraft shall be instructed to proceed outbound to the 270° radial to the 8DME, then proceed on course as instructed by ATC. Should approval of the turn to the 270° radial be denied by the FAA because of airspace constraints, the current procedure shall be maintained until such time as the turn to the 270° radial becomes feasible. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing northbound on Runway 32 shall be instructed to turn left at 0.9DME to join the Sarasota 295° radial outbound , then proceed on course as instructed by ATC; and all aircraft weighing over 25,000 pounds and all jet aircraft departing southbound on Runway 32 shall be instructed to turn left at 0.9 DME to a heading of 270°, then proceed on course as instructed by ATC.
  - b. Arriving aircraft on Runway 32 would be allowed to make visual approaches to the airport and turn to the runway heading as soon as cleared to do so by the Air Traffic Control Tower.
  - c. All aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 14 shall be instructed to maintain runway heading until reaching 3,000 feet, then proceed on course.
  - d. Continue balanced runway use program. The goal of this program is equal use of Runway 14 and Runway 32 for air carrier departures, and equal use of Runway 14 and Runway 32 for air carrier arrivals.
  - e. Encourage the airlines to make maximum use of their own internal quiet departure techniques, guided by FAA Advisory Circular 91-53A, " Noise Abatement Departure Profiles."
  - f. All departing aircraft, to the extent feasible, should be issued unrestricted climb to their requested en route altitude.

- g. The departure of Stage 2 aircraft shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m., excluding only aircraft in use for emergency services such as police, ambulance, and military functions.
  - h. The prohibited hours for non-emergency engine maintenance run-ups shall be between the hours of 10:00 p.m. and 7:00 a.m.
  - i. The use of Auxiliary Power Units is prohibited between the hours of 10:00 p.m. to 7:00 a.m. unless ground power units are inoperative.
  - j. Training operations with larger aircraft on Runway 14 and Runway 32 shall be prohibited between the hours of 12:00 p.m. and 6:00 a.m.
- N(5). The use of external public address systems shall be prohibited between the hours of 10:00 p.m. to 7:00 a.m.
- N(6). All departures of Stage 2 air carrier or cargo aircraft weighing over 75,000 pounds on Runway 14 shall commence their take-off roll at the current runway threshold. All other aircraft may use the declared distance runway length for Runway 14. All aircraft may also use the declared distance runway length for Runway 32 departures.
- N(7). The SMAA shall diligently pursue Land Use Measures as described in Table 6-11 of the NCP dated February 1997 and establish a reasonable time line for implementation of the measures 1 through 3.
- N(8). The SMAA shall employ and maintain a full time professional, management level staff person, who is responsible for the administration of the noise abatement program. This program includes:
- a. Conducting a periodic noise monitoring program.
  - b. Conducting periodic recalculation of noise contours.
  - c. Conducting complaint and response functions.
  - d. Provide public information and involvement functions.
  - e. Expedite the purchase of fee simple interest from homeowners who purchased their current home prior to January 1, 1980, and who are located within the 65+ DNL contour of the 2000 Noise Exposure Map in Sarasota and Manatee counties. In addition, priority shall be given to homeowners located within the 70+ DNL of the 1995 Noise Exposure Map, and that priority ranking shall be based upon length of ownership. Homes purchased by the SMAA shall be sound insulated only where feasible and cost effective. All homes purchased by the SMAA shall be placed on the market for resale with an aviation easement reserved.
  - f. Expedite the purchase aviation easements from homeowners located within the 65+ DNL contour of the 2000 Noise Exposure map in Sarasota and Manatee counties, who purchased their current home prior to December 15, 1986. In addition, priority shall be given to homeowners located within the 70+ DNL of the 1995 Noise Exposure map, and that priority ranking shall be based upon length of ownership.
  - g. Expedite offers to provide sound insulation to homeowners located within the 65+ DNL contour of the 2000 Noise Exposure map in Sarasota and Manatee counties, only where feasible and cost effective, and in exchange for an aviation easement. It is recommended that the SMAA offer to provide sound insulation to homeowners located within the 65+ DNL contour of the 2000 Noise Exposure Map in Sarasota and Manatee Counties, who purchased their current home prior to December 15, 1986. In addition, it is recommended the priority be given to homeowners located



within the 70+ DNL of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership.

- h. Modify the NCP, subject to FAA approval, to allow for expanded participation by impacted residents in the SMAA's land use program. This request shall be made within one year of adoption of this Ordinance. Specifically, the revised NCP shall provide for a modification to the eligibility dates for program participation, as follows:
- Purchase and resale with aviation easement and sound insulation - revise eligibility date for participation from January 1, 1980 to December 15, 1986.
  - Sound Insulation - revise eligibility date from December 15, 1986 to on or after May 7, 1997.
  - Aviation easement - revise eligibility date from December 15, 1986 to on or after May 7, 1997.
  - All program participants - the priority for homeowners as established in the 1995 Noise Exposure Map be changed to the 2000 Noise Exposure Map.

The SMAA shall tender offers for participation to all eligible homeowners within five years of receipt of FAA approval, or shall provide documentation acceptable to Manatee County of good faith effort to meet this requirement.

- i. Seek guidance and assistance in the preparation of further noise control programs or measures from the adjacent local governments in matters relating to land use compatibility and development regulations continuing to substantially reduce incompatible land uses within the 70-75 Ldn contours.
- j. Present a quarterly noise abatement report to the SMAA Board specifically addressing all noise abatement issues as identified in this Development Order. This report shall specifically identify non-complying entities and any sanctions or corrective actions taken. Copies of this report shall be available to the public and included in the annual report submitted to TBRPC and Manatee County. The report shall specifically include a tabulation of the number of units in each category (e, f, g, and h), and the status of implementation, including offers made, offers accepted, and offers rejected. The report shall also include any unresolved noise complaints which have occurred within each quarter.
- k. The Airport Authority shall work cooperatively with Manatee County to resolve any noise problems which may be identified in the future.

### **Noise Exposure Monitoring - Noise Barrier Testing Protocol**

- N(9). In addition to surface traffic noise monitoring required under N(2), above, the SMAA shall monitor noise exposure under the no-project alternative condition and monitor again following the construction of the required noise barriers (berms or walls) and runway extension (project condition). The monitoring shall be accomplished by measuring the noise level from a calibrated noise source (the exact same noise source to be used for both monitoring conditions). The monitoring shall be required to show that the noise wall reduces noise exposure to a level which represents no significant increase (less than 1.5 DNL) in noise sensitive areas behind the wall (when comparing the extended runway condition and the no-project condition). This shall be accomplished through the following methodology.
- a. The noise source to be used for the monitoring shall be a loudspeaker, which simulates the noise levels and location of engines associated with an MD 80 Series aircraft located at the extended runway threshold. This type of aircraft is simulated since it represents one of the noisier Stage 3 aircraft and has engines located higher above the ground than most other aircraft projected to use the Airport. Two noise

monitors shall be located at sites west of U.S. 41 and two noise monitors located at sites north of the north barrier location.

- b. Each noise monitor (microphone) shall:
- Be located where the noise level from the extended runway, without the barrier, would be more than 1.5 dB greater than for the unextended runway;
  - Have line of sight to the aircraft at the threshold of the extended runway;
  - One monitor should be 50 feet from busy roads and the second should be at least 200 feet from any busy roads;
  - Be at least 20 feet clear of hard surfaces (neighboring buildings, concrete walls, etc.) as to avoid reflections of sound, and not be between two buildings with parallel walls;
  - Be at least 5 feet above the ground;
  - Be sufficiently far from intruding sound sources (e.g., air-conditioners, sprinklers, children at play, etc.);
  - Have easy access for set-up, monitoring, and take-down; and
  - If monitor must be left unattended, be at a safe and secure location to avoid theft and vandalism.
- c. With the loud speaker turned on, noise levels at the four monitoring sites (two per barrier) will be recorded. A second loudspeaker location will be established to simulate an aircraft located between the existing runway threshold and the extended runway threshold and the test will be conducted for a second time. These noise levels would represent the "without barrier" condition.
- d. Following the construction of noise barriers, noise levels shall be monitored using the same loud speaker equipment, the same noise source levels and heights above the ground, and the same monitoring sites as used in a., above. The resulting noise levels will represent the condition "with the noise barriers". The difference in noise levels shall be determined by comparing the noise levels measured without the barrier and with the barrier at each monitored site. These differences shall be compared with the levels of reduction previously determined through computer modeling (the results of which are included in the ADA-DRI).
- e. Prior to initiating the testing for the noise reduction effectiveness of the noise barriers, the SMAA will monitor single even noise from aircraft departing on Runway 14 for a minimum of seven (7) days. The noise monitoring will be located at a point along the proposed U.S. 41 noise barrier wall. The purpose of this monitoring is for the SMAA to provide documentation to Manatee County of the extent of variance of departure noise levels generated by aircraft (particularly the variance between the same models of aircraft).

**Noise Exposure Monitoring - Requirements if the Effectiveness of Noise Barriers is Successfully Demonstrated**

- N(10). Should the comparison of results of the noise barrier testing protocol required under N(9), above, indicate that the noise reductions resulting from the barriers are greater than or equal to those predicted (1.5 DNL increase or less) then no further action by the SMAA would be required.

**Noise Exposure Monitoring - Requirements if the Effectiveness of Noise Barriers is Not Successfully Demonstrated- Identification of Residences Affected.**

- N(11). Should the noise monitoring required under N(9), above, indicate that the noise barrier does not meet the no-significant increase (1.5 DNL increase or less) level, then the extent of the impact (identification of residences affected) shall be determined. This shall be accomplished by increasing the impacts documented in the ADA-DRI by an amount equal to the actual monitored barrier effectiveness and identifying the residences that would be significantly affected.

**Mitigation Requirements if the Effectiveness of Noise Barriers is Not Successfully Demonstrated**

- N(12). Once the extent of the impact (identification of residences affected) is determined as required by N(11), above, then the SMAA shall either:

- a. File a Notice of Proposed Change (NOPC) to their DRI to determine whether the failure of the noise mitigation to perform as expected is a Substantial Deviation to their approval. Said change shall be presumed to be a Substantial Deviation unless SMAA can rebut the presumption by clear and convincing evidence. This may result in design modifications (which may include extensions of the wall to improve the noise characteristics of the wall. During the timeframe that SMAA is undergoing the 380.06 review, all aircraft departures on Runway 14 shall commence their take-off roll at the current runway threshold.

**OR**

- b. SMAA shall offer to purchase, within 90 calendar days, at fair market value, any residences that are affected by the significant noise increase. Until offers to purchase all identified and impacted residences are made, all aircraft departures on Runway 14 shall commence their take-off roll at the current runway threshold.

- N(13). Prior to initiating the noise-monitoring program, the specific procedures to be followed will be provided to Manatee County. In addition, representatives of Manatee County will be invited to observe any monitoring activity which takes place.

**PUBLIC SAFETY.**

- O(1). All facilities at the Sarasota Bradenton International Airport shall be designed and constructed to meet or exceed specifications of the State Fire Code, Rule 4A-3.012, FAC, and be in compliance with the Manatee County Comprehensive Plan and Land Development Code and Building Code requirements.
- O(2). The developer shall maintain an approved natural disaster plan pursuant to FAA Part 139.
- O(3). The developer shall coordinate with the Manatee County Public Safety to plan for the safe evacuation of the facility and the use of the facility as a staging area, if necessary, to the recovery of the area. The applicant should work with the County to address shelter needs, building closings, security and safety precautions, and evacuation plans.

**GENERAL CONDITIONS.**

- P(1). The Developer shall be required to adhere to any and all commitments made in the ADA and four sufficiency responses, incorporated herein, unless that commitment is superseded by

a Development Order Condition, in which case the Development Order Condition shall prevail.

P(2). The Developer shall submit annual DRI reports in accordance with Section 380.06(18), Florida Statutes, to Manatee County, TBRPC, DCA, and other agencies as may be appropriate, on the anniversary of the effective date of this Development Order and each year thereafter until such time as all terms and conditions of this Development Order are satisfied. For purposes of such report, the "anniversary" of the effective date of this Development Order shall mean the anniversary of the date on which the last of the three local governments adopts a Substantial Deviation DRI Development Order approving the SBIA Substantial Deviation. Six (6) copies of this report shall be submitted to the Manatee County Planning Director or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the BOCC should the Director decide that further orders and conditions are necessary. The Developer shall be notified of any BOCC hearing where such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the BOCC shall not be considered as a substitute, waiver, or change of any conditions, or any terms of conditions of this Development Order. The annual report shall contain the following:

- a. any changes in the plan of development, or in the representations contained in the ADA, or in the phasing for the reporting year and for the next year;
- b. a summary comparison of development activity proposed and actually conducted for the year;
- c. undeveloped tracts of land that have been sold to a separate entity or Developer;
- d. identification and intended use of lands purchased, leased, or optioned by the Developer adjacent to the original DRI site since the Development Order was issued;
- e. an assessment of the Developer's and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the ADA and which have been identified by the County, TBRPC, or DCA as being significant;
- f. any requests for a Substantial Deviation determination that were filed in the reporting year and to be filed during the next year;
- g. an indication of a change, if any, in local government jurisdiction for any portion of the development since the Development Order was issued;
- h. a list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;
- i. a statement that all persons have been sent copies of the annual report in conformance with Subsections 380.06(15) and (18), Florida Statutes; and,
- j. a copy of any recorded notice of the adoption of a Development Order or the subsequent modification of an adopted Development Order that was recorded by the Developer pursuant to Subsection 380.06(15)(f), Florida Statutes, during the year of the annual report.

- P(3). Any changes in the Development from the parameters approved and set forth in this Development Order shall be governed by Subsection 380.06(19), Florida Statutes.
- P(4). The Manatee County Planning Director or the Director's authorized designee shall be responsible for monitoring the Project\* and ensuring its compliance with this Development Order. The data necessary for monitoring the Project\* shall be generated by building permits, certificates of occupancy, approval of plats and offering statements, the Annual Report, and on-site observations. The enforcement of the terms and conditions of this Development Order shall be through such means as are authorized by Chapter 380, Florida Statutes, and through the Manatee County Land Development Code.
- P(5). This Development Order shall expire 15 years from its date of approval. Buildout shall be completed by December 31, 2015. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.
- P(6). This Ordinance shall constitute a Development Order issued in accordance with Chapter 380, Florida Statutes.
- P(7). In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, then the Developer\* shall pay all reasonable costs and fees of County\* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer\* related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.
- P(8). The project shall be consistent with Rule 9J-2, F.A.C. for the following sections of the D.O.: Listed Plant and Wildlife Resources (9J-2.041 F.A.C.); Archaeological and Historical Resources (9J-2.043 F.A.C.); Hazardous Material Usage, Potable Water, Wastewater, and Solid Waste Facilities (9J-2.044 F.A.C.); Transportation (9J-2.045 F.A.C.); Air Quality (9J-2.046 F.A.C.), and Adequate Housing (9J-2.048 F.A.C.).

#### **SECTION 6. DEVELOPER\* COMMITMENTS**

Developer\* commitments set forth in the ADA and four sufficiency responses shall be honored by the Developer\*, except as they may be superseded by specific terms of this Development Order.

#### **SECTION 7. COMMENCEMENT OF DEVELOPMENT**

The Sarasota Bradenton international Airport is an ongoing project. Physical development has commenced.

#### **SECTION 8. RESTRICTIONS ON DOWN-ZONING**

Prior to December 31, 2005, the County may not down-zone or reduce the intensity or unit density permitted by this order, unless the County can demonstrate that:

- A. Substantial changes in the conditions underlying the approval of the order have occurred; or

- B.     The order was based upon substantially inaccurate information provided by the Developer\*; or
- C.     The change is clearly established by the County to be essential for the public health, safety, or welfare.

Any down-zoning or reduction in intensity shall be effected only through the usual and customary procedures required by statute or ordinance for change in local land development regulations.

For the purposes of this order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer\* by this order. The inclusion of this section is not to be construed as evidencing any present or foreseeable intent on the part of the County to down-zone or alter the density of the development, but is included herein to comply with Paragraph 380.06(15)(c)3, Florida Statutes.

#### **SECTION 9. BINDING ORDER UPON DEVELOPER\***

This order shall be binding upon the Developer\* and Owners\*.

#### **SECTION 10. EFFECTIVE DATES**

This Ordinance shall become effective upon filing with the Secretary of State unless a challenge is filed to plan amendment [Ordinance 99-49. In that event, the effective date of this Ordinance shall be the date a final order is issued by the Department of Community Affairs, or the Administration Commission, finding the amendment in compliance with Section 163.3184, F.S., provided, however, that the filing of a notice of Appeal pursuant to Section 380.07, Florida Statutes shall suspend development authorization granted by this Development Order.

#### **SECTION 11. RENDITION**

The Planning Department is hereby directed to send certified copies of this Development Order within thirty (30) days of the Board of County Commissioners approval effective date of this Development Order to the Developer\*, the DCA, and the TBRPC.

#### **SECTION 12. COMPLIANCE AND MONITORING**

The Manatee County Planning Director or the Director's designee shall be responsible for monitoring and ensuring compliance with the amended Development Order.

#### **SECTION 13. NOTICE OF RECORDING**

The Developer\* shall record a notice of adoption of this order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Planning Department a copy of the recorded notice.

#### **SECTION 14. SEVERABILITY**

It is the intent of this Development Order to comply with the requirements of all applicable laws and constitutional requirements. If any provision of the Resolution or the application thereof to any person or circumstance is for any reason held or declared to be unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding of invalidity shall not affect the remaining portions or

applications of this Ordinance, and to this end the provisions of this Ordinance are declared severable.

**SECTION 15. LEGAL DESCRIPTION**

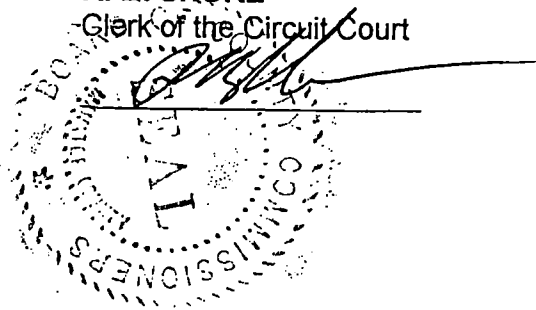
Development of the Sarasota Bradenton International Airport and four associated outparcels shall be restricted to that portion of the ±1,122.31 acres of land, described in seven separate legal descriptions included as Attachment "A," attached to and made a part of this Development Order, that is located within unincorporated Manatee County.

**PASSED AND DULY ADOPTED** with a quorum present by the Board of County Commissioners of Manatee County, Florida this 15<sup>th</sup> day of December, 1999.

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

BY: Stan Stephens  
Chairman

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



**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 27 day of

December 19 99.  
R. B. SHORE  
Clerk of Circuit Court  
By: James Cook D.C.



2004100000  
CASTORO, JAMES J \*  
414 WEST DIVISION  
SOUTH ELGIN IL 60177

2004110009  
QUICK STOP FOOD STORES INC  
8604 S TAMIAMI TR  
SARASOTA FL 34238

2007300003  
SCHMID, WALTER JR  
P O BOX 1202  
TALLAVAST FL 34270

2020900003  
WHOGAS INC  
4404 N TAMIAMI TRAIL  
SARASOTA FL 34234

2021900002  
SARASOTA-MANATEE AIRPORT  
AUTHORITY  
8154 NORTH TAMIAMI TRAIL  
SARASOTA FL 34243

2022100008  
SARASOTA-MANATEE AIRPORT  
AUTHORITY  
8154 NORTH TAMIAMI TRAIL  
SARASOTA FL 34243

2022300103  
SARASOTA-MANATEE AIRPORT  
AUTH. LESSOR  
P O BOX 81290  
CHICAGO IL 60681 290

2022600007  
GRANTHAM BEVERAGE INC  
7921 15TH ST E  
SARASOTA FL 34243

2022610006  
WAL-MART STORES INC  
702 SW 8TH ST-8201  
BENTONVILLE AR 72716 621

2022610055  
MORALES, HUGO G \*  
3050 AVENTURA BLVD #300  
N MIAMI BEACH FL 33180

2022700104  
RECREATIONAL BOAT GROUP  
LIMITED  
8161 15TH ST E  
SARASOTA FL 34243

2023000009  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

2023010057  
SARASOTA-MANATEE AIRPORT  
AUTHORITY  
1345 MAIN ST STE A  
SARASOTA FL 34243

2023100056  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

2023110006  
SARASOTA-MANATEE AIRPORT  
P O BOX 622  
TALLEVAST FL 34270

2023110055  
SARASOTA-MANATEE AIRPORT  
AUTH. LESSOR  
1349 W. UNIVERSITY PKY  
SARASOTA FL 34243

2023110105  
SARASOTA-MANATEE AIRPORT  
AUTH. LESSOR  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

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SARASOTA-MANATEE AIRPORT  
AUTH. LESSOR  
1335 W. UNIVERSITY PKY  
SARASOTA FL 34243

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SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIRCLE  
SARASOTA FL 34243

2023110253  
SARASOTA-MANATEE AIRPORT  
AUTH. LESSOR  
P O BOX 10048  
FORT SMITH AR 72917 48

2023300003  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

2023400001  
SARASOTA-MANATEE AIRPORT  
AUTHORITY  
4370 S TAMIAMI TRL  
SARASOTA FL 34231 3497

6631804702  
JONES, GARY W  
512 SATURN AVE  
SARASOTA FL 34243

6631804751  
LEAP, JANET M  
508 SATURN AVE  
SARASOTA FL 34243

6631804801  
GRISAFFI, JOHN \*  
504 SATURN AVE  
SARASOTA FL 34243

6631804850  
NORTH UNITED METHODIST  
CHURCH  
4726 N TAMIAMIA TRL  
SARASOTA FL 34234

6631804900  
CARROLL, CHRIS \*  
480 SATURN AVE  
SARASOTA FL 34243

6631805600  
MERRILL, JAMES T \*  
7325 CLARIES DR  
SARASOTA FL 34243

6631805659  
GILLILAND, JIMMIE D \*  
7329 CLARIES DR  
SARASOTA FL 34243

6631805709  
CROMWELL, MICHAEL \*  
7333 CLARIES DR  
SARASOTA FL 34243

6631805758  
COLLIER, JAMES D  
7337 CLAIRES DR  
SARASOTA FL 34243

6631805808  
HEALEY, TERRY R \*  
7341 CLARIES DR  
SARASOTA FL 34243

6631805857  
PICARD, DONALD V  
7345 CLARIES DR  
SARASOTA FL 34243

6631805907  
KOHNE, THOMAS J \*  
7349 CLARIES DR  
SARASOTA FL 34243

6631805956  
MILLER, DARRELL W \*  
7353 CLARIES DR  
SARASOTA FL 34243

6631806004  
MORRISON, GEORGE E \*  
7357 CLAIRES DR  
SARASOTA FL 34243

6631806053  
HARRIS, SIDNEY \*  
7361 CLARIES DR  
SARASOTA FL 34243

6631806103  
SACHS, DEREK J  
7365 CLARIES DRIVE  
SARASOTA FL 34243

6650900001  
ALDINA, L C TR  
1634 MAIN ST  
SARASOTA FL 34236

6650910000  
CHUNG, WEN Y  
1247 SEA PLUME WAY  
SARASOTA FL 34242

6651000959  
BBC PROPERTIES INC  
334 2ND AVE S  
ST PETERSBURG FL 33701

6651001007  
BECTON DICKINSON ACUTECARE  
INC  
7575 COMMERCE COURT  
SARASOTA FL 34243

6651002609  
BECKSTEIN, EUGENE H  
P O BOX 564  
TALLEVAST FL 34270

6651002658  
BECKSTEIN, EUGENE H  
PO BOX 1800  
TALLEVAST FL 34270 1800

6651002708  
UNITED STATES POSTAL SERVICE  
MAIN POST OFFICE  
BRADENTON FL 34205

6651002765  
DTC ENTERPRISES PARTNERSHIP  
12670 NEW BRITTANY BLVD #203  
FT MYERS FL 33907

6651020007  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

6651500008  
AIRPORT COMMERCE CENTER INC  
P O BOX 3749  
SARASOTA FL 34230

6659300005  
AIRPORT COMMERCE CENTER INC  
P O BOX 3749  
SARASOTA FL 34230

6666800005  
LITTLE PEOPLES PLACE  
1111 GULFSTREAM AVE N  
SARASOTA FL 34236

6667300005  
SCOTT'S AUTO REPAIR INC  
7802 N TAMIAMI TRAIL  
SARASOTA FL 34243

6667600008  
GLASURE, BETSY W  
908 CYPRESS WOOD LANE  
SARASOTA FL 34243

6667700006  
CHACK-ON, ANN MARIE DAVIES  
502 CHEVY CHASE DR  
SARASOTA FL 34243

6667800004  
BRENNEMAN, REX M \*  
714 WHITFIELD AVE  
SARASOTA FL 34243

6667900002  
OSBORN, WM R  
7782 N TAMIAMI TRL  
SARASOTA FL 34243

6668000000  
OSBORN, WM R  
7782 N TAMIAMI TRL  
SARASOTA FL 34243

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OSBORN, WM R  
7782 N TAMIAMI TRL  
SARASOTA FL 34243

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COURT - WHITFIELD ESTATES  
NO ADDRESS  
SARASOTA FL 34243

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WHITFIELD EST BALLENTINE  
NO ADDRESS  
BRADENTON FL 33507

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SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

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ROY ARRON PARKER, DMD PA  
7626 TAMiami TRL  
BRADENTON FL 34243

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6000 AIRPORT CIR  
SARASOTA FL 34243 2105

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SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

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RUBINSON, ELLIOTT P  
700 SPOTTISWOODE LN  
CLEARWATER FL 34616

6676600007  
RUBINSON, ELLIOTT P  
700 SPOTTISWOODE LN  
CLEARWATER FL 34616

6762600002  
CARSON, URSULA K  
326 MACARTHUR AVE  
SARASOTA FL 34243

6762700000  
RICHARDSON, GREGG A \*  
7402 PONCE DE LEON ST  
SARASOTA FL 34243

6762710009  
MERRELL, MARSHA E  
7410 PONCE DE LEON STREET  
SARASOTA FL 34243

6762710058  
LABRANCHE, ALAN R \*  
7414 PONCE DE LEON STREET  
SARASOTA FL 34243

6762710108  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

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6000 AIRPORT CIR  
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WHITFIELD FIRE CONTROL  
WHITFIELD ESTATES 7555 PONCE DE  
LEON AVE  
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6765400004  
PALEY, ARTHUR \*  
7411 PONCE DE LEON  
SARASOTA FL 34243

6765500001  
SLYVA, JOHN S \*  
7403 PONCE DE LEON ST  
SARASOTA FL 34243

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SANCHEZ, NELSON E \*  
7343 PONCE DE LEON ST  
SARASOTA FL 34243

6773510000  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

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KNK INVESTMENTS OF SARASOTA  
7804 KENRIDGE  
ST LOUIS MO 63119

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ST LOUIS MO 63119

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KNK INVESTMENTS OF SARASOTA  
7804 KENRIDGE  
ST LOUIS MO 63119

6795100004  
U-HAUL CO OF THE WEST COAST OF  
FLORIDA  
2721 N CENTRAL AVE P O BOX 29046  
PHOENIX AZ 85038

6795110003  
SHERR, S SY \*  
523 S WASHINGTON BLVD  
SARASOTA FL 34236

6798500002  
SMITH, E W JR  
P O BOX 10640  
ST PETERSBURG FL 33733

6798600000  
MACK, WARREN S  
P O BOX 10177  
TAMPA FL 33679

6798700008  
HILL, JERRY P RS  
540 S FOREST ST #9-202  
DENVER CO 80222

6798900004  
HEMINGWAY, DAVID P \* RS  
352 SOMERSET AVE  
SARASOTA FL 34243

6802400009  
2ND CHURCH OF CHRIST SCIENTIST  
7972 N TAMIAMI TRL  
SARASOTA FL 34243

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B H COURTNEY INC  
6108 26TH ST W STE 4  
BRADENTON FL 34207

6802700002  
HOUSEHOLD FINANCE  
CORPORATION III  
961 WEIGEL DRIVE  
ELMHURST IL 60126

6802900008  
GUZMAN-VERA, AMAEL ENRIQUE \*  
363 HERNANDO AVE  
SARASOTA FL 34203

6803000006  
SECO, VINCENT J \*  
362 SUWANEE AVE  
SARASOTA FL 34243

6806100001  
GRANT, WILLIAM B  
7330 WESTMORELAND DRIVE  
SARASOTA FL 34243

6806200009  
GRANT, WILLIAM B  
7330 WESTMORELAND DRIVE  
SARASOTA FL 34243

6806300056  
SHERR, S SY \*  
523 S WASHINGTON BLVD  
SARASOTA FL 34236

6806500002  
SHERR, SY \*  
523 S WASHINGTON BLVD  
SARASOTA FL 34236

6810600004  
RUDLEY PAUL LIONEL TRAIN &  
323 WEST STATE ST  
MEDIA PA 19063

6810610003  
MCDONALD'S CORPORATION  
8875 MISTY CREEK DRIVE  
SARASOTA FL 34241

6811100004  
BROWN, CHARLES D \*  
2422 TUTTLE TER  
SARASOTA FL 34239

6822400062  
SUPER 50 THEATRE CORP  
P O BOX 192  
MECHANICVILLE NY 12118

6822400153  
AMSDALL, ROBERT J TR  
6745 ENGLE RD, SUITE 300  
CLEVELAND OH 44130

6822900004  
PATEL, MOHANBHAI V \*  
8110 N TAMIAMI TRL  
SARASOTA FL 34243

6823300006  
PATEL, MONHANBHAI V \*  
8110 N TAMIAMI TRL  
SARASOTA FL 34243

6823700007  
HUBBARD, RICHARD JR \*  
8154 N TAMIAMI TRL  
SARASOTA FL 34243

6824200056  
TIITF/STATE OF FL DEPT OF  
EDUCATION USF  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399

6824700006  
WUSTEFELD, CHRISTINA  
8405 CYPRESS CIRCLE  
SARASOTA FL 34243

6824900002  
HAUKAAS, GUILLERMINA T  
8210 KIRKWOOD DR  
TAMPA FL 33614

6825100008  
FLEMING, PHILLIP D \*  
8421 CYPRESS CIRCLE  
SARASOTA FL 34243

6825900001  
KUKLEWSKI, GLENN H \*  
8444 CYPRESS CIR  
SARASOTA FL 34243

6826100007  
THOMPSON, EDWARD W  
8418 CYPRESS CIRCLE  
SARASOTA FL 34243

6826600006  
URBON, DARIUS \*  
8433 CYPRESS CIR  
SARASOTA FL 34243

6826700004  
HYSONG, BARBARA S  
P O BOX 2387  
SARASOTA FL 34230 2387

6831900003  
TIITF/STATE OF FL DEPT OF  
EDUCATION USF  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399

6832100009  
TELLEZ, MARY ANN H  
4647 PINE GREEN TRAIL  
SARASOTA FL 34241 6261

6832500000  
TELLEZ, MARY ANN H  
4647 PINE GREEN TRAIL  
SARASOTA FL 34241 6261

6837500005  
KSEF INC  
2277 RIVERWOOD CT  
SARASOTA FL 34231

6837900007  
PELICAN MAN'S BIRD  
1708 KEN THOMPSON PARKWAY  
SARASOTA FL 34236

6838400007  
ERICKSON, WILLIAM  
3541 BAYOU POINT  
LONGBOAT KEY FL 34228

6839800007  
BALAS, MICHAEL  
2245 MIETAW DR  
SARASOTA FL 34239

6839900005  
PAVLIK, RANDY R  
423 SUWANNEE AVE  
SARASOTA FL 34234

6841000000  
KREISSEL FORGE INC  
7947 N TAMIAMI TR  
SARASOTA FL 34243 1940

6841300004  
LINDSEY, BETTY SNEAD TR  
P O BOX 99  
OSPREY FL 34229

6842100007  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

6842700004  
TESHIMA, TAKESHI  
7971 N TAMIAMI TRL  
SARASOTA FL 34243

6843000057  
CASTORO, JAMES J  
414 W DIVISION  
SOUTH ELGIN IL 60177

6843300002  
BEIMBORN, THOMAS J \*  
2711 57TH ST E  
BRADENTON FL 34208

6843400000  
BEIMBORN, THOMAS J \*  
2711 57TH ST E  
BRADENTON FL 34208

6843700003  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIR  
SARASOTA FL 34243 2105

6843900009  
FIRST STATE BANK OF SARASOTA  
5700 CLARK ROAD  
SARASOTA FL 34233

6844000056  
BHAKTA, RAMESH P \*  
8071 N TAMIAMI TRAIL US 41  
SARASOTA FL 34243

6844000106  
BHAKTA, RAMESH P \*  
8071 N TAMIAMI TRAIL US 41  
SARASOTA FL 34243

6844100005  
BEIMBORN, THOMAS J \*  
2711 57TH ST E  
BRADENTON FL 34208

6844300001  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIRCLE  
SARASOTA FL 34243

6844700010  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIRCLE  
SARASOTA FL 34243

6844705050  
SARASOTA-MANATEE AIRPORT  
6000 AIRPORT CIRCLE  
SARASOTA FL 34243

6844710308  
SARASOTA-MANATEE AIRPORT  
C/O JONES AVIATION SERVICE INC  
1234 CLYDE JONES RD  
SARASOTA FL 34243

6844710506  
SARASOTA-MANATEE AIRPORT  
AUTHORITY  
8191 NORTH TAMIAMI TRL STE 100  
SARASOTA FL 34243

6845710000  
SARASOTA-MANATEE AIRPORT  
C/O AGAPE FLIGHTS INC (LESSEE)  
7990 15TH ST E  
SARASOTA FL 34243

6847200109  
GALLO, EDWARD J  
8311 N. TAMIAMI TRAIL  
SARASOTA FL 34243

6848101009  
GULF COAST TRAILERS INC  
8381 N TAMIAMI TR US 41  
SARASOTA FL 34243

6845310108  
SARASOTA-MANATEE AIRPORT  
C/O AIRPORT MGMT ASSOC LESSEE  
8191 NORTH TAMIAMI TRL STE 100  
SARASOTA FL 34243

6846610050  
ALMARDON TRUST  
ATTN: NEERAJ DESHPANDE 9942  
ADAMO DR  
TAMPA FL 33619

6847700058  
PALISS INC  
8371 N TAMIAMI TRAIL  
SARASOTA FL 34243

6848300007  
BENATOVICH, HERBERT  
850 S TAMIAMI TR  
SARASOTA FL 34236

6845700001  
SARASOTA-MANATEE AIRPORT  
FOUNDATION INC (LESSEE) HECHT  
HOUSE-FLORIDA STATE UNIV  
TALLAHASSEE FL 32306

6846800008  
GALLO, EDWARD J  
8311 N. TAMIAMI TRAIL  
SARASOTA FL 34243

6848100050  
GULF COAST TRAILER INC  
8381 N TAMIAMI TRAIL US 41  
SARASOTA FL 34243

6848700008  
PFLUGNER, J GEOFFREY TR  
2033 MAIN ST STE 101  
SARASOTA FL 34237




*Feb 10 # 21*

**Noise Compatibility  
Plan Update**

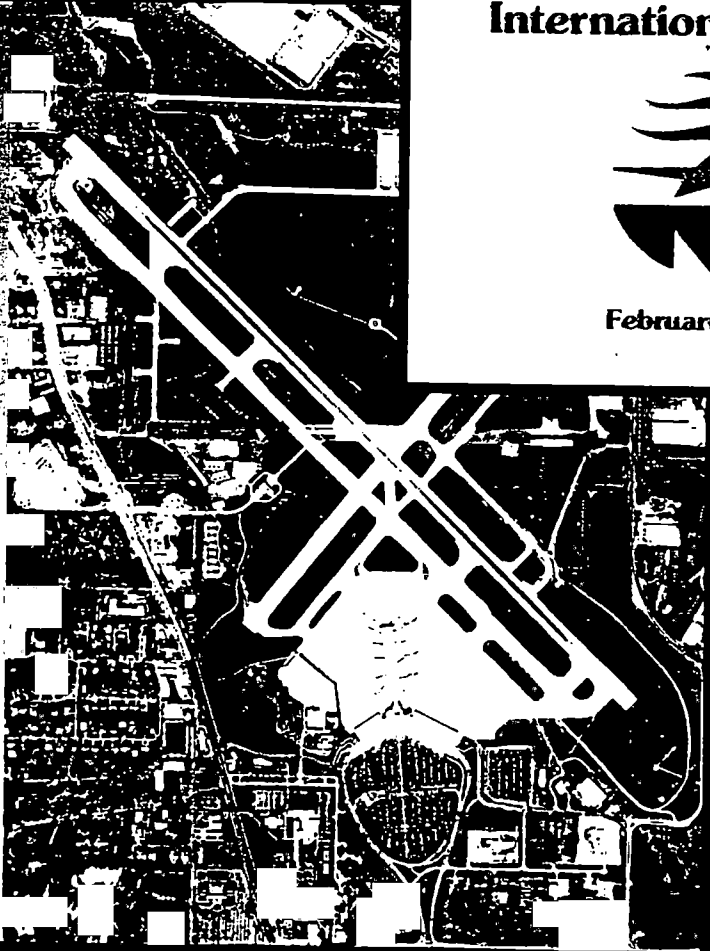
for the

**FAR Part 150**

**Sarasota-Bradenton  
International Airport**



**February 1997**



Submitted by :

POST,  
BUCKLEY,  
SCHUH &  
JERNIGAN, INC.



TRANSPORTATION SOLUTIONS, INC.

02/01/97



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# Introduction

## Noise Compatibility Program

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The Noise Compatibility Program (NCP) for Sarasota Bradenton International Airport, owned and operated by the Sarasota Manatee Airport Authority (SMAA), is the second of two parts required for a Noise Compatibility Study under FAR Part 150. The first part, the Noise Exposure Maps document, includes the first three sections of the Part 150 Study. It documents existing conditions at the airport and in the surrounding areas, including existing aircraft noise levels. It also includes forecasts of future unabated noise levels five years into the future.

Part two of the Part 150 Study, the Noise Compatibility Program, includes Sections 4, 5, and 6. Section 4 presents an evaluation of operationally-related noise abatement measures and their relative effectiveness in reducing noise in the vicinity of Sarasota Bradenton International Airport. Section 5 analyzes a variety of land use management measures. Section 6 combines the operational and land use measures from Sections 4 and 5 deemed most appropriate to form the final Noise Compatibility Plan.

The Public Participation and Consultation Documentation for the FAR Part 150 is bound in a separate document. It includes documentation of the public participation process and written comments received concerning the study.

The objective of the Noise Compatibility Program is to accommodate airport operations while minimizing the impacts of

aircraft noise in the surrounding community. This involves aircraft noise abatement measures and mitigation measures to relieve or compensate existing noise-sensitive land uses for aircraft noise impacts.

The FAA previously approved Noise Exposure Maps (NEMs) for the Sarasota Bradenton Airport in September 1989. Those NEMs documented conditions which existed in 1988 and projected conditions for 1993. In March 1990, the FAA approved the Noise Compatibility Program (NCP) associated with the 1988/1993 NEMs. The ongoing implementation of that NCP was based upon the FAA-approved 1988 NEM. The current Noise Compatibility Study revised the previously-approved NEMs to document current conditions (1995) and those expected to occur in five years (2000). The following Noise Compatibility Program revises the previously-approved NCP and recommends alternatives appropriate for the current and projected conditions.

If the recommended noise abatement measure is approved by the FAA and implemented by the SMAA, it will change the Noise Exposure Maps submitted as part of this Noise Compatibility Study. The revised maps with the recommended noise abatement measure implemented are included in this NCP in Section 6.

FAR Part 150 sets very specific minimum requirements for noise compatibility studies. These requirements are identified in the following checklist.

**FAR PART 150  
NOISE COMPATIBILITY PROGRAM CHECKLIST -- PART II**

Airport Name: Sarasota Bradenton International Airport

Reviewer: \_\_\_\_\_

	<u>Yes/No/NA</u>	<u>Page No./Other Reference</u>	<u>Notes/ Comments</u>
<b>I. IDENTIFICATION AND SUBMISSION OF PROGRAM:</b>			
A. Submission is properly identified:			
1. FAR 150 NCP?	Yes		Cover, Introduction pg. I-1, Sponsor's Certification pg. I-6
2. NEM and NCP together?	No		
3. Program revision?	Yes		Introduction pg. I-1
B. Airport and Operator's name identified?	Yes		Introduction pg. I-1
C. NCP transmitted by Airport Operator cover letter?	Yes		Cover letter attached
<b>II. CONSULTATION [150.23]:</b>			
A. Documentation includes narrative of public participation and consultation process?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
B. Identification of consulted parties:			
1. All parties in 150.23(c) consulted?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
2. Public and planning agencies identified?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
3. Agencies in 2., above, correspond to those identified in NEM?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
C. Satisfies 150.23(d) requirements:			
1. Documentation shows active and direct participation of parties in B., above?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
2. Active and direct participation of general public?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
3. Participation was prior to and during the development of the NCP and prior to submittal to FAA?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
4. Indicates adequate opportunity afforded to submit views, data, etc.?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
D. Evidence included of notice and opportunity for a public hearing on the NCP?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
E. Documentation of comments:			
1. Includes summary of public hearing comments if hearing was held?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
2. Includes copies of all written material submitted to operator?	Yes		Public Participation and Consultation Documentation for the FAR Part 150
3. Includes operator's response/disposition of			



	written and verbal comments?		Documentation for the FAR Part 150
F.	Informal agreement received from FAA on flight procedures?	Yes	Informal verbal agreement

**III. NOISE EXPOSURE MAPS [150.23, B150.2; 150.35(f)]:**

A.	Inclusion of NEMs and supporting documentation:		
	1. Map documentation either included or incorporated by reference?	Yes	Introduction, pg. I-1
	2. Maps previously found in compliance by FAA?	Yes	Found to be in Compliance with FAR Part 150 on May 7, 1996
	3. Compliance determination still valid?	N/A	
	4. Does 180-day period have to wait for map compliance finding?	Yes	Awaiting NEM compliance finding
B.	Revised NEMs submitted with program:		
	1. Revised NEMs included with program?	Yes	Introduction pg. I-1
	2. Has airport operator requested FAA to make a determination on the NEMs when NCP approval is made?	No	NEM determination is requested prior to NCP approval.
C.	If program analysis uses noise modeling:		
	1. INM, HNM, or FAA-approved equivalent?	Yes	FAA INM Version 4.11
	2. Monitoring in accordance with A150.5?	Yes	NEM document, Section 2.1.1, pp. 2-2 to 2-3
D.	Existing condition and 5-year maps clearly identified as the official NEMs?	Yes	NEM document, pp. 2-16 & 2-21

**IV. CONSIDERATION OF ALTERNATIVES [B150.7, 150.23(e)]:**

A.	At a minimum, are the alternatives below considered:		
	1. Land acquisition and interests therein, including air rights, easements, and development rights?	Yes	Section 5.2.1 pp. 5-9 to 5-11 Section 5.2.3 pp. 5-14 to 5-16 Section 5.2.4 pp. 5-16 to 5-18
	2. Barriers, acoustical shielding, public building soundproofing?	Yes	Section 5.2.2 pp. 5-11 to 5-14
	3. Preferential runway system?	Yes	Section 4.1, pp. 4-1 to 4-2
	4. Flight procedures?	Yes	Section 4.2, pp. 4-2 to 4-16
	5. Restrictions on type/class of aircraft (at least on below must be checked)?		
	a. Deny use based on Federal standards	No	
	b. Capacity limits based on noisiness	Yes	Section 4.3.3, pg. 4-18
	c. Noise abatement takeoff/approach procedures	Yes	Section 4.2.4, pp. 4-15 Section 4.2.5, pg. 4-16
	d. Landing fees based on noise or time of day	Yes	Section 4.3.2, pp. 4-17 to 4-18
	e. Nighttime restrictions	Yes	Section 4.3.1, pg. 4-16 to 4.17 Section 4.3.5, pg. 4-19 Section 4.3.6, pg. 4-19 to 4.20 Section 4.3.7, pg. 4-20
	6. Other actions with beneficial impact?	Yes	Section 4.3.4, pg. 4-18 to 4.19

7.	Other FAA recommendations?	No	No other FAA recommendations
B.	Responsible implementing authority identified for each considered alternative?	Yes	Section 6.4.1, pg. 6-15 Table 6-10, pp. 6-16 to 6-17 Table 6-11, pg. 6-18 to 6-19
C.	Analysis of alternative measures:		
1.	Measures clearly described?	Yes	Section 4, pp. 4-1 to 4-20 Section 5, pp. 5-1 to 5-18
2.	Measures adequately analyzed?	Yes	Section 4, pp. 4-1 to 4-20 Section 5, pp. 5-1 to 5-18
3.	Adequate reasoning for rejecting alternatives?	Yes	Section 4, pp. 4-1 to 4-20 Section 5, pp. 5-1 to 5-18
D.	Other actions recommended by FAA: Should other actions be added? (list separately or on back of this form action and discussions with airport operator to have them included prior to the start of the 180-day cycle.)	N/A	No other actions have been recommended by FAA at this time.

**V. ALTERNATIVES RECOMMENDED FOR IMPLEMENTATION [150.23(e), B150.7(c); 150.35(b), B150.5]:**

A.	Document clearly indicates:		
1.	Alternatives recommended for implementation?	Yes	Section 6.1, pp. 6-1 to 6-3 Section 6.3, pp. 6-11 to 6-14
2.	Final recommendations are airport operator's and not those of consultant or third party?	Yes	Sponsor Certification, pg. I-6
B.	Do all program recommendations:		
1.	Relate directly or indirectly to reduction of noise and noncompatible land uses?	Yes	Table 6-10, pp. 6-16 to 6-17 Table 6-11, pg. 6-18 to 6-19
2.	Contain description of contribution to overall effectiveness of program?	Yes	Table 6-10, pp. 6-16 to 6-17 Table 6-11, pg. 6-18 to 6-19
3.	Noise/land use benefits quantified to extent possible?	Yes	Table 4-1, pg. 4-10 Table 5-2, pg. 5-8 Table 5-3, pg. 5-8
4.	Include actual/anticipated effect on reducing noise exposure within noncompatible area shown on NEM?	Yes	Figure 5-2, pg. 5-4 Figure 5-3, pg. 5-5 Section 6.2, pp. 6-3 to 6.10
5.	Effects based on relevant and reasonable expressed assumptions?	Yes	Section 4, pp. 4-1 to 4-20 Section 5, pp. 5-1 to 5-18
6.	Have adequate support data to support its contribution to noise/land use compatibility?	Yes	Section 4, pp. 4-1 to 4-20 Section 5, pp. 5-1 to 5-18
C.	Analysis appears to support program standards set forth in 150.35(b) and B150.5?	Yes	Section 4, pp. 4-1 to 4-20 Section 5, pp. 5-1 to 5-18
D.	When use restrictions are recommended:		
1.	Are alternatives with potentially significant noise/compatible land use benefits thoroughly analyzed so that appropriate comparisons and conclusions can be made?	N/A	No new use restrictions have been recommended.
2.	Use restrictions coordinated with APP-600 prior to making determination on start of 180-days?	N/A	No new use restrictions have been recommended.

E.	Do the following also meet Part 150 analytical standards:		
1.	Formal recommendations which continue existing practices?	Yes	Section 4.1, pp. 4-1 to 4-2 Section 4.2.1, pp. 4-2 to 4-3 Section 4.2.3, pg. 4-11 to 4-15 Section 4.2.4, pp. 4-15 Section 4.3.1, pg. 4-16 to 17 Section 4.3.5, pp. 4-19 Section 4.3.6, pg. 4-19 to 4-20 Section 4.3.7, pg. 4-20
2.	New recommendations or changes proposed at end of Part 150?	No	All recommendations occurred prior to end of review and consultation process.
F.	Documentation indicates how recommendations may change previously adopted plans?	Yes	Introduction, pg. I-1 Section 5.2.1, pg. 5-9 to 5-11 Section 5.2.2, pg. 5-11 to 5-14 Section 5.2.3, pg. 5-14 to 5-16 Section 5.2.4, pg. 5-16 to 5-18
G.	Documentation also:		
1.	Identifies agencies which are responsible for implementing each recommendation?	Yes	Section 6.4.1, pg. 6-15 Table 6-10, pp. 6-16 to 6-17 Table 6-11, pg. 6-18 to 6-19
2.	Indicates whether those agencies have agreed to implement?	Yes	Informal verbal agreement from FAA
3.	Indicates essential government actions necessary to implement recommendations?	Yes	Section 6.4.1, pg. 6-15 Section 6.4.3, pg. 6-20 Table 6-10, pp. 6-16 to 6-17 Table 6-11, pg. 6-18 to 6-19
H.	Timeframe:		
1.	Includes agreed-upon schedule to implement alternatives?	Yes	Section 6.4.2, pg. 6-15
2.	Indicates period covered by the program	Yes	Section 6.4.2, pg. 6-15
I.	Funding/Costs:		
1.	Includes costs to implement alternatives?	Yes	Section 6.4.3, pg. 6-20 Table 6-10, pp. 6-16 to 6-17 Table 6-11, pg. 6-18 to 6-19
2.	Includes anticipated funding sources?	Yes	Section 6.4.3, pg. 6-20 Table 6-10, pp. 6-16 to 6-17 Table 6-11, pg. 6-18 to 6-19
VI.	<b>PROGRAM REVISION:</b> [150.23(e) (9)] Supporting documentation includes provision for revision?	Yes	Section 6.4.4, pg. 6-20

## SPONSOR'S CERTIFICATION

The Noise Compatibility Program for Sarasota Bradenton International Airport, including all accompanying documentation, was prepared with the best available information and is hereby certified as true and complete to the best of my knowledge and belief. It is certified that this document constitutes the official Noise Compatibility Program for the Sarasota Bradenton International Airport. It is further certified that adequate opportunity has been afforded interested persons to submit views, data, and comments concerning the correctness and adequacy of the Noise Compatibility Program and the supporting documentation and forecasts.

4-1-97

Date of Signature

*Fredrick J. Piccolo*

Fredrick J. Piccolo, A.A.E.

Executive Director

Sarasota Bradenton International Airport

# Section 4

## Noise Abatement Alternatives

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Noise abatement operational alternatives are those procedures or changes which have the potential to reduce the aircraft noise exposure of individuals (or specific noise sensitive areas) in the area around the airport. These alternatives have been categorized in FAR Part 150, Airport Noise Compatibility Planning, § B150.7 as follows:

- The implementation of a preferential runway system.
- The use of flight procedures (including the modification of flight tracks) to control the operation of aircraft to reduce noise exposure.
- The implementation of any restriction on the use of the airport by any type or class of aircraft based on the noise characteristics of those aircraft.

Many noise abatement alternatives were included and evaluated in this FAR Part 150 Study based on input received from the Noise Abatement Advisory Committee, the Part 150 Study Technical Advisory Committee, the SMAA Commissioners, and general public. In addition, the current noise abatement program was reviewed to identify whether the current controls should continue, be revised or be eliminated.

### 4.1 PREFERENTIAL RUNWAY USE

Preferential runway use programs are intended to direct as much noise as possible over the least noise sensitive area beneath a flight corridor. A preferential runway use flow results in increased noise impacts in the departure direction and a reduction in noise in the arrival direction. If there is an imbalance in the density of incompatible development off the ends of the runway, a preferential runway use program would become beneficial. It would reduce noise impacts to the residents living close-in to the airport because it would direct the majority of departure traffic flow in the least noise-sensitive direction.

Since there is residential development off both ends of Runway 14/32, a preferential runway use program would not be beneficial at the airport and was not recommended.

Another runway use alternative is a balanced runway use program. Balanced runway use programs are put into effect to distribute aircraft noise equally among the residents of areas off the ends of the runways. This is often considered an equitable approach to noise distribution.

At Sarasota Bradenton International Airport the FAA Air Traffic Control Tower balances the operations off Runway 14/32 as much as possible. The FAA Tower selects either

Runway 14 or Runway 32, based on which one is most nearly aligned with the wind, when the wind speed exceeds 3 knots. If the wind speed is less than 3 knots it is considered a calm wind condition and under this condition, the FAA attempts to balance the overall runway use. This balanced runway use program has been beneficial at Sarasota Bradenton International Airport. Although a fifty/fifty distribution has not been achieved, recent analysis of current annualized runway utilization patterns indicates that sixty percent of all air carrier flow is on Runway 14 and forty percent on Runway 32.

### **Recommendation**

It is recommended that the Sarasota Manatee Airport Authority continue its balanced runway use program. The goal of this program is equal use of Runway 14 and Runway 32 for air carrier departures, and equal use of Runway 14 and Runway 32 for air carrier arrivals. Since this is an existing noise abatement measure to remain, no FAA approval is requested.

## **4.2 FLIGHT PROCEDURES AND FLIGHT PATHS**

The pattern of land use around the airport provides guidance to the design of arrival and departure routes and flight procedures for noise abatement. By directing aircraft over more compatibly-used areas, noise impacts may often be significantly reduced.

### **4.2.1 Departure Path for Runway 14**

#### Current Flight Path

All jet aircraft are instructed to maintain runway heading until reaching an altitude of 3,000 feet before turning on course. Jet aircraft typically make a wide right turn toward

northern destinations, or continue on runway heading toward southern destinations. Occasionally, aircraft destined for Orlando will be directed to make a left turn after reaching 3,000 feet.

#### Alternative #1

Alternative #1 investigated the possibility of turning aircraft to the left toward northern destinations. The intent of this path as a noise abatement measure would be to place the aircraft over less densely developed areas in the vicinity of Interstate 75.

Initial discussions with FAA's Air Traffic Control personnel indicated there is an airspace constraint which would likely negate the noise benefits of a left turn procedure for departures from Runway 14. East of Sarasota Bradenton International Airport there is an approach corridor for Tampa International Airport (TPA) used by aircraft arriving from the south (i.e., Miami, Fort Lauderdale, Palm Beach, Fort Myers, etc.). Aircraft which are descending within this corridor would conflict with any air carrier aircraft departing on Runway 14 and climbing through a left turn. Because of altitude constraints, aircraft departing on Runway 14 would need to be held at a low altitude until the full arrival corridor was passed, and this would result in an increase in noise levels for an extended distance east of Sarasota Bradenton International Airport.

### **Recommendation**

It is recommended that the Sarasota Manatee Airport Authority maintain the current departure flight path off Runway 14. That is, all aircraft weighing over 25,000 pounds and all turbojet aircraft departing on Runway 14 would be instructed to maintain runway

heading until reaching 3,000 feet, then proceed on course. Since this is an existing noise abatement measure to remain, no FAA approval is requested.

#### 4.2.2 Departure Path for Runway 32

The turning of departing aircraft to avoid populated areas is an accepted method of noise abatement. It is designed to direct aircraft over the least populated areas, thereby reducing noise impacts.

The mainland areas along the eastern shore of Sarasota Bay are extensively developed with residential uses, as are the barrier islands (Longboat Key and Anna Maria Island) to the west. Sarasota Bay is about four miles wide near the airport and narrows to less than a mile in width about five miles north of the airport. Both the residential communities on the mainland and on the barrier islands would prefer that aircraft operate as far from their respective communities as possible. Over the years, various turns and headings have been used in an effort to minimize noise impacts in these areas.

##### Current Flight Path

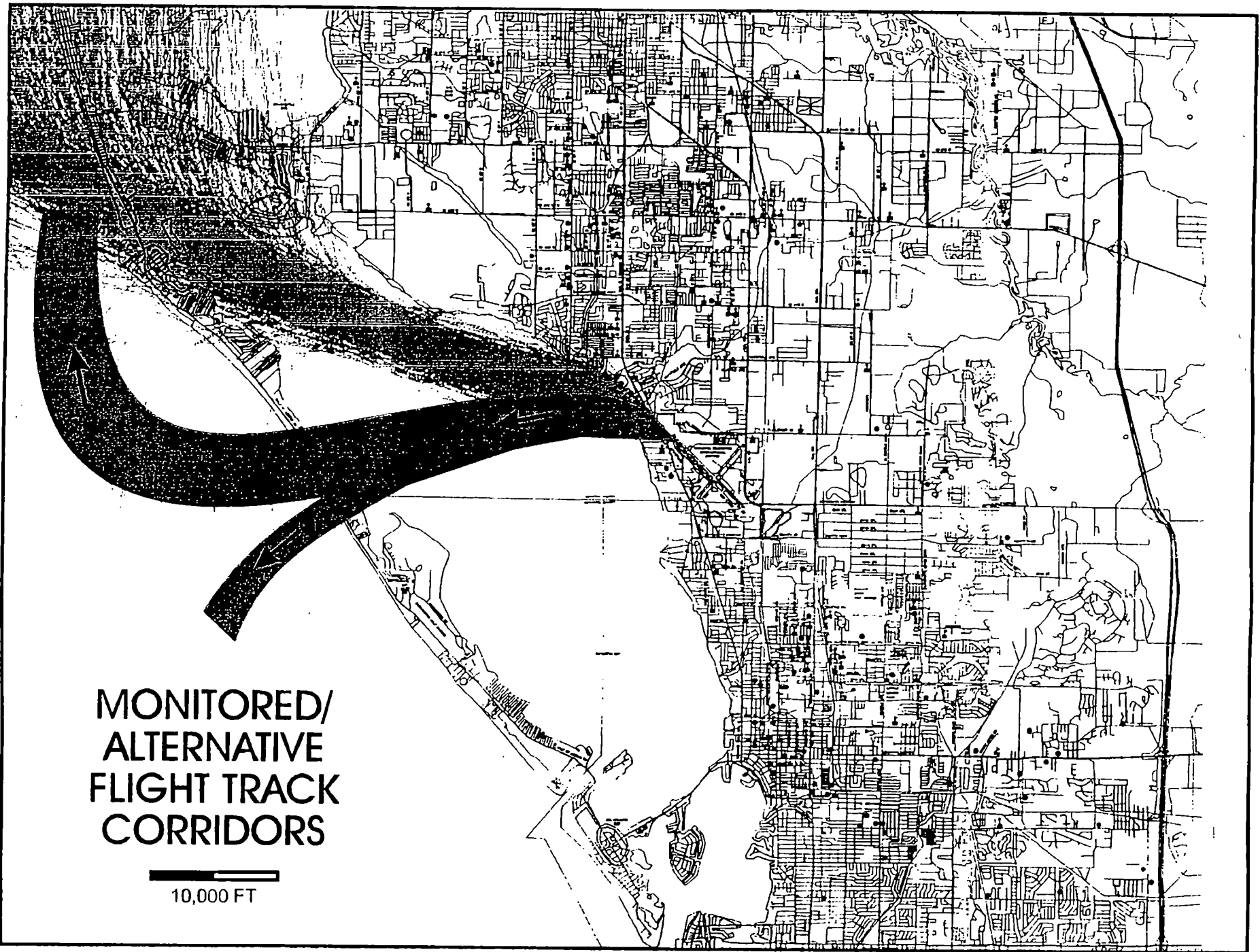
Northbound jet aircraft are instructed to turn left at the 0.9 DME (i.e., the Middle Marker) to intercept the 295° radial. Aircraft continue on this radial until reaching an altitude of 3,000 feet. At that point they are released to turn north.

The intent of the current northbound flight path is to have aircraft fly over Sarasota Bay, minimizing the effects on communities on both

sides of the Bay. However, the splay of aircraft results in some "drifting" particularly close to residential areas on the eastern shore of Sarasota Bay.

Using the airport's Flight Tracking System, flight tracks have been plotted which show the splay of aircraft following this path. Figure 4-1 indicates that there is a relatively wide band of aircraft overflights northwest of the airport. It also shows a number of aircraft that fly over the central part of Sarasota Bay. However, the greatest impact of the current departure path occurs from aircraft departing on Runway 32 that turn after the 0.9 DME location. The areas affected include the northern portions of Whitfield, Trailer Estates, Bayshore Gardens and El Conquistador. Aircraft also fly over the northern end of Longboat Key and the southern end of Anna Maria Island, north of Coquina Beach.

It is most advantageous that aircraft departing on Runway 32 turn at the 0.9 DME because this turn maximizes the aircraft flyovers above the residential buy-out area. Now that the Land Acquisition and Relocation Assistance Program in the 75+ DNL has been completed, a significant portion of the noise sensitive sites beneath the flight path between U.S. 41 and Sarasota Bay have been removed. Most of the negative effects of the current path are caused by aircraft that do not turn at the 0.9 DME but delay their turn until they are at 1.2 DME or beyond. The reasons for the delay in turning likely include differences in pilot reaction time, differences in aircraft reaction time, or the altitude of the aircraft is too low for the pilot to make the turn and meet the minimum altitude requirements established by the airline.



**MONITORED/  
ALTERNATIVE  
FLIGHT TRACK  
CORRIDORS**

10,000 FT

FIGURE 4-1



Runway 32 northbound departures should continue to be monitored, the flights that stray beyond the 0.9 DME to the north should be documented, and contact with the airlines be continued to determine the reason for the turn delay.

Southbound jet aircraft departing on Runway 32 are instructed to turn left at the 0.9 DME (i.e., the Middle Marker) to a heading of 270° for vectors to on course. Aircraft typically make the turn to the south either within the Bay (commuter aircraft) or west of the beaches over the Gulf of Mexico (air carrier aircraft). The turn to 270° is not used extensively by air carrier aircraft (currently about six departures per day on average). Six alternatives to the current Runway 32 departure path were evaluated.

#### Alternative #1

Northbound jet aircraft would be instructed to turn left at the 0.9 DME (i.e., Middle Marker) to a heading of 270° passing over the eastern portion of Sarasota Bay, then turn right to head northward over the middle of the Bay. The intent of this alternative is to minimize the flyovers of close-in neighborhoods immediately northwest of the airport as well as avoid flyovers of Longboat Key. Several variations of this alternative were tested at the airport between February 1986 and May 1987. Since the Bay is relatively narrow and this procedure required two closely spaced turns, aircraft were unable to make the double turn prior to Longboat Key. Instead they would fly over the barrier islands, thus negating the beneficial intent of the procedure. Therefore, this procedure has not been recommended.

#### Alternative #2

For northbound traffic, Stage 2 jet aircraft would be instructed to turn left at the 0.9 DME (i.e., Middle Marker) to intercept the 295° radial outbound for vectors to on course. Northbound Stage 3 jet aircraft would be instructed to maintain runway heading. Since Stage 2 aircraft are scheduled to be phased out by the year 2000, the long term result of this alternative would be to phase out the noise abatement turn by the year 2000. The intent of this alternative was to develop a long term procedure preferred by the airlines without affecting communities with Stage 2 overflights. However, the noise contours generated under this scenario showed an increase in noise over Manatee County northwest of the airport when compared to the current procedure. Thus, this alternative was not recommended.

#### Alternative #3

For northbound traffic, aircraft would be instructed to turn right and fly northward over U.S. 41 to take advantage of the commercially-developed nature of the highway. The problem with this scenario is that aircraft noise does not isolate itself like a truck or car traveling along U.S. 41. Since aircraft are airborne, so is the noise generated from the aircraft. This noise would emanate into the residential areas on both sides of U.S. 41 and would impact a significantly greater number of people than are currently being affected. Thus, this alternative was eliminated from further consideration.

#### Alternative #4

Following the extension of Runway 14/32, all turns would be initiated at 0.7 DME instead of 0.9 DME. With the runway extension and the

turn initiated at 0.7 DME (which is about 1,000 feet closer to the airport than 0.9 DME), the aircraft would be turning at the same altitude as they are today without the runway extension. However, this procedure would result in low-flying aircraft passing south of the buy-out area and affecting portions of the Whitfield/Ballentine community. Because of these impacts this alternative was also eliminated from further consideration.

#### Alternative #5

The fifth alternative for departures on runway 32 is a fanning of aircraft, where airplanes that departed would fly different departure paths, creating a fanning effect. This would spread noise throughout the area so no particular area receives more noise than another area. The problem with this procedure is that it impacts a greater number of people than if the aircraft followed the current procedure of turning at 0.9 DME to a heading of 270° or to the 295° radial. It also does not take advantage of the noise benefits of flying over Sarasota Bay to the extent of the current procedure. Thus, this alternative was eliminated from further consideration.

#### Alternative #6

All jet aircraft would be instructed to turn left at the 0.9 DME (i.e., Middle Marker) to a 270° radial and continue on that radial until they are beyond the barrier island and over the Gulf of Mexico prior to turning either north or south. In the past, a military jet route into MacDill Air

Force Base in Tampa precluded the use of this procedure by commercial traffic from Sarasota Bradenton International Airport. However, with the modified role of MacDill AFB resulting from recent Department of Defense cutbacks, this option was reconsidered.

Discussions with FAA's Air Traffic Control (ATC) representatives at the Terminal Radar Approach Control in Tampa indicated that there has been a reduction in activity within the corridor although the military flight corridor remains active. ATC indicated that with the low amount of military activity, there now is the opportunity for a procedure using a westerly radial past the Longboat Key area to be considered as an alternative for air carrier departures from Runway 32.

With the use of Alternative #6, the specific departure procedure close-in to the airport would be to direct all northbound departures on Runway 32 to fly over the vacant land acquired as part of the airport's Land Acquisition Program in the 75+ DNL. To accomplish this, all departing aircraft on Runway 32 would continue to be directed to turn left at the 0.9 DME and continue to turn until intercepting the 270° radial. This would cause the aircraft to fly over the vacant buy-out area, and south of Whitfield Avenue. The aircraft would then follow the 270° radial across Longboat Key to the 7 DME, which is about 1.5 miles beyond the coast above the Gulf of Mexico. Aircraft would then be directed to turn north or south toward their destination. Figure 4-2 depicts this alternative flight track corridor.



With the Alternative #6 procedure, the initial turn would be directed to occur at the same point as the current procedure (0.9 DME). However, it would be expected, since the aircraft would need to intercept the 270° radial immediately southwest of the 0.9 DME turn, that more aircraft would be concentrated over the vacant land in the buy-out area and less aircraft would drift north.

A comparison of the DNL 65 dB noise contours using the current and Alternative #6 procedures is depicted in Figure 4-3. An analysis of the change in the number of homes located within the DNL 65 dB with each procedure indicates that a net reduction of 402 homes would occur using the Alternative #6 procedure. Specifically, 8 homes in Whitfield Estates and Ballentine Manor would be included in the DNL 65+ dB contour that were not previously included and 410 homes would be excluded from the DNL 65+ dB contour in Whitfield Estates, Trailer Estates, and Bayshore Gardens.

Thus, this procedure would result in less noise exposure along the eastern shore of Sarasota Bay, particularly in the communities of Trailer Estates, Bayshore Gardens, El Conquistador, and the northern portion of Whitfield currently impacted by DNL 65+ dB. Reductions in noise exposure would also occur in the northern portion of Longboat Key (due to aircraft being able to climb for three and a half additional miles prior to passing overhead). The area that would receive additional noise exposure would primarily be the portion of Longboat Key from the Sarasota/Manatee County line north for approximately one mile. Studies indicated that this area includes the least amount of permanent residents on the barrier island west of the airport. This area does contain

residential development, and significant numbers of commercial ventures, such as the Hilton Hotel, Holiday Inn, Chamber of Commerce, an animal hospital, and various time-share and vacation rental properties. The FAA identifies the area of significant noise exposure from airport noise to be within the DNL 65+ dB contour. Increased flyovers and noise would occur on Longboat Key due west of the airport. However, the area affected would be located well outside the DNL 65+ dB contour.

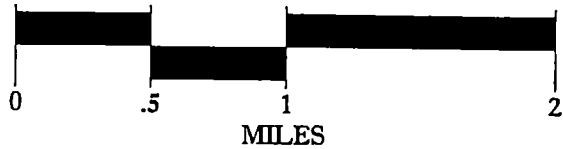
Reduced noise and flyovers would occur in northern Whitfield Estates, Trailer Estates, Bayshore Gardens, and El Conquistador. These communities north of the airport are currently affected by flyover or sideline noise from departures off Runway 32 when flow at the airport is to the northwest and by arrivals to Runway 14 when flow at the airport is to the southeast. These areas would still be affected by the arrivals to Runway 14 (currently about 60 percent of the time); however, on days when departures are on Runway 32 (currently about 40 percent of the time), departures would turn away from these areas resulting in a quieter condition.

An additional benefit would occur for the northern portion of Longboat Key which currently experiences aircraft flyovers from departures off Runway 32 - aircraft following the 295° radial. With the 270° turn option, northern Longboat Key would still experience flyovers. However, with the departure tracks extending into the Gulf of Mexico, aircraft would have about three and a half more miles to climb placing the aircraft at higher altitudes resulting in reduced noise levels over the northern portion of Longboat Key. Based on



**LEGEND**

- Airport Boundary
- School
- Church
- Hospital
- Day Care
- Nursing Home
- 65 DNL Noise Contours
- Noise Monitoring Site
- RUNWAY 32 DEPARTURES TO THE 270 RADIAL 1995 DNL NOISE CONTOURS
- RUNWAY 32 DEPARTURES 1995 DNL NOISE CONTOURS
- DIFFERENCE BETWEEN 65 DNL NOISE CONTOURS



ASSBLEDGER

  
**SARASOTA BRADENTON  
 INTERNATIONAL AIRPORT**

**FIGURE 4-3  
 COMPARISON OF 65 DNL  
 NOISE CONTOURS**

**1995 DNL NOISE CONTOUR**



**POST, BUCKLEY, SCHUH & JERNIGAN, INC.**  
 330 S. PINEAPPLE AVE, SUITE 113  
 SARASOTA, FL. 34236  
 (813)954-4036  
 FAX(813)951-1477

1990 U.S. Census Block Group Data, it has been determined that approximately 1,232 residents (793 housing units) outside the DNL 65 dB contour in Trailer Estates, Bayshore Gardens, and El Conquistador would experience reduced noise. In addition, 1,270 residents (1,253 housing units) outside the DNL 65 dB contour on the northern end of Longboat Key would experience reduced noise. In total, approximately 2,500 residents (2,046 housing units) would experience reduced noise as a result of the Alternative #6 procedure.

Data provided by the Town of Longboat Key indicates that approximately 697 single family properties and 51 multi-family properties totaling 1,509 residential dwelling units will receive decreased noise in the corridor beginning north of Gulf Bay Road northward into Longboat Pass.

It should be noted that for the central portion of Longboat Key (just north of the Manatee

County line) affected by flyovers, they would be affected only when departures occurred on Runway 32 (currently about 40 percent of the time). The remaining 60 percent of the time, Longboat Key would not be affected by activity from the airport.

Based upon 1990 U.S. Census Block Group Data, it has been determined that approximately 900 residents (1,012 housing units) outside the DNL 65 dB contour in central Longboat Key would experience increased noise as a result of the Alternative #6 procedure. Data provided by the Town of Longboat Key indicates that approximately 17 multi-family properties totaling 1,038 residential dwelling units and 9 multi-unit tourist properties totaling 435 tourist units will receive increased noise in the corridor one mile wide north from the Manatee County line.

Table 4-1 delineates the results of this population/dwelling units impact analysis.

**Table 4-1  
Proposed Turn - 1995 Conditions**

Affected Areas - Residential Dwelling Units	Less Noise		More Noise	
	Airport Data	Town of LBK Data	Airport Data	Town of LBK Data
DNL 70+ dB Contour		74	60	
DNL 65 to 69 dB Contour		410	8	
Trailer Estates, Bayshore Gardens, El Conquistador		793	0	
<b>Airport Data Subtotal</b>		<b>1,277</b>	<b>68</b>	
	Airport Data	Town of LBK Data	Airport Data	Town of LBK Data
Northern end of Longboat Key	1,253	1,509	0	N/A
Central section of Longboat Key	0	N/A	1,012	1,038
<b>Total</b>	<b>2,530</b>	<b>2,790</b>	<b>1,012</b>	<b>1,106</b>

Therefore, with the 270° radial alternative, both Longboat Key and the communities along the eastern shore of Sarasota Bay would be affected by aircraft noise but both would have quiet times as well.

The SMAA has an obligation, imposed by the DRI Development Order for the New Terminal Complex, to implement a noise abatement turn for departures on Runway 32. This procedure is described in the Development Order as an immediate left turn to a heading of 270°.

The airlines are impacted by the 270° radial alternative. Since aircraft are required to fly an additional three and a half miles vs. the current procedure, this results in additional fuel consumption. The results of an analysis of additional fuel consumption indicates the following:

- 77.5 percent of all departures to the northwest would be affected.
- The additional fuel consumption for the 1995 aircraft fleet would be approximately 160,000 gallons per year.
- The additional fuel consumption for the year 2000 fleet would be approximately 300,000 gallons per year.

### **Recommendation**

It is recommended that the Sarasota Manatee Airport Authority implement Alternative #6 and that the FAA approve this alternative as part of the NCP approval process. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 32 would be instructed to turn left at 0.9 DME to join the Sarasota 270° radial outbound to at least 7

DME, then proceed on course as instructed by ATC. After implementation, should the turn at 7 DME result in a splay of aircraft that is further east than anticipated, it is recommended that aircraft proceed outbound on the 270° radial to the 8 DME, then proceed on course as instructed by ATC.

It is further recommended that should approval of the turn to the 270° radial be denied because of airspace constraints, that the current procedure be maintained until such time as the turn to the 270° radial becomes feasible. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing northbound on Runway 32 would be instructed to turn left at 0.9 DME to join the Sarasota 295° radial outbound, then proceed on course as instructed by ATC. All aircraft weighing over 25,000 pounds and all jet aircraft departing southbound on Runway 32 would be instructed to turn left at 0.9 DME to a heading of 270°, then proceed on course as instructed by ATC.

### **4.2.3 Arrival Path for Runway 32**

The establishment of visual approach paths to utilize some noise-compatible corridor is another accepted method of noise abatement. Aircraft approach noise is substantially lower than departure noise. Aircraft noise generated on approach has little impact on the overall noise contours. Therefore, the noise reduction achieved by flying specially developed visual approaches is, at best, marginally beneficial.

### Current Flight Path

Under current procedures, arriving aircraft are allowed to make visual approaches to the airport and turn to the Runway heading as soon as they are cleared to do so by the Air Traffic Control Tower. The existing procedure provides maximum flexibility to the FAA air

traffic controllers to mix single and multi-engine aircraft with helicopter, banner-tow aircraft, and jets. The airlines prefer this procedure since it allows them to make a close approach to the airport.

#### Alternative #1

An alternative procedure, often referred to as the Standard Arrival Procedure, would require aircraft arriving on Runway 32 to fly to the Outer Marker before turning onto the runway heading. The Outer Marker is located approximately five miles southeast of the airport on the runway centerline. This approximately corresponds to the intersection of Bahia Vista Street and McIntosh Road. The procedure is very similar to the one followed when aircraft are flying under Instrument Flight Rules (IFR), which occurs when visibility is below defined minimum standards.

A trial procedure was conducted between November 16, 1992 and February 1, 1993 which directed these aircraft on final approach at the Outer Marker. The reason for this test procedure was to determine if noise impacts could be minimized by reducing the low flyover turns inside the Outer Marker which affect closer-in populated areas southeast of the airport.

The monitoring of the trial procedure indicated that approximately 78 percent of the aircraft passed within one mile of the Outer Marker with the remaining 22 percent generally turning more than a mile inside the Outer Marker (closer to the airport). It was indicated by FAA that due to traffic and weather conditions, it should not be expected that all aircraft would be able to pass over the Outer Marker with the alternative procedure.

At the end of the test period, the Airport Authority and the Noise Abatement Advisory Committee concluded that the test results were positive and recommended to the FAA that the alternative procedure be made permanent. This request was sent by the Airport Authority to the FAA's Air Traffic Division in Atlanta on May 19, 1993. During their review, the FAA requested, in a letter dated July 29, 1993, that certain additional information be provided to them in the FAR Part 150 study for their evaluation.

The area where increased aircraft activity would occur as a result of the modified procedure generally involves the land between 3 and 5 miles from the Runway 32 threshold (the area between the point where most aircraft were on final approach with the old procedure to beyond the Outer Marker).

Since aircraft will be aligned with Runway 32 beyond the limits of the noise contours no change to the DNL 65, 70 or 75 dB noise contours would occur as a result of the alternative procedure. Thus, no change in population or land use would result within the contour limits. Some of the neighborhoods located outside these noise levels could notice an increase or decrease in noise generated from overhead aircraft. Neighborhoods that would receive a slight decrease in noise with the alternative procedure in place would include such areas as Palm Aire, University Park Country Club, DeSoto Acres, and The Meadows. Neighborhoods that would receive a slight increase in noise with the alternative procedure would include such areas as The Lakes Estates, Tamaron, Sherwood Forest, Woodland Park, Cedar Hollow, and Colonial Oaks. Figure 4-4 depicts the areas that would receive an increase or decrease in noise if the alternative approach procedure were implemented.



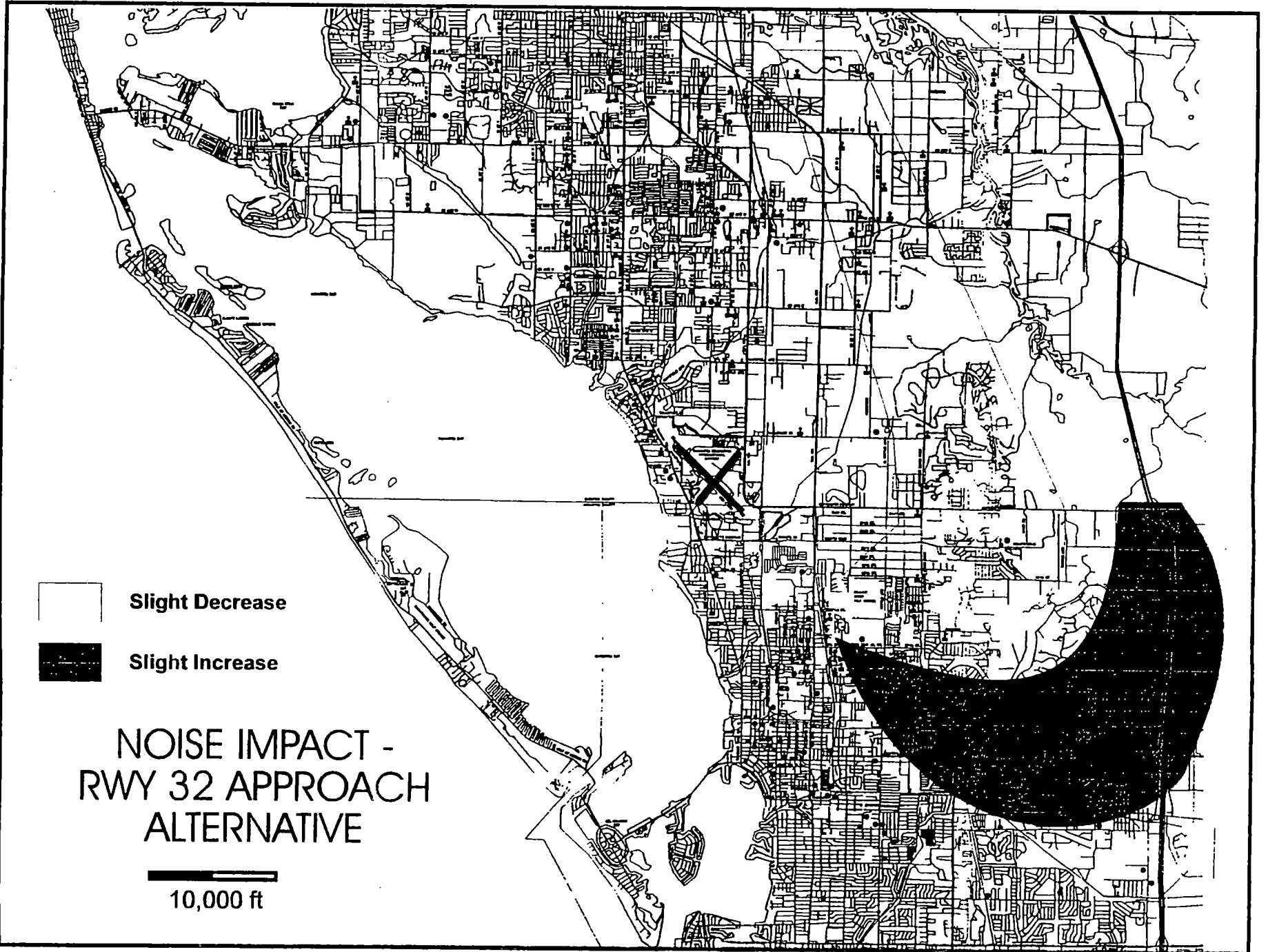


FIGURE 4-4

During the development of this FAR Part 150 study, conversations were held with the Sarasota Bradenton International Airport Air Traffic Control Tower (ATCT) to gain its views on the Runway 32 arrival procedure options. The ATCT indicated that it could implement either procedure but would prefer maintaining the current procedure because it provides the greatest flexibility for air traffic control.

The use of the Alternative #1 procedure would result in increased fuel usage by the airlines. Aircraft approaching from the north for a Runway 32 landing arrive in the airport's vicinity north of the airport then turn to the southeast (downwind leg) to gain distance from the runway threshold before making a right turn to a 320° heading for the final approach. With the new procedure, these aircraft would continue for approximately two miles further to the southeast (to the Outer Marker) before turning on to the final approach. Thus, the total additional distance each aircraft would fly amounts to approximately four miles. Using the number of aircraft which would be affected by the alternative procedure and fuel rates for the aircraft in approach mode, the minimum additional fuel consumed would be approximately 25,000 gallons per year under current conditions, and about 50,000 gallons per year by the year 2000. In addition, it would add approximately two minutes of flight time per aircraft.

Several airlines have expressed strong objections to the alternative procedure. They have indicated that it reduces options available to the air traffic control system, and therefore, it is a reduction of service to the users. No changes to the DNL 65, 70, and 75 dB contours would occur as a result of the alternative procedure. All affected areas are well outside the DNL 65 dB contour. Thus

no change in population or land use would result within the contour limits.

A comparison was made of the areas of increased noise exposure and decreased noise exposure with the alternative procedure. The alternative procedure would result in a shift in noise from one area to another. No net reduction in noise would occur. An analysis of 1990 U.S. Census tract data indicates that approximately 18,503 people would receive an increase in noise exposure as a result of the alternative procedure. Approximately 15,353 people would receive a decrease in noise exposure as a result of the alternative procedure.

#### Alternative #2

Another alternative arrival procedure was suggested for investigation. The goal of this alternative was to cause aircraft arriving from the north to fly south over the Interstate 75 corridor until turning onto their final approach. This would keep descending aircraft over less densely populated areas for as long as possible.

Initial discussions with FAA's Air Traffic Control personnel indicated there is an airspace constraint which would likely negate the ability to implement this arrival alternative for Runway 32. East of Sarasota Bradenton International Airport there is an approach corridor for Tampa International Airport (TPA) used by aircraft arriving from the south (i.e., Miami, Ft. Lauderdale, Palm Beach, Fort Myers, etc.). Aircraft which are descending from the south within this corridor on approach to TPA would conflict with air carrier aircraft arriving from the north on an approach over the I-75 corridor to SRQ.

## **Recommendation**

It is recommended that the Sarasota Manatee Airport Authority maintain the current procedure. That is, arriving aircraft would be allowed to make visual approaches to the airport and turn to the Runway heading as soon as cleared to do so by the Air Traffic Control Tower. Since this is an existing procedure to remain, no FAA approval is requested.

However, because of the higher thrust levels used, the adjustment of takeoff procedures are frequently identified as being a viable alternative for noise abatement. In fact, in 1978, the FAA published Advisory Circular 91-53 which presented a noise abatement departure profile which addressed near-neighbor noise problems. This Advisory Circular was revised in 1993 to add an alternative noise abatement departure profile which was designed to provide noise abatement for communities more distant from the airport.

Advisory Circular 91-53A describes acceptable criteria for speed, thrust settings, and airplane configurations used in connection with the two noise abatement departure profiles. The differences between the two noise abatement departure profiles is relatively subtle and its resultant effect is fairly localized. The point at which the thrust is reduced establishes the difference. The thrust reduction begins to take place during the close-in procedure when the aircraft is at or slightly above 800 feet above ground level. During the distant procedure the thrust reduction begins to occur after the aircraft has gained several hundred additional feet of altitude during the acceleration phase. Slightly offsetting the greater thrust level of the distant procedure close to the airport is the shorter exposure time associated with faster velocities.

## **4.2.4 Noise Abatement Operating Procedures**

Another approach to noise abatement suggested by Part 150 guidelines is the implementation of operating techniques which would make aircraft fly quieter. These take the form of either adjustments to the rate of descent or flap settings for aircraft on approach, or the level of thrust used in takeoff. The measures related to arrival operations are relatively limited in their effect by virtue of the low thrust levels during approach and the necessity to establish stabilized descent gradients prior to reaching the landing decision heights.

The use of thrust reduction procedures must be tempered by the need to reach minimum air traffic vectoring altitudes and the ability of the aircraft to climb in high temperatures. Most air carriers already observe some variation of thrust reduction procedures. These procedures are generally similar, varying somewhat by the extent of thrust reduction after takeoff. Each airlines' pilots are well trained in their own procedures and changes should be required only if there is an obvious benefit. Changes to the operating procedures to which pilots are accustomed are not considered to be advisable when those same pilots will often be asked to make noise abatement turns.

## **Recommendation**

It is recommended that the airlines continue to make maximum use of the voluntary departure profile procedure which is consistent with the "distant" procedure included in FAA Advisory Circular 91-53A.

## **4.2.5 Unrestricted Climb**

The Tampa Approach Control and Sarasota

ATCT Letter of Agreement, effective April 02, 1990, including Revision 7, 08/31/92, stipulated an altitude restriction of 3,000 feet for departures on Runways 14 and 32. This altitude restriction applied to turbojets and aircraft with a certified takeoff weight of 25,000 pounds or more. Departing aircraft subject to this restriction were required to maintain 3,000 feet or lower assigned altitude until 10 minutes after departure.

At its regular meeting on Thursday, September 1, 1994, the Airport's Noise Abatement Advisory Committee adopted a recommendation regarding unrestricted climb for jet aircraft departing SRQ. As a result of that recommendation, and the positive results achieved during the ensuing two-month test period, the Sarasota Manatee Airport Authority requested the FAA permanently implement the following procedure: All departing aircraft, to the extent feasible, should be issued unrestricted climb to their requested enroute altitude. This procedure should be implemented for both Runway 14 and Runway 32 departures.

### **Recommendation**

It is recommended that the Sarasota Manatee Airport Authority maintain unrestricted climb for jet aircraft departing SRQ. That is, all departing aircraft, to the extent feasible, should be issued unrestricted climb to their requested enroute altitude. This procedure should continue for both Runway 14 and Runway 32 departures. Since this is an existing noise abatement procedure to remain, no FAA approval is requested.

## **4.3 AIRPORT USE RESTRICTIONS**

Until the promulgation of the National Noise Policy in 1991, Part 150 studies included the

evaluation of restrictive measures which limited the ability of various classes of aircraft to operate at noise-sensitive facilities. These measures included noise budgets, curfews on all or groups of aircraft, and noise level restrictions on aircraft or at specific sensitive locations. By requiring the preparation of extensive documentation under FAR Part 161, the National Noise Policy made it more difficult for airports to establish access restrictions. This action was taken as a compromise to facilitate the accelerated transition of the jet fleet from Stage 2 to Stage 3 composition under the requirements of Airport Noise and Capacity Act.

A number of regulatory measures are discussed in this section for the purpose of providing a fair and comprehensive noise abatement study.

### **4.3.1 Curfews**

FAA A/C 150\5020-1 indicates that curfews are an effective, though costly, method of controlling airport noise. Since unwanted noise intrusions are most pronounced in the late evening or early morning hours, curfews are usually implemented to restrict nighttime operations. However, curfews have economic impacts upon airport users, upon those providing airport-related services, and upon the community as a whole. Other communities may also be impacted through curtailment of service. Curfews should be reserved as a strategy of last resort, when all other options have been shown to be clearly inadequate because of their drastic negative impacts upon both aviation and the community's benefit from aviation.

Since unwanted noise intrusions are most pronounced in the late evening or early morning hours, curfews are usually implemented to restrict operations that occur

during those periods. The period of 10:00 p.m. to 7:00 a.m. is recognized as the time when most people are resting and are most sensitive to noise intrusions. The DNL metric applies a 10 decibel penalty to noise occurring between 10:00 p.m. and 7:00 a.m.

The Sarasota Bradenton International Airport currently has an Authority Board imposed partial curfew prohibiting the departure of Stage 2 aircraft between the hours of 10:00 p.m. and 7:00 a.m. This curfew has been in place since 1990 and has been very effective. The SMAA authorized a \$5000 fine for violations of this restriction, however, to date, this fine has never been imposed.

### **Recommendation**

It is recommended that the Sarasota Manatee Airport Authority maintain the existing partial curfew. That is, to prohibit the departure of Stage 2 aircraft between the hours of 10:00 p.m. and 7:00 a.m. Stage 2 aircraft are not prohibited from departing after 10 p.m. if they have been legitimately delayed by mechanical, weather, or air traffic control problems. Since this partial curfew was established prior to the passage of the Airport Noise and Capacity Act of 1990, it is grandfathered from any FAR Part 161 review. In addition, since this is an existing procedure to remain, no approval by the FAA is requested.

#### **4.3.2 Differential Landing Fees**

Landing fees for noise abatement at an airport, based on either the noise level or the time of arrival, have been imposed at some airports as incentives to use quieter aircraft or operate at less sensitive times. This method is considered an acceptable method of financing noise abatement activities, but is not considered a noise abatement measure unless the fee charges

are so high as to discourage use of the airport or induce quieter aircraft. Such a measure would put in place a variable schedule of landing fees based on the relative noisiness of the aircraft, with arrivals by loud aircraft at night charged the most and arrivals by quiet aircraft during the day being charged the least. In theory, the strategy encourages the use of quieter aircraft while producing additional revenue to offset noise mitigation costs.

To avoid discrimination, the fee should be based on a standard single event noise rating for each aircraft type, such as is published in FAA Advisory Circular 36-1E. As a practical matter, landing fees are such a small part of the total operating costs of an airline that differential landing fees become merely an irritant to the larger carriers. Sufficiently high fees would more likely drive the smaller carriers away rather than force them to use quieter aircraft. This can act as a discriminatory factor that must be avoided by the airport proprietor. Since the greatest problem associated with differential landing fees is the potential for discriminatory administration, it should not be recommended unless a measurable improvement in noise can be achieved by its implementation.

The present total number of enplanements and resulting operational levels at Sarasota Bradenton International Airport are not great enough to provide an incentive for conversion to quieter aircraft through differential landing fees. The majority of operations occur between 7:00 a.m. and 10:00 p.m. Due to the limited number of nighttime operations these types of restrictions would only hurt the level of service being provided by the air carriers while contributing very little to a reduction in the level of noise exposure.

## **Recommendation**

It is not recommended that the Sarasota Manatee Airport Authority establish a differential landing fee program at the Sarasota Bradenton International Airport.

### **4.3.3 Capacity Limitations**

Capacity limitations based on either total operations or relative noisiness of aircraft have been used by severely impacted airports as a method of controlling the total accumulative noise exposure. However, such restrictions often have uneven economic consequences and should be employed only after careful consideration of other alternatives and after thorough consultation with the affected parties. Airport capacity limitations based on relative noisiness would set operational limits on the airport in terms of number of take-offs and landings or the total number of enplanements such that the limitation on airport noise results. Actually, a cap based on raw numbers (i.e., fixed number of operations in an average day) provides no incentive for conversion to quieter aircraft, but rather provides an incentive to use larger aircraft to handle increasing passenger loads. Some airports have elected to implement capacity limitations for air traffic control purposes and because of limited space at the airport. Conditions at Sarasota Bradenton International Airport do not warrant the use of capacity limitations.

## **Recommendation**

It is not recommended that the Sarasota Manatee Airport Authority establish capacity limitations based on either total operations or relative noisiness of aircraft at the Sarasota Bradenton International Airport.

### **4.3.4 Noise Budgets**

The development of a noise budget is a theoretical device designed to encourage the early conversion to quieter Stage 3 aircraft, the utilization of more effective noise abatement procedures, consolidation of flights, and operation during the less noise sensitive hours. Under such a budget, each carrier would be allocated a designated amount of noise it may create per day, per week, or per year, based on its prior performance, level of service, and noise reduction goals. Over time, the level of noise allocated to each air carrier and in total would be reduced to result in a declining amount of total noise exposure. Each carrier would have the flexibility to develop scheduling at any time of the day with any aircraft type, so long as its allocation is not exceeded. Quieter aircraft or operation during less noise-sensitive hours would result in increase flights per allocation.

While a noise budget program can provide long-term reductions in overall noise exposure contours for airports with static runway patterns and a stable air service pattern, it is limited in allowing the entry of new carriers and requires extensive additional staff time on complex noise budget bookkeeping. Furthermore, it is extremely difficult to establish a reasonable, non-discriminatory initial allocation of allowable noise for each carrier which recognizes historical and present operations and previous efforts towards the abatement of noise. In other words, a carrier which has made a significant effort to convert to quieter aircraft could effectively be penalized by that effort if shares of the budget are based on recent historical portions of the total noise energy contributed by each carrier.

## **Recommendation**

It is not recommended that the Sarasota Manatee Airport Authority implement a noise budget at the Sarasota Bradenton International Airport.

### **4.3.5 Engine Maintenance Run-up Restriction**

Engine maintenance run-ups are a necessary and critical portion of aircraft operation and maintenance, but they tend to last longer than an overflight and occasionally are the subject of noise complaints.

A restriction on late-night engine maintenance run-ups has been implemented at Sarasota Bradenton International Airport to reduce single event noise impacts on non-compatible areas close by the terminal or maintenance areas. The existing restriction includes an exception for official emergencies and passenger airliners while in scheduled service or immediately prior to such scheduled service. This run-up activity is necessary for normal operations and could result in undue delays to the operator if not permitted at night.

There are four primary ways to abate run-up noise. First is to move the run-up location to a relatively unpopulated area, remote and away from other non-compatible land uses. The second is to restrict the time of day/night that engine run-ups may be performed. The third method is to specify the aircraft orientation for each and every run-up. Finally, the construction of a noise barrier between the engine run-up location and surrounding residential areas may be effective.

## **Recommendation**

It is recommended that the Sarasota Manatee

Airport Authority maintain the existing restriction on engine maintenance run-ups. That is, to prohibit non-emergency engine maintenance run-ups between the hours of 10:00 p.m. and 7:00 a.m. Non-emergency refers to all circumstances except those involving scheduled air carrier aircraft in service or soon to be in service at Sarasota Bradenton International Airport and which, if not repaired immediately, would strand or seriously delay passengers at the airport. Also excluded are aircraft in use for emergency services such as police, ambulance, and military functions. Since this is an existing noise abatement measure to remain, no FAA approval is requested.

### **4.3.6 Training Restriction**

A restriction on training operations can be effective in reducing noise when those operations are extremely noisy, frequent, or occur at a very noise-sensitive time of day. Nearly all general aviation training at the airport is conducted during the day by light quiet aircraft which has virtually no effect on the noise contours. Little effective noise reduction would be achieved by restrictions on general aviation training operations at the airport. Training flights by air carriers are rarely conducted at Sarasota Bradenton International Airport. However, when they occur at very noise-sensitive times of the day, they result in complaints.

There is currently a restriction on training operations between the hours of midnight and 6:00 a.m.

## **Recommendation**

It is recommended that the Sarasota Manatee Airport Authority maintain the restriction on training operations for aircraft. Since this is an

existing noise abatement measure to remain, no FAA approval is requested.

#### **4.3.7 Auxiliary Power Unit Restrictions**

Auxiliary Power Units (APUs) supply the essential needs of the aircraft while they are on the ground at the airport and the main engines are not operating, or when no external power supply is available. They are small gas turbine engines, normally mounted in the rear of the fuselage, which provide an audible source of noise to those in the vicinity of an aircraft. The noise of these units is normally only of concern to ground crew. APUs are not considered particularly important in the overall airport community noise problem, although some airports do try to shield parked aircraft from nearby communities.

The airport provides aircraft with an external power supply in the form of solid state ground power units in each loading bridge. These units are quieter to operate than APUs. In addition, air conditioning carts and mobile ground power units are available.

There is currently a restriction on the use of

APUs between the hours of 10:00 p.m. and 7:00 a.m.

#### **Recommendation**

It is recommended that the Sarasota Manatee Airport Authority continue to encourage the airlines to utilize the loading bridge ground power units and portable air conditioning carts between the hours of 10:00 p.m. and 7:00 a.m. Aircraft Auxiliary Power Units (APUs) should only be utilized in the event that loading bridge ground power units, mobile ground power units, and air conditioning carts are not available. Since this is an existing noise abatement measure to remain, no FAA approval is requested.

#### **4.4 Summary**

A summary of the current noise abatement measures recommended to continue is included in Table 4-2. These current measures together with one new proposed mitigation measure (the alternative departure procedure for Runway 32) represents the noise compatibility plan related to aircraft operations. This plan is discussed further in Section 6 of this NCP report.



Table 4-2

**SUMMARY OF EXISTING NOISE ABATEMENT MEASURES TO REMAIN UNCHANGED**  
**Sarasota Bradenton International Airport**  
**FAR Part 150 Study**

	Existing Noise Abatement Measure	Implementation		Anticipated Funding Source	Relative Contribution to Program Effectiveness	Cost Considerations
		Date	Procedures			
1	Arriving aircraft on Runway 32 would be allowed to make visual approaches to the airport and turn to the runway heading as soon as cleared to do so by the Air Traffic Control Tower.	Current Procedure	Continue current ATC procedures by SRQ tower.	N/A	Provides flexibility for ATC. Fewer people are impacted and less fuel is consumed than alternatives considered.	N/A
2	All aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 14 shall be instructed to maintain runway heading until reaching 3,000 feet, then proceed on course.	Current Procedure	Continue current ATC procedures by SRQ tower.	N/A	Reduces low-level flyovers of residential areas northeast and southwest of the flight path.	N/A
3	Continue balanced runway use program. The goal of this program is equal use of Runway 14 and Runway 32 for air carrier departures, and equal use of Runway 14 and Runway 32 for air carrier arrivals.	Current Procedure	Continue current ATC procedures by SRQ tower.	N/A	Equalizes noise exposure for residents of Manatee and Sarasota Counties.	N/A
4	Encourage the airlines to maintain the maximum use of the existing "distant" procedure as guided by FAA Advisory Circular 91-53A, "Noise Abatement Departure Profiles."	Current Procedure	Reminder notice to airlines.	N/A	Minimizes noise exposure for residents around the airport.	N/A
5	Prohibit the departure of Stage 2 aircraft between the hours of 10:00 p.m. and 7:00 a.m. Aircraft are not prohibited from departing after 10 p.m. if they have been legitimately delayed by mechanical, weather, or air traffic control problems. Also excluded are aircraft in use for emergency services such as police, ambulance, and military functions.	Current Procedure	Reminder notice to airport users.	N/A	Minimizes night exposure to noise to sensitive areas around the airport.	N/A

	Existing Noise Abatement Measure	Implementation		Anticipated Funding Source	Relative Contribution to Program Effectiveness	Cost Considerations
		Date	Procedures			
6	Prohibit non-emergency engine maintenance run-ups between the hours of 10:00 p.m. and 7:00 a.m. Non-emergency refers to all circumstances except those involving scheduled air carrier aircraft in service or soon to be in service at SRQ and which, if not repaired immediately, would strand or seriously delay passengers at the airport. Also excluded are aircraft in use for emergency services such as police, ambulance, and military functions.	Current Procedure	Reminder notice to airport users.	N/A	Minimizes night exposure to noise to sensitive areas around the airport.	N/A
7	Encourage the airlines to utilize the loading bridge ground power units and portable air conditioning carts between the hours of 10:00 p.m. and 7:00 a.m. Aircraft Auxiliary Power Units (APUs) should only be utilized in the event that loading bridge ground power units, mobile ground power units, and air conditioning carts are not available.	Current Procedure	Reminder notice to airport users.	N/A	Minimizes night exposure to noise to sensitive sites in the vicinity of the terminal area.	N/A
8	Restriction on training operations between the hours of 12:00 midnight and 6:00 a.m.	Current Procedure	Reminder notice to airport users.	N/A	Minimizes night exposure to noise to sensitive areas around the airport.	N/A

# Section 5

## Land Use Alternatives

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The objective of airport noise compatibility planning is to promote the compatible growth and development of airports within their surrounding communities. Section 4 of this report identified the noise abatement measures that would provide the most noise relief to certain areas in the community. This section evaluates various land use management alternatives which have the potential to address existing noise impacts and reduce future noise impacts.

Three types of land use management alternatives exist to enhance noise compatibility in the vicinity of an airport: corrective, preventive, and compensatory measures. Corrective measures are developed to remedy or alleviate existing land use incompatibilities, while preventive measures are intended to reduce the potential for future incompatibilities. Compensatory measures provide some form of payment to those whose property or homes are exposed to aircraft noise levels of DNL 65+ dB. Corrective land use management techniques should be investigated for areas where incompatible uses, such as residential development, currently experience noise levels greater than DNL 65 dB and the conditions are expected to remain the same or become worse during the study period or develop during the five-year projected study period. Preventive measures should be

implemented where vacant land could be developed with incompatible uses as provided in Part 150 guidelines. Compensatory measures may be appropriate in conjunction with corrective measures or where other suitable forms of mitigation are not feasible.

The analysis begins with a description of the areas exposed to aircraft noise levels of DNL 65+ dB. It then discusses alternative land use management techniques and evaluates the potential usefulness of each one in the Sarasota Bradenton International Airport study area.

The FAA has considered the level of projected noise exposure on the property and taken into account that future noise level reductions are anticipated. Therefore, the boundaries for all proposed land use mitigation programs must fall within the DNL 65 dB contour of the 2000 Noise Exposure Map.

### 5.1 AREAS REQUIRING LAND USE ACTIONS

The evaluation of the noise abatement alternatives in Section 4 resulted in a recommendation which has some potential for improving the noise environment around the airport. The orientation of the runways

coupled with the extensive urbanization in the immediate vicinity of the airport limits the degree to which noise abatement techniques can address the extent of noise exposure. Thus, even if this noise abatement measure is implemented, areas still remain within Manatee County and Sarasota County that are impacted by noise levels of DNL 65+ dB. Figure 5-1 depicts the areas in Sarasota County projected to be impacted by noise levels of DNL 65+ dB in the year 2000. Figure 5-2 depicts the areas in Manatee County projected to be impacted by noise levels of DNL 65+ dB in the year 2000, without additional noise abatement measures. Figure 5-3 depicts the areas in Manatee County projected to be impacted by noise levels of DNL 65+ dB in the year 2000, with the implementation of the recommended noise abatement measure, i.e., the 270° radial turn on departure from Runway 32. The map for Sarasota County does not change as a result of the implementation of the recommended noise abatement measure.

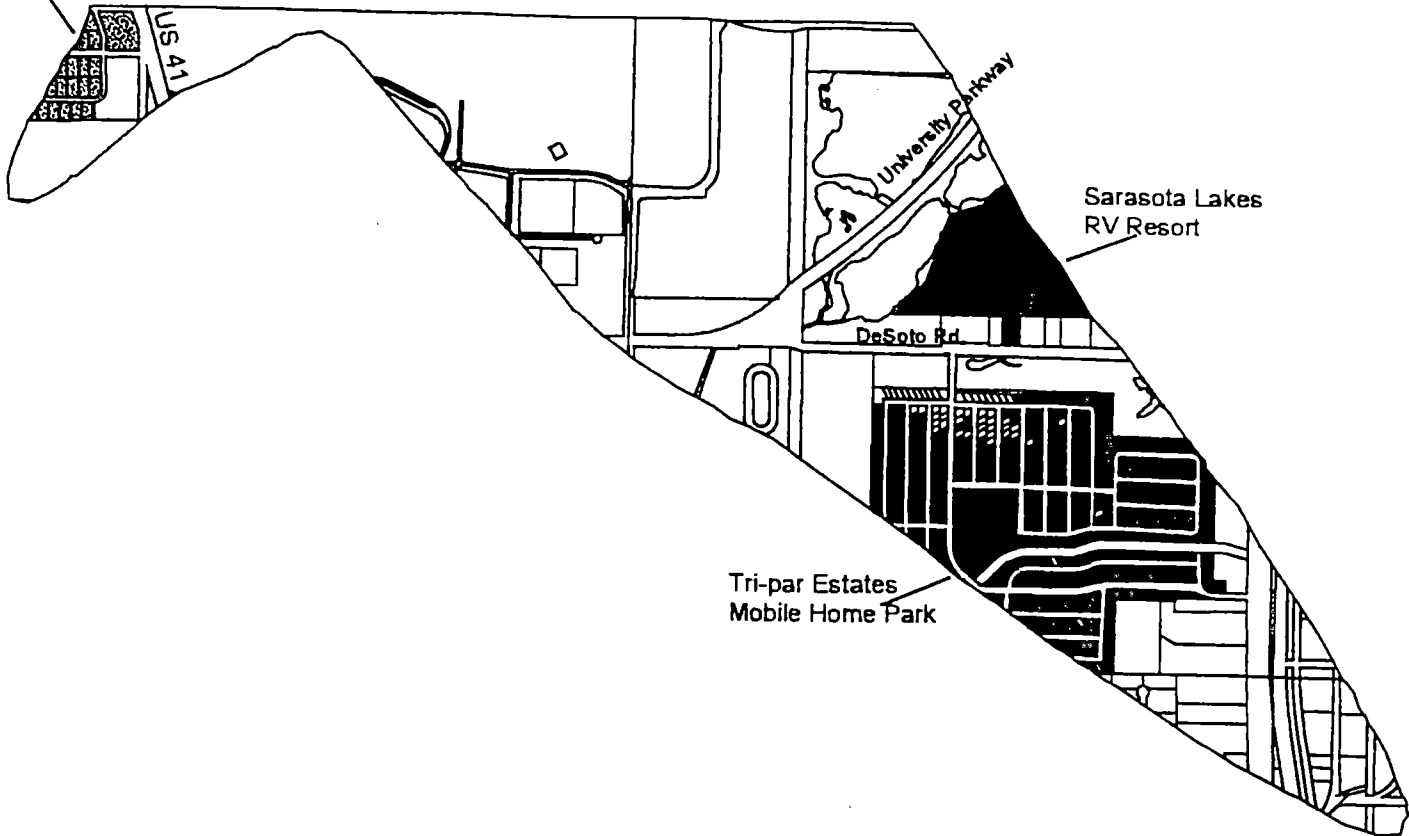
In Sarasota County, residential areas within the DNL 65+ dB contour include portions of the Tri-Par Estates Mobile Home Park, Sarasota Lakes RV Resort, and The Uplands community.

There are also three multi-unit apartment complexes, one nursing home, and one residential drug and alcohol rehabilitation center partially impacted by noise levels of DNL 65+ dB. They are: Cimarron Lake Apartments (total of 167 units), Shadowoods Apartments (total of 139 units), Tri-Par Apartments (total of 32 units), Harbourside Health Care - Sarasota (total 120 beds), and First Step of Sarasota (80 to 100 beds).




Tri-Par Estates Mobile Home Park was established in 1961. It comprises approximately 150 acres with 920 mobile home lots, an extensive recreational complex, community building, and supporting utilities. The lots are individually owned. The Park is its own taxing authority by a special act of the Florida Legislature, which created the Tri-Par Estates Park and Recreation District. The District is administered by a Board of Trustees, elected by the lot owners who are registered voters in Sarasota County, Florida. Tri-Par Estates is an older persons community, authorized through the Department of Housing and Urban Development (HUD). Residents must be 55 years of age or older. As part of the implementation of the Land Acquisition and Relocation Assistance Program, the SMAA acquired and removed 45 mobile homes which were located within the DNL 75+ dB contour. The SMAA currently owns and maintains these 45 lots in Tri-Par Estates. Additionally, the SMAA acquired two mobile homes with reservation of life estate.

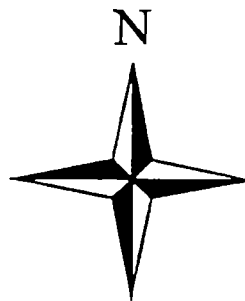
Sarasota Lakes RV Resort is a cooperative campground with 420 campsites, a recreational complex, community building, and supporting utilities. The Park is operated by the Sarasota Lakes Co-Op, Inc. The lots are not individually owned, but instead each shareholder owns an undivided fractional share and certain interest in the total equity of the Corporation, which is equal to 1/420 of the total shares. Each shareholder is issued one proprietary lease to a designated campsite for each share owned. The Park is administered by a Board of Directors, elected by the shareholders. As part of the implementation of the Land Acquisition and Relocation Assistance Program, the SMAA

The Uplands



Land Use Compatibility

-  Compatible
-  Non Compatible - Mobile Home
-  Non Compatible - Residential



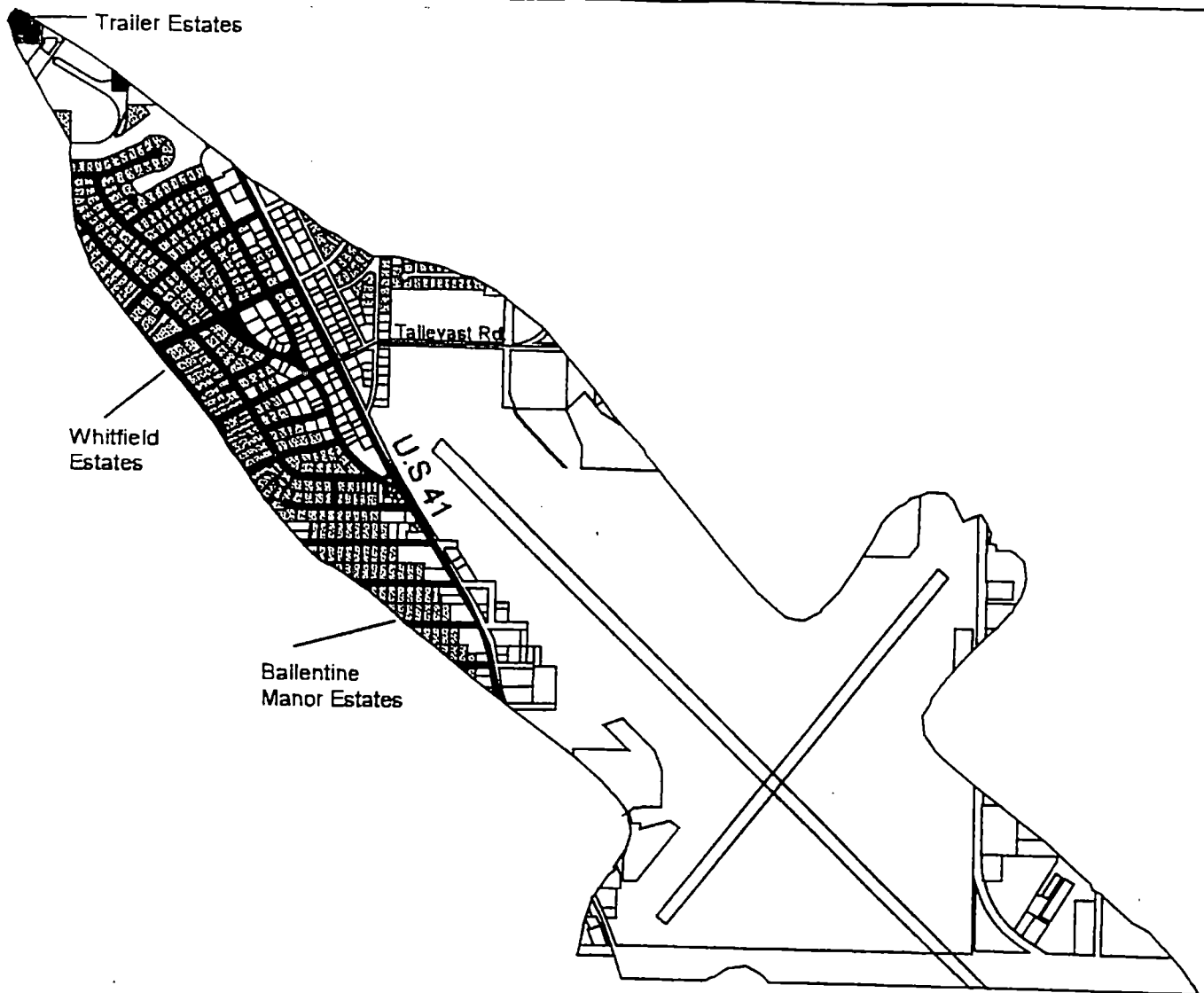
SARASOTA BRADENTON  
INTERNATIONAL AIRPORT

Figure 5.1




SARASOTA COUNTY  
LAND USE MAP FOR  
YEAR 2000

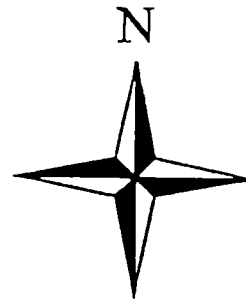


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Land Use Compatibility

-  Compatible
-  Non Compatible - Mobile Home
-  Non Compatible - Residential



4000  0 Feet



SARASOTA BRADENTON  
INTERNATIONAL AIRPORT

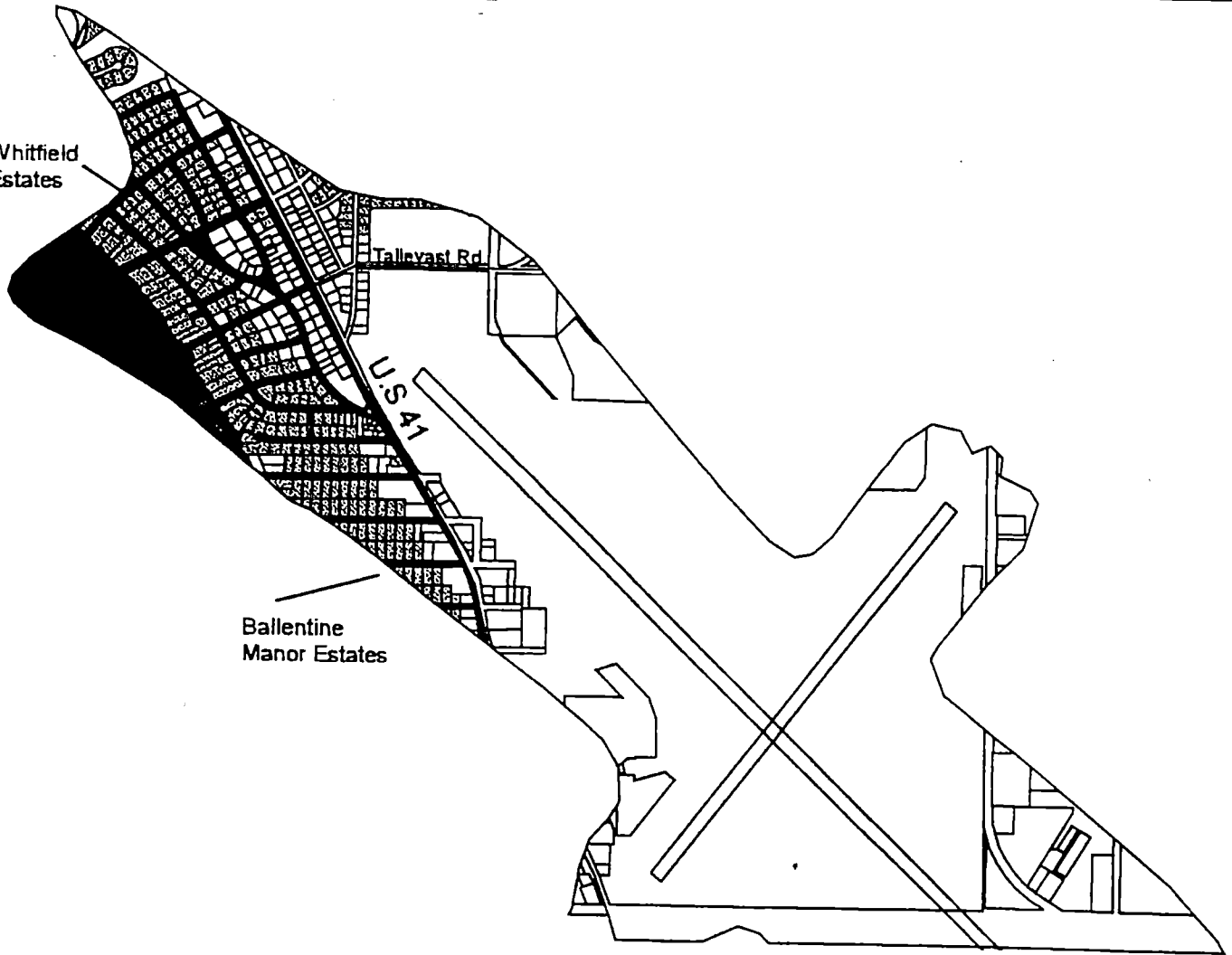
*Figure 5.2*

MANATEE COUNTY  
LAND USE MAP FOR  
YEAR 2000





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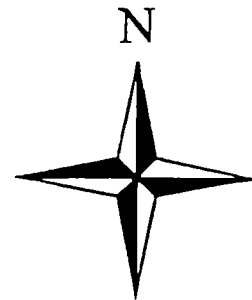
Whitfield Estates



Ballentine Manor Estates

Land Use Compatibility

-  Compatible
-  Non Compatible - Residential



4000

0 Feet



SARASOTA BRADENTON  
INTERNATIONAL AIRPORT

*Figure 5-3*

MANATEE COUNTY  
LAND USE MAP FOR  
YEAR 2000 WITH RECOMMENDED  
NOISE ABATEMENT MEASURE  
IMPLEMENTED



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and the FAA agreed that acquisition of shares within the Sarasota Lakes RV Resort was not practical nor economically feasible.

The Uplands neighborhood is located west of U.S. 41, north of the Ringling Museum and USF/New College. The small community of The Uplands was incorporated in 1947 by Augustin N. Thierry and Paul F. Thielen on property that had been purchased by Virginia and Augustin Thierry. The historic record of The Uplands properties also includes being part of the Ringling and Caples estates. Mabel and John Ringling purchased the property in 1911. Some of the exotic trees given to John Ringling by Thomas A. Edison were planted in The Uplands, and a few still stand. Charles Ringling built his estate abutting "Ca'd 'Zan" in 1927. The property to the north was sold to Ellen and R.C. Caples. Soon after that the Caples sold the most northerly portion to Powell Crosley, where he built "Seagate." The area in between is The Uplands. In 1947 The Uplands was incorporated and construction began.

In Manatee County, residential areas within the DNL 65 + dB contour include portions of Whitfield Estates, Ballentine Manor Estates, Bowlees Creek Mobile Home Court and Marina, and Trailer Estates Mobile Home Park.

Whitfield Estates was established in 1925 on land purchased from Alfred Ringling's estate and others. It straddles the Tamiami Trail, with frontage on Sarasota Bay and Bowlees Creek. The development includes a country club and 18-hole golf course. The master plan for the subdivision encompassed 682 acres and included wide boulevards and

lawns and independent water and lighting systems. The Mediterranean Revival style residence was most common and popular throughout the boom times in Florida. It was thought to exemplify and therefore associate Florida with the warmer climate and vacation atmosphere of the Mediterranean countries. In 1926 the land development and construction boom began to decline because of two devastating hurricanes which hit Florida in 1926 and 1928. The boom failed completely after the stock market crashed in 1929, and real estate development became almost non-existent. Development and construction of the Whitfield Estates neighborhood boomed again during and after the 1950s.

Ballentine Manor Estates was once a pineapple plantation lying between the Tamiami Trail and Sarasota Bay south of Whitfield Estates. It consists of a 210 acre tract of land which was purchased in 1925 by F.E. Ballentine, who subdivided it into 151 lots, established streets, curbs and seawalls. Four avenues extend from the Trail west toward Sarasota Bay and are connected by Longbay Boulevard running north and south along the bay front. Ballentine Manor Estates experienced the same lapse in development as Whitfield Estates following the collapse of the Florida boom. It also recovered after World War II and entered an era of rapid expansion.

Bowlees Creek Mobile Home Court and Marina was developed in the 1940s. The property is bounded on the north and west by the Bollettieri Golf Academy, on the south by Bowlees Creek and on the east by U.S. 41. The park is situated on nine acres. There are 67 units on lots that average 30 by



60 feet. There are also spaces to accommodate eight recreational vehicles. The property is owned by Bowlees Creek Partnership, which also owns the nearby Holiday Inn. The residents own their homes and rent the lots. There is a large recreational hall with various facilities and a 67-slip marina.

Trailer Estates Mobile Home Park was established in 1955. It comprises approximately 610 acres with 1297 mobile home lots, an extensive recreational complex, community building, and a 257-slip marina. The lots are individually owned. The Park is its own taxing authority by a special act of the Florida Legislature, which created the Trailer Estates Park and Recreation District. The District is administered by a Board of Trustees, elected by the lot owners who are registered voters in Manatee County, Florida.

An evaluation was completed using the GIS database to determine the number of single family and mobile home property addresses impacted by noise levels in excess of DNL 65 dB as projected on the 2000 Noise Exposure Map (NEM). Multiple-unit apartment complexes, mobile home parks where the land is owned by the park and rented or leased to the mobile home residents, and cooperative ownership campgrounds were not included in this analysis. The analysis was performed for the recommended noise abatement measure and for the current departure procedure for Runway 32.

Tables 5-1, 5-2, and 5-3 provide the estimated number of single family and

mobile home property addresses for both of these scenarios.

Table 5-1 indicates the projected impacts in Sarasota County for the year 2000. The single family property addresses are located in The Uplands, and the mobile home property addresses are located in Tri-Par Estates. A listing of the property addresses included within the DNL 65+ dB contour in Sarasota County is included in Appendix A.

Table 5-2 indicates the projected impacts in Manatee County for the year 2000, without additional noise abatement measures. The single family property addresses are located in Whitfield Estates and Ballentine Manor Estates, and the mobile home property addresses are located in Trailer Estates. A listing of the property addresses included within the DNL 65+ dB contour without additional noise abatement measures in Manatee County is included in Appendix B.

Figure 5-3 indicates the projected impacts in Manatee County for the year 2000, with the implementation of the recommended noise abatement measure, i.e., the 270° radial turn on departure from Runway 32. The single family property addresses are located in Whitfield Estates and Ballentine Manor Estates. A listing of the property addresses included within the DNL 65+ dB contour with additional noise abatement measures in Manatee County is included in Appendix C.

The impacts in Sarasota County do not change as a result of the implementation of the recommended noise abatement measure.

**Table 5 - 1**  
**SARASOTA COUNTY IMPACTED PROPERTY ADDRESSES**  
**2000 Noise Exposure Map Conditions**  
**With and Without Recommended Noise Abatement Measures**

	65 DNL	70 DNL	75 DNL	Totals
<b>Property Type</b>				
Single-Family	19	0	0	19
Mobile Home	590	0	0	590
<b>Total</b>	<b>609</b>	<b>0</b>	<b>0</b>	<b>609</b>

Source: Sarasota County Database; PBS&J GIS

**Table 5 - 2**  
**MANATEE COUNTY IMPACTED PROPERTY ADDRESSES**  
**2000 Noise Exposure Map Conditions**

	65 DNL	70 DNL	75 DNL	Totals
<b>Property Type</b>				
Single-Family	357	32	1	390
Mobile Home	33	0	0	33
<b>Total</b>	<b>390</b>	<b>32</b>	<b>1</b>	<b>423</b>

Source: Manatee County Database; PBS&J GIS

**Table 5 - 3**  
**MANATEE COUNTY IMPACTED PROPERTY ADDRESSES**  
**2000 Noise Exposure Map Conditions**  
**with Recommended Noise Abatement Measure Implemented**

	65 DNL	70 DNL	75 DNL	Totals
<b>Property Type</b>				
Single-Family	278	35	1	314
Mobile Home	0	0	0	0
<b>Total</b>	<b>278</b>	<b>35</b>	<b>1</b>	<b>314</b>

Source: Manatee County Database; PBS&J GIS

## 5.2 LAND USE OPTIONS

All of the following options for land impacted by noise within the DNL 65+ dB contour of the year 2000 Noise Exposure Map are eligible for up to 90 percent federal funding through the noise set-aside of the Federal Airport Improvement Program (AIP) and through the utilization of Passenger Facility Charge (PFC) revenues. Fifty percent of the portion not funded by the FAA is eligible for Florida Department of Transportation (FDOT) funding.

The FAA places the highest funding priority on property located in the DNL 75+ dB contour. Following complete acquisition in the DNL 75+ dB contour, the FAA places priority on property located within the DNL 70+ dB contour, and least priority on property located within the DNL 65+ dB contour. Available funding is limited because of the extensive demand for funding assistance by other airports having significant levels of noise impacted population.

Section 107 of the Aviation Safety and Noise Abatement Act of 1979 (Act), Public Law 96-193, 49 United States Code Appendix Section 2107, provides that no person who acquires property or an interest in property in an area surrounding an airport which has submitted a noise exposure map under the Act shall be entitled to recover damages claimed to result from noise attributable to the airport if that person had actual or constructive notice of the existence of the noise exposure map unless, in addition to all other elements for recovery of damages, the person can show that the damages claimed resulted from a significant change, after the date of acquisition of the property or interest

in the property, in either the type or frequency of aircraft operations, the airport layout, the flight patterns, or nighttime operations of the airport. The Sarasota Manatee Airport Authority provided constructive notice by publishing a Notice of Existence of Noise Exposure Maps for the Sarasota Bradenton Airport in the Sarasota Herald Tribune on December 12, 13, and 14, 1986. In doing so, the date of constructive notice was established as December 15, 1986.

The SMAA has an obligation, imposed by development of regional impact (DRI) development orders for the new terminal complex, to offer to purchase avigation easements or fee simple interest in residential properties in the DNL 75 dB contour, purchased by present owners prior to January 1, 1980. One of the development orders defines these properties by reference to a 1983 noise exposure map that was never accepted by the FAA pursuant to Part 150. That development order states, however, that the SMAA is not precluded from proposing a change to the development order by submittal of a different noise contour map based upon updated information or methodology. The DNL 75 dB contour of the 1983 map corresponds closely to the DNL 65 dB contour of the 2000 Noise Exposure Map.

### 5.2.1 Land Acquisition (and Demolition) with Relocation Assistance

It is appropriate under certain circumstances for the airport to acquire full interest in property by condemnation or at a homeowner's request. The Uniform Relocation Assistance and Real Property Act

is applicable if federal funding is involved. The property that is acquired may then be used for public use or resold or leased for a compatible use. If the property is sold or leased, deed restrictions must be attached to prevent future incompatible uses and address legal rights. The main concerns when evaluating the use of this option are the potential economic, social and environmental implications and costs. In addition, the level of projected noise exposure on the property should be considered and whether or not future noise level reductions may be anticipated. Economically, land acquisition is generally the most expensive, but most permanent measure to achieve compatibility in the vicinity of an airport. Financial costs to the SMAA would include the property purchase price, relocation expenses, and other administrative costs such as appraisals, legal assistance, program management, demolition costs, and property management. If the property is sold or leased for revenue-producing use by the SMAA, then any resulting net income must be used to fund other noise-related acquisitions or must be repaid to the government. Socially, there are several items that should be addressed. They include the willingness of residents to be relocated, the willingness of local governments such as Manatee and Sarasota Counties to accept and approve use changes, and the potential impact of a new use on adjacent communities. A buy-out of an area is usually a long process that is unsettling for both those who are bought and those who are not. It can also create a change in the character of a neighborhood.

Environmentally, acquisition areas must be suitable for the proposed new compatible uses. In addition, the impact of the new use and the associated traffic it may create should

be evaluated with respect to ground and surface water quality, drainage, and vegetation. Demolition and construction only generate temporary impacts regardless of the future use.

Noise mitigation projects which acquire designated residential property for redevelopment into noise compatible land uses require the acquisition of all or substantially all of the property in the project area to accomplish the intended noise mitigation. This program must be offered to all property owners within the designated project area. Eligibility cannot be limited to those property owners who purchased their property prior to a stated date of eligibility.

The 1990 NCP included a program for acquisition of residences within the DNL 75+ dB noise contour shown on the FAA-approved 1988 NEM. There were 107 residential properties acquired and the structures removed by the Airport Authority. While the acquisition program was voluntary, approximately 90 percent of those residents who were given an opportunity to sell elected to do so. The Land Acquisition and Relocation Assistance Program in the 75+ DNL has been concluded. The program was 90 percent funded with federal AIP grants totaling approximately \$9.1 million.

Keeping the above in mind, land acquisition (with demolition) and relocation assistance as a noise mitigation measure was evaluated for the residential areas in Manatee and Sarasota Counties impacted by noise levels of DNL 65+ dB. For purposes of costing, an approximate fair market value of each property was estimated based on the GIS database used as part of this study. The

assessed value contained in the GIS database was assumed to be 80 percent of actual market value. In addition to actual market value, there would also be appraisal, legal, administrative, relocation, moving, and demolition expenses, which are collectively estimated to add 45 percent to the cost. The estimated cost to implement this alternative within the DNL 65+ dB contour is presented in Table 5-4. Appendix D delineates the calculation of the estimated costs.

If this alternative was recommended, implementation would be in accordance with 49 CFR Part 24: Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, FAA Order 5100.37A: Land Acquisition and Relocation Assistance for Airport Projects, and FAA Advisory Circular 5100-17: Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects.

### Recommendation

Land acquisition (with demolition) and relocation assistance of developed residential property in Manatee and Sarasota Counties is not recommended because of the extremely high anticipated economic costs, very low probability of federal funding, potential for unnecessary disruption to the communities

involved, and the elimination of any other program options for eligible homeowners.

### 5.2.2 Sound Insulation with Avigation Easements

Existing dwellings can often be modified to reduce the transmission of exterior sound to the interior. Sound insulation methods include upgrading or eliminating windows, upgrading doors, sealing and weatherstripping openings, insulating attics, installing acoustic baffling in vents, and installing acoustically treated ceiling and wall panels. Usually, these types of modifications have the added benefit of conserving air conditioning and heating.

In 1993, through implementation of the 1990 NCP, the SMAA completed a pilot project to sound insulate several homes of varying construction in the vicinity of the airport. The project proved to be an overall success.

The cost of insulation for each home varied with the number of windows, type of doors, and whether the house had central air conditioning. In each case, all of the windows were replaced, as were any exterior doors that were not solid core. In addition, new fresh air intakes were added to each house in the program. Locally manufactured

**Table 5 - 4  
Estimated Cost of Land Acquisition (with Demolition) and Relocation Assistance**

Runway 32 Departure Alternative	Manatee County	Sarasota County	Total
	DNL 65+ dB	DNL 65+ dB	DNL 65+ dB
Current Procedure - 295° Radial	\$70.7 M	\$35.8 M	\$106.5 M
Recommended Procedure - 270° Radial	\$53.2 M	\$35.8 M	\$89.0 M

lightweight, single-sash windows with vinyl frames were selected as particularly well suited for the climate in south Florida and older residents. The greatest portion of the total cost of the sound insulation project was for window replacement. The per home cost of the sound insulation pilot project ranged from just under \$10,000 to nearly \$40,000. Homeowners granted the SMAA avigation easements in return for the sound insulation. In addition to the noise reduction, the homes were all aesthetically improved as a result of the project. The pilot project also determined that sound insulation is prohibitively expensive and relatively ineffective in mobile homes and Mediterranean Revival style homes.

If a sound insulation program is offered at Sarasota Bradenton International Airport, it should be conducted in Sarasota County and Manatee County within the year 2000 DNL 65+ dB contour only where feasible, cost effective, and in exchange for an avigation easement. Mobile homes are not eligible for this program. In addition, large institutional buildings, such as churches, schools, residential treatment facilities, and multi-unit apartment complexes have not been included. Economic feasibility of including certain homes (such as Mediterranean Revival) will be evaluated on a case-by-case basis. The implementation of this element would identify the areas projected to be impacted by the year 2000 DNL 65 dB contour, and extended to logical neighborhood boundaries.

A soundproofing program requires considerable administrative support. Each case can become very time consuming, and the success of the program depends on

scrupulous attention to detail. Program costs should account for the administrative costs of a consultant or staff to manage the program. The total costs would depend upon the number of homes included in the program and the extent to which the SMAA assumes administrative responsibilities. Full program management by an outside consultant, including pre- and post-insulation testing, is estimated to be 40 percent of the cost of the insulation. Sound insulation programs are eligible for 90 percent federal funding if available.

It is important to note that this would be a voluntary program and that not all residents may wish to participate in a sound insulation program even if they are eligible. Many people, particularly residents in Florida, are not receptive to sacrificing the fresh-air, open window lifestyle they enjoy in such a warm climate. Others may be concerned with increased electricity costs and/or have an aversion to granting an avigation easement.

The potential areas for sound insulation in Sarasota and Manatee Counties are within the year 2000 DNL 65+ dB contour. For costing purposes, an average sound insulation cost of \$25,000 per single family dwelling plus 40 percent administrative program management cost has been assumed (total \$35,000 per single family dwelling). In addition, it was assumed that all eligible homeowners elected to participate in the sound insulation program.

Table 5-5 delineates the estimated cost of conducting a sound insulation program for all eligible homes within the DNL 65+ dB

contour of the 2000 Noise Exposure Map. The estimated amounts do not include any mobile homes.

The figures listed for each "Eligibility Date" indicate the estimated cost if participation is limited to homeowners who purchased their current home prior to the stated date of eligibility. Appendix D delineates the calculation of the estimated costs.

Implementation of this alternative would be in accordance with "Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations," U.S. Department of Transportation, Washington, D.C., October 1992, and the results of the Sound Insulation Pilot Project completed in 1993. Homeowners would be required to grant the SMAA avigation easements in return for the sound insulation. A copy of the Avigation Easement used in the Sound Insulation Pilot Project is included in Appendix E.

### Recommendation

It is recommended that the Sarasota Manatee Airport Authority offer to provide sound insulation, only where feasible, cost effective, and in exchange for an avigation easement. Mobile homes and large institutional buildings (i.e., churches, schools, residential treatment facilities, and multi-unit apartment complexes) are not recommended for inclusion in this program. It is recommended that the economic feasibility of including certain homes (such as Mediterranean Revival) be evaluated on a case-by-case basis. It is recommended that the SMAA offer to provide sound insulation to homeowners located within the DNL 65+ dB contour of the 2000 Noise Exposure Map in Sarasota and Manatee Counties, who purchased their current home prior to December 15, 1986 (this date is based on the date of approval by the FAA of the NEMs from the previous FAR Part 150 study).

**Table 5 - 5  
Estimated Cost of Sound Insulation**

Runway 32 Departure Alternative	Eligibility Date	Manatee County	Sarasota County	Total
		DNL 65+ dB	DNL 65+ dB	DNL 65+ dB
Current Procedure - 295° Radial	All included	\$13.7 M	\$0.67 M	\$14.4 M
	Dec. 15, 1986	\$6.8 M	\$0.33 M	\$7.1 M
	Jan. 1, 1980	\$3.4 M	\$0.17 M	\$3.6 M
Recommended Procedure - 270° Radial	All included	\$11.0 M	\$0.67 M	\$11.7 M
	Dec. 15, 1986	\$5.5 M	\$0.33 M	\$5.8 M
	Jan. 1, 1980	\$2.8 M	\$0.17 M	\$3.0 M

In addition, it is recommended that priority be given to homeowners located within the DNL 70+ dB contour of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership.

A listing of the property addresses included within the DNL 70+ dB contour of the 1995 NEM is included in Appendix F. Eligibility based upon date of purchase and priority based upon length of ownership will have to be determined at the onset of program implementation.

### **5.2.3 Purchase of Avigation Easements**

Avigation easements allow for an aircraft to overfly a property along with the associated effects of aircraft operations such as noise. An easement is a property interest in land and is recorded with the property deed, and transfers from owner to owner.

Easement terms can be broad or can more specifically delineate the anticipated noise levels and other terms of the agreement. More specific terms tend to ensure a more durable foundation of understanding between parties and for future owners of the property.

Avigation easements can be acquired through a voluntary program or through condemnation. Easements over developed property usually accompany other corrective measures such as resale of an airport acquired home, or in exchange for sound insulation. Generally, easements acquired through condemnation have higher costs in terms of time, administrative expenses, and ill will.

Since a compensatory measure such as this alone does not improve noise conditions, an easement is least desirable in areas of highest noise impact or where other corrective measures are possible. Compensation in conjunction with an avigation easement provides fair disclosure and constitutes a suitable compatibility measure according to federal guidelines.

Valuation of an avigation easement is a very difficult task, and no comparable sales data currently exist. An additional difficulty in the outright purchase of an avigation easement is obtaining consent from all parties that have an interest in the property, such as mortgage holders and other lienholders. In some cases, these lienholders demand all or a portion of the compensation be paid directly to them, rather than to the owner-occupant.

Outright purchase of an avigation easement may be appropriate where residents do not wish to relocate, sound insulation or land acquisition is not feasible, or the costs of relocation are unjustifiably high. After selling an easement to the airport, homeowners can still sell their homes; however, future homeowners receive disclosure of the airport's avigation rights in the form of the recorded perpetual easement.

Purchase of avigation easements is usually less expensive than purchase and resale or sound insulation, allowing for broader and more rapid implementation for any given funding level. They typically do not create the degree of community disruption that land acquisition, purchase and resale, or even rezoning can generate. There are no



environmental impacts associated with the outright purchase of avigation easements.

The SMAA has an obligation, imposed by development of regional impact (DRI) development orders for the new terminal complex, to offer to purchase avigation easements or fee simple interest in residential properties in the DNL 75 dB contour, purchased by present owners prior to January 1, 1980. One of the development orders defines these properties by reference to a 1983 noise exposure map that was never accepted by the FAA pursuant to Part 150. That development order states, however, that the SMAA is not precluded from proposing a change to the development order by submittal of a different noise contour map based upon updated information or methodology. The DNL 75 dB contour of the 1983 map corresponds closely to the DNL 65 dB contour of the 2000 Noise Exposure Map.

The 1990 NCP calls for the purchase of either avigation easements or fee simple interest in certain homes within the DNL 70 to 74 dB noise contour and the purchase of avigation easements within the DNL 65 to 69 dB noise contour of the FAA-approved 1988 NEM. Homes acquired in the DNL 70 to 74 dB noise contour will be sound insulated and resold, subject to the reservation of an avigation easement, to ensure the use of the property for the purposes compatible with airport operations. The proceeds of such resales will be used to create a revolving fund for future purchases. Federal AIP grants totaling \$2.1 million have been approved for the Fee Simple Acquisition

Program in the 70-74 DNL, and the program is currently being implemented.

No comparable sales data currently exist to establish the value of an avigation easement. This data is being generated through implementation of the Fee Simple Acquisition Program in the 70-74 DNL. For purposes of costing, an average avigation easement cost of \$2,500 per dwelling plus 30 percent administrative cost has been assumed (total \$3,250 per dwelling). In addition, it was assumed that all eligible homeowners elected to participate in the avigation easement purchase program. Table 5-6 delineates the estimated cost of an avigation easement purchase program for all eligible homes within the DNL 65+ dB contour of the 2000 Noise Exposure Map. Figures listed for each "Eligibility Date" indicate the estimated cost if participation is limited to homeowners who purchased their current home prior to the stated date of eligibility. Appendix D delineates the calculation of the estimated costs.

Implementation of this alternative would be in accordance with 49 CFR Part 24: Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, FAA Order 5100.37A: Land Acquisition and Relocation Assistance for Airport Projects, and FAA Advisory Circular 5100-17: Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects. The FAA has also provided additional guidance in a memorandum dated April 24, 1995, "Appraisal Waiver and Minimum Payment Negotiations for Avigation Easement Acquisition."



**Table 5 - 6  
Estimated Cost of Purchasing Avigation Easements**

Runway 32 Departure Alternative	Eligibility Date	Manatee County	Sarasota County	Total
		DNL 65+ dB	DNL 65+ dB	DNL 65+ dB
Current Procedure - 295° Radial	All included	\$1.3 M	\$2.0 M	\$3.3 M
	Dec. 15, 1986	\$0.6 M	\$1.0 M	\$1.6 M
	Jan. 1, 1980	\$0.3 M	\$0.5 M	\$0.8 M
Recommended Procedure - 270° Radial	All included	\$1.0 M	\$2.0 M	\$3.0 M
	Dec. 15, 1986	\$0.5 M	\$1.0 M	\$1.5 M
	Jan. 1, 1980	\$0.25M	\$0.5 M	\$0.75M

**Recommendation**

It is recommended that the Sarasota Manatee Airport Authority offer to purchase avigation easements from homeowners located within the DNL 65+ dB contour of the 2000 Noise Exposure Map in Sarasota and Manatee Counties, who purchased their current home prior to December 15, 1986. In addition, it is recommended that priority be given to homeowners located within the DNL 70+ dB contour of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership.

A listing of the property addresses included within the DNL 70+ dB contour of the 1995 NEM is included in Appendix F.

Eligibility based upon date of purchase and priority based upon length of ownership will be determined at the onset of program implementation.

**5.2.4 Purchase and Resale  
with Avigation Easements  
and Sound Insulation**

The purchase and resale of homes with avigation easements and sound insulation involves the purchase and resale of homes at fair market value by the airport. An avigation easement describing rights and restrictions is attached to the deed granted to the purchaser who is willing to live in a noise-impacted community. This alternative should be used in conjunction with a sound insulation program, where homes purchased by the airport would be sound insulated, if feasible, before being offered for resale to enhance compatibility. This alternative is generally used most appropriately where noise impacts are not as great and it is desirable to maintain the integrity of a residential community.

The main concern when evaluating the use of this option is the inability to resell the properties in a timely manner and at an

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acceptable price. A limited number of homes can be kept in inventory at any given time, thus causing the program to progress slowly, as homes can be resold. Additionally, this program has the potential to change the socio-economic make-up of a neighborhood.

Without sound insulation, this alternative does not improve noise conditions. However, resale with an avigation easement provides fair disclosure and constitutes a suitable compatibility measure according to federal guidelines.

The SMAA has an obligation, imposed by development of regional impact (DRI) development orders for the new terminal complex, to offer to purchase avigation easements or fee simple interest in residential properties in the DNL 75 dB contour, purchased by present owners prior to January 1, 1980. One of the development orders defines these properties by reference to a 1983 noise exposure map that was never accepted by the FAA pursuant to Part 150. That development order states, however, that the SMAA is not precluded from proposing a change to the development order by submittal of a different noise contour map based upon updated information or methodology. The DNL 75 dB contour of the 1983 map corresponds closely to the DNL 65 dB contour of the 2000 Noise Exposure Map.

The 1990 NCP calls for the purchase of either avigation easements or fee simple interest in certain homes within the DNL 70 to 74 dB noise contour of the FAA-approved 1988 NEM. Homes acquired in the DNL 70 to 74 dB noise contour will be sound

insulated and resold, subject to the reservation of an avigation easement, to ensure the use of the property for the purposes compatible with airport operations. The proceeds of such resales will be used to create a revolving fund for future purchases. Federal AIP grants totaling \$2.1 million have been approved for the Fee Simple/Easement Acquisition Program in the 70-74 DNL, and the program is currently being implemented.

For purposes of costing, an approximate fair market value of each property was estimated based on the GIS database used as part of this study. The assessed value contained in the GIS database was assumed to be 80 percent of actual market value. In addition to the actual market value, there would also be appraisal, legal, administrative, marketing and resale expenses. For those homes that can be insulated, there would also be the cost of insulation plus administrative program management costs. The net program cost is equal to the expenses associated with purchasing a home (and insulating it where feasible) less the amount recovered from reselling the home with an avigation easement.

A net program cost equal to 30 percent of the fair market value was assumed for the mobile homes, which cannot be insulated.

A net program cost equal to 40 percent of the fair market value was assumed for the single family homes that will be insulated.

Table 5-7 delineates the estimated cost of a purchase and resale with avigation easements and sound insulation program for all eligible homes within the DNL 65+ dB contour of the 2000 Noise Exposure Map. Figures listed



for each "Eligibility Date" indicate the estimated cost if participation is limited to homeowners who purchased their current home prior to the stated date of eligibility. Appendix D delineates the calculation of the estimated costs.

Implementation of this alternative would be in accordance with 49 CFR Part 24: Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, FAA Order 5100.37A: Land Acquisition and Relocation Assistance for Airport Projects, FAA Advisory Circular 5100-17: Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects, and "Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations," U.S. Department of Transportation, Washington, D.C., October 1992.

A copy of the Initial Participation Agreement, Fee Simple Acquisition Contract, Listing Agreement, and Purchase and Sale Agreement which are being utilized in the current implementation of this program are included in Appendix E.

## Recommendation

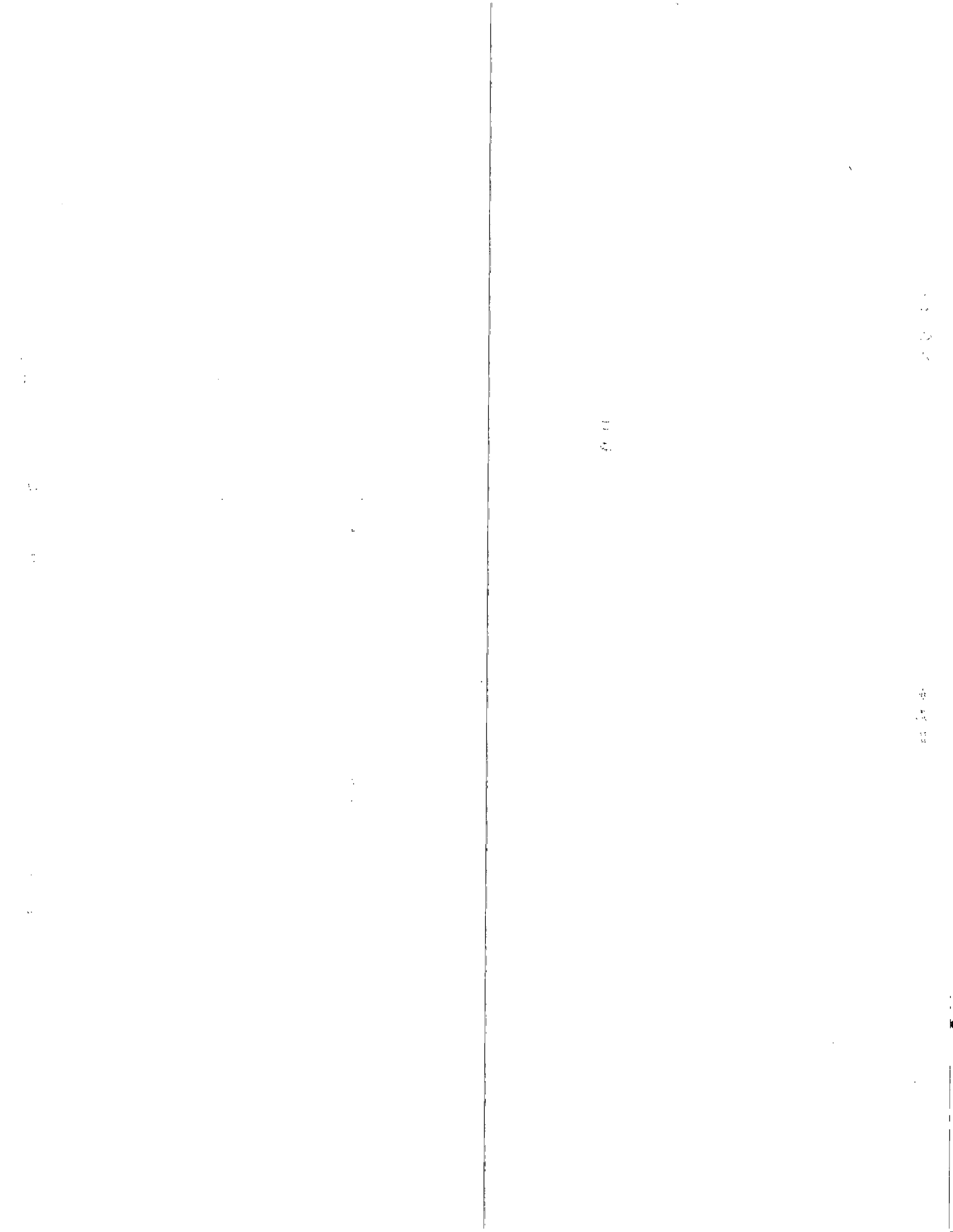
It is recommended that the Sarasota Manatee Airport Authority offer to purchase fee simple interest from homeowners who purchased their current home prior to January 1, 1980, and who are located within the DNL 65+ dB contour of the 2000 Noise Exposure Map in Sarasota and Manatee Counties. In addition, it is recommended that priority be given to homeowners located within the DNL 70+ dB contour of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership.

Homes purchased by the SMAA will be sound insulated only where feasible and cost effective. All homes purchased by the SMAA will be resold with an avigation easement.

A listing of the property addresses included within the DNL 70+ dB contour of the 1995 NEM is included in Appendix F. Eligibility based upon date of purchase and priority based upon length of ownership will have to be determined at the onset of program implementation.

**Table 5 - 7**  
**Estimated Cost of Purchase and Resale with Avigation Easements**  
**and Sound Insulation (where feasible)**

Runway 32 Departure Alternative	Eligibility Date	Manatee County	Sarasota County	Total
		DNL 65+ dB	DNL 65+ dB	DNL 65+ dB
Current Procedure - 295° Radial	All included	\$19.4 M	\$7.5 M	\$26.9 M
	Dec. 15, 1986	\$9.7 M	\$3.8 M	\$13.5 M
	Jan. 1, 1980	\$4.8 M	\$1.9 M	\$6.7 M
Recommended Procedure - 270° Radial	All included	\$14.7 M	\$7.5 M	\$22.2 M
	Dec. 15, 1986	\$7.3 M	\$3.8 M	\$11.1 M
	Jan. 1, 1980	\$3.7 M	\$1.9 M	\$5.6 M





# Section 6

## Noise Compatibility Plan

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The objective of the noise compatibility planning process for Sarasota Bradenton International Airport is to improve the compatibility between aircraft operations and noise-sensitive land uses while allowing the airport to continue to serve its role in the community. The Noise Compatibility Plan includes strategies for meeting this objective.

Numerous operational and land use noise abatement alternatives were developed. These were presented to the Noise Abatement Advisory Committee, the Part 150 Study Technical Advisory Committee, and the Sarasota Manatee Airport Authority. In addition, they were made available for review by the general public at a public information workshop.

### 6.1 NOISE ABATEMENT PLAN

The operational noise abatement alternatives were examined in Section 4. Each alternative was analyzed with respect to noise impact reduction and feasibility for implementation. The recommended noise abatement measures follow.

#### 6.1.1 Balanced Runway Use

It is recommended that the Sarasota Manatee Airport Authority continue its balanced runway use program. The goal of this

program is equal use of Runway 14 and Runway 32 for air carrier departures, and equal use of Runway 14 and Runway 32 for air carrier arrivals.

#### 6.1.2 Departure Path for Runway 14

It is recommended that the Sarasota Manatee Airport Authority maintain the current departure flight path off Runway 14. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 14 would be instructed to maintain runway heading until reaching 3,000 feet, then proceed on course.

#### 6.1.3 Departure Path for Runway 32

It is recommended that the Sarasota Manatee Airport Authority implement Alternative #6. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 32 would be instructed to turn left at 0.9 DME to join the Sarasota 270° radial outbound to at least 7 DME, then proceed on course as instructed by ATC. Should, after implementation, the turn at 7 DME result in a splay of aircraft that is further east than anticipated, it is recommended that aircraft proceed outbound on the 270° radial to the 8 DME, then proceed on course as instructed by ATC.

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It is further recommended that should approval of the turn to the 270° radial be denied because of airspace constraints, that the current procedure be maintained until such time as the turn to the 270° radial becomes feasible. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing northbound on Runway 32 would be instructed to turn left at 0.9 DME to join the Sarasota 295° radial outbound, then proceed on course as instructed by ATC. All aircraft weighing over 25,000 pounds and all jet aircraft departing southbound on Runway 32 would be instructed to turn left at 0.9 DME to a heading of 270°, then proceed on course as instructed by ATC.

#### **6.1.4 Arrival Path for Runway 32**

It is recommended that the Sarasota Manatee Airport Authority maintain the current procedure. That is, arriving aircraft would be allowed to make visual approaches to the airport and turn to the Runway heading as soon as cleared to do so by the Air Traffic Control Tower.

#### **6.1.5 Noise Abatement Departure Profiles**

It is recommended that the airlines continue to make maximum use of the voluntary departure profile procedure which is consistent with the "distant" procedure included in the FAA Advisory Circular 91-53A.

#### **6.1.6 Curfews**

It is recommended that the Sarasota Manatee Airport Authority maintain the existing partial curfew. That is, to prohibit the departure of

Stage 2 aircraft between the hours of 10:00 p.m. and 7:00 a.m. Stage 2 aircraft are not prohibited from departing after 10 p.m. if they have been legitimately delayed by mechanical, weather, or air traffic control problems.

#### **6.1.7 Engine Maintenance Run-up Restriction**

It is recommended that the Sarasota Manatee Airport Authority maintain the existing restriction on engine maintenance run-ups. That is, to prohibit non-emergency engine maintenance run-ups between the hours of 10:00 p.m. and 7:00 a.m. Non-emergency refers to all circumstances except those involving scheduled air carrier aircraft in service or soon to be in service at Sarasota Bradenton International Airport and which, if not repaired immediately, would strand or seriously delay passengers at the airport. Also excluded are aircraft in use for emergency services such as police, ambulance, and military functions.

#### **6.1.8 APU Restriction**

It is recommended that the Sarasota Manatee Airport Authority continue to encourage the airlines to utilize the loading bridge ground power units and portable air conditioning carts between the hours of 10:00 p.m. and 7:00 a.m. Aircraft auxiliary power units (APUs) should only be utilized in the event that loading bridge ground power units, mobile ground power units, and air conditioning carts are not available.

#### **6.1.9 Training Restriction**

It is recommended that the Sarasota Manatee Airport Authority maintain the restriction on

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training operations for aircraft between the hours of 12:00 midnight and 6:00 a.m.

## 6.2 NOISE EXPOSURE MAP REVISIONS

Implementation of the recommended noise abatement plan involves continuation of ten existing noise abatement measures and implementation of one new noise abatement measure. The implementation of the new departure procedure for Runway 32 will result in changes to the noise exposure northwest of the airport, in Manatee County. The affects of implementing the new procedure are detailed below.

### 6.2.1 1995 Noise Exposure Map

Figure 6-1 presents the 1995 Noise Exposure Map for Sarasota Bradenton International Airport with the plotted DNL 65, 70, and 75 dB contour lines. This map represents the existing NEM approved by the FAA on May 7, 1996. Figure 6-2 presents the 1995 Noise Exposure Map with the Recommended Noise Abatement Alternative Implemented. Comparison of this map with the unabated condition (Figure 6-1) reveals a significant change in the shape of the contour northwest of the airport. This results from changing the departure path off Runway 32 from the 295° radial to the 270° radial. The DNL 65 dB contour bends to the west, over the water, rather than over the populated areas northwest of the airport. The contours southeast of the airport are not affected by the recommended change in departure path for Runway 32.

The number of single family and mobile home property addresses impacted by noise levels in

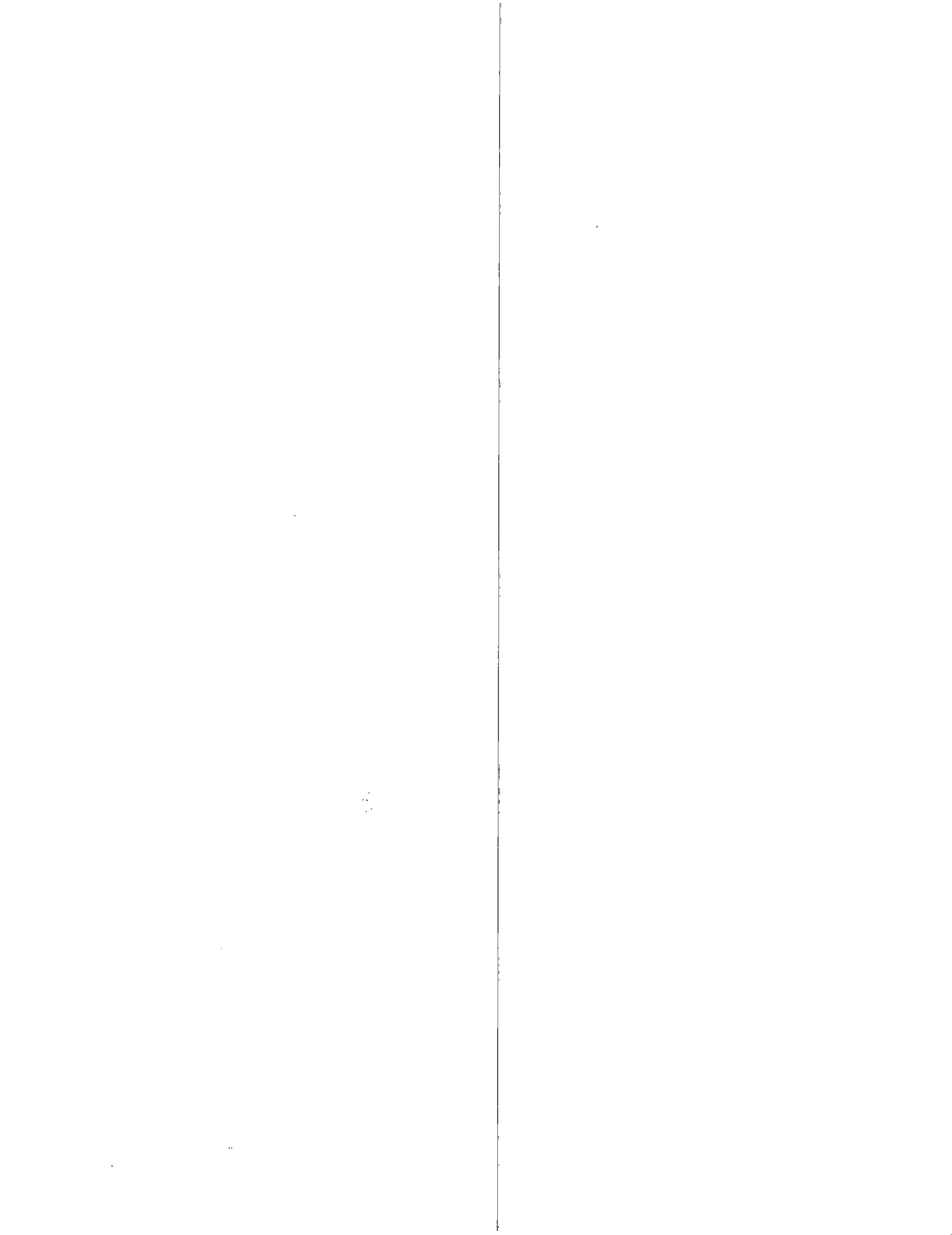
excess of DNL 65 dB on the 1995 Noise Exposure Map (NEM) are provided in Tables 6-1, 6-2, and 6-3. Multiple-unit apartment complexes, mobile home parks where the land is owned by the park and rented or leased to the mobile home residents, and cooperative ownership campgrounds were not included in this analysis. The analysis was performed for the recommended noise abatement measure and for the current departure procedure for Runway 32.

Table 6-1 indicates the projected impacts in Sarasota County for the year 1995. The single family property addresses are located in The Uplands, Spring Oaks, and Newtown Estates. The mobile home property addresses are located in Tri-Par Estates.

Table 6-2 indicates the projected impacts in Manatee County for the year 1995, without additional noise abatement measures. The single family property addresses are located in Whitfield Estates, Ballentine Manor Estates, and Bayshore Gardens. The mobile home property addresses are located in Trailer Estates.

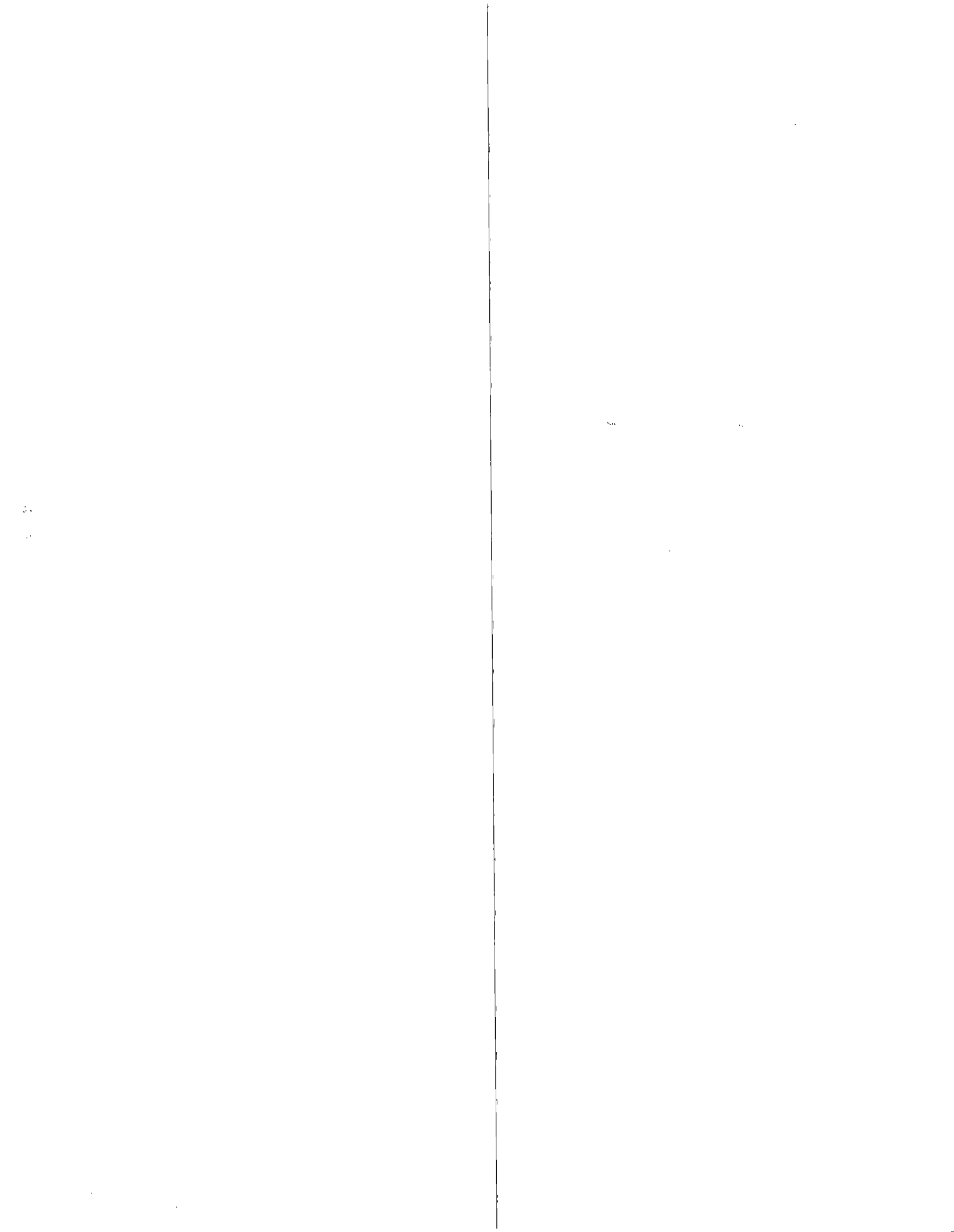
Table 6-3 indicates the projected impacts in Manatee County for the year 1995, with the implementation of the recommended noise abatement measure, i.e., the 270° radial turn on departure from Runway 32. The single family property addresses are located in Whitfield Estates, Ballentine Manor Estates, and Bayshore Gardens. The mobile home property addresses are located in Trailer Estates.

The impacts in Sarasota County do not change as a result of the implementation of the recommended noise abatement measure.

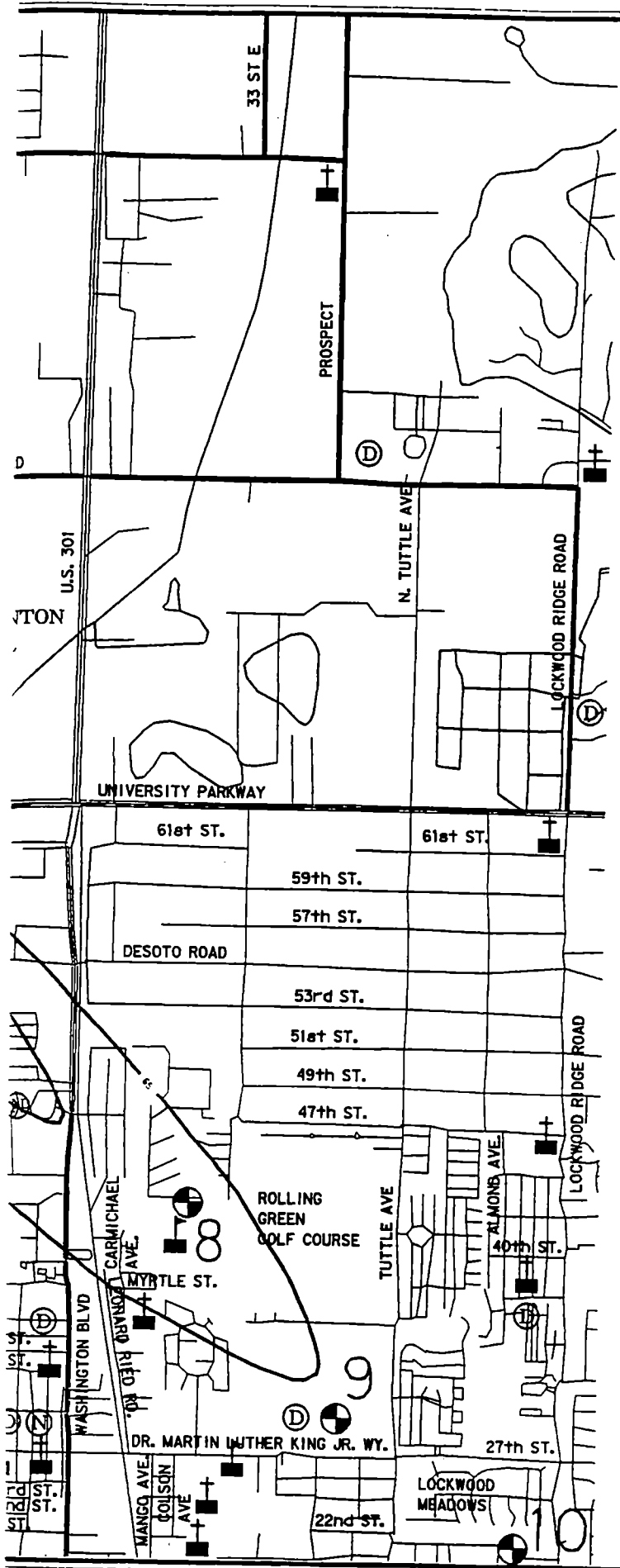


SARASOTA BAY









**LEGEND**









-  Airport Boundary
-  School
-  Church
-  Hospital
-  Day Care
-  Nursing Home
-  65 DNL Noise Contours
-  Noise Monitoring Site

Figure 6-1

**EXISTING (1995)  
NOISE EXPOSURE MAP**

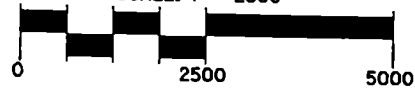


**SARASOTA BRADENTON  
INTERNATIONAL AIRPORT**

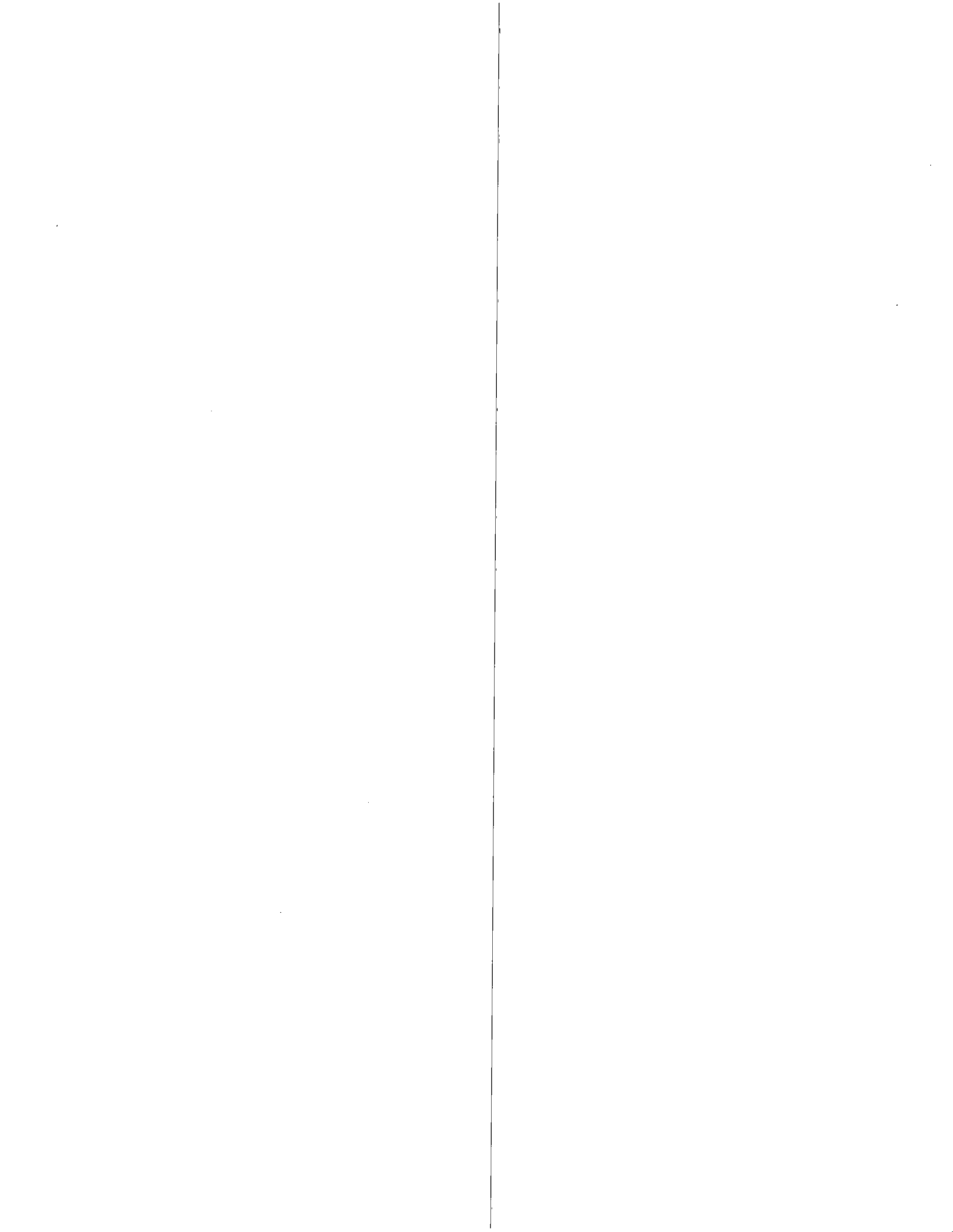


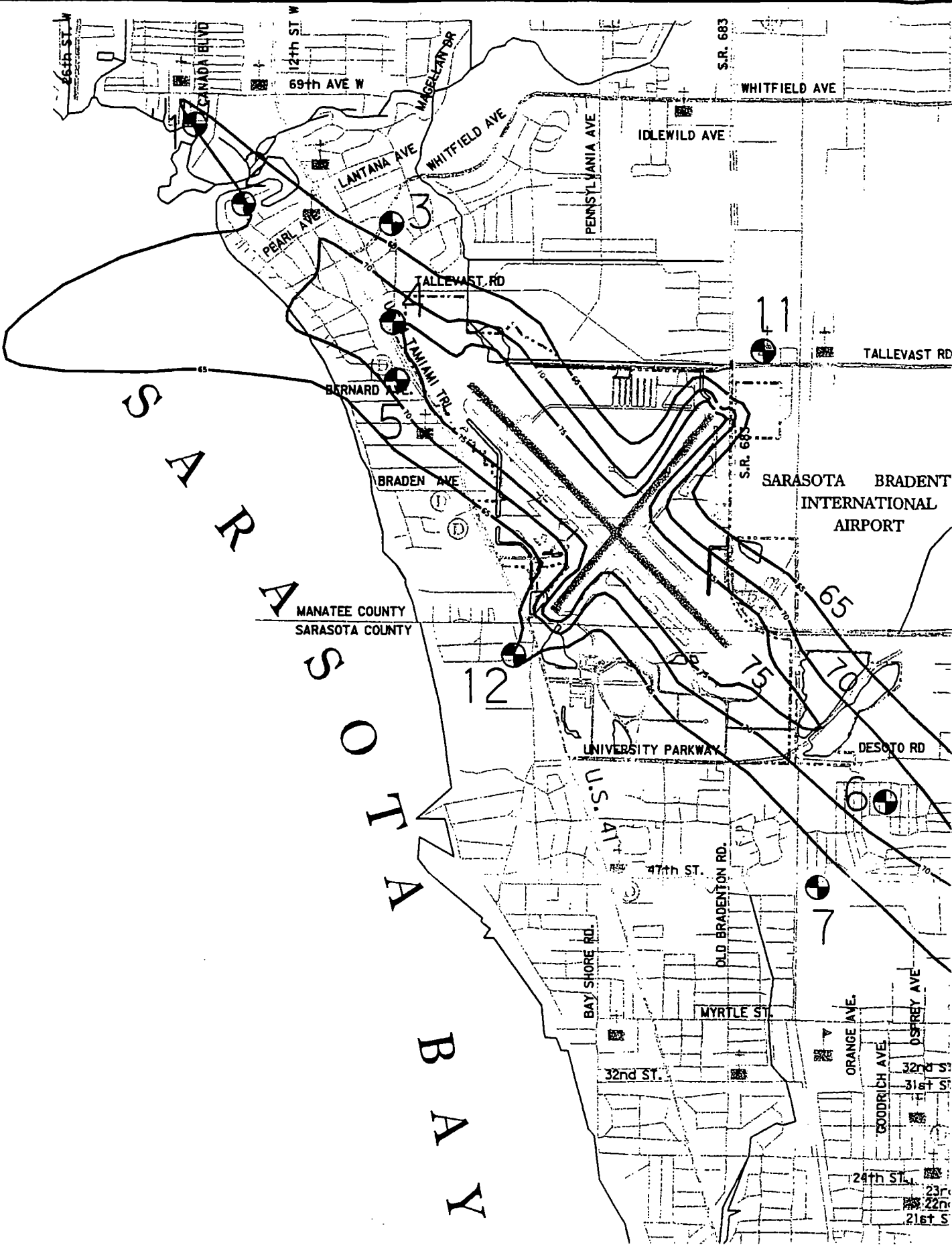
NORTH

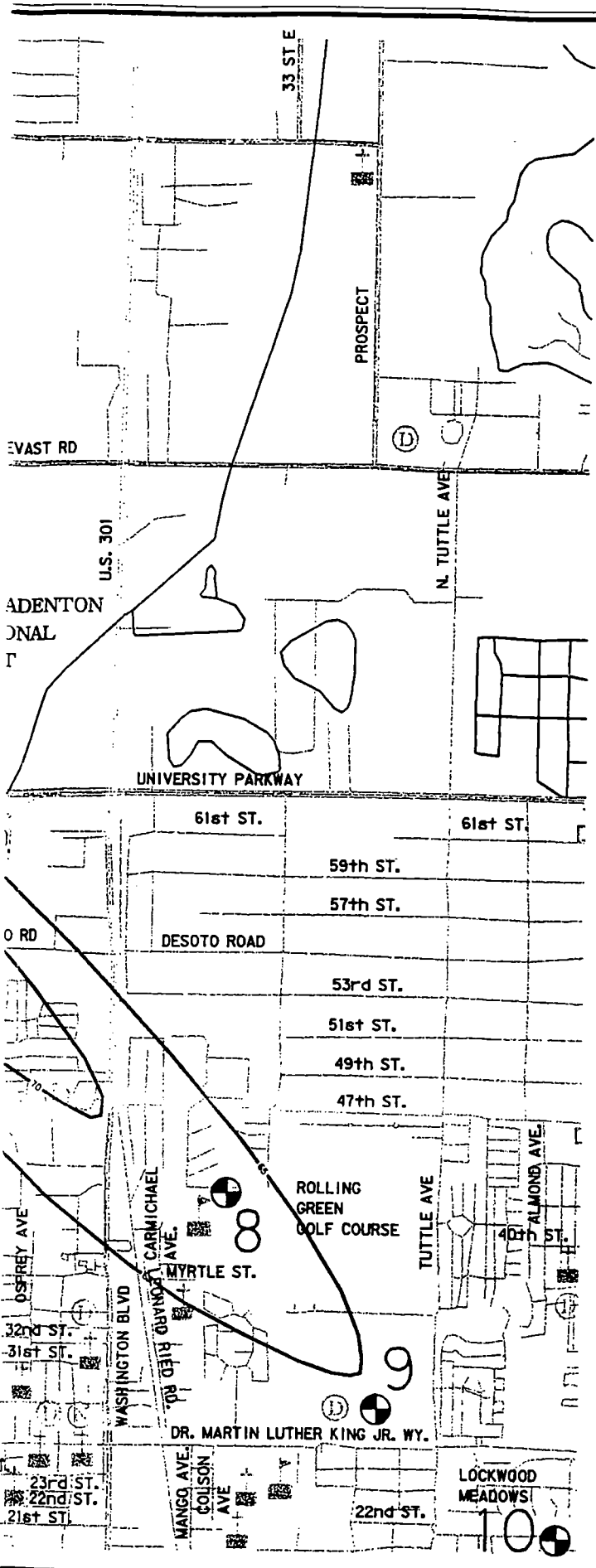
SCALE: 1" = 2500'



PORT, BUCKLEY, SMITH & JOHNSON, INC.  
230 S. PINEAPPLE AVE.  
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**LEGEND**









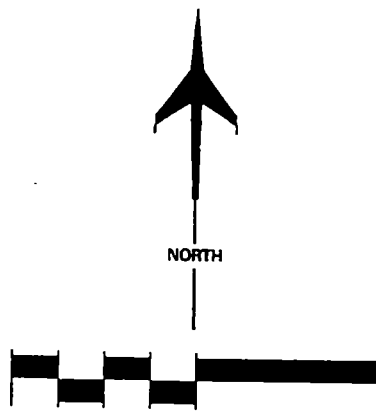
-  Airport Boundary
-  School
-  Church
-  Hospital
-  Day Care
-  Nursing Home
-  65 DNL Noise Contours
-  Noise Monitoring Site

FIGURE 6-2

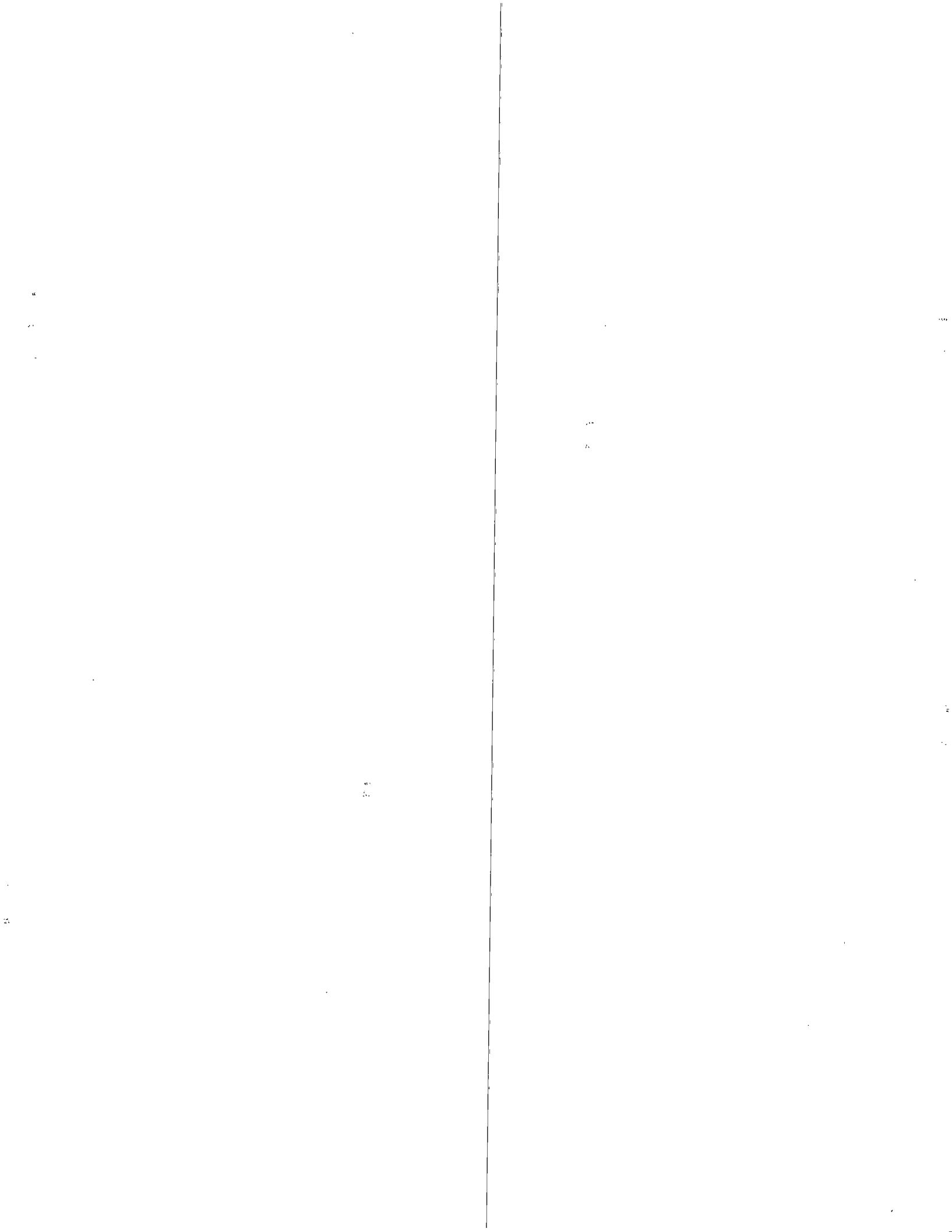
1995 DNL NOISE CONTOUR  
with Recommended Noise Abatement  
Measure Implemented

  
SARASOTA BRADENTON  
INTERNATIONAL AIRPORT



**PBS&J**

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**Table 6 - 1**  
**SARASOTA COUNTY IMPACTED PROPERTY ADDRESSES**  
**1995 Noise Exposure Map Conditions**

	65 Ldn	70 Ldn	75 Ldn	Totals
<b>Property Type</b>				
Single-Family	223	0	0	223
Mobile Home	368	406	0	774
Total	591	406	0	997

Source: Sarasota County Database; PBS&J GIS

**Table 6 - 2**  
**MANATEE COUNTY IMPACTED PROPERTY ADDRESSES**  
**1995 Noise Exposure Map Conditions**

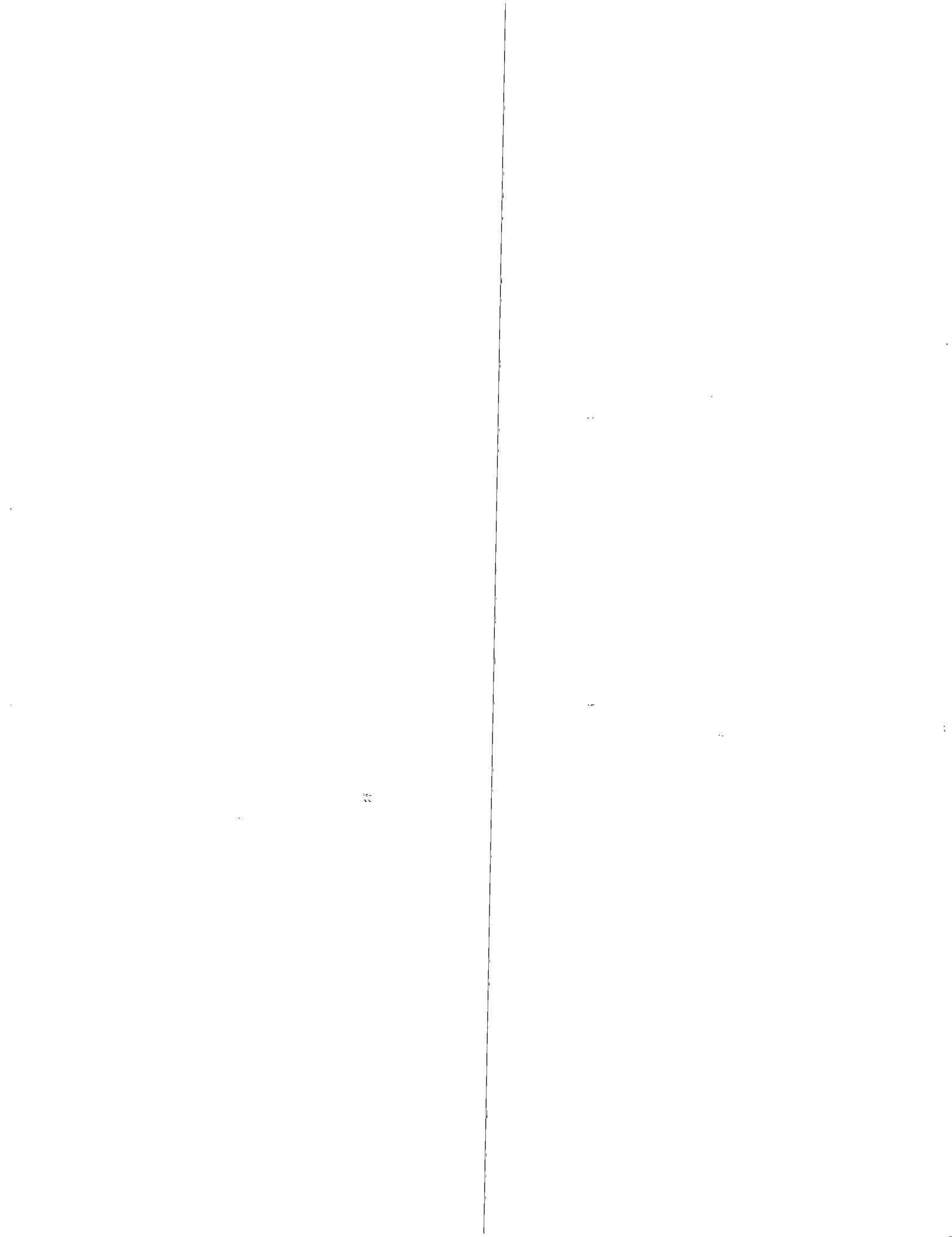
	65 Ldn	70 Ldn	75 Ldn	Totals
<b>Property Type</b>				
Single-Family	399	115	0	514
Mobile Home	361	0	0	361
Multi-Family	64	0	0	64
Total	824	115	0	939

Source: Manatee County Database; PBS&J GIS

**Table 6 - 3**  
**MANATEE COUNTY IMPACTED PROPERTY ADDRESSES**  
**1995 Noise Exposure Map Conditions**  
**with Recommended Noise Abatement Measure Implemented**

	65 Ldn	70 Ldn	75 Ldn	Totals
<b>Property Type</b>				
Single-Family	273	101	0	374
Mobile Home	56	0	0	56
Multi-Family	24	0	0	24
Total	353	101	0	454

Source: Manatee County Database; PBS&J GIS



## 6.2.2 2000 Noise Exposure Map

Figure 6-3 presents the 2000 Noise Exposure Map for Sarasota Bradenton International Airport with the plotted DNL 65, 70, and 75 dB contour lines for the noise condition without the implementation of the proposed noise abatement alternative.

Figure 6-4 presents the 2000 Noise Exposure Map with the Recommended Noise Abatement Alternative Implemented. Comparison of this map with the unabated condition (Figure 6-3) reveals a significant change in the shape of the contour northwest of the airport. This results from changing the departure path off Runway 32 from the 295° radial to the 270° radial. The DNL 65 dB contour bends to the west, over the water, rather than over the populated areas northwest of the airport. The contours southeast of the airport are not affected by the recommended change in departure path for Runway 32.

Figure 6-4 represents the revised future NEM for approval by the FAA. These contours are also included as Map B in the folder at the end of this NCP report.

The number of single family and mobile home property addresses impacted by noise levels in excess of DNL 65 dB as projected on the 2000 Noise Exposure Map (NEM) are provided in Tables 6-4, 6-5, and 6-6. Multiple-unit apartment complexes, mobile home parks where the land is owned by the park and rented or leased to the mobile home residents, and cooperative ownership campgrounds were not included in this analysis. The analysis was performed for the recommended noise

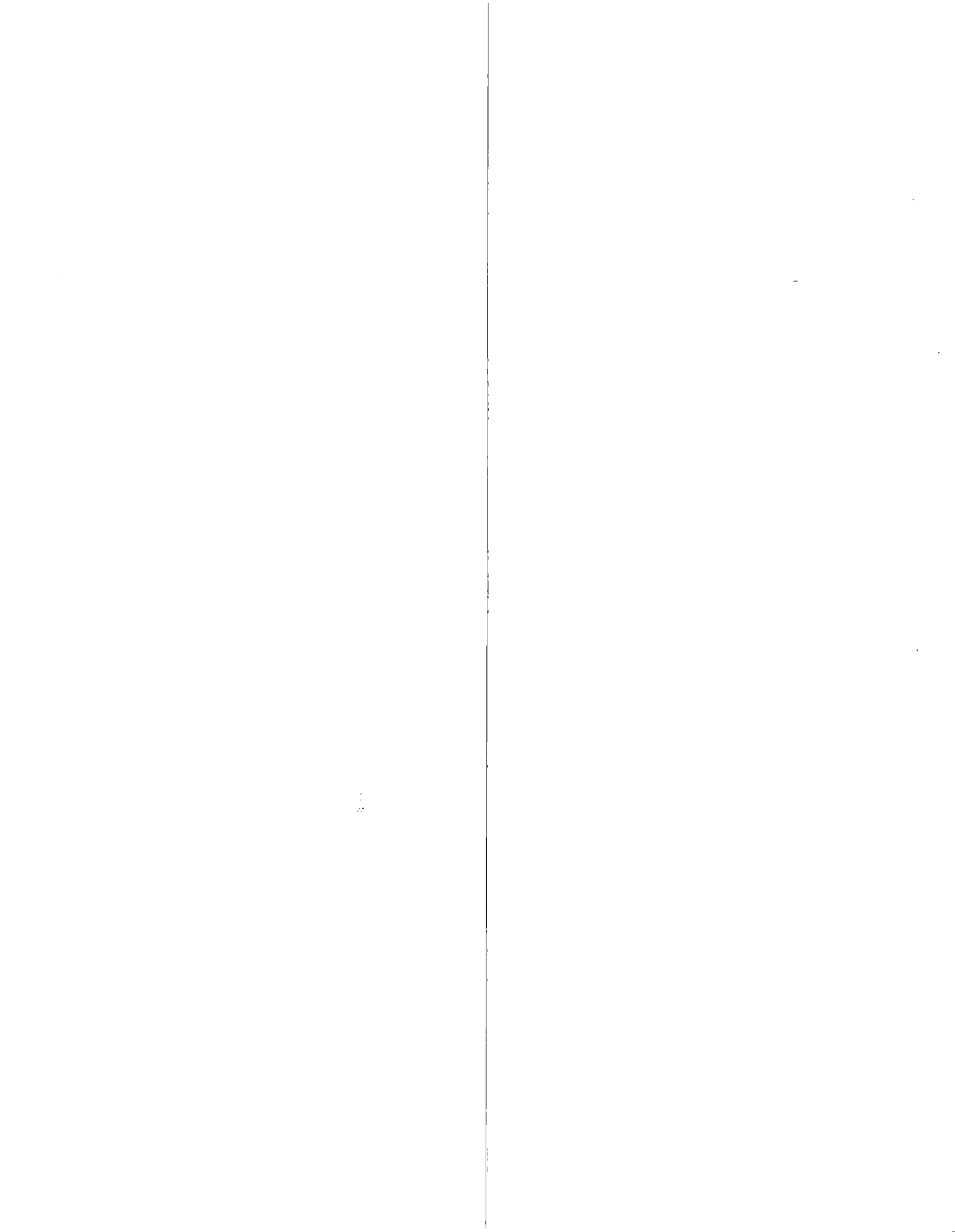
abatement measure and for the current departure procedure for Runway 32.

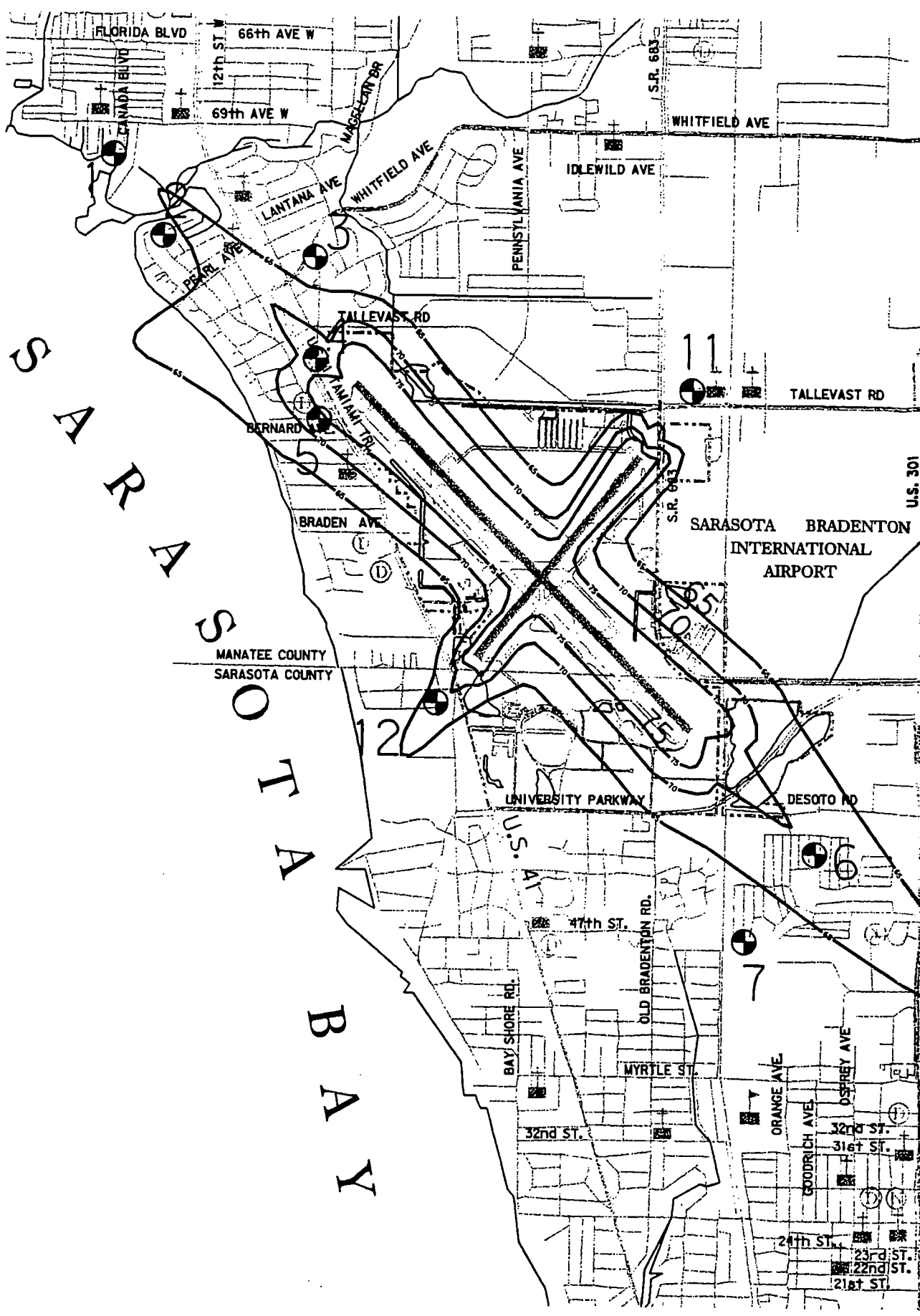
Table 6-4 indicates the projected impacts in Sarasota County for the year 2000. The single family property addresses are located in The Uplands, and the mobile home property addresses are located in Tri-Par Estates. A listing of the property addresses included within the DNL 65+ dB contour in Sarasota County is included in Appendix A.

Table 6-5 indicates the projected impacts in Manatee County for the year 2000, without additional noise abatement measures. The single family property addresses are located in Whitfield Estates and Ballentine Manor Estates, and the mobile home property addresses are located in Trailer Estates. A listing of the property addresses included within the DNL 65+ dB contour without additional noise abatement measures in Manatee County is included in Appendix B.

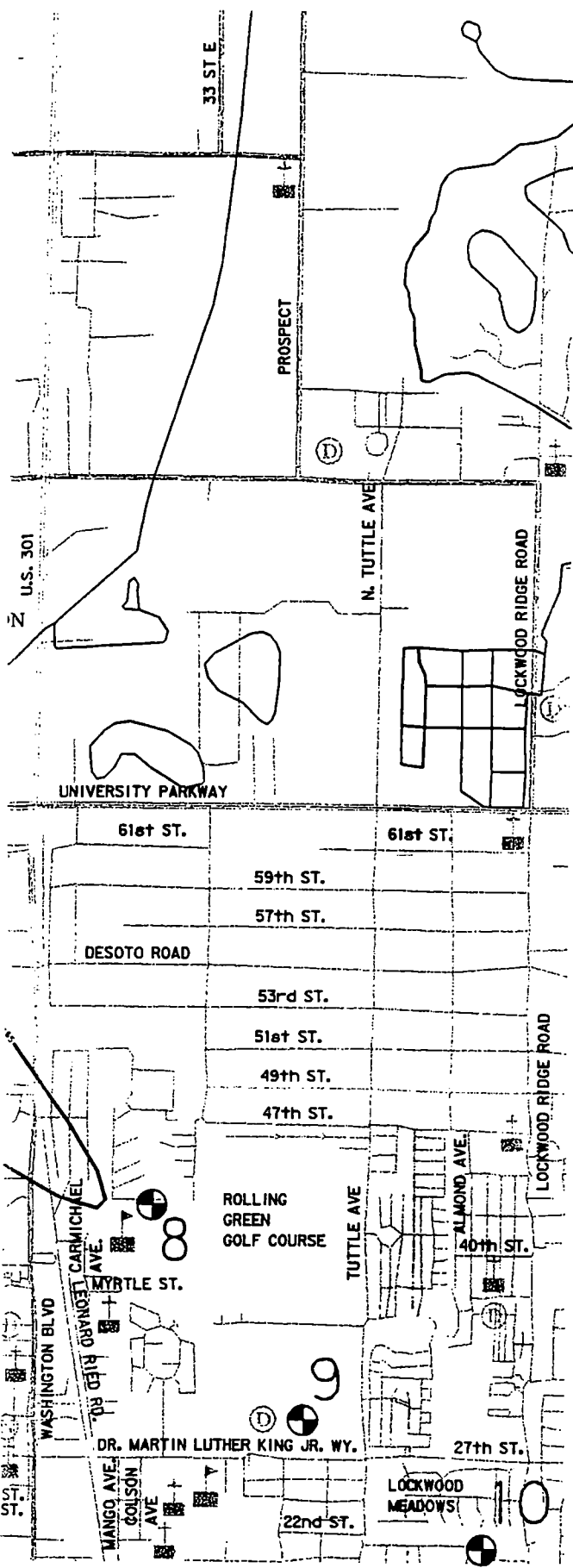
Figure 6-6 indicates the projected impacts in Manatee County for the year 2000, with the implementation of the recommended noise abatement measure, i.e., the 270° radial turn on departure from Runway 32. The single family property addresses are located in Whitfield Estates and Ballentine Manor Estates. A listing of the property addresses included within the DNL 65+ dB contour with additional noise abatement measures in Manatee County is included in Appendix C. The impacts in Sarasota County do not change as a result of the implementation of the recommended noise abatement measure.







AIR10A.DGN



**LEGEND**







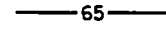

-  Airport Boundary
-  School
-  Church
-  Hospital
-  Day Care
-  Nursing Home
-  65 DNL Noise Contours
-  Noise Monitoring Site

Figure 6-4  
**FUTURE (2000) NOISE EXPOSURE MAP**  
 with Recommended Noise Abatement  
 Measure Implemented



**SARASOTA BRADENTON  
 INTERNATIONAL AIRPORT**

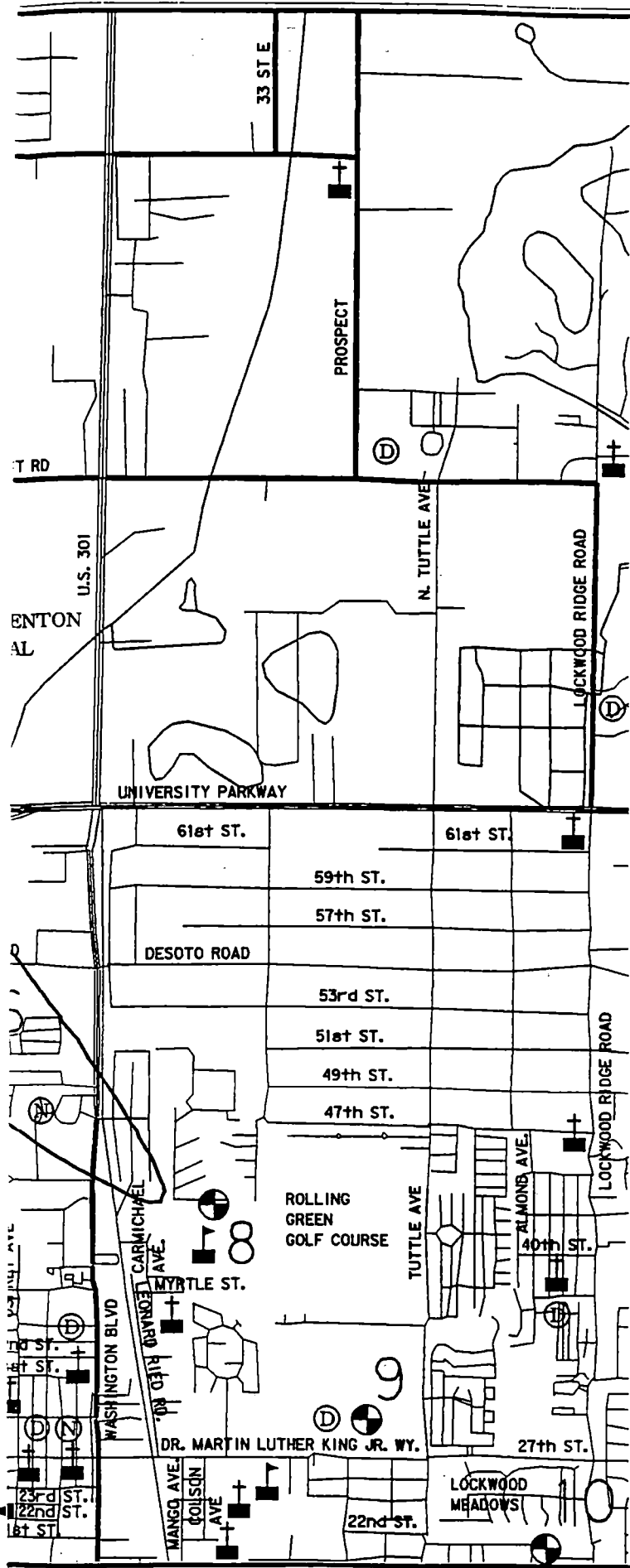


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 FAX 813/567-1477

SARASOTA BAY





**LEGEND**

- Airport Boundary
- ⚡ School
- ⊕ Church
- ⊕ Hospital
- ⊙ Day Care
- ⊙ Nursing Home
- 65 — DNL Noise Contours
- ⊙ 9 Noise Monitoring Site

Figure 6-3

**FUTURE (2000)  
NOISE  
EXPOSURE MAP**



**SARASOTA BRADENTON  
INTERNATIONAL AIRPORT**



NORTH

SCALE: 1" = 2500'



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**Table 6 - 4**  
**SARASOTA COUNTY IMPACTED PROPERTY ADDRESSES**  
**2000 Noise Exposure Map Conditions**  
**With and Without Recommended Noise Abatement Measure Implementation**

	65 DNL	70 DNL	75 DNL	Totals
<b>Property Type</b>				
Single-Family	19	0	0	19
Mobile Home	590	0	0	590
<b>Total</b>	<b>609</b>	<b>0</b>	<b>0</b>	<b>609</b>

Source: Sarasota County Database; PBS&J GIS

**Table 6 - 5**  
**MANATEE COUNTY IMPACTED PROPERTY ADDRESSES**  
**2000 Noise Exposure Map Conditions**

	65 DNL	70 DNL	75 DNL	Totals
<b>Property Type</b>				
Single-Family	357	32	1	390
Mobile Home	33	0	0	33
<b>Total</b>	<b>390</b>	<b>32</b>	<b>1</b>	<b>423</b>

Source: Manatee County Database; PBS&J GIS

**Table 6 - 6**  
**MANATEE COUNTY IMPACTED PROPERTY ADDRESSES**  
**2000 Noise Exposure Map Conditions**  
**with Recommended Noise Abatement Measure Implemented**

	65 DNL	70 DNL	75 DNL	Totals
<b>Property Type</b>				
Single-Family	278	35	1	314
Mobile Home	0	0	0	0
<b>Total</b>	<b>278</b>	<b>35</b>	<b>1</b>	<b>314</b>

Source: Manatee County Database; PBS&J GIS

### 6.3 LAND USE PLAN

The land use alternatives were examined in Section 5. Each alternative was analyzed with respect to feasibility for implementation. The recommended land use techniques which follow are based on the recommended NEMs.

The Sarasota Manatee Airport Authority intends to fund the implementation of the recommended land use alternatives through the utilization of federal funding through the noise set-aside of the Federal Airport Improvement Program (AIP) and through the utilization of Passenger Facility Charge (PFC) revenues. Fifty percent of the portion not funded by the FAA is eligible for Florida Department of Transportation (FDOT) funding. Implementation will progress as funding becomes available.

Section 107 of the Aviation Safety and Noise Abatement Act of 1979 (Act), Public Law 96-193, 49 United States Code Appendix Section 2107, provides that no person who acquires property or an interest in property in an area surrounding an airport which has submitted a noise exposure map under the Act shall be entitled to recover damages claimed to result from noise attributable to the airport if that person had actual or constructive notice of the existence of the noise exposure map unless, in addition to all other elements for recovery of damages, the person can show that the damages claimed resulted from a significant change, after the date of acquisition of the property or interest in the property, in either the type or frequency of aircraft operations, the airport layout, the flight patterns, or nighttime operations of the airport. The Sarasota Manatee Airport Authority provided constructive notice by publishing a Notice of

Existence of Noise Exposure Maps for the Sarasota Bradenton Airport in the Sarasota Herald Tribune on December 12, 13, and 14, 1986. In doing so, the date of constructive notice was established as December 15, 1986.

The SMAA has an obligation, imposed by development of regional impact (DRI) development orders for the new terminal complex, to offer to purchase avigation easements or fee simple interest in residential properties in the DNL 75 dB contour, purchased by present owners prior to January 1, 1980. One of the development orders defines these properties by reference to a 1983 noise exposure map that was never accepted by the FAA pursuant to Part 150. That development order states, however, that the SMAA is not precluded from proposing a change to the development order by submittal of a different noise contour map based upon updated information or methodology. The DNL 75 dB contour of the 1983 map corresponds closely to the DNL 65 dB contour of the 2000 Noise Exposure Map.

The FAA has considered the level of projected noise exposure on the property and taken into account that future noise level reductions are anticipated. Therefore, the boundaries for all proposed land use mitigation programs must fall within the DNL 65 dB contour of the 2000 Noise Exposure Map.

#### 6.3.1 Sound Insulation with Avigation Easements

It is recommended that the Sarasota Manatee Airport Authority offer to provide sound insulation only where feasible, cost effective, and in exchange for an avigation easement. Mobile homes and large institutional buildings





(i.e., churches, schools, residential treatment facilities, and multi-unit apartment complexes) are not recommended for inclusion in this program. It is recommended that the economic feasibility of including certain homes (such as Mediterranean Revival) be evaluated on a case-by-case basis.

It is recommended that the SMAA offer to provide sound insulation to homeowners located within the DNL 65+ dB contour of the 2000 Noise Exposure Map in Sarasota and Manatee counties, who purchased their current home prior to December 15, 1986.

In addition, it is recommended that priority be given to homeowners located within the DNL 70+ dB contour of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership. A listing of the property addresses included within the DNL 70+ dB contour of the 1995 NEM is included in Appendix F. Eligibility based upon date of purchase and priority based upon length of ownership will have to be determined at the onset of program implementation.

Table 6-7 delineates the estimated cost of conducting a sound insulation program if participation is limited to homeowners within the DNL 65+ dB contour of the 2000 Noise Exposure Map who purchased their current home prior to the recommended date of eligibility. The estimated amounts do not include any mobile homes. Appendix D delineates the calculation of the estimated costs.

Implementation of this alternative would be in accordance with "Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations," U.S. Department of Transportation, Washington, D.C., October 1992, and the results of the Sound Insulation Pilot Project completed in 1993. Homeowners would be required to grant the SMAA avigation easements in return for the sound insulation.

A copy of the Avigation Easement used in the Sound Insulation Pilot Project is included in Appendix E.

**Table 6 - 7  
Estimated Cost of Sound Insulation Program**

Runway 32 Departure Alternative	Manatee County	Sarasota County	Total
	DNL 65+ dB	DNL 65+ dB	DNL 65+ dB
Current Procedure - 295° Radial	\$6.8 M	\$0.33 M	\$7.1 M
Recommended Procedure - 270° Radial	\$5.5 M	\$0.33 M	\$5.8 M



**6.3.2 Purchase of Avigation Easements**

It is recommended that the Sarasota Manatee Airport Authority offer to purchase avigation easements from homeowners located within the 65+ DNL contour of the 2000 Noise Exposure Map in Sarasota and Manatee counties, who purchased their current home prior to December 15, 1986. In addition, it is recommended that priority be given to homeowners located within the 70+ DNL of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership.

A listing of the property addresses included within the DNL 70+ dB contour of the 1995 NEM is included in Appendix F. Eligibility based upon date of purchase and priority based upon length of ownership will have to be determined at the onset of program implementation.

Implementation of this alternative would be in accordance with 49 CFR Part 24: Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, FAA Order 5100.37A: Land Acquisition and Relocation Assistance for Airport Projects, and FAA Advisory Circular 5100-17: Land Acquisition and Relocation

Assistance for Airport Improvement Program Assisted Projects. The FAA has also provided additional guidance in a memorandum dated April 24, 1995, "Appraisal Waiver and Minimum Payment Negotiations for Avigation Easement Acquisition."

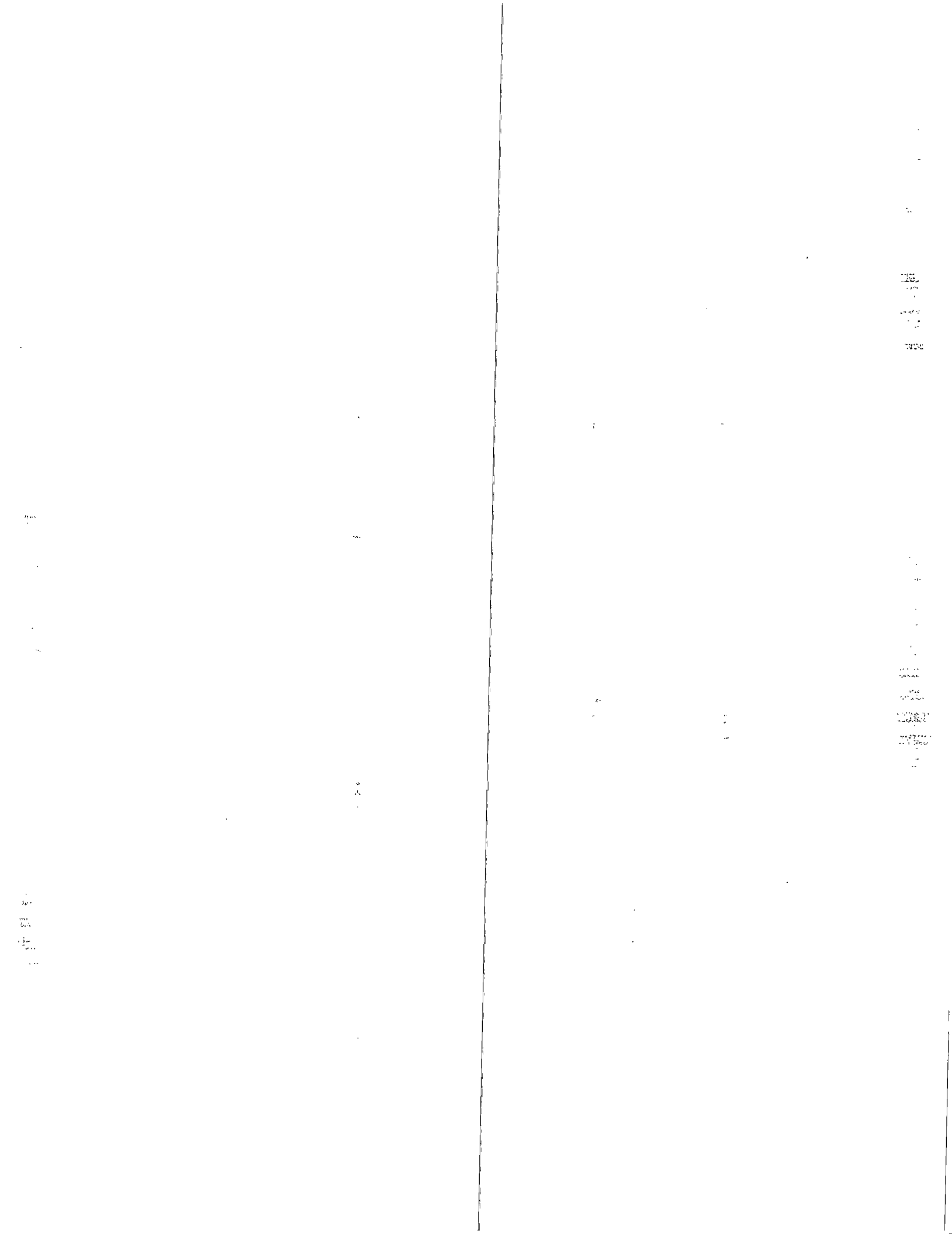
Table 6-8 delineates the estimated cost of an avigation easement purchase program if participation is limited to homeowners within the DNL 65+ dB contour of the 2000 Noise Exposure Map who purchased their current home prior to the recommended date of eligibility. Appendix D delineates the calculation of the estimated costs.

**6.3.3 Purchase and Resale with Avigation Easements and Sound Insulation**

It is recommended that the Sarasota Manatee Airport Authority offer to purchase fee simple interest from homeowners who purchased their current home prior to January 1, 1980, and who are located within the 65+ DNL contour of the 2000 Noise Exposure Map in Sarasota and Manatee counties. In addition, it is recommended that priority be given to homeowners located within the 70+ DNL of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership.

**Table 6 - 8  
Estimated Cost of Purchasing Avigation Easements**

Runway 32 Departure Alternative	Manatee County	Sarasota County	Total
	DNL 65+ dB	DNL 65+ dB	DNL 65+ dB
Current Procedure - 295° Radial	\$0.6 M	\$1.0 M	\$1.6 M
Recommended Procedure - 270° Radial	\$0.5 M	\$1.0 M	\$1.5 M



Homes purchased by the SMAA will be sound insulated only where feasible and cost effective. All homes purchased by the SMAA will be resold with an avigation easement.

A listing of the property addresses included within the DNL 70+ dB contour of the 1995 NEM is included in Appendix F. Eligibility based upon date of purchase and priority based upon length of ownership will have to be determined at the onset of program implementation.

Implementation of this alternative would be in accordance with 49 CFR Part 24: Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, FAA Order 5100.37A: Land Acquisition and Relocation Assistance for Airport Projects, FAA Advisory Circular 5100-17: Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects, and "Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations," U.S. Department of Transportation, Washington, D.C., October 1992. A copy of the Initial Participation Agreement, Fee Simple Acquisition Contract.

Listing Agreement, and Purchase and Sale Agreement which are being utilized in the current implementation of this program are included in Appendix E.

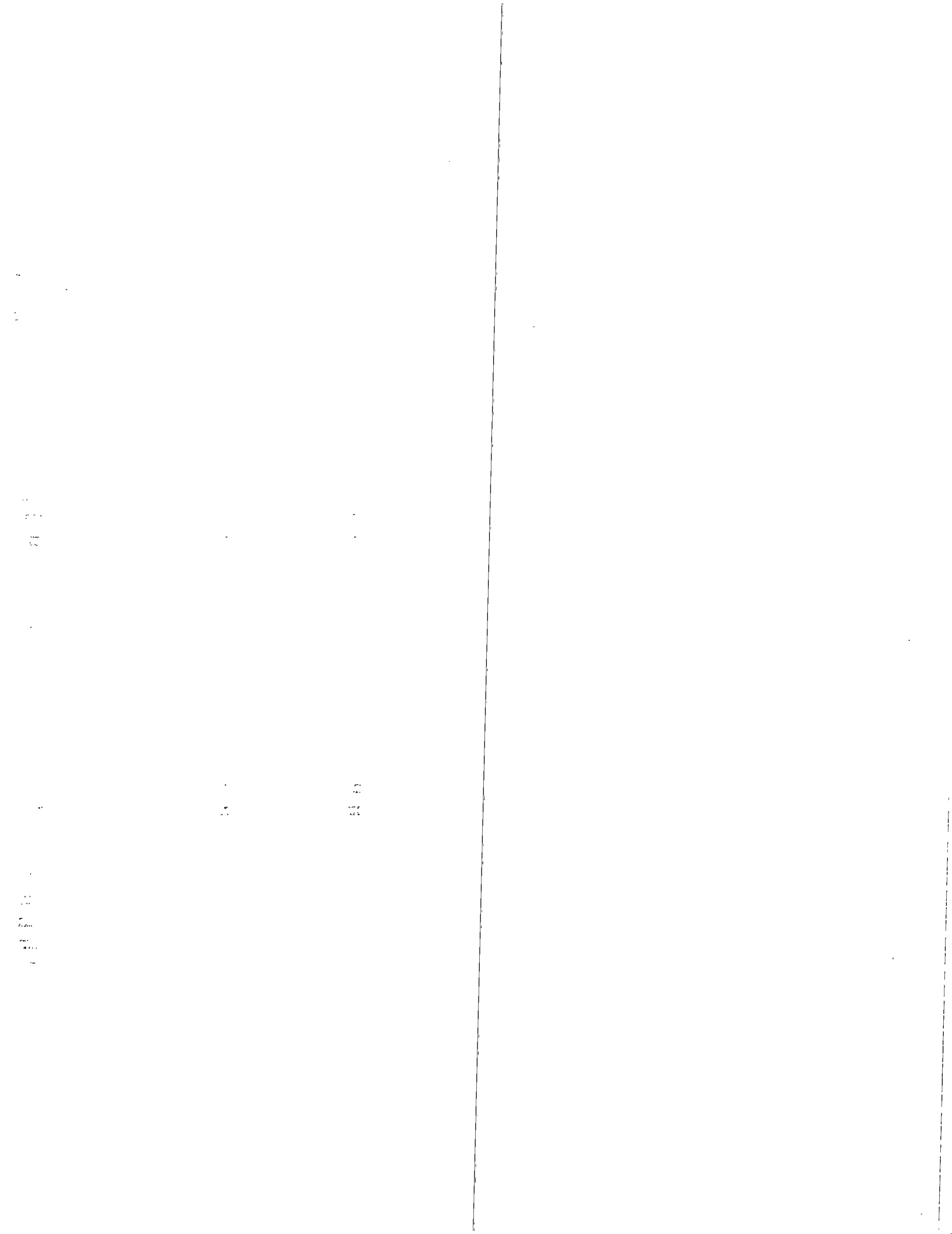
Table 6-9 delineates the estimated cost of a purchase and resale with avigation easements and sound insulation program if participation is limited to homeowners within the DNL 65+ dB contour of the 2000 Noise Exposure Map who purchased their current home prior to the recommended date of eligibility. Appendix D delineates the calculation of the estimated costs.

#### 6.4 IMPLEMENTATION PLAN

Responsibility for implementing the Noise Compatibility Program rests with the Sarasota Manatee Airport Authority (SMAA) and airport management, and the Federal Aviation Administration (FAA). Airport management must be prepared to play the lead role in managing and coordinating the overall program. It is essential that management be involved in consultations with the SMAA and the FAA to encourage their cooperation in implementing the program.

**Table 6 - 9**  
**Estimated Cost of Purchase and Resale with Avigation Easements**  
**and Sound Insulation (where feasible)**

Runway 32 Departure Alternative	Manatee County	Sarasota County	Total
	DNL 65+ dB	DNL 65+ dB	DNL 65+ dB
Current Procedure - 295° Radial	\$4.8 M	\$1.9 M	\$6.7 M
Recommended Procedure - 270° Radial	\$3.7 M	\$1.9 M	\$5.6 M



The Airport Authority through its airport management and staff also must play an important public relations role in informing the public and local government officials about the airport and the need for land use compatibility in the airport area. In addition to informal efforts to communicate with local officials and community groups, the preparation and wide distribution of a Part 150 Summary brochure is suggested. It is also important that copies of the final technical reports for the Part 150 Study be available for public review. At a minimum, they should be placed at public libraries and at local government offices in the area.

The FAA is involved in the development and review of this plan at the local, regional, and national level, as well as at functional levels such as air traffic control, safety standards, and planning. The FAA will also be involved in the review and approval of grant applications for funding the recommended land use mitigation programs.

A summary of the recommended Noise Compatibility Program is contained in Tables 6-10 and 6-11.

#### **6.4.1 Implementation Responsibilities**

The Air Traffic Control Tower (ATCT) in conjunction with the TRACON have the chief responsibility for implementing the noise abatement recommendation since it involves air traffic control procedures at the airport. The noise abatement recommendation should be implemented through a Letter of Agreement between the SMAA, TRACON, and ATCT with a tower order being prepared and included in ATCT procedures. In

addition, a Letter to Airmen should be sent to each airline and airport tenant discussing the noise abatement plan. The responsibility for preparing the Letter to Airmen should be shared between the SMAA and the ATCT.

Coordination with and cooperation from the FAA Air Traffic Control Tower, FAA Tampa Departure Control, and the airline pilots will be necessary for the noise abatement program to be successful. Airport staff will provide frequent compliance reports to airlines, and quarterly and year-to-date runway utilization statistics to the FAA ATCT. These statistics will be based on data from the airport's Noise Monitoring and Flight Tracking System.

Primary responsibility for implementing the recommended land use mitigation programs rests with the SMAA. It is anticipated that the FAA will play an important and substantial funding role in these efforts.

#### **6.4.2 Implementation Schedule**

It is recommended that the SMAA begin implementing the recommended land use measures as soon as possible after approval of the Noise Compatibility Program by the FAA. The Purchase and Resale with Avigation Easements and Sound Insulation Program takes precedence over the Sound Insulation Program and the Avigation Easement Purchase Program, if funding is limited. If adequate funding is available, all three programs may be implemented concurrently.

It is recommended that the SMAA attempt to complete implementation of the land use measures within seven years of the FAA's approval of the Noise Compatibility Program.

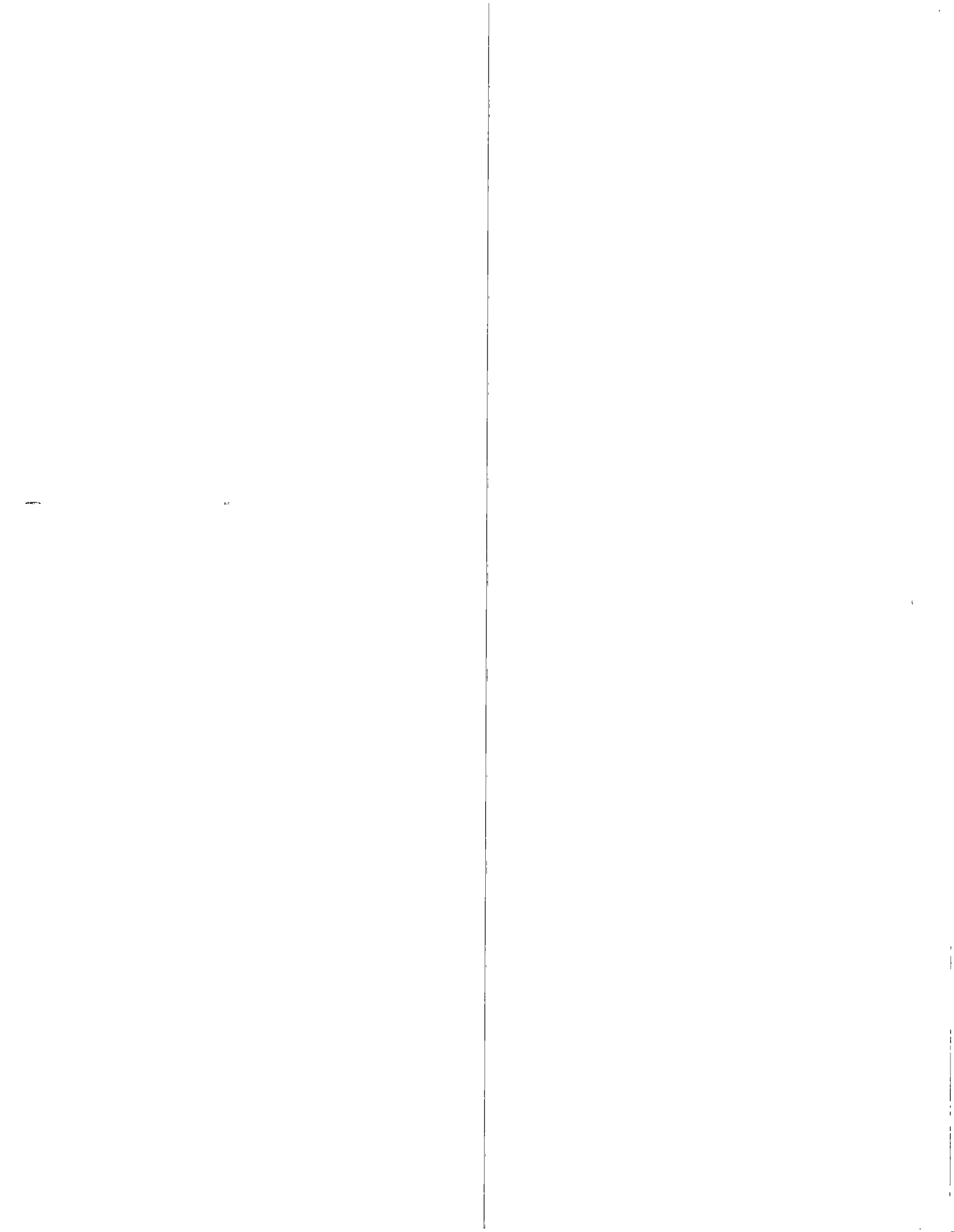




Table 6-10

**SUMMARY OF NOISE ABATEMENT MEASURES  
Sarasota Bradenton International Airport  
FAR Part 150 Study**

	Existing Noise Abatement Measure	Implementation		Anticipated Funding Source	Relative Contribution to Program Effectiveness	Cost Considerations
		Date	Procedures			
1	All aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 32 shall be instructed to turn left at 0.9 DME to join the Sarasota 270° radial outbound to at least 7 DME, then proceed on course.	Upon FAA approval of the FAR Part 150 Program	Modification of ATC procedures by SRQ tower and Tampa TRACON.	N/A	Reduces noise exposure on sensitive areas northwest of the airport. Reduces the number of impacts within the 65 DNL contour by approximately 1,033 people.	Additional fuel consumption of approximately 160,000 ga/yr
2	Arriving aircraft on Runway 32 would be allowed to make visual approaches to the airport and turn to the runway heading as soon as cleared to do so by the Air Traffic Control Tower.	Current Procedure	Continue current ATC procedures by SRQ tower.	N/A	Provides flexibility for ATC. Fewer people are impacted and less fuel is consumed than alternatives considered.	N/A
3	All aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 14 shall be instructed to maintain runway heading until reaching 3,000 feet, then proceed on course.	Current Procedure	Continue current ATC procedures by SRQ tower.	N/A	Reduces low-level flyovers of residential areas northeast and southwest of the flight path.	N/A
4	Continue balanced runway use program. The goal of this program is equal use of Runway 14 and Runway 32 for air carrier departures, and equal use of Runway 14 and Runway 32 for air carrier arrivals.	Current Procedure	Continue current ATC procedures by SRQ tower.	N/A	Equalizes noise exposure for residents of Manatee and Sarasota Counties.	N/A
5	Encourage the airlines to make maximum use of their own internal quiet departure techniques, guided by FAA Advisory Circular 91-53A, "Noise Abatement Departure Profiles."	Current Procedure	Reminder notice to airlines.	N/A	Minimizes noise exposure for residents around the airport.	N/A

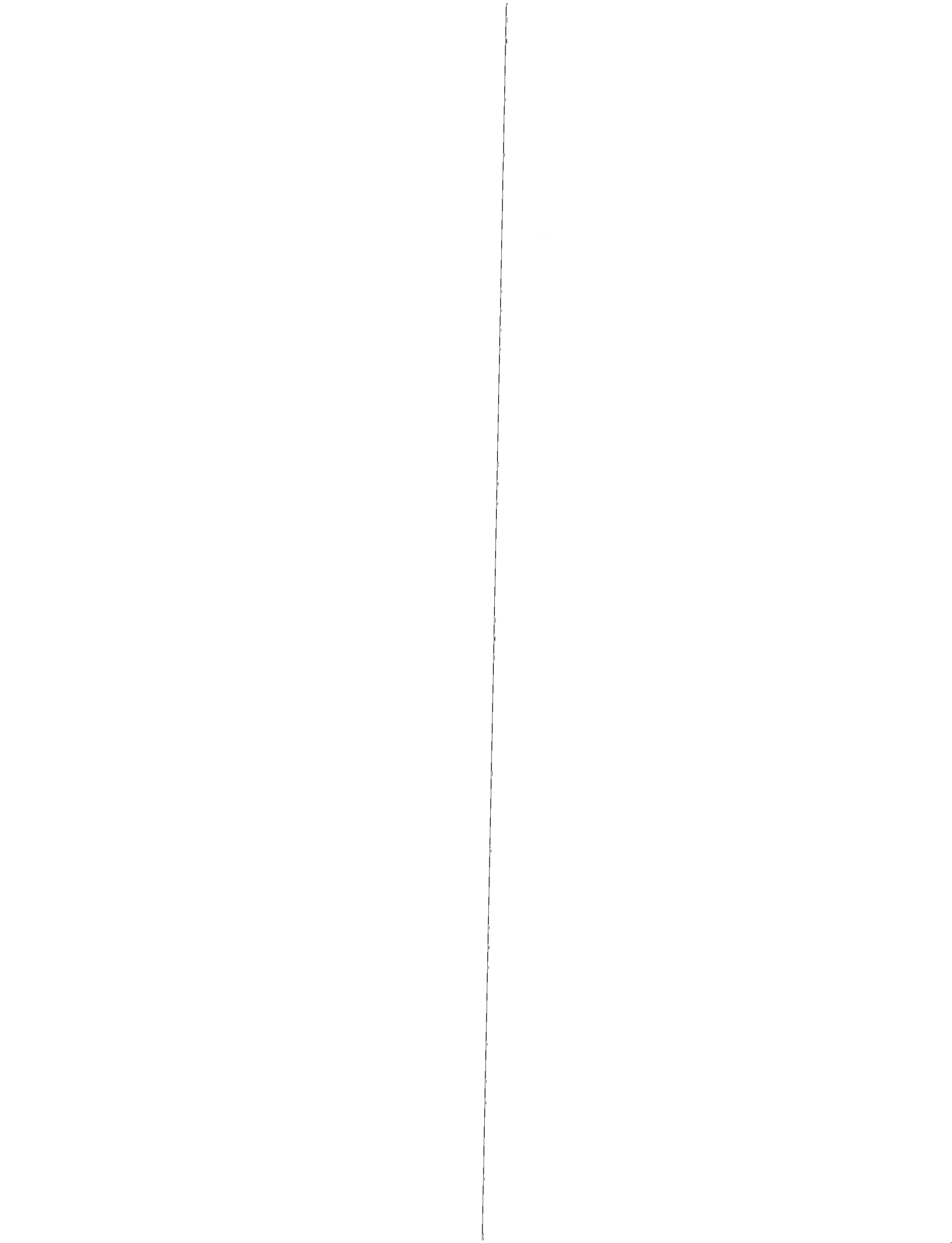
	Existing Noise Abatement Measure	Implementation		Anticipated Funding Source	Relative Contribution to Program Effectiveness	Cost Considerations
		Date	Procedures			
6	All departing aircraft, to the extent feasible, should be issued unrestricted climb to their requested enroute altitude.	Current Procedure	Continue current ATC procedures by SRQ tower.	N/A	Increases aircraft altitude over areas under flight paths and reduces noise exposure for residents farther from the airport.	N/A
7	Prohibit the departure of Stage 2 aircraft between the hours of 10:00 p.m. and 7:00 a.m. Aircraft are not prohibited from departing after 10 p.m. if they have been legitimately delayed by mechanical, weather, or air traffic control problems. Also excluded are aircraft in use for emergency services such as police, ambulance, and military functions.	Current Procedure	Reminder notice to airport users.	N/A	Minimizes night exposure to noise to sensitive areas around the airport.	N/A
8	Prohibit non-emergency engine maintenance run-ups between the hours of 10:00 p.m. and 7:00 a.m. Non-emergency refers to all circumstances except those involving scheduled air carrier aircraft in service or soon to be in service at SRQ and which, if not repaired immediately, would strand or seriously delay passengers at the airport. Also excluded are aircraft in use for emergency services such as police, ambulance, and military functions.	Current Procedure	Reminder notice to airport users.	N/A	Minimizes night exposure to noise to sensitive areas around the airport.	N/A
9	Encourage the airlines to utilize the loading bridge ground power units and portable air conditioning carts between the hours of 10:00 p.m. and 7:00 a.m. Aircraft auxiliary power units (APUs) should only be utilized in the event that loading bridge ground power units, mobile ground power units, and air conditioning carts are not available.	Current Procedure	Reminder notice to airport users.	N/A	Minimizes night exposure to noise to sensitive sites in the vicinity of the terminal area.	N/A
10	Restriction on training operations with larger aircraft. This restriction is effective between the hours of 12:00 midnight and 6:00 a.m.	Current Procedure	Reminder notice to airport users.	N/A	Minimizes night exposure to noise to sensitive areas around the airport.	N/A

Table 6-11

**SUMMARY OF LAND USE MEASURES  
Sarasota Bradenton International Airport  
FAR Part 150 Study**

	Proposed Land Use Measure	Implementation		Anticipated Funding Source	Relative Contribution to Program Effectiveness	Cost Considerations
		Date	Procedures			
1	Offer to purchase fee simple interest from homeowners who purchased their current home prior to January 1, 1980, and who are located within the 65+ DNL contour of the 2000 Noise Exposure Map in Sarasota and Manatee Counties. In addition, it is recommended that priority be given to homeowners located within the 70+ DNL of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership. Homes purchased by the SMAA will be sound insulated only where feasible and cost effective. All homes purchased by the SMAA will be resold with an avigation easement.	Upon FAA approval of the FAR Part 150 Program and availability of Federal funding	To be established by the SMAA upon approval of this mitigation measure.	FAA/DOT Airport Improvement Program (AIP), Florida DOT, SMAA, Passenger Facility Charges (PFC)	Would reduce existing noncompatible land uses and provide mitigation for homeowners who purchased prior to January 1, 1980, to comply with DRI Development Order stipulations.	\$5.6 million
2	Offer to provide sound insulation, only where feasible and cost effective, and in exchange for an avigation easement. It is recommended that the SMAA offer to provide sound insulation to homeowners located within the 65+ DNL contour of the 2000 Noise Exposure Map in Sarasota and Manatee Counties, who purchased their current home prior to December 15, 1986. In addition, it is recommended that priority be given to homeowners located within the 70+ DNL of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership.	Upon FAA approval of the FAR Part 150 Program and availability of Federal funding	To be established by the SMAA upon approval of this mitigation measure.	FAA/DOT Airport Improvement Program (AIP), Florida DOT, SMAA, Passenger Facility Charges (PFC)	Would reduce existing noncompatible land uses and provide mitigation for homeowners who purchased prior to December 15, 1986, the date of constructive notice.	\$5.8 million

	Proposed Land Use Measure	Implementation		Anticipated Funding Source	Relative Contribution to Program Effectiveness	Cost Considerations
		Date	Procedures			
3	Offer to purchase avigation easements from homeowners located within the 65 + DNL contour of the 2000 Noise Exposure Map in Sarasota and Manatee Counties, who purchased their current home prior to December 15, 1986. In addition, it is recommended that priority be given to homeowners located within the 70 + DNL of the 1995 Noise Exposure Map, and that priority ranking be based upon length of ownership.	Upon FAA approval of the FAR Part 150 Program and availability of Federal funding	To be established by the SMAA upon approval of this mitigation measure.	FAA/DOT Airport Improvement Program (AIP), Florida DOT, SMAA, Passenger Facility Charges (PFC)	Would reduce existing noncompatible land uses and provide mitigation for homeowners who purchased prior to December 15, 1986, the date of constructive notice.	\$1.5 million



### **6.4.3 Program Costs and Potential Sources of Funding**

The recommended land use measures will cost approximately \$11.1 million, if the recommended noise abatement measure is implemented. If it is not, the cost of the land use program will rise to approximately \$15.4 million. The proceeds of the resales from the Purchase and Resale with Avigation Easements and Sound Insulation Program will be used to create a revolving fund for future purchases.

The Sarasota Manatee Airport Authority intends to fund the implementation of the recommended land use alternatives through the utilization of federal funding through the noise set-aside of the Federal Airport Improvement Program (AIP) and through the utilization of Passenger Facility Charge (PFC) revenues. Fifty percent of the portion not funded by the FAA is eligible for Florida Department of Transportation (FDOT) funding. Implementation will progress as funding becomes available.

### **6.4.4 Program Updates**

It is recommended that the Noise Exposure Maps be updated approximately every five

years, or more often if equivalent operations levels change significantly in comparison with existing or forecast conditions. Aircraft Activity and Noise Monitoring Program Reports should continue to be prepared on a quarterly and annual basis in accordance with the requirements of the Aircraft Activity and Noise Monitoring Program Implementation Plan for Sarasota Bradenton International Airport.

It is also recommended that the SMAA periodically review the Noise Compatibility Plan and consider revisions and refinements as necessary. This process will ensure that recommended measures are tracked through the process of implementation and the effect of each measure may be determined. It is important that any proposed changes be reviewed by the FAA and all affected aircraft operators and local agencies.

It is anticipated that a complete plan update will be needed periodically to respond to changing conditions in the local area and in the changing aviation industry. In general, a plan update can be anticipated every five to eight years. An update may be needed sooner, however, if major changes occur, or later if conditions at the airport and in the surrounding area remain stable.



**APPENDIX A**

**SARASOTA COUNTY PROPERTY ADDRESSES  
2000 NEM**





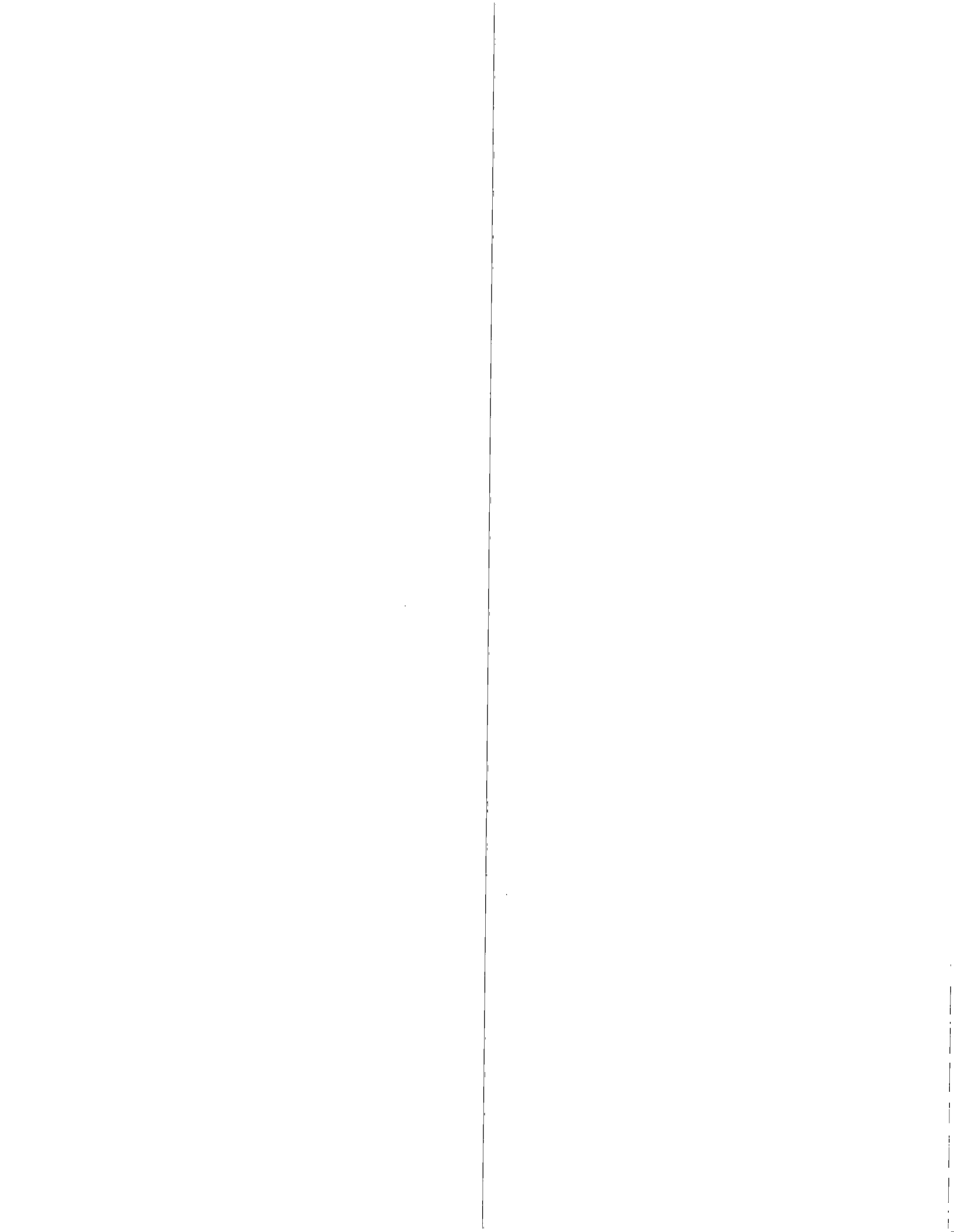
**Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM**

	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
1	566 EDWARDS DR	0001-04-0049	\$42,918	SF
2	518 PARKVIEW DR	0001-04-0010	\$51,030	SF
3	527 PARKVIEW DR	0001-04-0020	\$54,854	SF
4	530 PARKVIEW DR	0001-04-0009	\$49,875	SF
5	536 PARKVIEW DR	0001-04-0008	\$60,735	SF
6	539 PARKVIEW DR	0001-04-0021	\$58,141	SF
7	545 PARKVIEW DR	0001-04-0022	\$99,147	SF
8	548 PARKVIEW DR	0001-04-0007	\$51,387	SF
9	554 PARKVIEW DR	0001-04-0006	\$62,771	SF
10	555 PARKVIEW DR	0001-04-0023	\$59,947	SF
11	560 PARKVIEW DR	0001-04-0027	\$62,302	SF
12	563 PARKVIEW DR	0001-04-0024	\$55,636	SF
13	567 PARKVIEW DR	0001-04-0025	\$35,528	SF
14	536 POINCIANA DR	0001-04-0030	\$48,848	SF
15	542 POINCIANA DR	0001-04-0029	\$46,358	SF
16	554 POINCIANA DR	0001-04-0028	\$48,476	SF
17	557 POINCIANA DR	0001-04-0045	\$49,186	SF
18	559 POINCIANA DR	0001-04-0046	\$89,476	SF
19	569 POINCIANA DR	0001-04-0047	\$45,052	SF
1	5107 BEECHMONT AVE	0025-10-0006	\$32,615	MH
2	5108 BEECHMONT AVE	0025-10-0004	\$41,517	MH
3	5115 BEECHMONT AVE	0025-10-0007	\$32,989	MH
4	5116 BEECHMONT AVE	0025-10-0003	\$34,129	MH
5	5123 BEECHMONT AVE	0025-10-0008	\$32,454	MH
6	5124 BEECHMONT AVE	0025-10-0002	\$43,062	MH
7	5131 BEECHMONT AVE	0025-10-0009	\$36,605	MH
8	5132 BEECHMONT AVE	0025-10-0001	\$43,104	MH
9	5213 BEECHMONT AVE	0025-07-0013	\$47,436	MH
10	5214 BEECHMONT AVE	0025-07-0011	\$32,144	MH
11	5221 BEECHMONT AVE	0025-07-0014	\$30,144	MH
12	5222 BEECHMONT AVE	0025-07-0010	\$37,836	MH
13	5229 BEECHMONT AVE	0025-07-0015	\$39,394	MH
14	5230 BEECHMONT AVE	0025-07-0009	\$29,701	MH
15	5237 BEECHMONT AVE	0025-07-0016	\$28,904	MH
16	5238 BEECHMONT AVE	0025-07-0008	\$37,093	MH
17	5245 BEECHMONT AVE	0025-07-0017	\$34,006	MH
18	5246 BEECHMONT AVE	0025-07-0007	\$35,758	MH
19	5253 BEECHMONT AVE	0025-07-0018	\$36,708	MH
20	5307 BEECHMONT AVE	0025-07-0019	\$36,303	MH
21	5308 BEECHMONT AVE	0025-07-0005	\$53,253	MH
22	5315 BEECHMONT AVE	0025-07-0020	\$33,243	MH
23	5316 BEECHMONT AVE	0025-07-0004	\$31,849	MH
24	5323 BEECHMONT AVE	0025-07-0021	\$37,892	MH
25	5324 BEECHMONT AVE	0025-07-0003	\$32,877	MH
26	5331 BEECHMONT AVE	0025-07-0022	\$37,917	MH
27	5332 BEECHMONT AVE	0025-07-0002	\$28,541	MH
28	5340 BEECHMONT AVE	0025-07-0001	\$32,420	MH



**Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM**

	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
29	5102 BEL AIR AVE	0025-10-0036	\$36,568	MH
30	5110 BEL AIR AVE	0025-10-0035	\$37,511	MH
31	5118 BEL AIR AVE	0025-10-0034	\$30,202	MH
32	5126 BEL AIR AVE	0025-10-0033	\$28,390	MH
33	5134 BEL AIR AVE	0025-10-0032	\$40,816	MH
34	5205 BEL AIR AVE	0025-07-0076	\$35,106	MH
35	5208 BEL AIR AVE	0025-07-0074	\$34,329	MH
36	5213 BEL AIR AVE	0025-07-0077	\$29,062	MH
37	5216 BEL AIR AVE	0025-07-0073	\$31,351	MH
38	5221 BEL AIR AVE	0025-07-0078	\$28,380	MH
39	5224 BEL AIR AVE	0025-07-0072	\$31,116	MH
40	5229 BEL AIR AVE	0025-07-0079	\$33,427	MH
41	5232 BEL AIR AVE	0025-07-0071	\$28,014	MH
42	5237 BEL AIR AVE	0025-07-0080	\$32,156	MH
43	5240 BEL AIR AVE	0025-07-0070	\$32,293	MH
44	5301 BEL AIR AVE	0025-07-0081	\$29,656	MH
45	5302 BEL AIR AVE	0025-07-0069	\$31,532	MH
46	5310 BEL AIR AVE	0025-07-0068	\$30,761	MH
47	5318 BEL AIR AVE	0025-07-0067	\$27,600	MH
48	5326 BEL AIR AVE	0025-07-0066	\$27,723	MH
49	5334 BEL AIR AVE	0025-07-0065	\$40,335	MH
50	1580 BLIND BROOK DR	0025-06-0022	\$22,291	MH
51	5044 BOCA RATON AVE	0025-11-0047	\$35,658	MH
52	5100 BOCA RATON AVE	0025-11-0141	\$29,414	MH
53	5101 BOCA RATON AVE	0025-11-0138	\$37,945	MH
54	5108 BOCA RATON AVE	0025-06-0092	\$29,875	MH
55	5113 BOCA RATON AVE	0025-06-0094	\$34,048	MH
56	5114 BOCA RATON AVE	0025-06-0091	\$28,730	MH
57	5125 BOCA RATON AVE	0025-06-0095	\$26,004	MH
58	5126 BOCA RATON AVE	0025-06-0090	\$26,456	MH
59	5137 BOCA RATON AVE	0025-06-0096	\$51,549	MH
60	5138 BOCA RATON AVE	0025-06-0089	\$23,686	MH
61	5149 BOCA RATON AVE	0025-06-0097	\$28,908	MH
62	5150 BOCA RATON AVE	0025-06-0088	\$28,578	MH
63	5161 BOCA RATON AVE	0025-06-0098	\$25,093	MH
64	5162 BOCA RATON AVE	0025-06-0087	\$26,162	MH
65	5173 BOCA RATON AVE	0025-06-0099	\$22,543	MH
66	5174 BOCA RATON AVE	0025-06-0086	\$25,370	MH
67	5207 BOCA RATON AVE	0025-06-0100	\$23,182	MH
68	5208 BOCA RATON AVE	0025-06-0085	\$28,837	MH
69	5219 BOCA RATON AVE	0025-06-0101	\$38,485	MH
70	5220 BOCA RATON AVE	0025-06-0084	\$29,929	MH
71	5231 BOCA RATON AVE	0025-06-0102	\$29,388	MH
72	5232 BOCA RATON AVE	0025-06-0083	\$28,734	MH
73	5243 BOCA RATON AVE	0025-06-0103	\$24,531	MH
74	5244 BOCA RATON AVE	0025-06-0082	\$27,285	MH
75	5255 BOCA RATON AVE	0025-06-0104	\$22,807	MH
76	5256 BOCA RATON AVE	0025-06-0081	\$27,597	MH



**Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM**

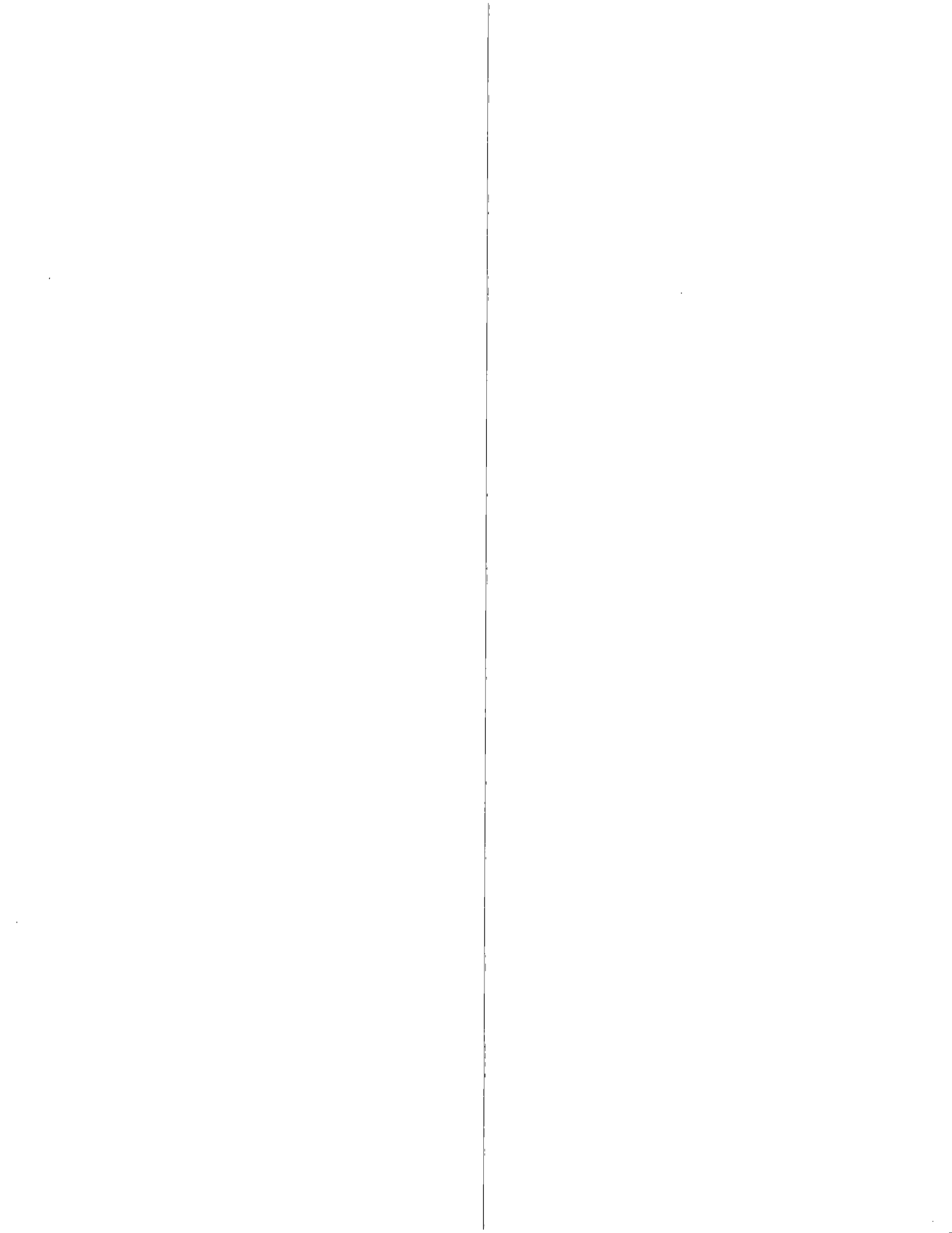
	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
77	5267 BOCA RATON AVE	0025-06-0105	\$23,909	MH
78	5268 BOCA RATON AVE	0025-06-0080	\$27,415	MH
79	5279 BOCA RATON AVE	0025-06-0106	\$28,004	MH
80	5280 BOCA RATON AVE	0025-06-0079	\$22,497	MH
81	5300 BOCA RATON AVE	0025-06-0078	\$40,911	MH
82	5301 BOCA RATON AVE	0025-06-0107	\$32,510	MH
83	5312 BOCA RATON AVE	0025-03-0014	\$29,591	MH
84	5313 BOCA RATON AVE	0025-06-0108	\$34,756	MH
85	5325 BOCA RATON AVE	0025-03-0016	\$28,179	MH
86	5326 BOCA RATON AVE	0025-03-0013	\$31,196	MH
87	5337 BOCA RATON AVE	0025-03-0017	\$33,634	MH
88	1665 BROADMOOR ST	0025-02-0012	\$26,895	MH
89	1673 BROADMOOR ST	0025-02-0013	\$31,245	MH
90	1703 BROADMOOR ST	0025-02-0014	\$31,469	MH
91	1711 BROADMOOR ST	0025-02-0015	\$38,787	MH
92	1719 BROADMOOR ST	0025-02-0016	\$28,585	MH
93	1727 BROADMOOR ST	0025-02-0017	\$32,547	MH
94	1735 BROADMOOR ST	0025-02-0018	\$33,735	MH
95	1743 BROADMOOR ST	0025-02-0019	\$38,658	MH
96	1751 BROADMOOR ST	0025-02-0020	\$37,988	MH
97	1759 BROADMOOR ST	0025-02-0021	\$27,299	MH
98	1767 BROADMOOR ST	0025-02-0022	\$27,870	MH
99	1775 BROADMOOR ST	0025-02-0023	\$42,924	MH
100	1704 BROOKFIELD TER	0025-10-0050	\$44,556	MH
101	1712 BROOKFIELD TER	0025-10-0049	\$37,744	MH
102	1720 BROOKFIELD TER	0025-10-0048	\$29,615	MH
103	1728 BROOKFIELD TER	0025-10-0047	\$27,815	MH
104	1736 BROOKFIELD TER	0025-10-0046	\$32,370	MH
105	1744 BROOKFIELD TER	0025-10-0045	\$42,059	MH
106	1752 BROOKFIELD TER	0025-10-0044	\$30,922	MH
107	1760 BROOKFIELD TER	0025-10-0043	\$31,254	MH
108	1768 BROOKFIELD TER	0025-10-0042	\$35,547	MH
109	1776 BROOKFIELD TER	0025-10-0041	\$35,584	MH
110	1784 BROOKFIELD TER	0025-10-0040	\$27,493	MH
111	1806 BROOKFIELD TER	0025-10-0039	\$31,341	MH
112	1814 BROOKFIELD TER	0025-10-0038	\$30,687	MH
113	1822 BROOKFIELD TER	0025-09-0072	\$29,765	MH
114	1828 BROOKFIELD TER	0025-09-0071	\$30,811	MH
115	1831 BROOKFIELD TER	0025-09-0074	\$49,547	MH
116	1834 BROOKFIELD TER	0025-09-0070	\$40,075	MH
117	1837 BROOKFIELD TER	0025-09-0075	\$15,000	MH
118	1840 BROOKFIELD TER	0025-09-0069	\$23,337	MH
119	1843 BROOKFIELD TER	0025-09-0076	\$28,062	MH
120	1846 BROOKFIELD TER	0025-09-0068	\$31,189	MH
121	1849 BROOKFIELD TER	0025-09-0077	\$35,858	MH
122	1852 BROOKFIELD TER	0025-09-0067	\$27,334	MH
123	1855 BROOKFIELD TER	0025-09-0078	\$35,332	MH
124	1858 BROOKFIELD TER	0025-09-0066	\$33,161	MH



**Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM**

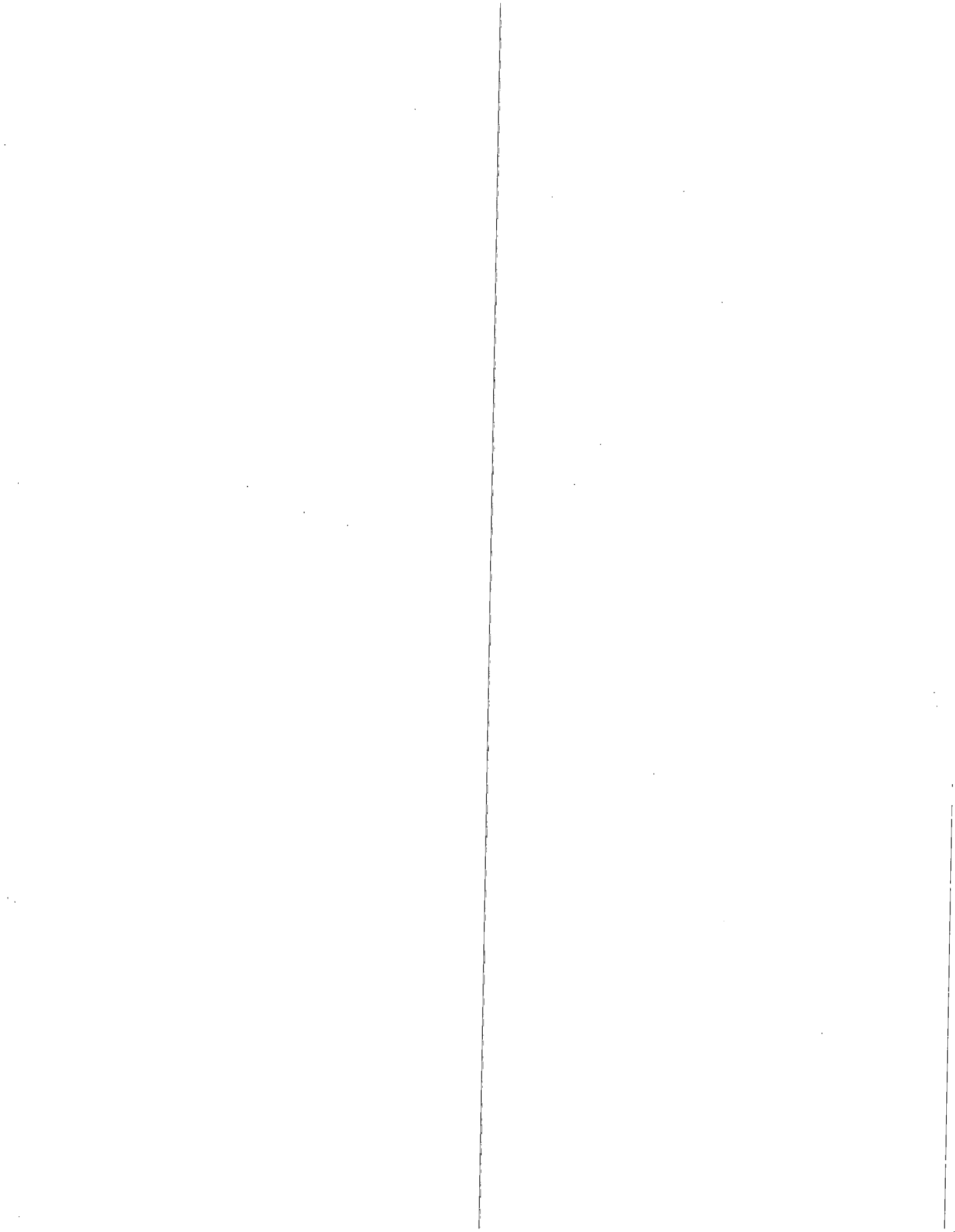
	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
125	1861 BROOKFIELD TER	0025-09-0079	\$37,347	MH
126	1864 BROOKFIELD TER	0025-09-0065	\$32,567	MH
127	1867 BROOKFIELD TER	0025-09-0080	\$35,324	MH
128	1870 BROOKFIELD TER	0025-09-0064	\$33,249	MH
129	1873 BROOKFIELD TER	0025-09-0081	\$36,995	MH
130	1876 BROOKFIELD TER	0025-09-0063	\$34,772	MH
131	1879 BROOKFIELD TER	0025-09-0082	\$34,638	MH
132	1882 BROOKFIELD TER	0025-09-0062	\$30,762	MH
133	1885 BROOKFIELD TER	0025-09-0083	\$36,328	MH
134	1888 BROOKFIELD TER	0025-09-0061	\$36,027	MH
135	1894 BROOKFIELD TER	0025-09-0060	\$35,001	MH
136	1467 BURNING TREE ST	0025-11-0137	\$31,719	MH
137	4702 CALUMET AVE	0025-16-0023	\$47,383	MH
138	4712 CALUMET AVE	0025-16-0021	\$43,005	MH
139	4712 CALUMET AVE	0025-16-0022	\$15,000	MH
140	4736 CALUMET AVE	0025-16-0020	\$29,769	MH
141	4748 CALUMET AVE	0025-16-0019	\$32,554	MH
142	4760 CALUMET AVE	0025-16-0018	\$34,116	MH
143	4772 CALUMET AVE	0025-16-0017	\$31,119	MH
144	4820 CALUMET AVE	0025-16-0016	\$35,413	MH
145	4832 CALUMET AVE	0025-16-0015	\$33,088	MH
146	5203 CHERRY HILL AVE	0025-07-0097	\$43,002	MH
147	5206 CHERRY HILL AVE	0025-07-0095	\$38,699	MH
148	5211 CHERRY HILL AVE	0025-07-0098	\$36,481	MH
149	5214 CHERRY HILL AVE	0025-07-0094	\$28,375	MH
150	5219 CHERRY HILL AVE	0025-07-0099	\$30,215	MH
151	5222 CHERRY HILL AVE	0025-07-0093	\$31,183	MH
152	5227 CHERRY HILL AVE	0025-07-0100	\$30,559	MH
153	5230 CHERRY HILL AVE	0025-07-0092	\$34,688	MH
154	5235 CHERRY HILL AVE	0025-07-0101	\$32,779	MH
155	5238 CHERRY HILL AVE	0025-07-0091	\$37,601	MH
156	5304 CHERRY HILL AVE	0025-07-0090	\$31,298	MH
157	5336 CHERRY HILL AVE	0025-07-0086	\$42,578	MH
158	1804 CYPRESS POINT LN	0025-09-0093	\$34,482	MH
159	1805 CYPRESS POINT LN	0025-08-0001	\$35,130	MH
160	1812 CYPRESS POINT LN	0025-09-0092	\$26,036	MH
161	1813 CYPRESS POINT LN	0025-08-0002	\$36,800	MH
162	1820 CYPRESS POINT LN	0025-09-0091	\$37,789	MH
163	1821 CYPRESS POINT LN	0025-08-0003	\$27,471	MH
164	1828 CYPRESS POINT LN	0025-09-0090	\$32,802	MH
165	1829 CYPRESS POINT LN	0025-08-0004	\$33,225	MH
166	1836 CYPRESS POINT LN	0025-09-0089	\$32,768	MH
167	1837 CYPRESS POINT LN	0025-08-0005	\$38,373	MH
168	1844 CYPRESS POINT LN	0025-09-0088	\$34,083	MH
169	1845 CYPRESS POINT LN	0025-08-0006	\$35,954	MH
170	1852 CYPRESS POINT LN	0025-09-0087	\$30,162	MH
171	1853 CYPRESS POINT LN	0025-08-0007	\$39,441	MH
172	1860 CYPRESS POINT LN	0025-09-0086	\$40,402	MH





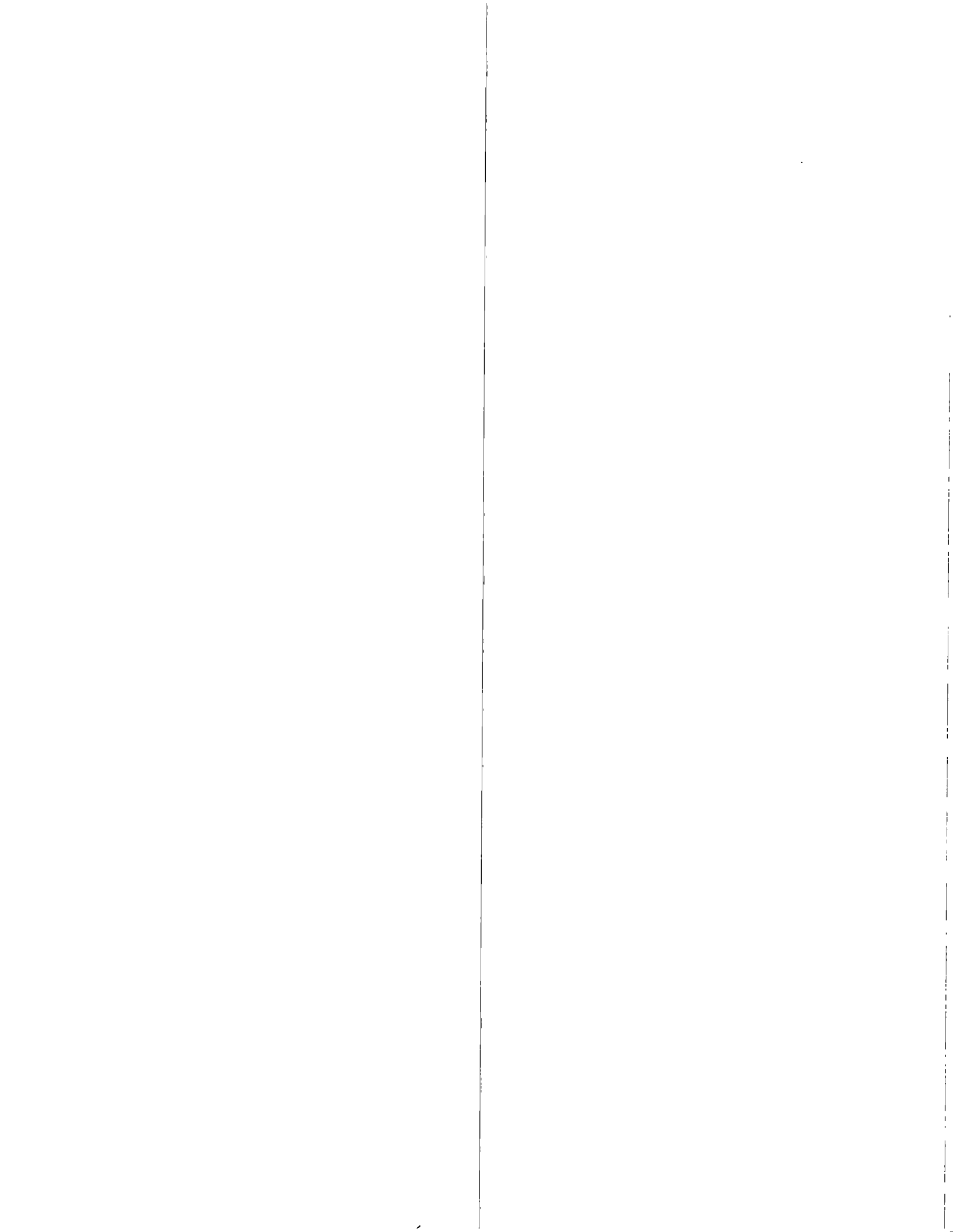
**Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM**

	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
173	1861 CYPRESS POINT LN	0025-08-0008	\$39,037	MH
174	1868 CYPRESS POINT LN	0025-09-0085	\$38,565	MH
175	1869 CYPRESS POINT LN	0025-08-0009	\$15,000	MH
176	1876 CYPRESS POINT LN	0025-09-0084	\$40,586	MH
177	1877 CYPRESS POINT LN	0025-08-0010	\$39,284	MH
178	4928 DESERT INN AVE	0025-09-0045	\$25,349	MH
179	4936 DESERT INN AVE	0025-09-0044	\$24,635	MH
180	4944 DESERT INN AVE	0025-09-0043	\$28,017	MH
181	4950 DESERT INN AVE	0025-09-0042	\$23,914	MH
182	5103 GLEN ECHO AVE	0025-10-0027	\$40,690	MH
183	5104 GLEN ECHO AVE	0025-10-0025	\$46,620	MH
184	5111 GLEN ECHO AVE	0025-10-0028	\$34,405	MH
185	5112 GLEN ECHO AVE	0025-10-0024	\$30,692	MH
186	5119 GLEN ECHO AVE	0025-10-0029	\$28,177	MH
187	5120 GLEN ECHO AVE	0025-10-0023	\$28,562	MH
188	5127 GLEN ECHO AVE	0025-10-0030	\$36,456	MH
189	5128 GLEN ECHO AVE	0025-10-0022	\$35,112	MH
190	5135 GLEN ECHO AVE	0025-10-0031	\$37,933	MH
191	5136 GLEN ECHO AVE	0025-10-0021	\$44,410	MH
192	5209 GLEN ECHO AVE	0025-07-0055	\$32,208	MH
193	5210 GLEN ECHO AVE	0025-07-0053	\$36,593	MH
194	5217 GLEN ECHO AVE	0025-07-0056	\$29,039	MH
195	5218 GLEN ECHO AVE	0025-07-0052	\$28,282	MH
196	5225 GLEN ECHO AVE	0025-07-0057	\$37,978	MH
197	5226 GLEN ECHO AVE	0025-07-0051	\$27,564	MH
198	5233 GLEN ECHO AVE	0025-07-0058	\$29,955	MH
199	5234 GLEN ECHO AVE	0025-07-0050	\$29,578	MH
200	5241 GLEN ECHO AVE	0025-07-0059	\$33,598	MH
201	5242 GLEN ECHO AVE	0025-07-0049	\$33,065	MH
202	5249 GLEN ECHO AVE	0025-07-0060	\$36,938	MH
203	5250 GLEN ECHO AVE	0025-07-0048	\$29,958	MH
204	5303 GLEN ECHO AVE	0025-07-0061	\$31,358	MH
205	5304 GLEN ECHO AVE	0025-07-0047	\$35,972	MH
206	5311 GLEN ECHO AVE	0025-07-0062	\$30,032	MH
207	5312 GLEN ECHO AVE	0025-07-0046	\$29,639	MH
208	5319 GLEN ECHO AVE	0025-07-0063	\$28,216	MH
209	5320 GLEN ECHO AVE	0025-07-0045	\$35,526	MH
210	5327 GLEN ECHO AVE	0025-07-0064	\$37,271	MH
211	5328 GLEN ECHO AVE	0025-07-0044	\$36,423	MH
212	5100 HIDDEN SPRINGS AVE	0025-09-0059	\$52,275	MH
213	5106 HIDDEN SPRINGS AVE	0025-09-0058	\$33,844	MH
214	5112 HIDDEN SPRINGS AVE	0025-09-0057	\$31,179	MH
215	5118 HIDDEN SPRINGS AVE	0025-08-0074	\$34,593	MH
216	5124 HIDDEN SPRINGS AVE	0025-08-0073	\$36,887	MH
217	5130 HIDDEN SPRINGS AVE	0025-08-0072	\$28,929	MH
218	5136 HIDDEN SPRINGS AVE	0025-08-0071	\$37,699	MH
219	5142 HIDDEN SPRINGS AVE	0025-08-0070	\$33,259	MH
220	5148 HIDDEN SPRINGS AVE	0025-08-0069	\$39,217	MH



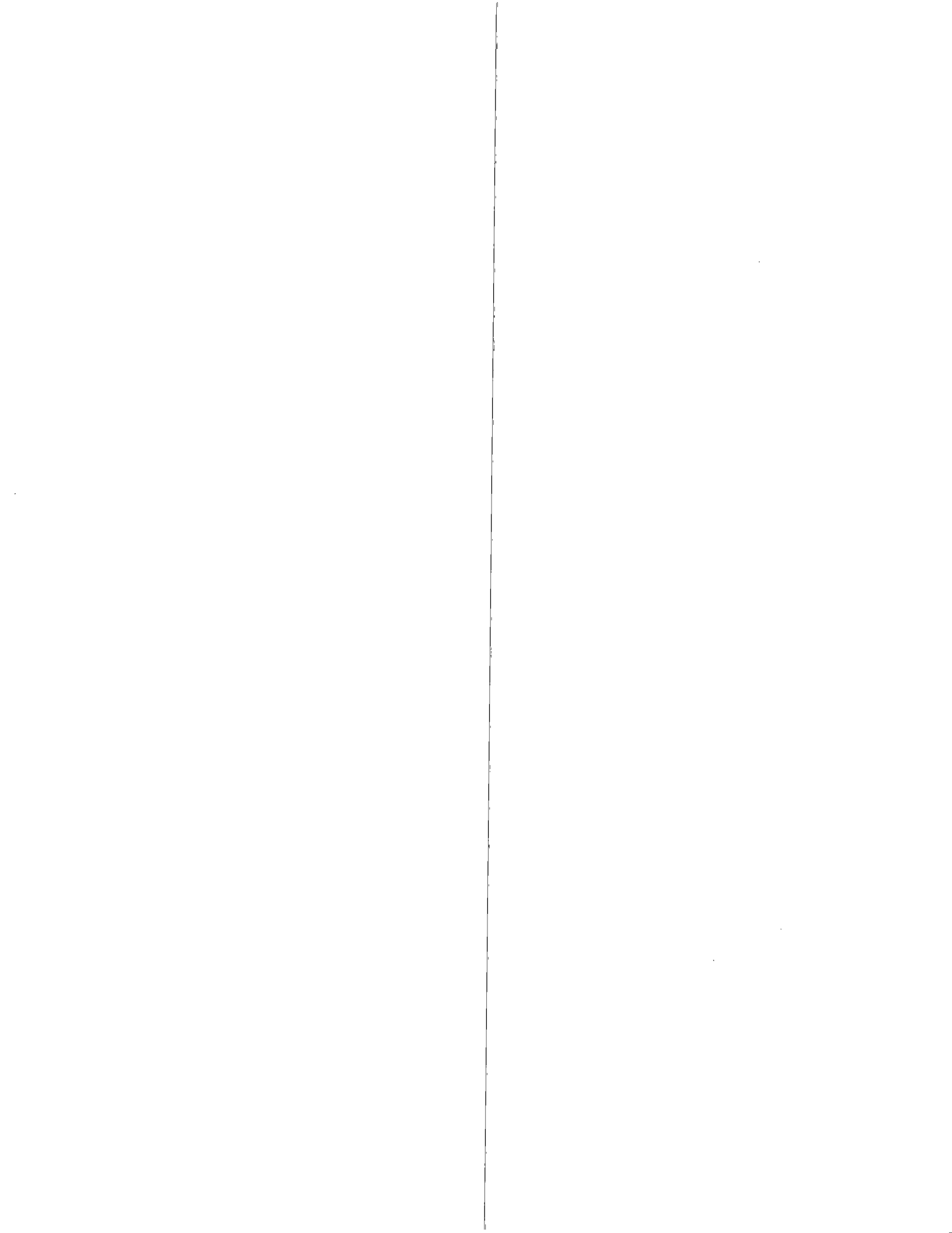
**Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM**

	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
221	5154 HIDDEN SPRINGS AVE	0025-08-0068	\$33,465	MH
222	1800 INNISBROOK LN	0025-08-0042	\$33,284	MH
223	1808 INNISBROOK LN	0025-08-0041	\$35,096	MH
224	1809 INNISBROOK LN	0025-08-0055	\$38,361	MH
225	1816 INNISBROOK LN	0025-08-0040	\$38,505	MH
226	1817 INNISBROOK LN	0025-08-0056	\$39,985	MH
227	1824 INNISBROOK LN	0025-08-0039	\$36,859	MH
228	1825 INNISBROOK LN	0025-08-0057	\$34,602	MH
229	1832 INNISBROOK LN	0025-08-0038	\$35,766	MH
230	1833 INNISBROOK LN	0025-08-0058	\$34,270	MH
231	1840 INNISBROOK LN	0025-08-0037	\$33,096	MH
232	1841 INNISBROOK LN	0025-08-0059	\$41,454	MH
233	1848 INNISBROOK LN	0025-08-0036	\$35,037	MH
234	1849 INNISBROOK LN	0025-08-0060	\$33,676	MH
235	1856 INNISBROOK LN	0025-08-0035	\$39,283	MH
236	1857 INNISBROOK LN	0025-08-0061	\$32,365	MH
237	1864 INNISBROOK LN	0025-08-0034	\$41,989	MH
238	1865 INNISBROOK LN	0025-08-0062	\$27,923	MH
239	1872 INNISBROOK LN	0025-08-0033	\$35,976	MH
240	1873 INNISBROOK LN	0025-08-0063	\$27,775	MH
241	1881 INNISBROOK LN	0025-08-0064	\$50,738	MH
242	5201 KENWOOD AVE	0025-07-0118	\$34,995	MH
243	5204 KENWOOD AVE	0025-07-0116	\$35,578	MH
244	5209 KENWOOD AVE	0025-07-0119	\$32,615	MH
245	5212 KENWOOD AVE	0025-07-0115	\$27,739	MH
246	5217 KENWOOD AVE	0025-07-0120	\$27,226	MH
247	5220 KENWOOD AVE	0025-07-0114	\$36,198	MH
248	5225 KENWOOD AVE	0025-07-0121	\$32,645	MH
249	5228 KENWOOD AVE	0025-07-0113	\$35,836	MH
250	5233 KENWOOD AVE	0025-07-0122	\$26,627	MH
251	5236 KENWOOD AVE	0025-07-0112	\$35,892	MH
252	5305 KENWOOD AVE	0025-07-0123	\$40,349	MH
253	5306 KENWOOD AVE	0025-07-0111	\$32,136	MH
254	5321 KENWOOD AVE	0025-07-0125	\$30,992	MH
255	5329 KENWOOD AVE	0025-07-0126	\$32,182	MH
256	5103 LAUREL VALLEY AVE	0025-08-0044	\$52,808	MH
257	5109 LAUREL VALLEY AVE	0025-08-0045	\$34,352	MH
258	5117 LAUREL VALLEY AVE	0025-08-0046	\$30,707	MH
259	5125 LAUREL VALLEY AVE	0025-08-0047	\$48,546	MH
260	5201 LAUREL VALLEY AVE	0025-08-0049	\$37,323	MH
261	5207 LAUREL VALLEY AVE	0025-08-0050	\$36,585	MH
262	5213 LAUREL VALLEY AVE	0025-08-0051	\$31,377	MH
263	5219 LAUREL VALLEY AVE	0025-08-0052	\$35,768	MH
264	5225 LAUREL VALLEY AVE	0025-08-0054	\$17,000	MH
265	5225 LAUREL VALLEY AVE	0025-08-0053	\$42,751	MH
266	1681 MIDLOTHIAN ST	0025-15-0141	\$38,996	MH
267	1704 MIDLOTHIAN ST	0025-15-0040	\$26,269	MH
268	1705 MIDLOTHIAN ST	0025-15-0014	\$28,984	MH



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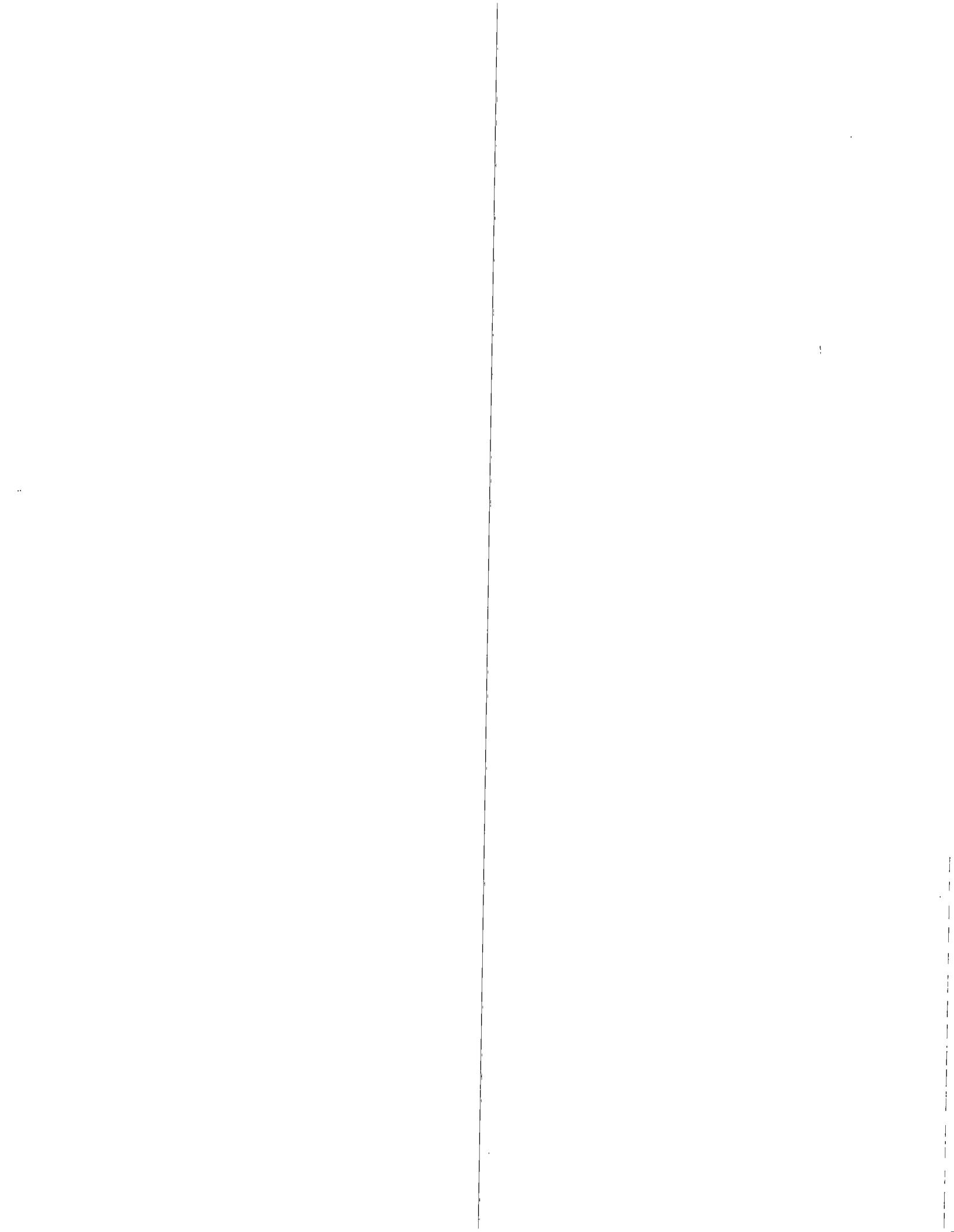
	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
269	1712 MIDLOTHIAN ST	0025-15-0039	\$29,509	MH
270	1713 MIDLOTHIAN ST	0025-15-0015	\$27,594	MH
271	1720 MIDLOTHIAN ST	0025-15-0038	\$29,008	MH
272	1721 MIDLOTHIAN ST	0025-15-0016	\$26,617	MH
273	1728 MIDLOTHIAN ST	0025-15-0037	\$28,294	MH
274	1729 MIDLOTHIAN ST	0025-15-0017	\$24,612	MH
275	1736 MIDLOTHIAN ST	0025-15-0036	\$24,920	MH
276	1737 MIDLOTHIAN ST	0025-15-0018	\$31,389	MH
277	1744 MIDLOTHIAN ST	0025-15-0035	\$31,991	MH
278	1752 MIDLOTHIAN ST	0025-15-0034	\$22,875	MH
279	1753 MIDLOTHIAN ST	0025-15-0020	\$29,428	MH
280	1760 MIDLOTHIAN ST	0025-15-0033	\$25,343	MH
281	1761 MIDLOTHIAN ST	0025-15-0021	\$27,097	MH
282	1768 MIDLOTHIAN ST	0025-15-0032	\$23,639	MH
283	1769 MIDLOTHIAN ST	0025-15-0022	\$24,317	MH
284	1776 MIDLOTHIAN ST	0025-15-0031	\$22,278	MH
285	1777 MIDLOTHIAN ST	0025-15-0023	\$28,234	MH
286	1784 MIDLOTHIAN ST	0025-15-0030	\$24,484	MH
287	1785 MIDLOTHIAN ST	0025-15-0024	\$28,965	MH
288	1792 MIDLOTHIAN ST	0025-15-0029	\$25,755	MH
289	1793 MIDLOTHIAN ST	0025-15-0025	\$28,524	MH
290	1798 MIDLOTHIAN ST	0025-15-0028	\$34,050	MH
291	1799 MIDLOTHIAN ST	0025-15-0026	\$35,774	MH
292	4948 OAKLAND HILLS AVE	0025-11-0012	\$37,008	MH
293	5004 OAKLAND HILLS AVE	0025-11-0011	\$28,751	MH
294	5013 OAKLAND HILLS AVE	0025-11-0022	\$34,406	MH
295	5016 OAKLAND HILLS AVE	0025-11-0010	\$25,356	MH
296	5025 OAKLAND HILLS AVE	0025-11-0023	\$30,047	MH
297	5028 OAKLAND HILLS AVE	0025-11-0009	\$33,540	MH
298	5037 OAKLAND HILLS AVE	0025-11-0024	\$23,211	MH
299	5040 OAKLAND HILLS AVE	0025-11-0008	\$27,954	MH
300	5049 OAKLAND HILLS AVE	0025-11-0025	\$39,291	MH
301	5104 OAKLAND HILLS AVE	0025-11-0149	\$34,510	MH
302	5105 OAKLAND HILLS AVE	0025-11-0146	\$33,102	MH
303	5112 OAKLAND HILLS AVE	0025-06-0030	\$31,895	MH
304	5117 OAKLAND HILLS AVE	0025-06-0032	\$34,254	MH
305	5118 OAKLAND HILLS AVE	0025-06-0029	\$26,611	MH
306	5129 OAKLAND HILLS AVE	0025-06-0033	\$25,988	MH
307	5130 OAKLAND HILLS AVE	0025-06-0028	\$21,315	MH
308	5141 OAKLAND HILLS AVE	0025-06-0034	\$23,368	MH
309	5142 OAKLAND HILLS AVE	0025-06-0027	\$22,942	MH
310	5153 OAKLAND HILLS AVE	0025-06-0035	\$25,052	MH
311	5154 OAKLAND HILLS AVE	0025-06-0026	\$30,813	MH
312	5165 OAKLAND HILLS AVE	0025-06-0036	\$28,113	MH
313	5166 OAKLAND HILLS AVE	0025-06-0025	\$29,113	MH
314	5203 OAKLAND HILLS AVE	0025-06-0037	\$27,595	MH
315	5204 OAKLAND HILLS AVE	0025-06-0024	\$26,597	MH
316	5215 OAKLAND HILLS AVE	0025-06-0038	\$25,903	MH



Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM

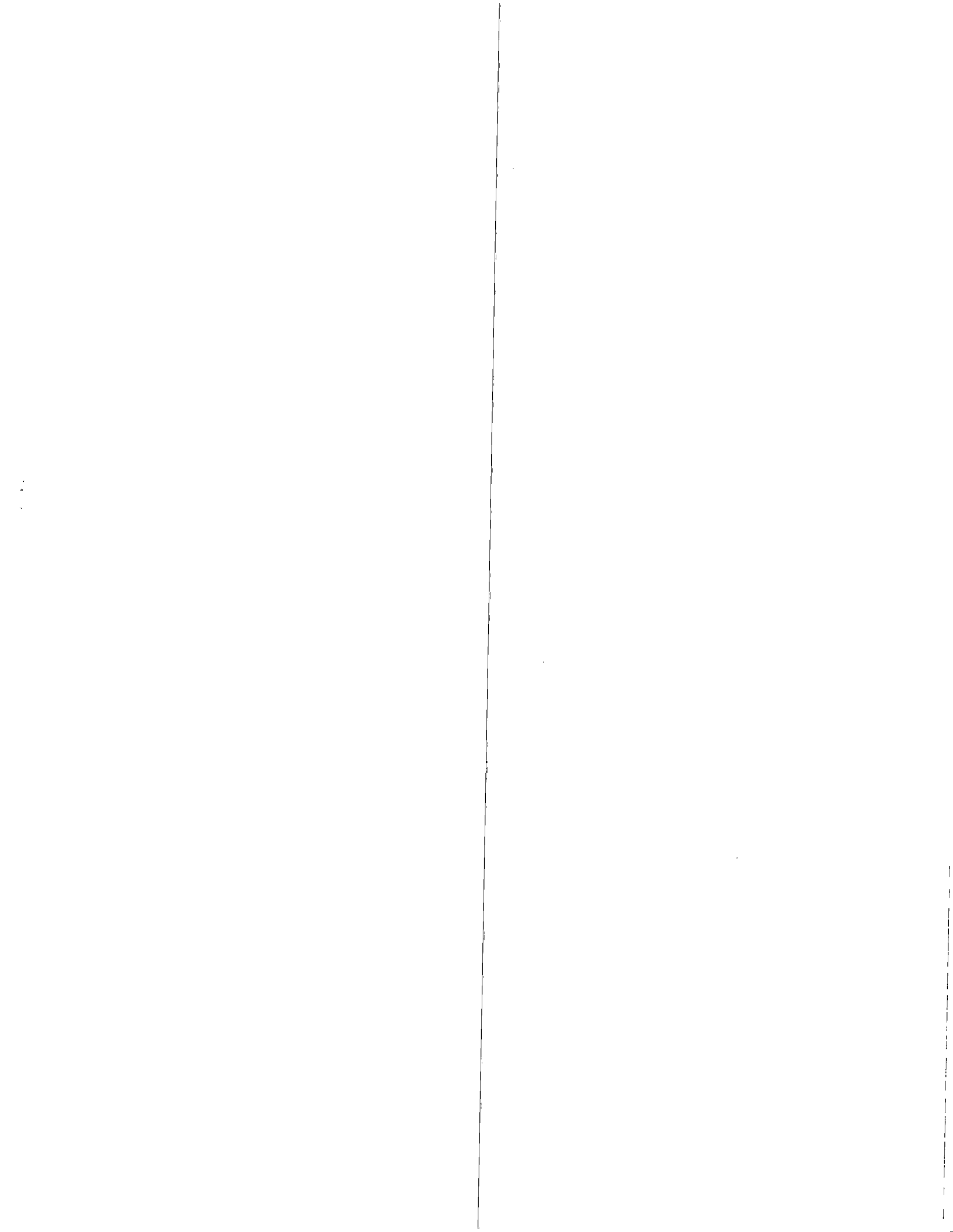
	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
317	5216 OAKLAND HILLS AVE	0025-06-0023	\$20,599	MH
318	5227 OAKLAND HILLS AVE	0025-06-0039	\$26,216	MH
319	5239 OAKLAND HILLS AVE	0025-06-0040	\$24,637	MH
320	5240 OAKLAND HILLS AVE	0025-06-0021	\$28,131	MH
321	5251 OAKLAND HILLS AVE	0025-06-0041	\$25,844	MH
322	5252 OAKLAND HILLS AVE	0025-06-0020	\$30,683	MH
323	5263 OAKLAND HILLS AVE	0025-06-0042	\$28,591	MH
324	5264 OAKLAND HILLS AVE	0025-06-0019	\$27,635	MH
325	5275 OAKLAND HILLS AVE	0025-06-0043	\$25,589	MH
326	5276 OAKLAND HILLS AVE	0025-06-0018	\$26,178	MH
327	5287 OAKLAND HILLS AVE	0025-06-0044	\$25,216	MH
328	5305 OAKLAND HILLS AVE	0025-06-0045	\$26,143	MH
329	5317 OAKLAND HILLS AVE	0025-06-0046	\$22,683	MH
330	5329 OAKLAND HILLS AVE	0025-03-0006	\$28,883	MH
331	1711 OLD ELM ST	0025-15-0055	\$29,228	MH
332	1719 OLD ELM ST	0025-15-0056	\$25,940	MH
333	1727 OLD ELM ST	0025-15-0057	\$32,167	MH
334	1730 OLD ELM ST	0025-15-0073	\$26,583	MH
335	1735 OLD ELM ST	0025-15-0058	\$32,206	MH
336	1738 OLD ELM ST	0025-15-0072	\$26,418	MH
337	1743 OLD ELM ST	0025-15-0059	\$27,231	MH
338	1746 OLD ELM ST	0025-15-0071	\$26,513	MH
339	1751 OLD ELM ST	0025-15-0060	\$30,536	MH
340	1754 OLD ELM ST	0025-15-0070	\$28,447	MH
341	1759 OLD ELM ST	0025-15-0061	\$27,610	MH
342	1762 OLD ELM ST	0025-15-0069	\$27,580	MH
343	1767 OLD ELM ST	0025-15-0062	\$25,692	MH
344	1770 OLD ELM ST	0025-15-0068	\$26,960	MH
345	1775 OLD ELM ST	0025-15-0063	\$24,077	MH
346	1778 OLD ELM ST	0025-15-0067	\$25,035	MH
347	1783 OLD ELM ST	0025-15-0064	\$26,346	MH
348	1786 OLD ELM ST	0025-15-0066	\$30,606	MH
349	1791 OLD ELM ST	0025-15-0065	\$30,721	MH
350	1741 OLYMPIA FIELDS ST	0025-15-0103	\$27,771	MH
351	1749 OLYMPIA FIELDS ST	0025-15-0104	\$31,287	MH
352	1757 OLYMPIA FIELDS ST	0025-15-0105	\$25,246	MH
353	1765 OLYMPIA FIELDS ST	0025-15-0106	\$28,014	MH
354	1766 OLYMPIA FIELDS ST	0025-15-0112	\$34,836	MH
355	1773 OLYMPIA FIELDS ST	0025-15-0107	\$26,622	MH
356	1774 OLYMPIA FIELDS ST	0025-15-0111	\$29,995	MH
357	1781 OLYMPIA FIELDS ST	0025-15-0108	\$31,984	MH
358	1782 OLYMPIA FIELDS ST	0025-15-0110	\$29,836	MH
359	1794 OLYMPIA FIELDS ST	0025-16-0024	\$42,481	MH
360	1709 PALM SPRINGS ST	0025-10-0058	\$25,962	MH
361	1713 PALM SPRINGS ST	0025-10-0059	\$29,482	MH
362	1717 PALM SPRINGS ST	0025-10-0060	\$26,714	MH
363	1723 PALM SPRINGS ST	0025-10-0061	\$27,111	MH
364	1724 PALM SPRINGS ST	0025-10-0091	\$34,313	MH





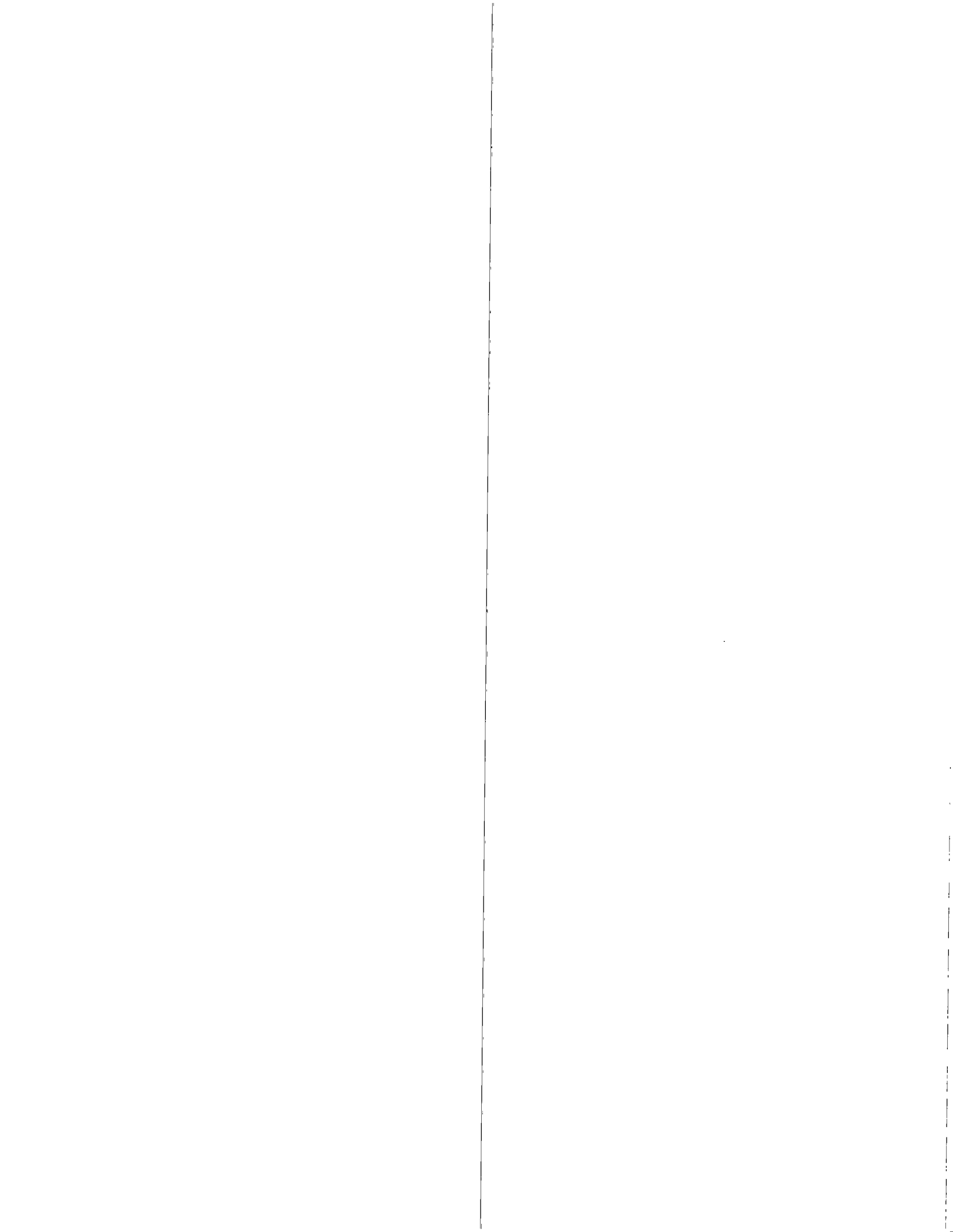
**Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM**

	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
365	1727 PALM SPRINGS ST	0025-10-0062	\$25,227	MH
366	1728 PALM SPRINGS ST	0025-10-0090	\$37,751	MH
367	1731 PALM SPRINGS ST	0025-10-0063	\$25,080	MH
368	1732 PALM SPRINGS ST	0025-10-0089	\$28,439	MH
369	1735 PALM SPRINGS ST	0025-10-0064	\$32,076	MH
370	1736 PALM SPRINGS ST	0025-10-0088	\$27,396	MH
371	1739 PALM SPRINGS ST	0025-10-0065	\$22,819	MH
372	1740 PALM SPRINGS ST	0025-10-0087	\$26,742	MH
373	1741 PALM SPRINGS ST	0025-10-0066	\$25,570	MH
374	1746 PALM SPRINGS ST	0025-10-0086	\$37,769	MH
375	1747 PALM SPRINGS ST	0025-10-0067	\$28,495	MH
376	1750 PALM SPRINGS ST	0025-10-0085	\$30,079	MH
377	1751 PALM SPRINGS ST	0025-10-0068	\$26,552	MH
378	1754 PALM SPRINGS ST	0025-10-0084	\$30,989	MH
379	1755 PALM SPRINGS ST	0025-10-0069	\$29,620	MH
380	1758 PALM SPRINGS ST	0025-10-0083	\$23,221	MH
381	1759 PALM SPRINGS ST	0025-10-0070	\$25,513	MH
382	1762 PALM SPRINGS ST	0025-10-0082	\$22,007	MH
383	1763 PALM SPRINGS ST	0025-10-0071	\$25,337	MH
384	1766 PALM SPRINGS ST	0025-10-0081	\$23,066	MH
385	1767 PALM SPRINGS ST	0025-10-0072	\$26,237	MH
386	1804 PALM SPRINGS ST	0025-10-0080	\$27,970	MH
387	1805 PALM SPRINGS ST	0025-10-0073	\$27,753	MH
388	1810 PALM SPRINGS ST	0025-10-0079	\$31,407	MH
389	1811 PALM SPRINGS ST	0025-10-0074	\$26,238	MH
390	1816 PALM SPRINGS ST	0025-10-0078	\$28,978	MH
391	1817 PALM SPRINGS ST	0025-10-0075	\$27,678	MH
392	1822 PALM SPRINGS ST	0025-09-0026	\$30,032	MH
393	1823 PALM SPRINGS ST	0025-10-0076	\$31,152	MH
394	1828 PALM SPRINGS ST	0025-09-0025	\$24,964	MH
395	1831 PALM SPRINGS ST	0025-09-0028	\$29,656	MH
396	1834 PALM SPRINGS ST	0025-09-0024	\$30,350	MH
397	1837 PALM SPRINGS ST	0025-09-0029	\$26,207	MH
398	1840 PALM SPRINGS ST	0025-09-0023	\$31,556	MH
399	1843 PALM SPRINGS ST	0025-09-0030	\$29,524	MH
400	1848 PALM SPRINGS ST	0025-09-0022	\$25,731	MH
401	1851 PALM SPRINGS ST	0025-09-0031	\$31,559	MH
402	1854 PALM SPRINGS ST	0025-09-0021	\$33,526	MH
403	1857 PALM SPRINGS ST	0025-09-0032	\$27,520	MH
404	1862 PALM SPRINGS ST	0025-09-0020	\$26,972	MH
405	1863 PALM SPRINGS ST	0025-09-0033	\$33,452	MH
406	1867 PALM SPRINGS ST	0025-09-0034	\$26,735	MH
407	1868 PALM SPRINGS ST	0025-09-0019	\$29,909	MH
408	1871 PALM SPRINGS ST	0025-09-0035	\$28,186	MH
409	1874 PALM SPRINGS ST	0025-09-0018	\$26,457	MH
410	1877 PALM SPRINGS ST	0025-09-0036	\$26,640	MH
411	1880 PALM SPRINGS ST	0025-09-0017	\$28,305	MH
412	1881 PALM SPRINGS ST	0025-09-0037	\$26,989	MH



Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM

	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
413	1886 PALM SPRINGS ST	0025-09-0016	\$25,029	MH
414	1889 PALM SPRINGS ST	0025-09-0038	\$26,084	MH
415	1890 PALM SPRINGS ST	0025-09-0015	\$25,479	MH
416	1893 PALM SPRINGS ST	0025-09-0039	\$27,495	MH
417	1897 PALM SPRINGS ST	0025-09-0040	\$37,301	MH
418	1898 PALM SPRINGS ST	0025-09-0014	\$32,209	MH
419	5038 PEBBLE BEACH AVE	0025-11-0028	\$34,975	MH
420	5050 PEBBLE BEACH AVE	0025-11-0027	\$35,557	MH
421	5057 PEBBLE BEACH AVE	0025-11-0045	\$27,709	MH
422	5066 PEBBLE BEACH AVE	0025-11-0026	\$32,951	MH
423	5069 PEBBLE BEACH AVE	0025-11-0046	\$34,946	MH
424	5102 PEBBLE BEACH AVE	0025-11-0145	\$29,664	MH
425	5103 PEBBLE BEACH AVE	0025-11-0142	\$29,503	MH
426	5110 PEBBLE BEACH AVE	0025-06-0061	\$26,814	MH
427	5115 PEBBLE BEACH AVE	0025-06-0063	\$38,163	MH
428	5116 PEBBLE BEACH AVE	0025-06-0060	\$26,174	MH
429	5127 PEBBLE BEACH AVE	0025-06-0064	\$39,626	MH
430	5128 PEBBLE BEACH AVE	0025-06-0059	\$21,190	MH
431	5140 PEBBLE BEACH AVE	0025-06-0058	\$26,542	MH
432	5151 PEBBLE BEACH AVE	0025-06-0066	\$27,640	MH
433	5152 PEBBLE BEACH AVE	0025-06-0057	\$25,605	MH
434	5163 PEBBLE BEACH AVE	0025-06-0067	\$23,787	MH
435	5164 PEBBLE BEACH AVE	0025-06-0056	\$28,869	MH
436	5175 PEBBLE BEACH AVE	0025-06-0068	\$28,983	MH
437	5176 PEBBLE BEACH AVE	0025-06-0055	\$25,327	MH
438	5205 PEBBLE BEACH AVE	0025-06-0069	\$26,243	MH
439	5206 PEBBLE BEACH AVE	0025-06-0054	\$23,517	MH
440	5217 PEBBLE BEACH AVE	0025-06-0070	\$27,233	MH
441	5218 PEBBLE BEACH AVE	0025-06-0053	\$29,009	MH
442	5229 PEBBLE BEACH AVE	0025-06-0071	\$27,490	MH
443	5230 PEBBLE BEACH AVE	0025-06-0052	\$29,328	MH
444	5241 PEBBLE BEACH AVE	0025-06-0072	\$22,294	MH
445	5242 PEBBLE BEACH AVE	0025-06-0051	\$27,057	MH
446	5253 PEBBLE BEACH AVE	0025-06-0073	\$23,270	MH
447	5254 PEBBLE BEACH AVE	0025-06-0050	\$24,051	MH
448	5265 PEBBLE BEACH AVE	0025-06-0074	\$25,914	MH
449	5266 PEBBLE BEACH AVE	0025-06-0049	\$27,768	MH
450	5277 PEBBLE BEACH AVE	0025-06-0075	\$26,544	MH
451	5278 PEBBLE BEACH AVE	0025-06-0048	\$29,249	MH
452	5303 PEBBLE BEACH AVE	0025-06-0076	\$26,550	MH
453	5304 PEBBLE BEACH AVE	0025-06-0047	\$24,107	MH
454	5315 PEBBLE BEACH AVE	0025-06-0077	\$31,286	MH
455	5316 PEBBLE BEACH AVE	0025-03-0009	\$31,538	MH
456	5327 PEBBLE BEACH AVE	0025-03-0011	\$28,014	MH
457	5339 PEBBLE BEACH AVE	0025-03-0012	\$35,271	MH
458	5105 RANCHO AVE	0025-10-0016	\$30,702	MH
459	5106 RANCHO AVE	0025-10-0014	\$37,934	MH
460	5113 RANCHO AVE	0025-10-0017	\$34,421	MH

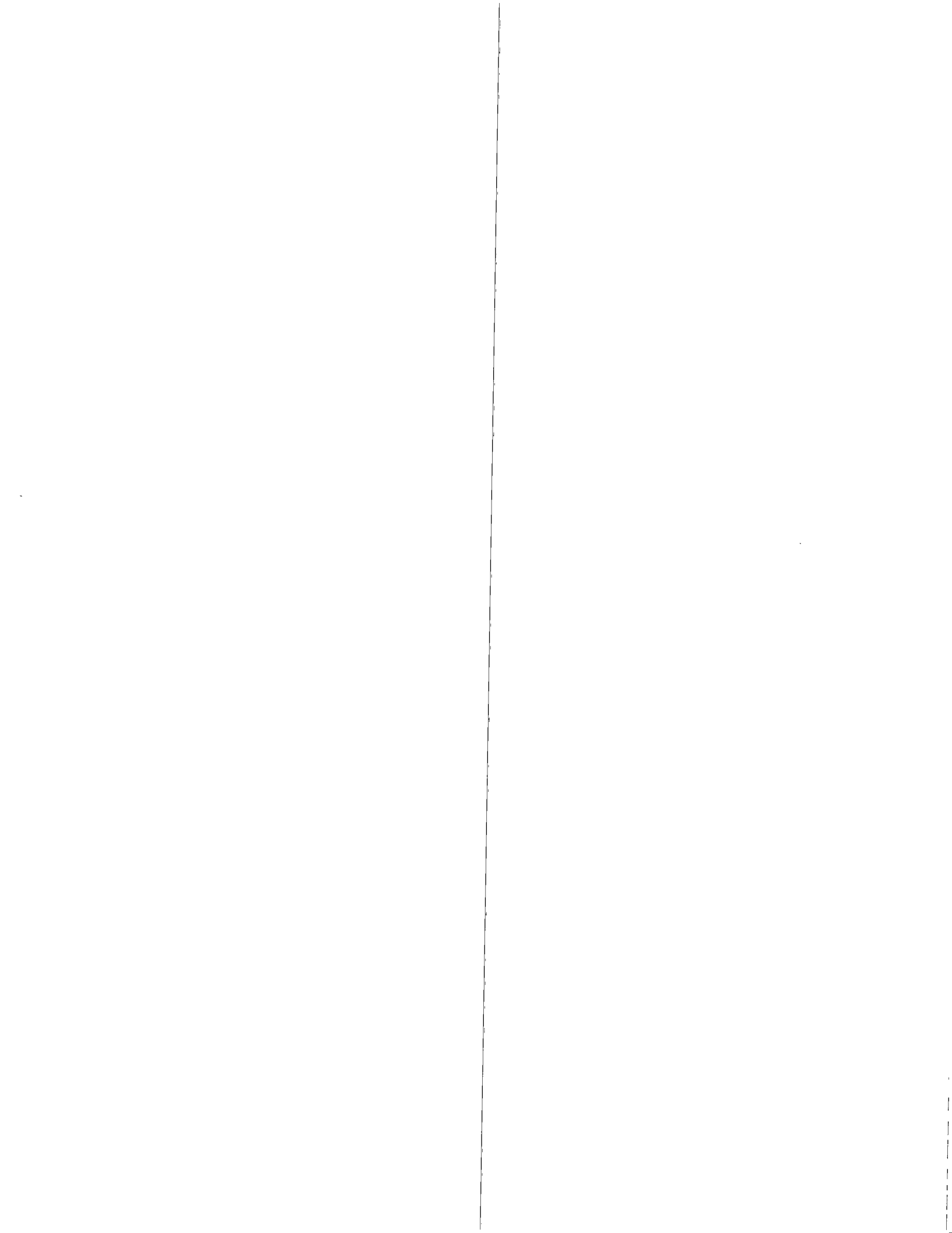


**Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM**

	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
461	5114 RANCHO AVE	0025-10-0013	\$36,536	MH
462	5121 RANCHO AVE	0025-10-0018	\$24,854	MH
463	5122 RANCHO AVE	0025-10-0012	\$29,020	MH
464	5129 RANCHO AVE	0025-10-0019	\$31,118	MH
465	5130 RANCHO AVE	0025-10-0011	\$30,040	MH
466	5137 RANCHO AVE	0025-10-0020	\$44,244	MH
467	5138 RANCHO AVE	0025-10-0010	\$39,788	MH
468	5211 RANCHO AVE	0025-07-0034	\$40,938	MH
469	5212 RANCHO AVE	0025-07-0032	\$41,457	MH
470	5219 RANCHO AVE	0025-07-0035	\$30,603	MH
471	5220 RANCHO AVE	0025-07-0031	\$45,220	MH
472	5227 RANCHO AVE	0025-07-0036	\$33,720	MH
473	5228 RANCHO AVE	0025-07-0030	\$42,147	MH
474	5235 RANCHO AVE	0025-07-0037	\$36,125	MH
475	5236 RANCHO AVE	0025-07-0029	\$39,814	MH
476	5243 RANCHO AVE	0025-07-0038	\$34,433	MH
477	5244 RANCHO AVE	0025-07-0028	\$33,999	MH
478	5251 RANCHO AVE	0025-07-0039	\$36,533	MH
479	5305 RANCHO AVE	0025-07-0040	\$36,335	MH
480	5306 RANCHO AVE	0025-07-0026	\$28,042	MH
481	5313 RANCHO AVE	0025-07-0041	\$36,253	MH
482	5314 RANCHO AVE	0025-07-0025	\$31,028	MH
483	5321 RANCHO AVE	0025-07-0042	\$24,077	MH
484	5322 RANCHO AVE	0025-07-0024	\$33,436	MH
485	5329 RANCHO AVE	0025-07-0043	\$35,944	MH
486	5330 RANCHO AVE	0025-07-0023	\$41,669	MH
487	4600 TRI PAR DR	0025-09-0047	\$41,473	MH
488	4620 TRI PAR DR	0025-09-0046	\$27,714	MH
489	4702 TRI PAR DR	0025-09-0013	\$36,753	MH
490	4708 TRI PAR DR	0025-09-0012	\$27,165	MH
491	4714 TRI PAR DR	0025-09-0011	\$31,672	MH
492	4720 TRI PAR DR	0025-09-0010	\$24,776	MH
493	4721 TRI PAR DR	0025-16-0004	\$36,333	MH
494	4727 TRI PAR DR	0025-16-0005	\$29,631	MH
495	4728 TRI PAR DR	0025-09-0009	\$28,079	MH
496	4733 TRI PAR DR	0025-16-0006	\$34,108	MH
497	4734 TRI PAR DR	0025-09-0008	\$25,996	MH
498	4739 TRI PAR DR	0025-16-0007	\$30,067	MH
499	4740 TRI PAR DR	0025-09-0007	\$27,910	MH
500	4745 TRI PAR DR	0025-16-0008	\$34,532	MH
501	4746 TRI PAR DR	0025-09-0006	\$28,410	MH
502	4751 TRI PAR DR	0025-16-0009	\$25,881	MH
503	4752 TRI PAR DR	0025-09-0005	\$31,838	MH
504	4757 TRI PAR DR	0025-16-0010	\$38,532	MH
505	4763 TRI PAR DR	0025-16-0011	\$16,000	MH
506	4764 TRI PAR DR	0025-09-0003	\$33,127	MH
507	4770 TRI PAR DR	0025-09-0001	\$34,067	MH
508	4775 TRI PAR DR	0025-16-0013	\$41,931	MH

Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM

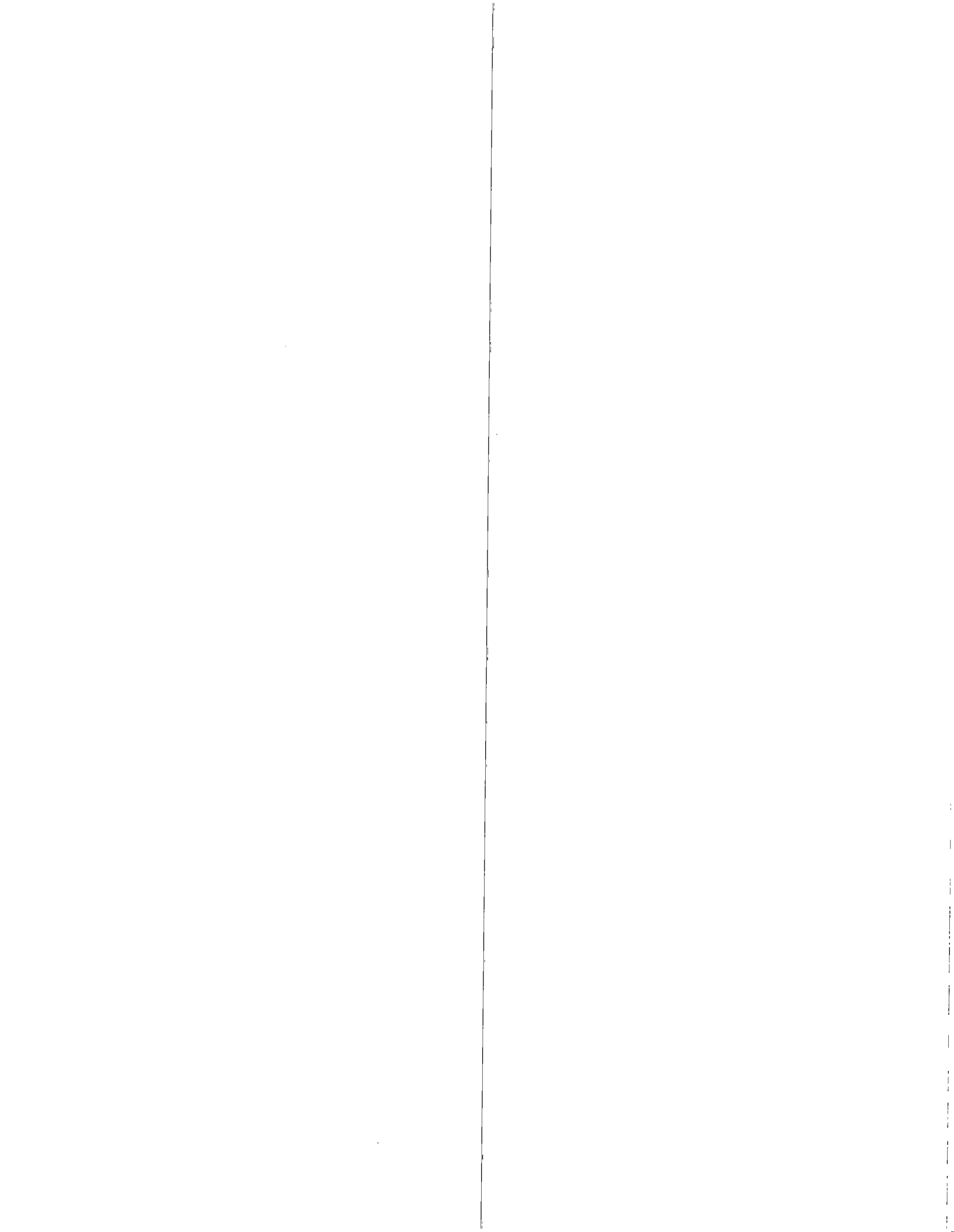
	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
509	4779 TRI PAR DR	0025-16-0014	\$44,289	MH
510	4782 TRI PAR DR	0025-10-0106	\$33,565	MH
511	4788 TRI PAR DR	0025-10-0105	\$46,026	MH
512	4794 TRI PAR DR	0025-10-0104	\$32,911	MH
513	4804 TRI PAR DR	0025-10-0103	\$33,249	MH
514	4810 TRI PAR DR	0025-10-0102	\$26,328	MH
515	4811 TRI PAR DR	0025-15-0001	\$37,489	MH
516	4816 TRI PAR DR	0025-10-0101	\$25,992	MH
517	4822 TRI PAR DR	0025-10-0100	\$24,705	MH
518	4823 TRI PAR DR	0025-15-0002	\$26,670	MH
519	4828 TRI PAR DR	0025-10-0099	\$27,490	MH
520	4829 TRI PAR DR	0025-15-0003	\$20,610	MH
521	4833 TRI PAR DR	0025-15-0012	\$27,919	MH
522	4834 TRI PAR DR	0025-10-0098	\$28,310	MH
523	4835 TRI PAR DR	0025-15-0004	\$30,934	MH
524	4840 TRI PAR DR	0025-10-0097	\$27,965	MH
525	4841 TRI PAR DR	0025-15-0005	\$28,706	MH
526	4846 TRI PAR DR	0025-10-0096	\$27,702	MH
527	4847 TRI PAR DR	0025-15-0006	\$31,381	MH
528	4852 TRI PAR DR	0025-10-0095	\$29,222	MH
529	4853 TRI PAR DR	0025-15-0007	\$31,116	MH
530	4858 TRI PAR DR	0025-10-0094	\$27,909	MH
531	4859 TRI PAR DR	0025-15-0008	\$24,150	MH
532	4864 TRI PAR DR	0025-10-0093	\$27,618	MH
533	4865 TRI PAR DR	0025-15-0009	\$22,724	MH
534	4870 TRI PAR DR	0025-10-0092	\$29,110	MH
535	4871 TRI PAR DR	0025-15-0010	\$22,263	MH
536	4877 TRI PAR DR	0025-15-0011	\$27,113	MH
537	4889 TRI PAR DR	0025-15-0013	\$29,268	MH
538	4925 TRI PAR DR	0025-15-0142	\$35,423	MH
539	4926 TRI PAR DR	0025-10-0057	\$32,447	MH
540	4939 TRI PAR DR	0025-15-0144	\$46,243	MH
541	5003 TRI PAR DR	0025-11-0001	\$26,299	MH
542	5015 TRI PAR DR	0025-11-0002	\$33,440	MH
543	5027 TRI PAR DR	0025-11-0003	\$28,308	MH
544	5039 TRI PAR DR	0025-11-0004	\$39,471	MH
545	5051 TRI PAR DR	0025-11-0005	\$37,606	MH
546	5063 TRI PAR DR	0025-11-0006	\$24,567	MH
547	5075 TRI PAR DR	0025-11-0007	\$26,238	MH
548	5107 TRI PAR DR	0025-11-0150	\$28,123	MH
549	5119 TRI PAR DR	0025-06-0001	\$27,754	MH
550	5131 TRI PAR DR	0025-06-0002	\$25,317	MH
551	5143 TRI PAR DR	0025-06-0003	\$26,739	MH
552	5155 TRI PAR DR	0025-06-0004	\$25,974	MH
553	5201 TRI PAR DR	0025-06-0005	\$26,319	MH
554	5202 TRI PAR DR	0025-07-0137	\$32,730	MH
555	5210 TRI PAR DR	0025-07-0136	\$33,142	MH
556	5213 TRI PAR DR	0025-06-0006	\$28,001	MH





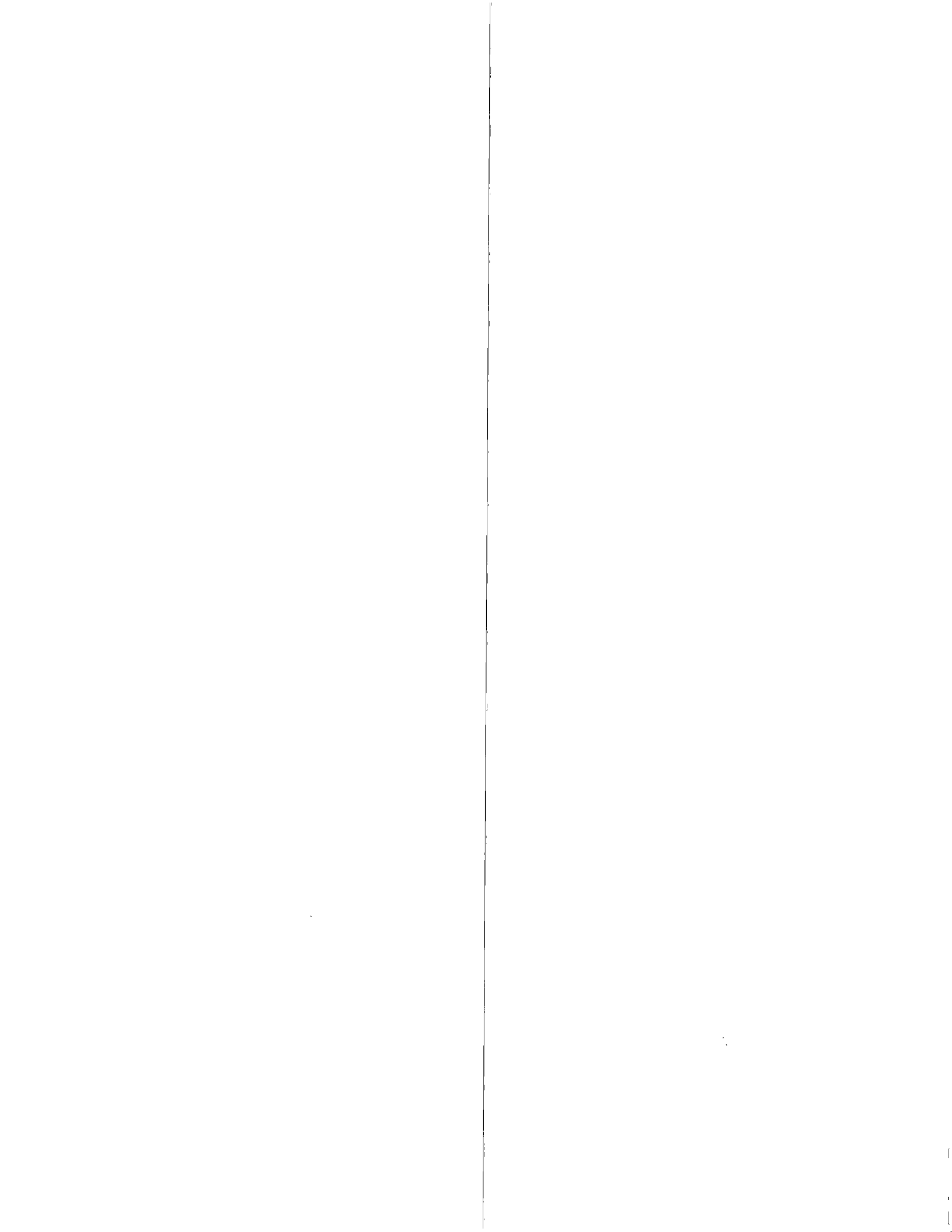
**Sarasota County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM**

	PROPERTY ADDRESS	PID	ASSESSED \$\$	TYPE
557	5218 TRI PAR DR	0025-07-0135	\$36,715	MH
558	5225 TRI PAR DR	0025-06-0007	\$22,856	MH
559	5226 TRI PAR DR	0025-07-0134	\$25,936	MH
560	5234 TRI PAR DR	0025-07-0133	\$34,317	MH
561	5237 TRI PAR DR	0025-06-0008	\$26,236	MH
562	5249 TRI PAR DR	0025-06-0009	\$27,487	MH
563	5261 TRI PAR DR	0025-06-0010	\$25,824	MH
564	5273 TRI PAR DR	0025-06-0011	\$28,180	MH
565	5285 TRI PAR DR	0025-06-0012	\$29,576	MH
566	5297 TRI PAR DR	0025-06-0013	\$26,480	MH
567	5308 TRI PAR DR	0025-07-0132	\$27,892	MH
568	5324 TRI PAR DR	0025-07-0130	\$30,647	MH
569	1802 WOODSTOCK LN	0025-08-0021	\$42,632	MH
570	1803 WOODSTOCK LN	0025-08-0032	\$38,795	MH
571	1810 WOODSTOCK LN	0025-08-0020	\$52,658	MH
572	1811 WOODSTOCK LN	0025-08-0031	\$39,948	MH
573	1818 WOODSTOCK LN	0025-08-0019	\$36,766	MH
574	1819 WOODSTOCK LN	0025-08-0030	\$32,952	MH
575	1826 WOODSTOCK LN	0025-08-0018	\$33,234	MH
576	1827 WOODSTOCK LN	0025-08-0029	\$32,239	MH
577	1834 WOODSTOCK LN	0025-08-0017	\$38,116	MH
578	1835 WOODSTOCK LN	0025-08-0028	\$37,271	MH
579	1842 WOODSTOCK LN	0025-08-0016	\$30,849	MH
580	1843 WOODSTOCK LN	0025-08-0027	\$39,230	MH
581	1850 WOODSTOCK LN	0025-08-0015	\$28,994	MH
582	1851 WOODSTOCK LN	0025-08-0026	\$39,358	MH
583	1858 WOODSTOCK LN	0025-08-0014	\$42,148	MH
584	1859 WOODSTOCK LN	0025-08-0025	\$33,941	MH
585	1866 WOODSTOCK LN	0025-08-0013	\$37,314	MH
586	1867 WOODSTOCK LN	0025-08-0024	\$32,600	MH
587	1874 WOODSTOCK LN	0025-08-0012	\$40,741	MH
588	1875 WOODSTOCK LN	0025-08-0023	\$43,439	MH



**APPENDIX B**

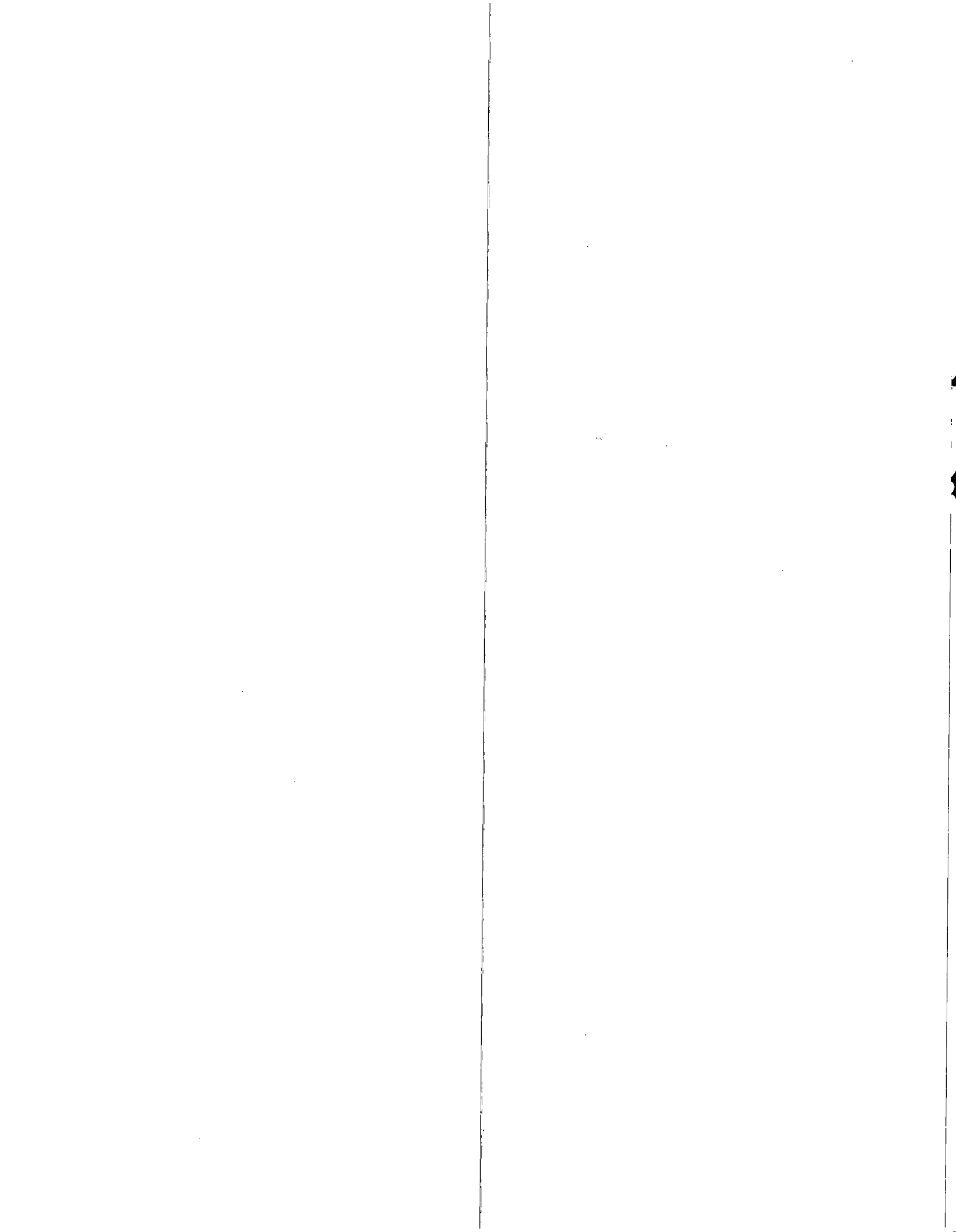
**MANATEE COUNTY PROPERTY ADDRESSES  
2000 NEM WITH 295° RADIAL TURN**



**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
1	1812 69TH AVE W	666400000	\$257,472	SF	65-70
2	123 ADAIR AVE	670880000	\$23,105	SF	65-70
3	124 ADAIR AVE	670810000	\$88,854	SF	65-70
4	127 ADAIR AVE	670890000	\$49,977	SF	65-70
5	131 ADAIR AVE	670920000	\$55,794	SF	65-70
6	132 ADAIR AVE	670800000	\$79,682	SF	65-70
7	135 ADAIR AVE	670891005	\$56,115	SF	65-70
8	136 ADAIR AVE	670790000	\$53,071	SF	65-70
9	139 ADAIR AVE	670891010	\$90,431	SF	65-70
10	144 ADAIR AVE	670780000	\$74,893	SF	65-70
11	147 ADAIR AVE	670901000	\$76,680	SF	65-70
12	148 ADAIR AVE	670770000	\$78,461	SF	65-70
13	151 ADAIR AVE	670901005	\$75,306	SF	65-70
14	152 ADAIR AVE	670760000	\$63,110	SF	65-70
15	155 ADAIR AVE	670900000	\$87,896	SF	65-70
16	302 BERNARD AVE	679810000	\$187,364	SF	65-70
17	305 BERNARD AVE	679470000	\$68,529	SF	65-70
18	309 BERNARD AVE	679460000	\$119,866	SF	65-70
19	310 BERNARD AVE	679740000	\$63,673	SF	65-70
20	313 BERNARD AVE	679450000	\$113,789	SF	65-70
21	320 BERNARD AVE	679720000	\$112,807	SF	65-70
22	321 BERNARD AVE	679440000	\$82,435	SF	65-70
23	324 BERNARD AVE	679700000	\$100,409	SF	65-70
24	325 BERNARD AVE	679430000	\$49,345	SF	65-70
25	328 BERNARD AVE	679680000	\$91,082	SF	65-70
26	329 BERNARD AVE	679420000	\$87,937	SF	65-70
27	330 BERNARD AVE	679660000	\$84,208	SF	65-70
28	331 BERNARD AVE	679410000	\$123,031	SF	70-75
29	335 BERNARD AVE	679400000	\$98,824	SF	70-75
30	336 BERNARD AVE	679630000	\$91,234	SF	65-70
31	339 BERNARD AVE	679390000	\$78,967	SF	70-75
32	340 BERNARD AVE	679610000	\$58,183	SF	65-70
33	344 BERNARD AVE	679590000	\$87,840	SF	70-75
34	7203 BROUGHTON ST	670310000	\$80,227	SF	65-70
35	7206 BROUGHTON ST	670240000	\$106,789	SF	65-70
36	7207 BROUGHTON ST	670320000	\$144,723	SF	65-70
37	7210 BROUGHTON ST	670250000	\$29,172	SF	65-70
38	7211 BROUGHTON ST	671160000	\$103,261	SF	65-70
39	7214 BROUGHTON ST	670260000	\$28,331	SF	65-70
40	7215 BROUGHTON ST	671180000	\$104,364	SF	65-70
41	7218 BROUGHTON ST	670270000	\$112,685	SF	65-70
42	7219 BROUGHTON ST	671220000	\$118,837	SF	65-70
43	7252 BROUGHTON ST	670280000	\$100,846	SF	65-70
44	7304 BROUGHTON ST	670290000	\$97,441	SF	65-70



**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
45	7311 BROUGHTON ST	670830000	\$75,462	SF	65-70
46	7316 BROUGHTON ST	670650000	\$93,830	SF	65-70
47	7319 BROUGHTON ST	670840000	\$133,249	SF	65-70
48	7320 BROUGHTON ST	670640000	\$64,689	SF	65-70
49	7324 BROUGHTON ST	670630000	\$64,436	SF	65-70
50	7328 BROUGHTON ST	670620000	\$79,009	SF	65-70
51	7331 BROUGHTON ST	670670000	\$63,076	SF	65-70
52	7332 BROUGHTON ST	670610000	\$82,071	SF	65-70
53	7335 BROUGHTON ST	670680000	\$65,630	SF	65-70
54	7336 BROUGHTON ST	670600000	\$110,870	SF	65-70
55	7401 BROUGHTON ST	669270000	\$84,197	SF	65-70
56	7402 BROUGHTON ST	669600000	\$76,032	SF	65-70
57	7405 BROUGHTON ST	669280000	\$69,183	SF	65-70
58	7406 BROUGHTON ST	669590000	\$87,108	SF	65-70
59	7413 BROUGHTON ST	669290000	\$63,870	SF	65-70
60	7414 BROUGHTON ST	669580000	\$75,324	SF	65-70
61	7421 BROUGHTON ST	669300000	\$60,969	SF	65-70
62	7425 BROUGHTON ST	669310000	\$65,916	SF	65-70
63	7429 BROUGHTON ST	669320000	\$54,201	SF	65-70
64	7430 BROUGHTON ST	669560000	\$14,407	SF	65-70
65	7444 BROUGHTON ST	668790000	\$99,794	SF	65-70
66	7452 BROUGHTON ST	668780000	\$58,360	SF	65-70
67	7460 BROUGHTON ST	668770000	\$78,875	SF	65-70
68	7464 BROUGHTON ST	668760000	\$77,269	SF	65-70
69	7472 BROUGHTON ST	668750000	\$88,877	SF	65-70
70	7654 BROUGHTON ST	667440000	\$25,740	SF	70-75
71	310 BUENA VISTA AVE	675660000	\$64,327	SF	65-70
72	301 BUENA VISTA AVE	675520020	\$13,965	SF	65-70
73	7325 CLARIES DR	663180560	\$90,105	SF	65-70
74	7329 CLARIES DR	663180565	\$75,446	SF	65-70
75	7333 CLARIES DR	663180570	\$86,995	SF	65-70
76	7336 CLARIES DR	663180745	\$78,650	SF	65-70
77	7337 CLARIES DR	663180575	\$79,664	SF	65-70
78	7340 CLARIES DR	663180750	\$85,719	SF	65-70
79	7341 CLARIES DR	663180580	\$67,084	SF	65-70
80	7344 CLARIES DR	663180755	\$68,944	SF	65-70
81	7345 CLARIES DR	663180585	\$95,521	SF	65-70
82	7348 CLARIES DR	663180760	\$82,477	SF	65-70
83	7349 CLARIES DR	663180590	\$80,052	SF	65-70
84	7353 CLARIES DR	663180595	\$79,782	SF	65-70
85	7357 CLARIES DR	663180600	\$62,547	SF	65-70
86	7361 CLARIES DR	663180605	\$64,674	SF	65-70
87	7364 CLARIES DR	663180615	\$66,142	SF	65-70
88	7365 CLARIES DR	663180610	\$98,881	SF	65-70

**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
89	218 DELMAR AVE	667490000	\$24,816	SF	65-70
90	226 DELMAR AVE	667480000	\$90,144	SF	70-75
91	227 DELMAR AVE	667730000	\$163,365	SF	65-70
92	230 DELMAR AVE	667460000	\$93,643	SF	70-75
93	234 DELMAR AVE	667441000	\$123,680	SF	70-75
94	235 DELMAR AVE	667740000	\$133,436	SF	70-75
95	238 DELMAR AVE	667450000	\$19,140	SF	70-75
96	202 GAINES AVE	667830000	\$196,080	SF	65-70
97	203 GAINES AVE	668640000	\$122,357	SF	65-70
98	206 GAINES AVE	667940000	\$52,176	SF	65-70
99	214 GAINES AVE	667970000	\$73,733	SF	65-70
100	218 GAINES AVE	668100000	\$120,960	SF	65-70
101	225 GAINES AVE	668340000	\$69,274	SF	65-70
102	229 GAINES AVE	668350000	\$56,994	SF	65-70
103	214 GREENWOOD AVE	667800000	\$50,281	SF	65-70
104	215 GREENWOOD AVE	667980000	\$72,935	SF	65-70
105	218 GREENWOOD AVE	667790005	\$82,867	SF	65-70
106	219 GREENWOOD AVE	668000000	\$92,983	SF	65-70
107	222 GREENWOOD AVE	667790000	\$81,350	SF	65-70
108	242 GREENWOOD AVE	667770000	\$128,523	SF	70-75
109	243 GREENWOOD AVE	668030000	\$64,577	SF	65-70
110	351 HERNANDO AVE	680351005	\$85,641	SF	65-70
111	355 HERNANDO AVE	680330000	\$82,016	SF	65-70
112	359 HERNANDO AVE	680310000	\$78,433	SF	65-70
113	363 HERNANDO AVE	680290000	\$59,119	SF	65-70
114	364 HERNANDO AVE	680660000	\$61,089	SF	65-70
115	367 HERNANDO AVE	680270000	\$66,944	SF	65-70
116	368 HERNANDO AVE	680650000	\$47,274	SF	65-70
117	118 HOLLY AVE	671080000	\$71,897	SF	65-70
118	121 HOLLY AVE	669790000	\$130,407	SF	65-70
119	122 HOLLY AVE	671070000	\$72,122	SF	65-70
120	125 HOLLY AVE	669780000	\$173,335	SF	65-70
121	126 HOLLY AVE	671060000	\$65,600	SF	65-70
122	129 HOLLY AVE	669770000	\$139,905	SF	65-70
123	130 HOLLY AVE	671050000	\$67,446	SF	65-70
124	133 HOLLY AVE	669760000	\$140,075	SF	65-70
125	134 HOLLY AVE	671040000	\$59,898	SF	65-70
126	137 HOLLY AVE	669750000	\$228,977	SF	65-70
127	138 HOLLY AVE	670990000	\$66,296	SF	65-70
128	141 HOLLY AVE	669740000	\$153,825	SF	65-70
129	142 HOLLY AVE	670980000	\$62,176	SF	65-70
130	145 HOLLY AVE	669730000	\$233,470	SF	65-70
131	146 HOLLY AVE	670970000	\$75,051	SF	65-70
132	149 HOLLY AVE	669720000	\$48,400	SF	65-70



**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
133	150 HOLLY AVE	670960000	\$89,824	SF	65-70
134	117 HOLLY CIR	669800000	\$209,864	SF	65-70
135	7851 LONGBAY BLVD	679770000	\$163,671	SF	65-70
136	7861 LONGBAY BLVD	679790000	\$159,186	SF	65-70
137	7266 MANATEE ST	675560000	\$58,894	SF	65-70
138	7273 MANATEE ST	675520010	\$72,209	SF	65-70
139	7294 MANATEE ST	675570000	\$112,111	SF	65-70
140	7303 MANATEE ST	675800000	\$112,120	SF	65-70
141	7310 MANATEE ST	675580000	\$97,207	SF	65-70
142	7320 MANATEE ST	675590000	\$140,946	SF	65-70
143	7327 MANATEE ST	675790000	\$92,179	SF	65-70
144	7332 MANATEE ST	675600000	\$121,030	SF	65-70
145	7335 MANATEE ST	675780000	\$136,395	SF	65-70
146	7403 MANATEE ST	675820000	\$72,682	SF	65-70
147	7409 MANATEE ST	676020000	\$48,790	SF	65-70
148	7421 MANATEE ST	676230000	\$80,440	SF	65-70
149	214 MARINO AVE	668440000	\$53,918	SF	65-70
150	218 MARINO AVE	668430000	\$59,152	SF	65-70
151	219 MARINO AVE	668740000	\$76,783	SF	65-70
152	222 MARINO AVE	668421005	\$53,150	SF	65-70
153	315 MCARTHUR AVE	676010000	\$84,624	SF	65-70
154	318 MCARTHUR AVE	676240000	\$26,630	SF	65-70
155	319 MCARTHUR AVE	676000000	\$57,985	SF	65-70
156	326 MCARTHUR AVE	676260000	\$50,258	SF	65-70
157	327 MCARTHUR AVE	675980000	\$56,713	SF	65-70
158	331 MCARTHUR AVE	675970000	\$53,611	SF	65-70
159	339 MCARTHUR AVE	675960000	\$56,927	SF	65-70
160	346 MCARTHUR AVE	676600000	\$84,204	SF	65-70
161	104 NORTH ISLES DR	670100005	\$225,331	SF	65-70
162	108 NORTH ISLES DR	670100010	\$44,000	SF	65-70
163	7340 NORTH TAMIAMI TRL	668990000	\$212,621	SF	65-70
164	7402 NORTH TAMIAMI TRL	668300000	\$113,481	SF	70-75
165	102 PEARL AVE	669620000	\$302,185	SF	65-70
166	103 PEARL AVE	670490000	\$175,023	SF	65-70
167	110 PEARL AVE	669460000	\$61,878	SF	65-70
168	114 PEARL AVE	669430000	\$55,573	SF	65-70
169	118 PEARL AVE	669400000	\$56,118	SF	65-70
170	119 PEARL AVE	670590000	\$62,094	SF	65-70
171	122 PEARL AVE	669390000	\$52,016	SF	65-70
172	131 PEARL AVE	670690000	\$62,698	SF	65-70
173	134 PEARL AVE	669260000	\$75,203	SF	65-70
174	135 PEARL AVE	670691000	\$72,082	SF	65-70
175	138 PEARL AVE	669250000	\$54,957	SF	65-70
176	139 PEARL AVE	670700000	\$79,652	SF	65-70

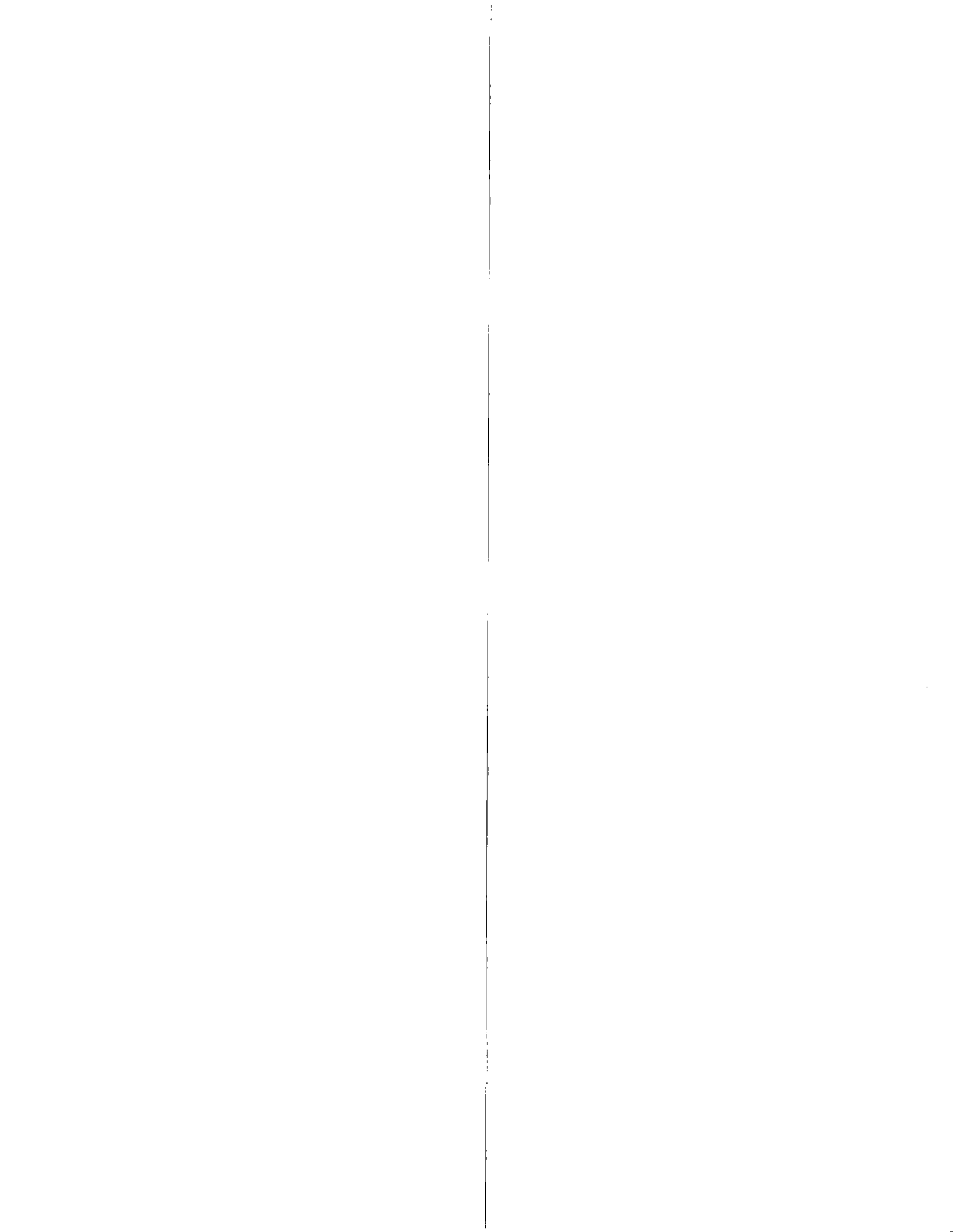
**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
177	203 PEARL AVE	670710000	\$72,832	SF	65-70
178	207 PEARL AVE	670720000	\$64,575	SF	65-70
179	210 PEARL AVE	669060000	\$69,053	SF	65-70
180	211 PEARL AVE	670740000	\$62,180	SF	65-70
181	215 PEARL AVE	670740005	\$21,745	SF	65-70
182	220 PEARL AVE	668910000	\$84,799	SF	65-70
183	314 PEARL AVE	675530000	\$24,460	SF	65-70
184	7321 PHILLIPS ST	669070000	\$58,072	SF	65-70
185	7324 PHILLIPS ST	669370000	\$89,824	SF	65-70
186	7329 PHILLIPS ST	669080000	\$70,539	SF	65-70
187	7332 PHILLIPS ST	669360000	\$30,820	SF	65-70
188	7337 PHILLIPS ST	669090000	\$78,508	SF	65-70
189	7340 PHILLIPS ST	669350000	\$92,362	SF	65-70
190	7341 PHILLIPS ST	669100000	\$67,319	SF	65-70
191	7348 PHILLIPS ST	669340000	\$69,198	SF	65-70
192	7349 PHILLIPS ST	669110000	\$61,013	SF	65-70
193	7352 PHILLIPS ST	669330000	\$105,587	SF	65-70
194	7353 PHILLIPS ST	669120000	\$58,863	SF	65-70
195	7357 PHILLIPS ST	669150000	\$57,909	SF	65-70
196	7327 PONCE DE LEON ST	676590000	\$88,679	SF	65-70
197	7335 PONCE DE LEON ST	676580000	\$74,839	SF	65-70
198	7343 PONCE DE LEON ST	676560000	\$76,137	SF	65-70
199	7402 PONCE DE LEON ST	676270000	\$44,604	SF	65-70
200	7403 PONCE DE LEON ST	676550000	\$68,687	SF	65-70
201	7410 PONCE DE LEON ST	676271000	\$74,578	SF	65-70
202	7411 PONCE DE LEON ST	676540000	\$70,662	SF	65-70
203	7414 PONCE DE LEON ST	676271005	\$62,441	SF	65-70
204	7419 PONCE DE LEON ST	676530000	\$69,133	SF	65-70
205	480 SATURN AVE	663180490	\$110,383	SF	65-70
206	302 SCOTT AVE	666901000	\$181,810	SF	65-70
207	306 SCOTT AVE	666900000	\$203,749	SF	65-70
208	307 SCOTT AVE	667180020	\$231,616	SF	65-70
209	313 SCOTT AVE	667210005	\$186,756	SF	65-70
210	316 SCOTT AVE	666940000	\$94,461	SF	65-70
211	317 SCOTT AVE	667210000	\$145,392	SF	65-70
212	326 SCOTT AVE	666950000	\$93,213	SF	65-70
213	327 SCOTT AVE	667230000	\$85,284	SF	65-70
214	330 SCOTT AVE	666960000	\$78,902	SF	65-70
215	331 SCOTT AVE	667240000	\$98,289	SF	65-70
216	335 SCOTT AVE	667250000	\$95,689	SF	65-70
217	338 SCOTT AVE	666970000	\$91,578	SF	65-70
218	342 SCOTT AVE	666980000	\$66,092	SF	65-70
219	345 SCOTT AVE	667040000	\$16,223	SF	70-75
220	346 SCOTT AVE	666990000	\$75,025	SF	65-70

**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

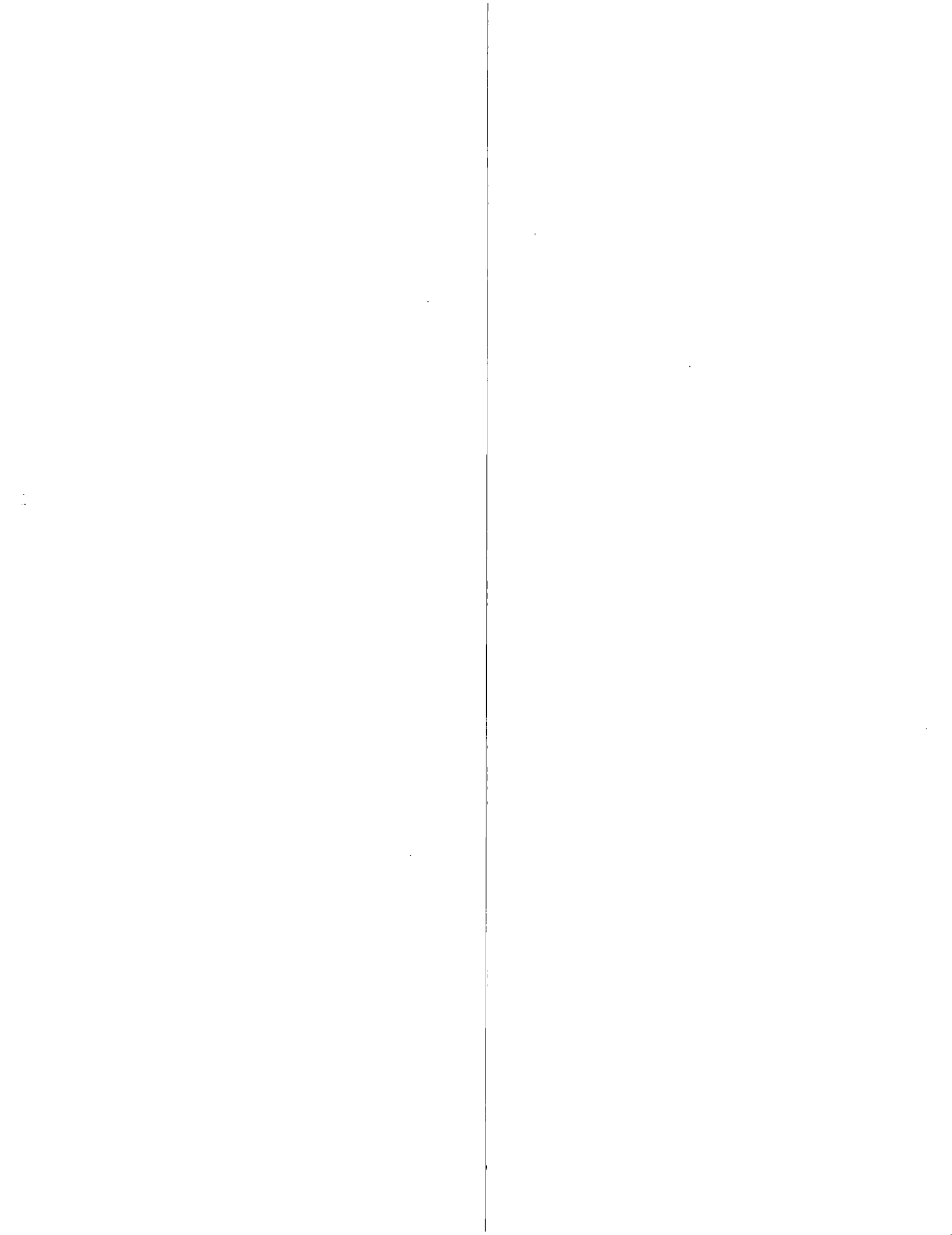
	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
221	346 SCOTT AVE	666990000	\$75,025	SF	70-75
222	349 SCOTT AVE	667050000	\$60,872	SF	70-75
223	353 SCOTT AVE	667060000	\$62,035	SF	70-75
224	354 SCOTT AVE	667000000	\$68,955	SF	70-75
225	357 SCOTT AVE	667070000	\$82,016	SF	70-75
226	358 SCOTT AVE	667010000	\$71,045	SF	70-75
227	361 SCOTT AVE	667080000	\$104,814	SF	70-75
228	362 SCOTT AVE	667020000	\$72,249	SF	70-75
229	7230 SHEPHERD ST	670750000	\$56,790	SF	65-70
230	7306 SHEPHERD ST	669050000	\$78,773	SF	65-70
231	7307 SHEPHERD ST	668920000	\$132,398	SF	65-70
232	7310 SHEPHERD ST	669230000	\$94,089	SF	65-70
233	7319 SHEPHERD ST	668930005	\$74,648	SF	65-70
234	7326 SHEPHERD ST	669220000	\$75,990	SF	65-70
235	7327 SHEPHERD ST	668940000	\$66,299	SF	65-70
236	7330 SHEPHERD ST	669210000	\$96,063	SF	65-70
237	7338 SHEPHERD ST	669200000	\$21,610	SF	65-70
238	7342 SHEPHERD ST	669190000	\$71,468	SF	65-70
239	7343 SHEPHERD ST	668960000	\$54,459	SF	65-70
240	7351 SHEPHERD ST	668970000	\$92,853	SF	65-70
241	7411 SHEPHERD ST	668120000	\$26,316	SF	70-75
242	7431 SHEPHERD ST	668160000	\$18,992	SF	65-70
243	7451 SHEPHERD ST	668210000	\$72,584	SF	65-70
244	303 SOMERSET AVE	679741000	\$91,041	SF	65-70
245	307 SOMERSET AVE	679730000	\$96,748	SF	65-70
246	313 SOMERSET AVE	679710000	\$74,160	SF	65-70
247	315 SOMERSET AVE	679690000	\$81,107	SF	65-70
248	316 SOMERSET AVE	680080000	\$108,151	SF	65-70
249	319 SOMERSET AVE	679670000	\$104,433	SF	65-70
250	320 SOMERSET AVE	680060000	\$76,156	SF	65-70
251	322 SOMERSET AVE	680040000	\$96,380	SF	65-70
252	325 SOMERSET AVE	679640000	\$77,552	SF	65-70
253	328 SOMERSET AVE	680020000	\$62,769	SF	65-70
254	329 SOMERSET AVE	679620000	\$134,535	SF	65-70
255	332 SOMERSET AVE	680000000	\$60,390	SF	65-70
256	333 SOMERSET AVE	679600000	\$92,111	SF	65-70
257	336 SOMERSET AVE	679980000	\$100,932	SF	65-70
258	337 SOMERSET AVE	679580000	\$71,244	SF	65-70
259	340 SOMERSET AVE	679950000	\$73,349	SF	65-70
260	341 SOMERSET AVE	679570000	\$87,129	SF	65-70
261	344 SOMERSET AVE	679930000	\$69,855	SF	65-70
262	345 SOMERSET AVE	679550000	\$60,215	SF	70-75
263	348 SOMERSET AVE	679910000	\$77,258	SF	65-70
264	352 SOMERSET AVE	679890000	\$16,425	SF	65-70



**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
265	327 SUWANEE AVE	680010000	\$68,247	SF	65-70
266	333 SUWANEE AVE	679990000	\$113,693	SF	65-70
267	337 SUWANEE AVE	679970000	\$69,436	SF	65-70
268	341 SUWANEE AVE	679940000	\$60,238	SF	65-70
269	342 SUWANEE AVE	680390000	\$69,089	SF	65-70
270	345 SUWANEE AVE	679920000	\$53,016	SF	65-70
271	346 SUWANEE AVE	680370000	\$86,864	SF	65-70
272	349 SUWANEE AVE	679900000	\$74,406	SF	65-70
273	350 SUWANEE AVE	680351010	\$100,946	SF	65-70
274	353 SUWANEE AVE	679880000	\$68,790	SF	65-70
275	354 SUWANEE AVE	680350000	\$22,500	SF	65-70
276	357 SUWANEE AVE	679870000	\$69,102	SF	65-70
277	358 SUWANEE AVE	680320000	\$68,386	SF	65-70
278	362 SUWANEE AVE	680300000	\$78,870	SF	65-70
279	7342 URANUS DR	663180625	\$79,432	SF	65-70
280	7343 URANUS DR	663180765	\$77,642	SF	65-70
281	7360 URANUS DR	663180620	\$72,677	SF	65-70
282	201 WESTMORELAND CT	667161000	\$237,272	SF	65-70
283	203 WESTMORELAND CT	667141000	\$173,460	SF	65-70
284	204 WESTMORELAND CT	667180005	\$223,663	SF	65-70
285	208 WESTMORELAND CT	667180010	\$27,500	SF	65-70
286	7102 WESTMORELAND DR	669880000	\$147,580	SF	65-70
287	7105 WESTMORELAND DR	669870000	\$139,824	SF	65-70
288	7106 WESTMORELAND DR	669890000	\$156,695	SF	65-70
289	7109 WESTMORELAND DR	669860000	\$131,779	SF	65-70
290	7110 WESTMORELAND DR	669900000	\$156,824	SF	65-70
291	7113 WESTMORELAND DR	669850000	\$144,430	SF	65-70
292	7114 WESTMORELAND DR	669910000	\$146,553	SF	65-70
293	7116 WESTMORELAND DR	669930000	\$71,500	SF	65-70
294	7118 WESTMORELAND DR	669940000	\$141,075	SF	65-70
295	7121 WESTMORELAND DR	669830000	\$198,114	SF	65-70
296	7122 WESTMORELAND DR	669950000	\$150,034	SF	65-70
297	7125 WESTMORELAND DR	669820000	\$154,452	SF	65-70
298	7126 WESTMORELAND DR	669960000	\$163,813	SF	65-70
299	7129 WESTMORELAND DR	669810000	\$119,607	SF	65-70
300	7133 WESTMORELAND DR	670300000	\$75,771	SF	65-70
301	7134 WESTMORELAND DR	669970000	\$229,947	SF	65-70
302	7137 WESTMORELAND DR	670230000	\$96,223	SF	65-70
303	7138 WESTMORELAND DR	669980000	\$223,497	SF	65-70
304	7142 WESTMORELAND DR	669990000	\$71,500	SF	65-70
305	7146 WESTMORELAND DR	670000000	\$157,978	SF	65-70
306	7203 WESTMORELAND DR	670220000	\$92,131	SF	65-70
307	7207 WESTMORELAND DR	670210000	\$98,661	SF	65-70
308	7211 WESTMORELAND DR	670200000	\$84,661	SF	65-70



**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
309	7215 WESTMORELAND DR	670190000	\$86,139	SF	65-70
310	7219 WESTMORELAND DR	670180000	\$78,771	SF	65-70
311	7222 WESTMORELAND DR	670070000	\$110,000	SF	65-70
312	7226 WESTMORELAND DR	670090000	\$108,607	SF	65-70
313	7303 WESTMORELAND DR	670160000	\$26,121	SF	65-70
314	7307 WESTMORELAND DR	670150000	\$92,002	SF	65-70
315	7311 WESTMORELAND DR	670140000	\$65,273	SF	65-70
316	7314 WESTMORELAND DR	670110000	\$234,589	SF	65-70
317	7315 WESTMORELAND DR	670130000	\$87,278	SF	65-70
318	7318 WESTMORELAND DR	670120000	\$266,871	SF	65-70
319	7322 WESTMORELAND DR	670380000	\$307,767	SF	65-70
320	7325 WESTMORELAND DR	670540005	\$108,680	SF	65-70
321	7326 WESTMORELAND DR	670400000	\$165,164	SF	65-70
322	7329 WESTMORELAND DR	670550000	\$25,016	SF	65-70
323	7330 WESTMORELAND DR	670420000	\$324,955	SF	65-70
324	7331 WESTMORELAND DR	670560000	\$190,272	SF	65-70
325	7340 WESTMORELAND DR	670450000	\$400,756	SF	65-70
326	7343 WESTMORELAND DR	670570000	\$77,339	SF	65-70
327	7344 WESTMORELAND DR	670470000	\$360,260	SF	65-70
328	7351 WESTMORELAND DR	670580000	\$47,637	SF	65-70
329	7402 WESTMORELAND DR	669670000	\$79,538	SF	65-70
330	7406 WESTMORELAND DR	669661000	\$25,755	SF	65-70
331	7411 WESTMORELAND DR	669490000	\$76,897	SF	65-70
332	7414 WESTMORELAND DR	669640000	\$272,805	SF	65-70
333	7415 WESTMORELAND DR	669500000	\$84,209	SF	65-70
334	7418 WESTMORELAND DR	669640010	\$432,370	SF	65-70
335	7423 WESTMORELAND DR	669510005	\$22,236	SF	65-70
336	7426 WESTMORELAND DR	669660000	\$232,687	SF	65-70
337	7427 WESTMORELAND DR	669520005	\$97,333	SF	65-70
338	7506 WESTMORELAND DR	668650000	\$70,672	SF	65-70
339	7507 WESTMORELAND DR	668670000	\$127,316	SF	65-70
340	7514 WESTMORELAND DR	668480000	\$266,862	SF	65-70
341	7518 WESTMORELAND DR	668500000	\$158,899	SF	65-70
342	7519 WESTMORELAND DR	668680000	\$65,178	SF	65-70
343	7522 WESTMORELAND DR	668520000	\$189,148	SF	65-70
344	7523 WESTMORELAND DR	668690000	\$88,884	SF	65-70
345	7526 WESTMORELAND DR	668541005	\$26,704	SF	65-70
346	7530 WESTMORELAND DR	668540000	\$120,133	SF	65-70
347	7531 WESTMORELAND DR	668700000	\$160,187	SF	65-70
348	7534 WESTMORELAND DR	668560000	\$126,799	SF	65-70
349	7535 WESTMORELAND DR	668720000	\$129,320	SF	65-70
350	7538 WESTMORELAND DR	668580000	\$116,435	SF	65-70
351	7540 WESTMORELAND DR	668600000	\$197,874	SF	65-70
352	7549 WESTMORELAND DR	668450000	\$74,466	SF	65-70

**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
353	7552 WESTMORELAND DR	668620000	\$159,874	SF	65-70
354	7604 WESTMORELAND DR	667850000	\$75,571	SF	65-70
355	7605 WESTMORELAND DR	667960000	\$83,510	SF	65-70
356	7608 WESTMORELAND DR	667860000	\$118,325	SF	65-70
357	7612 WESTMORELAND DR	667880000	\$131,915	SF	65-70
358	7619 WESTMORELAND DR	667990000	\$77,180	SF	65-70
359	7620 WESTMORELAND DR	667900000	\$180,454	SF	65-70
360	7621 WESTMORELAND DR	667810000	\$125,838	SF	65-70
361	7624 WESTMORELAND DR	667920000	\$216,401	SF	65-70
362	7631 WESTMORELAND DR	667710000	\$95,681	SF	65-70
363	7676 WESTMORELAND DR	667921000	\$227,277	SF	65-70
364	7706 WESTMORELAND DR	667140000	\$110,726	SF	65-70
365	7708 WESTMORELAND DR	667180000	\$200	SF	65-70
366	7710 WESTMORELAND DR	667180015	\$78,411	SF	65-70
367	7711 WESTMORELAND DR	667310000	\$169,645	SF	65-70
368	7714 WESTMORELAND DR	667290000	\$92,976	SF	65-70
369	7715 WESTMORELAND DR	667360000	\$171,460	SF	65-70
370	7718 WESTMORELAND DR	667280000	\$90,808	SF	65-70
371	7726 WESTMORELAND DR	667270000	\$70,470	SF	65-70
372	7727 WESTMORELAND DR	667400000	\$93,298	SF	70-75
373	7734 WESTMORELAND DR	667260000	\$81,765	SF	70-75
374	7735 WESTMORELAND DR	667410000	\$90,731	SF	70-75
375	7739 WESTMORELAND DR	667420000	\$92,463	SF	70-75
376	7742 WESTMORELAND DR	667130000	\$61,355	SF	70-75
377	7745 WESTMORELAND DR	667430000	\$57,072	SF	70-75
378	7746 WESTMORELAND DR	667120000	\$63,243	SF	70-75
379	7754 WESTMORELAND DR	667110000	\$64,822	SF	70-75
380	7758 WESTMORELAND DR	667090000	\$29,458	SF	> 75
381	7762 WESTMORELAND DR	667100000	\$79,743	SF	70-75
382	102 WHITFIELD AVE	668470000	\$207,283	SF	65-70
383	115 WHITFIELD AVE	669540000	\$77,054	SF	65-70
384	119 WHITFIELD AVE	669550000	\$60,608	SF	65-70
385	219 WHITFIELD AVE	669180000	\$69,122	SF	65-70
386	320 WHITFIELD AVE	675821000	\$74,977	SF	65-70
387	321 WHITFIELD AVE	675770005	\$16,584	SF	65-70
388	325 WHITFIELD AVE	675760005	\$99,680	SF	65-70
389	326 WHITFIELD AVE	675830000	\$50,711	SF	65-70
390	330 WHITFIELD AVE	675860000	\$68,598	SF	65-70



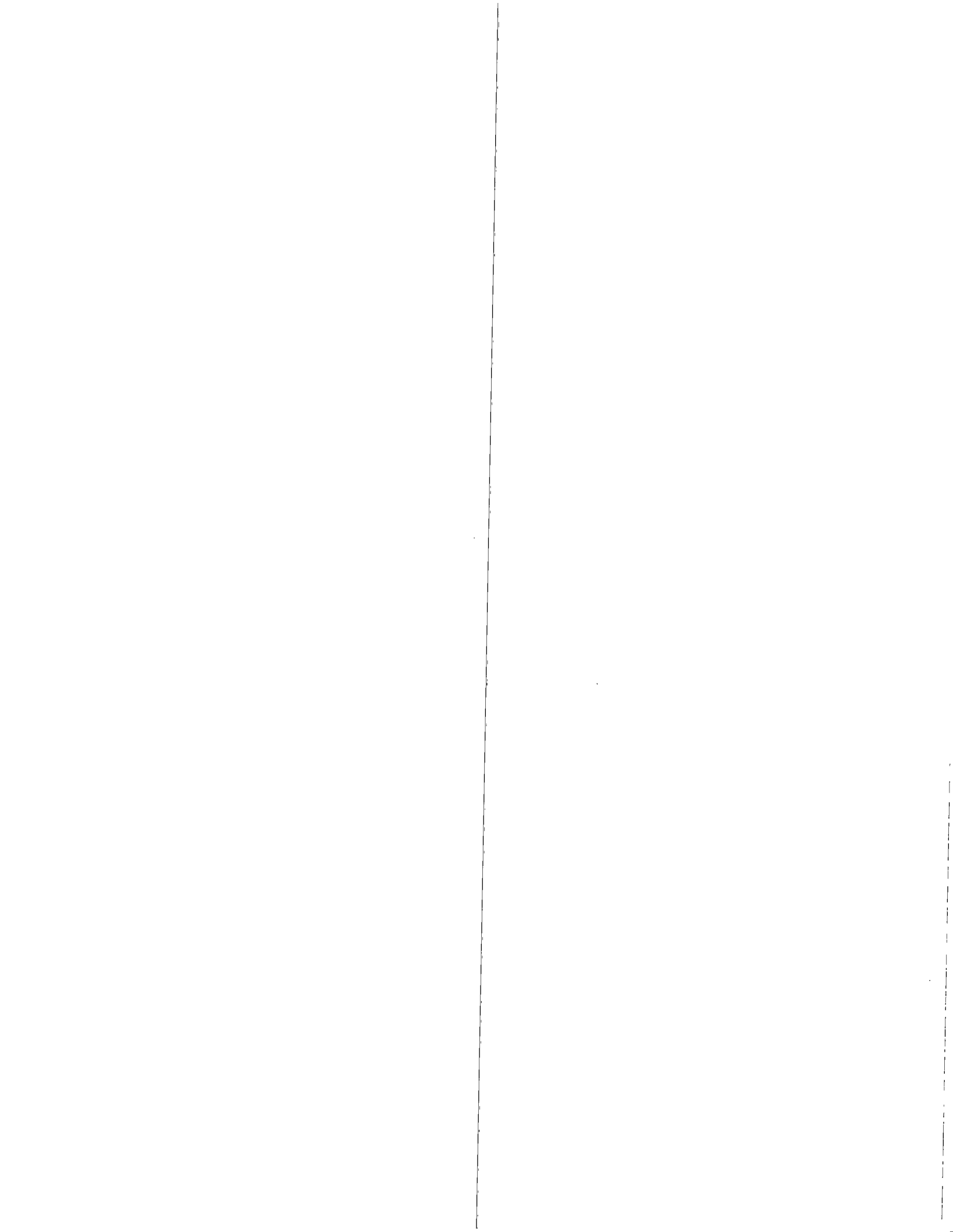
**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 295° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
1	6915 EAST BAYOU LN	678360000	\$28,502	MH	65-70
2	6917 EAST BAYOU LN	678380000	\$23,556	MH	65-70
3	6919 EAST BAYOU LN	678410000	\$24,186	MH	65-70
4	6921 EAST BAYOU LN	678430000	\$27,426	MH	65-70
5	6923 EAST BAYOU LN	678450000	\$33,756	MH	65-70
6	1808 EAST BEACH DR	678950000	\$55,139	MH	65-70
7	1810 EAST BEACH DR	678960000	\$43,838	MH	65-70
8	1812 EAST BEACH DR	678970000	\$44,146	MH	65-70
9	1814 EAST BEACH DR	678980000	\$92,558	MH	65-70
10	1816 EAST BEACH DR	678990000	\$48,659	MH	65-70
11	1818 EAST BEACH DR	679000000	\$49,497	MH	65-70
12	6913 MARLIN LN	678120000	\$28,542	MH	65-70
13	6914 MARLIN LN	678350000	\$31,669	MH	65-70
14	6915 MARLIN LN	678140000	\$22,352	MH	65-70
15	6916 MARLIN LN	678370000	\$27,779	MH	65-70
16	6917 MARLIN LN	678160000	\$22,099	MH	65-70
17	6918 MARLIN LN	678400000	\$37,278	MH	65-70
18	6919 MARLIN LN	678180000	\$25,188	MH	65-70
19	6920 MARLIN LN	678420000	\$23,881	MH	65-70
20	6921 MARLIN LN	678200000	\$26,209	MH	65-70
21	6922 MARLIN LN	678440000	\$28,721	MH	65-70
22	6923 MARLIN LN	678210000	\$25,573	MH	65-70
23	6924 MARLIN LN	678460000	\$46,188	MH	65-70
24	6914 TARPON LN	678130000	\$27,935	MH	65-70
25	6916 TARPON LN	678150000	\$27,325	MH	65-70
26	6917 TARPON LN	677950000	\$50,641	MH	65-70
27	6918 TARPON LN	678170000	\$45,918	MH	65-70
28	6919 TARPON LN	677960000	\$38,631	MH	65-70
29	6921 TARPON LN	677970000	\$52,557	MH	65-70
30	6922 TARPON LN	678190000	\$36,288	MH	65-70
31	6923 TARPON LN	677980000	\$38,903	MH	65-70
32	6924 TARPON LN	678220000	\$28,975	MH	65-70
33	6925 TARPON LN	677990000	\$42,572	MH	65-70

**APPENDIX C**

**MANATEE COUNTY PROPERTY ADDRESSES  
2000 NEM WITH 270° RADIAL TURN**



**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 270° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
1	123 ADAIR AVE	670880000	\$23,105	SF	65-70
2	124 ADAIR AVE	670810000	\$88,854	SF	65-70
3	127 ADAIR AVE	670890000	\$49,977	SF	65-70
4	131 ADAIR AVE	670920000	\$55,794	SF	65-70
5	132 ADAIR AVE	670800000	\$79,682	SF	65-70
6	135 ADAIR AVE	670891005	\$56,115	SF	65-70
7	136 ADAIR AVE	670790000	\$53,071	SF	65-70
8	139 ADAIR AVE	670891010	\$90,431	SF	65-70
9	144 ADAIR AVE	670780000	\$74,893	SF	65-70
10	147 ADAIR AVE	670901000	\$76,680	SF	65-70
11	148 ADAIR AVE	670770000	\$78,461	SF	65-70
12	151 ADAIR AVE	670901005	\$75,306	SF	65-70
13	152 ADAIR AVE	670760000	\$63,110	SF	65-70
14	155 ADAIR AVE	670900000	\$87,896	SF	65-70
15	302 BERNARD AVE	679810000	\$187,364	SF	65-70
16	305 BERNARD AVE	679470000	\$68,529	SF	65-70
17	309 BERNARD AVE	679460000	\$119,866	SF	65-70
18	310 BERNARD AVE	679740000	\$63,673	SF	65-70
19	313 BERNARD AVE	679450000	\$113,789	SF	65-70
20	320 BERNARD AVE	679720000	\$112,807	SF	65-70
21	321 BERNARD AVE	679440000	\$82,435	SF	65-70
22	324 BERNARD AVE	679700000	\$100,409	SF	65-70
23	325 BERNARD AVE	679430000	\$49,345	SF	65-70
24	328 BERNARD AVE	679680000	\$91,082	SF	65-70
25	329 BERNARD AVE	679420000	\$87,937	SF	70-75
26	330 BERNARD AVE	679660000	\$84,208	SF	65-70
27	331 BERNARD AVE	679410000	\$123,031	SF	70-75
28	335 BERNARD AVE	679400000	\$98,824	SF	70-75
29	336 BERNARD AVE	679630000	\$91,234	SF	65-70
30	339 BERNARD AVE	679390000	\$78,967	SF	70-75
31	340 BERNARD AVE	679610000	\$58,183	SF	65-70
32	344 BERNARD AVE	679590000	\$87,840	SF	70-75
33	7331 BROUGHTON ST	670670000	\$63,076	SF	65-70
34	7335 BROUGHTON ST	670680000	\$65,630	SF	65-70
35	7336 BROUGHTON ST	670600000	\$110,870	SF	65-70
36	7401 BROUGHTON ST	669270000	\$84,197	SF	65-70
37	7402 BROUGHTON ST	669600000	\$76,032	SF	65-70
38	7405 BROUGHTON ST	669280000	\$69,183	SF	65-70
39	7406 BROUGHTON ST	669590000	\$87,108	SF	65-70
40	7413 BROUGHTON ST	669290000	\$63,870	SF	65-70
41	7414 BROUGHTON ST	669580000	\$75,324	SF	65-70
42	7421 BROUGHTON ST	669300000	\$60,969	SF	65-70
43	7425 BROUGHTON ST	669310000	\$65,916	SF	65-70
44	7429 BROUGHTON ST	669320000	\$54,201	SF	65-70
45	7430 BROUGHTON ST	669560000	\$14,407	SF	65-70

**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 270° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
46	7444 BROUGHTON ST	668790000	\$99,794	SF	65-70
47	7452 BROUGHTON ST	668780000	\$58,360	SF	65-70
48	7460 BROUGHTON ST	668770000	\$78,875	SF	65-70
49	7464 BROUGHTON ST	668760000	\$77,269	SF	65-70
50	7472 BROUGHTON ST	668750000	\$88,877	SF	65-70
51	7654 BROUGHTON ST	667440000	\$25,740	SF	70-75
52	7329 CLARIES DR	663180565	\$75,446	SF	65-70
53	7333 CLARIES DR	663180570	\$86,995	SF	65-70
54	7337 CLARIES DR	663180575	\$79,664	SF	65-70
55	7341 CLARIES DR	663180580	\$67,084	SF	65-70
56	7345 CLARIES DR	663180585	\$95,521	SF	65-70
57	7349 CLARIES DR	663180590	\$80,052	SF	65-70
58	7353 CLARIES DR	663180595	\$79,782	SF	65-70
59	7357 CLARIES DR	663180600	\$62,547	SF	65-70
60	7361 CLARIES DR	663180605	\$64,674	SF	65-70
61	7365 CLARIES DR	663180610	\$98,881	SF	65-70
62	218 DELMAR AVE	667490000	\$24,816	SF	70-75
63	226 DELMAR AVE	667480000	\$90,144	SF	70-75
64	227 DELMAR AVE	667730000	\$163,365	SF	70-75
65	230 DELMAR AVE	667460000	\$93,643	SF	70-75
66	234 DELMAR AVE	667441000	\$123,680	SF	70-75
67	235 DELMAR AVE	667740000	\$133,436	SF	70-75
68	238 DELMAR AVE	667450000	\$19,140	SF	70-75
69	202 GAINES AVE	667830000	\$196,080	SF	65-70
70	203 GAINES AVE	668640000	\$122,357	SF	65-70
71	206 GAINES AVE	667940000	\$52,176	SF	65-70
72	214 GAINES AVE	667970000	\$73,733	SF	65-70
73	218 GAINES AVE	668100000	\$120,960	SF	65-70
74	225 GAINES AVE	668340000	\$69,274	SF	65-70
75	229 GAINES AVE	668350000	\$56,994	SF	65-70
76	214 GREENWOOD AVE	667800000	\$50,281	SF	65-70
77	215 GREENWOOD AVE	667980000	\$72,935	SF	65-70
78	218 GREENWOOD AVE	667790005	\$82,867	SF	65-70
79	219 GREENWOOD AVE	668000000	\$92,983	SF	65-70
80	222 GREENWOOD AVE	667790000	\$81,350	SF	70-75
81	242 GREENWOOD AVE	667770000	\$128,523	SF	70-75
82	243 GREENWOOD AVE	668030000	\$64,577	SF	65-70
83	347 HERNANDO AVE	680360000	\$80,346	SF	65-70
84	351 HERNANDO AVE	680351005	\$85,641	SF	65-70
85	355 HERNANDO AVE	680330000	\$82,016	SF	65-70
86	359 HERNANDO AVE	680310000	\$78,433	SF	65-70
87	363 HERNANDO AVE	680290000	\$59,119	SF	65-70
88	364 HERNANDO AVE	680660000	\$61,089	SF	65-70
89	367 HERNANDO AVE	680270000	\$66,944	SF	65-70
90	368 HERNANDO AVE	680650000	\$47,274	SF	65-70

**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 270° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
91	125 HOLLY AVE	669780000	\$173,335	SF	65-70
92	126 HOLLY AVE	671060000	\$65,600	SF	65-70
93	129 HOLLY AVE	669770000	\$139,905	SF	65-70
94	130 HOLLY AVE	671050000	\$67,446	SF	65-70
95	133 HOLLY AVE	669760000	\$140,075	SF	65-70
96	134 HOLLY AVE	671040000	\$59,898	SF	65-70
97	137 HOLLY AVE	669750000	\$228,977	SF	65-70
98	138 HOLLY AVE	670990000	\$66,296	SF	65-70
99	141 HOLLY AVE	669740000	\$153,825	SF	65-70
100	142 HOLLY AVE	670980000	\$62,176	SF	65-70
101	145 HOLLY AVE	669730000	\$233,470	SF	65-70
102	146 HOLLY AVE	670970000	\$75,051	SF	65-70
103	149 HOLLY AVE	669720000	\$48,400	SF	65-70
104	150 HOLLY AVE	670960000	\$89,824	SF	65-70
105	7851 LONGBAY BLVD	679770000	\$163,671	SF	65-70
106	7861 LONGBAY BLVD	679790000	\$159,186	SF	65-70
107	7266 MANATEE ST	675560000	\$58,894	SF	65-70
108	7294 MANATEE ST	675570000	\$112,111	SF	65-70
109	7310 MANATEE ST	675580000	\$97,207	SF	65-70
110	7320 MANATEE ST	675590000	\$140,946	SF	65-70
111	7327 MANATEE ST	675790000	\$92,179	SF	65-70
112	7332 MANATEE ST	675600000	\$121,030	SF	65-70
113	7335 MANATEE ST	675780000	\$136,395	SF	65-70
114	7403 MANATEE ST	675820000	\$72,682	SF	65-70
115	7409 MANATEE ST	676020000	\$48,790	SF	65-70
116	7421 MANATEE ST	676230000	\$80,440	SF	65-70
117	214 MARINO AVE	668440000	\$53,918	SF	65-70
118	218 MARINO AVE	668430000	\$59,152	SF	65-70
119	219 MARINO AVE	668740000	\$76,783	SF	65-70
120	222 MARINO AVE	668421005	\$53,150	SF	65-70
121	315 MCARTHUR AVE	676010000	\$84,624	SF	65-70
122	318 MCARTHUR AVE	676240000	\$26,630	SF	65-70
123	319 MCARTHUR AVE	676000000	\$57,985	SF	65-70
124	326 MCARTHUR AVE	676260000	\$50,258	SF	65-70
125	327 MCARTHUR AVE	675980000	\$56,713	SF	65-70
126	7340 NORTH TAMIAMI TRL	668990000	\$212,621	SF	65-70
127	7402 NORTH TAMIAMI TRL	668300000	\$113,481	SF	65-70
128	102 PEARL AVE	669620000	\$302,185	SF	65-70
129	103 PEARL AVE	670490000	\$175,023	SF	65-70
130	110 PEARL AVE	669460000	\$61,878	SF	65-70
131	114 PEARL AVE	669430000	\$55,573	SF	65-70
132	118 PEARL AVE	669400000	\$56,118	SF	65-70
133	119 PEARL AVE	670590000	\$62,094	SF	65-70
134	122 PEARL AVE	669390000	\$52,016	SF	65-70
135	131 PEARL AVE	670690000	\$62,698	SF	65-70

**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 270° Radial Turn**

	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
136	134 PEARL AVE	669260000	\$75,203	SF	65-70
137	135 PEARL AVE	670691000	\$72,082	SF	65-70
138	138 PEARL AVE	669250000	\$54,957	SF	65-70
139	139 PEARL AVE	670700000	\$79,652	SF	65-70
140	203 PEARL AVE	670710000	\$72,832	SF	65-70
141	207 PEARL AVE	670720000	\$64,575	SF	65-70
142	210 PEARL AVE	669060000	\$69,053	SF	65-70
143	211 PEARL AVE	670740000	\$62,180	SF	65-70
144	215 PEARL AVE	670740005	\$21,745	SF	65-70
145	220 PEARL AVE	668910000	\$84,799	SF	65-70
146	7321 PHILLIPS ST	669070000	\$58,072	SF	65-70
147	7324 PHILLIPS ST	669370000	\$89,824	SF	65-70
148	7329 PHILLIPS ST	669080000	\$70,539	SF	65-70
149	7332 PHILLIPS ST	669360000	\$30,820	SF	65-70
150	7337 PHILLIPS ST	669090000	\$78,508	SF	65-70
151	7340 PHILLIPS ST	669350000	\$92,362	SF	65-70
152	7341 PHILLIPS ST	669100000	\$67,319	SF	65-70
153	7348 PHILLIPS ST	669340000	\$69,198	SF	65-70
154	7349 PHILLIPS ST	669110000	\$61,013	SF	65-70
155	7352 PHILLIPS ST	669330000	\$105,587	SF	65-70
156	7353 PHILLIPS ST	669120000	\$58,863	SF	65-70
157	7357 PHILLIPS ST	669150000	\$57,909	SF	65-70
158	7335 PONCE DE LEON ST	676580000	\$74,839	SF	65-70
159	7343 PONCE DE LEON ST	676560000	\$76,137	SF	65-70
160	7402 PONCE DE LEON ST	676270000	\$44,604	SF	65-70
161	7403 PONCE DE LEON ST	676550000	\$68,687	SF	65-70
162	7410 PONCE DE LEON ST	676271000	\$74,578	SF	65-70
163	7411 PONCE DE LEON ST	676540000	\$70,662	SF	65-70
164	7414 PONCE DE LEON ST	676271005	\$62,441	SF	65-70
165	7419 PONCE DE LEON ST	676530000	\$69,133	SF	65-70
166	302 SCOTT AVE	666901000	\$181,810	SF	65-70
167	306 SCOTT AVE	666900000	\$203,749	SF	65-70
168	307 SCOTT AVE	667180020	\$231,616	SF	65-70
169	313 SCOTT AVE	667210005	\$186,756	SF	65-70
170	316 SCOTT AVE	666940000	\$94,461	SF	65-70
171	317 SCOTT AVE	667210000	\$145,392	SF	65-70
172	326 SCOTT AVE	666950000	\$93,213	SF	65-70
173	327 SCOTT AVE	667230000	\$85,284	SF	65-70
174	330 SCOTT AVE	666960000	\$78,902	SF	65-70
175	331 SCOTT AVE	667240000	\$98,289	SF	65-70
176	335 SCOTT AVE	667250000	\$95,689	SF	65-70
177	338 SCOTT AVE	666970000	\$91,578	SF	65-70
178	342 SCOTT AVE	666980000	\$66,092	SF	65-70
179	345 SCOTT AVE	667040000	\$16,223	SF	70-75
180	346 SCOTT AVE	666990000	\$75,025	SF	65-70

**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 270° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
181	349 SCOTT AVE	667050000	\$60,872	SF	70-75
182	353 SCOTT AVE	667060000	\$62,035	SF	70-75
183	354 SCOTT AVE	667000000	\$68,955	SF	70-75
184	357 SCOTT AVE	667070000	\$82,016	SF	70-75
185	358 SCOTT AVE	667010000	\$71,045	SF	70-75
186	361 SCOTT AVE	667080000	\$104,814	SF	70-75
187	362 SCOTT AVE	667020000	\$72,249	SF	70-75
188	7230 SHEPHERD ST	670750000	\$56,790	SF	65-70
189	7306 SHEPHERD ST	669050000	\$78,773	SF	65-70
190	7307 SHEPHERD ST	668920000	\$132,398	SF	65-70
191	7310 SHEPHERD ST	669230000	\$94,089	SF	65-70
192	7319 SHEPHERD ST	668930005	\$74,648	SF	65-70
193	7326 SHEPHERD ST	669220000	\$75,990	SF	65-70
194	7327 SHEPHERD ST	668940000	\$66,299	SF	65-70
195	7330 SHEPHERD ST	669210000	\$96,063	SF	65-70
196	7338 SHEPHERD ST	669200000	\$21,610	SF	65-70
197	7342 SHEPHERD ST	669190000	\$71,468	SF	65-70
198	7343 SHEPHERD ST	668960000	\$54,459	SF	65-70
199	7351 SHEPHERD ST	668970000	\$92,853	SF	65-70
200	7411 SHEPHERD ST	668120000	\$26,316	SF	65-70
201	7431 SHEPHERD ST	668160000	\$18,992	SF	65-70
202	7451 SHEPHERD ST	668210000	\$72,584	SF	65-70
203	303 SOMERSET AVE	679741000	\$91,041	SF	65-70
204	307 SOMERSET AVE	679730000	\$96,748	SF	65-70
205	312 SOMERSET AVE	680110000	\$75,428	SF	65-70
206	313 SOMERSET AVE	679710000	\$74,160	SF	65-70
207	315 SOMERSET AVE	679690000	\$81,107	SF	65-70
208	316 SOMERSET AVE	680080000	\$108,151	SF	65-70
209	319 SOMERSET AVE	679670000	\$104,433	SF	65-70
210	320 SOMERSET AVE	680060000	\$76,156	SF	65-70
211	322 SOMERSET AVE	680040000	\$96,380	SF	65-70
212	325 SOMERSET AVE	679640000	\$77,552	SF	65-70
213	328 SOMERSET AVE	680020000	\$62,769	SF	65-70
214	329 SOMERSET AVE	679620000	\$134,535	SF	65-70
215	332 SOMERSET AVE	680000000	\$60,390	SF	65-70
216	333 SOMERSET AVE	679600000	\$92,111	SF	65-70
217	336 SOMERSET AVE	679980000	\$100,932	SF	65-70
218	337 SOMERSET AVE	679580000	\$71,244	SF	65-70
219	340 SOMERSET AVE	679950000	\$73,349	SF	65-70
220	341 SOMERSET AVE	679570000	\$87,129	SF	70-75
221	344 SOMERSET AVE	679930000	\$69,855	SF	65-70
222	345 SOMERSET AVE	679550000	\$60,215	SF	70-75
223	348 SOMERSET AVE	679910000	\$77,258	SF	65-70
224	352 SOMERSET AVE	679890000	\$16,425	SF	65-70
225	323 SUWANEE AVE	680030000	\$119,314	SF	65-70



**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 270° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
226	327 SUWANEE AVE	680010000	\$68,247	SF	65-70
227	333 SUWANEE AVE	679990000	\$113,693	SF	65-70
228	337 SUWANEE AVE	679970000	\$69,436	SF	65-70
229	341 SUWANEE AVE	679940000	\$60,238	SF	65-70
230	342 SUWANEE AVE	680390000	\$69,089	SF	65-70
231	345 SUWANEE AVE	679920000	\$53,016	SF	65-70
232	346 SUWANEE AVE	680370000	\$86,864	SF	65-70
233	349 SUWANEE AVE	679900000	\$74,406	SF	65-70
234	350 SUWANEE AVE	680351010	\$100,946	SF	65-70
235	353 SUWANEE AVE	679880000	\$68,790	SF	65-70
236	354 SUWANEE AVE	680350000	\$22,500	SF	65-70
237	357 SUWANEE AVE	679870000	\$69,102	SF	65-70
238	358 SUWANEE AVE	680320000	\$68,386	SF	65-70
239	362 SUWANEE AVE	680300000	\$78,870	SF	65-70
240	201 WESTMORELAND CT	667161000	\$237,272	SF	65-70
241	203 WESTMORELAND CT	667141000	\$173,460	SF	65-70
242	204 WESTMORELAND CT	667180005	\$223,663	SF	65-70
243	208 WESTMORELAND CT	667180010	\$27,500	SF	65-70
244	7102 WESTMORELAND DR	669880000	\$147,580	SF	65-70
245	7105 WESTMORELAND DR	669870000	\$139,824	SF	65-70
246	7106 WESTMORELAND DR	669890000	\$156,695	SF	65-70
247	7109 WESTMORELAND DR	669860000	\$131,779	SF	65-70
248	7110 WESTMORELAND DR	669900000	\$156,824	SF	65-70
249	7113 WESTMORELAND DR	669850000	\$144,430	SF	65-70
250	7114 WESTMORELAND DR	669910000	\$146,553	SF	65-70
251	7116 WESTMORELAND DR	669930000	\$71,500	SF	65-70
252	7118 WESTMORELAND DR	669940000	\$141,075	SF	65-70
253	7121 WESTMORELAND DR	669830000	\$198,114	SF	65-70
254	7344 WESTMORELAND DR	670470000	\$360,260	SF	65-70
255	7351 WESTMORELAND DR	670580000	\$47,637	SF	65-70
256	7402 WESTMORELAND DR	669670000	\$79,538	SF	65-70
257	7406 WESTMORELAND DR	669661000	\$25,755	SF	65-70
258	7411 WESTMORELAND DR	669490000	\$76,897	SF	65-70
259	7414 WESTMORELAND DR	669640000	\$272,805	SF	65-70
260	7415 WESTMORELAND DR	669500000	\$84,209	SF	65-70
261	7418 WESTMORELAND DR	669640010	\$432,370	SF	65-70
262	7423 WESTMORELAND DR	669510005	\$22,236	SF	65-70
263	7426 WESTMORELAND DR	669660000	\$232,687	SF	65-70
264	7427 WESTMORELAND DR	669520005	\$97,333	SF	65-70
265	7506 WESTMORELAND DR	668650000	\$70,672	SF	65-70
266	7507 WESTMORELAND DR	668670000	\$127,316	SF	65-70
267	7514 WESTMORELAND DR	668480000	\$266,862	SF	65-70
268	7518 WESTMORELAND DR	668500000	\$158,899	SF	65-70
269	7519 WESTMORELAND DR	668680000	\$65,178	SF	65-70
270	7522 WESTMORELAND DR	668520000	\$189,148	SF	65-70

**Manatee County Property Addresses within the DNL 65+ dB Contour of the 2000 NEM  
with 270° Radial Turn**

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	PROPERTY ADDRESS	PIN	ASSESSED \$\$	TYPE	DNL
271	7523 WESTMORELAND DR	668690000	\$88,884	SF	65-70
272	7526 WESTMORELAND DR	668541005	\$26,704	SF	65-70
273	7530 WESTMORELAND DR	668540000	\$120,133	SF	65-70
274	7531 WESTMORELAND DR	668700000	\$160,187	SF	65-70
275	7534 WESTMORELAND DR	668560000	\$126,799	SF	65-70
276	7535 WESTMORELAND DR	668720000	\$129,320	SF	65-70
277	7538 WESTMORELAND DR	668580000	\$116,435	SF	65-70
278	7540 WESTMORELAND DR	668600000	\$197,874	SF	65-70
279	7549 WESTMORELAND DR	668450000	\$74,466	SF	65-70
280	7552 WESTMORELAND DR	668620000	\$159,874	SF	65-70
281	7604 WESTMORELAND DR	667850000	\$75,571	SF	65-70
282	7605 WESTMORELAND DR	667960000	\$83,510	SF	65-70
283	7608 WESTMORELAND DR	667860000	\$118,325	SF	65-70
284	7612 WESTMORELAND DR	667880000	\$131,915	SF	65-70
285	7619 WESTMORELAND DR	667990000	\$77,180	SF	65-70
286	7620 WESTMORELAND DR	667900000	\$180,454	SF	65-70
287	7621 WESTMORELAND DR	667810000	\$125,838	SF	65-70
288	7624 WESTMORELAND DR	667920000	\$216,401	SF	65-70
289	7631 WESTMORELAND DR	667710000	\$95,681	SF	65-70
290	7676 WESTMORELAND DR	667921000	\$227,277	SF	65-70
291	7706 WESTMORELAND DR	667140000	\$110,726	SF	65-70
292	7708 WESTMORELAND DR	667180000	\$200	SF	65-70
293	7710 WESTMORELAND DR	667180015	\$78,411	SF	65-70
294	7711 WESTMORELAND DR	667310000	\$169,645	SF	65-70
295	7714 WESTMORELAND DR	667290000	\$92,976	SF	65-70
296	7715 WESTMORELAND DR	667360000	\$171,460	SF	70-75
297	7718 WESTMORELAND DR	667280000	\$90,808	SF	65-70
298	7726 WESTMORELAND DR	667270000	\$70,470	SF	65-70
299	7727 WESTMORELAND DR	667400000	\$93,298	SF	70-75
300	7734 WESTMORELAND DR	667260000	\$81,765	SF	70-75
301	7735 WESTMORELAND DR	667410000	\$90,731	SF	70-75
302	7739 WESTMORELAND DR	667420000	\$92,463	SF	70-75
303	7742 WESTMORELAND DR	667130000	\$61,355	SF	70-75
304	7745 WESTMORELAND DR	667430000	\$57,072	SF	70-75
305	7746 WESTMORELAND DR	667120000	\$63,243	SF	70-75
306	7754 WESTMORELAND DR	667110000	\$64,822	SF	70-75
307	7758 WESTMORELAND DR	667090000	\$29,458	SF	> 75
308	7762 WESTMORELAND DR	667100000	\$79,743	SF	70-75
309	102 WHITFIELD AVE	668470000	\$207,283	SF	65-70
310	115 WHITFIELD AVE	669540000	\$77,054	SF	65-70
311	119 WHITFIELD AVE	669550000	\$60,608	SF	65-70
312	219 WHITFIELD AVE	669180000	\$69,122	SF	65-70
313	320 WHITFIELD AVE	675821000	\$74,977	SF	65-70
314	326 WHITFIELD AVE	675830000	\$50,711	SF	65-70

**APPENDIX D**

**CALCULATION OF ESTIMATED  
PROGRAM COSTS**



## Calculation of Estimated Program Costs within the DNL 65+ dB Contour of 2000 NEM Sarasota County

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There are 590 mobile homes and 19 single family homes located within the DNL 65+ dB of the 2000 Noise Exposure Map. The total assessed value of the 590 mobile homes is \$18,653,767, and the estimated market value is \$23,317,209. The total assessed value of the 19 single family homes is \$1,071,667, and the estimated market value is \$1,339,584. The total assessed value of all 609 homes is \$19,725,434 and the total estimated market value is \$24,656,793. The estimated market value was calculated by dividing the assessed value by 80 percent.

There are 3 multi-unit apartment complexes partially impacted by noise levels of DNL 65+ dB. They are: Cimarron Lake Apartments (total of 167 units), Shadowoods Apartments (total of 139 units), and Tri-Par Apartments (total of 32 units). These were not included in any of the following calculations.

There is one nursing home and one residential drug and alcohol rehabilitation facility impacted by noise levels of DNL 65+ dB. They are: Harbourside Health Care - Sarasota (total of 120 beds) and First Step Residential Center (80 to 100 beds). These were not included in any of the following calculations.

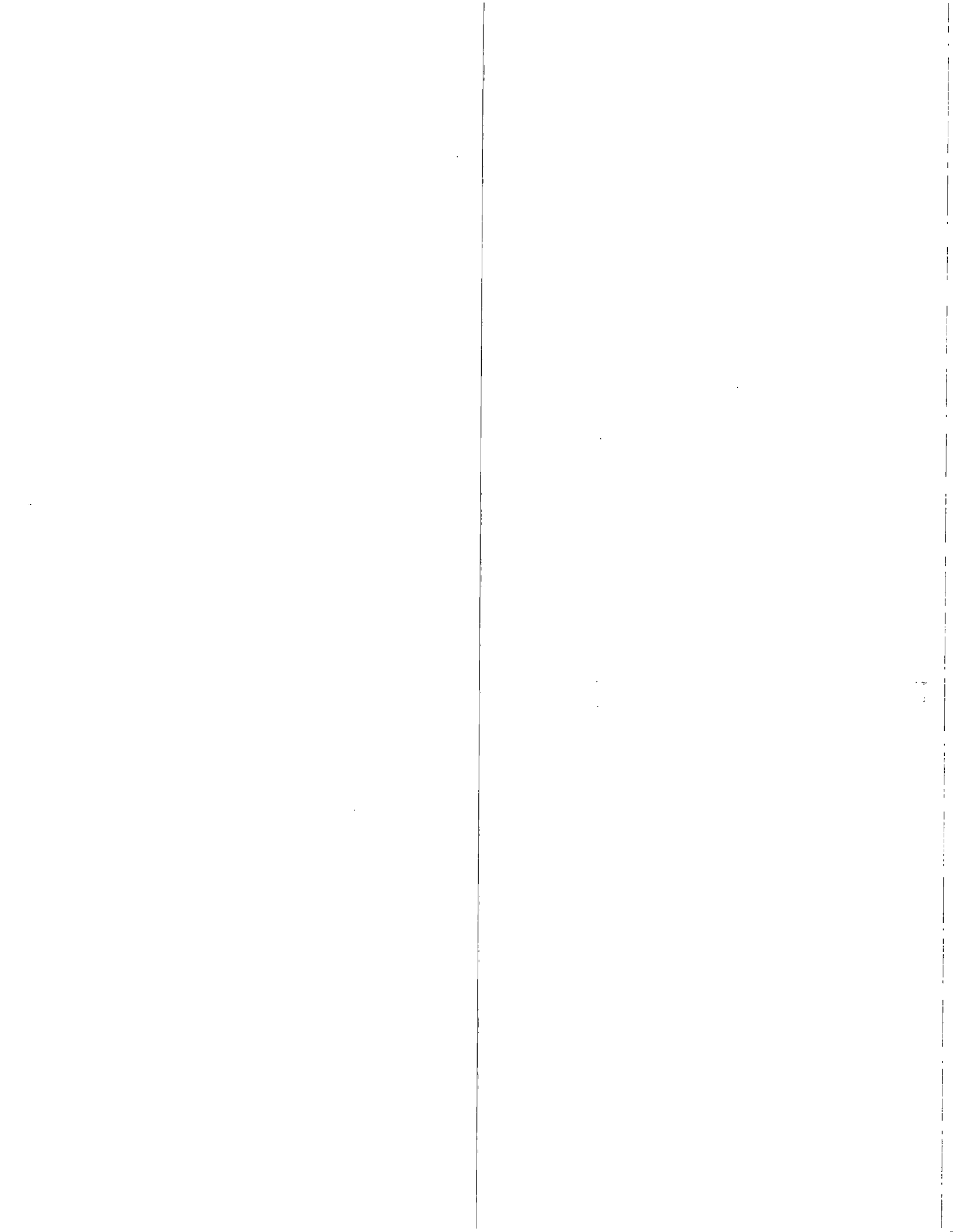
The Sarasota Lakes RV Resort is also partially impacted by noise levels of DNL 65+ dB. It is a cooperative campground with 420 campsites. It was not included in any of the following calculations.

Data collected from residents of Tri-Par Estates indicates that approximately 50 percent of the current owners purchased their property prior to December 15, 1986, and approximately 25 percent of the current owners purchased their property prior to January 1, 1980. These percentages were applied to calculate the estimated program costs if participation were limited to owners who purchased their property prior to the stated date of eligibility.

### 1. Land Acquisition (with Demolition) and Relocation Assistance

The cost of administrative, appraisal, legal, relocation, moving, and demolition expenses, are collectively estimated to add 45 percent to the cost. This type of program must include all homes, and cannot be limited to those who purchased prior to a certain date.

$$\$24,656,793 \times 145\% = \$35,752,350$$



**Calculation of Estimated Program Costs within the DNL 65+ dB Contour of 2000 NEM  
Sarasota County**

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2. Sound Insulation with Avigation Easements

An average sound insulation cost of \$25,000 per single family dwelling plus 40 percent administrative/program management cost has been assumed (total \$35,000 per single family dwelling). Costs only include the 19 single family homes; no mobile homes are included.

All Included:             $\$35,000 \times 19 = \$665,000$

December 15, 1986:  $\$35,000 \times 19 \times 50\% = \$332,500$

January 1, 1980:       $\$35,000 \times 19 \times 25\% = \$166,250$

3. Purchase of Avigation Easements

No comparable sales data currently exist to establish the value of an avigation easement. An average avigation easement cost of \$2,500 per dwelling plus 30 percent administrative cost has been assumed (total \$3,250 per dwelling). Costs include both single family homes and mobile homes.

All Included:             $\$3,250 \times 609 = \$1,979,250$

December 15, 1986:  $\$3,250 \times 609 \times 50\% = \$989,625$

January 1, 1980:       $\$3,250 \times 609 \times 25\% = \$494,812$

4. Purchase and Resale with Avigation Easements and Sound Insulation

A net program cost equal to 30 percent of the fair market value was assumed for the mobile homes, which cannot be insulated. The total assessed value of the 590 mobile homes is \$18,653,767, and the estimated market value is \$23,317,209.

All Included:             $\$23,317,209 \times 30\% = \$6,995,163$

December 15, 1986:  $\$23,317,209 \times 30\% \times 50\% = \$3,497,582$

January 1, 1980:       $\$23,317,209 \times 30\% \times 25\% = \$1,748,791$





**Calculation of Estimated Program Costs within the DNL 65+ dB Contour of 2000 NEM  
Sarasota County**

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A net program cost equal to 40 percent of the fair market value was assumed for the single family homes that will be insulated. The total assessed value of the 19 single family homes is \$1,071,667, and the estimated market value is \$1,339,584.

All Included:             $\$1,339,584 \times 40\% = \$535,834$

December 15, 1986:  $\$1,339,584 \times 40\% \times 50\% = \$267,917$

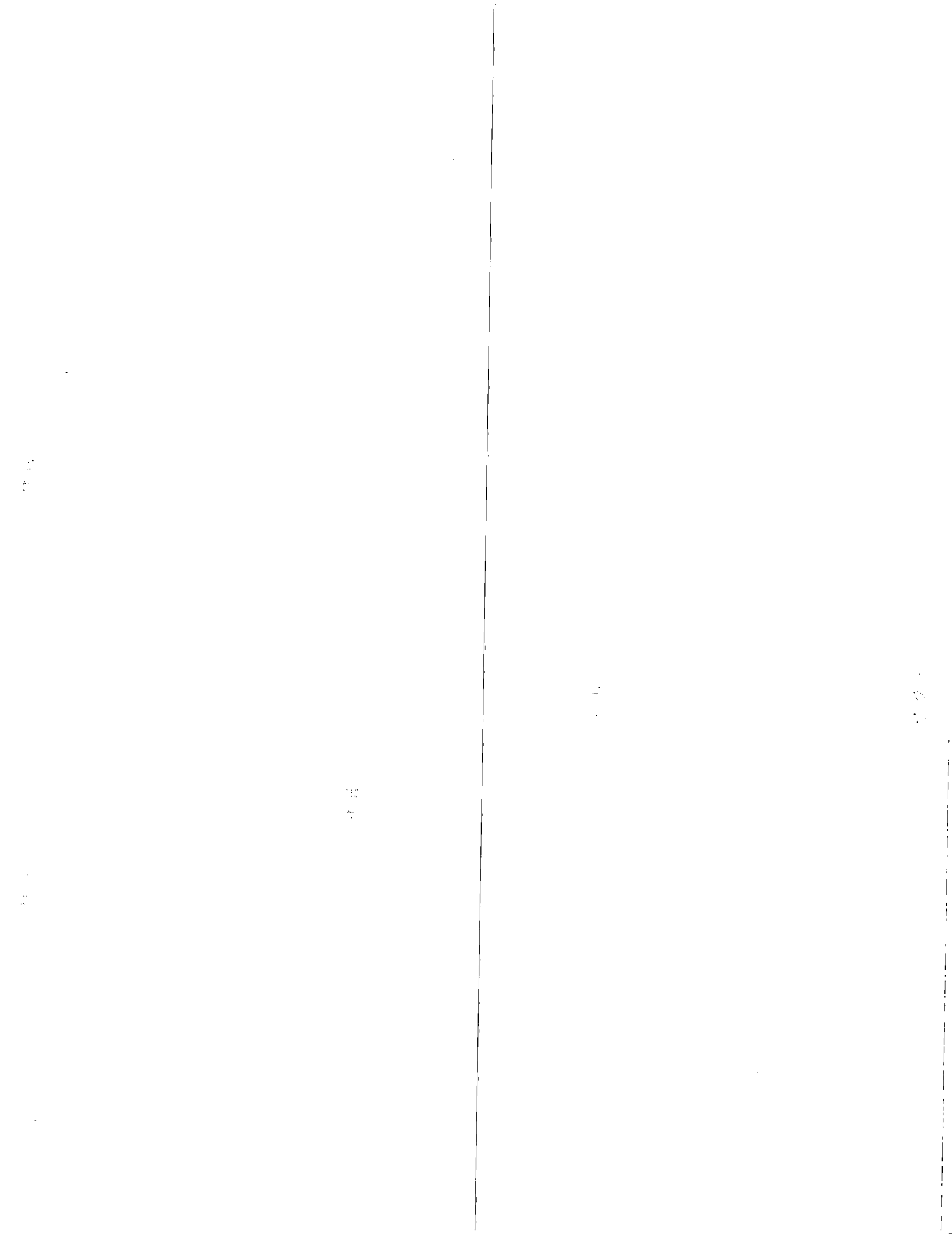
January 1, 1980:      $\$1,339,584 \times 40\% \times 25\% = \$133,959$

Therefore, the total estimated cost is:

All Included:             $\$6,995,163 + \$535,834 = \$7,530,997$

December 15, 1986:  $\$3,497,582 + \$267,917 = \$3,765,499$

January 1, 1980:      $\$1,748,791 + \$133,959 = \$1,882,750$



**Calculation of Estimated Program Costs within the DNL 65+ dB Contour of 2000 NEM  
Manatee County with 295° Radial Turn**

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There are 33 mobile homes and 390 single family homes located within the DNL 65+ dB of the 2000 Noise Exposure Map. The total assessed value of the 33 mobile homes is \$1,206,487, and the estimated market value is \$1,508,109. The total assessed value of the 390 single family homes is \$37,795,124, and the estimated market value is \$47,243,905. The total assessed value of all 423 homes is \$39,001,611 and the total estimated market value is \$48,752,014. The estimated market value was calculated by dividing the assessed value by 80 percent.

There are two churches and one day care impacted by noise levels of DNL 65+ dB. They are: Second Church of Christ Scientist, Midway Church of Christ, and Little People's Place Day Care Center. These were not included in any of the following calculations.

The Bowlees Creek Mobile Home Court and Marina is also partially impacted by noise levels of DNL 65+ dB. The residents own their mobile homes and rent the lots from the property owner, Bowlees Creek Partnership. There are 67 mobile home lots and 8 recreational vehicle lots. It was not included in any of the following calculations.

Data collected from Manatee County indicates that approximately 50 percent of the current owners purchased their property prior to December 15, 1986, and approximately 25 percent of the current owners purchased their property prior to January 1, 1980. These percentages were applied to the calculate the estimated program costs if participation were limited to owners who purchased their property prior to the stated date of eligibility.

1. Land Acquisition (with Demolition) and Relocation Assistance

The cost of administrative, appraisal, legal, relocation, moving, and demolition expenses, are collectively estimated to add 45 percent to the cost. This type of program must include all homes, and cannot be limited to those who purchased prior to a certain date.

$$\$48,752,014 \times 145\% = \$70,690,420$$

**Calculation of Estimated Program Costs within the DNL 65+ dB Contour of 2000 NEM  
Manatee County with 295° Radial Turn**

---

2. Sound Insulation with Avigation Easements

An average sound insulation cost of \$25,000 per single family dwelling plus 40 percent administrative/program management cost has been assumed (total \$35,000 per single family dwelling). Costs only include the 390 single family homes; no mobile homes are included.

All Included:             $\$35,000 \times 390 = \$13,650,000$

December 15, 1986:  $\$35,000 \times 390 \times 50\% = \$6,825,000$

January 1, 1980:      $\$35,000 \times 390 \times 25\% = \$3,412,500$

3. Purchase of Avigation Easements

No comparable sales data currently exist to establish the value of an avigation easement. An average avigation easement cost of \$2,500 per dwelling plus 30 percent administrative cost has been assumed (total \$3,250 per dwelling). Costs include both single family homes and mobile homes.

All Included:             $\$3,250 \times 423 = \$1,374,750$

December 15, 1986:  $\$3,250 \times 423 \times 50\% = \$687,375$

January 1, 1980:      $\$3,250 \times 423 \times 25\% = \$343,687$

4. Purchase and Resale with Avigation Easements and Sound Insulation

A net program cost equal to 30 percent of the fair market value was assumed for the mobile homes, which cannot be insulated. The total assessed value of the 33 mobile homes is \$1,206,487, and the estimated market value is \$1,508,109.

All Included:             $\$1,508,109 \times 30\% = \$452,433$

December 15, 1986:  $\$1,508,109 \times 30\% \times 50\% = \$226,216$

January 1, 1980:      $\$1,508,109 \times 30\% \times 25\% = \$113,108$

**Calculation of Estimated Program Costs within the DNL 65+ dB Contour of 2000 NEM  
Manatee County with 295° Radial Turn**

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A net program cost equal to 40 percent of the fair market value was assumed for the single family homes that will be insulated. The total assessed value of the 390 single family homes is \$37,795,124, and the estimated market value is \$47,243,905.

All Included:           \$47,243,905 x 40% = \$18,897,562

December 15, 1986: \$47,243,905 x 40% x 50% = \$9,448,781

January 1, 1980:     \$47,243,905 x 40% x 25% = \$4,724,391

Therefore, the total estimated cost is:

All Included:           \$452,433 + \$18,897,562 = \$19,349,995

December 15, 1986: \$226,216 + \$9,448,781 = \$9,674,997

January 1, 1980:     \$113,108 + \$4,724,391 = \$4,837,499

1000

1000

1000

1000

**Calculation of Estimated Program Costs within the DNL 65+ dB Contour of 2000 NEM  
Manatee County with 270° Radial Turn**

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There are 314 single family homes located within the DNL 65+ dB of the 2000 Noise Exposure Map with the Recommended Noise Abatement Alternative Implemented. The total assessed value of the 314 single family homes is \$29,323,262, and the estimated market value is \$36,654,078. The estimated market value was calculated by dividing the assessed value by 80 percent.

There are two churches and one day care impacted by noise levels of DNL 65+ dB. They are: Second Church of Christ Scientist, Midway Church of Christ, and Little People's Place Day Care Center. These were not included in any of the following calculations.

The Bowlees Creek Mobile Home Court and Marina is also partially impacted by noise levels of DNL 65+ dB. The residents own their mobile homes and rent the lots from the property owner, Bowlees Creek Partnership. There are 67 mobile home lots and 8 recreational vehicle lots. It was not included in any of the following calculations.

Data collected from Manatee County indicates that approximately 50 percent of the current owners purchased their property prior to December 15, 1986, and approximately 25 percent of the current owners purchased their property prior to January 1, 1980. These percentages were applied to the calculate the estimated program costs if participation were limited to owners who purchased their property prior to the stated date of eligibility.

1. Land Acquisition (with Demolition) and Relocation Assistance

The cost of administrative, appraisal, legal, relocation, moving, and demolition expenses, are collectively estimated to add 45 percent to the cost. This type of program must include all homes, and cannot be limited to those who purchased prior to a certain date.

$$\$36,654,078 \times 145\% = \$53,148,413$$

**Calculation of Estimated Program Costs within the DNL 65+ dB Contour of 2000 NEM  
Manatee County with 270° Radial Turn**

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2. Sound Insulation with Avigation Easements

An average sound insulation cost of \$25,000 per single family dwelling plus 40 percent administrative/program management cost has been assumed (total \$35,000 per single family dwelling). Costs include the 314 single family homes.

All Included:  $\$35,000 \times 314 = \$10,990,000$

December 15, 1986:  $\$35,000 \times 314 \times 50\% = \$5,495,000$

January 1, 1980:  $\$35,000 \times 314 \times 25\% = \$2,747,500$

3. Purchase of Avigation Easements

No comparable sales data currently exist to establish the value of an avigation easement. An average avigation easement cost of \$2,500 per dwelling plus 30 percent administrative cost has been assumed (total \$3,250 per dwelling). Costs include single family homes.

All Included:  $\$3,250 \times 314 = \$1,020,500$

December 15, 1986:  $\$3,250 \times 314 \times 50\% = \$510,250$

January 1, 1980:  $\$3,250 \times 314 \times 25\% = \$255,125$

4. Purchase and Resale with Avigation Easements and Sound Insulation

A net program cost equal to 40 percent of the fair market value was assumed for the single family homes that will be insulated. The total assessed value of the 314 single family homes is \$29,323,262, and the estimated market value is \$36,654,078.

All Included:  $\$36,654,078 \times 40\% = \$14,661,631$

December 15, 1986:  $\$36,654,078 \times 40\% \times 50\% = \$7,330,816$

January 1, 1980:  $\$36,654,078 \times 40\% \times 25\% = \$3,665,408$



**APPENDIX E**

**IMPLEMENTATION DOCUMENTS**

AVIGATION EASEMENT

THIS EASEMENT AGREEMENT is entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_  
\_\_, by \_\_\_\_\_, hereinafter referred to as "Owner," in favor of  
SARASOTA MANATEE AIRPORT AUTHORITY, a body politic and corporate, hereinafter  
referred to as "Authority."

RECITALS:

- A. Owner is the fee simple titleholder to certain real property ("Property") located in  
\_\_\_\_\_ County, Florida, more particularly described as follows:

also identified as street address: \_\_\_\_\_.

- B. Authority is the owner and operator of Sarasota Bradenton International Airport  
("Airport").
- C. It is the purpose of this Easement Agreement to grant to Authority a perpetual avigation  
easement, on terms as hereinafter set forth.

NOW THEREFORE, for and in consideration of the sum of Ten Dollars and other valuable  
considerations, the receipt and adequacy of which is hereby acknowledged by both parties,  
Owner and Authority agree as follows:

1. Owner on behalf of Owner and its heirs, assigns and all successors in interest, does  
hereby grant, bargain, sell and convey to Authority, its successors and assigns, a  
perpetual avigation easement and right of flight directly and diagonally above, across and  
over the Property. The use of the easement shall include the right to generate and emit  
noise, vibrations, dust and fuel particles from engines, wind and aircraft, to display  
aircraft landing lights, and to cause other effects as may be associated with aircraft  
landing and taking off at the Airport. This easement shall apply to all such aircraft  
activity at the Airport, with the parties acknowledging that the level of activity may  
increase or decrease from time to time, and it being the intent of the parties that all such  
Airport activity regardless of the level shall be deemed to be included within the purview  
of this easement.
2. This easement shall be perpetual in nature and shall bind and run with the title to the  
Property and shall run to the benefit of Authority or its successor in interest as owner  
and operator of the Airport.

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3. Owner on behalf of Owner, its heirs, assigns and successors in interest, does hereby release Authority, and any and all related parties of Authority, including but not limited to Authority members, officers, managers, agents, servants, employees and lessees, from any and all claims, demands, damages, debts, liabilities, costs, attorneys fees or causes of action of every kind or nature for which Owner or its heirs, assigns, or successors currently have, have in the past possessed, or will in the future possess, as a result of Airport operations or aircraft activities and noise levels related to or generated by Airport activity, or may hereafter have as a result of use of this easement, including but not limited to damage to the above-mentioned property or contiguous property due to noise, vibrations, fumes, dust, fuel particles and other effects of the operation of the Airport or of aircraft landing or taking off at the Airport.
4. Should either party hereto or any of their successors or assigns in interest retain counsel to enforce any of the provisions herein or protect its interest in any matter arising under this Agreement, or to recover damages by reason of any alleged breach of any provision of this Agreement, the prevailing party shall be entitled to all costs, damages and expenses incurred including, but not limited to, attorneys fees and costs incurred in connection therewith, including appellate action.
5. No provision of this Agreement is to be interpreted for or against any party because that party or that party's legal representative drafted such provision. This agreement shall be interpreted and construed according to the laws of the state of Florida.
6. No breach of any provision of this Agreement may be waived unless in writing. Waiver of any one breach of any provision of this Agreement shall not be deemed to be a waiver of any other breach of the same or any other provision of this Agreement. This Agreement may be amended only by written instrument executed by the parties in interest at the time of the modification. In the event that any one or more covenant, condition or provision contained herein is held invalid, void or illegal by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect, impair or invalidate any other provision hereof so long as the remaining provisions do not materially alter the rights and obligations of the parties. If such condition, covenant or other provision shall be deemed invalid due to this scope or breadth, such covenant, condition or other provision shall be deemed valid to the extent of the scope or breadth permitted by law.
7. In the event the Airport shall be subdivided into more than one parcel, or the Airport or a portion thereof becomes subject to operation, management or administration by a party in addition to or in lieu of the Authority, then and in that event the parties agree that same shall not terminate or otherwise affect this Agreement so long as a portion of the Airport continues to operate for standard airport flight purposes, and that any such successor in interest to the Authority shall be entitled to all of the benefits running to Authority hereunder.

This Easement Agreement is executed as of the date first above written.

Witnesses:

SARASOTA MANATEE AIRPORT AUTHORITY

\_\_\_\_\_

By: \_\_\_\_\_

Chairman

As to Authority

"AUTHORITY"

\_\_\_\_\_

\_\_\_\_\_

As to Owner

"OWNER"

STATE OF FLORIDA  
COUNTY OF SARASOTA

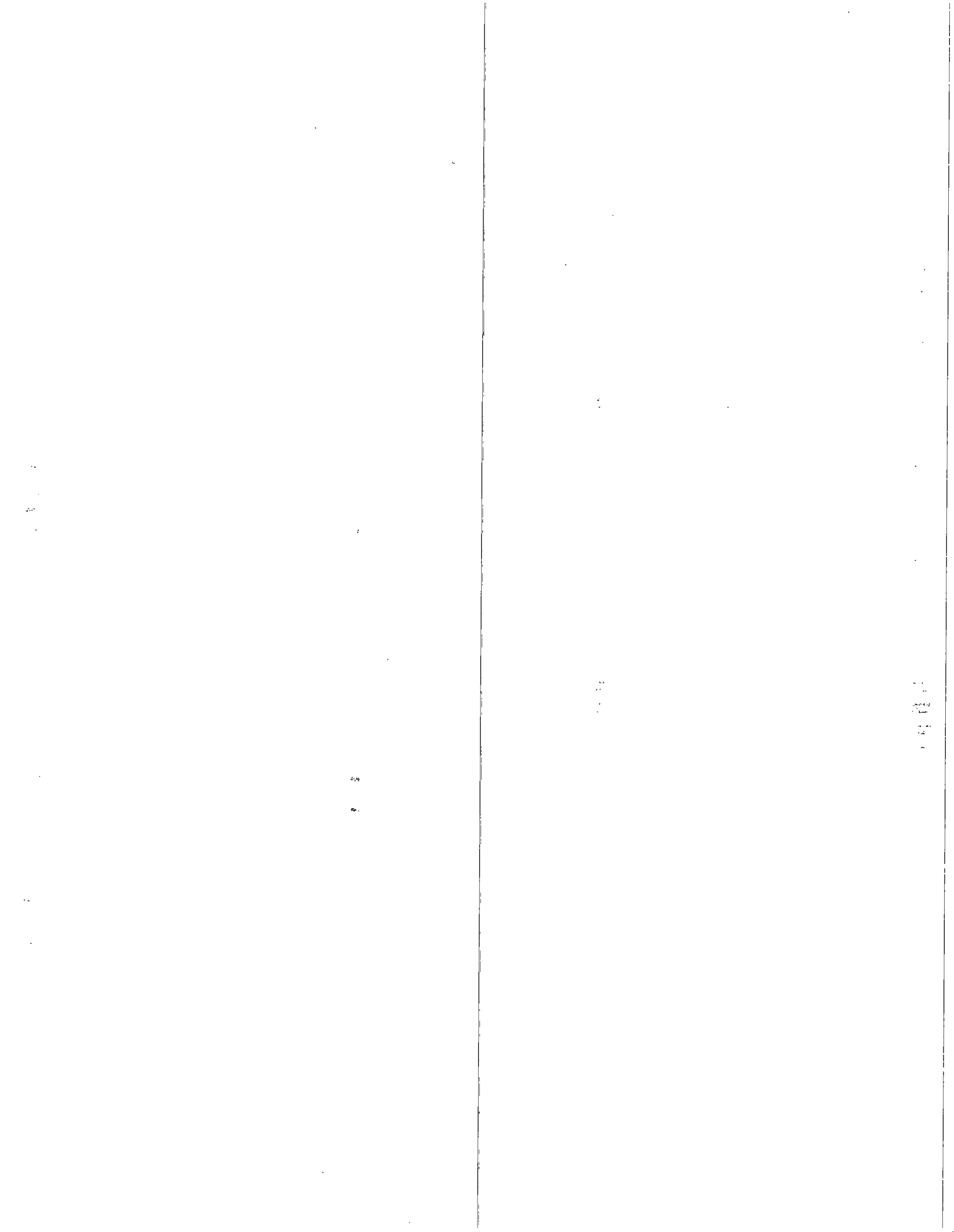
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ by \_\_\_\_\_ as Chairman of SARASOTA MANATEE AIRPORT AUTHORITY, a body politic and corporate.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires:



**SARASOTA MANATEE AIRPORT AUTHORITY  
FEE SIMPLE ACQUISITION PROGRAM**

**INITIAL PARTICIPATION AGREEMENT**

NAME OF OWNER \_\_\_\_\_ PHONE # \_\_\_\_\_

NAME OF OWNER \_\_\_\_\_ PHONE # \_\_\_\_\_

PROPERTY ADDRESS \_\_\_\_\_

OTHER ADDRESS \_\_\_\_\_ PHONE # \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

By signing this Initial Participation Agreement, I acknowledge my intent to participate in the Sarasota Manatee Airport Authority's ("SMAA") Fee Simple Acquisition Program (the "Program"). I am signing this Agreement in consideration of the benefits I expect to receive and in consideration of the mutual understandings and promises made and I acknowledge that this consideration is sufficient for the making of this Agreement.

I agree as follows:

1. **APPRAISAL REPORT.** The SMAA will (at its expense) have one independent appraisal prepared of my Property. The appraisal report will contain the appraiser's opinion of the value of my Property, and will be prepared according to the Uniform Appraisal Standards for Federal Land Acquisition, and in accordance with the Uniform Standards of Professional Appraisal Practice as put forth by the Appraisal Standards Board of the Appraisal Foundation. The appraisal report will be submitted on the Uniform Residential Appraisal Report Form (most current edition). The appraiser is *not* to be involved in any negotiations between me and the SMAA.
2. **APPRAISER'S INSPECTION.** I understand that it will be necessary for the SMAA and the appraiser to inspect the inside and outside of my Property and I give my permission to the SMAA and the appraiser to inspect my Property in my presence at reasonable times for the purpose of making the appraisal of my Property.
3. **PROPERTY VALUE.** After the appraisal is completed, certified by the review appraiser, and accepted by the SMAA, I will meet with officials of the SMAA to discuss the results of the appraisal. I understand that the SMAA will establish the value of my Property for the purposes of the Program at the amount estimated by the appraisal. I understand that I will have fifteen (15) calendar days thereafter to make my decision to

sign the Fee Simple Acquisition Contract. I acknowledge that I have been provided with a copy of the Fee Simple Acquisition Contract form. I understand I am under no obligation to enter into any contract if I am dissatisfied with the value of my Property determined by the appraisal.

4. **INSPECTION REPORT.** I understand that if I enter into the Fee Simple Acquisition Contract, a certified inspection will be done of my Property to assure it meets minimum program standards for safety and habitability which will be based on code requirements. The cost of this inspection will be paid for by the SMAA. I understand that in order to continue participation in the Fee Simple Acquisition Program, I will be required to make the identified repairs at my own expense to meet the minimum standard requirements. I further understand that if I decide not to make the repairs and transfer to the Easement Acquisition Program, I will have to reimburse the SMAA the cost associated with obtaining the certified inspection report at the closing on the easement.
  
5. **CONDITION OF PREMISES.** Following full execution of the Fee Simple Acquisition Contract and up and until the time of closing on said Contract, I shall keep and maintain my Property in good condition and repair (including all appliances, plumbing, heating and air conditioning and electrical systems in working order) and to keep my home clean and orderly. The SMAA reserves the right to inspect my Property at all reasonable times to ensure that my Property remains in good condition and repair and that I am in compliance with this Agreement. The SMAA further reserves the right to show my Property at reasonable times to prospective purchasers prior to closing.
  
6. **HAZARDOUS SUBSTANCES.** To the best of my knowledge, no pollutants or other toxins or hazardous substances, including any solid, liquid, gaseous or thermal irritant or contaminant, such as smoke, vapor, soot, fumes, alkalis, acids, chemicals, or wastes have been stored, discharged, released, generated, or allowed to escape from my Property, no underground storage tanks are located on my Property or have been removed or filled, no polychlorinated biphenyls ("PCBs") are located on or in my Property in the form of electrical transformers, fluorescent light fixtures with ballasts, cooling oils, or any other form, and no investigation, administrative order, consent order and agreement, litigation or settlement with respect to any of the foregoing is proposed, threatened, anticipated or in existence with respect to my Property. Exceptions are noted as follows:  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_



7. **FINAL PURCHASE AND SALE PROCEDURE.** The closing on my Property shall take place within 30 days of the date of the inspection report described in Paragraph 4 of this Agreement. No real estate commission will be paid by the SMAA if the SMAA purchases my Property according to this paragraph. Any and all of the following personal Property located on my Property as of the date of this Agreement shall be included in the sale: built-in appliances; wall-to-wall carpeting; curtain rods, window and door screens and awnings; storm doors and windows; any ventilating, air conditioning and heating equipment; fireplace inserts; irrigation fixtures and equipment; water heaters; installed electric fixtures; lights and light bulbs; shrubs, plants and trees; all bathroom and other fixtures. At the closing, I must deliver the following: (a) a duly executed Warranty Deed conveying the Property to the SMAA, (b) an owner's title insurance policy through the closing attorney at the SMAA's expense, subject only to exceptions approved by the SMAA in writing, (c) an affidavit to the title insurance company which will allow the company to issue its policy without exception for mechanics' and materialmen's liens; and (d) such other documents and affidavits as may be required to close the sale of my Property to the SMAA. At closing real estate taxes shall be prorated and the SMAA will pay for the preparation of the Warranty Deed, the title insurance premium, document preparation and termite letter. In the event of active infestation, I shall pay the costs associated with correcting the damage. Additionally, the SMAA will pay recording fees, transfer taxes, and its attorney's/closing fee. I understand that I will be responsible at closing for the following costs: (i) all amounts necessary to remove liens, defects and encumbrances affecting the title to my Property not approved by the SMAA; (ii) prorations and adjustments as are customarily made at closing; (iii) the cost of all work actually performed which was required by the certified inspection. The closing will take place at the offices of Williams, Parker, Harrison, Dietz & Getzen, 1550 Ringling Blvd., Sarasota, FL.
8. **TERMS AND TERMINATION.** This Agreement shall be effective on the date of execution below. I may terminate this Agreement at any time and for any reason upon delivery of written notice to the SMAA; however, I shall not be allowed to re-enter the SMAA Fee Simple Acquisition Program. Upon termination of this Agreement, I may transfer to the Easement Acquisition Program, however, this modification may result in a change in order of my priority and I will have to pay the costs, if any, associated with obtaining the certified inspection report on my Property. If I terminate this Agreement and do not transfer to the Easement Acquisition Program, I will be automatically terminated from any further participation in the Fee Simple/Easement Acquisition Program. The SMAA may terminate this Agreement upon delivery of written notice to me if (a) my Property is damaged by fire, earthquake or other casualty not completely covered by insurance, (b) I fail to perform or abide by any of the terms or conditions herein, or (c) I am unreasonable, uncooperative or fail to exercise good faith in the performance of this Agreement.

9. **NOTICES.** Any notice or other communication to be given under the terms of this Agreement must be in writing and, unless otherwise specified in this Agreement, will be deemed given upon the earlier of its delivery in person or two (2) days after its deposit in the U.S. mails, first class, postage prepaid and properly addressed to me at my Property or to the SMAA at:

SARASOTA MANATEE AIRPORT AUTHORITY  
Environmental Affairs Office  
P.O. Box 13399  
Sarasota, Florida 34278-3399

or to another address as either party shall advise the other in writing from time to time.

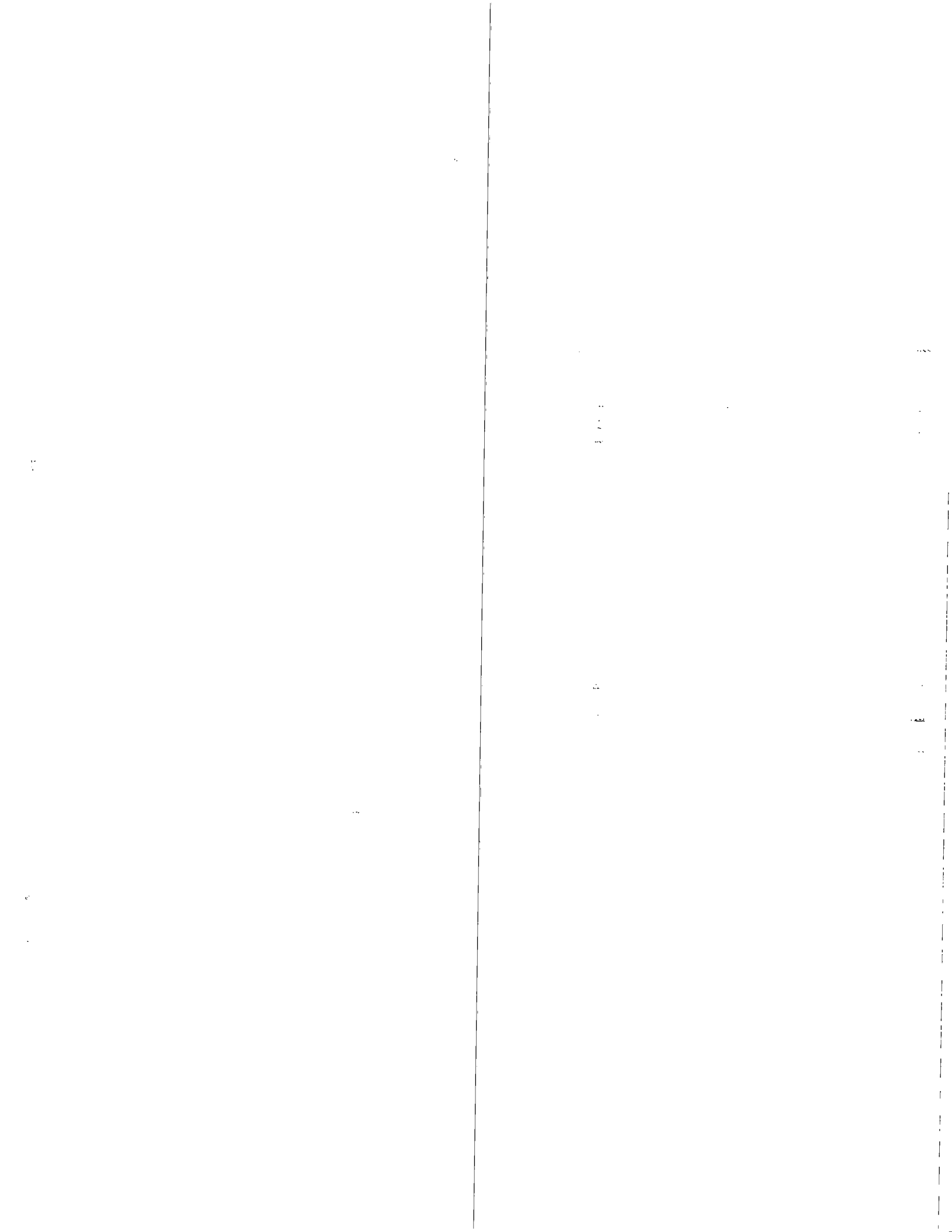
10. **NO WAIVER.** Failure of the SMAA to act upon any breach of this Agreement shall not be held to be a waiver of any other or subsequent breach of this Agreement.
11. **MODIFICATION.** This Agreement cannot be modified except by a written agreement signed by both parties.
12. **SURVIVAL.** The provisions of this Agreement shall survive closing.

I have read and understand this Agreement,

and I have signed it on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Homeowner

\_\_\_\_\_  
Homeowner



**SARASOTA MANATEE AIRPORT AUTHORITY  
FEE SIMPLE ACQUISITION PROGRAM**

**FEE SIMPLE ACQUISITION CONTRACT**

The parties to this Fee Simple Acquisition Contract are the Sarasota Manatee Airport Authority ("SMAA")

and \_\_\_\_\_

and \_\_\_\_\_ ("Homeowner").

The date of this Contract is \_\_\_\_\_, 19\_\_\_\_\_.

**RECITALS:**

1. The Homeowner is the fee simple titleholder to certain improved real property ("Property") located in Sarasota County, Florida, identified as street address:

\_\_\_\_\_

and which is more particularly described as follows:

2. The SMAA is a body politic and corporate, organized and existing under the laws of the State of Florida, and is the owner and operator of the Sarasota Bradenton International Airport ("Airport").
3. That for and in consideration of the premises and the sums of money paid and agreed to be paid by the SMAA to the Homeowner, the Homeowner agrees to sell and the SMAA agrees to buy upon the hereinafter contained terms, the Property, together with all items permanently attached or inground such that removal would deface the Property with the exception of:

**TERMS AND CONDITIONS:**

1. **PRICE.** \$ \_\_\_\_\_ (subject to prorations hereinafter set forth).

2. **TITLE.** Prior to closing the SMAA, at the SMAA's expense may obtain title information regarding the SMAA's title to the real estate herein described. At least three days prior to closing, the SMAA shall notify the Homeowner of any defects in title or exceptions not herein agreed to by the SMAA. Upon receipt of such notice, the Homeowner shall have a reasonable period of time, not to exceed ninety (90) days, to remove or correct same and shall use due diligence in removing or correcting same, including the bringing of lawsuits, and this sale shall be closed within ten (10) days after the exceptions to which the SMAA has objected are removed or corrected. If the Homeowner does not or cannot correct such matters after a good faith diligent effort to do so, the SMAA may, at the SMAA's option, elect to take title as is or terminate this Contract.
3. **CLOSING.** If there are no defects in title, closing shall be held on or before 60 days from the date of full execution of this Contract at the offices of Williams, Parker, Harrison, Dietz & Getzen, 1550 Ringling Blvd., Sarasota, Florida. At closing, upon receipt of the aforesaid sums, the Homeowner shall execute and deliver to the SMAA a sufficient and recordable warranty deed conveying a good marketable record fee simple title in and to the above described Property subject only to zoning regulations and easements, restrictions and reservations of record, all of which are common to the subdivision and do not prohibit the Property from being used for residential purposes, and taxes for the current year. The SMAA shall pay for required documentary stamps on said deed. Possession shall be given to the SMAA on the date of closing. Risk of loss shall remain with the Homeowner until closing.
4. **CLOSING PRORATIONS.** The price shall be adjusted as of the closing date, by the proration of real property taxes and tangible personal property taxes (if any), after allowable discounts, maintenance charges, rents, insurance premiums and interest, if any. All special assessments, including those imposed by a condominium or homeowners' association, assessed on or before the Contract date shall be charged to the Homeowner. If the amount of taxes and assessments for the year of closing cannot be determined, the amount from the previous year, with known changes, shall be used. If the actual taxes or assessments vary from the figure used to close this transaction, the SMAA or the Homeowner shall pay the appropriate adjustment upon demand, and this provision shall survive the closing.
5. **DEFAULT.** If the SMAA fails to perform the SMAA's obligations, the Homeowner, by giving written notice to the SMAA within 10 days from date of default, may elect to enforce any legal remedy available to the Homeowner because of the SMAA's default. If the Homeowner fails to perform the Homeowner's obligations, the SMAA may pursue any right or remedy he may have because of such failure. Failure or refusal of a spouse of the Homeowner to execute any document necessary to pass good title shall be deemed a default of the Homeowner.

6. **DAMAGE.** If the improvements on the described Property are damaged by fire or other casualty before closing and can be restored to substantially the same condition as they exist on the date of execution hereof, within a period of not more than 60 days after the above date set for closing, then the Homeowner shall so restore said improvements and the closing date shall be extended accordingly. If said restoration cannot be completed within said period of time, then the SMAA may, at the SMAA's option, regain any earnest money theretofore paid and the parties shall be relieved of all obligations hereunder, or elect to purchase the Property in the damaged condition and take an assignment of all benefits paid or payable as a result of said loss, from any insurance on the subject Property.
7. **TERMITE INSPECTION.** Within 15 days from full execution hereof, the SMAA may have the improvements located on said Property examined to ascertain if any part thereof has been damaged by or is infested with termites, wood beetles, dry rot or other destructive insects or agencies; if any such condition or damage be found, the Homeowner shall have the option to correct same at the Homeowner's expense or to terminate this agreement provided, however, the SMAA may elect to accept said Property in its then present condition.
8. **SURVEY.** The SMAA, at the SMAA's expense, may obtain a survey of said Property. If the survey shows any violation of restrictions or governmental zoning regulations, or if any improvements, other than plantings, driveways or walkways, are constructed over any easements, or if the improvements are not entirely within the above described Property, or if there are any encroachments or overlaps, it shall be deemed a defect in title.
9. **CONDITION OF PROPERTY AND WARRANTY.** Between the Contract date and the closing date, all land, improvements and personal property (if any) shall be maintained by the Homeowner in the same condition as existed as of Contract date, ordinary wear and tear excepted. The Homeowner represents that the Homeowner has no knowledge of material defects in the Property, improvements, or personal property which are not readily observable. The Homeowner warrants and represents that the heating and air conditioning system, dishwasher, hot water heater and all other fixtures, equipment and appliances which are included in this Contract, will be in good operating order and repair at the time of closing. The Homeowner shall assign at closing, all valid manufacturer's warranties of such items.
10. **ATTORNEY'S FEES.** Any party failing to comply with all of the terms, covenants and conditions hereof will pay all expenses, including a reasonable attorney's fee, incurred by the other party, as a result of such failure.

11. **EXECUTION.** If this Contract is not executed by all parties hereto within ten (10) days of the execution hereof by the first party signing same, then this Contract shall be of no further force or effect.
12. **BROKERAGE AGREEMENT.** The Homeowner warrants that the Homeowner has dealt with no real estate agent or broker in connection with the transaction contemplated by this Contract. The Homeowner shall indemnify and hold the SMAA harmless from any claim for commission made by a real estate agent or broker having dealt with the Homeowner in connection with the transaction.
13. **BUILDING INSPECTION.** The SMAA may have, at its expense, an inspection to determine whether there are additional defects in the Property, improvements, or personal property. The SMAA shall notify the Homeowner or the Homeowner's agent in writing within 30 days of contract date of any such additional defects. The Homeowner shall pay all costs of repairs required to remedy the defects described in the notice or shall have the option of terminating this contract within 10 days after receipt of the SMAA's notice by giving written notice to the SMAA unless the SMAA elects to accept the Property, improvements, and personal property in their then condition.
14. **ASSOCIATION APPROVAL.** If the sale of the Property is subject to the approval of an association, the SMAA and the Homeowner shall promptly apply to the association for such approval. The SMAA and the Homeowner shall equally pay any application fee. If the approval is not obtained, all deposits shall be returned to the SMAA and this Contract shall be of no further effect.
15. **MISCELLANEOUS.** Time is of the essence in this Contract. Where necessary to effectuate the intent of the parties, the agreements herein shall survive the closing. The terms and conditions hereof shall bind and the benefits inure to the parties hereto and to their respective heirs, devisees, personal representatives, successors and assigns.
16. **RADON GAS.** Florida Statutes require the following notice to be given: "RADON GAS: Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed Federal and State guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your County Public Health Unit."

IN WITNESS WHEREOF the parties have hereunto set their hands and seals.

Signed, sealed and delivered in the presence of:

WITNESSES AS TO HOMEOWNER:

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

HOMEOWNER:

\_\_\_\_\_  
\_\_\_\_\_

Homeowner's Social Security Number

WITNESSES AS TO HOMEOWNER:

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

HOMEOWNER:

\_\_\_\_\_  
\_\_\_\_\_

Homeowner's Social Security Number

WITNESSES AS TO SMAA:

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

SARASOTA MANATEE  
AIRPORT AUTHORITY:

By:

\_\_\_\_\_

Executive Director



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# LISTING AGREEMENT

To: \_\_\_\_\_  
Listing Broker ( "Broker" )

From: Sarasota-Manatee Airport Authority, a body politic and corporate ("Airport")

1. Listing of Property. Airport hereby grants to Listing Broker the exclusive right of sale for the following described property:

Legal Description \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ together with any improvements thereon (the "Property"). The sales price shall include the following personal property:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Term. This listing shall commence upon the full execution of this agreement and shall expire at 11:59 p.m. on \_\_\_\_\_, 19\_\_.

3. Listing Price. The listing price for the Property shall be \$ \_\_\_\_\_ payable in cash.

4. MLS. Broker agrees to use best efforts to find a buyer and will submit the listing to the Multiple Listing Service of the Sarasota Board of Realtors and Manatee Board of Realtors.

5. Fee. Airport shall pay a commission fee of \_\_\_% of the sales price of the Property to Broker if any interest in the Property is sold during the term of this Listing Agreement or during any extension of the Listing Agreement. The commission shall only be payable upon the closing of the transaction. If the Property is sold within 60 days of the expiration of this Listing Agreement to a person to whom Broker had shown the Property during the listing term, Seller shall pay the above referenced commission. The foregoing notwithstanding, after the expiration of the term, no commission shall be payable if the Property is listed with another realtor.

6. Cooperation. Broker will cooperate with and compensate subagents, buyer's agents, and transaction brokers who participate in the transaction.

7. For Sale Signs. Broker is authorized to place a "For Sale Sign" on the Property, provided it complies with zoning and deed restriction requirements.

8. Fair Opportunity. There shall be no discrimination based on race, creed, sex, color, national origin, or handicap.

9. Dual Agency. Broker agrees to represent and act as Airport's agent within the scope of this agreement. It is understood that there is the potential for conflict of interest which could result if Broker represents a person who wishes to see the Property. Airport understands the potential for dual agency and consents to such dual agency.

10. Termination. Either Airport or Broker may terminate this Listing Agreement at any time upon 14 days written notice. In the event of such early termination, the 60-day period referenced in paragraph 5 above shall commence upon the termination date.

Special Clauses: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SARASOTA-MANATEE AIRPORT AUTHORITY

Date: \_\_\_\_\_

By: \_\_\_\_\_  
As its \_\_\_\_\_

Date: \_\_\_\_\_

Broker

Grantee, its heirs, assigns and successors in interest, shall have no claim, demand, or cause of action of any kind or nature, as a result of Airport operations or aircraft activities and noise levels related to or generated by Airport activity, or as a result of use of this easement, including but not limited to damage to the above-mentioned property or contiguous property due to noise, vibrations, fumes, dust, fuel particles and other effects of the operation of the Airport or of aircraft landing or taking off at the Airport.

4. **CLOSING.** Closing shall be held on \_\_\_\_\_, 199\_\_, at the office of Williams, Parker, Harrison, Dietz & Getzen, 200 South Orange Avenue, Sarasota, Florida. At closing, upon receipt of the aforesaid sums, Seller shall execute and deliver to Buyer a sufficient and recordable special warranty deed conveying a good marketable record fee simple title in and to the above described property subject only to zoning and other prohibitions and regulations imposed by governmental authorities and easements, restrictions and reservations of record, and taxes for the current year. Possession shall be given to Buyer on the date of closing. Risk of loss shall remain with Seller until closing.
5. **SURVEY.** Prior to closing, Buyer, at Buyer's expense, may obtain a survey of said property. If the survey shows any violation of restrictions or governmental zoning regulations, or if any improvements, other than plantings, driveways or walkways, are constructed over any easements, or if the improvements are not entirely within the above described property, or if there are any encroachments or overlaps, Buyer may notify Seller in writing of the problem. Seller shall have 45 days in which to correct such problem, and closing shall be extended to a date no later than 5 days after such problem is corrected. If Seller cannot correct the problem within 45 days of receipt of notice, Buyer may terminate the contract and receive a return of all deposits.
6. **CLOSING PRORATIONS.** The balance to close shall be adjusted as of the closing date, by the proration of maintenance and association charges, rents, insurance premiums, and interest, if any. All special assessments, including those imposed by a condominium or homeowners' association, assessed on or before the Contract Date shall be charged to Seller. Since Seller is exempt from payment of real estate taxes, there shall be no proration of real estate or non ad valorem taxes. If the property is subject to the Tri-Par Association assessment which appears on the real estate tax bill, the Tri-Par assessment will be prorated.
7. **MOBILE HOME.** The sales price includes any mobile home currently on the property. Where applicable, a certificate of title shall be provided at closing. If the original certificate is not available at closing, Seller shall cooperate with Buyer after closing to have a certificate issued to Buyer.
8. **DEFAULT.** If Buyer fails to perform Buyer's obligations, all deposits shall be retained by or for the account of Seller as consideration for the execution of this Contract and in full settlement of any claim for damages, or Seller, by giving written notice to Buyer within 10 days from date of default, may elect to enforce any equitable remedy available to Seller because of Buyer's default. If Seller fails to perform Seller's obligations, all deposits shall be returned to Buyer on demand, and Buyer shall not thereby waive any right or remedy he may have because of such failure. Failure or refusal of a spouse of Seller or Buyer to execute a deed or mortgage necessary to pass good title or to create a valid mortgage shall be deemed a default of such Seller or Buyer.
9. **DAMAGE.** If the improvements on the described property are damaged by fire or other casualty before closing and can be restored to substantially the same condition as they exist on the date of execution hereof, within a period of not more than 60 days after the above date set for closing, then Seller shall so restore said improvements and the closing date shall be extended accordingly. If said restoration cannot be completed within said period of time, then Buyer may, at Buyer's option, regain the earnest money theretofore paid and the parties shall be relieved of all obligations hereunder, or elect to purchase the property in the damaged condition and take an assignment of all benefits paid or payable as a result of said loss, from any insurance on the subject property.
10. **TERMITE INSPECTION.** Within 15 days from full execution hereof Buyer may have the improvements located on said property examined to ascertain if any part thereof has been damaged by or is infested with termites, wood beetles, dry rot or other destructive insects or agencies; if any such condition or damage be found, Seller shall have the option to correct same at Seller's expense or to terminate this agreement and refund all earnest money theretofore paid, provided, however, Buyer may elect to accept said property in its then present condition.
11. **BUYER'S CLOSING COSTS.** Buyer shall pay for required documentary stamps on the deed. Buyer shall pay to record the deed. Buyer shall contribute \$230 toward title insurance and related services. These amounts shall be included on the closing statement and paid by Buyer at time of closing. The foregoing arrangement for title insurance is subject to provisions of applicable law; if pursuant to such provisions other arrangements for title insurance are made, the closing costs to be paid by Buyer shall be adjusted to reflect such other arrangements. Any additional costs incurred at Buyer's request in connection with the closing, including costs incurred in connection with any mortgage loan procured by Buyer, shall be paid by Buyer.

# PURCHASE AND SALE AGREEMENT

Airport Sale

THIS AGREEMENT, between SARASOTA-MANATEE AIRPORT AUTHORITY, a body politic and corporate, organized and existing under the laws of the State of Florida, hereinafter called Seller, and \_\_\_\_\_, hereinafter called Buyer.

Escrow Agent: \_\_\_\_\_, a licensed real estate broker or attorney.

Listing Broker - Name & Phone \_\_\_\_\_

Seller Broker - Name & Phone \_\_\_\_\_

### WITNESETH:

That for and in consideration of the premises and the sums of money paid and agreed to be paid by Buyer, Seller agrees to sell and Buyer agrees to buy upon the hereinafter contained terms, the following described property situate in \_\_\_\_\_ County, Florida:

Street Address: \_\_\_\_\_

Legal: \_\_\_\_\_

together with the following personal property (if any): \_\_\_\_\_

#### 1. PRICE.

- \$ \_\_\_\_\_ Earnest Money Deposit to be paid to Escrow Agent
- \$ \_\_\_\_\_ Additional Earnest Money Deposit to be paid to Escrow Agent within \_\_\_\_ days after the date this Contract is accepted by Buyer and Seller (the "Contract Date").
- \$ \_\_\_\_\_ Balance to Close.
- \$ \_\_\_\_\_ Full Purchase Price subject to prorations hereinafter set forth.

2. **TITLE INSURANCE.** Prior to closing, Seller shall provide Buyer with a title insurance binder written on Attorneys' Title Insurance Fund or other title insurance company agreeing to issue to Buyer, subsequent to the recording of the deed and other documents required hereunder, an owner's title insurance policy in the full amount of the purchase price. Said policy shall insure Buyer's title to the real estate herein described without exception or qualification other than the standard exceptions of such title insurance company, reservations, restrictions and easements of record, taxes for the current year, zoning and other prohibitions and regulations imposed by governmental authorities. After closing, Seller shall deliver to Buyer a title insurance policy insuring good fee simple title in the property subject only to the exceptions set forth in the commitment, any encumbrances created by Buyer, and an avigation easement as discussed in paragraph 3 below.

3. **AVIGATION EASEMENT.** The property is located within close proximity to the Sarasota Bradenton International Airport ("Airport") and is within a noise sensitive area. A Noise Exposure Map (NEM) which depicts the Airport and its noise contours is available for Buyer's review. The property is located within an area designated with a 70 or higher Ldn noise zone. Ldn refers to day-night average sound level measured in decibels.

The deed which will be provided to Buyer at closing will reserve to Seller an avigation easement and right of flight by including the following language in the deed:

Grantor reserves to itself, its successors and assigns, a perpetual avigation easement and right of flight directly and diagonally above, across and over the Property. The use of the easement shall include the right to generate and emit noise, vibrations, dust and fuel particles from engines, wind and aircraft, to display aircraft landing lights, and to cause other effects as may be associated with aircraft landing and taking off at the Sarasota Bradenton International Airport ("Airport"). This easement shall apply to all such aircraft activity at the Airport, with the acknowledgment that the level of activity may increase or decrease from time to time, and it being the intent that all such Airport activity regardless of the level shall be deemed to be included within the purview of this easement. This easement shall be perpetual in nature and shall bind and run with the title to the Property and shall run to the benefit of Grantor or its successor in interest as owner and operator of the Airport.

Grantee, its heirs, assigns and successors in interest, shall have no claim, demand, or cause of action of any kind or nature, as a result of Airport operations or aircraft activities and noise levels related to or generated by Airport activity, or as a result of use of this easement, including but not limited to damage to the above-mentioned property or contiguous property due to noise, vibrations, fumes, dust, fuel particles and other effects of the operation of the Airport or of aircraft landing or taking off at the Airport.

4. **CLOSING.** Closing shall be held on \_\_\_\_\_, 199\_\_\_\_, at the office of Williams, Parker, Harrison, Dietz & Getzen, 200 South Orange Avenue, Sarasota, Florida. At closing, upon receipt of the aforesaid sums, Seller shall execute and deliver to Buyer a sufficient and recordable special warranty deed conveying a good marketable record fee simple title in and to the above described property subject only to zoning and other prohibitions and regulations imposed by governmental authorities and easements, restrictions and reservations of record, and taxes for the current year. Possession shall be given to Buyer on the date of closing. Risk of loss shall remain with Seller until closing.
5. **SURVEY.** Prior to closing, Buyer, at Buyer's expense, may obtain a survey of said property. If the survey shows any violation of restrictions or governmental zoning regulations, or if any improvements, other than plantings, driveways or walkways, are constructed over any easements, or if the improvements are not entirely within the above described property, or if there are any encroachments or overlaps, Buyer may notify Seller in writing of the problem. Seller shall have 45 days in which to correct such problem, and closing shall be extended to a date no later than 5 days after such problem is corrected. If Seller cannot correct the problem within 45 days of receipt of notice, Buyer may terminate the contract and receive a return of all deposits.
6. **CLOSING PRORATIONS.** The balance to close shall be adjusted as of the closing date, by the proration of maintenance and association charges, rents, insurance premiums, and interest, if any. All special assessments, including those imposed by a condominium or homeowners' association, assessed on or before the Contract Date shall be charged to Seller. Since Seller is exempt from payment of real estate taxes, there shall be no proration of real estate or non ad valorem taxes. If the property is subject to the Tri-Par Association assessment which appears on the real estate tax bill, the Tri-Par assessment will be prorated.
7. **MOBILE HOME.** The sales price includes any mobile home currently on the property. Where applicable, a certificate of title shall be provided at closing. If the original certificate is not available at closing, Seller shall cooperate with Buyer after closing to have a certificate issued to Buyer.
8. **DEFAULT.** If Buyer fails to perform Buyer's obligations, all deposits shall be retained by or for the account of Seller as consideration for the execution of this Contract and in full settlement of any claim for damages, or Seller, by giving written notice to Buyer within 10 days from date of default, may elect to enforce any equitable remedy available to Seller because of Buyer's default. If Seller fails to perform Seller's obligations, all deposits shall be returned to Buyer on demand, and Buyer shall not thereby waive any right or remedy he may have because of such failure. Failure or refusal of a spouse of Seller or Buyer to execute a deed or mortgage necessary to pass good title or to create a valid mortgage shall be deemed a default of such Seller or Buyer.
9. **DAMAGE.** If the improvements on the described property are damaged by fire or other casualty before closing and can be restored to substantially the same condition as they exist on the date of execution hereof, within a period of not more than 60 days after the above date set for closing, then Seller shall so restore said improvements and the closing date shall be extended accordingly. If said restoration cannot be completed within said period of time, then Buyer may, at Buyer's option, regain the earnest money theretofore paid and the parties shall be relieved of all obligations hereunder, or elect to purchase the property in the damaged condition and take an assignment of all benefits paid or payable as a result of said loss, from any insurance on the subject property.
10. **TERMITE INSPECTION.** Within 15 days from full execution hereof Buyer may have the improvements located on said property examined to ascertain if any part thereof has been damaged by or is infested with termites, wood beetles, dry rot or other destructive insects or agencies; if any such condition or damage be found, Seller shall have the option to correct same at Seller's expense or to terminate this agreement and refund all earnest money theretofore paid, provided, however, Buyer may elect to accept said property in its then present condition.
11. **BUYER'S CLOSING COSTS.** Buyer shall pay for required documentary stamps on the deed. Buyer shall pay to record the deed. Buyer shall contribute \$230 toward title insurance and related services. These amounts shall be included on the closing statement and paid by Buyer at time of closing. The foregoing arrangement for title insurance is subject to provisions of applicable law; if pursuant to such provisions other arrangements for title insurance are made, the closing costs to be paid by Buyer shall be adjusted to reflect such other arrangements. Any additional costs incurred at Buyer's request in connection with the closing, including costs incurred in connection with any mortgage loan procured by Buyer, shall be paid by Buyer.

12. **CONDITION OF PROPERTY.** Seller makes no warranty or representation as to the condition of the property, improvements, or personal property. Buyer acknowledges receipt of a copy of the inspection report which Seller obtained in connection with its acquisition of the property. Such inspection report has been provided in an effort to disclose any known defects. Buyer may have, at its expense, an inspection to determine whether there are additional defects in the property, improvements, or personal property. Buyer shall notify the Seller or the Seller's agent in writing within 10 days of Contract Date of any such additional defects. If Buyer does not give notice within the 10-day period, Buyer is deemed to have accepted the property, improvements, and personal property in their condition as of the Contract Date. Seller shall pay all costs of repairs required to remedy the defects described in the notice or shall have the option of terminating this Contract within 10 days after receipt of the Buyer's notice by giving written notice to the Buyer unless Buyer elects to accept the property, improvements, and personal property in their then condition. Between the Contract Date and the closing date, the property, improvements, and any personal property shall be maintained by Seller in the same condition as existed as of the Contract Date, ordinary wear and tear excepted. Upon closing Buyer shall be deemed to have accepted the property and shall have no further claim against Seller for the condition of the property.

13. **ATTORNEYS' FEES.** Any party failing to comply with all of the terms, covenants and conditions hereof will pay all expenses, including a reasonable attorneys' fee, incurred by the other party, as a result of such failure.

14. **EXECUTION.** If this agreement is not executed by all parties hereto within seven (7) days of the execution hereof by the first party signing same, then all deposits theretofore paid shall be returned to Buyer and this agreement shall be of no further force or effect.

15. **ASSOCIATION APPROVAL.** If the sale of the property is subject to the approval of an association, Buyer and Seller shall promptly apply to the association for such approval. Buyer shall pay any application fee. If the approval is not obtained, all deposits shall be returned to Buyer and this Contract shall be of no further effect.

16. **MISCELLANEOUS.** Time is of the essence of this agreement. Where necessary to effectuate the intent of the parties, the agreement herein shall survive the closing. The terms and conditions hereof shall bind and the benefits inure to the parties hereto and to their respective heirs, devisees, personal representatives, successors and assigns.

17. **RADON GAS.** Florida Statutes require the following notice to be given: "RADON GAS: Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed Federal and State guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your County Public Health Unit."

18. **ENERGY EFFICIENCY.** Buyer may have the building's energy efficiency rating determined.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals.

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
As to Seller

\_\_\_\_\_  
As to Buyer

SARASOTA-MANATEE AIRPORT AUTHORITY

By: \_\_\_\_\_  
As its \_\_\_\_\_

Date: \_\_\_\_\_

SELLER

\_\_\_\_\_  
Date: \_\_\_\_\_

BUYER

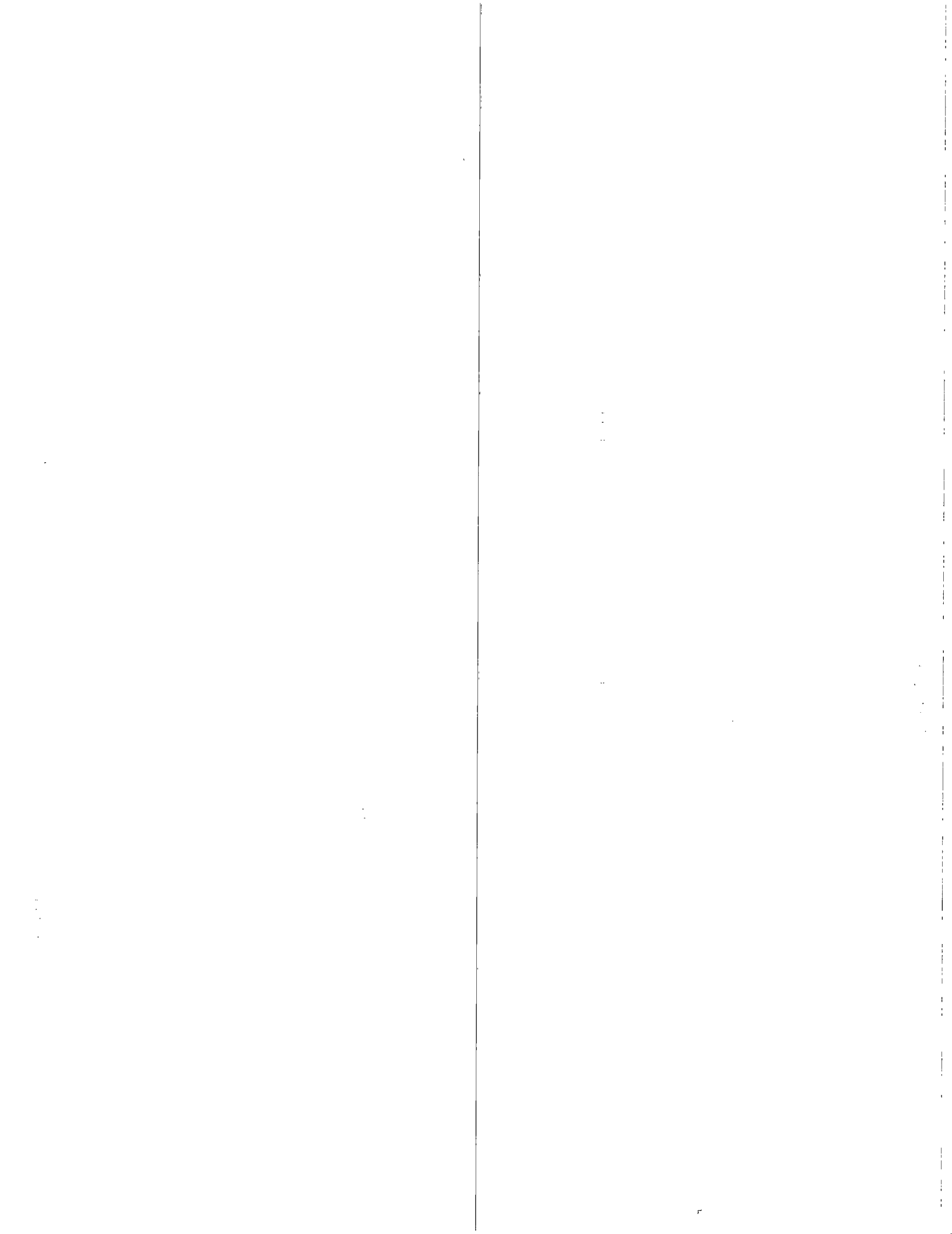
**ESCROW RECEIPT**

The undersigned Escrow Agent agrees to disburse Earnest Money Deposits in accordance with the foregoing contract.

\_\_\_\_\_  
Escrow Agent

TSC-132028

**APPENDIX F**  
**PROPERTY ADDRESSES**  
**1995 NEM**



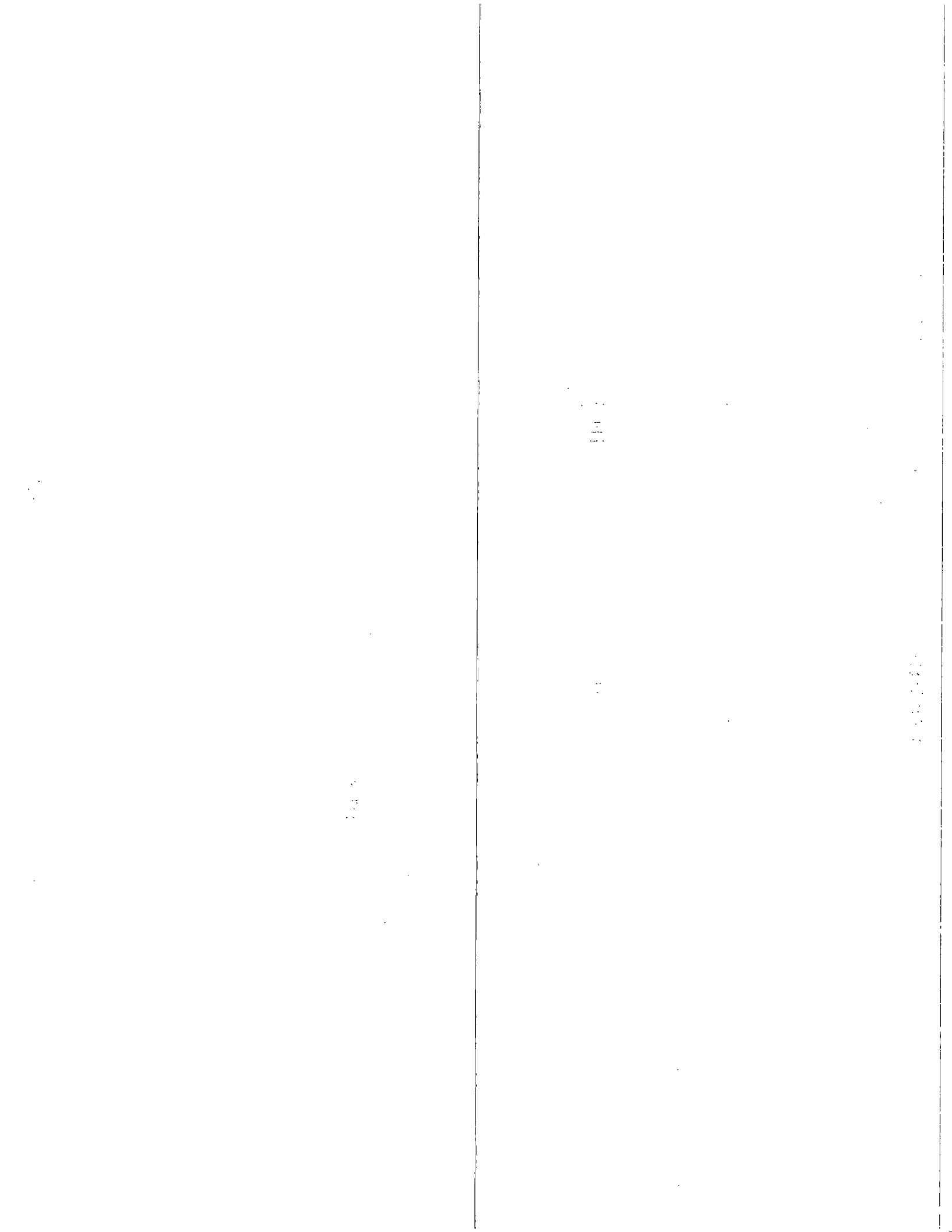


Sarasota County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM

	ADDRESS	PIN	ASSESSED \$	TYPE
1	5107 BEECHMONT AVE	0025-10-0006	\$32,615	MH
2	5108 BEECHMONT AVE	0025-10-0004	\$41,517	MH
3	5115 BEECHMONT AVE	0025-10-0007	\$32,989	MH
4	5116 BEECHMONT AVE	0025-10-0003	\$34,129	MH
5	5123 BEECHMONT AVE	0025-10-0008	\$32,454	MH
6	5124 BEECHMONT AVE	0025-10-0002	\$43,062	MH
7	5131 BEECHMONT AVE	0025-10-0009	\$36,605	MH
8	5132 BEECHMONT AVE	0025-10-0001	\$43,104	MH
9	5213 BEECHMONT AVE	0025-07-0013	\$47,436	MH
10	5214 BEECHMONT AVE	0025-07-0011	\$32,144	MH
11	5221 BEECHMONT AVE	0025-07-0014	\$30,144	MH
12	5222 BEECHMONT AVE	0025-07-0010	\$37,836	MH
13	5229 BEECHMONT AVE	0025-07-0015	\$39,394	MH
14	5230 BEECHMONT AVE	0025-07-0009	\$29,701	MH
15	5237 BEECHMONT AVE	0025-07-0016	\$28,904	MH
16	5238 BEECHMONT AVE	0025-07-0008	\$37,093	MH
17	5245 BEECHMONT AVE	0025-07-0017	\$34,006	MH
18	5246 BEECHMONT AVE	0025-07-0007	\$35,758	MH
19	5253 BEECHMONT AVE	0025-07-0018	\$36,708	MH
20	5307 BEECHMONT AVE	0025-07-0019	\$36,303	MH
21	5308 BEECHMONT AVE	0025-07-0005	\$53,253	MH
22	5315 BEECHMONT AVE	0025-07-0020	\$33,243	MH
23	5316 BEECHMONT AVE	0025-07-0004	\$31,849	MH
24	5323 BEECHMONT AVE	0025-07-0021	\$37,892	MH
25	5324 BEECHMONT AVE	0025-07-0003	\$32,877	MH
26	5331 BEECHMONT AVE	0025-07-0022	\$37,917	MH
27	5332 BEECHMONT AVE	0025-07-0002	\$28,541	MH
28	5340 BEECHMONT AVE	0025-07-0001	\$32,420	MH
29	5102 BEL AIR AVE	0025-10-0036	\$36,568	MH
30	5110 BEL AIR AVE	0025-10-0035	\$37,511	MH
31	5118 BEL AIR AVE	0025-10-0034	\$30,202	MH
32	5126 BEL AIR AVE	0025-10-0033	\$28,390	MH
33	5134 BEL AIR AVE	0025-10-0032	\$40,816	MH
34	5205 BEL AIR AVE	0025-07-0076	\$35,106	MH
35	5208 BEL AIR AVE	0025-07-0074	\$34,329	MH
36	5213 BEL AIR AVE	0025-07-0077	\$29,062	MH
37	5216 BEL AIR AVE	0025-07-0073	\$31,351	MH
38	5221 BEL AIR AVE	0025-07-0078	\$28,380	MH
39	5224 BEL AIR AVE	0025-07-0072	\$31,116	MH
40	5229 BEL AIR AVE	0025-07-0079	\$33,427	MH
41	5232 BEL AIR AVE	0025-07-0071	\$28,014	MH
42	5237 BEL AIR AVE	0025-07-0080	\$32,156	MH
43	5240 BEL AIR AVE	0025-07-0070	\$32,293	MH
44	5301 BEL AIR AVE	0025-07-0081	\$29,656	MH
45	5302 BEL AIR AVE	0025-07-0069	\$31,532	MH
46	5310 BEL AIR AVE	0025-07-0068	\$30,761	MH

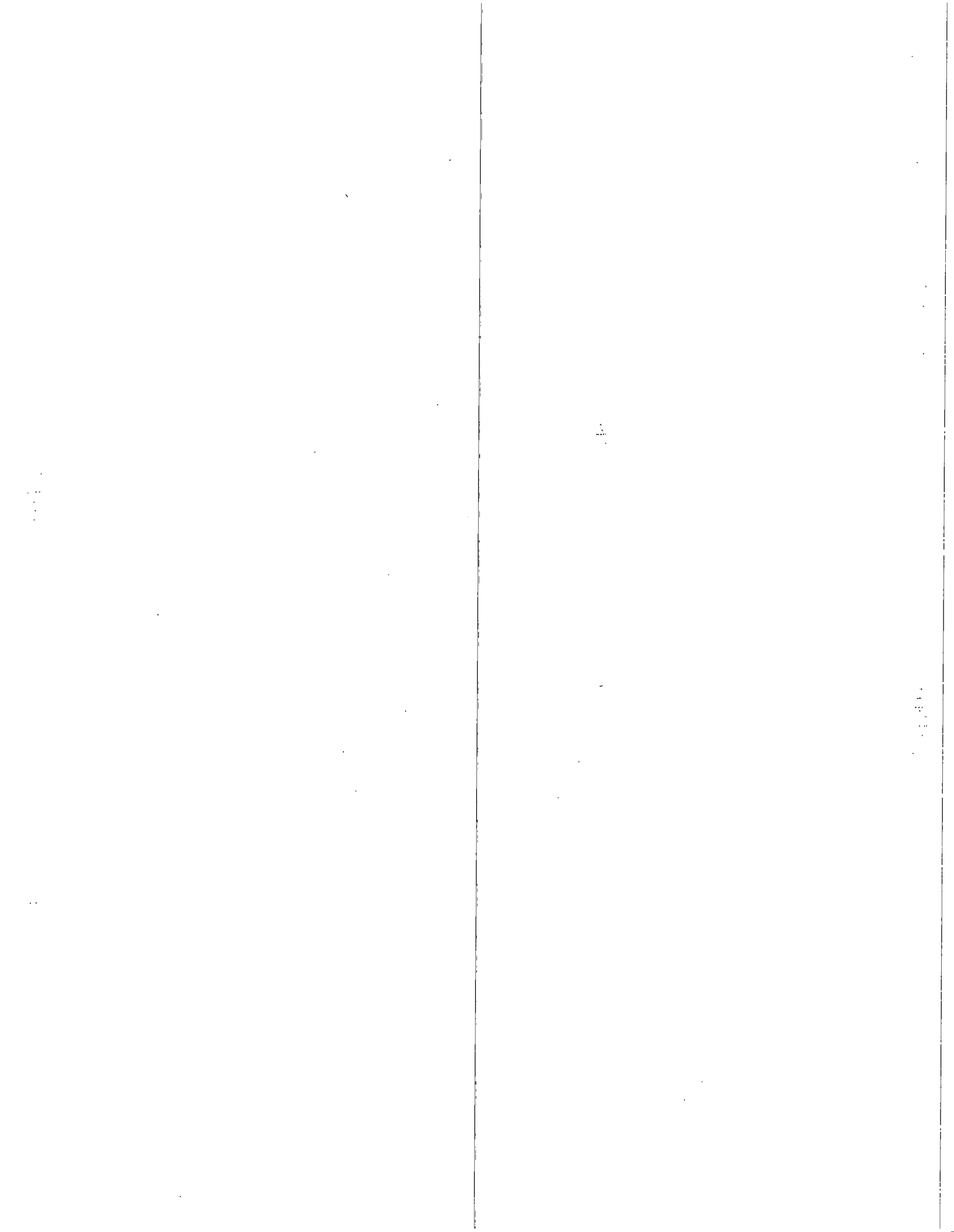
**Sarasota County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM**

	ADDRESS	PIN	ASSESSED \$	TYPE
47	5318 BEL AIR AVE	0025-07-0067	\$27,600	MH
48	5326 BEL AIR AVE	0025-07-0066	\$27,723	MH
49	5334 BEL AIR AVE	0025-07-0065	\$40,335	MH
50	1580 BLIND BROOK DR	0025-06-0022	\$22,291	MH
51	5220 BOCA RATON AVE	0025-06-0084	\$29,929	MH
52	5232 BOCA RATON AVE	0025-06-0083	\$28,734	MH
53	5243 BOCA RATON AVE	0025-06-0103	\$26,480	MH
54	5244 BOCA RATON AVE	0025-06-0082	\$27,285	MH
55	5255 BOCA RATON AVE	0025-06-0104	\$22,807	MH
56	5256 BOCA RATON AVE	0025-06-0081	\$27,597	MH
57	5267 BOCA RATON AVE	0025-06-0105	\$23,909	MH
58	5268 BOCA RATON AVE	0025-06-0080	\$27,415	MH
59	5279 BOCA RATON AVE	0025-06-0106	\$28,004	MH
60	5280 BOCA RATON AVE	0025-06-0079	\$22,497	MH
61	5300 BOCA RATON AVE	0025-06-0078	\$40,911	MH
62	5301 BOCA RATON AVE	0025-06-0107	\$32,510	MH
63	5312 BOCA RATON AVE	0025-03-0014	\$29,591	MH
64	5313 BOCA RATON AVE	0025-06-0108	\$34,756	MH
65	5325 BOCA RATON AVE	0025-03-0016	\$28,179	MH
66	5326 BOCA RATON AVE	0025-03-0013	\$31,196	MH
67	5337 BOCA RATON AVE	0025-03-0017	\$33,634	MH
68	1665 BROADMOOR ST	0025-02-0012	\$26,895	MH
69	1673 BROADMOOR ST	0025-02-0013	\$31,245	MH
70	1703 BROADMOOR ST	0025-02-0014	\$31,469	MH
71	1711 BROADMOOR ST	0025-02-0015	\$38,787	MH
72	1719 BROADMOOR ST	0025-02-0016	\$28,585	MH
73	1727 BROADMOOR ST	0025-02-0017	\$32,547	MH
74	1735 BROADMOOR ST	0025-02-0018	\$33,735	MH
75	1743 BROADMOOR ST	0025-02-0019	\$38,658	MH
76	1751 BROADMOOR ST	0025-02-0020	\$37,988	MH
77	1759 BROADMOOR ST	0025-02-0021	\$27,299	MH
78	1767 BROADMOOR ST	0025-02-0022	\$27,870	MH
79	1775 BROADMOOR ST	0025-02-0023	\$42,924	MH
80	1704 BROOKFIELD TER	0025-10-0050	\$44,556	MH
81	1712 BROOKFIELD TER	0025-10-0049	\$37,744	MH
82	1720 BROOKFIELD TER	0025-10-0048	\$29,615	MH
83	1728 BROOKFIELD TER	0025-10-0047	\$27,815	MH
84	1736 BROOKFIELD TER	0025-10-0046	\$32,370	MH
85	1744 BROOKFIELD TER	0025-10-0045	\$42,059	MH
86	1752 BROOKFIELD TER	0025-10-0044	\$30,922	MH
87	1760 BROOKFIELD TER	0025-10-0043	\$31,254	MH
88	1768 BROOKFIELD TER	0025-10-0042	\$35,547	MH
89	1776 BROOKFIELD TER	0025-10-0041	\$35,584	MH
90	1784 BROOKFIELD TER	0025-10-0040	\$27,493	MH
91	1806 BROOKFIELD TER	0025-10-0039	\$31,341	MH
92	1814 BROOKFIELD TER	0025-10-0038	\$30,687	MH



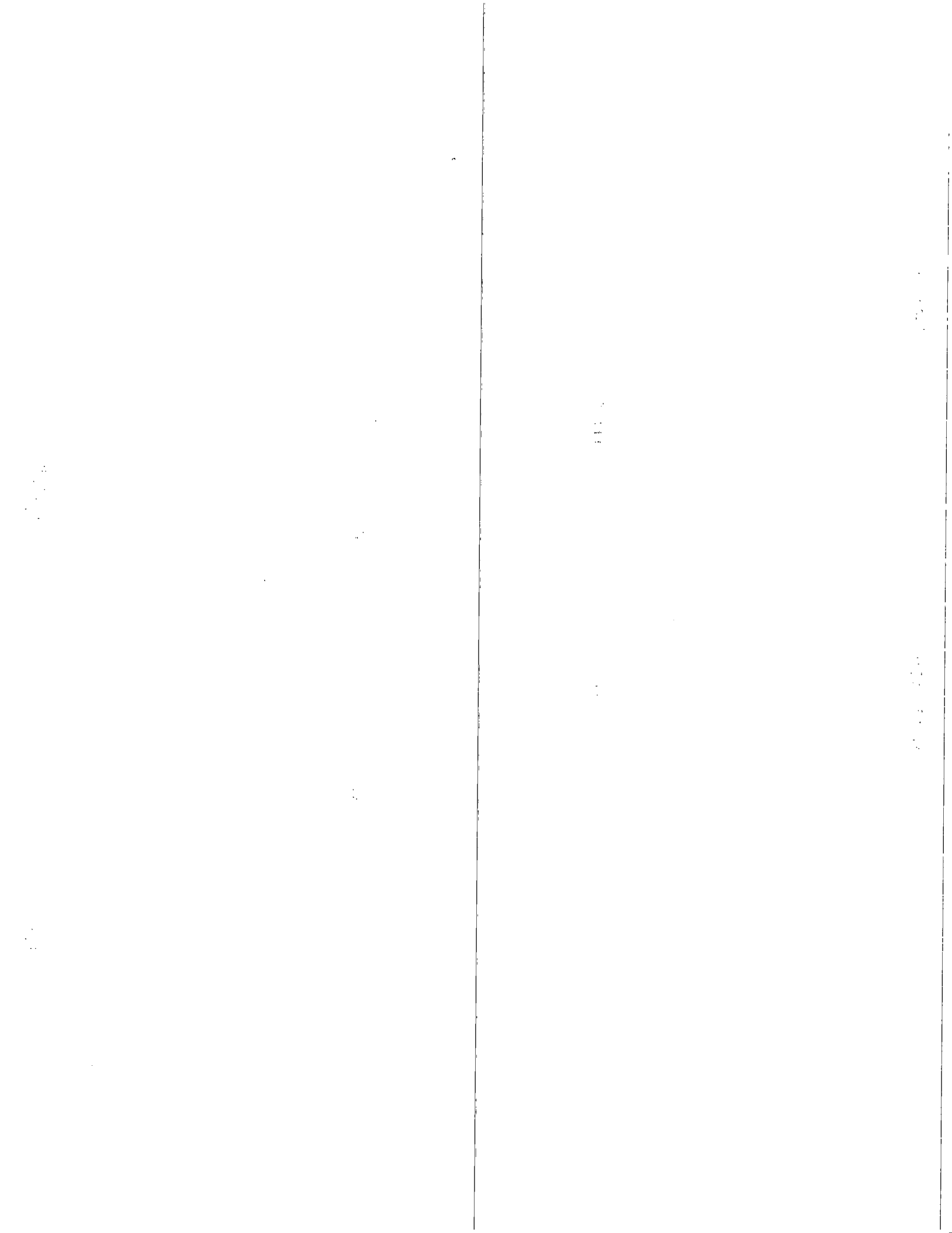
Sarasota County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM

	ADDRESS	PIN	ASSESSED \$	TYPE
93	1822 BROOKFIELD TER	0025-09-0072	\$29,765	MH
94	1828 BROOKFIELD TER	0025-09-0071	\$30,811	MH
95	1831 BROOKFIELD TER	0025-09-0074	\$49,547	MH
96	1834 BROOKFIELD TER	0025-09-0070	\$40,075	MH
97	1837 BROOKFIELD TER	0025-09-0075	\$15,000	MH
98	1840 BROOKFIELD TER	0025-09-0069	\$23,337	MH
99	1843 BROOKFIELD TER	0025-09-0076	\$28,062	MH
100	1846 BROOKFIELD TER	0025-09-0068	\$31,189	MH
101	1849 BROOKFIELD TER	0025-09-0077	\$35,858	MH
102	1852 BROOKFIELD TER	0025-09-0067	\$27,334	MH
103	1855 BROOKFIELD TER	0025-09-0078	\$35,332	MH
104	1858 BROOKFIELD TER	0025-09-0066	\$33,161	MH
105	1861 BROOKFIELD TER	0025-09-0079	\$37,347	MH
106	1864 BROOKFIELD TER	0025-09-0065	\$32,567	MH
107	1867 BROOKFIELD TER	0025-09-0080	\$35,324	MH
108	1870 BROOKFIELD TER	0025-09-0064	\$33,249	MH
109	1873 BROOKFIELD TER	0025-09-0081	\$36,995	MH
110	1876 BROOKFIELD TER	0025-09-0063	\$34,772	MH
111	1879 BROOKFIELD TER	0025-09-0082	\$34,638	MH
112	1882 BROOKFIELD TER	0025-09-0062	\$30,762	MH
113	1885 BROOKFIELD TER	0025-09-0083	\$36,328	MH
114	1888 BROOKFIELD TER	0025-09-0061	\$36,027	MH
115	1894 BROOKFIELD TER	0025-09-0060	\$35,001	MH
116	4760 CALUMET AVE	0025-16-0018	\$34,116	MH
117	4772 CALUMET AVE	0025-16-0017	\$31,119	MH
118	4820 CALUMET AVE	0025-16-0016	\$35,413	MH
119	4832 CALUMET AVE	0025-16-0015	\$33,088	MH
120	5203 CHERRY HILL AVE	0025-07-0097	\$43,002	MH
121	5206 CHERRY HILL AVE	0025-07-0095	\$38,699	MH
122	5211 CHERRY HILL AVE	0025-07-0098	\$36,481	MH
123	5214 CHERRY HILL AVE	0025-07-0094	\$28,375	MH
124	5219 CHERRY HILL AVE	0025-07-0099	\$30,215	MH
125	5222 CHERRY HILL AVE	0025-07-0093	\$31,183	MH
126	5227 CHERRY HILL AVE	0025-07-0100	\$30,559	MH
127	5230 CHERRY HILL AVE	0025-07-0092	\$34,688	MH
128	5235 CHERRY HILL AVE	0025-07-0101	\$32,779	MH
129	5238 CHERRY HILL AVE	0025-07-0091	\$37,601	MH
130	5304 CHERRY HILL AVE	0025-07-0090	\$31,298	MH
131	5336 CHERRY HILL AVE	0025-07-0086	\$42,578	MH
132	1804 CYPRESS POINT LN	0025-09-0093	\$34,482	MH
133	1805 CYPRESS POINT LN	0025-08-0001	\$35,130	MH
134	1812 CYPRESS POINT LN	0025-09-0092	\$26,036	MH
135	1813 CYPRESS POINT LN	0025-08-0002	\$36,800	MH
136	1820 CYPRESS POINT LN	0025-09-0091	\$37,789	MH
137	1821 CYPRESS POINT LN	0025-08-0003	\$27,471	MH
138	1828 CYPRESS POINT LN	0025-09-0090	\$32,802	MH



Sarasota County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM

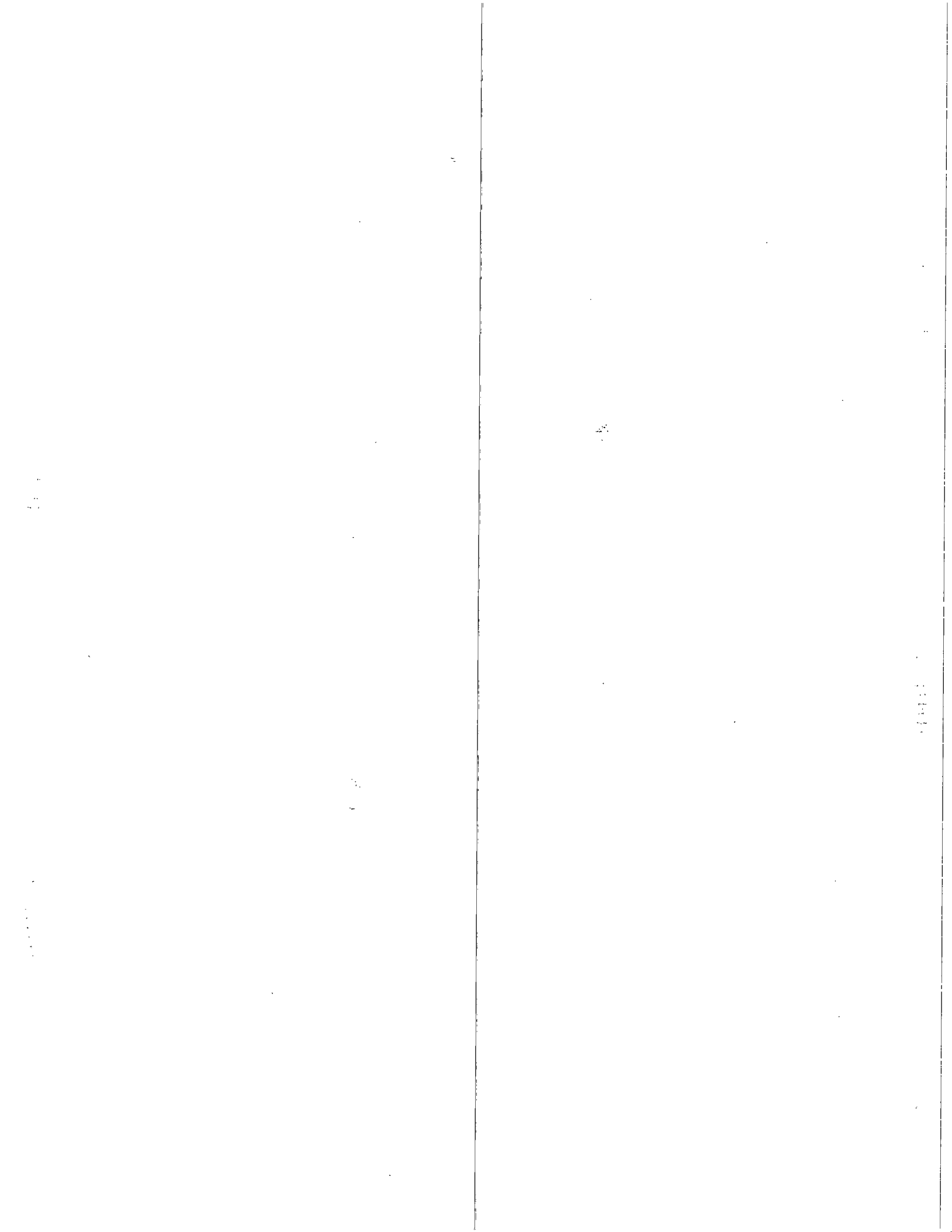
	ADDRESS	PIN	ASSESSED \$	TYPE
139	1829 CYPRESS POINT LN	0025-08-0004	\$33,225	MH
140	1836 CYPRESS POINT LN	0025-09-0089	\$32,768	MH
141	1837 CYPRESS POINT LN	0025-08-0005	\$38,373	MH
142	1844 CYPRESS POINT LN	0025-09-0088	\$34,083	MH
143	1845 CYPRESS POINT LN	0025-08-0006	\$35,954	MH
144	1852 CYPRESS POINT LN	0025-09-0087	\$30,162	MH
145	1853 CYPRESS POINT LN	0025-08-0007	\$39,441	MH
146	1860 CYPRESS POINT LN	0025-09-0086	\$40,402	MH
147	1861 CYPRESS POINT LN	0025-08-0008	\$39,037	MH
148	1868 CYPRESS POINT LN	0025-09-0085	\$38,565	MH
149	4928 DESERT INN AVE	0025-09-0045	\$25,349	MH
150	4936 DESERT INN AVE	0025-09-0044	\$24,635	MH
151	4944 DESERT INN AVE	0025-09-0043	\$28,017	MH
152	4950 DESERT INN AVE	0025-09-0042	\$23,914	MH
153	5103 GLEN ECHO AVE	0025-10-0027	\$40,690	MH
154	5104 GLEN ECHO AVE	0025-10-0025	\$46,620	MH
155	5111 GLEN ECHO AVE	0025-10-0028	\$34,405	MH
156	5112 GLEN ECHO AVE	0025-10-0024	\$30,692	MH
157	5119 GLEN ECHO AVE	0025-10-0029	\$28,177	MH
158	5120 GLEN ECHO AVE	0025-10-0023	\$28,562	MH
159	5127 GLEN ECHO AVE	0025-10-0030	\$36,456	MH
160	5128 GLEN ECHO AVE	0025-10-0022	\$35,112	MH
161	5135 GLEN ECHO AVE	0025-10-0031	\$37,933	MH
162	5136 GLEN ECHO AVE	0025-10-0021	\$44,410	MH
163	5209 GLEN ECHO AVE	0025-07-0055	\$32,208	MH
164	5210 GLEN ECHO AVE	0025-07-0053	\$36,593	MH
165	5217 GLEN ECHO AVE	0025-07-0056	\$29,039	MH
166	5218 GLEN ECHO AVE	0025-07-0052	\$28,282	MH
167	5225 GLEN ECHO AVE	0025-07-0057	\$37,978	MH
168	5226 GLEN ECHO AVE	0025-07-0051	\$27,564	MH
169	5233 GLEN ECHO AVE	0025-07-0058	\$29,955	MH
170	5234 GLEN ECHO AVE	0025-07-0050	\$29,578	MH
171	5241 GLEN ECHO AVE	0025-07-0059	\$33,598	MH
172	5242 GLEN ECHO AVE	0025-07-0049	\$33,065	MH
173	5249 GLEN ECHO AVE	0025-07-0060	\$36,938	MH
174	5250 GLEN ECHO AVE	0025-07-0048	\$29,958	MH
175	5303 GLEN ECHO AVE	0025-07-0061	\$31,358	MH
176	5304 GLEN ECHO AVE	0025-07-0047	\$35,972	MH
177	5311 GLEN ECHO AVE	0025-07-0062	\$30,032	MH
178	5312 GLEN ECHO AVE	0025-07-0046	\$29,639	MH
179	5319 GLEN ECHO AVE	0025-07-0063	\$28,216	MH
180	5320 GLEN ECHO AVE	0025-07-0045	\$35,526	MH
181	5327 GLEN ECHO AVE	0025-07-0064	\$37,271	MH
182	5328 GLEN ECHO AVE	0025-07-0044	\$36,423	MH
183	5118 HIDDEN SPRINGS AVE	0025-06-0043	\$25,589	MH
184	1800 INNISBROOK LN	0025-08-0042	\$33,284	MH



Sarasota County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM

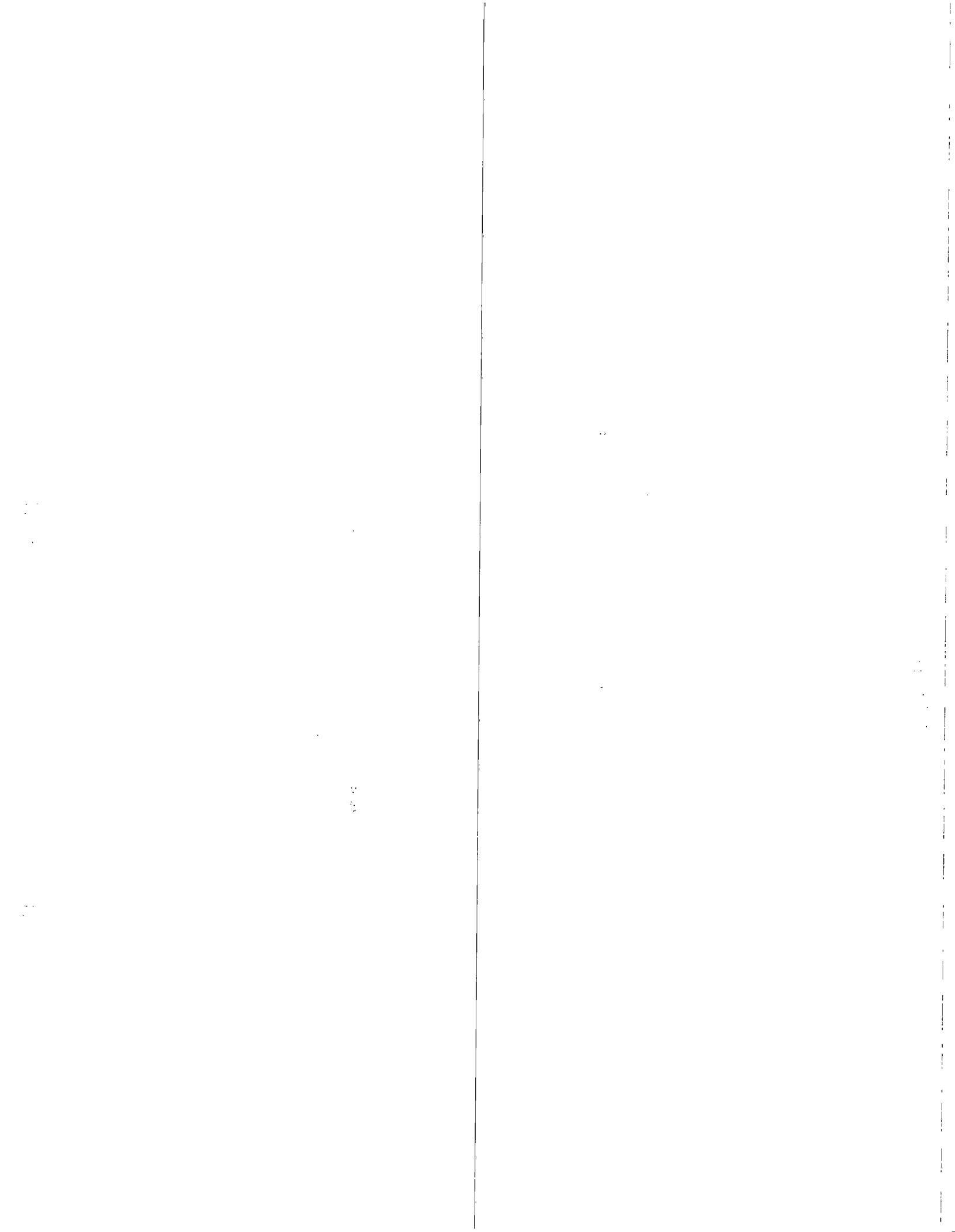
	ADDRESS	PIN	ASSESSED \$	TYPE
185	1808 INNISBROOK LN	0025-08-0041	\$35,096	MH
186	1809 INNISBROOK LN	0025-08-0055	\$38,361	MH
187	1816 INNISBROOK LN	0025-08-0040	\$38,505	MH
188	1817 INNISBROOK LN	0025-08-0056	\$39,985	MH
189	1824 INNISBROOK LN	0025-08-0039	\$36,859	MH
190	1825 INNISBROOK LN	0025-08-0057	\$34,602	MH
191	1832 INNISBROOK LN	0025-08-0038	\$35,766	MH
192	5201 KENWOOD AVE	0025-07-0118	\$34,995	MH
193	5204 KENWOOD AVE	0025-07-0116	\$35,578	MH
194	5209 KENWOOD AVE	0025-07-0119	\$32,615	MH
195	5212 KENWOOD AVE	0025-07-0115	\$27,739	MH
196	5217 KENWOOD AVE	0025-07-0120	\$27,226	MH
197	5220 KENWOOD AVE	0025-07-0114	\$36,198	MH
198	5225 KENWOOD AVE	0025-07-0121	\$32,645	MH
199	5228 KENWOOD AVE	0025-07-0113	\$35,836	MH
200	5233 KENWOOD AVE	0025-07-0122	\$26,627	MH
201	5236 KENWOOD AVE	0025-07-0112	\$35,892	MH
202	5305 KENWOOD AVE	0025-07-0123	\$40,349	MH
203	5306 KENWOOD AVE	0025-07-0111	\$32,136	MH
204	5321 KENWOOD AVE	0025-07-0125	\$30,992	MH
205	5329 KENWOOD AVE	0025-07-0126	\$32,182	MH
206	5103 LAUREL VALLEY AVE	0025-08-0044	\$52,808	MH
207	5109 LAUREL VALLEY AVE	0025-08-0045	\$34,352	MH
208	5117 LAUREL VALLEY AVE	0025-08-0046	\$30,707	MH
209	5125 LAUREL VALLEY AVE	0025-08-0047	\$48,546	MH
210	5201 LAUREL VALLEY AVE	0025-08-0049	\$37,323	MH
211	5207 LAUREL VALLEY AVE	0025-08-0050	\$36,585	MH
212	5213 LAUREL VALLEY AVE	0025-08-0051	\$31,377	MH
213	5219 LAUREL VALLEY AVE	0025-08-0052	\$35,768	MH
214	5225 LAUREL VALLEY AVE	0025-08-0054	\$17,000	MH
215	5225 LAUREL VALLEY AVE	0025-08-0053	\$42,751	MH
216	1799 MIDLOTHIAN ST	0025-15-0026	\$35,774	MH
217	5142 OAKLAND HILLS AVE	0025-06-0027	\$22,942	MH
218	5154 OAKLAND HILLS AVE	0025-06-0026	\$30,813	MH
219	5166 OAKLAND HILLS AVE	0025-06-0025	\$29,113	MH
220	5203 OAKLAND HILLS AVE	0025-06-0037	\$27,595	MH
221	5204 OAKLAND HILLS AVE	0025-06-0024	\$26,597	MH
222	5215 OAKLAND HILLS AVE	0025-06-0038	\$25,903	MH
223	5216 OAKLAND HILLS AVE	0025-06-0023	\$20,599	MH
224	5227 OAKLAND HILLS AVE	0025-06-0039	\$26,216	MH
225	5239 OAKLAND HILLS AVE	0025-06-0040	\$24,637	MH
226	5240 OAKLAND HILLS AVE	0025-06-0021	\$28,131	MH
227	5251 OAKLAND HILLS AVE	0025-06-0041	\$25,844	MH
228	5252 OAKLAND HILLS AVE	0025-06-0020	\$30,683	MH
229	5263 OAKLAND HILLS AVE	0025-06-0042	\$28,591	MH
230	5264 OAKLAND HILLS AVE	0025-06-0019	\$27,635	MH





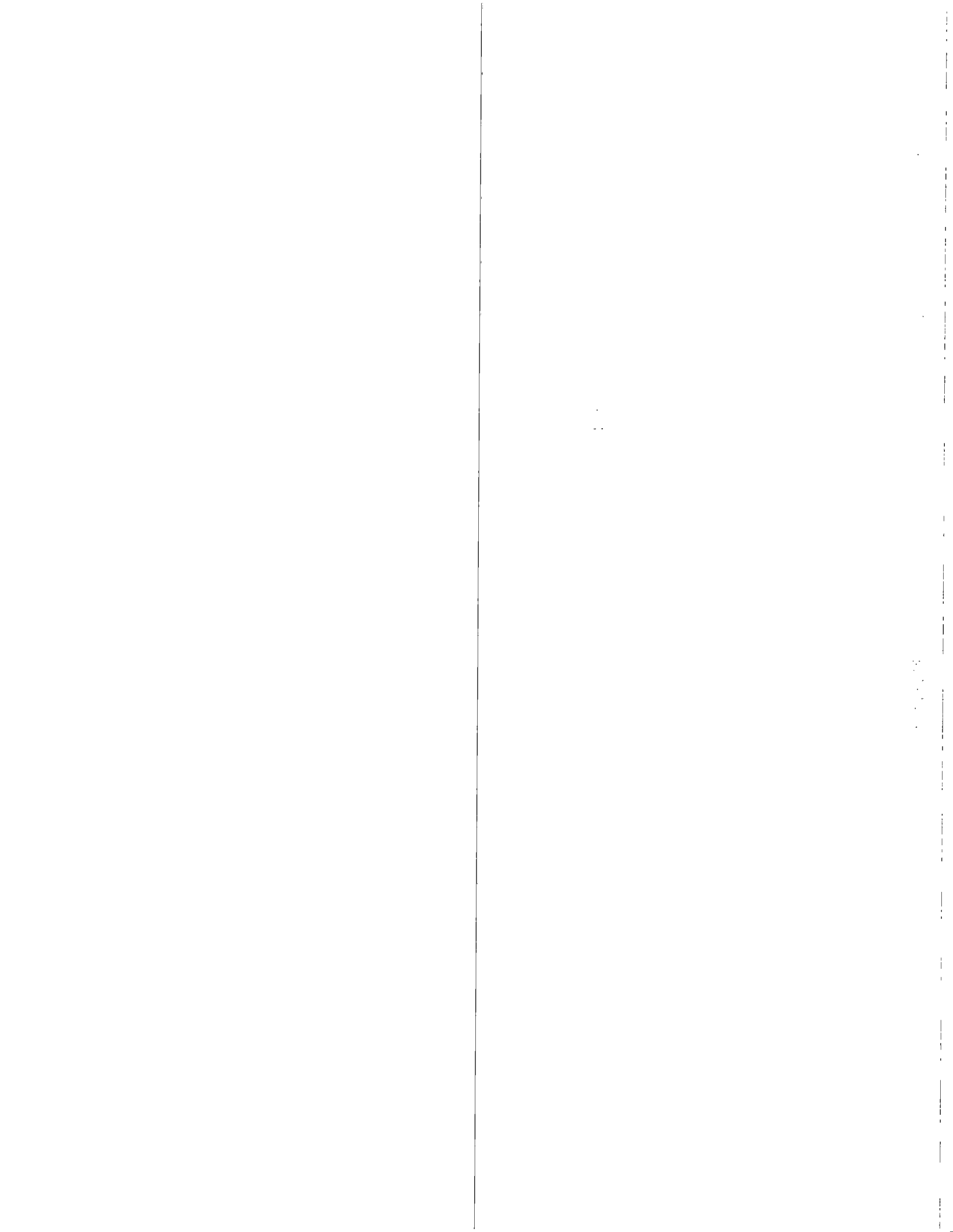
**Sarasota County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM**

	ADDRESS	PIN	ASSESSED \$	TYPE
231	5275 OAKLAND HILLS AVE	0025-06-0043	\$25,589	MH
232	5276 OAKLAND HILLS AVE	0025-06-0018	\$26,178	MH
233	5287 OAKLAND HILLS AVE	0025-06-0044	\$25,216	MH
234	5305 OAKLAND HILLS AVE	0025-06-0045	\$26,143	MH
235	5317 OAKLAND HILLS AVE	0025-06-0046	\$22,683	MH
236	5329 OAKLAND HILLS AVE	0025-03-0006	\$28,883	MH
237	1727 PALM SPRINGS ST	0025-10-0062	\$25,227	MH
238	1731 PALM SPRINGS ST	0025-10-0063	\$25,080	MH
239	1732 PALM SPRINGS ST	0025-10-0089	\$28,439	MH
240	1735 PALM SPRINGS ST	0025-10-0064	\$32,076	MH
241	1736 PALM SPRINGS ST	0025-10-0088	\$27,396	MH
242	1739 PALM SPRINGS ST	0025-10-0065	\$22,819	MH
243	1740 PALM SPRINGS ST	0025-10-0087	\$26,742	MH
244	1741 PALM SPRINGS ST	0025-10-0066	\$25,570	MH
245	1746 PALM SPRINGS ST	0025-10-0086	\$37,769	MH
246	1747 PALM SPRINGS ST	0025-10-0067	\$28,495	MH
247	1750 PALM SPRINGS ST	0025-10-0085	\$30,079	MH
248	1751 PALM SPRINGS ST	0025-10-0068	\$26,552	MH
249	1754 PALM SPRINGS ST	0025-10-0084	\$30,989	MH
250	1755 PALM SPRINGS ST	0025-10-0069	\$29,620	MH
251	1758 PALM SPRINGS ST	0025-10-0083	\$23,221	MH
252	1759 PALM SPRINGS ST	0025-10-0070	\$25,513	MH
253	1762 PALM SPRINGS ST	0025-10-0082	\$22,007	MH
254	1763 PALM SPRINGS ST	0025-10-0071	\$25,337	MH
255	1766 PALM SPRINGS ST	0025-10-0081	\$23,066	MH
256	1767 PALM SPRINGS ST	0025-10-0072	\$26,237	MH
257	1804 PALM SPRINGS ST	0025-10-0080	\$27,970	MH
258	1805 PALM SPRINGS ST	0025-10-0073	\$27,753	MH
259	1810 PALM SPRINGS ST	0025-10-0079	\$31,407	MH
260	1811 PALM SPRINGS ST	0025-10-0074	\$26,238	MH
261	1816 PALM SPRINGS ST	0025-10-0078	\$28,978	MH
262	1817 PALM SPRINGS ST	0025-10-0075	\$27,678	MH
263	1822 PALM SPRINGS ST	0025-09-0026	\$30,032	MH
264	1823 PALM SPRINGS ST	0025-10-0076	\$31,152	MH
265	1828 PALM SPRINGS ST	0025-09-0025	\$24,964	MH
266	1831 PALM SPRINGS ST	0025-09-0028	\$29,656	MH
267	1834 PALM SPRINGS ST	0025-09-0024	\$30,350	MH
268	1837 PALM SPRINGS ST	0025-09-0029	\$26,207	MH
269	1840 PALM SPRINGS ST	0025-09-0023	\$31,556	MH
270	1843 PALM SPRINGS ST	0025-09-0030	\$29,524	MH
271	1848 PALM SPRINGS ST	0025-09-0022	\$25,731	MH
272	1851 PALM SPRINGS ST	0025-09-0031	\$31,559	MH
273	1854 PALM SPRINGS ST	0025-09-0021	\$33,526	MH
274	1857 PALM SPRINGS ST	0025-09-0032	\$27,520	MH
275	1862 PALM SPRINGS ST	0025-09-0020	\$26,972	MH
276	1863 PALM SPRINGS ST	0025-09-0033	\$33,452	MH



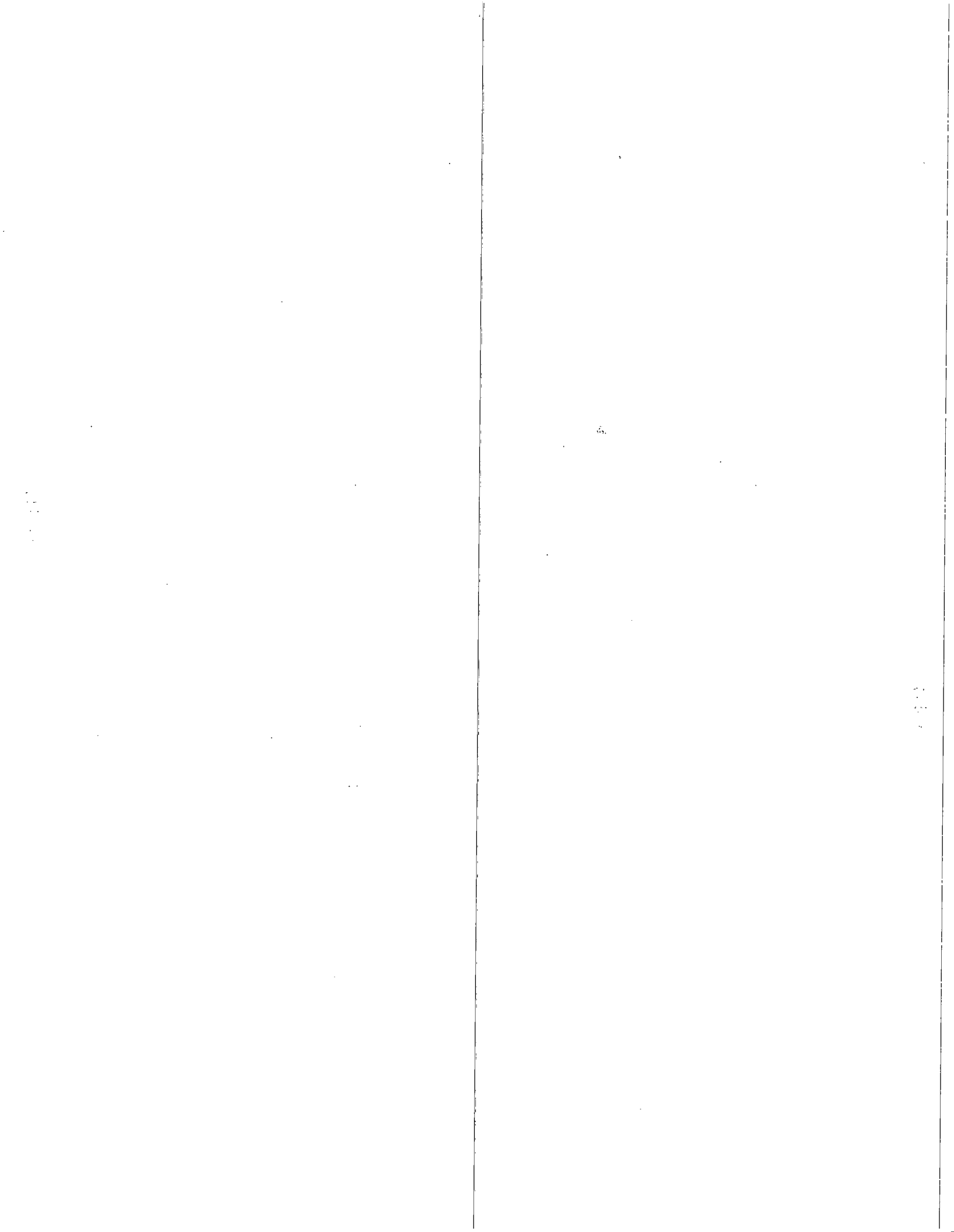
**Sarasota County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM**

	ADDRESS	PIN	ASSESSED \$	TYPE
277	1867 PALM SPRINGS ST	0025-09-0034	\$26,735	MH
278	1868 PALM SPRINGS ST	0025-09-0019	\$29,909	MH
279	1871 PALM SPRINGS ST	0025-09-0035	\$28,186	MH
280	1874 PALM SPRINGS ST	0025-09-0018	\$26,457	MH
281	1877 PALM SPRINGS ST	0025-09-0036	\$26,640	MH
282	1880 PALM SPRINGS ST	0025-09-0017	\$28,305	MH
283	1881 PALM SPRINGS ST	0025-09-0037	\$26,989	MH
284	1886 PALM SPRINGS ST	0025-09-0016	\$25,029	MH
285	1889 PALM SPRINGS ST	0025-09-0038	\$26,084	MH
286	1890 PALM SPRINGS ST	0025-09-0015	\$25,479	MH
287	1893 PALM SPRINGS ST	0025-09-0039	\$27,495	MH
288	1897 PALM SPRINGS ST	0025-09-0040	\$37,301	MH
289	1898 PALM SPRINGS ST	0025-09-0014	\$32,209	MH
290	5176 PEBBLE BEACH AVE	0025-06-0055	\$25,327	MH
291	5206 PEBBLE BEACH AVE	0025-06-0054	\$23,517	MH
292	5217 PEBBLE BEACH AVE	0025-06-0070	\$27,233	MH
293	5218 PEBBLE BEACH AVE	0025-06-0053	\$29,009	MH
294	5229 PEBBLE BEACH AVE	0025-06-0071	\$27,490	MH
295	5230 PEBBLE BEACH AVE	0025-06-0052	\$29,328	MH
296	5241 PEBBLE BEACH AVE	0025-06-0072	\$22,294	MH
297	5242 PEBBLE BEACH AVE	0025-06-0051	\$27,057	MH
298	5253 PEBBLE BEACH AVE	0025-06-0073	\$23,270	MH
299	5254 PEBBLE BEACH AVE	0025-06-0050	\$24,051	MH
300	5265 PEBBLE BEACH AVE	0025-06-0074	\$25,914	MH
301	5266 PEBBLE BEACH AVE	0025-06-0049	\$27,768	MH
302	5277 PEBBLE BEACH AVE	0025-06-0075	\$26,544	MH
303	5278 PEBBLE BEACH AVE	0025-06-0048	\$29,249	MH
304	5303 PEBBLE BEACH AVE	0025-06-0076	\$26,550	MH
305	5304 PEBBLE BEACH AVE	0025-06-0047	\$24,107	MH
306	5315 PEBBLE BEACH AVE	0025-06-0077	\$31,286	MH
307	5316 PEBBLE BEACH AVE	0025-03-0009	\$31,538	MH
308	5327 PEBBLE BEACH AVE	0025-03-0011	\$28,014	MH
309	5339 PEBBLE BEACH AVE	0025-03-0012	\$35,271	MH
310	5105 RANCHO AVE	0025-10-0016	\$30,702	MH
311	5106 RANCHO AVE	0025-10-0014	\$37,934	MH
312	5113 RANCHO AVE	0025-10-0017	\$34,421	MH
313	5114 RANCHO AVE	0025-10-0013	\$36,536	MH
314	5121 RANCHO AVE	0025-10-0018	\$24,854	MH
315	5122 RANCHO AVE	0025-10-0012	\$29,020	MH
316	5129 RANCHO AVE	0025-10-0019	\$31,118	MH
317	5130 RANCHO AVE	0025-10-0011	\$30,040	MH
318	5137 RANCHO AVE	0025-10-0020	\$44,244	MH
319	5138 RANCHO AVE	0025-10-0010	\$39,788	MH
320	5211 RANCHO AVE	0025-07-0034	\$40,938	MH
321	5212 RANCHO AVE	0025-07-0032	\$41,457	MH
322	5219 RANCHO AVE	0025-07-0035	\$30,603	MH



**Sarasota County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM**

	ADDRESS	PIN	ASSESSED \$	TYPE
323	5220 RANCHO AVE	0025-07-0031	\$45,220	MH
324	5227 RANCHO AVE	0025-07-0036	\$33,720	MH
325	5228 RANCHO AVE	0025-07-0030	\$42,147	MH
326	5235 RANCHO AVE	0025-07-0037	\$36,125	MH
327	5236 RANCHO AVE	0025-07-0029	\$39,814	MH
328	5243 RANCHO AVE	0025-07-0038	\$34,433	MH
329	5244 RANCHO AVE	0025-07-0028	\$33,999	MH
330	5251 RANCHO AVE	0025-07-0039	\$36,533	MH
331	5305 RANCHO AVE	0025-07-0040	\$36,335	MH
332	5306 RANCHO AVE	0025-07-0026	\$28,042	MH
333	5313 RANCHO AVE	0025-07-0041	\$36,253	MH
334	5314 RANCHO AVE	0025-07-0025	\$31,028	MH
335	5321 RANCHO AVE	0025-07-0042	\$24,077	MH
336	5322 RANCHO AVE	0025-07-0024	\$33,436	MH
337	5329 RANCHO AVE	0025-07-0043	\$35,944	MH
338	5330 RANCHO AVE	0025-07-0023	\$41,669	MH
339	4600 TRI PAR DR	0025-09-0047	\$41,473	MH
340	4620 TRI PAR DR	0025-09-0046	\$27,714	MH
341	4702 TRI PAR DR	0025-09-0013	\$36,753	MH
342	4708 TRI PAR DR	0025-09-0012	\$27,165	MH
343	4714 TRI PAR DR	0025-09-0011	\$31,672	MH
344	4720 TRI PAR DR	0025-09-0010	\$24,776	MH
345	4721 TRI PAR DR	0025-16-0004	\$36,333	MH
346	4727 TRI PAR DR	0025-16-0005	\$29,631	MH
347	4728 TRI PAR DR	0025-09-0009	\$28,079	MH
348	4733 TRI PAR DR	0025-16-0006	\$34,108	MH
349	4734 TRI PAR DR	0025-09-0008	\$25,996	MH
350	4739 TRI PAR DR	0025-16-0007	\$30,067	MH
351	4740 TRI PAR DR	0025-09-0007	\$27,910	MH
352	4745 TRI PAR DR	0025-16-0008	\$34,532	MH
353	4746 TRI PAR DR	0025-09-0006	\$28,410	MH
354	4751 TRI PAR DR	0025-16-0009	\$25,881	MH
355	4752 TRI PAR DR	0025-09-0005	\$31,838	MH
356	4757 TRI PAR DR	0025-16-0010	\$38,532	MH
357	4763 TRI PAR DR	0025-16-0011	\$16,000	MH
358	4764 TRI PAR DR	0025-09-0003	\$33,127	MH
359	4770 TRI PAR DR	0025-09-0001	\$34,067	MH
360	4775 TRI PAR DR	0025-16-0013	\$41,931	MH
361	4779 TRI PAR DR	0025-16-0014	\$44,289	MH
362	4782 TRI PAR DR	0025-10-0106	\$33,565	MH
363	4788 TRI PAR DR	0025-10-0105	\$46,026	MH
364	4794 TRI PAR DR	0025-10-0104	\$32,911	MH
365	4804 TRI PAR DR	0025-10-0103	\$33,249	MH
366	4810 TRI PAR DR	0025-10-0102	\$26,328	MH
367	4811 TRI PAR DR	0025-15-0001	\$37,489	MH
368	4816 TRI PAR DR	0025-10-0101	\$25,992	MH



Sarasota County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM

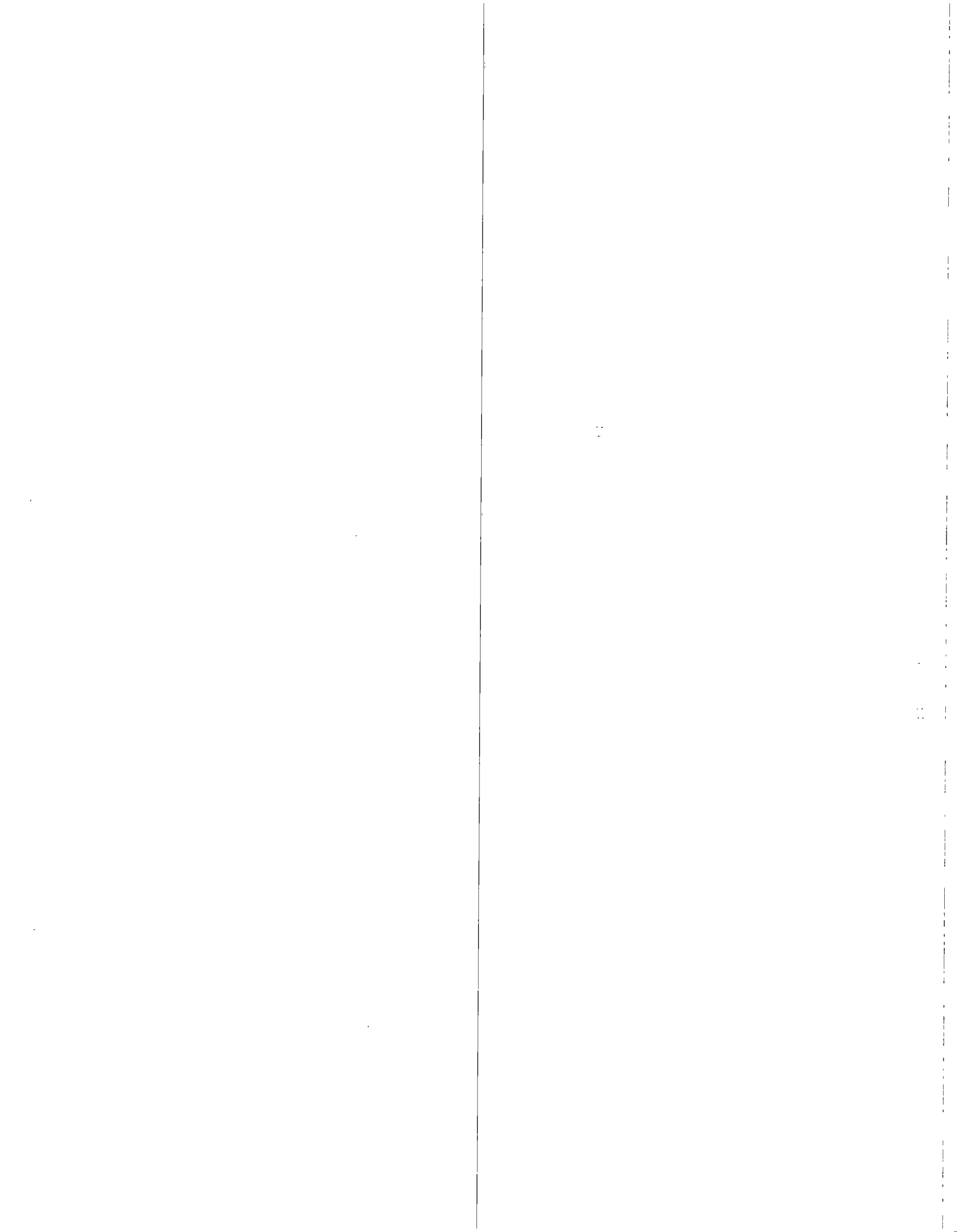
	ADDRESS	PIN	ASSESSED \$	TYPE
369	4822 TRI PAR DR	0025-10-0100	\$24,705	MH
370	4823 TRI PAR DR	0025-15-0002	\$26,670	MH
371	4828 TRI PAR DR	0025-10-0099	\$27,490	MH
372	4829 TRI PAR DR	0025-15-0003	\$20,610	MH
373	4834 TRI PAR DR	0025-10-0098	\$28,310	MH
374	4835 TRI PAR DR	0025-15-0004	\$30,934	MH
375	4840 TRI PAR DR	0025-10-0097	\$27,965	MH
376	5143 TRI PAR DR	0025-06-0003	\$26,739	MH
377	5155 TRI PAR DR	0025-06-0004	\$25,974	MH
378	5201 TRI PAR DR	0025-06-0005	\$26,319	MH
379	5202 TRI PAR DR	0025-07-0137	\$32,730	MH
380	5210 TRI PAR DR	0025-07-0136	\$33,142	MH
381	5213 TRI PAR DR	0025-06-0006	\$28,001	MH
382	5218 TRI PAR DR	0025-07-0135	\$36,715	MH
383	5225 TRI PAR DR	0025-06-0007	\$22,856	MH
384	5226 TRI PAR DR	0025-07-0134	\$25,936	MH
385	5234 TRI PAR DR	0025-07-0133	\$34,317	MH
386	5237 TRI PAR DR	0025-06-0008	\$26,236	MH
387	5249 TRI PAR DR	0025-06-0009	\$27,487	MH
388	5261 TRI PAR DR	0025-06-0010	\$25,824	MH
389	5273 TRI PAR DR	0025-06-0011	\$28,180	MH
390	5285 TRI PAR DR	0025-06-0012	\$29,576	MH
391	5297 TRI PAR DR	0025-06-0013	\$29,576	MH
392	5308 TRI PAR DR	0025-07-0132	\$27,892	MH
393	5324 TRI PAR DR	0025-07-0130	\$30,647	MH
394	1802 WOODSTOCK LN	0025-08-0021	\$42,632	MH
395	1803 WOODSTOCK LN	0025-08-0032	\$38,795	MH
396	1810 WOODSTOCK LN	0025-08-0020	\$52,658	MH
397	1811 WOODSTOCK LN	0025-08-0031	\$39,948	MH
398	1818 WOODSTOCK LN	0025-08-0019	\$36,766	MH
399	1819 WOODSTOCK LN	0025-08-0030	\$32,952	MH
400	1826 WOODSTOCK LN	0025-08-0018	\$33,234	MH
401	1827 WOODSTOCK LN	0025-08-0029	\$32,239	MH
402	1834 WOODSTOCK LN	0025-08-0017	\$38,116	MH
403	1835 WOODSTOCK LN	0025-08-0028	\$37,271	MH
404	1842 WOODSTOCK LN	0025-08-0016	\$30,849	MH
405	1843 WOODSTOCK LN	0025-08-0027	\$39,230	MH
406	1850 WOODSTOCK LN	0025-08-0015	\$28,994	MH





**Manatee County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM  
with 295° Radial Turn**

	ADDRESS	PIN	ASSESSED \$	TYPE
1	147 ADAIR AVE	670901000	\$76,680	SF
2	144 ADAIR AVE	670780000	\$74,893	SF
3	124 ADAIR AVE	670810000	\$88,854	SF
4	132 ADAIR AVE	670800000	\$79,682	SF
5	131 ADAIR AVE	670920000	\$55,794	SF
6	155 ADAIR AVE	670900000	\$87,896	SF
7	139 ADAIR AVE	670891010	\$90,431	SF
8	151 ADAIR AVE	670901005	\$75,306	SF
9	136 ADAIR AVE	670790000	\$53,071	SF
10	127 ADAIR AVE	670890000	\$49,977	SF
11	148 ADAIR AVE	670770000	\$78,461	SF
12	152 ADAIR AVE	670760000	\$63,110	SF
13	135 ADAIR AVE	670891005	\$56,115	SF
14	344 BERNARD AVE	679590000	\$87,840	SF
15	339 BERNARD AVE	679390000	\$78,967	SF
16	7472 BROUGHTON ST	668750000	\$88,877	SF
17	7421 BROUGHTON ST	669300000	\$60,969	SF
18	7425 BROUGHTON ST	669310000	\$65,916	SF
19	7401 BROUGHTON ST	669270000	\$84,197	SF
20	7464 BROUGHTON ST	668760000	\$77,269	SF
21	7405 BROUGHTON ST	669280000	\$69,183	SF
22	7452 BROUGHTON ST	668780000	\$58,360	SF
23	7460 BROUGHTON ST	668770000	\$78,875	SF
24	7413 BROUGHTON ST	669290000	\$63,870	SF
25	7429 BROUGHTON ST	669320000	\$54,201	SF
26	229 GAINES AVE	668350000	\$56,994	SF
27	243 GREENWOOD AVE	668030000	\$64,577	SF
28	242 GREENWOOD AVE	667770000	\$128,523	SF
29	129 HOLLY AVE	669770000	\$139,905	SF
30	142 HOLLY AVE	670980000	\$62,176	SF
31	126 HOLLY AVE	671060000	\$65,600	SF
32	137 HOLLY AVE	669750000	\$228,977	SF
33	138 HOLLY AVE	670990000	\$66,296	SF
34	149 HOLLY AVE	669720000	\$48,400	SF
35	130 HOLLY AVE	671050000	\$67,446	SF
36	145 HOLLY AVE	669730000	\$233,470	SF
37	133 HOLLY AVE	669760000	\$140,075	SF
38	150 HOLLY AVE	670960000	\$89,824	SF
39	141 HOLLY AVE	669740000	\$153,825	SF
40	146 HOLLY AVE	670970000	\$75,051	SF
41	134 HOLLY AVE	671040000	\$59,898	SF
42	7320 MANATEE ST	675590000	\$140,946	SF
43	7416 MANATEE ST	676050000	\$63,672	SF
44	7421 MANATEE ST	676230000	\$80,440	SF
45	7409 MANATEE ST	676020000	\$48,790	SF



**Manatee County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM  
with 295° Radial Turn**

	ADDRESS	PIN	ASSESSED \$	TYPE
46	7403 MANATEE ST	675820000	\$72,682	SF
47	7332 MANATEE ST	675600000	\$121,030	SF
48	7310 MANATEE ST	675580000	\$97,207	SF
49	222 MARINO AVE	668421005	\$53,150	SF
50	219 MARINO AVE	668740000	\$76,783	SF
51	218 MARINO AVE	668430000	\$59,152	SF
52	318 MCARTHUR AVE	676240000	\$26,630	SF
53	315 MCARTHUR AVE	676010000	\$84,624	SF
54	7402 NORTH TAMIAMI TRL	668300000	\$113,481	SF
55	7340 NORTH TAMIAMI TRL	668990000	\$212,621	SF
56	7348 NORTH TAMIAMI TRL	668980000	\$58,151	SF
57	207 PEARL AVE	670720000	\$64,575	SF
58	211 PEARL AVE	670740000	\$62,180	SF
59	210 PEARL AVE	669060000	\$69,053	SF
60	131 PEARL AVE	670690000	\$62,698	SF
61	138 PEARL AVE	669250000	\$54,957	SF
62	135 PEARL AVE	670691000	\$72,082	SF
63	220 PEARL AVE	668910000	\$84,799	SF
64	203 PEARL AVE	670710000	\$72,832	SF
65	134 PEARL AVE	669260000	\$75,203	SF
66	139 PEARL AVE	670700000	\$79,652	SF
67	215 PEARL AVE	670740005	\$21,745	SF
68	7349 PHILLIPS ST	669110000	\$61,013	SF
69	7357 PHILLIPS ST	669150000	\$57,909	SF
70	7337 PHILLIPS ST	669090000	\$78,508	SF
71	7341 PHILLIPS ST	669100000	\$67,319	SF
72	7324 PHILLIPS ST	669370000	\$89,824	SF
73	7321 PHILLIPS ST	669070000	\$58,072	SF
74	7352 PHILLIPS ST	669330000	\$105,587	SF
75	7332 PHILLIPS ST	669360000	\$30,820	SF
76	7348 PHILLIPS ST	669340000	\$69,198	SF
77	7353 PHILLIPS ST	669120000	\$58,863	SF
78	7329 PHILLIPS ST	669080000	\$70,539	SF
79	7340 PHILLIPS ST	669350000	\$92,362	SF
80	7410 PONCE DE LEON ST	676271000	\$74,578	SF
81	7419 PONCE DE LEON ST	676530000	\$69,133	SF
82	7414 PONCE DE LEON ST	676271005	\$62,441	SF
83	361 SCOTT AVE	667080000	\$104,814	SF
84	7351 SHEPHERD ST	668970000	\$92,853	SF
85	7411 SHEPHERD ST	668120000	\$26,316	SF
86	7431 SHEPHERD ST	668160000	\$18,992	SF
87	7327 SHEPHERD ST	668940000	\$66,299	SF
88	7451 SHEPHERD ST	668210000	\$72,584	SF
89	7338 SHEPHERD ST	669200000	\$21,610	SF
90	7306 SHEPHERD ST	669050000	\$78,773	SF

1000000000

1000000000

1000000000

**Manatee County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM  
with 295° Radial Turn**

	ADDRESS	PIN	ASSESSED \$	TYPE
91	7343 SHEPHERD ST	668960000	\$54,459	SF
92	7230 SHEPHERD ST	670750000	\$56,790	SF
93	7326 SHEPHERD ST	669220000	\$75,990	SF
94	7319 SHEPHERD ST	668930005	\$74,648	SF
95	7342 SHEPHERD ST	669190000	\$71,468	SF
96	7330 SHEPHERD ST	669210000	\$96,063	SF
97	7307 SHEPHERD ST	668920000	\$132,398	SF
98	7310 SHEPHERD ST	669230000	\$94,089	SF
99	341 SOMERSET AVE	679570000	\$87,129	SF
100	345 SOMERSET AVE	679550000	\$60,215	SF
101	337 SOMERSET AVE	679580000	\$71,244	SF
102	344 SOMERSET AVE	679930000	\$69,855	SF
103	348 SOMERSET AVE	679910000	\$77,258	SF
104	352 SOMERSET AVE	679890000	\$16,425	SF
105	353 SUWANEE AVE	679880000	\$68,790	SF
106	357 SUWANEE AVE	679870000	\$69,102	SF
107	7110 WESTMORELAND DR	669900000	\$156,824	SF
108	7762 WESTMORELAND DR	667100000	\$79,743	SF
109	7102 WESTMORELAND DR	669880000	\$147,580	SF
110	7106 WESTMORELAND DR	669890000	\$156,695	SF
111	7105 WESTMORELAND DR	669870000	\$139,824	SF
112	7114 WESTMORELAND DR	669910000	\$146,553	SF
113	7758 WESTMORELAND DR	667090000	\$29,458	SF
114	7113 WESTMORELAND DR	669850000	\$144,430	SF
115	7109 WESTMORELAND DR	669860000	\$131,779	SF
116	219 WHITFIELD AVE	669180000	\$69,122	SF

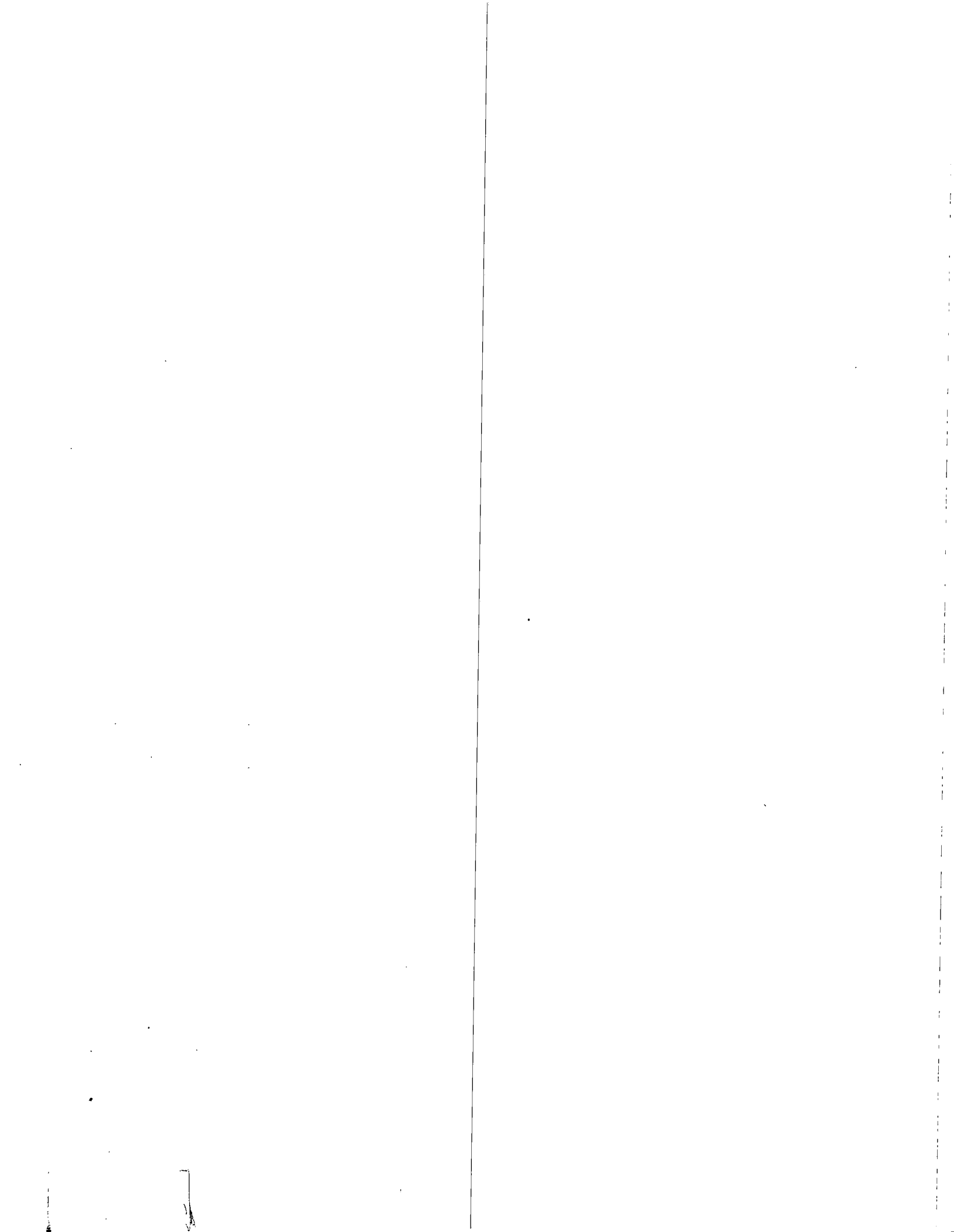
**Manatee County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM  
with 270° Radial Turn**

	ADDRESS	PIN	ASSESSED \$\$	TYPE
1	331 BERNARD AVE	679410000	\$123,031	SF
2	335 BERNARD AVE	679400000	\$98,824	SF
3	339 BERNARD AVE	679390000	\$78,967	SF
4	340 BERNARD AVE	679610000	\$58,183	SF
5	343 BERNARD AVE	679380000	\$22,500	SF
6	344 BERNARD AVE	679590000	\$87,840	SF
7	7444 BROUGHTON ST	668790000	\$99,794	SF
8	7452 BROUGHTON ST	668780000	\$58,360	SF
9	7460 BROUGHTON ST	668770000	\$78,875	SF
10	7464 BROUGHTON ST	668760000	\$77,269	SF
11	7472 BROUGHTON ST	668750000	\$88,877	SF
12	7654 BROUGHTON ST	667440000	\$25,740	SF
13	218 DELMAR AVE	667490000	\$24,816	SF
14	226 DELMAR AVE	667480000	\$90,144	SF
15	227 DELMAR AVE	667730000	\$163,365	SF
16	230 DELMAR AVE	667460000	\$93,643	SF
17	234 DELMAR AVE	667441000	\$123,680	SF
18	235 DELMAR AVE	667740000	\$133,436	SF
19	238 DELMAR AVE	667450000	\$19,140	SF
20	202 GAINES AVE	667830000	\$196,080	SF
21	203 GAINES AVE	668640000	\$122,357	SF
22	206 GAINES AVE	667940000	\$52,176	SF
23	214 GAINES AVE	667970000	\$73,733	SF
24	218 GAINES AVE	668100000	\$120,960	SF
25	225 GAINES AVE	668340000	\$69,274	SF
26	229 GAINES AVE	668350000	\$56,994	SF
27	214 GREENWOOD AVE	667800000	\$50,281	SF
28	215 GREENWOOD AVE	667980000	\$72,935	SF
29	218 GREENWOOD AVE	667790005	\$82,867	SF
30	219 GREENWOOD AVE	668000000	\$92,983	SF
31	222 GREENWOOD AVE	667790000	\$81,350	SF
32	242 GREENWOOD AVE	667770000	\$128,523	SF
33	243 GREENWOOD AVE	668030000	\$64,577	SF
34	7416 MANATEE ST	676050000	\$63,672	SF
35	214 MARINO AVE	668440000	\$53,918	SF
36	218 MARINO AVE	668430000	\$59,152	SF
37	219 MARINO AVE	668740000	\$76,783	SF
38	222 MARINO AVE	668421005	\$53,150	SF
39	7340 NORTH TAMIAMI TRL	668990000	\$212,621	SF
40	7348 NORTH TAMIAMI TRL	668980000	\$58,151	SF
41	7402 NORTH TAMIAMI TRL	668300000	\$113,481	SF
42	7453 NORTH TAMIAMI TRL	676140000	\$105,823	SF
43	7804 NORTH TAMIAMI TRL	679360000	\$134,980	SF
44	7349 PHILLIPS ST	669110000	\$61,013	SF
45	7353 PHILLIPS ST	669120000	\$58,863	SF

**Manatee County Property Addresses within the DNL 70+ dB Contour of the 1995 NEM  
with 270° Radial Turn**

	ADDRESS	PIN	ASSESSED \$\$	TYPE
46	7357 PHILLIPS ST	669150000	\$57,909	SF
47	349 SCOTT AVE	667050000	\$60,872	SF
48	353 SCOTT AVE	667060000	\$62,035	SF
49	354 SCOTT AVE	667000000	\$68,955	SF
50	357 SCOTT AVE	667070000	\$82,016	SF
51	358 SCOTT AVE	667010000	\$71,045	SF
52	361 SCOTT AVE	667080000	\$104,814	SF
53	362 SCOTT AVE	667020000	\$72,249	SF
54	7307 SHEPHERD ST	668920000	\$132,398	SF
55	7319 SHEPHERD ST	668930005	\$74,648	SF
56	7326 SHEPHERD ST	669220000	\$75,990	SF
57	7327 SHEPHERD ST	668940000	\$66,299	SF
58	7330 SHEPHERD ST	669210000	\$96,063	SF
59	7338 SHEPHERD ST	669200000	\$21,610	SF
60	7342 SHEPHERD ST	669190000	\$71,468	SF
61	7343 SHEPHERD ST	668960000	\$54,459	SF
62	7351 SHEPHERD ST	668970000	\$92,853	SF
63	7411 SHEPHERD ST	668120000	\$26,316	SF
64	7431 SHEPHERD ST	668160000	\$18,992	SF
65	7451 SHEPHERD ST	668210000	\$72,584	SF
66	337 SOMERSET AVE	679580000	\$71,244	SF
67	341 SOMERSET AVE	679570000	\$87,129	SF
68	344 SOMERSET AVE	679930000	\$69,855	SF
69	345 SOMERSET AVE	679550000	\$60,215	SF
70	348 SOMERSET AVE	679910000	\$77,258	SF
71	352 SOMERSET AVE	679890000	\$16,425	SF
72	353 SUWANEE AVE	679880000	\$68,790	SF
73	357 SUWANEE AVE	679870000	\$69,102	SF
74	7506 WESTMORELAND DR	668650000	\$70,672	SF
75	7514 WESTMORELAND DR	668480000	\$266,862	SF
76	7518 WESTMORELAND DR	668500000	\$158,899	SF
77	7519 WESTMORELAND DR	668680000	\$65,178	SF
78	7522 WESTMORELAND DR	668520000	\$189,148	SF
79	7523 WESTMORELAND DR	668690000	\$88,884	SF
80	7526 WESTMORELAND DR	668541005	\$26,704	SF
81	7530 WESTMORELAND DR	668540000	\$120,133	SF
82	7531 WESTMORELAND DR	668700000	\$160,187	SF
83	7534 WESTMORELAND DR	668560000	\$126,799	SF
84	7535 WESTMORELAND DR	668720000	\$129,320	SF
85	7538 WESTMORELAND DR	668580000	\$116,435	SF
86	7540 WESTMORELAND DR	668600000	\$197,874	SF
87	7549 WESTMORELAND DR	668450000	\$74,466	SF
88	7552 WESTMORELAND DR	668620000	\$159,874	SF
89	7604 WESTMORELAND DR	667850000	\$75,571	SF







U.S. Department  
of Transportation  
Federal Aviation  
Administration

Southern Region  
Air Traffic Division

P.O. Box 20636  
Atlanta, Georgia 30320

DEC 9 1999

Mr. Frederick J. Piccolo  
Executive Director  
Sarasota Manatee Airport Authority  
6000 Airport Circle  
Sarasota, Florida 34243-2105

Dear Mr. Piccolo:

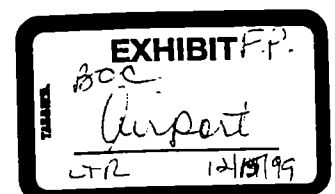
This is to advise you of the status of our environmental review of the proposed departure turn for Runway 32. In modeling the turn, we discovered that 15 points on our grid point analysis indicate noise level increases of 1.5 decibels or greater within the 65 Day/Night Level (DNL) contour in an area northwest of the airport. A 1.5 decibel or greater increase in noise levels is considered a significant impact by our agency.

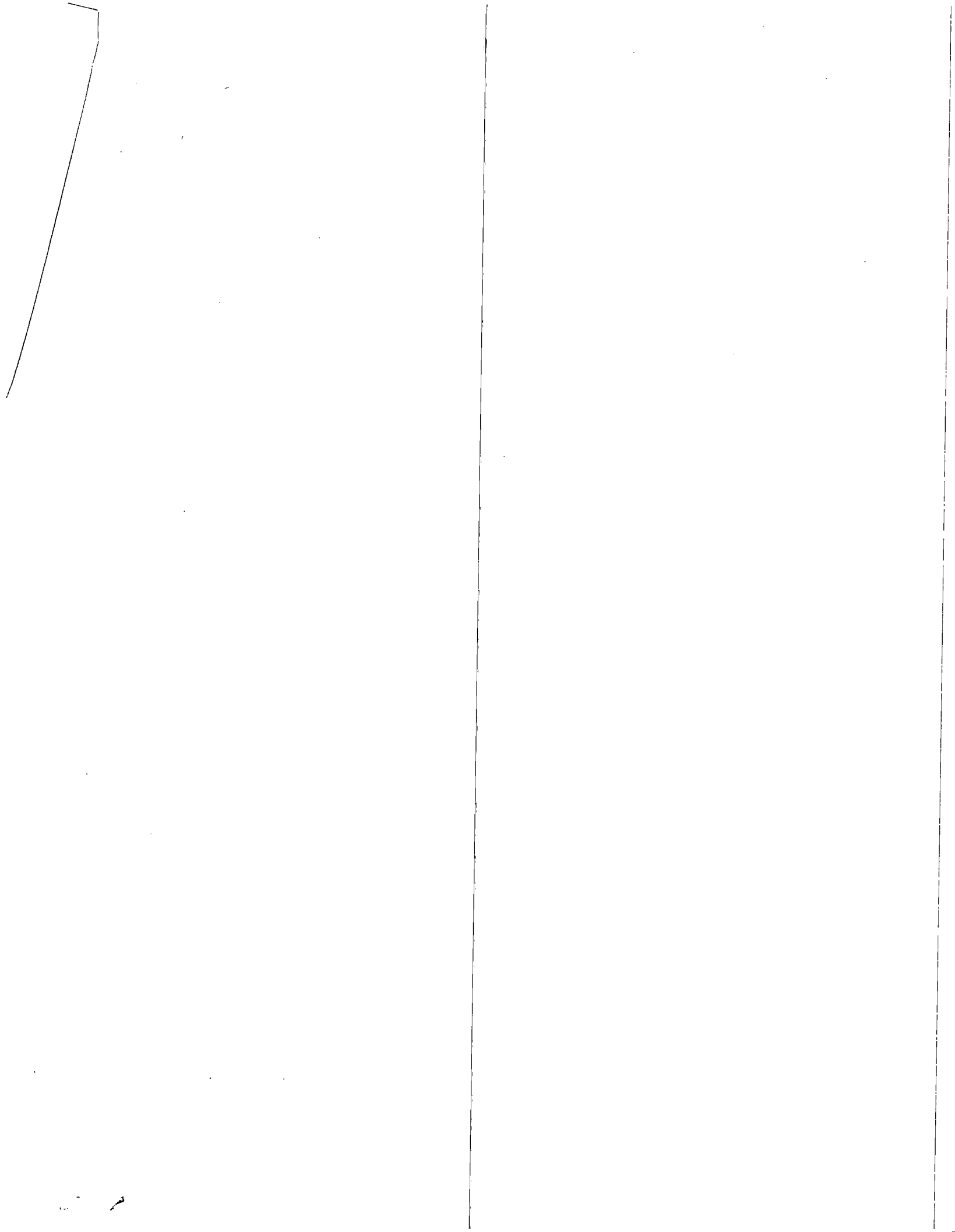
We have now modeled the noise contours, incorporating the proposed runway extension. With the turn and the runway extension, the number of grid points with a 1.5 decibel or greater increase is reduced from 15 grid points to 5 grid points. In other words, the threshold of significance is avoided for much of the area.

In reviewing the Environmental Assessment (EA) for the runway extension, it was noted that sound barriers are proposed to reduce ground level noise and to avoid increases of 1.5 decibels or greater in an area northwest of the airport, but south of the area affected by the turn. For modeling the proposed turn, it is assumed the runway extension will include the sound barriers.

We are presently working with you to determine the possibility of actions to mitigate, or avoid, the noise impacts to the remaining area affected by the turn. As we complete that review, we will advise you of our need for your commitment to complete the actions that will avoid or mitigate the significant impacts.

As discussed, moving forward with a draft EA process will facilitate disclosure of information regarding the project to the public and other interested parties and will provide an opportunity for comment. Upon receiving the comments, we will determine if additional actions are necessary. As discussed, it is premature to judge the possible outcome of our assessment. We are required by the National Environmental Policy Act to use the EA process prior to reaching our decisions.





We look forward to continuing to work with you. If you have any questions, please contact Nancy Shelton at 404-305-5491.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis T. Koehler". The signature is written in a cursive style with a large initial "D".

Dennis T. Koehler  
Manager, Air Traffic Division



ORDINANCE 99-49

Dec 31 2 16 AM '99

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (MAPS 22A AND 22B), FROM: P/SP-(1) [PUBLIC/SEMI-PUBLIC (1)] TO R/O/R (RETAIL/OFFICE/RESIDENTIAL) FUTURE LAND USE CATEGORY FOR CERTAIN LAND; CONSISTING OF APPROXIMATELY 13.61 +/- ACRES; LOCATED WITHIN OUTPARCEL #4, AT THE SARASOTA BRADENTON INTERNATIONAL AIRPORT, AT 8281 THROUGH 8301 NORTH TAMIAMI TRAIL (U.S. 41), WITHIN SECTION 36 OF TOWNSHIP 35 SOUTH, RANGE 17 EAST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes empowers the Board of County Commissioners of the County of Manatee to prepare and enforce comprehensive plans for the development of the county; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, titled "The Local Government Comprehensive Planning and Land Development Regulation Act," empowers and requires the Board of County Commissioners of the County of Manatee (a) to plan for the county's future development and growth, (b) to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the county, (c) to implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations, and (d) to establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of said Act; and

WHEREAS, Manatee County Ordinance 89-01, as amended, was adopted pursuant to general law for the purpose of providing a framework for land use and development in the unincorporated area of Manatee County; and

WHEREAS, Sections 163.3184 and 163.3187, Florida Statutes, titled "Process for Adoption of Comprehensive Plan or Amendment Thereto," and "Amendment of Adopted Comprehensive Plan," respectively, empowers the local government to develop and adopt comprehensive plan amendments; and

WHEREAS, the Manatee County Planning Commission has been established pursuant to Manatee County Ordinance 90-01; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the Board of County Commissioners of the County of Manatee, Florida by Ordinance 90-01 duly designated said Planning Commission as the Local Planning Agency for the unincorporated area of Manatee County; and

WHEREAS, the Manatee County Planning Commission, empowered by the above cited laws and ordinances, considered an amendment to the Manatee County Comprehensive Plan, altering Maps 22a and 22b of the Future Land Use Map in the Future Land Use Element, as referenced in the Title of this ordinance, in order to more adequately address Manatee County's future development and growth; and

WHEREAS, the Owner of the land affected by this comprehensive plan amendment is currently processing a change to a Development of Regional Impact which was determined to be a substantial deviation and has elected to proceed out of a plan amendment cycle pursuant to Section 163.3187(1)(b), Florida Statutes; and

WHEREAS, on October 21, 1999, the Manatee County Planning Commission, after due public notice, held a public hearing to consider the amendment, and forwarded its recommendation to the Board of County Commissioners as required by law; and

WHEREAS, after due public notice, on December 15, 1999, the Board of County Commissioners of Manatee County received and considered the recommendation of the Manatee County Planning Commission, and held a public hearing to consider the amendment and the transmittal of the proposed amendment to the Florida Department of Community Affairs in accordance with Section 163.3184, Florida Statutes; and

WHEREAS, the Board of County Commissioners considered all oral and written comments received during said public hearings, including appropriate changes to the Technical Support Document as needed, the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners has determined that the growth and development provisions initially approved are no longer appropriate because a change in circumstances has been demonstrated by the applicant; and

WHEREAS, the land uses of the proposed plan amendment have been found by the Board of County Commissioners to be more compatible with surrounding land uses in the area than are the current land uses; and found to be consistent with the goals, objectives, and policies of the comprehensive plan and the Technical Support Document for general location of Future Land Use Categories; and

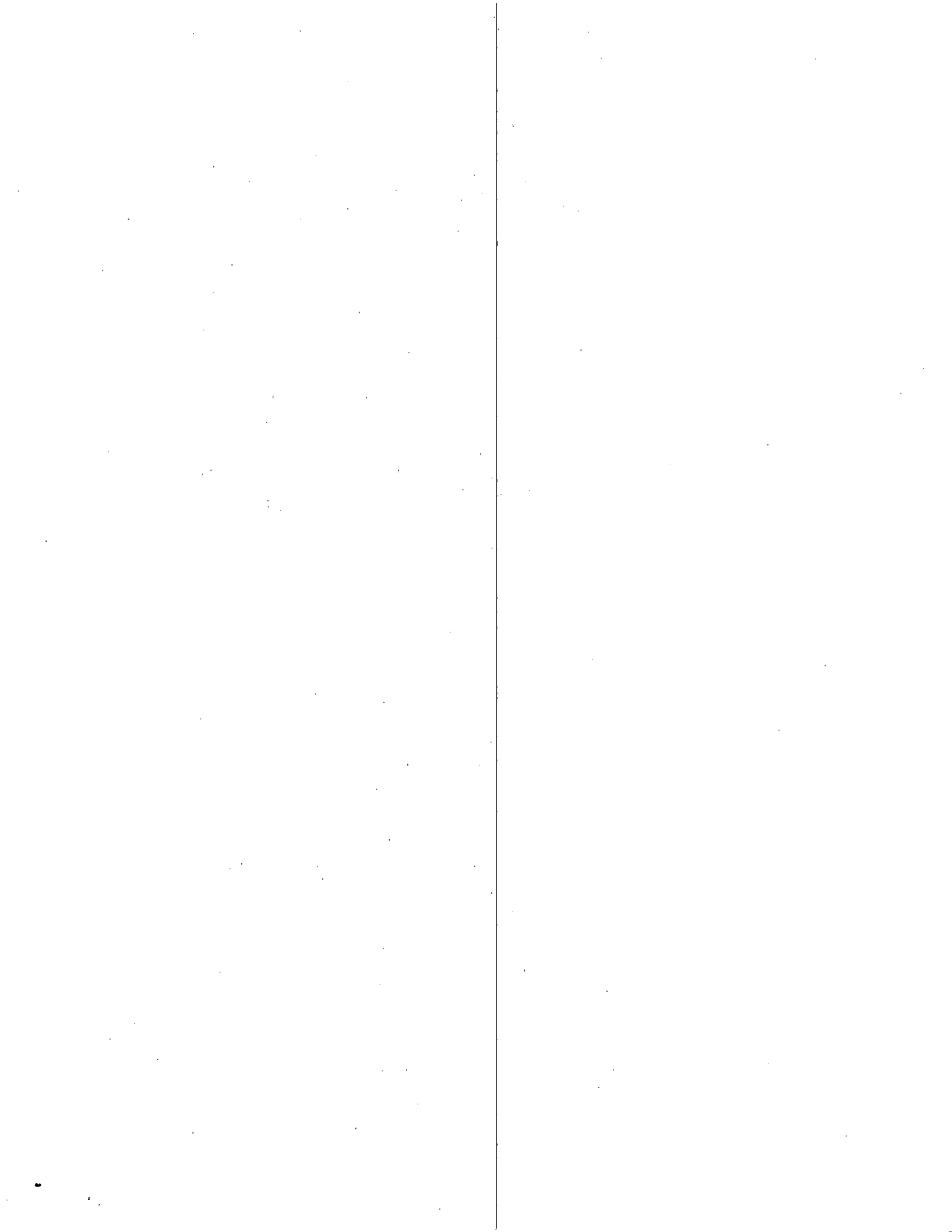
WHEREAS, in exercise of said authority, the Board of County Commissioners of the County of Manatee has determined it necessary and desirable to adopt said amendment of the comprehensive plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest, overcome present deficiencies and deal effectively with future problems that may result from the use and development of land within Manatee County; and

WHEREAS, the Technical Support Document for the Manatee County Comprehensive Plan includes background material and justification for the amendment to the Comprehensive Plan; and

WHEREAS, this Plan Amendment has been adopted pursuant to the alternative process for amendment of an adopted Comprehensive Plan as provided in Section 163.3189, Florida Statutes.

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

Section 1. Purpose and Intent: This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out, in the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended.





Section 2. Findings: The whereas clauses set forth above are hereby adopted as findings by the Board for the adoption of this Ordinance. Based upon the findings made relative to this proposed map amendment to the Comprehensive Plan, it has been determined that the existing Future Land Use Map sought to be amended is no longer in the best interest of the public and should be amended as described in Section 3 below.

Section 3. Map Amendment: The Manatee County Comprehensive Plan, Ordinance 89-01, as amended, shall be amended by changing the Future Land Use classification of the property, generally shown on the map as Attachment "A" hereto, from P/SP-(1) Public/Semi-Public-(1) to R/O/R (Retail/Office/Residential).

Section 4. Severability: If any part, section, subsection, or other portion of this Ordinance, or any application thereof to any person or circumstance is declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The Board declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision or application.

Section 5. Effective Date: This Ordinance shall take effect immediately upon the state land planning agency, as defined in Section 163.3164, Florida Statutes, issuing a final order finding the Ordinance in compliance with Section 163.3184(9), Florida Statutes, or upon the Administration Commission issuing a final order finding the Ordinance to be in compliance in accordance with Section 163.3184(10), Florida Statutes, or whichever occurs first.

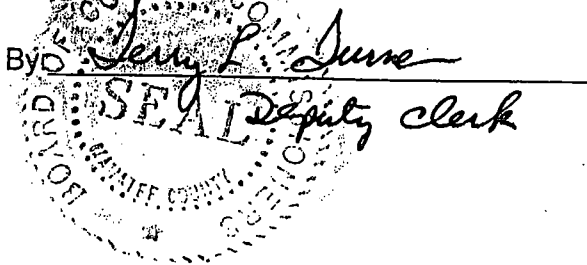
PASSED AND DULY ADOPTED, with a quorum present and voting this 15th day of December, 1999.

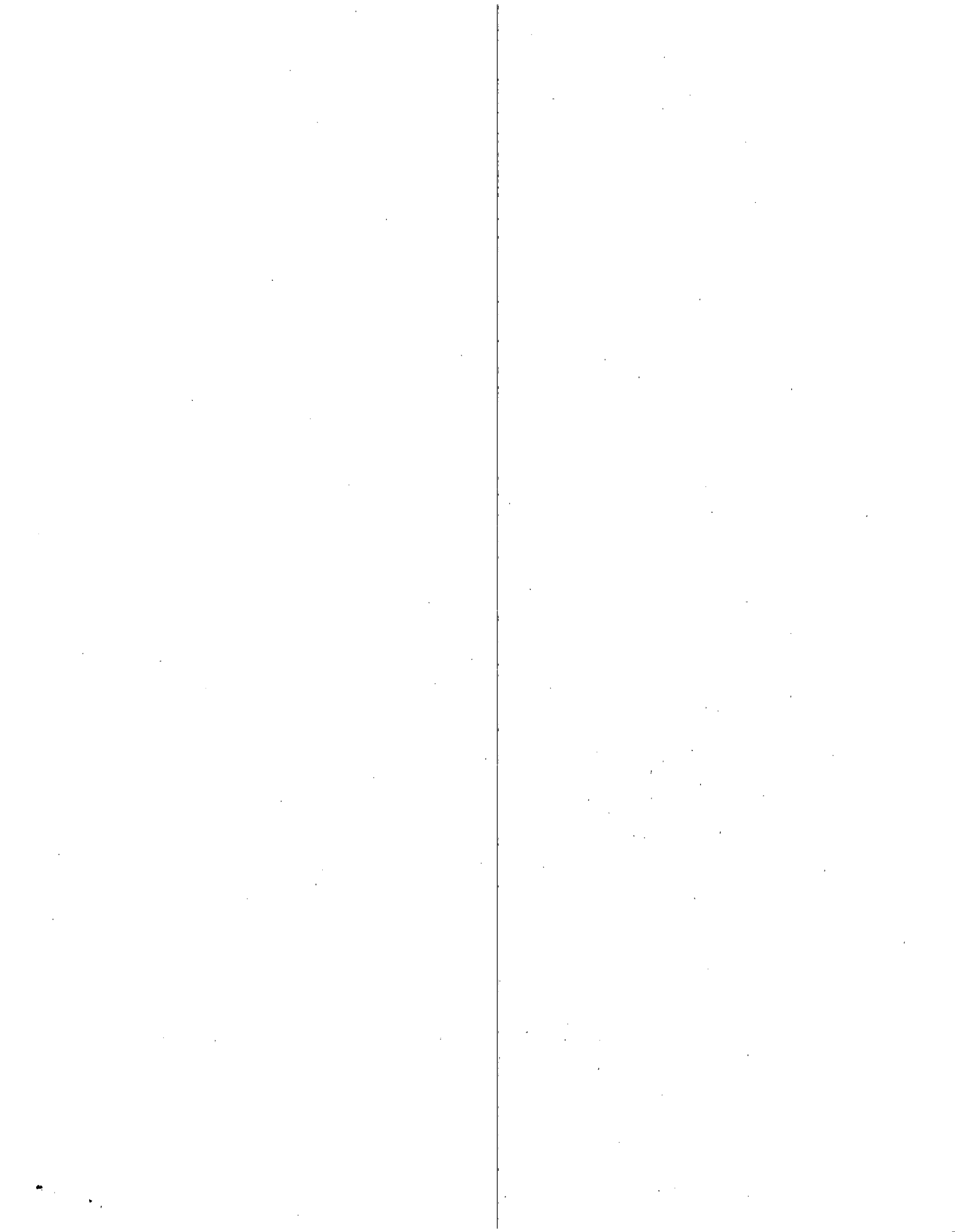
BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

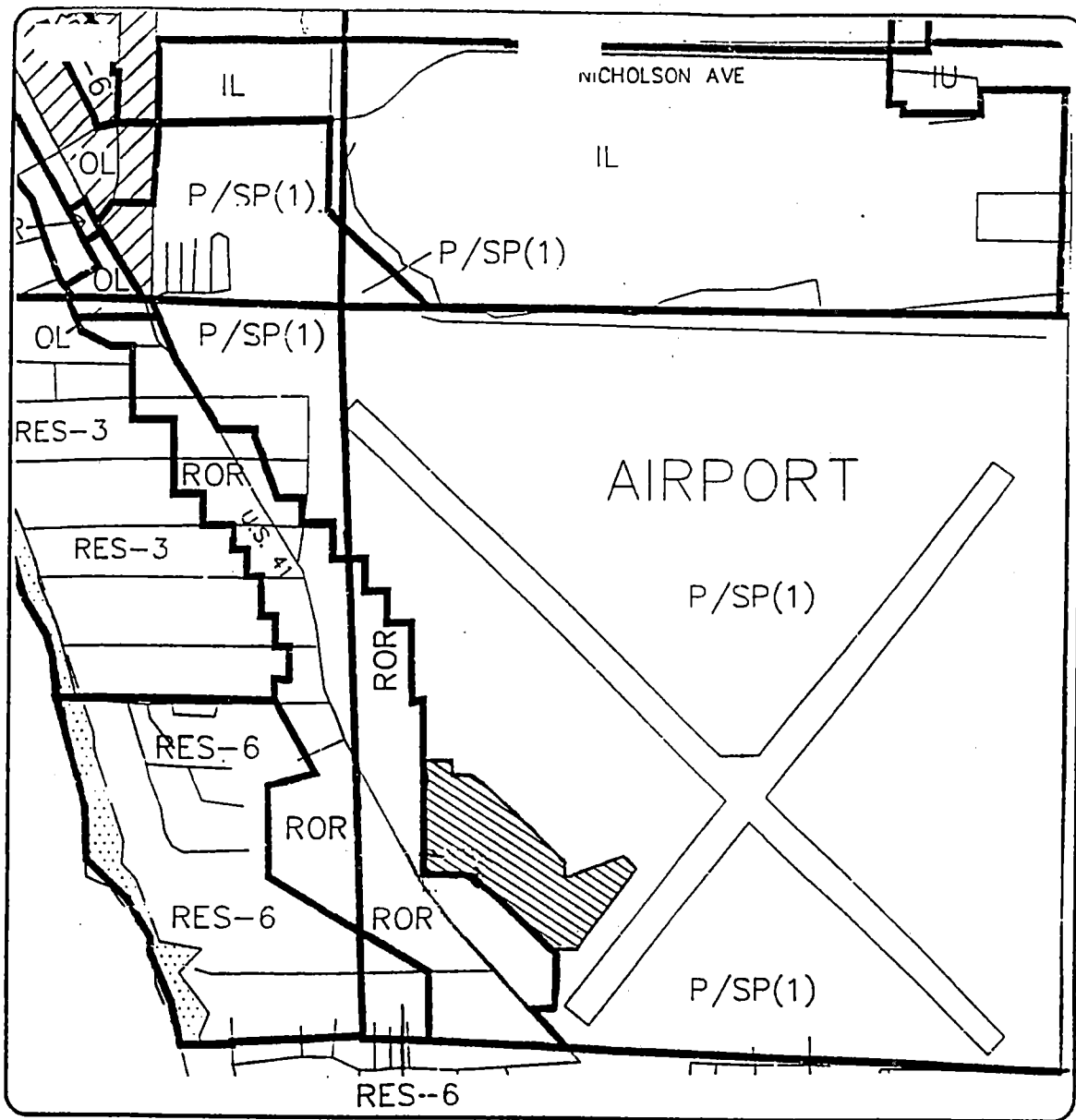
By: Stan Stephens  
Chairman

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

By: Jerry P. June  
Deputy clerk

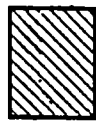

The seal of Manatee County, Florida, is circular and features the text "MANATEE COUNTY, FLORIDA" around the perimeter. In the center, the word "SEAL" is prominently displayed. The seal is partially obscured by the signature and name of the deputy clerk.





**Future Land Use Map**

Future Land Use Map  
Map No. 22a and 22b

 EXISTING CATEGORY  
P/SP(1)  
 PROPOSED CATEGORY  
ROR

SECTION- TOWNSHIP-RANGE

36-35-17

CASE NO.

PA-99-19 ORD. 99-49

REQUESTED BY:

SARASOTA MANATEE AIRPORT AUTHORITY

PROPERTY OWNER(S):

SARASOTA MANATEE AIRPORT AUTHORITY

COMMISSIONER:

HARRIS

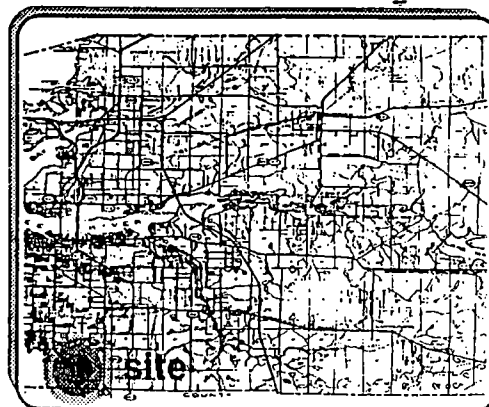
TAX ID.:

PART OF  
684470505  
684471000

ACRES

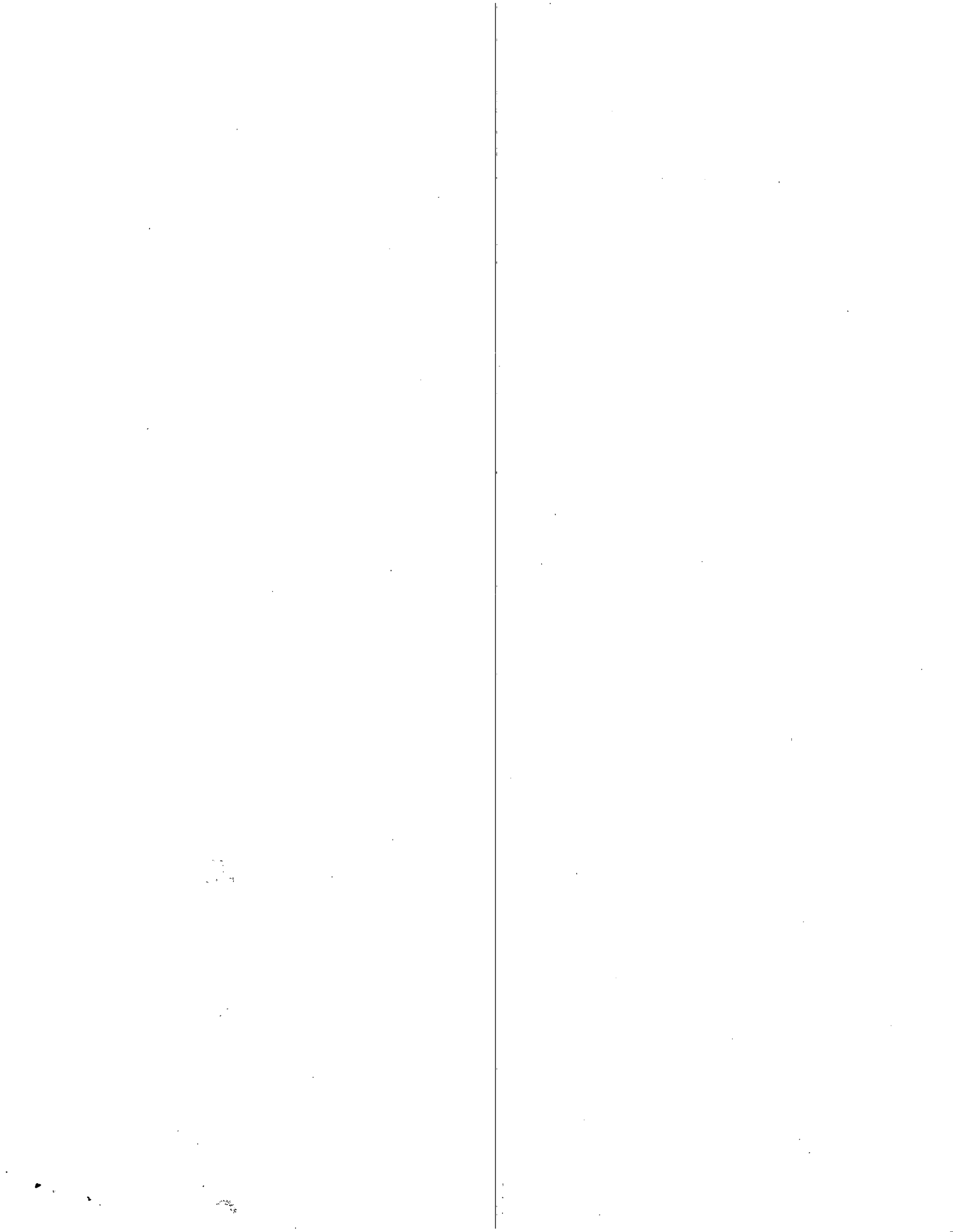
± 12.61

site  
location  
map



map prepared: 9/20/99  
map revised: 00/00/00

ATTACHMENT A



# BRADENTON HERALD

www.bradenton.com

P.O. Box 921  
Bradenton, FL 34206-0921  
102 Manatee Avenue West  
Bradenton, FL 34205-8894  
941/748-0411

Bradenton Herald  
Published Daily  
Bradenton, Manatee, Florida

STATE OF FLORIDA

COUNTY OF MANATEE;

Before the undersigned authority personally appeared Linda Wells, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of

Notice of Establishment

\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of

9/1, '99

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

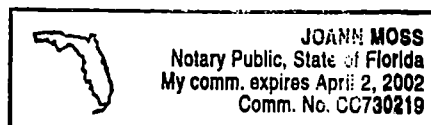
*Linda Wells*  
(Signature of Affiant)

Sworn to and subscribed before me this

1 day of Sept, 1999

*Joann Moss*

SEAL & Notary Public



**1010 Legal Notices**

**NOTICE OF ESTABLISHMENT OR CHANGE OF REGULATIONS AFFECTING THE USE OF LAND IN UNINCORPORATED MANATEE COUNTY**

**NOTICE IS HEREBY GIVEN**, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, October 21, 1999, at 9:00 A.M. or as soon thereafter as may be heard and that the Board of County Commissioners will conduct a Public Hearing on Thursday, December 9, 1999, at 9:00 A.M., or as soon thereafter as may be heard, at the Manatee County Convention and Civic Center, One Habern Blvd., Palmetto, Florida. The Planning Commission will consider, act upon and forward a recommendation to the Board of County Commissioners and the Board of County Commissioners will consider and act upon the following matters:

**ORDINANCE 99-49 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01 (THE MANATEE COUNTY COMPREHENSIVE PLAN), PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (MAPS 22A & 22B) FROM P/SP-1 (PUBLIC/SEMI-PUBLIC (1) TO ROR (RETAIL/OFFICE/RESIDENTIAL) FUTURE LAND USE CATEGORY FOR CERTAIN LAND CONSISTING OF 14.95 +/- ACRES LOCATED WITHIN OUTPARCEL #4, AND RETAINING THE ROR (RETAIL/OFFICE/ RESIDENTIAL) FUTURE LAND USE CATEGORY FOR AN IRREGULAR SHAPED PARCEL OF 2.4 +/- ACRES WITHIN OUTPARCEL #4, AT THE SARASOTA BRADENTON INTERNATIONAL AIRPORT, AT 8281 THROUGH 8301 NORTH TAMIAMI TRAIL (U.S. 41), WITHIN SECTION 36 OF TOWNSHIP 35 SOUTH, RANGE 7 EAST, CONSISTING OF A TOTAL OF +/- 17.35 ACRES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. PDMU-99-07(Z)(G) SARASOTA BRADENTON AIRPORT EXPANSION-OUTPARCELS 1,2,3 & 4 (1) APPROVAL OF A ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY (ORDINANCE 90-01, THE MANATEE COUNTY LAND**

**DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LANDS, COMPRISING THREE OUTPARCELS (+/- 79.10 ACRES), AS FOLLOWS:**

A) A rezone of Outparcel #1 (21.31 acres) from NCS, LM, and HC to PDMU (Neighborhood Commercial Small, Light Manufacturing, and Heavy Commercial to Planned Development Mixed Use);

B) A rezone of Outparcel #2 (50.79 acres) from LM and A-1 to PDMU (Light Manufacturing and Suburban Agriculture to Planned Development Mixed Use);

C) A rezone of Outparcel #3 (7.00 acres) from GC/AI to PDMU/AI (General Commercial/ Airport Impact Overlay District to Planned Development Mixed Use, retaining the Airport Impact Overlay District); and

**(2) APPROVAL OF A GENERAL DEVELOPMENT PLAN FOR AIRPORT RELATED DEVELOPMENT, INCLUDING A RUNWAY EXPANSION, TERMINAL EXPANSION, A PARKING STRUCTURE, NOISE BARRIERS, AND RELATED UTILITY AND INFRASTRUCTURE IMPROVEMENTS; AND DEVELOPMENT ON AIRPORT OUTPARCELS 1,2,3 AND 4, TO INCLUDE A VARIETY OF RECREATIONAL, GENERAL AND HEAVY COMMERCIAL, WAREHOUSE, LIGHT INDUSTRIAL, RESEARCH OFFICE PARK, FOOD SERVICE OFFICE, HOTEL AND AIRPORT-RELATED RETAIL SALES USES. THE SPECIFIC USES PROPOSED FOR EACH PARCEL ARE LISTED BELOW. THE TOTAL AREA COVERED BY THE GDP IS +/- 771 ACRES IN MANATEE COUNTY, WITH +/- 96.45 ACRES IN THE FOUR OUTPARCELS (ADDITIONAL ACREAGE NOT INCLUDED IN THE MANATEE COUNTY GDP IS LOCATED IN SARASOTA COUNTY:**

(A) Airport-a 2,500' extension to Runway 14/32 (1,150' on the southeast end and 1,350' on the northwest end, two noise barriers for the northern extension of the runway, a 175,000 sq. ft. terminal expansion (up to 9 additional air carrier or commuter gates), a parking garage for 800 vehicles, and utility and infrastructure improvements to serve the airport and all outparcels. The runway extension also includes associated taxiways, runway approaches, runway and taxiway safety areas, navigational aides, and ancillary facilities.

(B) Outparcel #1-a new golf driving range, a Par-3 golf course, a 1,200 sq. ft. accessory pro-shop (recreational use), and an existing 33,380 sq. ft. commercial and warehouse building. Outparcel #1 is located at the northeastern corner of the airport, on the east side of 15th Street East (7741 through 7881 15th St. E.) and +/- 220 south of Tallevast Road (+/- 21.32 acres).

(C) Outparcel #2-up to 315,000 square feet of general commercial, heavy commercial, research and office park space, light industrial, and warehouse uses. Five structures of +/- 125,000 sq. ft. are present on-site and will be incorporated into the GDP. Existing structures are used for retail sales, automotive-related retail sales, storage, warehousing, and light industrial use. Outparcel #2 is located at the southeastern corner of the airport, on the east side of 15th Street East and north of University Parkway West (8237 thru 8451 15th St. E. and 1349 thru 1361 U. Pkwy. W.), immediately west of the railroad, along the Manatee/Sarasota county line (+/- 50.79 acres).

(D) Outparcel #3-up to 25,000 square feet of general commercial use, airport-related retail, warehouse, office, and restaurant uses. Outparcel #3 is located between the west side of the airport and U.S. 41, in the 8100 block of North Tamiami Trail (+/- 7.00 acres).

(E) Outparcel #4-up to 50,000 square feet of professional office, automotive sales, fast food restaurant, and an existing 7,000 sq. ft. quality restaurant, in addition to a 200 room hotel. Outparcel #4 is located between the west side of the airport and U.S. 41 (8281 thru 8301 N. Tamiami Trail (+/- 17.35 acres).

**ORDINANCE 99-50 SARASOTA BRADENTON AIRPORT EXPANSION - SUBSTANTIAL DEVIATION (DRI#15)**

**APPROVAL OF A SUBSTANTIAL DEVIATION TO AN EXISTING DEVELOPMENT OF REGIONAL IMPACT TO ALLOW:**

(1) The following items approved under a 1995 Preliminary Development Agreement and already constructed or allowed to be constructed subject to future DRI review:

- \* 144 new sheltered aviation spaces, consisting of 123 new general aviation hangar spaces, corporate hangars for 21 aircraft, and elimination of 25 existing tie-down spaces.
- \* 10,000 sq. ft. picnic shelter to replace an existing shelter.
- \* Washing facilities for equipment and vehicles.
- \* Signs.

(2) New development and expansion of airport facilities, consisting of:

- \* A 2,500 foot extension to Runway 14/32 (1,150' to the southeast end and 1,350' at the northwest end), including associated taxiways, runway approaches, runway and taxiway safety areas, navigational aides, and ancillary facilities.
- \* Two noise barriers for the northern extension of Runway 14/32.
- \* A 175,000 sq. ft. terminal expansion with up to 9 additional air carrier or commuter gates.
- \* A parking garage for 800 vehicles.
- \* Utility and infrastructure improvements to serve the airport and outparcel expansion.

**(3) New development on 4 Outparcels, as follows:**

Outparcel 1  
\* A par-3 golf course, driving range, including a 1,200 sq. ft. pro shop.  
\* Commercial or warehouse development in an existing 33,380 sq. ft. structure.

Outparcel 2  
Not to exceed an aggregate total of 315,000 sq. ft. of the following uses, including 125,000 sq. ft. of existing structures:

- \* 100,000 - Light industrial
- \* 120,000 - Warehouse
- \* 100,000 - Heavy Commercial
- \* 80,000 - Research/Office Park
- \* 60,000 - General Commercial

Outparcel 3  
Not to exceed an aggregate total of 25,000 sq. ft. of the following uses:

- \* 20,000 Office
- \* 3,000 Convenience Market, Gas Pumps
- \* 3,000 Fast Food Restaurant

Outparcel 4  
Not to exceed an aggregate total of 50,000 sq. ft. of the following uses, excluding the hotel:

- \* Hotel - 200 rooms
- \* 40,000 Professional Office
- \* 25,000 - Automotive Sales
- \* 7,000 - Quality Restaurant (Existing)
- \* 3,000 - Fast Food Restaurant

**SARASOTA BRADENTON INTERNATIONAL AIRPORT PROPER IS LOCATED NORTH OF UNIVERSITY PARKWAY AND THE MANATEE/SARASOTA COUNTY LINE, SOUTH OF TALLEVAST ROAD, EAST OF U.S. 41, AND WEST OF 15TH STREET EAST IN UNINCORPORATED MANATEE COUNTY. THE OUTPARCELS ARE LOCATED AT THE PERIMETER OF THE AIRPORT PROPER AS NOTED HEREIN (+/- 1,122.31 ACRES, INCLUDING THE OUTPARCELS +/- 96.45 ACRES), IN MANATEE AND SARASOTA COUNTIES. THE TOTAL ACREAGE IN MANATEE COUNTY IS +/- 771 ACRES).**

Rules of Procedure for these public hearings are in effect pursuant to Resolution 94-104(PC) and Resolution 94-90. Copies of these Resolutions are available for review, or purchase at cost, from the Planning Department.

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

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners.

Interested parties may examine the Official Zoning Atlas, the application, and related documents, and may obtain assistance regarding these matters from the Manatee County Planning Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 749-3070.

**SAID HEARINGS MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.**

Manatee County Planning Commission  
Manatee County Board of County Commissioners  
Manatee County Planning Department  
Manatee County, Florida  
9/1, '99

# BRADENTON HERALD

www.bradenton.com  
P.O. Box 921  
Bradenton, FL 34206-0921  
102 Manatee Avenue West  
Bradenton, FL 34205-8894  
941/748-0411

Bradenton Herald  
Published Daily  
Bradenton, Manatee, Florida

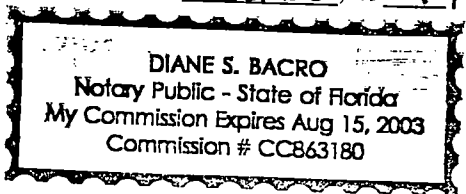
STATE OF FLORIDA  
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of NOTICE OF CHANGE OF LAND USE AFFECTING PROPERTY IN UNINCORPORATED MANATEE COUNTY in the Court, was published in said newspaper in the issues of 12/7/99.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sandy Riley  
(Signature of Affiant)

Sworn to and subscribed before me this  
7th Day of December, 19 99



Diane S. Bacro  
SEAL & Notary Public  
Personally Known  OR Produced Identification   
Type of Identification Produced \_\_\_\_\_

# NOTICE OF CHANGE OF LAND USE AFFECTING PROPERTY IN UNINCORPORATED MANATEE COUNTY

The Manatee County Board of County Commissioners will hold a public hearing to consider adoption of amendments to the Manatee County Comprehensive Plan:

**DATE:** Wednesday, December 15, 1999  
**TIME:** 9:00 AM or soon thereafter  
**PLACE:** Manatee County Convention and Civic Center  
One Haben Boulevard  
Palmetto, FL

## ORDINANCE 99-49 (PA-99-19) - SARASOTA-BRADENTON AIRPORT

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01 (THE MANATEE COUNTY COMPREHENSIVE PLAN, AS AMENDED); PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (MAPS 22A & 22B) FROM P/SP-1 (PUBLIC/SEMI-PUBLIC (1)) TO ROR (RETAIL/OFFICE/RESIDENTIAL) FUTURE LAND USE CATEGORY FOR CERTAIN LAND CONSISTING OF 13.61+/- ACRES LOCATED WITHIN OUTPARCEL #4, AT THE SARASOTA BRADENTON INTERNATIONAL AIRPORT, AT 8281 THROUGH 8301 NORTH TAMiami TRAIL (U.S. 41), WITHIN SECTION 36 OF TOWNSHIP 35 SOUTH, RANGE 17 EAST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Board of County Commissioners to consider.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution may be obtained from the Planning Department (see address below).

**Please Send Comments To:** Manatee County Planning Department  
Attn: Agenda Coordinator  
1112 Manatee Ave. West, Suite 427  
Bradenton, FL 34205

All written comments will be entered into the record.

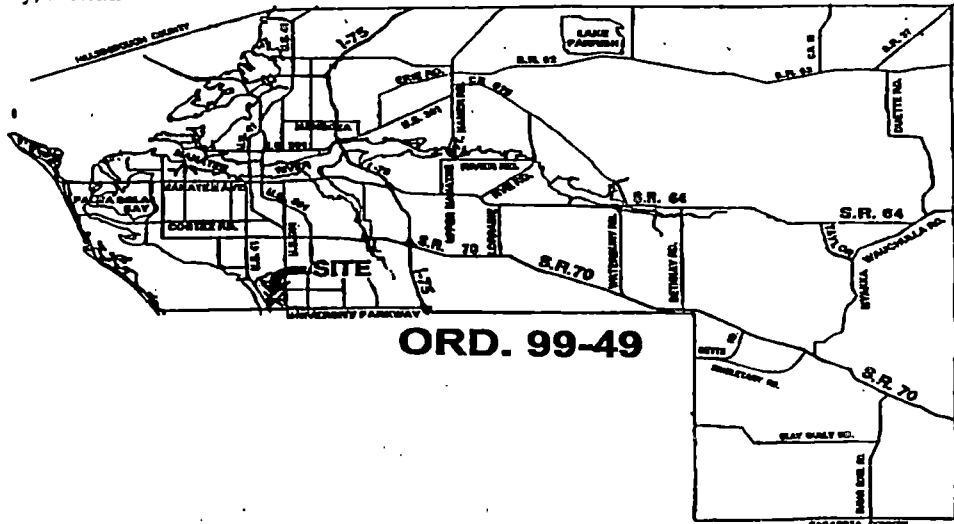
**For More Information:** Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 794-3070 x6852, between 8:00 AM-5:00 PM.

**Americans With Disabilities:** The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Rita Dralus at 742-5800; TDD ONLY 742-5802 and wait 60 seconds; FAX 745-3790.

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
Manatee County Planning Department  
Manatee County, Florida





# BRADENTON HERALD

www.bradenton.com  
P.O. Box 921  
Bradenton, FL 34206-0921  
102 Manatee Avenue West  
Bradenton, FL 34205-8894  
941/748-0411

Bradenton Herald  
Published Daily  
Bradenton, Manatee, Florida

STATE OF FLORIDA  
COUNTY OF MANATEE;

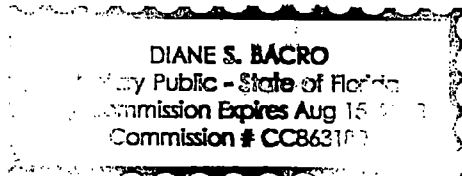
Before the undersigned authority personally appeared Linda Wells, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of PUBLIC NOTICE in the Court, was published in said newspaper in the issues of 12/2, '99.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn to and subscribed before me this

2nd Day of December 1999



SEAL & Notary Public

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

**PUBLIC NOTICE**

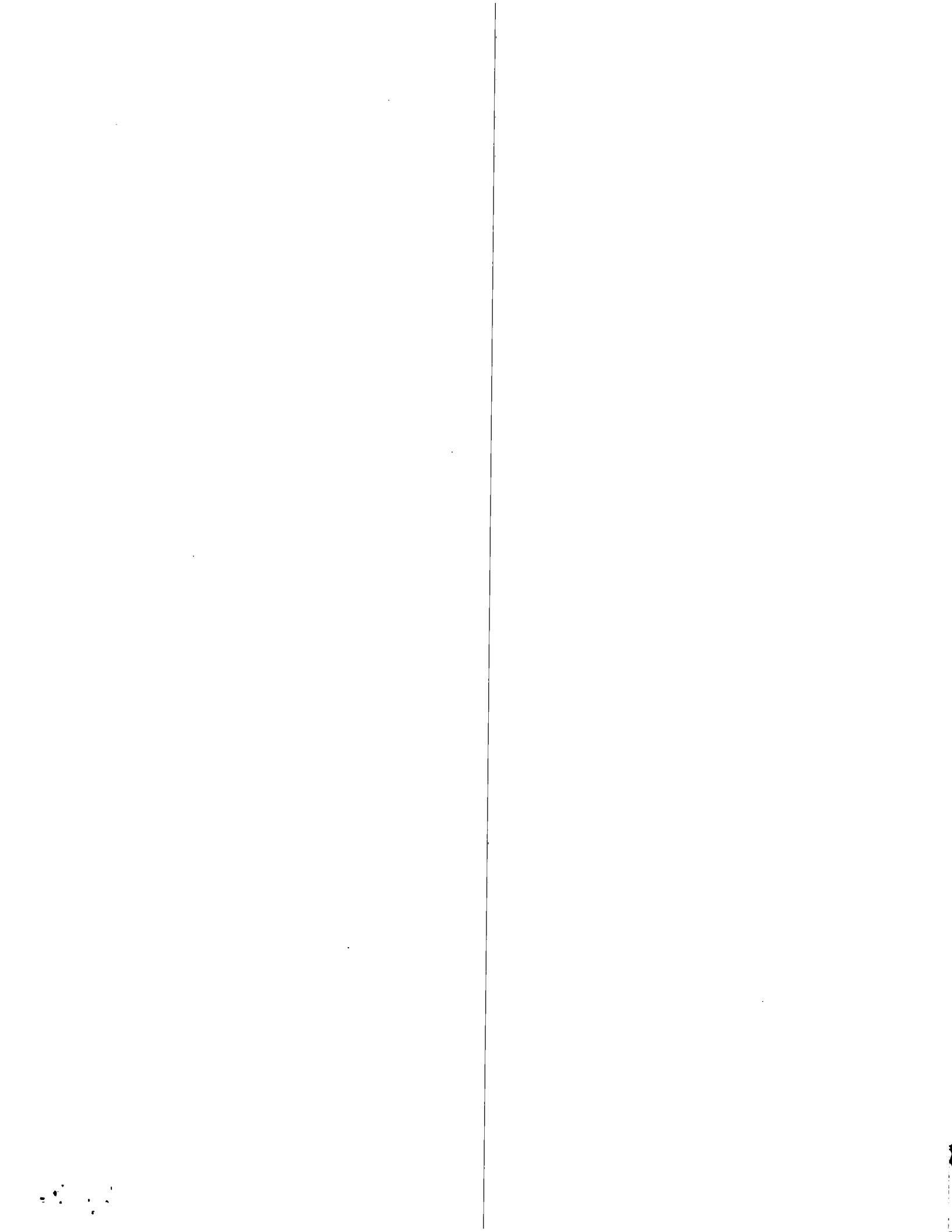
**AIRPORT PUBLIC HEARINGS RESCHEDULED**

The public hearings advertised for the Sarasota-Bradenton Airport Substantial Deviation to an existing DRI, amendment to the Comprehensive Plan, Rezone and General Development Plan approvals **ORIGINALLY SCHEDULED FOR THE DECEMBER 9, 1999** Board of County Commissioners meeting **HAVE BEEN RESCHEDULED TO BE HEARD ON DECEMBER 15, 1999 AT 9:00 A.M., AT THE MANATEE COUNTY CONVENTION & CIVIC CENTER, ONE HABEN BLVD., PALMETTO, FLORIDA.**

For further information, call the Manatee County Planning Department at (941) 749-3070, extension 6833.

12/2/99

*Original in 12/17/99 folder*



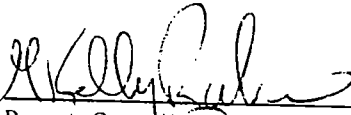
**AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND  
NOTIFICATION BY U.S. MAIL TO CONTIGUOUS PROPERTY OWNERS**

STATE OF Florida  
COUNTY OF Sarasota

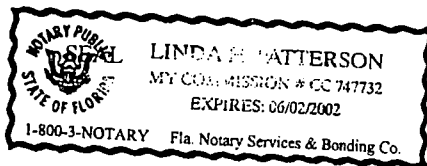
BEFORE ME, the undersigned authority, personally appeared G. Kelly Rubino, who, after having first been duly sworn and put upon oath, says as follows:

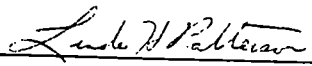
1. That he/she is the agent for owner (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Rezone, General Development Plan, and Plan Amendment No. PDMU-99-07(Z)(G) Ordinance 99-49 & Ordinance 99-50 - Sarasota Bradenton Airport (DRI #15), to be heard before the Manatee County Planning Commission at a public hearing to be held on October 21, 1999, and to be heard before the Manatee County Board of County Commissioners at a public hearing to be held on December 9, 1999 and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein, and they are true to the best of his/her knowledge, information and belief.
2. That the Affiant has caused the required public notice sign to be posted pursuant to Manatee County Ordinance No. 90-01, on the property identified in said application, and said sign was conspicuously posted 5 feet from the front property line on the 5th day of October, 1999.
3. That the Affiant has caused the mailing of the required letter of notification to contiguous property owners pursuant to Manatee County Ordinance No. 90-01, by U.S. Mail, on the 4th day of October, 1999, and attaches hereto, as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice.
4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 90-01, as it relates to the required public notice, may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.

  
Property Owner/Agent Signature

SIGNED AND SWORN TO before me on October 5, 1999 (date) by G. Kelly Rubino (name of affiant). He/she is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.



  
Signature of Person Taking Acknowledgement

Linda H. Patterson  
Type Name

Controller  
Title or Rank

\_\_\_\_\_  
Serial Number, if any

My Commission Expires: 6/2/02

Commission No.: CC747732

# BRADENTON HERALD

www.bradenton.com

P.O. Box 921  
Bradenton, FL 34206-0921  
102 Manatee Avenue West  
Bradenton, FL 34205-8894  
941/748-0411

Bradenton Herald  
Published Daily  
Bradenton, Manatee, Florida

STATE OF FLORIDA  
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Linda Wells, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of

Notice of Establishment

\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of

9/1, '99

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Linda Wells*

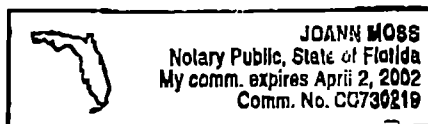
\_\_\_\_\_  
(Signature of Affiant)

Sworn to and subscribed before me this

1 day of Sept, 19 99

*Joann Moss*

\_\_\_\_\_  
SEAL & Notary Public



**NOTICE OF ESTABLISHMENT OR CHANGE OF REGULATIONS AFFECTING THE USE OF LAND IN UNINCORPORATED MANATEE COUNTY**

**NOTICE IS HEREBY GIVEN**, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, October 21, 1999, at 9:00 A.M. or as soon thereafter as may be heard and that the Board of County Commissioners, will conduct a Public Hearing on Thursday, December 9, 1999, at 9:00 A.M., or as soon thereafter as may be heard, at the Manatee County Convention and Civic Center, One Habern Blvd., Palmetto, Florida. The Planning Commission will consider, act upon and forward a recommendation to the Board of County Commissioners and the Board of County Commissioners will consider and act upon the following matters:

**ORDINANCE 99-49 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01 (THE MANATEE COUNTY COMPREHENSIVE PLAN); PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (MAPS 22A & 22B) FROM P/8P-1 (PUBLIC/SEMI-PUBLIC (1) TO ROR (RETAIL /OFFICE/RESIDENTIAL) FUTURE LAND USE CATEGORY FOR CERTAIN LAND CONSISTING OF 14.95+/- ACRES LOCATED WITHIN OUTPARCEL #4, AND RETAINING THE ROR (RETAIL/OFFICE/ RESIDENTIAL) FUTURE LAND USE CATEGORY FOR AN IRREGULAR SHAPED PARCEL OF 2.4+/- ACRES WITHIN OUTPARCEL #4, AT THE SARASOTA BRADENTON INTERNATIONAL AIRPORT AT 8291 THROUGH 8301 NORTH TAMiami TRAIL (U.S. 41), WITHIN SECTION 36 OF TOWNSHIP 35 SOUTH, RANGE 17 EAST, CONSISTING OF A TOTAL OF +/- 7.35 ACRES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. PDMU-99-07(Z)(G) SARASOTA BRADENTON AIRPORT EXPANSION-OUTPARCELS 1,2,3 & 4 (1) APPROVAL OF A ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY (ORDINANCE 90-01, THE MANATEE COUNTY LAND**

**Legal Notices**

**DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, PROVIDING FOR THE REZONING OF CERTAIN LANDS, COMPRISING THREE OUTPARCELS (+/- 79.10 ACRES), AS FOLLOWS:**

(A) A rezone of Outparcel #1 (21.31 acres) from NCS, LM, and HC to PDMU (Neighborhood Commercial, Small, Light Manufacturing, and Heavy Commercial to Planned Development Mixed Use);

(B) A rezone of Outparcel #2 (50.79 acres) from LM and A-1 to PDMU (Light Manufacturing and Suburban Agriculture to Planned Development Mixed Use);

(C) A rezone of Outparcel #3 (7.00 acres) from GC/AI to PDMU/AI (General Commercial/ Airport Impact Overlay District to Planned Development Mixed Use, retaining the Airport Impact Overlay District); and

**(2) APPROVAL OF A GENERAL DEVELOPMENT PLAN FOR AIRPORT RELATED DEVELOPMENT, INCLUDING A RUNWAY EXPANSION, TERMINAL EXPANSION, A PARKING STRUCTURE, NOISE BARRIERS, AND RELATED UTILITY AND INFRASTRUCTURE IMPROVEMENTS; AND DEVELOPMENT ON AIRPORT OUTPARCELS 1,2,3 AND 4, TO INCLUDE A VARIETY OF RECREATIONAL, GENERAL AND HEAVY COMMERCIAL, WAREHOUSE, LIGHT INDUSTRIAL, RESEARCH OFFICE PARK, FOOD SERVICE, AUTOMOTIVE SERVICE OFFICE, HOTEL AND AIRPORT-RELATED RETAIL SALES USES. THE SPECIFIC USES PROPOSED FOR EACH PARCEL ARE LISTED BELOW. THE TOTAL AREA COVERED BY THE GDP IS +/- 771 ACRES IN MANATEE COUNTY, WITH +/- 96.45 ACRES IN THE FOUR OUTPARCELS (ADDITIONAL ACREAGE NOT INCLUDED IN THE MANATEE COUNTY GDP IS LOCATED IN SARASOTA COUNTY:**

(A) Airport-a 2,500' extension to Runway 14/32 (1,150' on the southeast end and 1,350' on the northwest end, two noise barriers for the northern extension of the runway, a 175,000 sq. ft. terminal expansion (up to 9 additional air carrier or commuter gates), a parking garage for 800 vehicles, and utility and infrastructure improvements to serve the airport and all outparcels. The runway extension also includes associated taxiways, runway approaches, runway and taxiway safety areas, navigational aides, and ancillary facilities.

(B) Outparcel #1-a new golf driving range, a Par-3 golf course, a 1,200 sq. ft. accessory pro-shop (recreational use), and an existing 33,380 sq. ft. commercial and warehouse building. Outparcel #1 is located at the northeastern corner of the airport, on the east side of 15th Street East (7741 through 7881 15th St. E.) and +/- 220 south of Tallevast Road (+/- 21.32 acres).

(C) Outparcel #2-up to 315,000 square feet of general commercial, heavy commercial, research and office park space, light industrial, and warehouse uses. Five structures of +/- 125,000 sq. ft. are present on-site and will be incorporated into the GDP. Existing structures are used for retail sales, automotive-related retail sales, storage, warehousing and light industrial use. Outparcel #2 is located at the southeastern corner of the airport, on the east side of 15th Street East and north of University Parkway West (8237 thru 8451 15th St. E. and 1349 thru 1361 U. Pkwy. W.), immediately west of the railroad, along the Manatee/Sarasota county line (+/- 50.79 acres).

(D) Outparcel #3-up to 25,000 square feet of general commercial use, airport-related retail, warehouse, office, and restaurant uses. Outparcel #3 is located between the west side of the airport and U.S. 41, in the 8100 block of North Tamiami Trail (+/- 7.0 acres).

(E) Outparcel #4-up to 50,000 square feet of professional office, automotive sales, fast food restaurant, and an existing 7,000 sq. ft. quality restaurant, in addition to a 200 room hotel. Outparcel #4 is located between the west side of the airport and U.S. 41 (8281 thru 8301 N. Tamiami Trail (+/- 7.35 acres).

**ORDINANCE 99-50 SARASOTA BRADENTON AIRPORT EXPANSION - SUBSTANTIAL DEVIATION (DRI#15)**

**APPROVAL OF A SUBSTANTIAL DEVIATION TO AN EXISTING DEVELOPMENT OF REGIONAL IMPACT TO ALLOW:**

(1) The following items approved under a 1995 Preliminary Development Agreement and already constructed or allowed to be constructed subject to future DRI review:

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- \* Washing facilities for equipment and vehicles.
- \* Signs.

(2) New development and expansion of airport facilities, consisting of:

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\* Commercial or warehouse development in an existing 33,380 sq. ft. structure.

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Not to exceed an aggregate total of 315,000 sq. ft. of the following uses, including 125,000 sq. ft. of existing structures:  
\* 100,000 - Light industrial  
\* 120,000 - Warehouse  
\* 100,000 - Heavy Commercial  
\* 80,000 - Research/Office Park  
\* 60,000 - General Commercial

Outparcel 3  
Not to exceed an aggregate total of 25,000 sq. ft. of the following uses:  
\* 20,000 Office  
\* 3,000 Convenience Market, Gas Pumps  
\* 3,000 Fast Food Restaurant

Outparcel 4  
Not to exceed an aggregate total of 50,000 sq. ft. of the following uses, excluding the hotel:  
\* Hotel - 200 rooms  
\* 40,000 Professional Office  
\* 25,000 - Automotive Sales  
\* 7,000 - Quality Restaurant (Existing)  
\* 3,000 - Fast Food Restaurant

**THE SARASOTA BRADENTON INTERNATIONAL AIRPORT PROPER IS LOCATED NORTH OF UNIVERSITY PARKWAY AND THE MANATEE/SARASOTA COUNTY LINE SOUTH OF TALLEVAST ROAD, EAST OF U.S. 41, AND WEST OF 15TH STREET EAST IN UNINCORPORATED MANATEE COUNTY. THE OUTPARCELS ARE LOCATED AT THE PERIMETER OF THE AIRPORT PROPER AS NOTED HEREIN. (1) 1,122.31 ACRES INCLUDING THE OUTPARCELS (+/- 96.45 ACRES) IN MANATEE AND SARASOTA COUNTIES. THE TOTAL ACREAGE IN MANATEE COUNTY IS +/- 771 ACRES).**

Rules of Procedure for these public hearings are in effect pursuant to Resolution 94-104(PC) and Resolution 94-80. Copies of these Resolutions are available for review, or purchase at cost, from the Planning Department.

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

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners.

Interested parties may examine the Official Zoning Atlas, the application, and related documents, and may obtain assistance regarding these matters from the Manatee County Planning Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 749-3070.

**SAID HEARINGS MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.** Manatee County Planning Commission Manatee County Board of County Commissioners Manatee County Planning Department Manatee County, Florida 871-99

# BRADENTON HERALD

[www.bradenton.com](http://www.bradenton.com)  
P.O. Box 921  
Bradenton, FL 34206-0921  
102 Manatee Avenue West  
Bradenton, FL 34205-8894  
941/748-0411

Bradenton Herald  
Published Daily  
Bradenton, Manatee, Florida

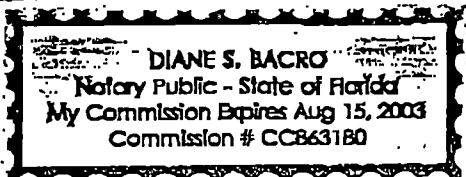
STATE OF FLORIDA  
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of NOTICE OF CHANGE OF LAND USE AFFECTING PROSPERTY IN UNINCORPORATED MANATEE COUNTY in the Court, was published in said newspaper in the issues of 12/7/99.

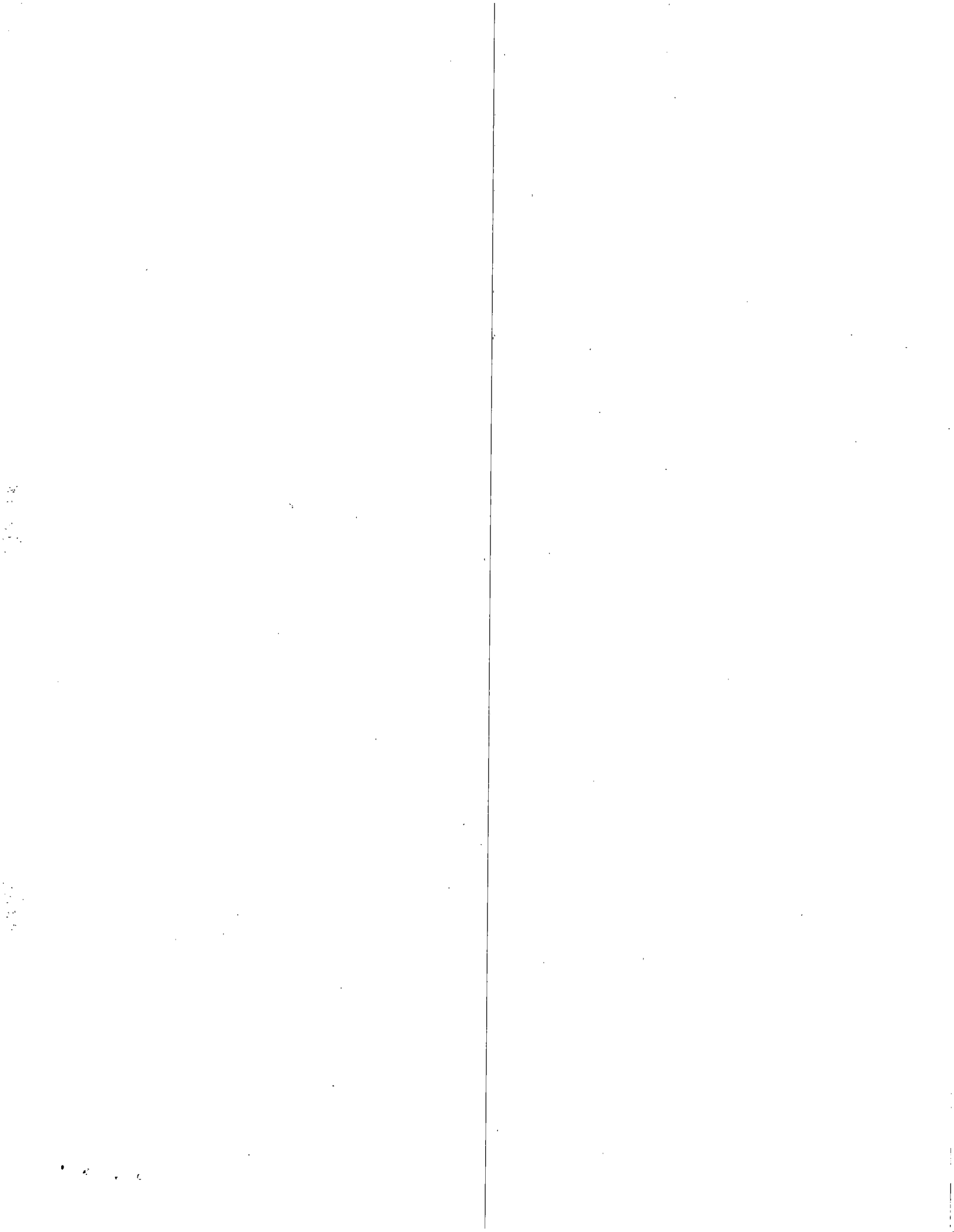
Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sandy Riley  
(Signature of Affiant)

Sworn to and subscribed before me this  
7th Day of December, 19 99



Diane S. Bacro  
SEAL & Notary Public  
Personally Known  OR Produced Identification   
Type of Identification Produced \_\_\_\_\_



# NOTICE OF CHANGE OF LAND USE AFFECTING PROPERTY IN UNINCORPORATED MANATEE COUNTY

The Manatee County Board of County Commissioners will hold a public hearing to consider adoption of amendments to the Manatee County Comprehensive Plan:

**DATE:** Wednesday, December 15, 1999  
**TIME:** 9:00 AM or soon thereafter  
**PLACE:** Manatee County Convention and Civic Center  
 One Haben Boulevard  
 Palmetto, FL

## ORDINANCE 99-49 (PA-99-19) - SARASOTA-BRADENTON AIRPORT

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01 (THE MANATEE COUNTY COMPREHENSIVE PLAN, AS AMENDED); PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (MAPS 22A & 22B) FROM P/SP-1 (PUBLIC/SEMI-PUBLIC (1)) TO ROR (RETAIL/OFFICE/RESIDENTIAL) FUTURE LAND USE CATEGORY FOR CERTAIN LAND CONSISTING OF 13.61+/- ACRES LOCATED WITHIN OUTPARCEL #4, AT THE SARASOTA BRADENTON INTERNATIONAL AIRPORT, AT 8281 THROUGH 8301 NORTH TAMiami TRAIL (U.S. 41), WITHIN SECTION 36 OF TOWNSHIP 35 SOUTH, RANGE 17 EAST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Board of County Commissioners to consider.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution may be obtained from the Planning Department (see address below).

**Please Send Comments To:** Manatee County Planning Department  
 Attn: Agenda Coordinator  
 1112 Manatee Ave. West, Suite 427  
 Bradenton, FL 34205

All written comments will be entered into the record.

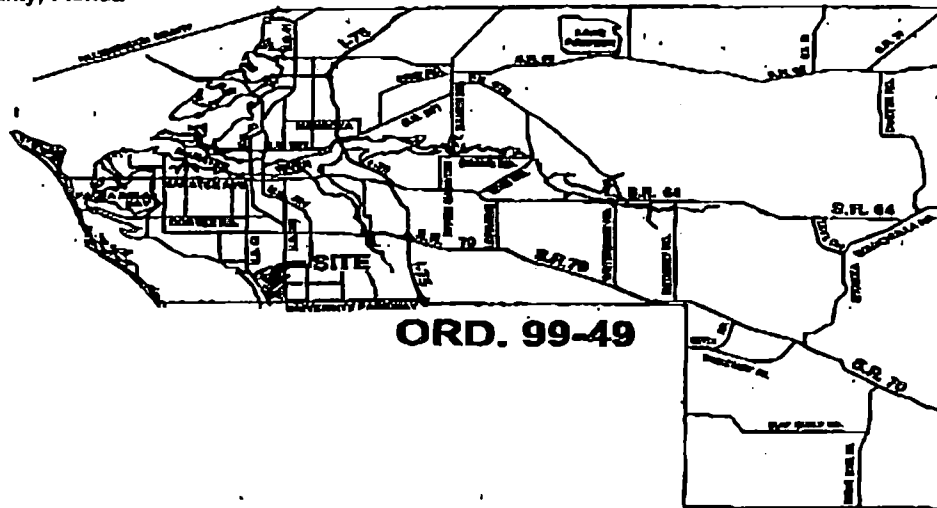
**For More Information:** Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 794-3070 x6852, between 8:00 AM-5:00 PM.

**Americans With Disabilities:** The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Rita Dralus at 742-5800; TDD ONLY 742-5802 and wait 60 seconds; FAX 745-3790.

According to Section 288.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
 Manatee County Planning Department  
 Manatee County, Florida





12/10/1999 THE 10:02 FAX 941 744 2000 MC BOARD RECORDS

# BRADENTON HERALD

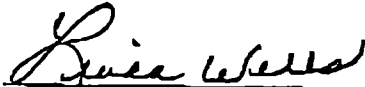
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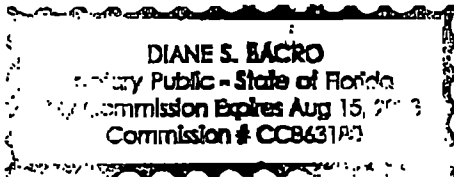
STATE OF FLORIDA  
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Linda Wells, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of PUBLIC NOTICE in the Court, was published in said newspaper in the issues of 12/2, '99.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature of Affiant)

Sworn to and subscribed before me this  
2nd Day of December, 1999





SEAL & Notary Public

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

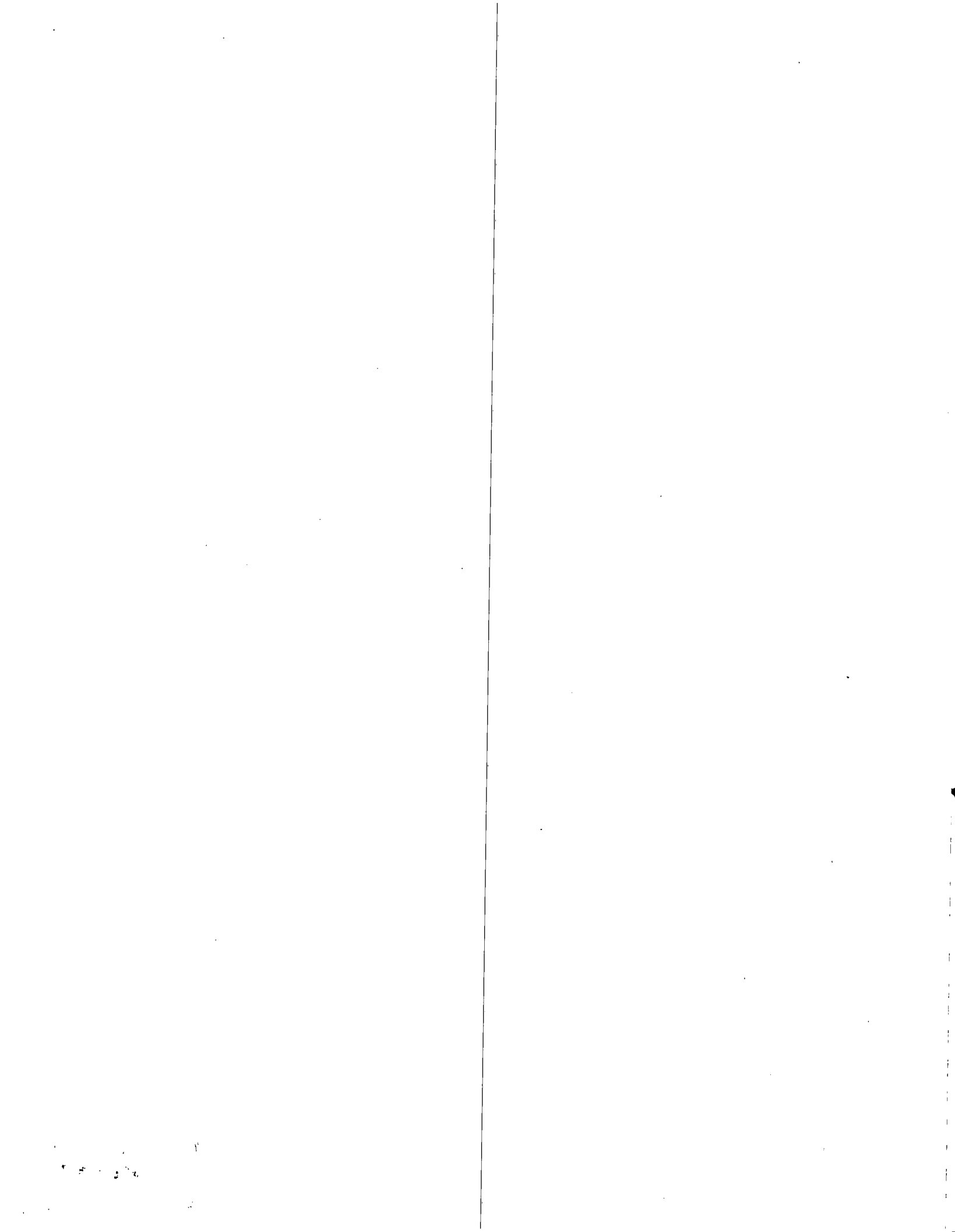
**PUBLIC NOTICE**  
**AIRPORT PUBLIC HEARINGS RESCHEDULED**

The public hearings advertised for the Sarasota-Bradenton Airport Substantial Deviation to an existing DRI, amendment to the Comprehensive Plan, Rezoning and General Development Plan approvals ORIGINAL SCHEDULED FOR THE DECEMBER 9, 1999 Board of County Commissioners meeting, HAVE BEEN RESCHEDULED TO BE HEARD ON DECEMBER 15, 1999 AT 9:00 A.M. AT THE MANATEE COUNTY CONVENTION & CIVIC CENTER, ONE HARBEN BVD, PALM HARBOR, FLORIDA.

For further information, call the Manatee County Planning Department at (941) 749-3070; extension 6833.

12/2/99

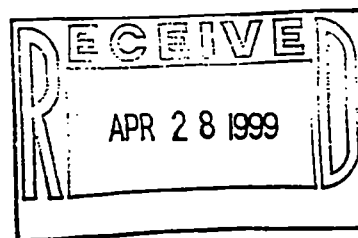
Original in 12/9/99 folder





6000 Airport Circle  
Sarasota, FL  
34243-2105

(941) 359-5200  
Fax (941) 351-8264



April 27, 1999

Mr. Robert H. Pederson, AICP  
Community Planning Administrator  
Manatee County Government  
P.O. Box 1000  
Bradenton, Florida 34206-1000

**RE: CORRESPONDENCE TO MR. KELLY RUBINO DATED APRIL 15, 1999**

Dear Mr. Pederson:

This letter is in response to your correspondence to Mr. Kelly Rubino dated April 15, 1999 and specifically addresses the following four questions referenced in paragraph 3 of your letter:

1. *What changes to the SBIA Noise Control Program will the SMAA propose should the FAA not approve the 270 radial turn procedure?*

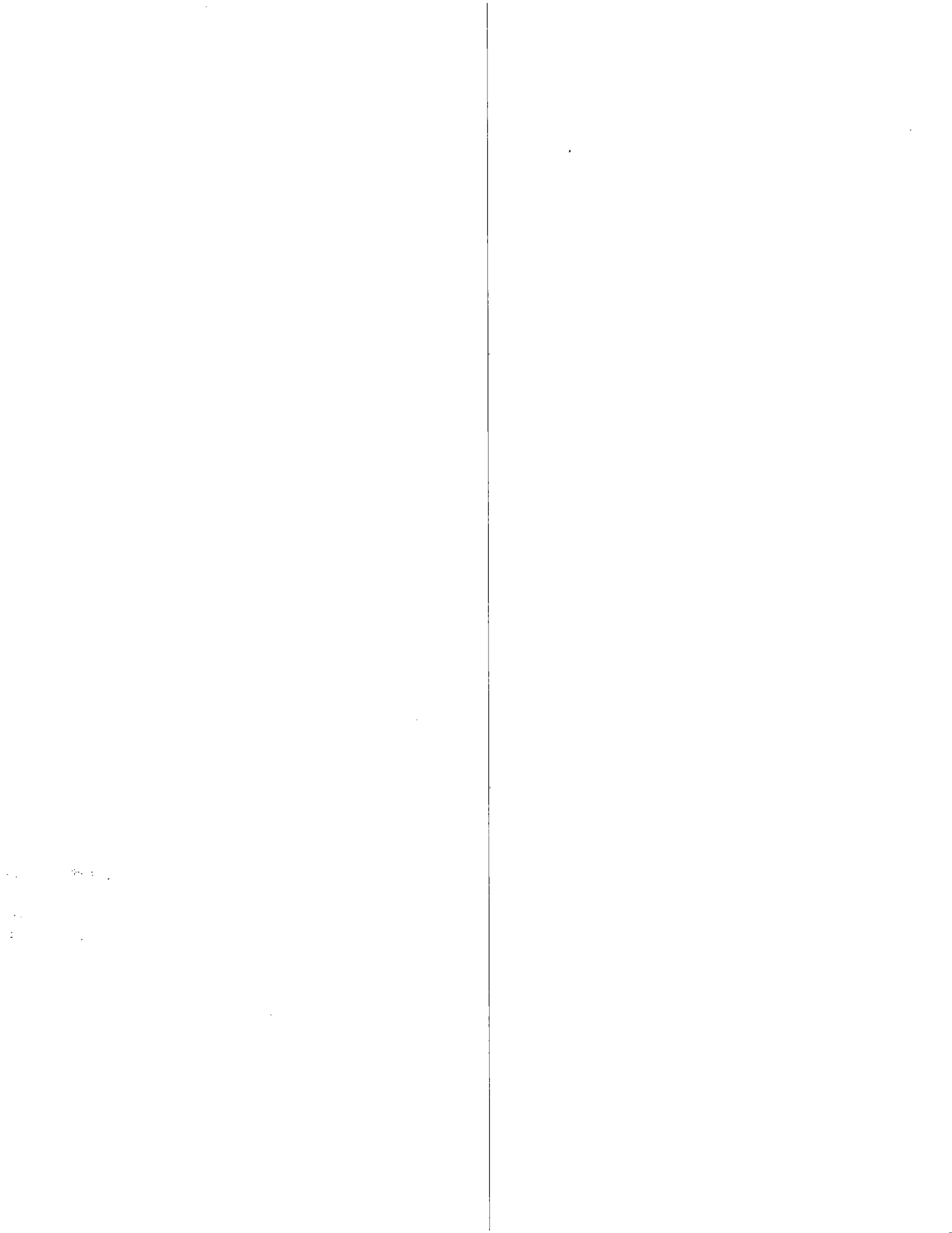
The SMAA, over the years, has evaluated various options for departures from Runway 32. These alternatives have been analyzed, been flight-tested, received public input and resulted in the current procedure being recognized as the best overall noise abatement departure procedure if the 270° radial turn could not be implemented. Thus, the current departure procedure would remain in place if the turn were not approved

2. *Would the DNL Noise Contours for the Runway 14-32 extensions change if the 270 turn is not implemented?*

As a point of fact, the noise contours will change whether there is a runway extension or not. The location of the beginning of the turn would remain at the same DME (or the same ground projection location) with or without the extensions. The difference is that the subsequent turn would follow the same headings as occur today if the 270° radial turn were not implemented. As such, the noise contours would be different for areas north and west of the Airport.

3. *Would the geographic extent or number of homes experiencing a 1.5 DNL or greater impact within the 65 DNL contour be changed if the 270 turn is not implemented?*

With respect to the runway extension and the mitigation provided by the noise barriers, there is no change in the noise reduction resulting from the barriers under either the current or proposed departure procedure.



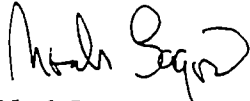
AIRPOR  
Robert H. Pederson, AICP, Manatee County Government  
April 27, 1999  
Page 2

4. *What other procedures or requirements does the Airport Authority contemplate should the 270 turn not be approved?*

None, if the 270° radial turn is not approved, then the current departure procedure headings remain the same as they do today.

I trust these responses address your concerns.

Sincerely,



Noah Lagos, A.A.E.  
Senior Director of Aviation

NL:djs

cc: K. Rubino  
D. Bailey

# Sarasota Bradenton International Airport

## Introduction

### Project Summary

- The Airport Authority is proposing an expansion to the Sarasota-Bradenton Airport.
- Improvements proposed for the airport proper include:
  - 2,500' expansion of the runway (in Manatee and Sarasota County)
  - 9 additional gates and terminal expansion (air carriers or commuters)
  - parking garage for 800 vehicles
  - general aviation facilities (144 new hangar spaces)
  - noise barriers (berms and walls) along U.S. 41 And Tallevast Road.
  - miscellaneous infrastructure improvements to serve the above development (e.g., aprons, taxiways, lane connectors, lighting, security, access roads, and utilities)
- The Airport Authority is also proposing development for four (4) outparcels in their ownership. (State statute requires these holdings be included in the DRI process.)
- To effectuate their development plan, the Airport Authority is asking for a number of approvals from the County. These include:
  - Plan Amendment for a ±13 acres from P/SP(1) to ROR (a portion of Outparcel #4)
  - Rezoning 79.37 acres to PDMU (Outparcels #1, 2, &3)
  - General Development Site Plan for the entire airport property and 4 outparcels
  - Substantial Deviation to their existing DRI.

## History Summary

- **Vested**

All airport facilities existing as of July 1, 1973 are vested or "grandfathered" from DRI requirements pursuant to Subsection 380.06(20), F.S.

- **Previous DRI**

The Airport proposed an expansion in 1985, primarily for the new terminal. The County denied the DRI Development Order for this expansion and the Airport appealed. The airport is successful in their appeal and on 11/26/86 a Final Order is approved by the Florida Land and Water Adjudicatory Commission, approving the portion of the Airport in Manatee County. This Order serves as the initial Manatee County DRI Development Order for the Airport.

- **1<sup>st</sup> Amendment to the DRI**

The Development Order is modified by Resolution R-90-98 on 07/26/90.

- **PDA's (Preliminary Development Agreements)**

The Airport Authority and DCA entered into a Preliminary Development Agreement on 02/07/95 for the SBIA Airport Improvement Project. The improvements specified in the PDA would be subject to future DRI review (meaning this application). The PDA has since been amended two times to allow  $\pm$  80,200 sq. ft. of light industrial use on Outparcel #2. Not all of these projects have been constructed.

- **Application**

The Application for Development Approval (ADA) was filed on November 30, 1996 and has been under review since. After 4 rounds of sufficiency comments SMAA declared the application sufficient. This established the public hearing schedules, which were subsequently modified at SMAA's request.

## Procedures

- The Airport is located in Manatee and Sarasota Counties and the City of Sarasota.

- **The Airport is within the jurisdiction of both the Tampa Bay and Southwest Florida Regional Planning Councils.**
- **The DRI will require review and approval by all local governments. The City of Sarasota and Sarasota County have not yet set the public hearing dates for their jurisdictions.**

**Organization of This Report**

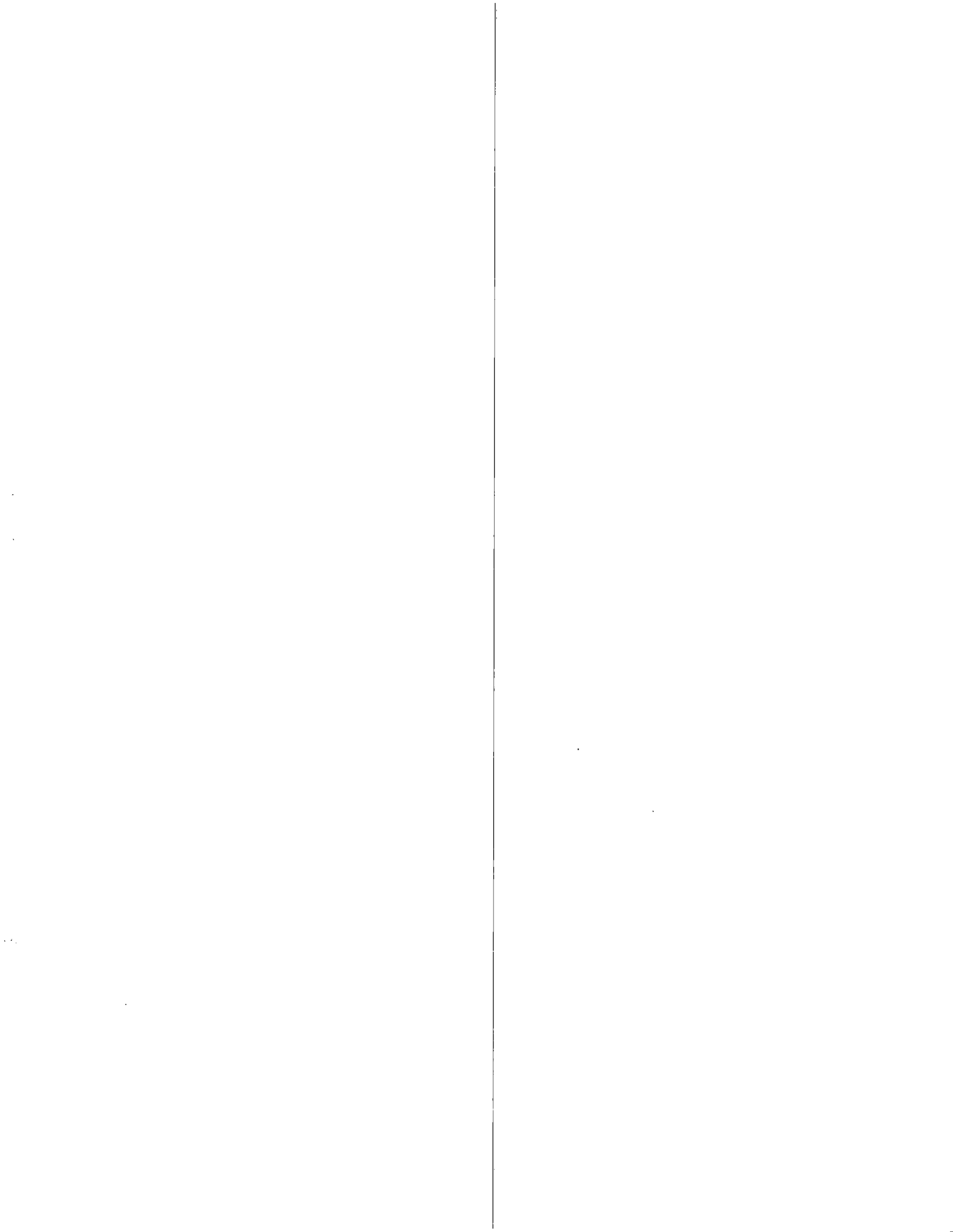
- **Tabs are provided for each major item and significant items within each category**



**Sarasota Bradenton International Airport**

**DRI Substantial Deviation - Ordinance 99-50  
Rezone & General Development Plan - PDMU-97-02(Z)(G)  
Comprehensive Plan Amendment - Ordinance 99-49**

**Project Summary - Airport**



## The Airport

- The request is approval of a GDP for:
  1. Extending Runway 14-32; 1,150' to the SE (within Sarasota County) and 1,350' to the NW (in Manatee County);
  2. Constructing noise barrier walls and berms for runway 14-32 (one along U.S. 41 and one south of Tallevast Road);
  3. Expanding the terminal building (175,000 sq. ft. including 9 new carrier or commuter gates);
  4. An 800 space parking garage;
  5. Associated airport infrastructure, such as aprons, taxiways, lane connectors, lighting, security, access roads, and utilities;
  6. Replacement of a picnic shelter;
  7. Equipment and vehicle wash facilities;
  8. Signs; and
  9. General aviation facilities consisting of:
    1. 100 new T hangars (not on land leased to a FBO);
    2. 23 T hangars at Dolphin Aviation;
    3. Corporate hangars for 6 aircraft (not on land leased to a FBO);
    4. 1 corporate hangar for 7 aircraft at Dolphin Aviation;
    5. 2 corporate hangars for 8 aircraft at Jones Aviation;
- The airport is generally bounded by Tallevast Road to the north, University Parkway to the south, 15<sup>th</sup> Street East to the east, and U.S. 41 to the west.
- To the NORTH is a FBO (Jones Aviation), the Manasota Post Office, and a variety of office and light industrial uses. Further north is the Whitfield Subdivision.
- To the SOUTH are various commercial uses (hotel) and residential uses.
- To the EAST are commercial and light industrial uses along 15<sup>th</sup> Street East.
- To the WEST is U.S. 41 and a variety of commercial uses along both sides of U.S. 41. Residential uses are further west between the commercial strip and Sarasota Bay.

## SUMMARY: (RHP)

The Sarasota- Bradenton International Airport (SBIA) has operated at the present location for many years (having originally been a military airfield) and has been expanded and upgraded a number of times. The most significant expansion occurred in 1987, when a new terminal was constructed. From a regulatory

perspective, the following dates and land use authorizations are relevant to this request:

- 07/01/73** All airport facilities existing as of this date are vested or "grandfathered" from DRI requirements pursuant to Subsection 380.06(20), F.S.
- 11/26/86** A Final Order is approved by the Florida Land and Water Adjudicatory Commission, approving the portion of the Airport in Manatee County. This Order serves as the initial Manatee County DRI Development Order for the Airport.
- 07/26/90** The Development Order is modified by Resolution R-90-98.
- 02/07/95** The Airport Authority and DCA entered into a Preliminary Development Agreement for the SBIA Airport Improvement Project.

The improvements specified in the PDA would be subject to future DRI review (meaning this application). The PDA has since been amended two times to allow the improvements listed above as #6,7,8,9, and 80,200 sq. ft. of light industrial use on Outparcel #2. Not all of these projects have been constructed.

The SBIA is also governed by Development Orders issued by Sarasota County and the City of Sarasota. Those jurisdictions will also be holding public hearings for those aspects of this request located within their respective boundaries.

The Rezone and GDP requests addressed in this staff report are but one aspect of the overall SMAA airport application. All pending applications with Manatee County are listed below:

- 1) Comprehensive Plan Amendment PA- Ordinance 99-49 for a portion of Outparcel #4 from P/SP-1 to MU;
- 2) Rezone and GDP applications are reviewed herein; and
- 3) The Development Order to approve a Substantial Deviation to the original DRI (Ordinance 99- 50) for the Airport and outparcel expansion.

# Sarasota Bradenton International Airport

## DRI Substantial Deviation - Ordinance 99-50 Rezone & General Development Plan - PDMU-97-02(Z)(G) Comprehensive Plan Amendment - Ordinance 99-49

### Project Summary - Airport Noise Issues

The SMAA has structured their ADA and analysis of the noise issue through modeling. This modeling examined the existing noise contours for the airport, looked at future projected noise contours (without a runway extension), and derived a map of individual properties that would be likely to experience a "significant" noise impact. In all cases, the Airport Authority and their consultants have utilized established terminology and measurement protocols accepted by the Federal Aviation Administration (FAA). Some of the more frequently used and relevant terms include:

**Significant Noise Impact** - means the FAA's threshold of significant noise impact which has been determined to be a 1.5 DNL increase in noise over any noise sensitive areas located within the 65 DNL contour.

**dBA** - means a sound pressure level often noted as dBA, which has been frequency filtered or weighted to quantitatively reduce the effect of the low frequency noise. It was designed to approximate the response of the human ear to sound.

**DNL - Day Night Noise Level** - means the 24-hour average sound level, in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for the periods between midnight and 7 a.m. and between 10 p.m. and midnight, local time. Ldn is also a symbol used to denote DNL

**Noise Exposure Maps (NEMs)** - means a scaled, geographic depiction of an airport, its noise contours, and surrounding areas developed in accordance with FAA regulations, including the accompanying documentation setting forth the

required descriptions of forecast aircraft operations at that airport during the fifth calendar year beginning after submission of the map to the FAA, together with the ways, if any, those operations will affect the map (including noise contours and forecast land uses).

**Aircraft Operations** - Aircraft takeoffs and landings. One landing and one takeoff is one aircraft operation.

**Stage 2 Aircraft**- means the older generation jet engines that will be phased out of the air carrier fleet by the statutory deadline of December 31, 1999. The technical definition of Stage 2 can be found in Subpart A and Appendix C to FAR Part 136, which are attached.

**Stage 3 Aircraft** - means the newer generation of quiet technology jet engines that will be used exclusively as the power plant for air carrier jet aircraft, effective January 1, 2000. The technical definition of Stage 3 is also attached.

**FONSI** - Finding of No Significant Impact. A determination made by the FAA, with respect to the environmental assessment report of the proposed runway extension and associated development, pursuant to NEPA (National Environmental Policy Act)

**FAR Part 150** - A federal regulation that requires a Noise Compatibility Study for airports

Perhaps the most difficult aspect of the noise analysis to understand is the use of DNL. As noted above, DNL averages noise over a 24 hour period. People do not hear DNL, they hear the single events of aircraft takeoffs and landings. DNL also averages the quiet times of night with louder daytime background noise. Therefore, individuals have no reference point to evaluate whether certain aircraft operations, either in number, frequency, time of day, altitude, or location will cause an increase or decrease in DNL. People hear single events (SEL) but the FAA standards for noise analyses utilize DNL. All noise information presented by the Airport Authority is expressed in DNL.

The basic premise of the Airport's noise study is straightforward. Planes departing to the northwest (over Whitfield and Manatee County), because they started their takeoff further south, will be higher in the air, and going faster (when compared to current operations), will not result in "significant noise impacts". Planes departing from the northwest end of the runway, because they will be closer to existing residences, will have a "significant impact" on a small number of properties. These noise modeling properties have been mapped and are included in the application materials. To mitigate these impacts, the Airport proposes to construct 2 noise barriers. The effect of these barriers will be to block or muffle the noise to the extent that there will be no "significant noise impact" to individual residential properties. This concept is called mitigation to achieve the equivalent of no project action.

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Based on the technical review of all of the noise modeling and application materials, it is the independent opinion of the County's noise consultant that the Airport's application and noise modeling were developed in accordance with acceptable and appropriate methodologies for the study of noise impact in general and the specific techniques used for airports in particular. Therefore, assuming that the noise barrier berms and buffers are tested and demonstrated to perform as the model predicted, there should be no "significant noise impacts" to residential properties in Manatee County. This conclusion, of course, assumes that all aspects of the Part 150 Noise Compatibility Plan are adhered to and that all stipulations pertaining to noise are complied with.

## **Sarasota Bradenton International Airport**

### **DRI Substantial Deviation - Ordinance 99-50** **Rezone & General Development Plan - PDMU-97-02(Z)(G)** **Comprehensive Plan Amendment - Ordinance 99-49**

#### **Project Summary - Airport Traffic Issues**

The proposed project has been the subject of an extensive review of transportation impacts. The outcome of the review has resulted in revisions to the requested development totals (in particular the outparcels) so that the trips generated from the project do not trigger the need for any transportation improvements in Manatee County. In other words, the revised Phase One development totals will not contribute more than 5% of the total traffic on any roadways in Manatee County. The 5% trigger is the standard used for DRI traffic studies.

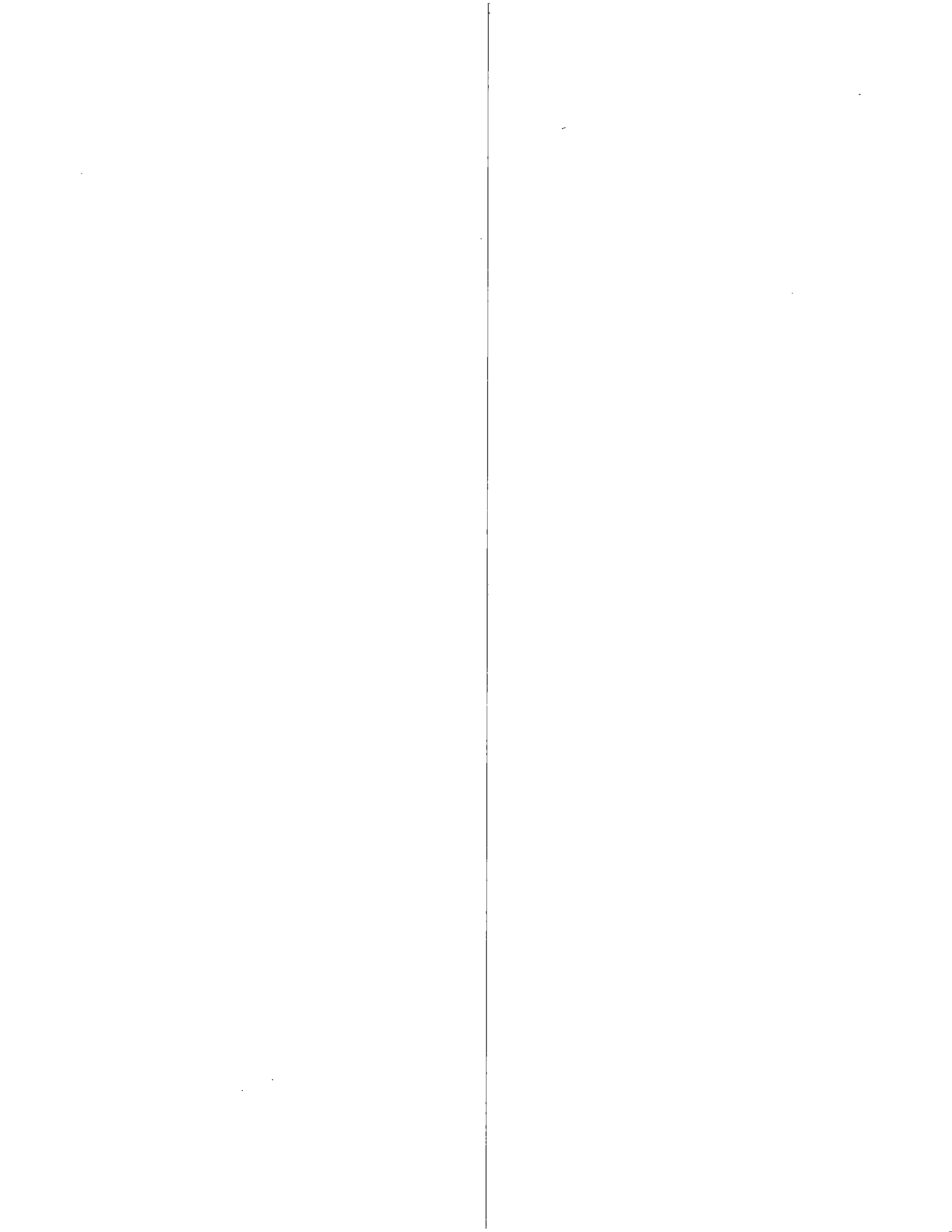
Since Phase One will not require any improvements to the transportation system, a CLOS will be issued for Phase One through December 9, 2004. Phases 2 and 3 will receive land use approval for the uses contemplated but commencement of these phases will require further 380.06 traffic analyses to determine the impacts of those phases on the transportation system. In addition, staff recommends that the developer be required to conduct actual traffic counts at all project entrances. This will provide accurate baseline information on the actual number of trips being generated at Airport and key outparcels. These transportation stipulations are included in the attached Ordinance, as are the approved development totals for each phase.



**Sarasota Bradenton International Airport**

**DRI Substantial Deviation - Ordinance 99-50  
Rezone & General Development Plan - PDMU-97-02(Z)(G)  
Comprehensive Plan Amendment - Ordinance 99-49**

**Project Summary - Airport Outparcels**



## REQUEST, LOCATION INFORMATION, AND LAND USE CHARACTERISTICS

This request includes the Sarasota- Bradenton International Airport and 4 outparcels owned by the Airport Authority, as described below:

### Outparcel #1

- The request is to rezone 21.26 acres from NCS, LM, and HC to PDMU and approve a GDP for a new golf driving range, a Par-3 golf course, a 1,200 sq. ft. accessory pro-shop (recreational use), and an existing 33,380 sq. ft. commercial and warehouse building.

Outparcel #1 is located at the northeastern corner of the airport, on the east side of 15th Street East (7741 through 7881 15th St. E), and ± 220 feet south of Tallevast Road.

- To the NORTH is a vacant manufacturing building zoned HM.
- To the SOUTH is a manufacturing site and vacant land zoned HM.
- To the EAST are residential uses zoned Residential Duplex - 4.5 units per acre (RDD-4.5) and Residential Single-Family at 4.5 units per acre (RSF-4.5).
- To the WEST across 15th Street East is the airport proper. This area is zoned PDMU.

### Outparcel #2

- The request is to rezone 51.32 acres from LM and A-1 to PDMU and approval of a GDP for up to 315,000 square feet of general commercial, heavy commercial, research and office park space, light industrial, and warehouse uses.

The five structures of ± 210,000 sq. ft. currently on-site will be incorporated into the GDP. Existing structures are used for retail sales, automotive-related retail sales, storage, warehousing, and light industrial use.

Outparcel #2 is located at the southeastern corner of the airport, on the east side of 15th Street East and north of University Parkway West (8237 through 8451 15th St. E. and 1349 through 1361 U. Pkwy. W.), immediately west of the railroad, along the Manatee/Sarasota County line.

- To the NORTH is a manufacturing building (Chris Craft) zoned Heavy

### **Manufacturing (HM).**

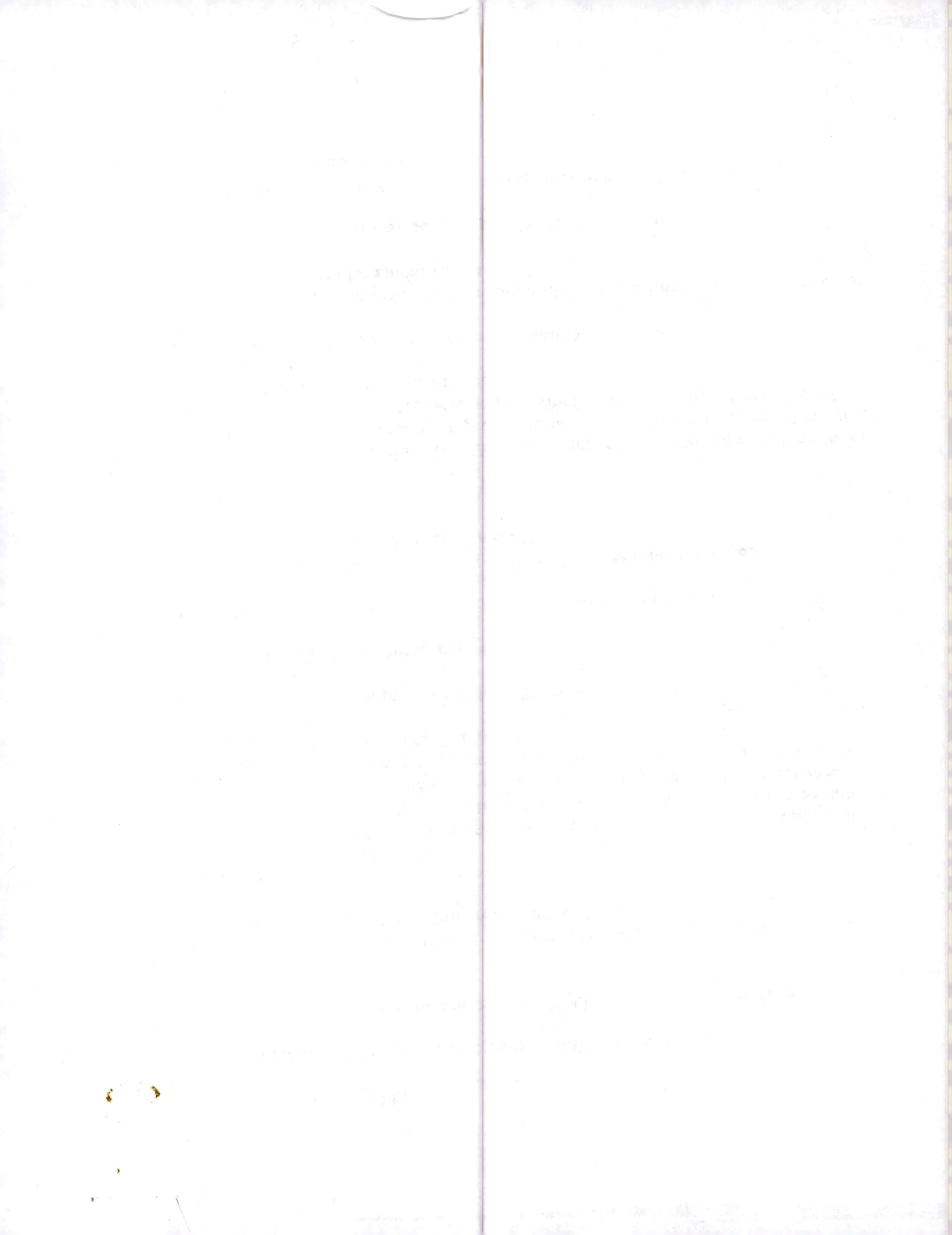
- To the SOUTH is the airport proper and Sarasota County.
- To the EAST is vacant land zoned HM, LM, and A-1 (Schwab-Gernsley Dairy).
- To the WEST across 15th Street East is the airport proper and the south end of runway 14-32. This area is zoned PDMU.

### **Outparcel #3**

- The request is to rezone 6.79 acres from GC/AI to PDMU/AI and approval of a GDP for up to 25,000 square feet of general commercial use, airport-related retail, warehouse office, and restaurant uses. Outparcel #3 is now vacant and located between the west side of the airport and U.S. 41, in the 8100 block of North Tamiami Trail.
- To the NORTH is the Airport Mini Storage, zoned GC.
- To the SOUTH is Outparcel #4.
- To the EAST is the airport proper (Dolphin Aviation).
- To the WEST is U.S. 41 and a variety of commercial uses (hotel, professional offices, etc.) zoned GC.

### **Outparcel #4**

- The request is approval of a GDP for Outparcel #4 for up to 50,000 sq. ft. of hotel, restaurant, fast food, professional office, and automotive sales uses, Outparcel #4 is located between the west side of the airport and U.S. 41 (8281 thru 8301 N. Tamiami Trail).
- To the NORTH is the airport proper and Outparcel #3.
- To the SOUTH is the airport proper and various commercial uses (used car sales, deli, trailer sales) zoned GC.
- To the EAST is the airport proper (Dolphin Aviation)
- To the WEST is U.S. 41 and a variety of commercial uses (florist, McDonalds) zoned GC.



**Sarasota Bradenton International Airport**

**DRI Substantial Deviation - Ordinance 99-50  
Rezone & General Development Plan - PDMU-97-02(Z)(G)  
Comprehensive Plan Amendment - Ordinance 99-49**

**DRI Substantial Deviation Staff Report**

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The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author details the various methods used to collect and analyze the data. This includes both primary and secondary sources, as well as the specific techniques employed for data processing and statistical analysis.

The third section provides a comprehensive overview of the results obtained from the study. It highlights the key findings and discusses their implications for the field. The author also addresses any limitations of the study and suggests areas for future research.

Finally, the document concludes with a summary of the main points and a final statement on the significance of the work. The author expresses their appreciation for the support and assistance provided throughout the project.

**ORDINANCE 99-50 SARASOTA BRADENTON AIRPORT EXPANSION - SUBSTANTIAL DEVIATION (DRI #15)**

**Request: APPROVAL OF A SUBSTANTIAL DEVIATION TO AN EXISTING DEVELOPMENT OF REGIONAL IMPACT TO ALLOW:**

(1) **The following items approved under a 1995 Preliminary Development Agreement and already constructed or allowed to be constructed subject to future DRI review:**

- 144 new sheltered aviation spaces, consisting of 123 new general aviation "T" hangar spaces, corporate hangars for 21 aircraft, and elimination of 25 existing tie-down spaces.
- 10,000 sq. ft. picnic shelter to replace an existing shelter.
- Washing facilities for equipment and vehicles.
- Signs.

(2) **New development and expansion of airport facilities, consisting of:**

- A 2,500 foot extension to Runway 14/32 (1,150' to the southeast end and 1,350' at the northwest end), including associated taxiways, runway approaches, runway and taxiway safety areas, navigational aides, and ancillary facilities.
- Two noise barriers for the northern extension of Runway 14/32.
- A 175,000 sq. ft. terminal expansion with up to 9 additional air carrier or commuter gates.
- A parking garage for 800 vehicles.
- Utility and infrastructure improvements to serve the airport and outparcel expansion.

(3) **New development on 4 Outparcels, as follows:**

Outparcel 1

- A Par-3 golf course, driving range, including a 1,200 sq. ft. pro shop.
- Commercial or warehouse development in an existing 33,380 sq. ft. structure.

Outparcel 2

Not to exceed an aggregate total of 315,000 sq. ft. of the following uses, including 125,000 sq. ft. of existing structures:

- 100,000 - Light industrial
- 120,000 - Warehouse
- 100,000 - Heavy Commercial
- 80,000 - Research/Office Park
- 60,000 - General Commercial

Outparcel 3

Not to exceed an aggregate total of 25,000 sq. ft. of the following uses:

- 20,000 Office
- 3,000 Convenience Market, Gas pumps
- 3,000 Fast Food Restaurant
- 22,000 Airport Related Retail or Warehousing
- 7,000 Quality Restaurant

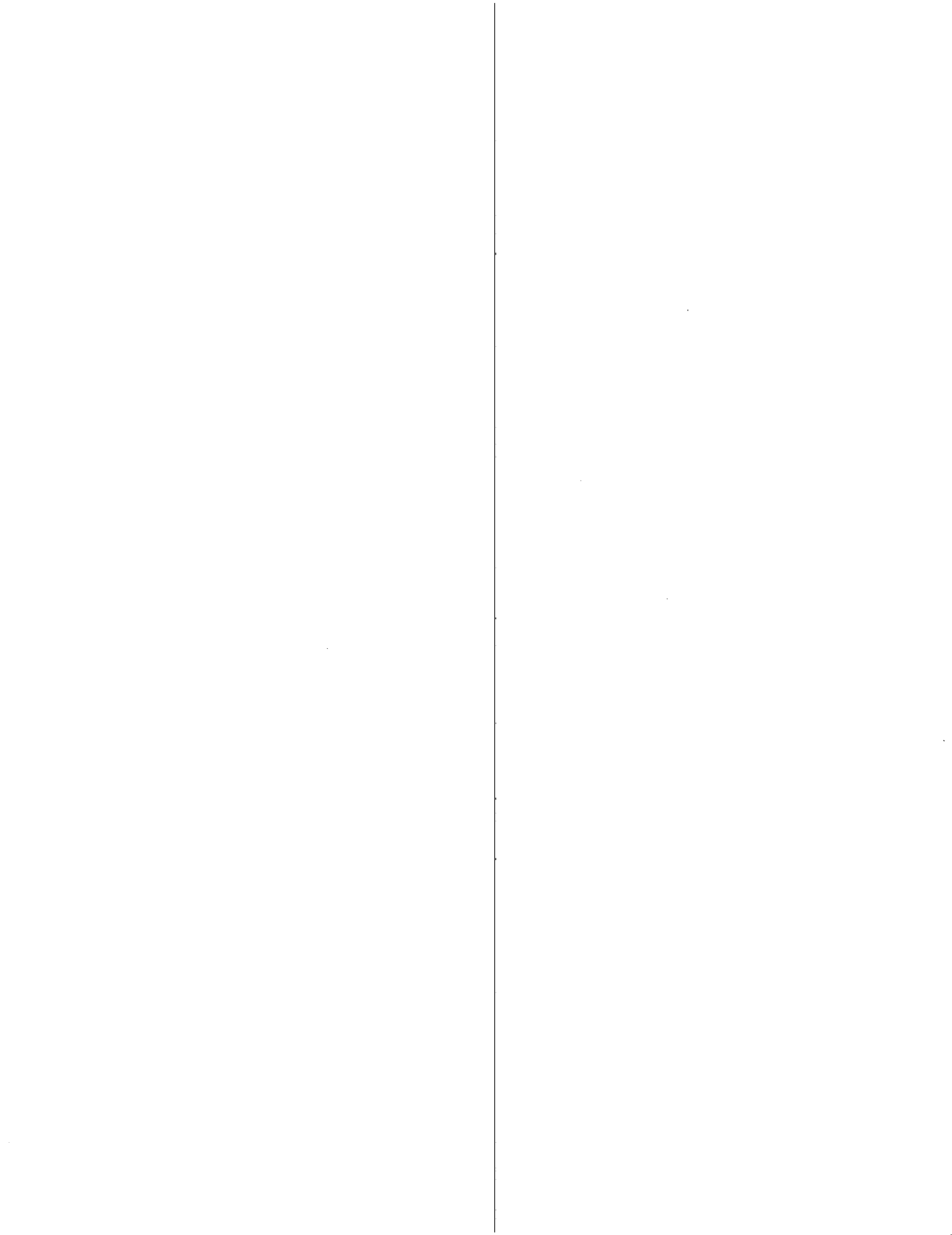
Outparcel 4

Not to exceed an aggregate total of 50,000 sq. ft. of the following uses, excluding the hotel:

- Hotel - 200 rooms
- 40,000 - Professional Office
- 25,000 - Automotive Sales
- 7,000 - Quality Restaurant (Existing)
- 3,000 - Fast Food Restaurant

**THE SARASOTA BRADENTON INTERNATIONAL AIRPORT PROPER IS LOCATED NORTH OF UNIVERSITY PARKWAY AND THE MANATEE/SARASOTA COUNTY LINE, SOUTH OF TALLEVAST ROAD, EAST OF U.S. 41, AND WEST OF 15TH STREET EAST IN UNINCORPORATED MANATEE COUNTY. THE OUTPARCELS ARE LOCATED AT THE PERIMETER OF THE AIRPORT PROPER AS NOTED HEREIN [± 1,122.31 ACRES, INCLUDING THE OUTPARCELS (±96.45 ACRES)], IN MANATEE AND SARASOTA COUNTIES. THE TOTAL ACREAGE IN MANATEE COUNTY IS ± 771 ACRES.**



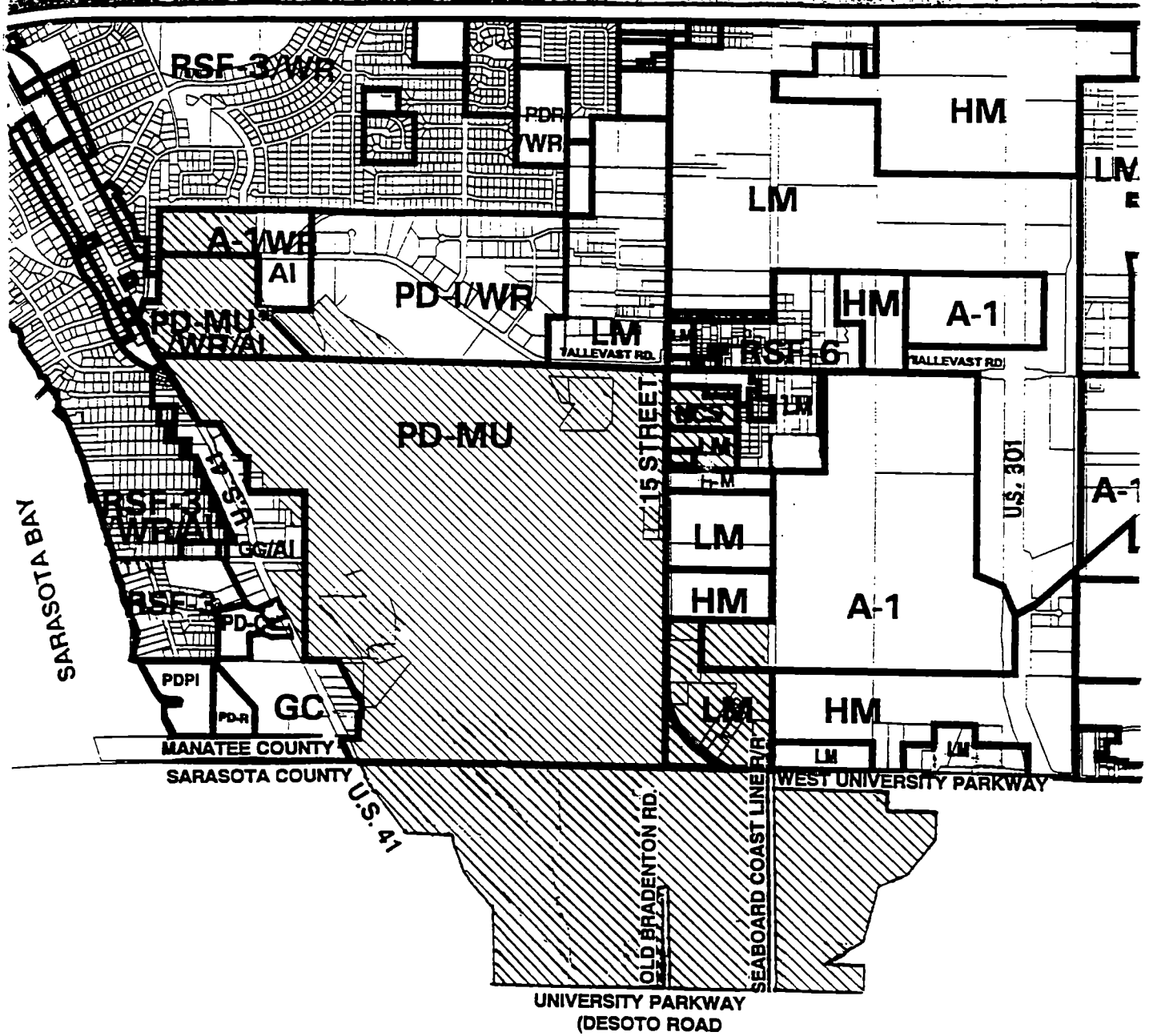


PLANNING COMMISSION ACTION:

On October 21, 1999, by a vote of 3 - 2, the Planning Commission recommended DENIAL of the substantial deviation to DRI #15. Mr. McGinnis voted against the motion stating that he agreed with the proposal. Mr. Bedford voted against the motion stating that although problems existed with noise monitoring, there were sufficient stipulations to cover it , and that the 270 degree turn was a separate issue.

PUBLIC HEARING COMMENTS/CORRESPONDENCE:

At the October 21, 1999 Planning Commission public hearing 9 letters in opposition to the project and 3 letters in support of the project were entered into the record. Dr. Brian Murphy, Chairman of the Manatee County Chamber of Commerce spoke in favor of the request. Mr. Bob Headlee spoke in opposition to the project. Mr. Martin Conlon had questions about sound monitoring devices, landscaping on U.S. 41, and types of aircraft.



Project Number: DRI 15 ORD. 99-50

Tax I.D.: SEE ATTACHED

Proposed Use: EXPANSION OF FACILITIES

Existing FLUC: ROR, P/SP-1, IH, IL

Existing Zoning: GC, HM, LM, PD-I, PD-MU, PD-MU\*, RSF-3, A-1, NC-S, HC, A1/WR/AI, PD/WR  
 Proposed Zoning: N/A  
 GC/AI, PDMU/AI, PDMU/WR/AI

Acres: 1122.31

Flood Zone: C

Drainage Basin: N/A

Commissioner: HARRIS, BRUCE

Map Prepared: 4/6/98

Requested By: SARASOTA MANATEE AIRPORT AUTHORITY

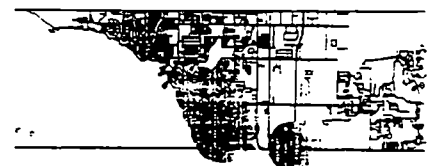
Section: 25, 28, 35, & 36 Township: 35 Range: 17 also, 31-35-18 (MANATEE COUNTY)  
 Section: 1 Township: 36 Range: 18, also 6-36-18 (SARASOTA COUNTY)

### Manatee County Staff Report Map

1 inch = 1920'



 Subject Property



# CASE SUMMARY

**CASE NO.:** DRI #15 Sarasota Bradenton International Airport Substantial Deviation - ORDINANCE 99-50

**APPLICANT:** Sarasota Manatee Airport Authority

**REQUEST:** Approval of a Substantial Deviation to an existing Development of Regional Impact (DRI) for Airport and Aviation related facilities and development on four outparcels owned by the Sarasota Manatee Airport Authority. This DRI review includes items approved under a 1995 Preliminary Development Agreement (PDA) and 2 subsequent amendments to the PDA.

**STAFF**

**RECOMMENDS:** Approval with Significant Issues

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## REQUEST, LOCATIONAL INFORMATION, AND LAND USE CHARACTERISTICS

The original ADA requested included improvements at the Sarasota Bradenton International Airport and four outparcels owned by the Sarasota Manatee Airport Authority, as follows:

- (1) Runway 14-32 extension: add 1,150 feet at the southeast end and 1,350 feet at the northwest end, for total runway length of approximately 9,500 feet.
- (2) Expansion of terminal by 175,000 s.f., including a maximum of nine additional air carrier or commuter gates, and associated infrastructure such as aprons, taxiway lanes and connectors, lighting, security, access roads, and utilities.
- (3) Public parking structure: 800 spaces (Height not to exceed height of existing terminal)
- (4) General aviation facilities (LUC 022) consisting of:
  - a. 100 new T-hangars to be located on land not currently under lease to any fixed base operator (FBO).
  - b. 23 T-hangars to be located on airport land under lease by Dolphin Aviation, a FBO.
  - c. Corporate hangars to accommodate up to six aircraft, to be located on land not currently under lease to any FBO.
  - d. One corporate hangar to accommodate up to seven aircraft, located on airport land leased by Dolphin Aviation, an FBO.
  - e. Two corporate hangars to cumulatively accommodate up to eight aircraft to be located on airport land leased by Jones Aviation, a FBO.
- (5) Replacement of the existing picnic shelter building with the shelter not to exceed 10,000 s.f.
- (6) Wash facilities for equipment and vehicles.
- (7) Signs.

(8) Outparcel development:

<u>Outparcel No.</u>	<u>Land Use</u>	<u>Intensity</u>
1.	a. Commercial or warehouse (LUC 814)	32,980 s.f.
	b. Golf Drive Range (LUC 430)	
	Par-3 golf course	
	Accessory pro-shop	1,200 s.f.
		(±21.26 total acres)
2.	Not to exceed an aggregate total of 315,000 s.f. of the following uses, including 125,000 s.f. of existing structures (±51.32 total acres):	
	a. Light Industrial (LUC 11)	100,000 s.f.
	b. Warehouse	120,000 s.f.
	c. Heavy Commercial	100,000 s.f.
	d. Research/Office Park	80,000 s.f.
	e. General Commercial	60,000 s.f.
3.	Not to exceed an aggregate total of 25,000 s.f. of the following uses (±6.79 acres):	
	a. Office (LUC 715)	20,000 s.f.
	b. Convenience Market, Gas Pumps	3,000 s.f.
	c. Airport Related Retail or Warehousing	22,000 s.f.
	d. Quality Restaurant	7,000 s.f.
4.	Not to exceed and aggregate total of 50,000 s.f. of the following uses, excluding the hotel (±18 acres):	
	a. Hotel (LUC 312)	200 rooms
	b. Professional Office (LUC 715)	40,000 s.f.
	c. Automotive Sales (LUC 715)	25,000 s.f.
	d. Quality Restaurant - Existing (LUC 831)	7,000 s.f.
	e. Fast Food Restaurant	3,000 s.f.

The Sarasota Bradenton International Airport is located in southwestern Manatee County, with a portion of the airport located within the City of Sarasota and Sarasota County. The airport has operated at the present location for many years and has been expanded and upgraded several times. The most significant expansion occurred in 1987, when a new passenger terminal was constructed.

- To the NORTH of the airport, across Tallevast Road, land uses consist of single-family residential and vacant areas (northwest portion), industrial uses and large vacant areas (north-central portion), and industrial uses and small vacant areas (northeast portion).
- To the SOUTH of the airport, across University Parkway, land is within

**Sarasota County and the City of Sarasota. Land uses consist of a railroad (running north-south), water ponds resulting from an old quarry, a greyhound racing track, and mobile home residential (southeast portion), commercial (motels), single-family residential (south-central portion), commercial uses, and cultural uses (museum, theater, college) southwest portion.**

- **To the EAST, across 15th Street East, land uses consist of commercial and single-family residential (northeast portion), industrial and commercial uses (and Outparcel 1) (east-central portion), and industrial and heavy commercial uses (and Outparcel 2) (southeast portion). Vacant land exists between land uses in this area. A railroad, paralleling 15th Street East, is located 1/4 mile east of 15th Street East and borders the above-described urban development. Outparcel 1 is developed with a small golf course and golf driving range, and a vacant commercial building at its southwest corner. Outparcel 2 is partially developed with industrial, warehousing, and heavy commercial uses.**
  
- **To the WEST of the Airport, land uses consist of general commercial and office uses fronting on both sides of North Tamiami Trail (US 41) (southwest portion), general commercial and office uses on the west side, and Outparcels 3 and 4 on the airport on the east side of North Tamiami Trail (US 41) (west central portion), and general commercial and office uses fronting both sides of North Tamiami Trail (US 41) (northwest portion). Outparcels 3 and 4 are vacant, with the only land use on Outparcel 4 being a parking lot remaining from a restaurant that was removed from the outparcel. Single-family residential areas are located west of the above-described urban development.**

Interrelated and companion requests, including a small scale Comprehensive Plan Amendment, a rezone, and a General Development Plan for the Airport and Outparcels are being processed in conjunction with this DRI review.

## **PROJECT DESCRIPTION AND PHASING**

### **Project Description**

The proposed project may be grouped into three descriptive areas as follows:

1. Items approved and already constructed or allowed to be constructed subject to this DRI review under the 1995 Preliminary Development Agreement (DCA File No. AGM-984-001B, 1/31/95), the First Amended and Restated Preliminary Development

Agreement (DCA File No. AGM 984-001B, 5/13/98), and the Second Amended and Restated Preliminary Development Agreement (DCA File No. AGM-984-001B, 4/1/99):

- 144 new sheltered aircraft spaces, consisting of 123 new general aviation "T" hangars, corporate hangars for 21 aircraft, and elimination of 25 existing unsheltered aircraft tie-down spaces (115 "T" hangars completed, two corporate hangars completed, one in development approval process).
- a 10,000 square foot picnic shelter to replace an existing shelter (completed),
- washing facilities for equipment and vehicles (completed at one of two locations), and,
- signs (completed).

**2. New airport development and expansion of airport facilities consisting of:**

- a 2,500 foot extension to Runway 14/32 (1,150 feet to the southeast end and 1,350 feet to the northwest end), including associated taxiways, runway approaches, runway and taxiway safety areas, aircraft navigational aides, and ancillary facilities,
- two noise attenuation barriers for the northern extension of Runway 14/32, located east of and adjacent to U. S. 41 and north of Tallevast Road on airport property,
- a 175,000 square foot expansion to the terminal complex, with up to nine (9) additional air carrier or air commuter gates, and associated infrastructure such as aprons, taxiway lanes and connectors, lighting, security facilities, access roads, and utilities.
- a parking structure containing 800 new spaces for vehicles, located over the current parking area, and,
- utility and infrastructure improvements to serve the airport expansion and outparcel development.

**3. New development on four (4) Outparcels as follows:**

**Outparcel 1.** (Located near the northeast corner of the main airport site, on the east side of 15th Street East at 7741 through 7881 15th Street East, and about 220 feet south of Tallevast Road, containing about 21.26 acres).

- Development not to exceed the following:

a golf driving range (LUC 430), a par-three golf course, and a 1,200 square foot golf accessory pro- shop, and,

a commercial or warehouse development in an existing 32,980 square foot structure.

**Outparcel 2.** (Located near the southeast corner of the main airport site, on the east side of 15th Street East at 8237 through 8451 15th Street East, and on the north side of West University Parkway at 1349 through 1361 West University Parkway, west of and adjacent to the railroad, containing about 51.32 acres).

- Development not to exceed an aggregate total of 315,000 square feet of the following uses, including 125,000 square feet of existing structures:

Light Industrial (LUC 11)	100,000 square feet,
Warehouse	120,000 square feet,
Heavy Commercial	100,000 square feet,
Research/Office Park	80,000 square feet,
General Commercial	60,000 square feet.

**Outparcel 3.** (Located on the western side of the main airport site, bordering the east side of North Tamiami Trail (US 41) in the 8100 Block, and on the south side of and adjacent to Braden Avenue, containing about 6.79 acres).

- Development not to exceed an aggregate total of 25,000 square feet of the following uses:

Office (LUC 715)	20,000 square feet,
Convenience Market, Gas Pumps	3,000 square feet,
Airport Related Retail or Warehousing	22,000 square feet,
Quality Restaurant	7,000 square feet.

**Outparcel 4.** (Located on the western side of the main airport site, bordering the east side of North Tamiami Trail (US 41) at 8281 through 8301 North Tamiami Trail (US 41), containing about 18.00 acres).

- Development not to exceed an aggregate total of 50,000 square feet of the following uses, excluding the hotel:



Hotel (LUC 312)	200 rooms,
Professional Office (LUC 715)	40,000 square feet,
Automotive Sales (LUC 715)	25,000 square feet,
Quality Restaurant (LUC 831)	7,000 square feet,
Fast Food Restaurant	3,000 square feet.

### **Phasing of Development**

Initially, only two phases of development were proposed (Up to year 2005, and year 2006 to 2010). However, upon further evaluation of the transportation needs for the project and the resulting improvements that would be required, the project was divided into three phases. The three (3) phases are identified below and have an anticipated completion date of Year 2010, and an expiration date of 2015. The specific land use totals authorized under the DRI Development Order are listed in Tables 1 - 5 in Ordinance 99-50.

#### **PHASE 1. (Up to Year 2005)**

- Runway 14/32 extensions to southeast (1,150 feet) and northwest (1,350 feet) completed,
- Two noise attenuation barriers (at northwest end of runway 14/32) constructed,
- 175,000 square feet of airport terminal expansion and nine air carrier or air commuter gates completed,
- "T" hangars and corporate hangars completed,
- Outparcel 1. golf driving range, par three golf course, and 1,200 square foot golf pro shop completed, and the existing commercial/warehouse (32,980 square feet) retained.
- Approximately 155,700 square feet of commercial/office/light industrial development completed on Outparcels 2, 3, and 4.

#### **PHASE 2. (Year 2006 to Year 2010)**

- 800 space automobile parking structure completed,
- Approximately 105,000 square feet of commercial/office/light industrial development completed on Outparcels 2 and 4.

#### **PHASE 3. (Year 2011 to 2015)**

- Approximately 104,000 square feet of commercial/office/light industrial development completed on Outparcels 2 and 4.

## **RESULTANT DEVELOPMENT FEATURES**

### **1. General Aviation and Airport Facilities**

Before the addition of new general aviation hangar facilities allowed by the 1995 Preliminary Development Agreement, the airport had a total of 126 sheltered general aircraft parking spaces. The general aviation facilities approved within the 1995 Preliminary Development Agreement allowed construction of 123 new "T" hangars, and corporate aircraft hangars capable of hangaring 21 aircraft, for a total of 144 new sheltered aircraft parking spaces. With the completion of the general aviation portion of the Agreement, there are a total of 270 sheltered aircraft parking spaces at the airport.

One hundred fifteen (115) of the 123 authorized new "T" hangars have been built, with 76 at Jones Aviation and 39 at Dolphin Aviation, the two fixed base operators on the airport. Two corporate aircraft hangars have been built at Jones Aviation, and one corporate hangar at Dolphin Aviation is in the development approval process.

The general airport facilities portion of the 1995 Preliminary Development Agreement included the replacement of an existing picnic shelter building with a building not to exceed 10,000 square feet in area, wash facilities for equipment and vehicles, and signs for directing aircraft and automobile traffic within the fixed base operators' new hangar areas. The picnic shelter building has been built (located on the southeast side of the airport). One of the two wash facilities has been built at the Dolphin Aviation site, with the second wash facility to be built at the Jones Aviation site. All of the necessary signs have been installed.

### **2. New and Expanded Airport Facilities**

The current runway system consists of Runway 14/32 (7,003 feet in length and 190,500 pounds in strength), and Runway 4/22 (5,006 feet in length and 115,000 pounds in strength). The Applicant proposes to construct extensions on both ends of Runway 14/32 (1,150 feet on the southeast end and 1,350 feet on the northwest end) that will total 2,500 feet. The new Runway 14/32 would be a total of 9,503 feet in length. Construction would also include associated taxiways, runway approaches, runway and taxiway safety areas, aircraft navigational aides, and ancillary facilities in addition to the runway extensions at both ends of the runway.

The proposed runway extensions would be constructed entirely on the current airport site. The nearest point of the existing runway at the northwest end is approximately 850 feet from the east right-of-way line of North Tamiami Trail (US 41). Upon completion of the runway extension at the northwest end, it would be approximately 500 feet from the same right-of-way line. The nearest point of the existing runway at the

southeast end is approximately 600 feet from the west right-of-way line in the curve of 15th Street East. The extension of the runway to the southeast would not change the distance to the 15th Street East right-of-way line.

Two noise attenuation barriers are proposed by the Applicant for construction on airport property at the northwestern extension of Runway 14/32. (Note: The following location and length descriptions are general and approximate, and for informational purposes only. Detailed acoustical analyses will be required to fix the location, height, type of materials, and length of the noise attenuation barriers).

One of the noise attenuation barriers would be positioned approximately parallel with North Tamiami Trail (US 41), extending from about Ponce De Leon Avenue on the north end to about Bernard Avenue on the south end (about 1,700 feet long). The second noise attenuation barrier would be positioned north of Tallevast Road, slightly less than parallel to Tallevast Road, extending across the entire airport property in this area (about 1,300 feet long).

The current airport terminal building contains about 305,000 square feet and is located, for the most part, within Sarasota County. A portion of the one existing airside with its arrival and departure lobbies and gates is located within Manatee County. The airport terminal building includes one airside with arrival and departure lobbies (including 13 gates), a commuter aircraft lobby, airline offices and ticket counters, baggage services, airport police offices, airport administrative offices and meeting rooms, restaurant/lounge, typical airport commercial services for passengers and others, and other typical airport terminal uses.

The Applicant is proposing to construct an expansion of 175,000 square feet to the existing terminal that would include nine (9) additional air carrier or air commuter gates. Due to the nature of commuter aircraft terminal design requirements, a commuter wing is also proposed. The expansion would also include such associated infrastructure as connecting aircraft aprons, taxiway lanes and connectors, airport lighting, security fencing and gates, access roads, and utilities.

The new terminal would have a total area of 480,000 square feet, and a total of 22 gates for arriving and departing aircraft. A specific design for the expanded terminal facilities was not included for review at the time of the ADA submittal for evaluation due to the specialized design considerations and requirements for such facilities. However, the adopted (Sarasota Manatee Airport Authority) Airport Master Plan for the airport describes three (3) alternative general terminal layouts, all of which essentially place airside corridors and extensions (both containing air carrier gates) contiguous with the existing ticketing and baggage claim wings. Alternative 3 is one of the alternatives recommended, and also is shown on the adopted Airport Layout Plan. Design and construction of the terminal expansion may require the removal of older existing

structures, with the square footage of the existing structures folded into the expansion of the terminal building.

An automobile parking structure, containing 800 parking spaces, is proposed for construction by the Applicant. The structure is to be located above the current 1,200 space short term and long term ground level parking lot. Its height will not exceed the height of the existing air terminal building, and is conditioned as such in the proposed development order. The structure would be positioned to allow maximum convenience and access to the air terminal building and utilize the current traffic lane access and egress pattern to the maximum extent possible.

No changes are proposed for the access/egress roadways serving the airport terminal and its short and long term parking area. A master drainage plan has been prepared for the airport site that includes hydrological studies for the long range development plans at the airport. These plans include the proposed runway and taxiway extensions to Runway 14/32, other runway and taxiway improvements, the "T" hangars at each of the airport's fixed base operators, the proposed terminal expansion, and the proposed parking expansion. The portion of the master drainage plan associated with the "T" hangars at each of the fixed base operators has been implemented as part of the final site plans approved for each of the projects.

Other physical facilities existing on the airport and the four outparcels as a result of pre-DRI development and prior Development Orders, and scheduled to be retained unless as noted, include the following:

Aviation Facilities:

- Taxiways A, B, C, and F and taxiways for Dolphin Aviation and Jones Aviation,
- Air carrier apron: 895,500 square feet,
- FAA Air Traffic Control Tower,
- General aviation aprons: 43,560 square feet, 104 tie down spaces,
- General aviation hangars: 126,
- General aviation terminals: 15,100 square feet,
- Fuel farms:
  - Commercial airlines: 130,000 gallons
  - General aviation: 174,000 gallons.

Automobile Parking:

- Public: 1,431 spaces,
- Employee: 446 spaces (This facility may be reduced in size and spaces near its northwest corner based on the design and ensuing "footprint" of the air terminal expansion project),

- Car rental ready/return: 259 spaces,
- General aviation: 110 spaces.

Miscellaneous Aviation Facilities:

- Air freight terminal: 19,746 square feet,
- Air rescue and fire fighting station: 12,286 square feet,
- Toll plaza operations: 1,066 square feet,
- Auditorium/Offices (McElmurray): 6,220 square feet (This facility may be removed based on the design and ensuing "footprint" of the air terminal expansion project),
- Facilities building (O'Day): 39,780 square feet,
- New electrical vault: 1,725 square feet,
- Old electrical vault: 425 square feet,
- Restroom D: 484 square feet,
- Restroom J: 484 square feet,
- Agape Flight hangar/office: 5,760 square feet,
- F.I. International hangar/office: 1,600 square feet.

Rental Car Maintenance Facilities:

- Alamo Rent A Car, Inc.: 5,880 square feet,
- Avis Rent A Car, Inc.: 2,613 square feet,
- Budget Rent A Car, Inc.: 6,000 square feet,
- Hertz Rent A Car, Inc.: 3,720 square feet,
- National Car Rental, Inc.: 3,780 square feet,
- Dollar Rent A Car, Inc.: 1,243 square feet.

Non-aviation Tenant Facilities:

- Airport Plaza Ltd. (Silk Warehouse) (Outparcel 1): 32,980 square feet,
- Asolo Theater (FSU Foundation): 21,680 square feet,
- Quonset Hut No. 1335 (Dynasty Boats) (Outparcel 2): 10,260 square feet,
- Quonset Hut No. 1206 (Treadco Tire) (Outparcel 2): 26,404 square feet,
- Airport Flyers, Inc.: (Airport Mall) (Outparcel 2): 35,700 square feet,
- Warehouse (County Line Investments, Gilbert Waters) (Outparcel 2): 30,616 square feet,
- Gulf Coast Karting (Outparcel 2): Racetrack,
- Warehouses (2) (Sassaman, David and Josephine) (Outparcel 2): 9,843 square feet,
- Warehouse at 1349 University Parkway (Outparcel 2): 16,572 square feet.



Non-Aviation Tenant Facilities on main airport parcel not included in DRI:

- Commercial: Bellm's Cars and Music of Yesterday, (within City of Sarasota),
- Public: New College of the University of South Florida campus, portion east of US 41 containing 13.63+/- acres,(within Sarasota County),
- Commercial: Airport Shell Gasoline Station, (within Sarasota County).

### 3. Outparcel Development

**Outparcel 1.** (Located at the northeast corner of the airport, on the east side of 15th Street East)

Outparcel 1 is about 21.26 acres in size and has an existing commercial/warehouse building (32,980 square feet) on about 1.85 acres on its southwest corner fronting on 15th Street East. The remaining 19.41 acres is currently developed as a recreational use consisting of a golf driving range and par 3 golf course with a 1,200 square foot pro shop. There are no wetlands on the site, and there are no perennial streams on or adjacent to the site. The runway protection zone of Runway 22 lies across the northwestern quarter of this outparcel. Runway protection zones are established to insure against obstruction infringement into the approach slope to the runway. Access to the site(s) would be provided from three existing and two proposed access points on 15th Street East.

**Outparcel 2.** (Located near the southeast corner of the airport, within the curve of 15th Street East transiting into West University Parkway).

Outparcel 2 is about 51.32 acres in size and has several existing uses on it. A retail building faces 15th Street East, and four buildings face West University Parkway near the outparcel's southern boundary. One of the buildings is used for automotive retail (tire sales), while the other three buildings are used for storage, warehousing, and light and heavy industrial uses. This current development amounts to about 125,000 square feet. There are no wetlands on the site, and there are no perennial streams on or adjacent to the site. A railroad borders the east side of the site and offers the opportunity to extend rail spurs into the outparcel to serve future industrial/warehouse uses.

Proposed development on the currently vacant areas of the outparcel would include uses compatible with the existing uses and consist of light industrial, warehousing, heavy commercial, research/office park, and general commercial. New development would be a mix of the above uses and consist of a maximum

of 190,000 square feet, resulting in an aggregate total development on the site of 315,000 square feet. Access to the site(s) would be provided from five existing and one proposed access points on 15th Street east and West University Parkway.

**Outparcel 3.** (Located on the west side of the airport, fronting on North Tamiami Trail (US 41), south of and adjacent to Braden Avenue).

Outparcel 3 is about 6.79 acres in size and is currently vacant. There are no wetlands on the site and there is an open drainage ditch bordering the east side of the site. The proposed development for this site includes office, convenience market, fast food restaurant, airport related retail/warehousing, and a quality restaurant. These uses are similar and compatible to those currently existing along North Tamiami Trail (US 41). New development would consist of a mix of the above uses and aggregate to a maximum total of 25,000 square feet on the site. Access to the site would be provided from one existing and one proposed access points on North Tamiami Trail (US 41).

**Outparcel 4.** (Located on the west side of the airport, fronting on 8281 through 8301 North Tamiami Trail (US 41).

Outparcel 4 is about 18.00 acres in size and is currently vacant except for a parking lot remaining from a restaurant that has been removed from the site. There are no wetlands on the site and there is an open drainage ditch bordering the northwest side of the site. This ditch separates Outparcels 3 and 4 and divides the southern portion of Outparcel 4.

Proposed development on the currently vacant outparcel include a hotel, professional office, fast food restaurant, and automotive sales. New development would be a mix of the above uses and aggregate to a maximum total of 50,000 square feet. This total would exclude a 200 room hotel also proposed for this site. Access to the site(s) would be provided by two existing access points (one across the southern portion of Outparcel 3) on North Tamiami Trail (US 41).

### **ANALYSIS**

The Sarasota Manatee Airport Authority (SMAA) submitted the Substantial Deviation Development of Regional Impact Application for Development Approval for Sarasota Bradenton International Airport (ADA), with Appendices, on November 30, 1996, pursuant to the provisions of Section 380.06 Florida Statutes, and Rule 9J-2 Florida Administrative Code. Four individual sufficiency responses, providing additional detailed information, were prepared by the (SMAA), and submitted for review on June 30, 1997, December 1, 1997,



February 4, 1998, and March 5, 1999. The ADA and sufficiency responses addressed the following ADA questions as agreed upon by all affected parties at a pre-application meeting on October 24, 1995:

Questions 1-11	Application Information and General Project Description
Question 17	Water Supply
Question 18	Wastewater Management
Question 19	Stormwater Management
Question 20	Solid Waste/Hazardous Waste/Medical Waste
Question 21	Transportation
Question 22	Air Quality
Question 23	Hurricane Preparedness
Question 24	Housing
Question 25	Police and Fire Protection
Question 29	Energy
Question 31	Airports (Noise)

Questions 1 through 11 contain:

- (a) general and detailed application information (owners, agents, legal descriptions, local governments having jurisdiction, permitting agencies, etc.),
- (b) resource maps (aerials, topographical, land use, soil surveys, General Development Plans for the project, drainage maps, and transportation) of the proposed project and its surrounding area, and
- (c) the general project description of the proposed development, with maps, and its consistency with local, regional, and state comprehensive plans and development regulations. As such, technical review identified corrections to be made and requests for additional information for review, and there were no significant issues associated with these 11 questions.

Questions 17, 18, 20, 23, and 29 of the ADA were addressed by the Applicant with affirmative response letters from agencies responsible for providing the services to the Applicant's service demand projections and request for ability to provide increased services to serve the proposed development. There were no apparent significant issues identified with these questions. The proposed Development Order includes provisions for the development, design, construction, operation, maintenance, monitoring, and reporting concerning these infrastructure facilities and services until the expiration date of the DRI.

### **Significant Issues**

Upon staff review of the ADA and its four sufficiency responses, the significant issues appear to be Question 21. Transportation, and Question 31. Airports (Noise).

**Question 21. Transportation**

Question 21. Transportation deals with ground transportation systems impacted by the proposed airport project. For evaluating the existing and future transportation impacts associated with the airport and the proposed development features, the Applicant submitted traffic analyses based upon the Florida Standard Urban Transportation Model Structure (FSUTMS). This system has been approved and used by the local Metropolitan Planning Organization (MPO) for area wide transportation planning.

The modeling performed through FSUTMS demonstrates that the traffic between the Sarasota and Manatee urban areas is growing, making them more and more one community. The growth of the airport, contained within the Substantial Deviation application is only a small portion of overall community growth and is in response to that growth. The area around the airport contains, in addition to a major transportation and commerce center, an education center, and a cultural center.

The project will have an impact on several local and regionally significant roadways within the impact area throughout the life of the project. These impacts will occur in both Sarasota and Manatee County. The results of the transportation analysis are attached in 3 tables, organized by Phase. The result of the transportation analysis work has been reviewed and approved by Manatee County and the Tampa Bay Regional Planning Council.

The SMAA considered the potential for required improvements to the transportation system and elected to structure the phasing of the project so that they could develop their priority improvements (i.e., Phase 1) without triggering roadway improvements in Manatee County. Some roadway in Sarasota County would be impacted by the Phase 1 development totals and the extent of required mitigation for those impacts will be addressed in the Sarasota County and City of Sarasota Development Orders.

The revised Phase 1 development totals, for which no transportation improvements are required in Manatee County, includes the Runway 14/32 extension, the terminal expansion, associated infrastructure, all development authorized under the PDA and subsequent amendments, and a small amount of additional development on Outparcels 1, 2, and 3. The Phase 1 development totals to be approved, by land use category, are shown in Tables 1 through 5 of Ordinance 99-50.

Phases 2 and 3 present a different story. Both of these phases will generate traffic numbers that will require transportation improvements. Since it is difficult to accurately determine what improvements will be needed that far in the future, and since improvements by others may come on-line in the future that would free up some roadway capacity, the SMAA has elected not to seek specific authorization for Phases 2 or 3 at this time. Accordingly, the Development Order is structured to grant conceptual approval to the land use desired in Phases 2 and 3. The SMAA will be required to undergo additional Chapter 380.06 F.S. DRI transportation

review in order to gain actual authority to construct any Phase 2 or 3 land uses. The SMAA will be further required to construct any necessary capacity improvements that that analysis deems necessary.

For informational purposes, the roadway segments and intersections that are expected to be significantly and adversely impacted by Phase 2 and 3 Airport development are identified below.

### Impacted Roadway Segments

The traffic analysis showed that the following roadway segments within Manatee County would operate at an unacceptable level of service as a result of the Airport DRI development. This means that the p.m. peak hour trips generated would exceed 5 percent of the adopted LOS, excluding vested and mitigated trips. The segments are listed for each phase.

#### Phase 1

DeSoto Road from University Parkway to US 301 (Sarasota)  
Old Bradenton Road from 27<sup>th</sup> Street to 32<sup>nd</sup> Street (Sarasota)  
Old Bradenton Road from 32<sup>nd</sup> Street to Myrtle Street (Sarasota)  
Old Bradenton Road from Myrtle Street to DeSoto Road (Sarasota)

#### Phase 2

DeSoto Road from University Parkway to US 301 (Sarasota)  
DeSoto Road from Tuttle Avenue to Lockwood Ridge Road (Sarasota)  
Dr ML King Jr Boulevard from Old Bradenton Road to Coconut Avenue (Sarasota)  
Old Bradenton Road from 27<sup>th</sup> Street to 32<sup>nd</sup> Street (Sarasota)  
Old Bradenton Road from 32<sup>nd</sup> Street to Myrtle Street (Sarasota)  
Old Bradenton Road from Myrtle Street to DeSoto Road (Sarasota)  
Orange Avenue from MLK Jr Way (27<sup>th</sup>) to 17<sup>th</sup> Street (Sarasota)  
Orange Avenue from 17<sup>th</sup> Street to 10<sup>th</sup> Street (Sarasota)  
University Parkway from Airport Entrance to Old Bradenton Road (Sarasota)  
University Parkway from Old Bradenton Road to DeSoto Road (Sarasota)  
University Parkway from 301 Boulevard to US 301 (Sarasota)  
US 41 from 63<sup>rd</sup> Avenue W to Whitfield Avenue (Manatee)  
US 41 from Whitfield Ave to Tallevast Road (Manatee)  
US 41 from Tallevast Road to Parcel 3 Entrance (Manatee)  
US 41 from Parcel 3 Entrance to Parcel 4 Entrance (Manatee)  
US 41 from Parcel 4 Entrance to County Line (Manatee)  
US 41 from County Line to General Spaatz Blvd. (Sarasota)  
US 41 from General Spaatz Blvd. to University Parkway (Sarasota)  
US 41 from University Parkway to Myrtle Street (Sarasota)

US 41 from Myrtle Street to 27<sup>th</sup> Street (Sarasota)

Phase 3

- 301 Blvd from University Parkway to Parcel 2 south Entrance (Manatee)
- 301 Blvd from Parcel 2 south Entrance to Parcel 2 north Entrance (Manatee)
- 301 Blvd from Parcel 1 Entrance to Tallevast Road (Manatee)
- DeSoto Road from University Parkway to US 301 (Sarasota)
- DeSoto Road from Tuttle Avenue to Lockwood Ridge Road (Sarasota)
- Dr ML King Jr Blvd from Old Bradenton Road to Coconut Avenue (Sarasota)
- Old Bradenton Road from 27<sup>th</sup> Street to 32<sup>nd</sup> Street (Sarasota)
- Old Bradenton Road from 32<sup>nd</sup> Street to Myrtle Street (Sarasota)
- Old Bradenton Road from Myrtle Street to DeSoto Road (Sarasota)
- Orange Avenue from Myrtle Street to MLK Jr Way (27<sup>th</sup>)(Sarasota)
- Orange Avenue from MLK Jr Way (27<sup>th</sup>) to 17<sup>th</sup> Street (Sarasota)
- Orange Avenue from 17<sup>th</sup> Street to 10<sup>th</sup> Street (Sarasota)
- Tallevast Road (77<sup>th</sup> Street E) from US 41 to 301 Boulevard (Manatee)
- University Parkway from US 41 to Airport Entrance (Sarasota)
- University Parkway from Airport Entrance to Old Bradenton Road (Sarasota)
- University Parkway from Old Bradenton Road to DeSoto Road (Sarasota)
- University Parkway from 301 Boulevard to US 301 (Sarasota)
- US 41 from 53<sup>rd</sup> Avenue W to 63<sup>rd</sup> Avenue W (Manatee)
- US 41 from 63<sup>rd</sup> Avenue W to Whitfield Avenue (Manatee)
- US 41 from Whitfield Ave to Tallevast Road (Manatee)
- US 41 from Tallevast Road to Parcel 3 Entrance (Manatee)
- US 41 from Parcel 3 Entrance to Parcel 4 Entrance (Manatee)
- US 41 from Parcel 4 Entrance to County Line (Manatee)
- US 41 from County Line to General Spatz Blvd. (Sarasota)
- US 41 from University Parkway to Myrtle Street (Sarasota)
- US 41 from Myrtle Street to 27<sup>th</sup> Street (Sarasota)
- US 41 from 27<sup>th</sup> Street to 10<sup>th</sup> Street (Sarasota)

**Question 31. Airports (Noise)**

DRI Question 31. Airports (Noise) not only requests information concerning existing and proposed airport development (that have been discussed previously in this report) but also requests information concerning existing and future aspects of flight patterns, noise contours (65, 70, and 75 Ldn), and land use patterns within the contours.

For evaluating the existing and future impacts of noise associated with the airport and the proposed expansion features, the Applicant submitted noise exposure information prepared as part of the environmental assessment specifically for the extension of Runway 14/32 in a report titled, Environmental Assessment Report for the Extension of Runway 14-32, (October,

1994). The Federal Aviation Administration, on June 2, 1995, issued a Finding of No Significant Impact (FONSI) that the proposed Runway 14/32 extension was consistent with federal national environmental policies and objectives set forth in the National Environmental Policy Act of 1969 (NEPA).

The documentation included use of the Federal Aviation Administration's Integrated Noise Model (INM), Version 4.11 to generate noise contours depicting annual Day-Night Levels (DNL) of 65, 70, and 75 decibels (dBA) for each condition analyzed. INM grid point analysis was also used where micro-scale DNL noise analysis was needed. DNL represents the unit of noise measure recommended for use in airport noise studies and represents the combined effect of a number of factors for the average day of the year. The data used to simulate the DNL conditions included fleet mix, existing and future aircraft operational activity, runway length, aircraft flight paths, runway use, time of operation (day or night), and trip length. Extensive use was made of the noise information gathered by the airport's noise monitoring system that includes 12 stations located in areas affected by aircraft noise.

The Federal Aviation Administration (FAA) identifies in Environmental Order 5050.4A that an increase in noise exposure above the No-Action Alternative of 1.5 DNL or greater at noise sensitive areas within the 65 DNL contour is considered to be a significant noise impact. The noise analysis shows that the proposed extensions result in noise benefits in the downrange areas, however, additional analysis was necessary to determine ways of minimizing or eliminating the remaining adverse noise impacts.

An INM grid analysis was developed in addition to the preparation of the general noise contours, and this analysis identified the areas within the 65 LDN contour which would be exposed to greater than a 1.5 DNL increase when compared to the No-Action Alternative. These areas are located in the immediate vicinity of each of the runway 14-32 extensions. After the a review of existing land uses, the areas located immediately south and southeast of the extended runway 32 threshold were found compatible with aircraft noise exposure and no noise mitigation would be necessary. However, the two areas located immediately west and north of the runway 14 extension, without mitigation, would experience significant noise increases in incompatible land use areas. The area of potential noise impact to the west of the runway 14 extension is predominately residential and the area to the north is a mix of open land and residential development.

A number of mitigation methods were identified and analyzed. The most effective alternative was determined to be the one that combines the restriction of the Runway 14 B-727 aircraft departures to the current Runway 14 threshold but also provides for the construction of noise barriers between the extended Runway 14 end and the impacted areas northwest and north of the Runway. The results of this mitigative alternative indicated that all future areas of significant noise increase (1.5 DNL or greater) associated with the Runway 14-32 extensions with displaced thresholds would be eliminated.

The major issue resulting from the above noise analysis appears to be the effectiveness of the noise barriers to eliminate significant noise increase proposed as a part of the runway extension project.

A method to be used to evaluate the effectiveness of the noise barriers proposed as part of the runway extension project has been devised by the SMAA. The method involves a before and after monitoring of noise on both sides of the barriers to determine the effectiveness of the noise barriers. The method would show, through field testing documentation, that reflective noise (surface traffic on U.S. 41) and noise reduction (aircraft operations) resulting from the noise barriers would be below perceptual levels within the adjacent communities. If the noise barriers included walls, then the SMAA would incorporate sound absorptive materials in the design of the noise barrier walls having the potential to reflect noise from the communities.

The field testing would be accomplished for surface traffic noise reflected from the noise wall through the following method.

1. Surface traffic noise monitoring shall be performed prior to the construction of the barrier wall. Surface traffic noise levels will be monitored at three locations west of U.S. 41 adjacent to the wall. At two of the locations, the monitor shall be located where there is a direct line-of-sight from both the proposed barrier wall location and U.S. 41 and where existing reflective surfaces would not influence the results. At the third location, monitoring shall be accomplished at the closest accessible residential area.
2. The surface traffic noise monitoring and analysis shall be conducted consistent with Florida Department of Transportation (FDOT) methods to assure that a statistically valid sample of surface traffic is analyzed. This would include monitoring a LAeq level for traffic along U.S. 41 while at the same time counting the number of cars, light trucks, and heavy trucks to assure a statistically valid sample is reached. Using the field traffic counts and the monitor location, LAeq shall also be determined through the use of the FDOT noise model. The results of the modeled and monitored conditions would be compared to validate the accuracy of the model for the monitored location. The model is considered validated if the modeled and monitored results are within 3 dB.
3. Following the construction of the noise barrier, surface traffic noise monitoring and traffic counts shall be conducted in the same manner as under 2. above. The results of the monitored condition (with the wall) will be compared with the modeled condition for surface traffic counted during the (with the wall) monitoring. The differences between the modeled condition with the wall and monitored condition with the wall will identify the amount of reflective noise resulting from the noise wall. A difference of 3 dB or less would be considered a non-perceptible impact.
4. Should the results of the test indicate that greater than a 3dB increase due to reflection occurs, then additional wall treatments shall be provided to reduce the reflective noise

to less than a 3 dB change.

The field testing would be accomplished for aircraft operations noise reduction effectiveness for the noise walls by the following method:

Prior to initiating the testing for the noise reduction effectiveness of the noise barriers, the SMAA will monitor single event noise from aircraft departing on runway 14 for a minimum of seven (7) days. The noise monitoring will be located at a point along the proposed U.S.41 noise barrier wall. The purpose of this monitoring is for the SMAA to provide documentation to Manatee County of the extent of variance of departure noise levels generated by aircraft (Particularly the variance between the same models of aircraft).

The SMAA shall monitor noise exposure under the no-project alternative condition and monitor again following the construction of the wall and runway extension (project condition). The monitoring shall be accomplished by measuring the noise level from a calibrated noise source (the exact same noise source to be used for both monitoring conditions). The monitoring shall be required to show that the noise wall reduces noise exposure to a level which represents no significant increase (less than 1.5 DNL) in noise sensitive areas behind the wall (when comparing the extended runway condition and the no-project condition). This shall be accomplished through the following method.

1. The noise source to be used for the monitoring shall be a loudspeaker, which simulates the noise levels and location of engines associated with an MD 80 Series aircraft located at the extended runway threshold. This type of aircraft is simulated since it represents one of the noisier Stage 3 aircraft and has engines located higher above the ground than most other aircraft projected to use the airport. Two noise monitors shall be located at sites west of U.S. 41 and two noise monitors located at sites north of the north barrier location.

Each noise monitor (microphone) should:

- Be located where the noise level from the extended runway, without the barrier, would be more than 1.5 dB greater than for the extended runway,
- Have a line-of-sight to the aircraft at the threshold of the extended runway,
- One monitor should be 50 feet from busy roads and the second should be at least 200 feet from any busy roads,
- Be at least 20 feet clear of hard surfaces (neighboring building, concrete walls, etc.) as to avoid reflection of sound, and not be between two buildings with parallel walls,
- Be at least 5 feet above the grounds,

- Be sufficiently far from intruding sound sources (i.e., air-conditioners, sprinklers, children at play, etc.),
- Have easy access for set-up, monitoring, and take-down, and,
- If monitor must be left unattended, be at a safe and secure location to avoid theft and vandalism.

With the loudspeaker turned on, noise levels at the four monitoring sites (two per barrier) will be recorded. A second loudspeaker location will be established to simulate an aircraft located between the existing runway threshold and the extended runway threshold and the test will be conducted for a second time. These noise levels would represent the "without barrier" condition.

2. Following the construction of the noise barriers, noise levels shall be monitored using the same loud speaker equipment, same noise source levels and heights above the ground, and the same monitoring sites as used in 1. above. The resulting noise levels will represent the condition "with the noise barriers". The difference in noise levels shall be determined by comparing the noise levels measured without the barrier and with the barrier at each monitored site. These differences shall be compared with the levels of reduction previously determined through computer modeling (the results of which are included in the ADA-DRI). Should the comparison of results indicate that the noise reductions resulting from the barriers are greater than or equal to those predicted (1.5 DNL increase or less), then no further action by the SMAA would be required.
3. Should the noise monitoring indicate that the noise barrier does not meet the no-significant increase (1.5 DNL increase or less) level, then the extent of the impact (identification of residences affected) shall be determined. This shall be accomplished by increasing the impacts documented in the ADA-DRI by an amount equal to the actual monitored barrier effectiveness and identifying the residences that would be significantly affected.
4. Should the results of 3. above indicate that the wall does not meet the noise reduction requirements for certain residences, then the SMAA shall either:
  - A. Improve the noise characteristics of the wall through design and modifications, which may include extensions of the wall, if evaluation demonstrated the effectiveness of such extension,
  - or,
  - B. Offer to purchase, at fair market value, any residences that are affected by the significant noise increase.



(Note: The language in 4. A. and B., above is shown as developed by the County's Noise consultant, in conjunction with the SMAA's noise consultant. The actual D.O. stipulation, as recommended by staff, requires a more aggressive approach to mitigation of noise impacts for nearby affected residences should the noise barriers not perform as the modeling suggests.

Observation of the noise monitoring method would be made available by the SMAA. Prior to initiating the noise monitoring program, the specific procedures to be followed would be provided to Manatee County. In addition, representatives of Manatee County would be invited to observe any monitoring activity that would take place.

### **Related Noise Issues - Compliance**

Two aspects of the existing Development Order (Final Order) for SBIA operations have generated considerable debate in Manatee County. These issues are SMAA's compliance with Noise Abatement stipulations that require:

#### **Short Term Elements**

- Noise Abatement Turn, Runway 31 Takeoffs - immediate left turn to a heading of 270 degrees

The 270 turn. This subject has probably generated more debate than any other aspect of the SBIA. The SMAA maintains that they have done all that they can to implement this turn. The final authority rests with the FAA and the FAA recently determined that an Environmental Impact Statement may be required for this procedure. This appears to be directly contrary to the FAA's Finding of No Significant Impact (FONSI) for the 270 turn issued earlier this year.

Since the 270 turn was a requirement of the 1986 Development Order, staff was concerned whether the information submitted relative to noise would change if the 270 turn was not approved by the FAA. Staff submitted four questions to the applicant; the questions and responses are as follows:

1. What changes to the SBIA Noise Control Program will the SMAA propose should the FAA not approve the 270 radial turn procedure?

*The SMAA, over the years, has evaluated various options for departures from Runway 32. These alternatives have been analyzed, been flight tested, received public input and resulted in the current procedure being recognized as the best overall noise abatement departure procedure if the 270 radial turn could not be implemented. Thus, the current departure procedure would*

*remain in place if the turn were not approved.*

2. Would the DNL Noise Contours for the Runway 14-32 extension change if the 270 turn is not implemented?

*As a point of fact, the noise contours will change whether there is a runway extension or not. The location of the beginning of the turn would remain at the same DME (or the same ground projection location) with or without the extensions. The difference is that the subsequent turn would follow the same headings as occur today if the 270 radial turn were not implemented. As such, the noise contours would be different for areas north and west of the airport.*

3. Would the geographic extent or number of home experiencing a 1.5 DNL or greater impact within the 65 DNL contour be changed if the 270 turn is not implemented?

*With respect to the runway extension and the mitigation provided by the noise barriers, there is no change in noise reduction resulting from the barriers under either the current or proposed departure procedure.*

4. What other procedures or requirements does the Airport Authority contemplate should the 270 turn not be approved?

*None, if the 270 radial turn is not approved, then the current departure procedure headings remain the same as they do today.*

#### **Long-Term Elements**

- Purchase of avigation easements and fee simple interest in certain properties.

Manatee County has periodically received complaints that SMAA was not moving fast enough to implement these requirements. When the County reviewed this issue, it was noted that there is no ultimate completion date specifically set forth the Final Order. Since a specific time for completion of the program was not established, a reasonable time for completion is generally presumed. Although the SMAA may be progressing more slowly than desired, it is debatable whether SMAA has exceeded a reasonable time for completion given the nature and extent of the program. In partial response to this issue, the SMAA has submitted the attached table which summarizes the various grant projects, funding amounts, subjects addressed, and status of projects undertaken to comply with the stipulations in question. The SMAA believes that this information adequately responds to the question of whether a reasonable time for completion has been exceeded.

**Other Application for Development Approval (ADA) Question Responses.**

**Question 19. Stormwater Management**

Question 19. Stormwater Management was addressed by the Applicant with the submission of the Sarasota Bradenton International Airport Master Drainage Plan (May, 1996), that describes the stormwater drainage requirements and plans for the airport and all of the proposed improvements within this ADA for this Substantial Deviation to the DRI. The proposed Development Order includes provisions requiring compliance with all applicable stormwater control, storage, and quality regulations, including permitting, monitoring and reporting requirements until the expiration date of the DRI.

**Question 22. Air Quality**

Question 22. Air Quality was addressed by the Applicant by consideration of three areas of concern: construction, automotive, and aircraft. Contract documents for any construction project will require contractors to contain fugitive dust during site preparation and construction under the Clean Air Act of 1977, as amended.

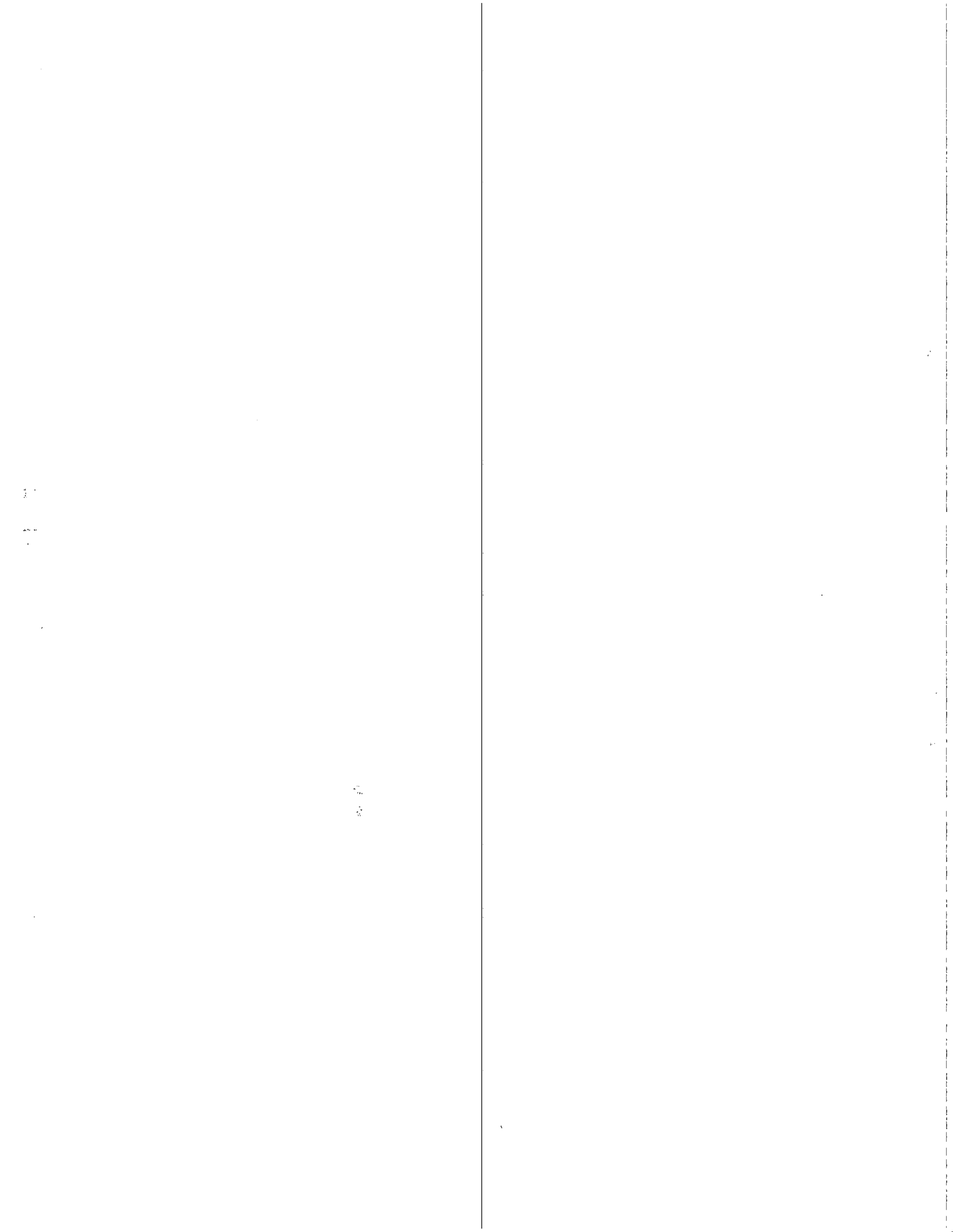
For the proposed automobile parking structure, air quality will be considered when the structure is deemed necessary by the Applicant for accommodating additional parking needs, and (1) motor vehicles using the garage are predicted to cause a carbon monoxide ambient air quality standard to be exceeded, and (2) the peak hour traffic flow inside the parking garage will be 750 or more vehicles per hour. The current 750 vehicles per hour threshold exceeds the overall peak hour trips projected for the parking garage.

According to the Airport Environmental Handbook (FAA Order 5050.4A), a detailed air quality assessment is warranted within the environmental assessment if the proposed project occurs at a commercial service airport with more than 1.3 million annual passengers and more than 180,000 general aviation operations within the time frame of the proposed project. According to revised forecasts to the Airport Master Plan, general aviation operations will not reach 180,000 annual operations within the time period leading to the expiration date of the DRI.

The proposed Development Order includes provisions for construction contract requirements concerning control of fugitive dust during airport facilities site preparation and construction, air quality studies and plans for the proposed parking garage if required under future air quality regulations, and air quality studies and plans for the airport if annual passenger numbers and general aviation operations exceed established thresholds until the expiration date of the DRI.

**Question 24. Housing**

Question 24. Housing was addressed by the Applicant by submission of a housing demand



and supply study completed in Summer, 1997. A survey of housing availability was undertaken to determine how many properties were available for purchase or rent. The stock of available housing for sale or rent was compared to the projected employment and wage levels even though most of the need for housing associated with the project will occur several years in the future.

Once all phases of construction are completed, the total number of new airport employees is estimated to be 17, and the tenants on the outparcels, once developed, are expected to employ 497 full-time people. The conclusions, drawn from the study, are that sufficient housing stock, both homes for purchase and rental units, exist to serve all of the new housing demand expected from the expansion of the airport. Also, the employees who do need new housing will be able to afford the available housing stock. Further, sufficient current housing and rental stock exists to service not only the employees who might be hired during the next three years, but also those new employees projected to be hired 4 to 13 years in the future. No Development Order conditions are recommended concerning housing.

#### **Question 25. Police and Fire Protection**

Question 25. Police and Fire Protection was addressed by the Applicant as having its own security and fire departments that are staffed 24 hours a day, and voluntary cooperation agreements the police and sheriff's office, and fire departments within Sarasota County and Manatee County. The Air Rescue and Fire Fighting building is located on the west central portion of the main airport site.

#### **CONSISTENCY WITH THE MANATEE COUNTY COMPREHENSIVE PLAN**

The proposed development is anticipated to assist in attaining the following cited goals and objectives, and appears to be consistent with the following cited policies of the Comprehensive Plan.

#### **Airport Proposed Development**

**Goal 5.11** in that the proposed development may result in the operation of the existing airport to minimize the impact on the natural environment and to minimize the conflicts between airport facilities and surrounding land uses.

**Objective 5.11.1** in that required expanded strategies are being used, in cooperation with the Sarasota Manatee Airport Authority, for preventing any increase in, and for reducing (where feasible), noise impacts associated with the daily operation of Sarasota Bradenton International Airport.

**Policy 5.11.1.1** in that coordination with the Sarasota Manatee Airport Authority is underway to maintain an appropriate and acceptable adopted noise abatement and land use

compatibility program for the Sarasota Bradenton International Airport consistent with the requirements of the FAR Part 150 Noise Compatibility Program.

**Policy 5.11.1.4** in that any airport activity or expansion other than a special exception is prohibited which would adversely alter the noise impact of the Sarasota Bradenton International Airport by generating an expansion or adverse alteration of the noise contours.

**Objective 5.11.2** that encourages the operation of the airport in a manner consistent and compatible with current and future surrounding land uses, including protection of land uses from adverse airport noise impacts.

**Policy 5.11.2.3** that continues to involve the Sarasota Manatee Airport Authority in the review of rezonings, comprehensive plan amendments, site plan approvals, and other appropriate development orders that are requested in the 65+ Ldn noise impact area of the airport.

**Objective 5.11.3** that limits obstructions by objects (as defined by FAR Part 77.5) that violate any general aviation or commercial airport's clear zones, approach surfaces, transition surfaces horizontal surfaces, and conical surfaces, and to protect against land uses that are incompatible with airport facilities and operations.

**Policy 5.11.3.1** in that compliance has been established with height and permitting restrictions within airport hazard areas established by airport zoning regulations.

**Policy 5.11.3.2** that prohibits the development of any structure violating any maximum height imaginary surface indicated on Map 5H - Chapter 333 F.S. And Equivalent Height Limitations For Public Use and Private Use Airports.

**Objective 5.11.4** in that improvement and expansion of the Sarasota Bradenton International Airport is being undertaken in a manner that appears to minimize adverse impacts to water quality and other natural resources.

**Policy 5.11.4.1** in that the expansion of existing airport facilities appears to minimize the disruption of environmentally sensitive land and appears to be consistent with the Future Land Use Element, Coastal Management Element, and Conservation Element.

**Goal 5.12** that encourages effective coordination of the operation, development, or expansion of the airport with all appropriate federal, state, regional, and local agencies.

**Objective 5.12.1** in that improvements to Sarasota Bradenton International Airport are being coordinated with improvements to roads and other public facilities impacted by the airport.

**Policy 5.12.1.1** that requires that all planned or necessary on- or off-site capital improvements contained in , or necessary to implement, the Sarasota Manatee Airport Authority's approved

master plans are consistent with the MPO's 2020 Long Range Transportation Plan, with FDOT's 2020 Florida Transportation Plan and five year work program, with Manatee County's Capital Improvements Element, and with other agency budgets.

**Policy 5.12.1.2** that ensures that airport expansion or siting plans are coordinated with the Continuing Florida Aviation System Planning Process.

**Policy 5.12.1.3** that requires the provision of concurrent improvements to the roadways and mass transit system serving the airport with the development of any expanded airport facility, so as to meet adopted roadway and transit level of service standards and ensure continued development of intermodal transportation facilities.

**Objective 5.12.2** that promotes interagency coordination in the construction and operation of existing and future aviation facilities in close cooperation with the appropriate federal, state, regional, and local agencies, and in conformance with the Comprehensive Plan.

**Policy 5.12.2.1** that requires consideration of all relevant sections of the Comprehensive Plan in the review of any proposed development order for the expansion and operation of any existing airport.

#### **Outparcels 1, 2, 3, and 4 Proposed Development**

Outparcels 1 and 2 are designated as IH Industrial Heavy future land use category. Outparcel 3 and a portion of Outparcel 4 are designated R/O/R Retail/Office/ Residential future land use category, with the remaining portion (13.61+/- acres) of Outparcel 4 designated as P/SP(1) Public/Semi Public(1). (A Comprehensive Plan future land use map amendment associated with this Substantial Deviation to this DRI proposes to change the P/SP(1) future land use category to R/O/R future land use category). Staff has recommended approval of the future land use map amendment for the area within Outparcel 4.

**Goal 2.1** in that the proposed development may result in a distribution of land uses that limit urban sprawl, provide a predictable and functional urban form, and allow public facilities to be provided in a relatively cost efficient manner.

**Objective 2.1.1** in that the proposed development limit urban sprawl, recognize existing urban development, projected growth areas, projected population and employment growth, and development intensities less than the maximum specified.

**Policy 2.1.1.2** in that development is proposed within existing developed areas at intensities which are compatible with the existing development.

**Policy 2.1.1.4** in that the proposed development may promote additional development in currently undeveloped areas which have the greatest level of public facility availability and

investment.

**Objective 2.1.2** in that the proposed development will limit urban sprawl through location consistent with the adopted Land Use Concept, to that area west of the Future Development Area Boundary (FDAB) line.

**Policy 2.1.2.3** in that the proposed development permits the consideration of new non-residential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development if compatible with future areas of development.

**Policy 2.1.2.4** in that the proposed development may limit urban sprawl through the consideration of new development, when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.

**Policy 2.1.2.7** in that the proposed development was reviewed for compatibility and appropriate timing under the 11 criteria specified within this Policy.

**Policies 2.2.1.17, 2.2.1.17.1, 2.2.1.17.2, 2.2.1.17.3 2.2.1.17.4** that identify the R/O/R Retail/Office/Residential future land use category, intent, range of potential uses, range of potential density/intensity, and other detailed requirements for development within this future land use category.

**Policies 2.2.1.19, 2.2.1.19.1, 2.2.1.19.2, 2.2.1.19.3, 2.2.1.19.4** that identify the IH Industrial-Heavy future land use category, intent, range of potential uses, range of potential intensity, and other detailed requirements for development within this future land use category.

**Policies 2.2.2.7, 2.2.2.7.1, 2.2.2.7.2, 2.2.2.7.3, 2.2.2.7.4** that establishes the AI Airport Impact Overlay District, defines the area involved, sets forth the purpose of the district, cites applicable goals, objectives, and policies concerning noise exposure.

**Goal 2.6** that encourages development compatible with existing and proposed adjacent uses.

**Objective 2.6.1** that requires compatibility through screening, buffering, setbacks, and other mitigative measures.

**Policy 2.6.1.1** that requires all adjacent development that differs in land use, intensity, and height utilize land use techniques to mitigate potential incompatibilities.

**Objective 2.6.3** that requires industrial development be compatible with adjacent uses.

**Goal 2.10** that encourages commercial development consistent with need for office,



wholesale or retail uses, and consistent with sound planning principles.

**Policy 2.10.1.1** that encourages the development of new commercial uses as "infill" development and discourages the "expansion" of existing commercial areas not meeting commercial locational criteria.

**Goal 2.11** that encourages industrial development consistent with needs of industrial users, and consistent with sound planning principles.

**Objective 2.11.1** in that the land is suitable for development of a diverse industrial and employment base.

**Policy 2.11.1.3** that provides for industrial designations in a variety of geographical locations, containing a range of raw land values, with a variety of road and rail access scenarios, and with a variety of property ownership scenarios to accommodate a broad range of end user requirements.

# Hankin, Persson, Davis, McClenathen & Darnell

Attorneys and Counselors At Law  
A Partnership of Professional Associations  
2033 Main Street, Suite 400  
Sarasota, Florida 34237  
Telephone (941) 365-4950  
Facsimile (941) 365-3259

Lawrence M. Hankin  
David P. Persson  
David D. Davis  
Chad M. McClenathen\*  
Robert W. Darnell\*\*  
Andrew H. Cohen

January 14, 2000

\*Board Certified Real Estate  
\*\*Board Certified Wills, Trusts & Estates

The Honorable Stan Stephens  
Chairman, Board of County Commissioners  
Manatee County  
1112 Manatee Avenue West  
Bradenton, FL 34206

Re: Longboat Key Casa Del Mar, Inc., and Town of  
Longboat Key v. Manatee County, et al.

Dear Chairman Stephens:

Enclosed is a courtesy copy of an action which has been filed today in Manatee County. This action challenges four conditions of approval of Ordinance 99-50 relative to the expansion of the Sarasota Bradenton International Airport. These actions do not challenge the ultimate decision to grant the permission rendered by the Manatee County Commission, rather it challenges four conditions of approval related to the takeoff procedure and operation of aircraft departing Runway 32.

You should have also received today a Verified Complaint challenging these conditions as inconsistent with your Comprehensive Plan. Again, the challenge goes to these conditions of approval and not to the ultimate decision rendered by the Commission.

We look forward to working with you to resolve these issues.

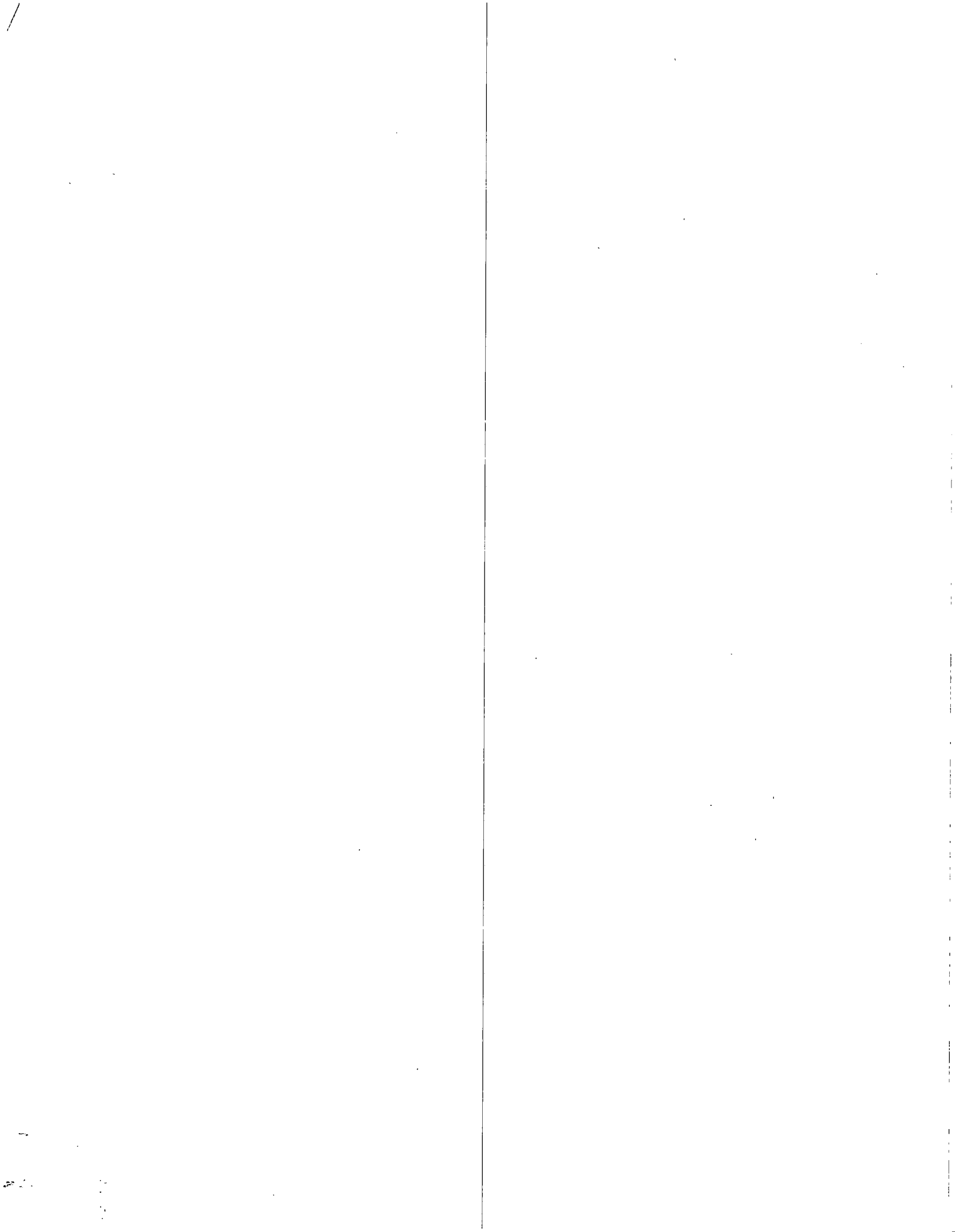
Sincerely,



David P. Persson

DPP:awg  
Enclosure

cc: The Honorable Hal Lenobel, Mayor  
and Members of Town Commission  
Mr. Bruce F. St. Denis



IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA

LONGBOAT KEY CASA DEL MAR, INC.,  
a condominium association  
organized under the laws of  
the State of Florida, and  
TOWN OF LONGBOAT KEY, FLORIDA,<sup>aka</sup>  
a municipal corporation of the  
State of Florida,

Petitioners,

v.

Case No. \_\_\_\_\_  
Division: \_\_\_\_\_

MANATEE COUNTY, FLORIDA, a county  
government organized under the laws  
of the State of Florida, and the  
BOARD OF COUNTY COMMISSIONERS  
FOR MANATEE COUNTY, the governing  
body of Manatee County,

Respondents.

\_\_\_\_\_ /

PETITIONERS' MOTION FOR EXTENSION OF TIME  
TO COMPLETE AND SUPPLEMENT THE APPENDIX TO AND  
AMEND THE PETITION FOR WRIT OF CERTIORARI,  
PETITION FOR WRIT OF MANDAMUS,  
COMPLAINT FOR DECLARATORY RELIEF,  
VIOLATION OF PROCEDURAL AND SUBSTANTIVE DUE PROCESS

The Petitioners, LONGBOAT KEY CASA DEL MAR, INC., a  
condominium association organized under the laws of the State of  
Florida, and the TOWN OF LONGBOAT KEY, a municipal corporation of  
the State of Florida, by and through their undersigned attorneys,  
moves the Court pursuant to Rule 9.040(d), Florida Rules of  
Appellate Procedure, for the entry of an Order extending the time

for Petitioners to complete and supplement the Appendix to the Petition for Writ of Certiorari, Petition for Writ of Mandamus, Complaint for Declaratory Relief, Violation of Procedural and Substantive Due Process, filed concurrently with this Motion and permitting the Petitioners to amend to include additional substantive arguments and as grounds therefor would state:

1. Petitioners have filed this action pursuant to the Florida Rules of Appellate Procedure seeking the issuance of a writ of certiorari and a writ of mandamus, as well as declaratory relief for violation of procedural and substantive due process, to strike, quash, or determine to be null and void with no further force and effect, conditions of approval N(S3)(4)(6)(7) of Ordinance 99-50.

2. Rule 9.040(d), Florida Rules of Appellate Procedure, provides:

"At any time in the interest of justice, the court may permit any part of the proceeding to be amended so that it may be disposed of on the merits. In the absence of amendment, the court may disregard any procedural error or defect that does not adversely affect the substantial rights of the parties."  
(emphasis added)

3. The "Committee Notes" to Rule 9.040, Florida Rules of Appellate Procedure, provide in relevant part:

"Subdivision (d) is the appellate procedure counterpart of the harmless error statute, Section 59.041, Florida Statutes (1975). It incorporates the concept contained in former rule 3.2(c), which provided that deficiencies in the form or substance of a notice of appeal were not grounds for dismissal, absent a

clear showing that the adversary had been misled or prejudiced. Amendments should be liberally allowed under this rule, including pleadings in the lower tribunal, if it would not result in irreparable prejudice." (emphasis added)

4. The Petitioners have filed an Appendix with its Petitions and Complaint containing those portions of the record upon which the Petitioner bases its Petitions and Complaint that were readily available from the Respondents' Clerk at the time the Petitions and Complaint were filed. There are other portions of the record below that were not readily available at the time the Petitions and Complaint were filed. Thus, after further research and investigation by the Petitioners, there may be additional documentation that should be properly included within the record below, i.e., the Appendix, and additional arguments that should be presented to the Court.

5. The interests of justice would be served by allowing the Petitions and Complaint to be amended to include additional substantive arguments.

6. The Respondents will not be prejudiced in their defense of this action if the relief requested in this Motion is granted and the Petitioners will be prejudiced in its prosecution and maintenance of this action if the relief requested in this Motion is denied.

7. Justice will be served and a proper administration of justice furthered if the relief requested in this Motion is granted.

8. In the interests of justice, the Court should permit the amendments requested so that this action may be disposed of on the merits.

9. The Second District Court of Appeal has permitted a petitioner to actually file the entire required record subsequent to the filing of a petition for writ of certiorari. In *Levine v. State Dept. of Health and Rehab.*, 327 So.2d 844 (Fla.2d DCA 1975) the Second District considered whether a petitioner for certiorari could properly submit the record of a lengthy administrative proceeding subsequent to the filing of its petition in the circuit court for a writ of certiorari. The petitioner had met the filing deadline for its petition for writ of certiorari but had failed to file any accompanying record with its petition. The next day the petitioner undertook actions to prepare a record of the proceedings and sought an extension of time for filing the proper record. *Id.* at 845.

10. The *Levine* Court permitted the entire required record to be filed subsequent to the filing of the petition for writ of certiorari. The *Levine* Court noted that the filing of the record in certiorari proceedings is a matter of form and that the Court has "inherent power to further justice by extending the time to

file additional documents as may be reasonably necessary to comply with the scope and purpose of the rules. . . (the) rules of procedure are calculated to expedite justice not frustrate it."

*Id.*

11. Subsequently in *DSA Marine Sales & Serv Inc. v. Manatee County*, 661 So.2d 907, 909 (2d DCA 1995) the Second District Court of Appeal of Florida again observed:

"Because certiorari petitions must be filed within thirty days from the date of rendition of the subject order, it is sometimes impossible to compile and contemporaneously file the entire record as an appendix to the petition. In its motion to supplement the record below, DSA indicated its intention to confer with respondent regarding potential stipulations for filing the record, ostensibly with the aim of not overburdening the circuit court record.

Under these circumstances, we hold the circuit court's summary denial of the petition without allowing DSA a reasonable time to assemble a complete record deprived DSA of procedural due process. Accordingly, we grant the petition, quash the order of the circuit court and remand with directions to permit DSA to complete its appendix to its petition below." *Id* at 909.

Finally, in *North Beach Association of St. Lucie County, Inc., v. St. Lucie County*, 706 So.2d 62 (Fla. 4<sup>th</sup> DCA 1998), the Fourth District Court of Appeal of Florida, citing Florida Rule of Appellate Procedure 9.040(d), held that a petition for writ of certiorari may be amended to include additional substantive arguments when the interests of justice are served thereby.



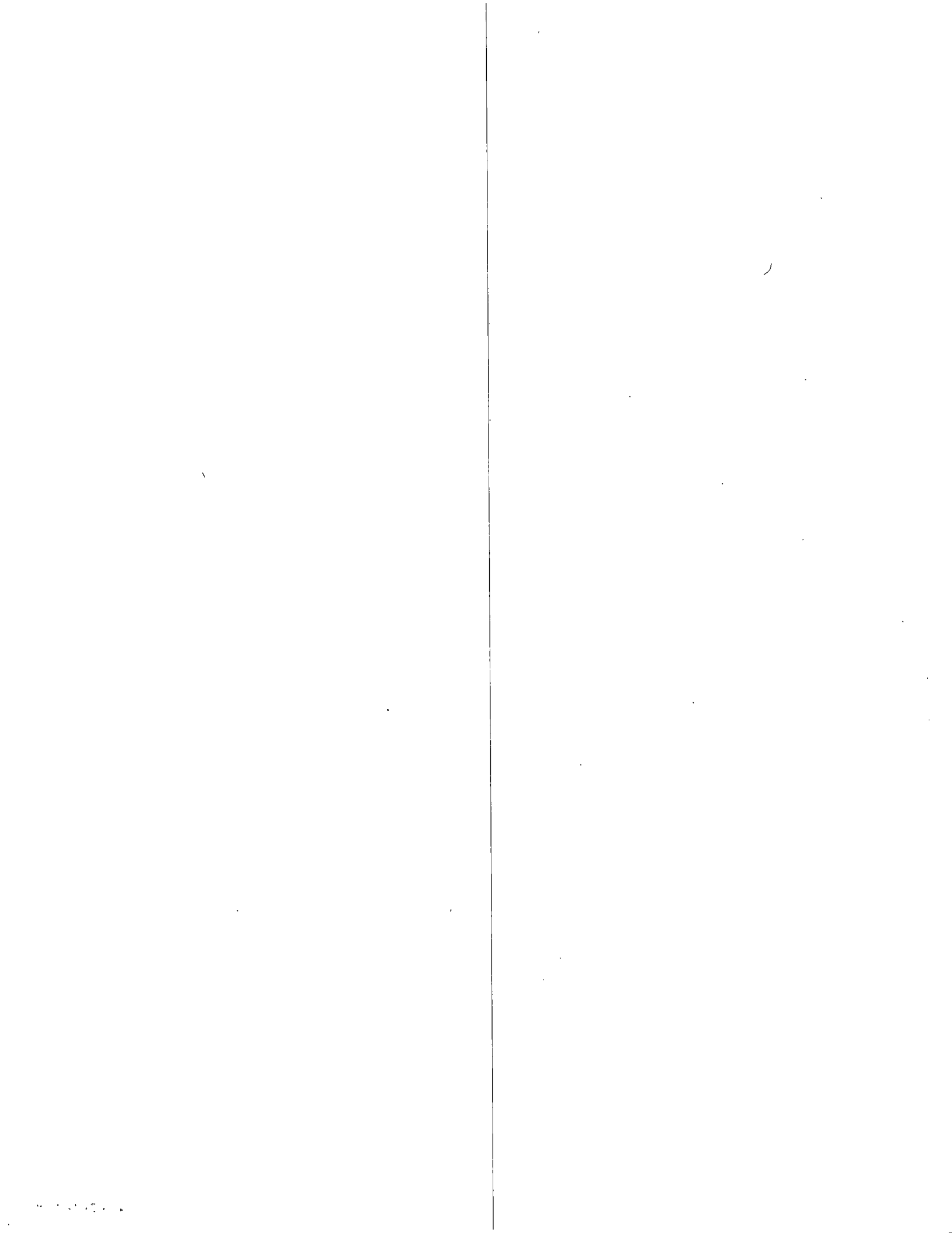
13. The relief requested by this Motion will not result in irremediable or other prejudice to the Respondents and the Petitioners recognize and stipulate that the Respondents should be granted a reasonable period of time by the Court to respond to any such amendments.

WHEREFORE, the Petitioners respectfully request the Court to grant the Petitioners' Motion for Extension of Time to Complete and Supplement the Appendix to Petitioners' Petition for Writ of Certiorari, Petition for Writ of Mandamus, Complaint for Declaratory Relief, Violation of Procedural and Substantive Due Process and to Amend the Petition for Writ of Certiorari, Petition for Writ of Mandamus, Complaint for Declaratory Relief, Violation of Procedural and Substantive Due Process.

HANKIN, PERSSON, DAVIS,  
McCLENATHEN & DARNELL  
2033 Main Street, Suite 400  
Sarasota, FL 34237  
Attorneys for Petitioners  
Telephone: (941) 365-4950  
Fax: (941) 365-3259

By: 

David P. Persson  
Florida Bar No. 622486



IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA

LONGBOAT KEY CASA DEL MAR, INC.,  
a condominium association  
organized under the laws of  
the State of Florida, and  
TOWN OF LONGBOAT KEY, FLORIDA,  
a municipal corporation of the  
State of Florida,

Petitioners,

v.

Case No. \_\_\_\_\_  
Division: \_\_\_\_\_

MANATEE COUNTY, FLORIDA, a county  
government organized under the laws  
of the State of Florida, and the  
BOARD OF COUNTY COMMISSIONERS  
FOR MANATEE COUNTY, the governing  
body of Manatee County,

Respondents.

ORDER TO SHOW CAUSE

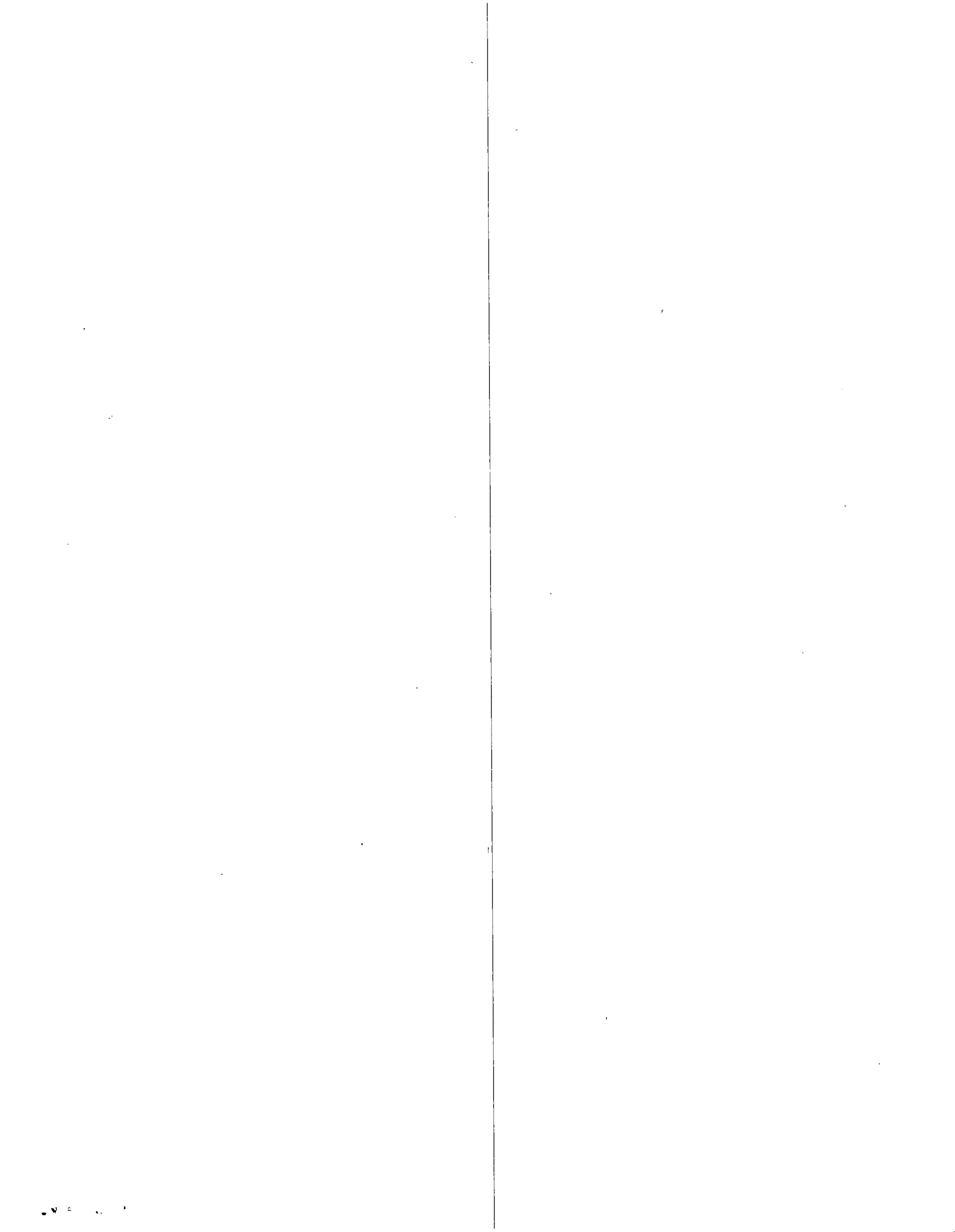
TO RESPONDENTS: MANATEE COUNTY, FLORIDA  
and  
BOARD OF COUNTY COMMISSIONERS  
FOR MANATEE COUNTY

THIS CAUSE, having come on to be heard upon the  
Petitioners' Petition for Writ of Certiorari and the  
Petitioners' Appendix to the Petition for Writ of  
Certiorari, finds that the Petition for Writ of Certiorari  
demonstrates a preliminary basis for relief.

IT IS THEREFORE ORDERED:

1. The Respondents shall show cause on or before

\_\_\_\_\_, 2000, by filing a Response pursuant to Rule

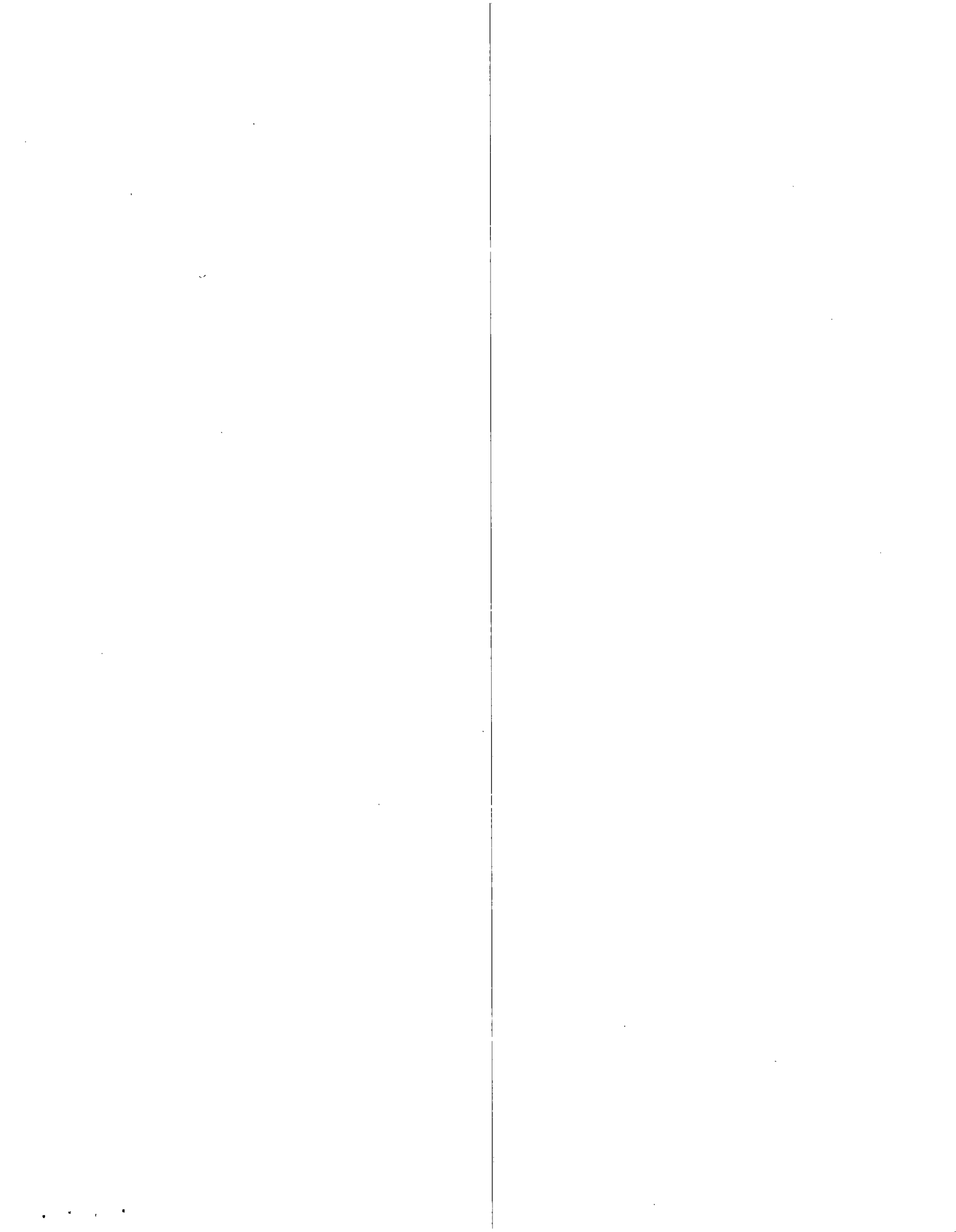


9.100(h), Florida Rules of Appellate Procedure, why the relief requested by the Petitioners should not be granted and why the Writ of Certiorari and Writ of Mandamus requested by the Petitioners in the Petition for Writ of Certiorari and Writ of Mandamus, a copy of which is served upon you with this Order to Show Cause, should not be issued.

2. Further, Defendants shall have twenty (20) days from the date of service to respond to the Complaint for Declaratory Relief, Procedural and Substantive Due Process.

3. The Sheriff of Manatee County, Florida or other officer authorized by law to serve process is hereby ordered and directed to serve a certified copy of this Order together with a copy of the Petition for Writ of Certiorari, Petition for Writ of Mandamus, and Complaint for Declaratory Relief, Procedural and Substantive Due Process, the Appendix to the Petition for Writ of Certiorari, the Petitioner's Request for Oral Argument and the Petitioner's Motion for Extension of Time to Complete and Supplement the Appendix to Petition for Writ of Certiorari and to Amend the Petition for Writ of Certiorari, on the Respondents as follows:

A. The Respondent Manatee County, Florida, by serving the Honorable Stan Stephens, Chairman, Board of County Commissioners, Manatee County at 1112 Manatee Avenue West, Bradenton, Florida, 34206.



B. The Respondent Board of County Commissioners for  
Manatee County by serving the Honorable Stan  
Stephens, Chairman, Board of County Commissioners,  
Manatee County at 1112 Manatee Avenue West,  
Bradenton, Florida 34206.

DONE AND ORDERED at Bradenton, Manatee County, Florida,

this

\_\_\_\_\_ day of January, 2000.

\_\_\_\_\_  
CIRCUIT JUDGE

C:\ALINE\LBK\MANATEE ORDER

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA

LONGBOAT KEY CASA DEL MAR, INC.,  
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FOR MANATEE COUNTY, the governing  
body of Manatee County,

Respondents.

---

PETITIONERS' REQUEST FOR ORAL ARGUMENT

The Petitioners, LONGBOAT KEY CASA DEL MAR, INC., a  
condominium association organized under the laws of the State of  
Florida, and the TOWN OF LONGBOAT KEY, a municipal corporation of  
the State of Florida, by and through their undersigned attorneys,  
requests that the Court permit and grant oral argument on the  
issues involved in this action.

The Petitioners request that the court allow 1.5 hours for  
oral argument.

HANKIN, PERSSON, DAVIS,  
McCLENATHEN & DARNELL  
2033 Main Street, Suite 400  
Sarasota, FL 34237  
Attorneys for Petitioners  
Telephone: (941) 365-4950  
Fax: (941) 365-3259

By: 

David P. Persson  
Florida Bar No. 622486



IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
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ORDER TO SHOW CAUSE

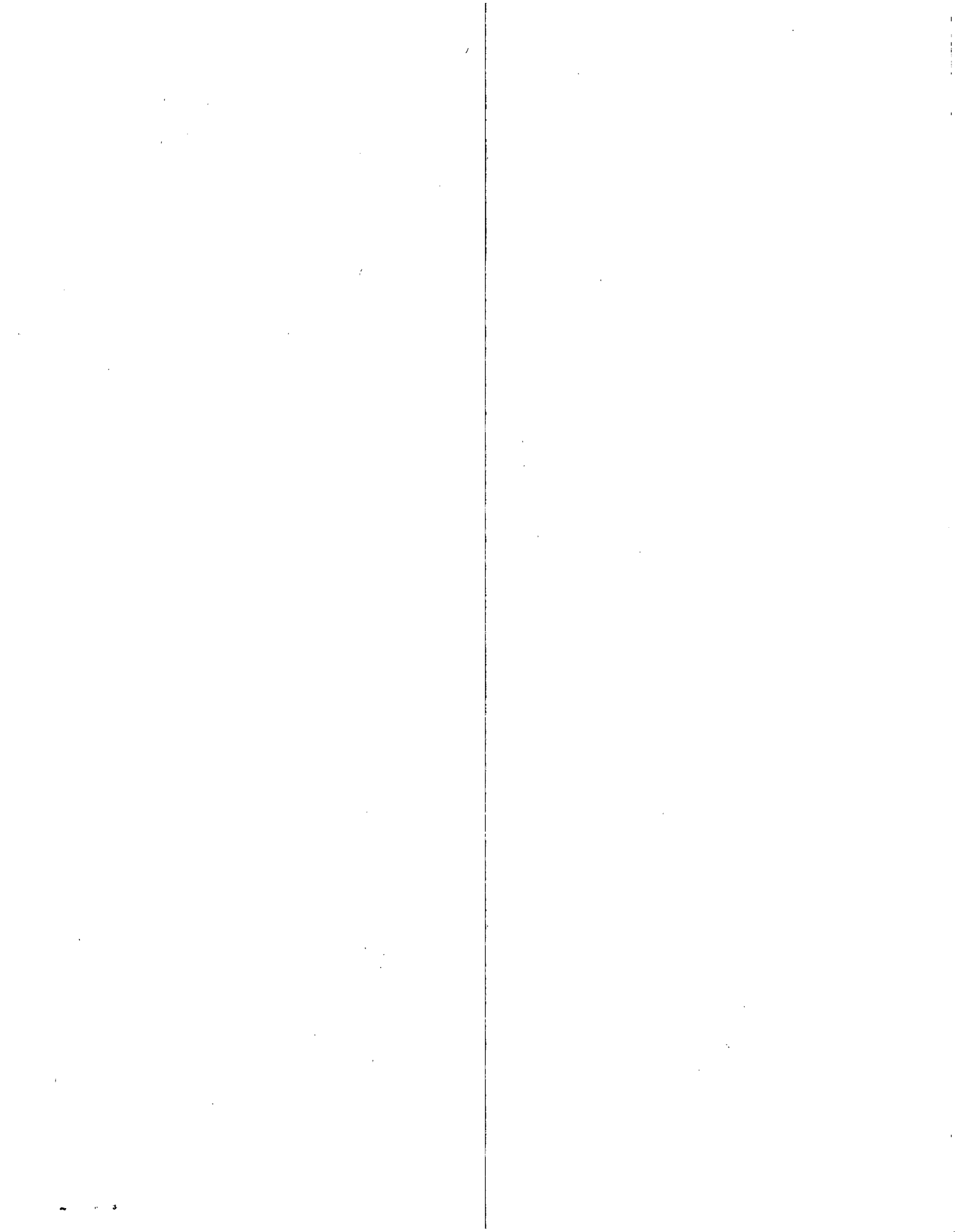
TO RESPONDENTS: MANATEE COUNTY, FLORIDA  
and  
BOARD OF COUNTY COMMISSIONERS  
FOR MANATEE COUNTY

THIS CAUSE, having come on to be heard upon the  
Petitioners' Petition for Writ of Certiorari and the  
Petitioners' Appendix to the Petition for Writ of  
Certiorari, finds that the Petition for Writ of Certiorari  
demonstrates a preliminary basis for relief.

IT IS THEREFORE ORDERED:

1. The Respondents shall show cause on or before

\_\_\_\_\_, 2000, by filing a Response pursuant to Rule

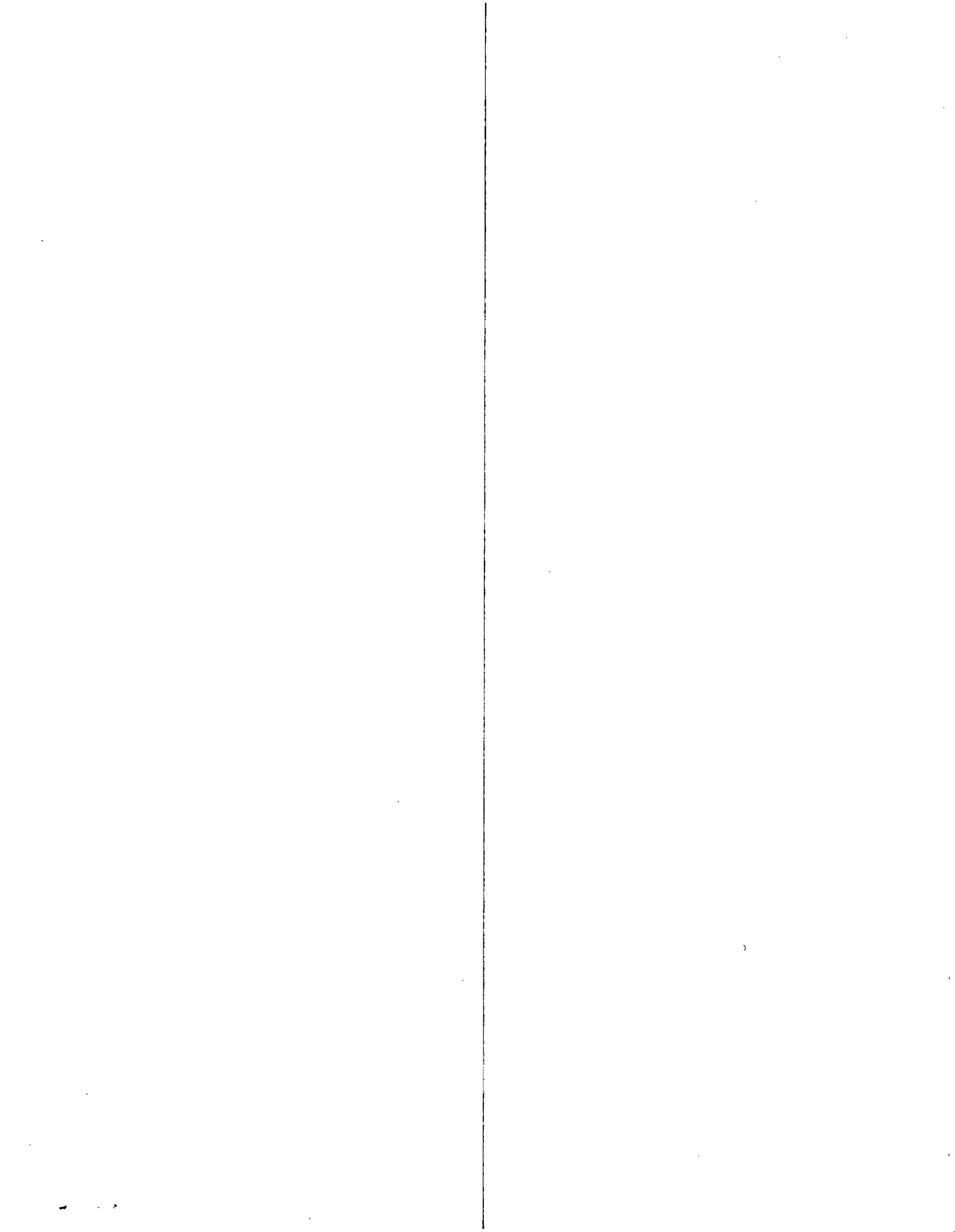


9.100(h), Florida Rules of Appellate Procedure, why the relief requested by the Petitioners should not be granted and why the Writ of Certiorari and Writ of Mandamus requested by the Petitioners in the Petition for Writ of Certiorari and Writ of Mandamus, a copy of which is served upon you with this Order to Show Cause, should not be issued.

2. Further, Defendants shall have twenty (20) days from the date of service to respond to the Complaint for Declaratory Relief, Procedural and Substantive Due Process.

3. The Sheriff of Manatee County, Florida or other officer authorized by law to serve process is hereby ordered and directed to serve a certified copy of this Order together with a copy of the Petition for Writ of Certiorari, Petition for Writ of Mandamus, and Complaint for Declaratory Relief, Procedural and Substantive Due Process, the Appendix to the Petition for Writ of Certiorari, the Petitioner's Request for Oral Argument and the Petitioner's Motion for Extension of Time to Complete and Supplement the Appendix to Petition for Writ of Certiorari and to Amend the Petition for Writ of Certiorari, on the Respondents as follows:

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B. The Respondent Board of County Commissioners for  
Manatee County by serving the Honorable Stan  
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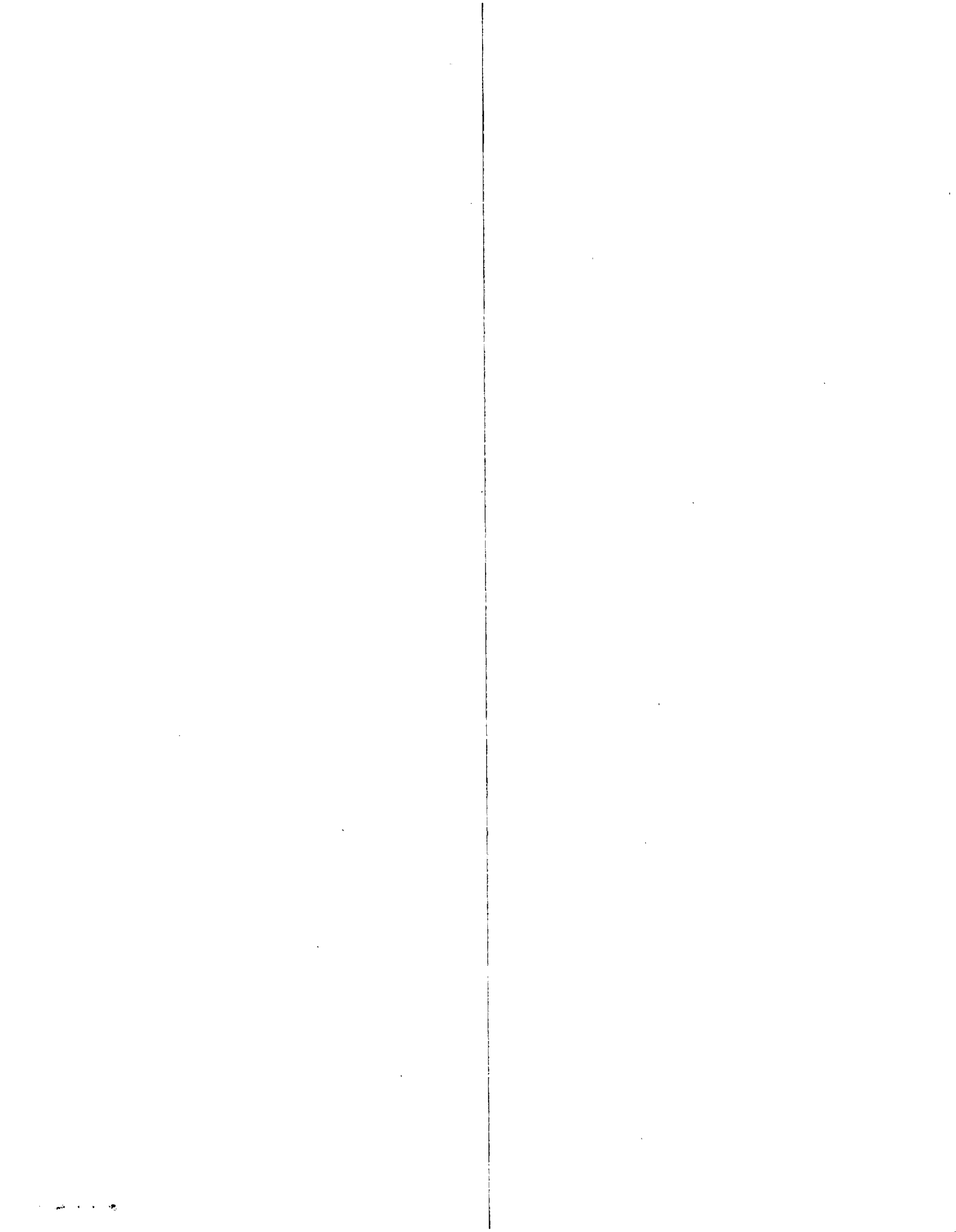
DONE AND ORDERED at Bradenton, Manatee County, Florida,  
this

\_\_\_\_\_ day of January, 2000.

---

CIRCUIT JUDGE

C:\ALINE\LBK\MANATEE ORDER



IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA

LONGBOAT KEY CASA DEL MAR, INC.,  
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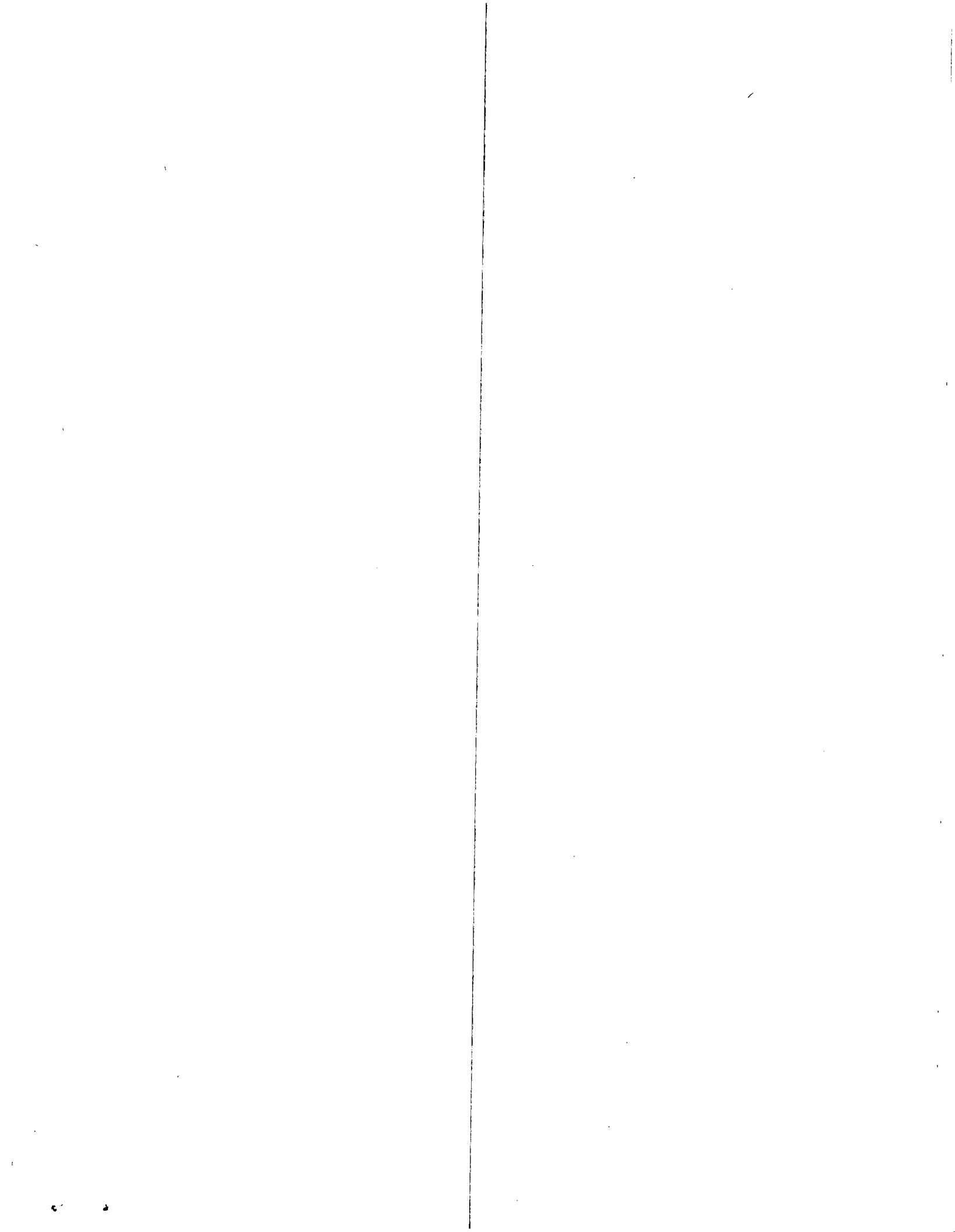
TO RESPONDENTS: MANATEE COUNTY, FLORIDA  
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THIS CAUSE, having come on to be heard upon the  
Petitioners' Petition for Writ of Certiorari and the  
Petitioners' Appendix to the Petition for Writ of  
Certiorari, finds that the Petition for Writ of Certiorari  
demonstrates a preliminary basis for relief.

IT IS THEREFORE ORDERED:

1. The Respondents shall show cause on or before

\_\_\_\_\_, 2000, by filing a Response pursuant to Rule



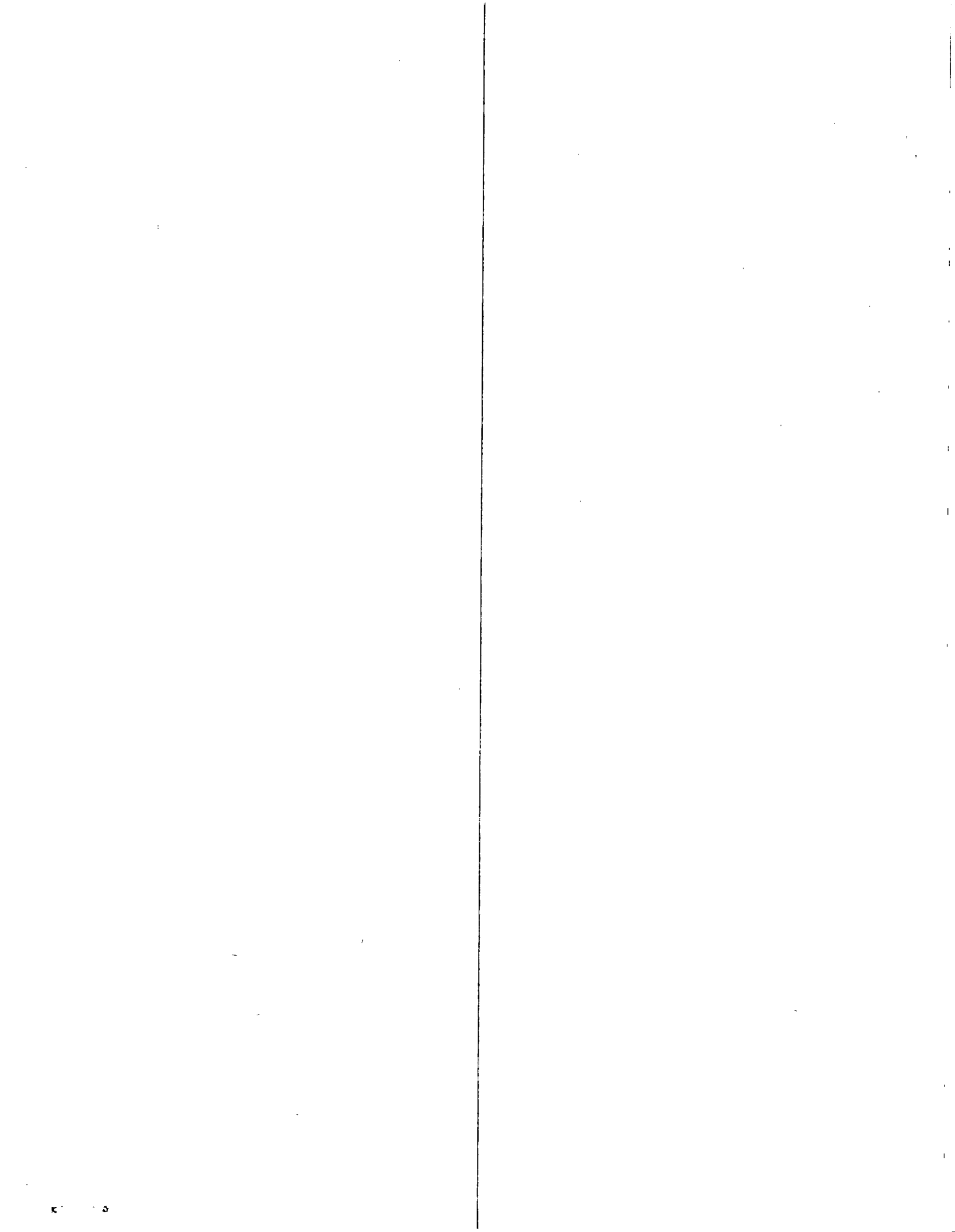


9.100(h), Florida Rules of Appellate Procedure, why the relief requested by the Petitioners should not be granted and why the Writ of Certiorari and Writ of Mandamus requested by the Petitioners in the Petition for Writ of Certiorari and Writ of Mandamus, a copy of which is served upon you with this Order to Show Cause, should not be issued.

2. Further, Defendants shall have twenty (20) days from the date of service to respond to the Complaint for Declaratory Relief, Procedural and Substantive Due Process.

3. The Sheriff of Manatee County, Florida or other officer authorized by law to serve process is hereby ordered and directed to serve a certified copy of this Order together with a copy of the Petition for Writ of Certiorari, Petition for Writ of Mandamus, and Complaint for Declaratory Relief, Procedural and Substantive Due Process, the Appendix to the Petition for Writ of Certiorari, the Petitioner's Request for Oral Argument and the Petitioner's Motion for Extension of Time to Complete and Supplement the Appendix to Petition for Writ of Certiorari and to Amend the Petition for Writ of Certiorari, on the Respondents as follows:

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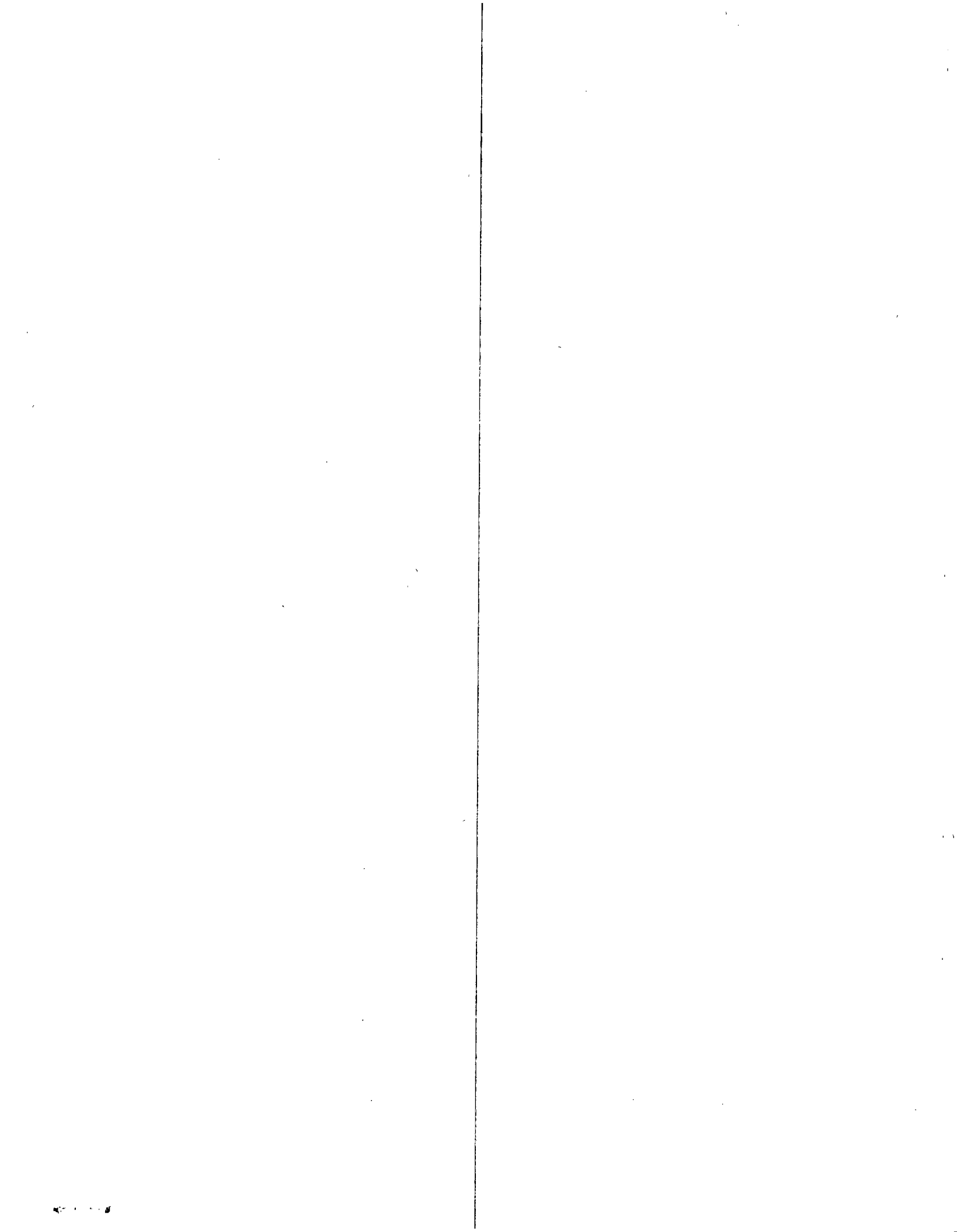
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\_\_\_\_\_  
CIRCUIT JUDGE

C:\ALINE\LBK\MANATEE ORDER

111



IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
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LONGBOAT KEY CASA DEL MAR, INC.,  
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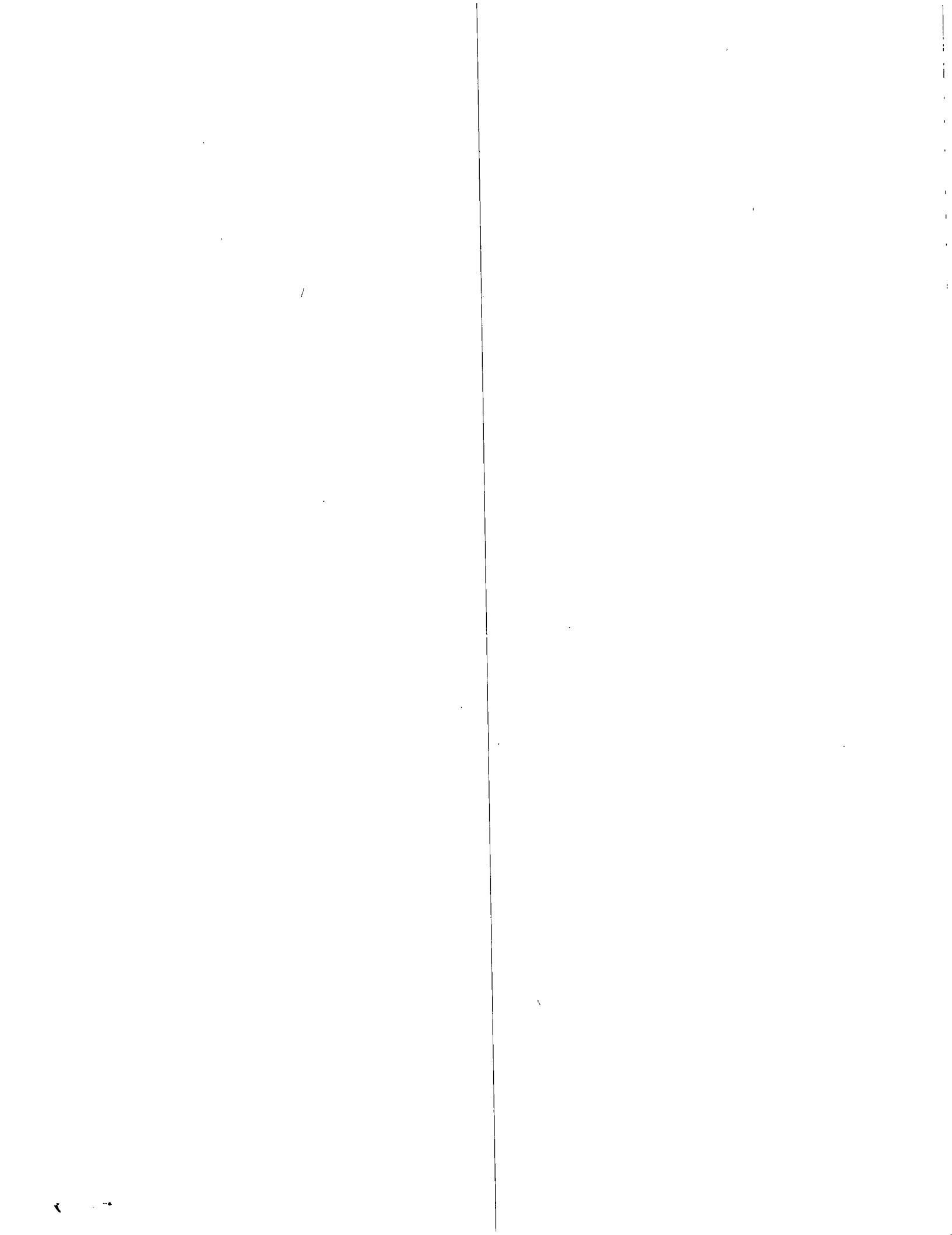
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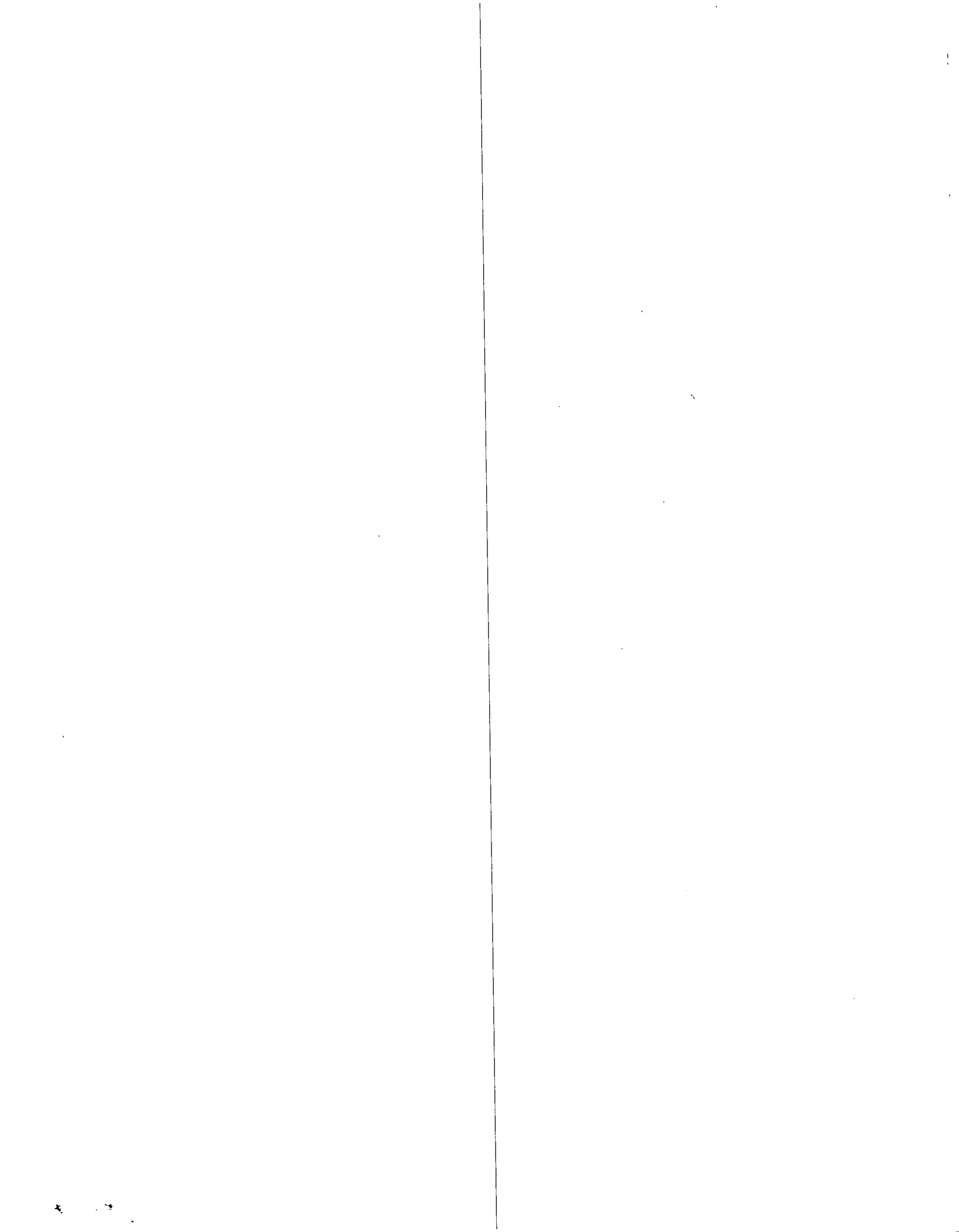


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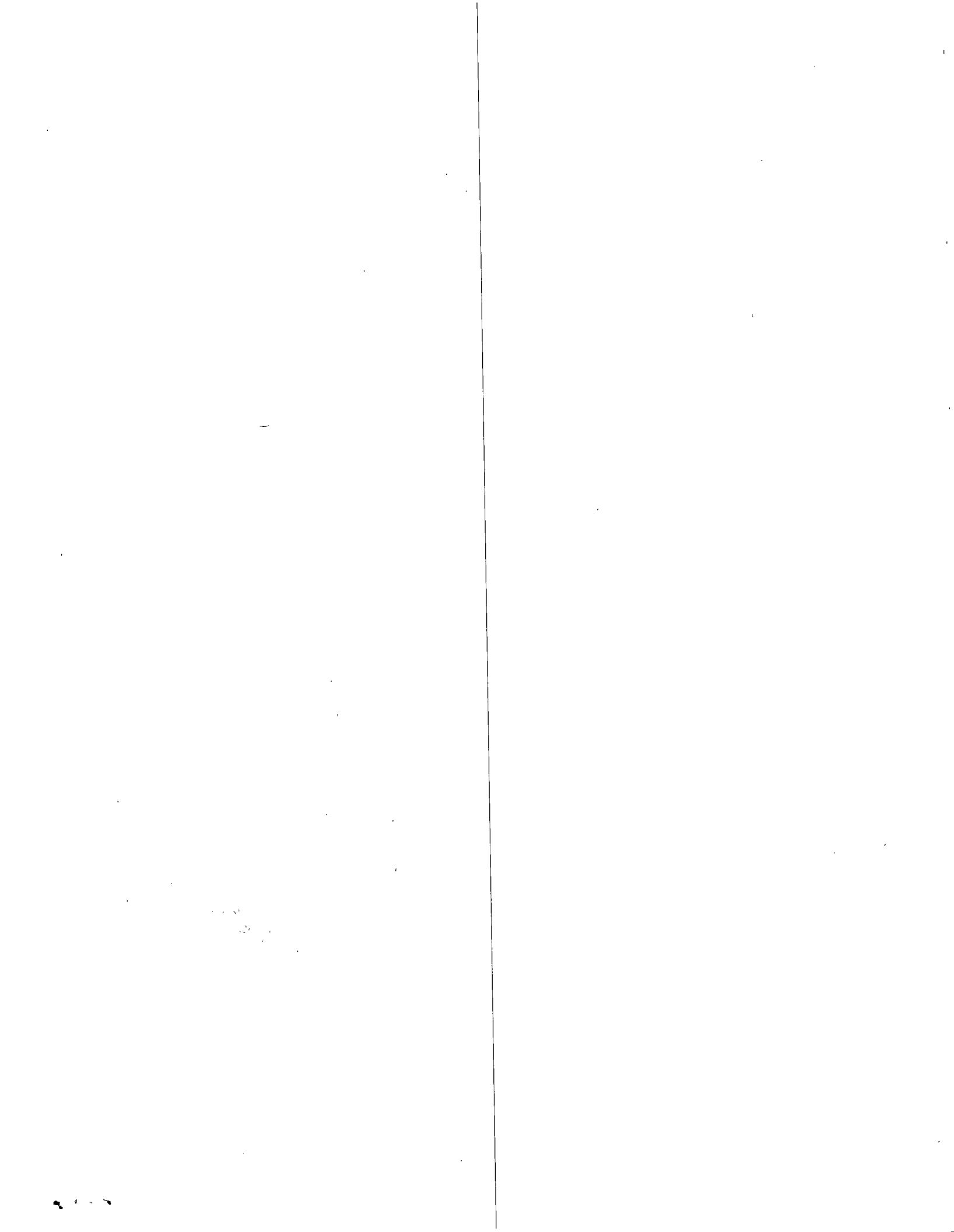
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C:\ALINE\LBK\MANATEE ORDER



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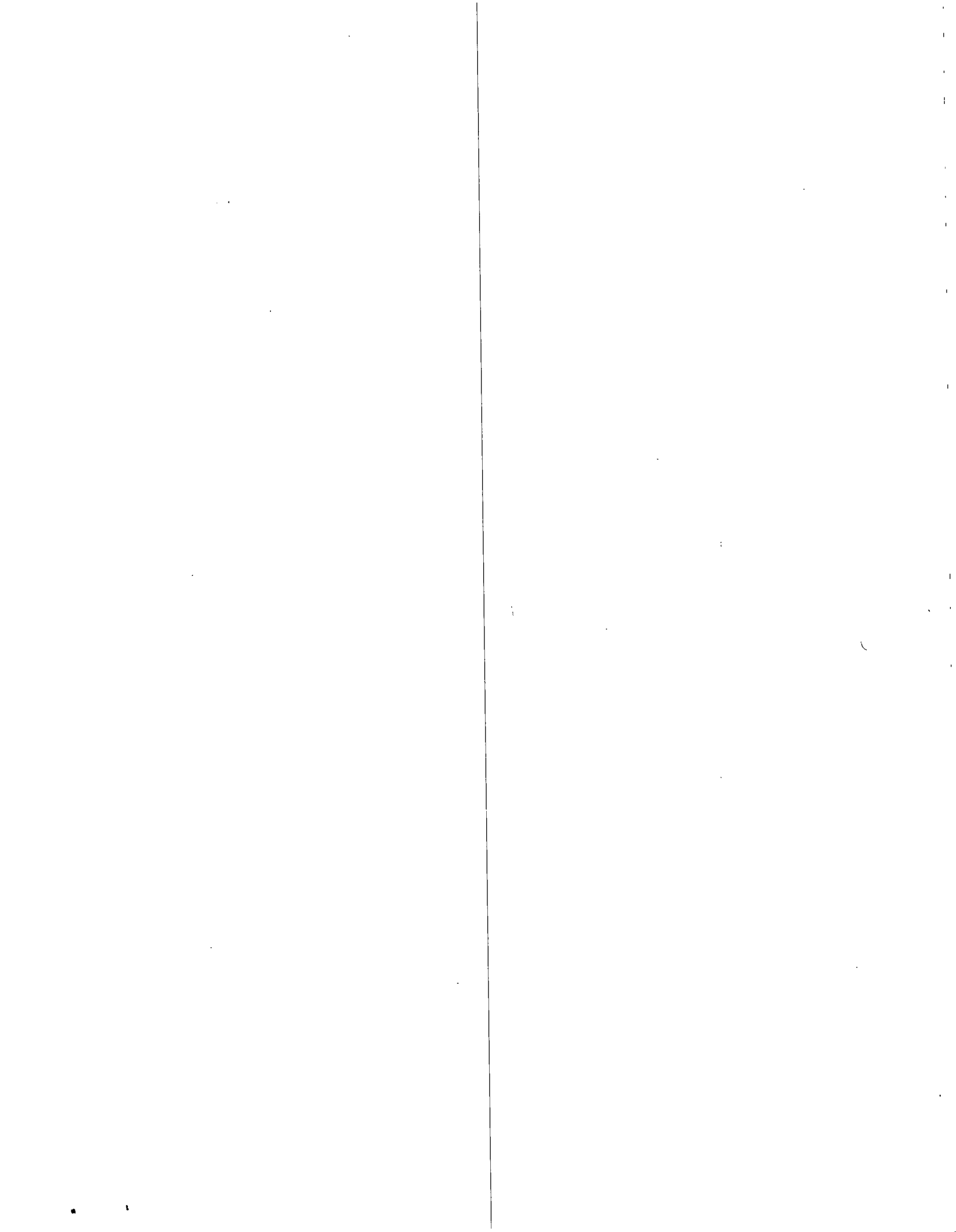
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PETITIONERS' MOTION FOR EXTENSION OF TIME  
TO COMPLETE AND SUPPLEMENT THE APPENDIX TO AND  
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The Petitioners, LONGBOAT KEY CASA DEL MAR, INC., a  
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Appellate Procedure, for the entry of an Order extending the time



for Petitioners to complete and supplement the Appendix to the Petition for Writ of Certiorari, Petition for Writ of Mandamus, Complaint for Declaratory Relief, Violation of Procedural and Substantive Due Process, filed concurrently with this Motion and permitting the Petitioners to amend to include additional substantive arguments and as grounds therefor would state:

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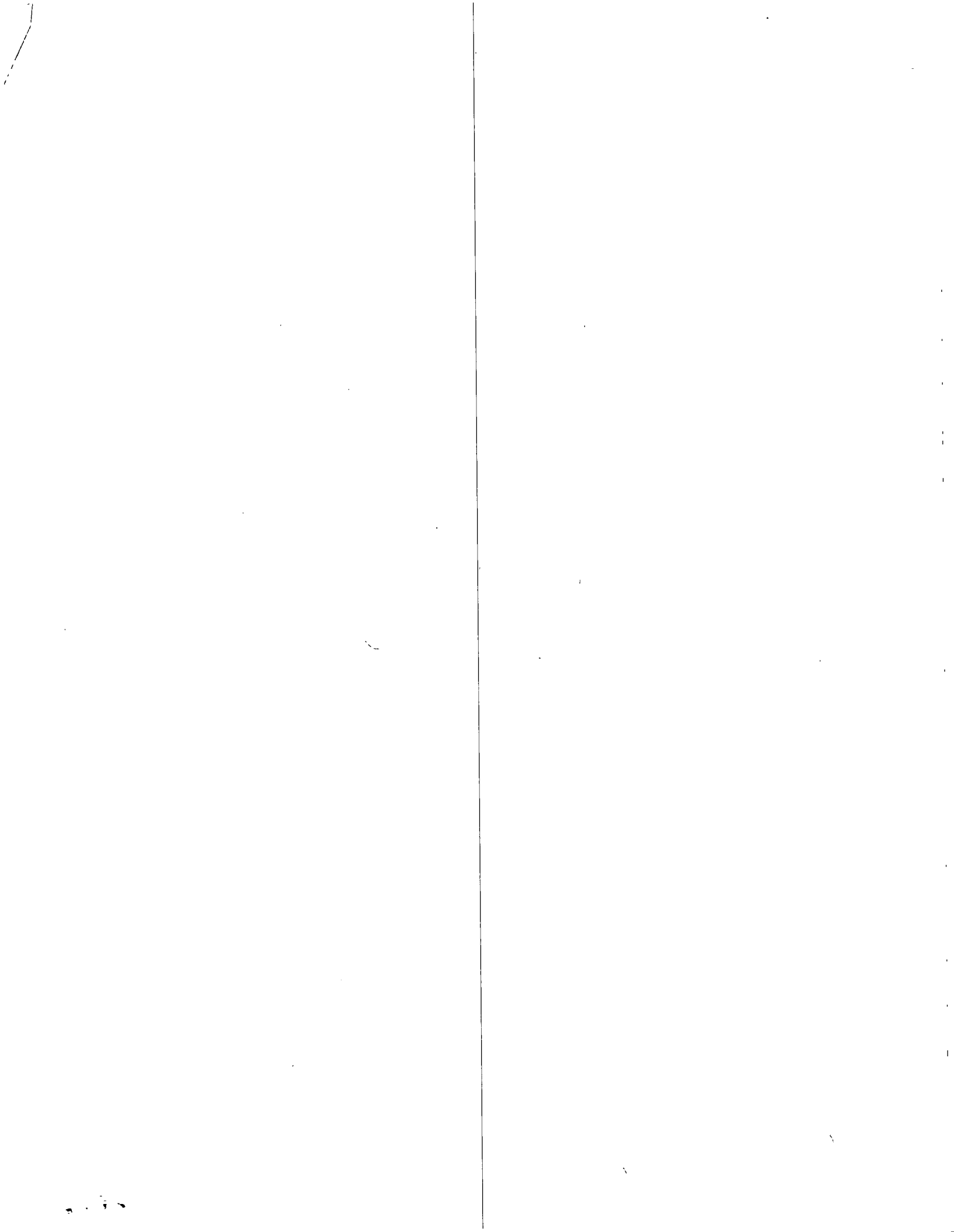
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2033 Main Street, Suite 400  
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By: 

David P. Persson  
Florida Bar No. 622486



IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA

LONGBOAT KEY CASA DEL MAR, INC.,  
a condominium association  
organized under the laws of  
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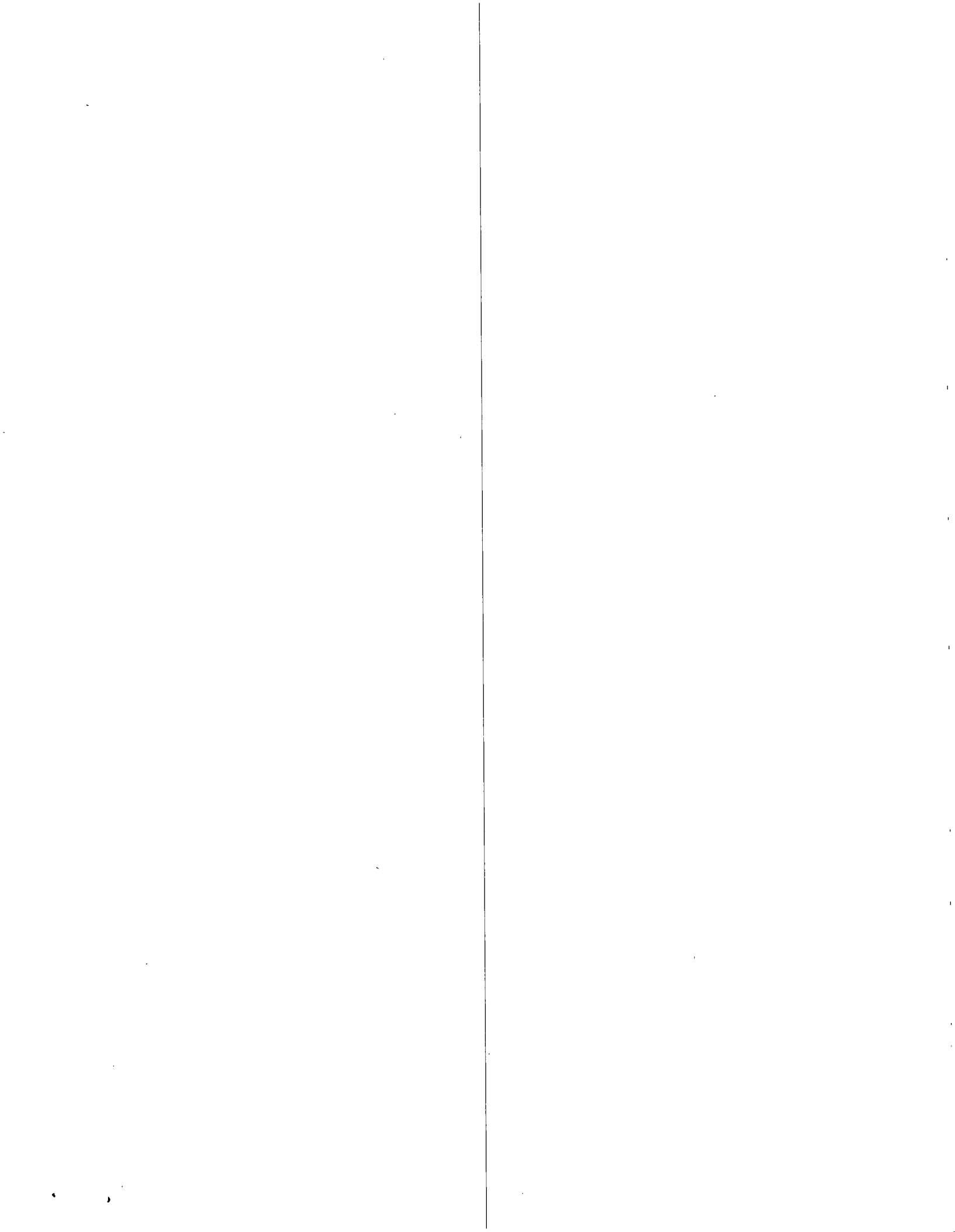
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BOARD OF COUNTY COMMISSIONERS  
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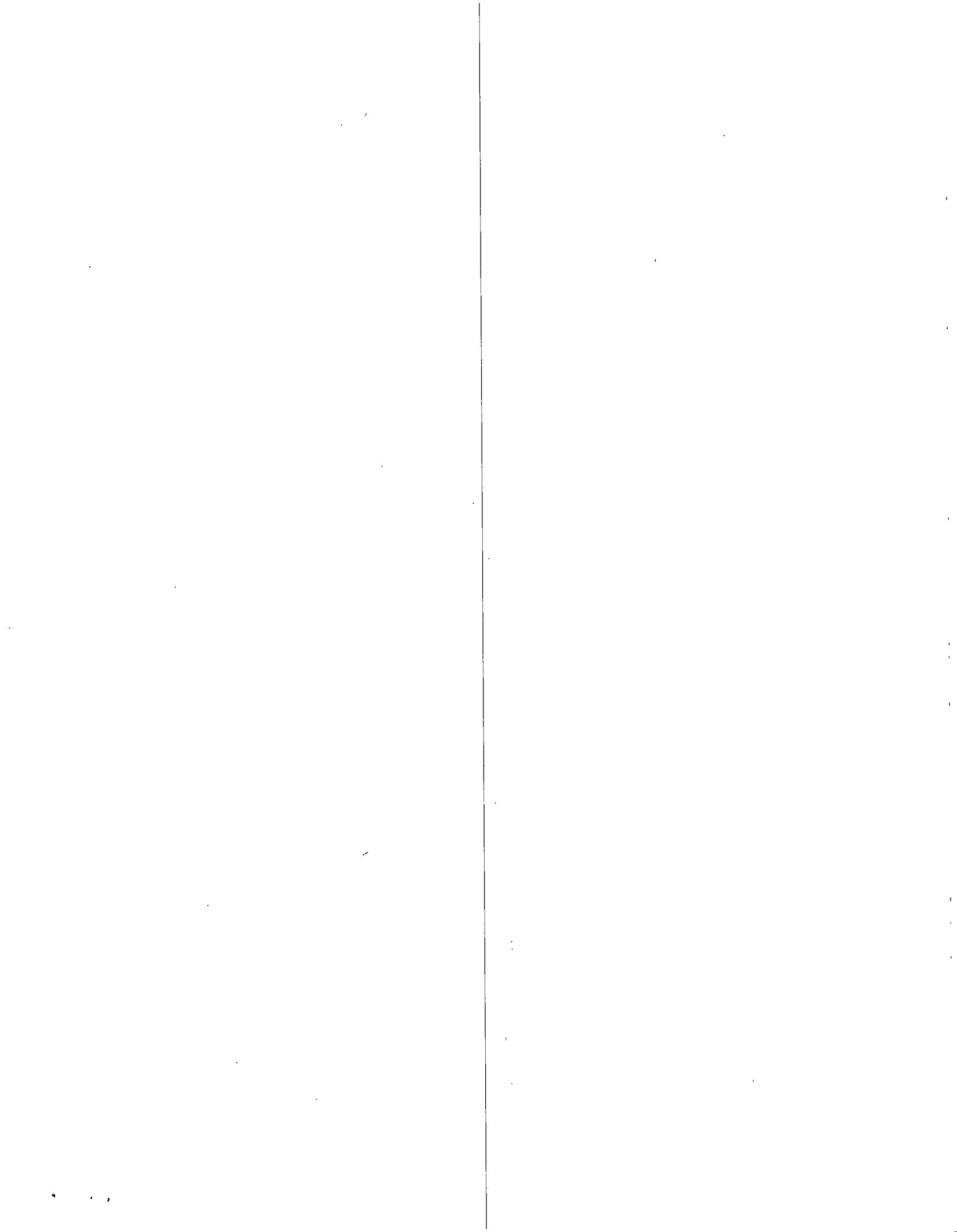
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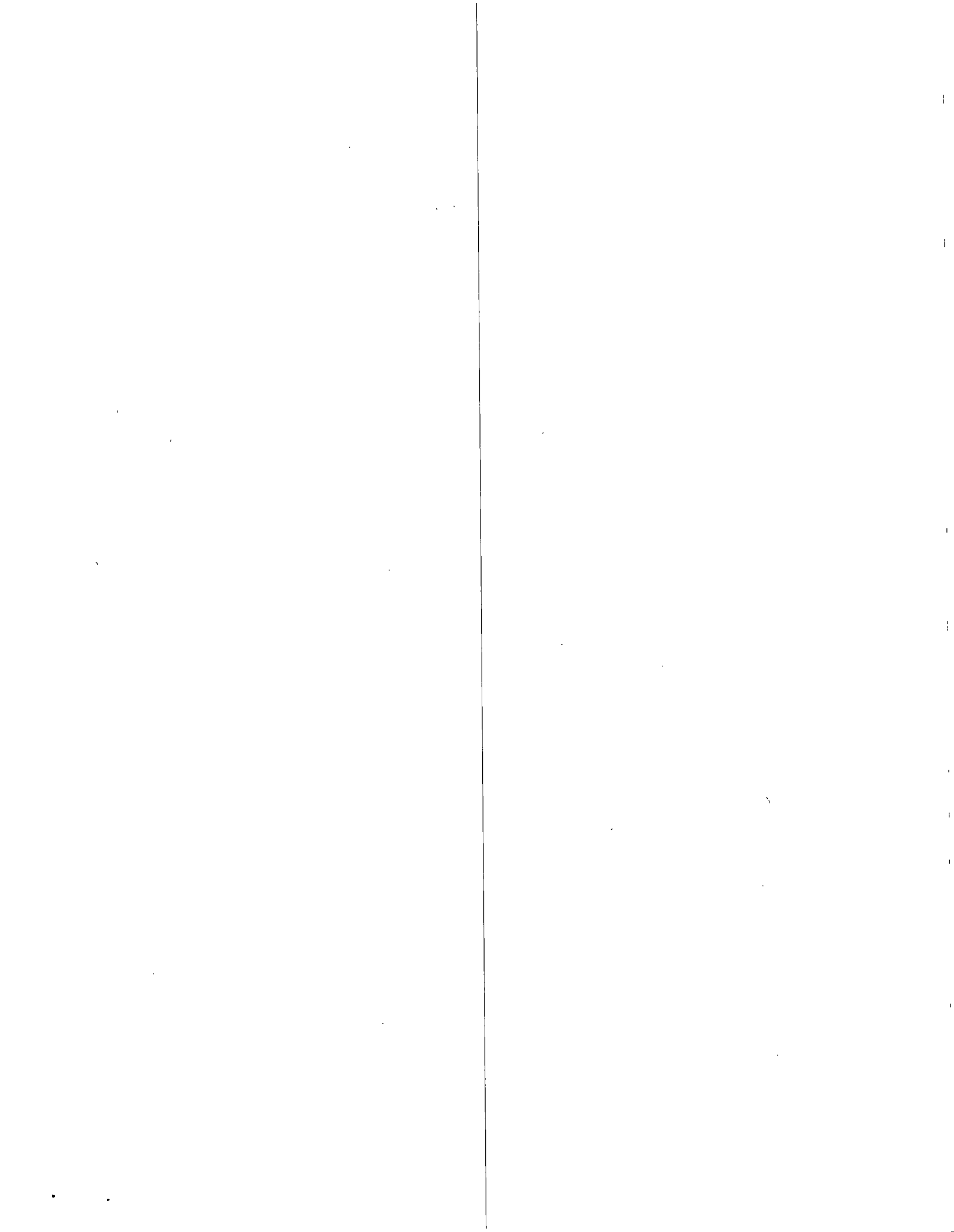
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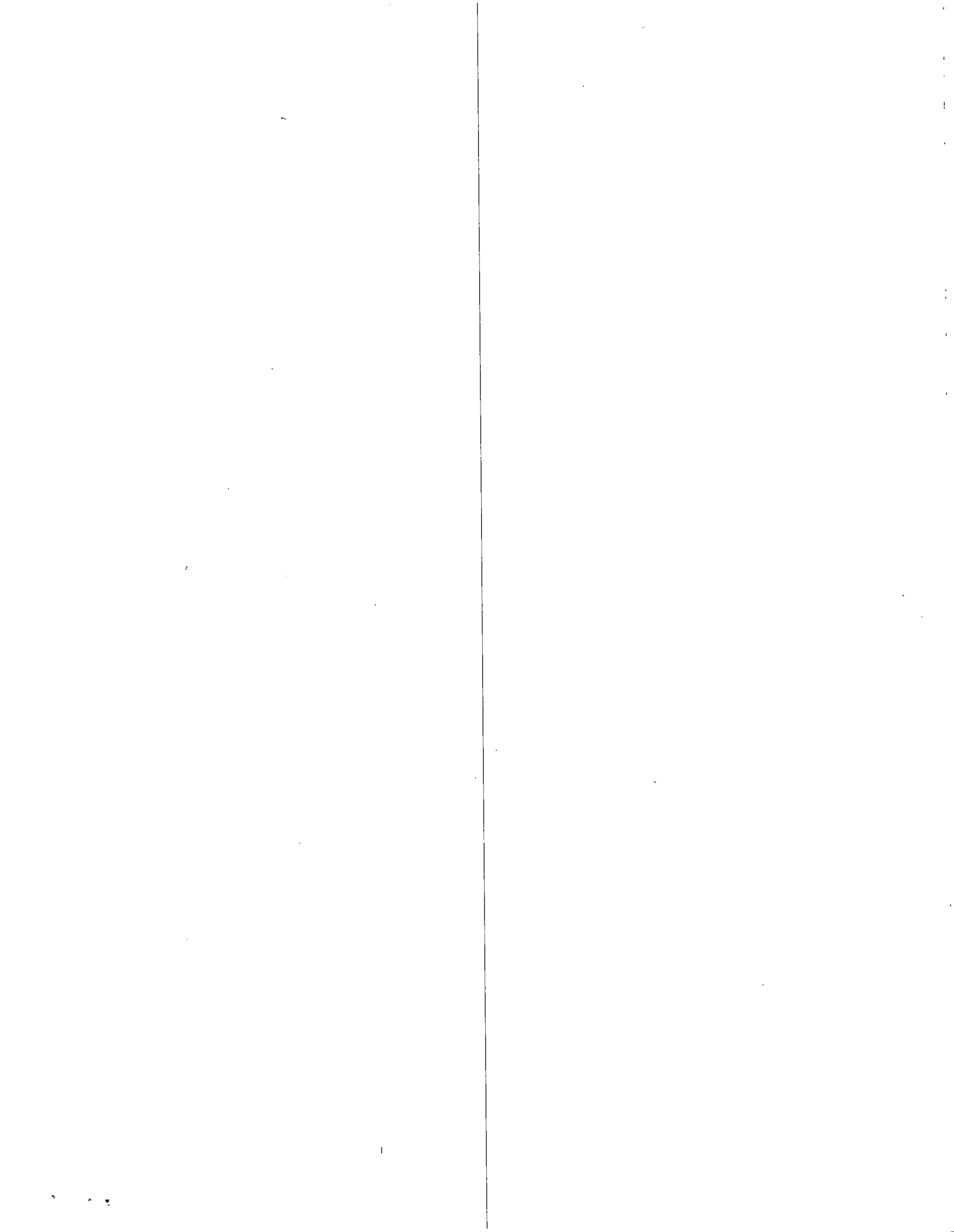
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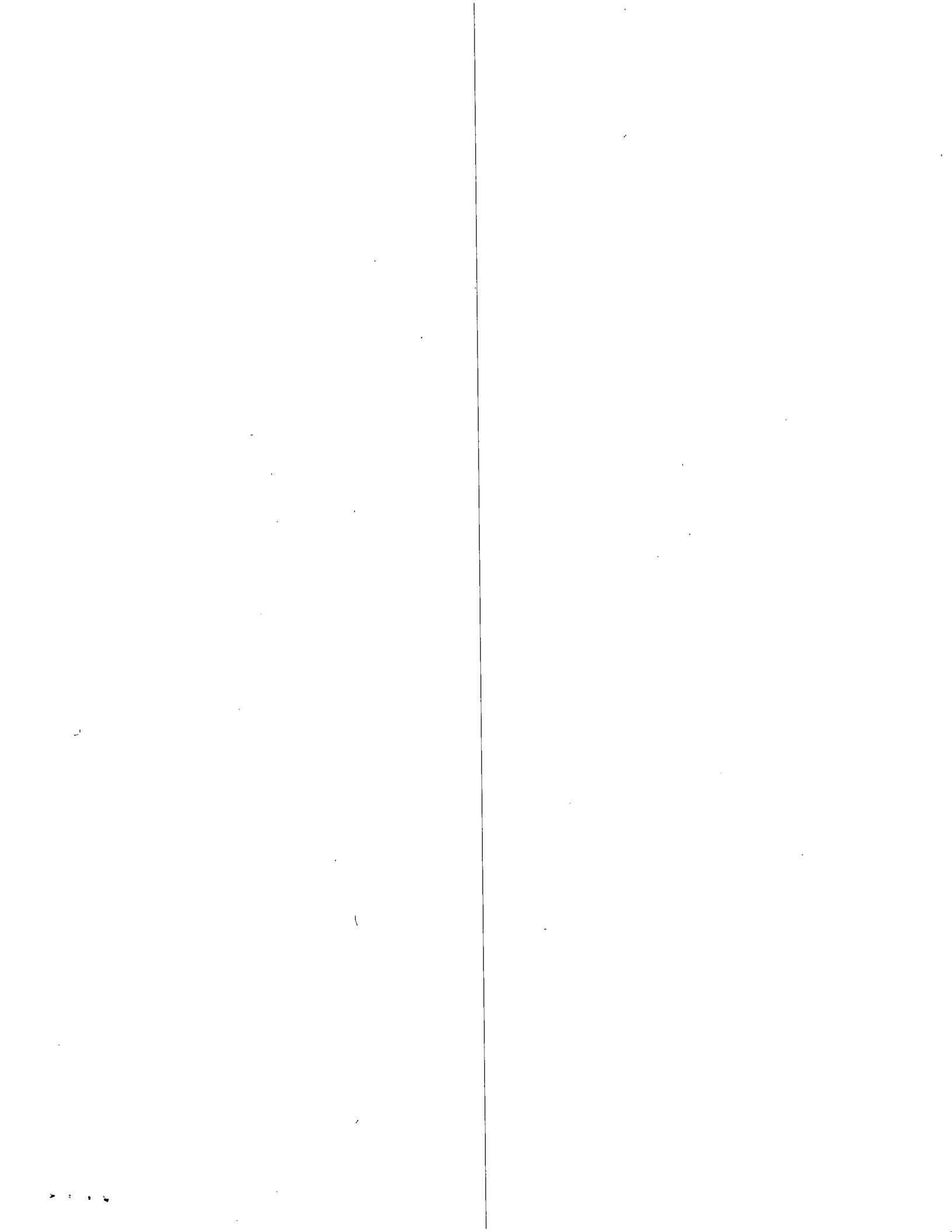
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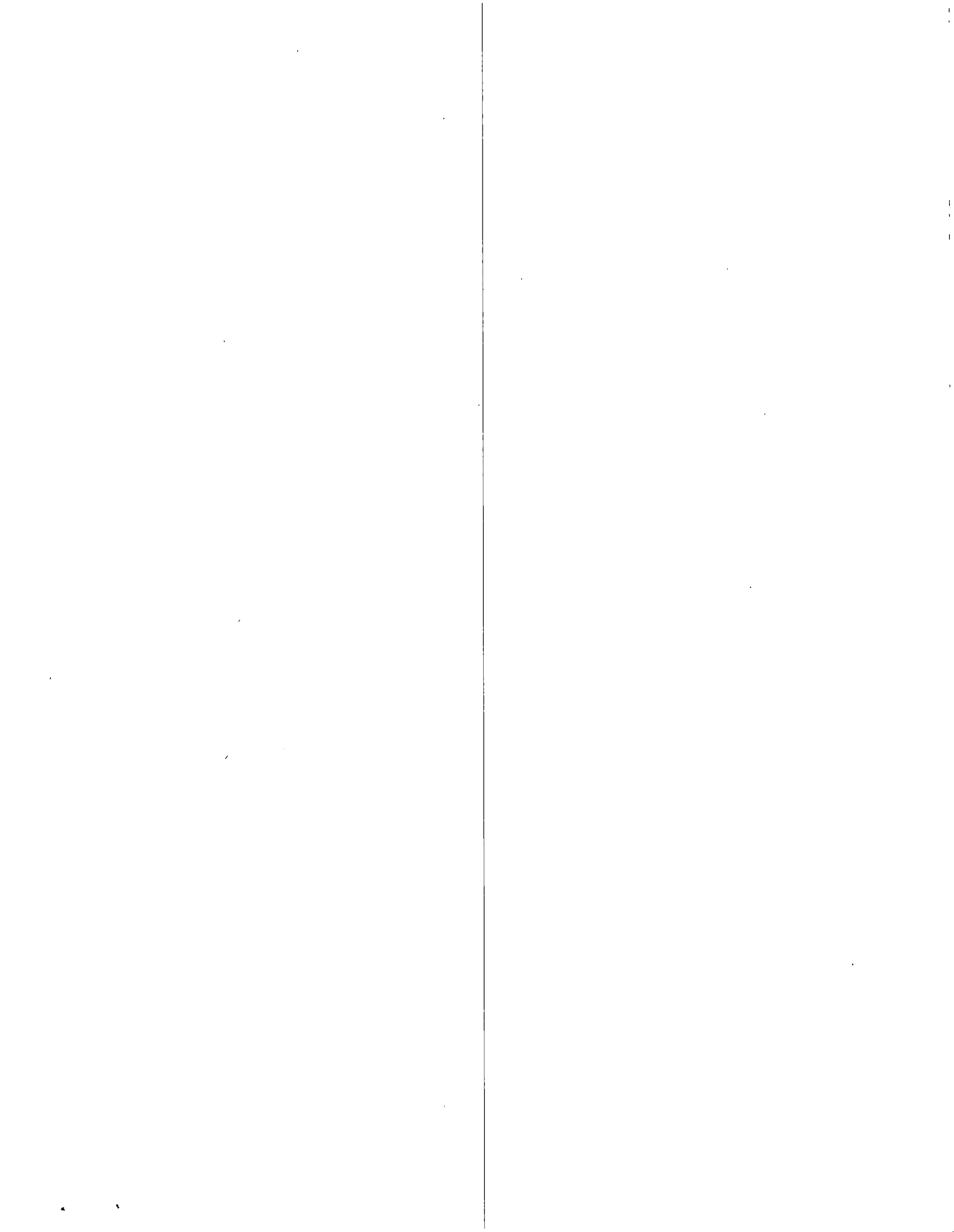
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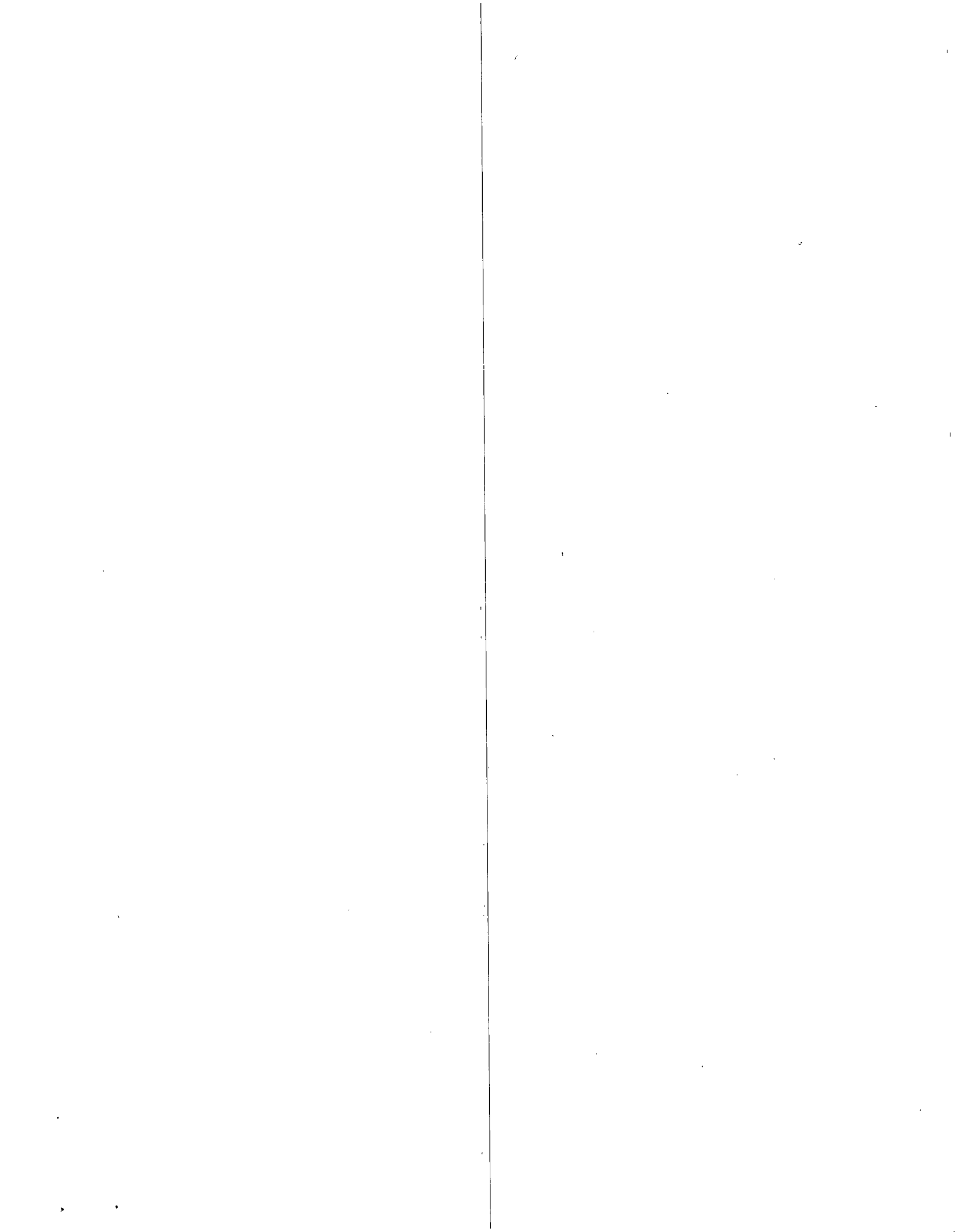
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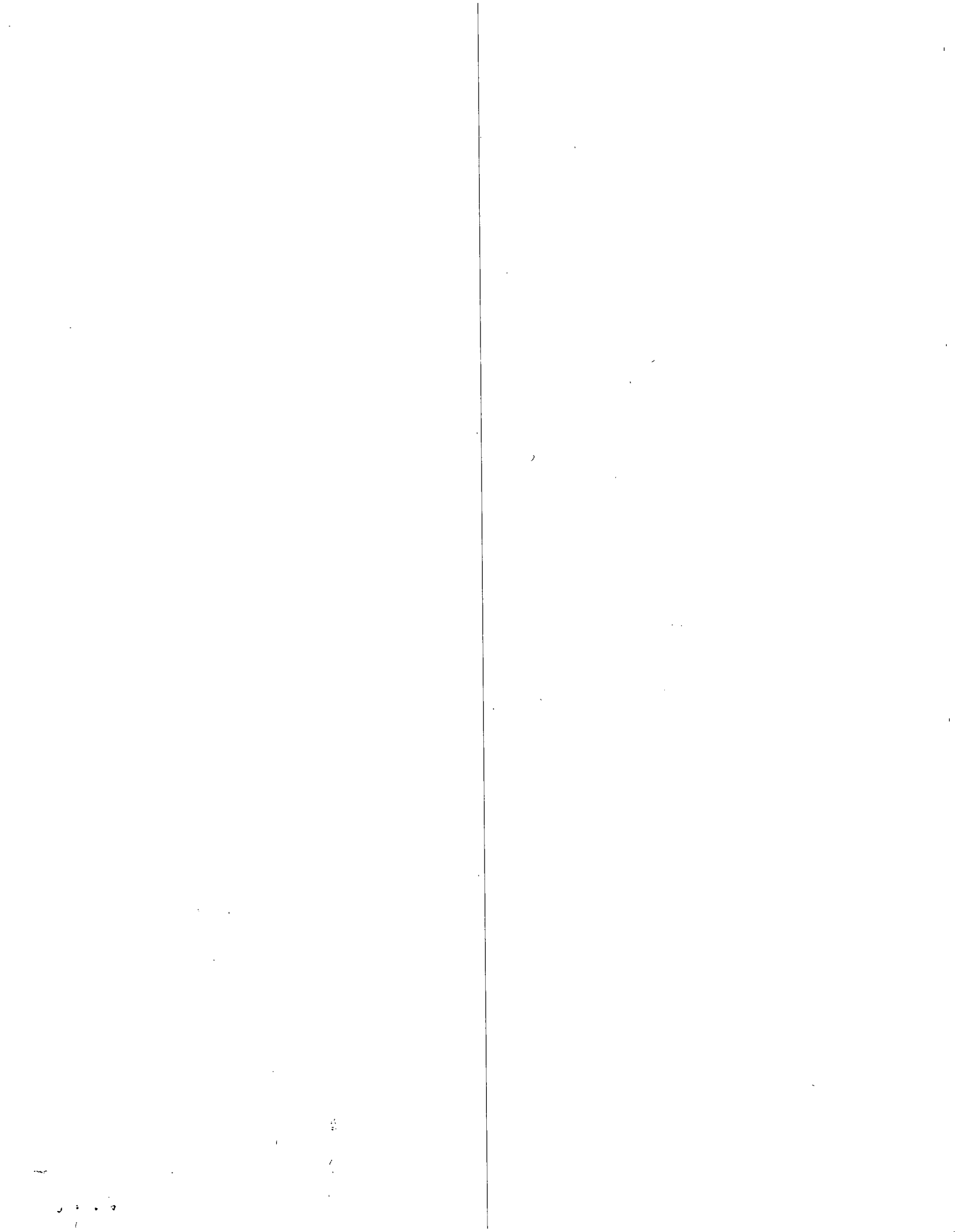
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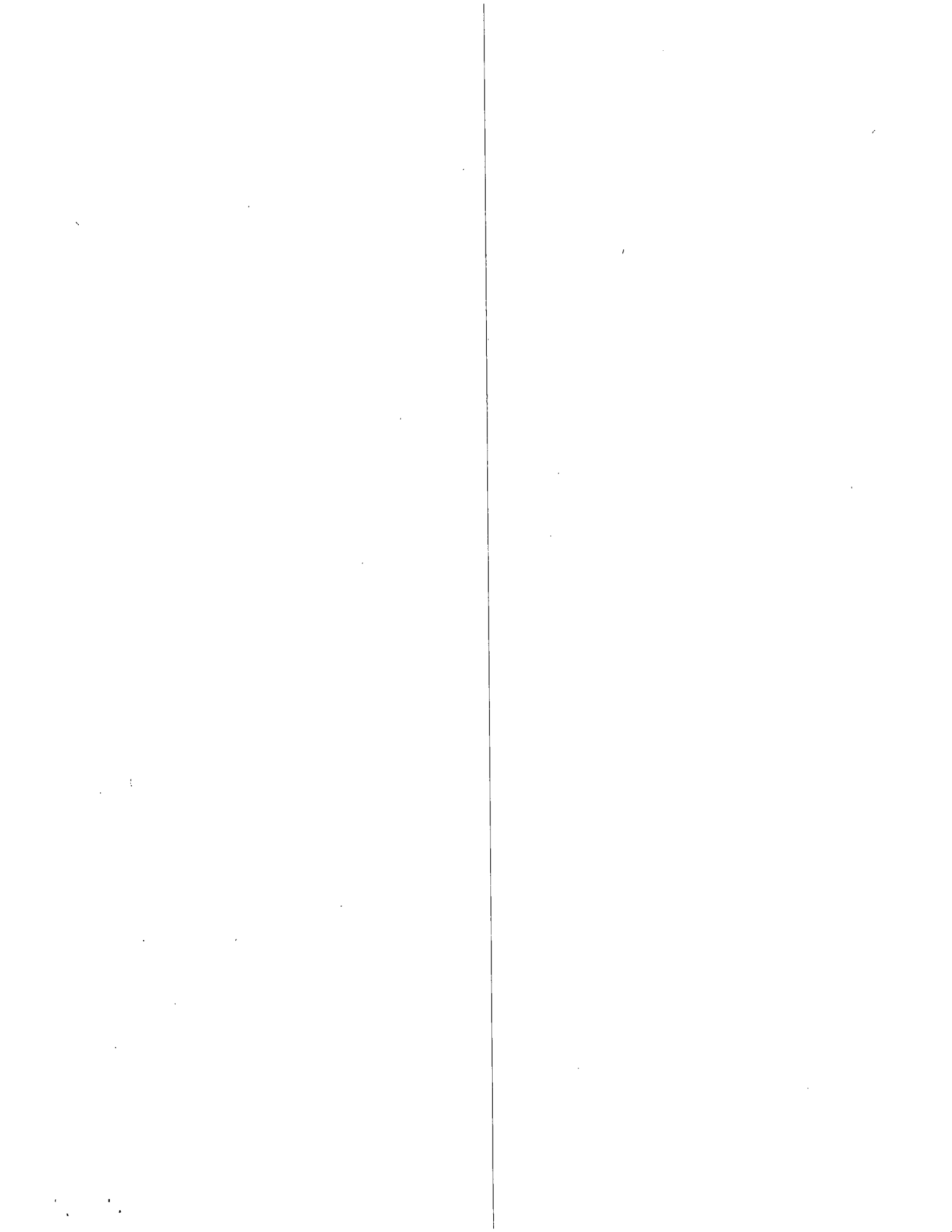
[This Petition is filed pursuant to Rule 9.100(f) and,  
requires special processing by the Clerk, pursuant  
to Rule 9100(f)(3)]

Respondents.

\_\_\_\_\_/

PETITION FOR WRIT OF CERTIORARI  
FOR REVIEW OF QUASI-JUDICIAL ACTION,  
PETITION FOR WRIT OF MANDAMUS,  
COMPLAINT FOR DECLARATORY RELIEF,  
VIOLATION OF PROCEDURAL AND SUBSTANTIVE DUE PROCESS

PETITIONERS, LONGBOAT KEY CASA DEL MAR, INC., a condominium  
association organized under the laws of the State of Florida, and  
the TOWN OF LONGBOAT KEY, a municipal corporation of the State of  
Florida (collectively "Petitioners") bring these actions against  
Respondents, MANATEE COUNTY, FLORIDA, a county government  
organized under the laws of the State of Florida (the "County")  
and the BOARD OF COUNTY COMMISSIONERS FOR MANATEE COUNTY, the





governing body of Manatee County, Florida (the "Commission") (collectively "Respondents"), and allege:

COUNT I

PETITION FOR WRIT OF CERTIORARI

1. This is an action seeking the issuance of a writ of certiorari. In this action, Petitioners are requesting the Court to judicially review, in its appellate capacity, conditions of approval for a final and quasi-judicial administrative action and decision of the Respondents granting the approval for the expansion of the Sarasota Bradenton Airport with an amendment to the Development of Regional Impact (DRI) for the Airport, pursuant to Ordinance 99-50. Petitioners challenge certain conditions of approval, specifically beginning on Page 23 of Ordinance 99-50, Sections N(3), N(4), N(6), and N(7). Petitioners do not challenge the ultimate decision of Respondents to grant the request of the Sarasota Bradenton Airport to expand its facilities. Petitioners only challenge the above-referenced conditions of approval.

2. The Petitioners contend that the conditions of approval (as cited above) deny the Petitioners due process, depart from the essential requirements of law, are arbitrary, unreasonable, capricious, and discriminatory, and are not supported by competent and substantial evidence.

### APPENDIX AND CITATIONS

Those portions of the record of the proceedings before the Commission below that were available from the Clerk for the Commission at the time of filing this Petition for Writ of Certiorari, and that are relied upon by the Petitioner in support of its Petition, are set forth in the appendix to Petition for Writ of Certiorari and are separately bound and filed simultaneously with this Petition. The Appendix is expressly incorporated into and made a part of this Petition. Citations in this Petition to the Appendix shall be as follows: (Tab#:Page#). Where citations are made to the record which is not yet available, the citation will be blank. Concurrently with the filing of this Petition, Petitioner has also filed a Motion for Extension of Time to Complete and Supplement the Appendix to Petition for Writ of Certiorari and to Amend the Petition for Writ of Certiorari, Writ of Mandamus, and Complaint for Declaratory Relief, Procedural and Substantive Due Process.

### JURISDICTION OF THE COURT

3. The actions and decisions of the Respondents challenged by the Petitioners in this action were quasi-judicial in nature rather than legislative in nature, and therefore are properly reviewable by certiorari. *The Board of County Commissioners of Brevard County v. Snyder*, 627 So.2d 469 (Fla. 1993); *Sunbelt*

*Equities II v. Lee County*, 619 So.2d 996 (Fla. 2d DCA 1993); and *Irvine v. Duval County Planning Comm.*, 495 So.2d 167 (Fla. 1986).

4. Common law certiorari is available to obtain judicial review of final governmental or administrative actions where the Florida Legislature has failed to provide for review by statutory certiorari, where no other method of direct appellate review proceedings are provided by law, and where no other method of appeal is available. *DeGroot v. Sheffield*, 95 So.2d 912 (Fla. 1957) and *G-W Development Corporation v. Village of North Palm Beach Zoning Board of Adjustment*, 317 So.2d (Fla. 4<sup>th</sup> DCA 1975).

5. The action and decision of the Respondents was a final administrative action and decision. The Florida Legislature has failed to provide for review of that action and decision by statutory certiorari, no other method of direct appellate review proceedings of that decision and action is provided by law and no other method of appeal is available to Petitioner to challenge the action and decision.

6. This Court therefore has jurisdiction of this action pursuant to Rules 9.030(c), 9.100(a), 9.100(f) and 9.190(b)(3), Florida Rules of Appellate Procedure, and Article V, Section 5(b) of the Florida Constitution which authorizes circuit courts to issue writs of certiorari.

VENUE

7. The venue of this action properly lies in the Circuit Court of the Twelfth Judicial Circuit in and for Manatee County, Florida, because of the location of the real property and the requirements of approval which are the subject of this controversy are located within portions of the geographic boundaries of Manatee County, Florida.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

8. The Petitioners have exhausted all administrative remedies that are available to them with respect to the issues in controversy.

CONDITIONS PRECEDENT TO THIS ACTION

9. All conditions precedent to the institution of this action have occurred or have been performed.

PETITION TIMELY FILED

10. This Petition for Writ of Certiorari was filed by the Petitioners within 30 days from the date of the action and decision by the Commission.

SCOPE OF REVIEW

11. It is clear that certiorari is an appellate process. *City Savings Corp v. S&B Partners*, 548 So.2d 1156 (Fla. 1<sup>st</sup> DCA 1989).

12. In this action, therefore, the Court will be acting in an appellate review capacity rather than in its traditional, normal and customary trial capacity involving fact finding and initial decision making. *Lee County v. Sunbelt Equities II*, 619 So.2d 996 (Fla.2d DCA 1993).

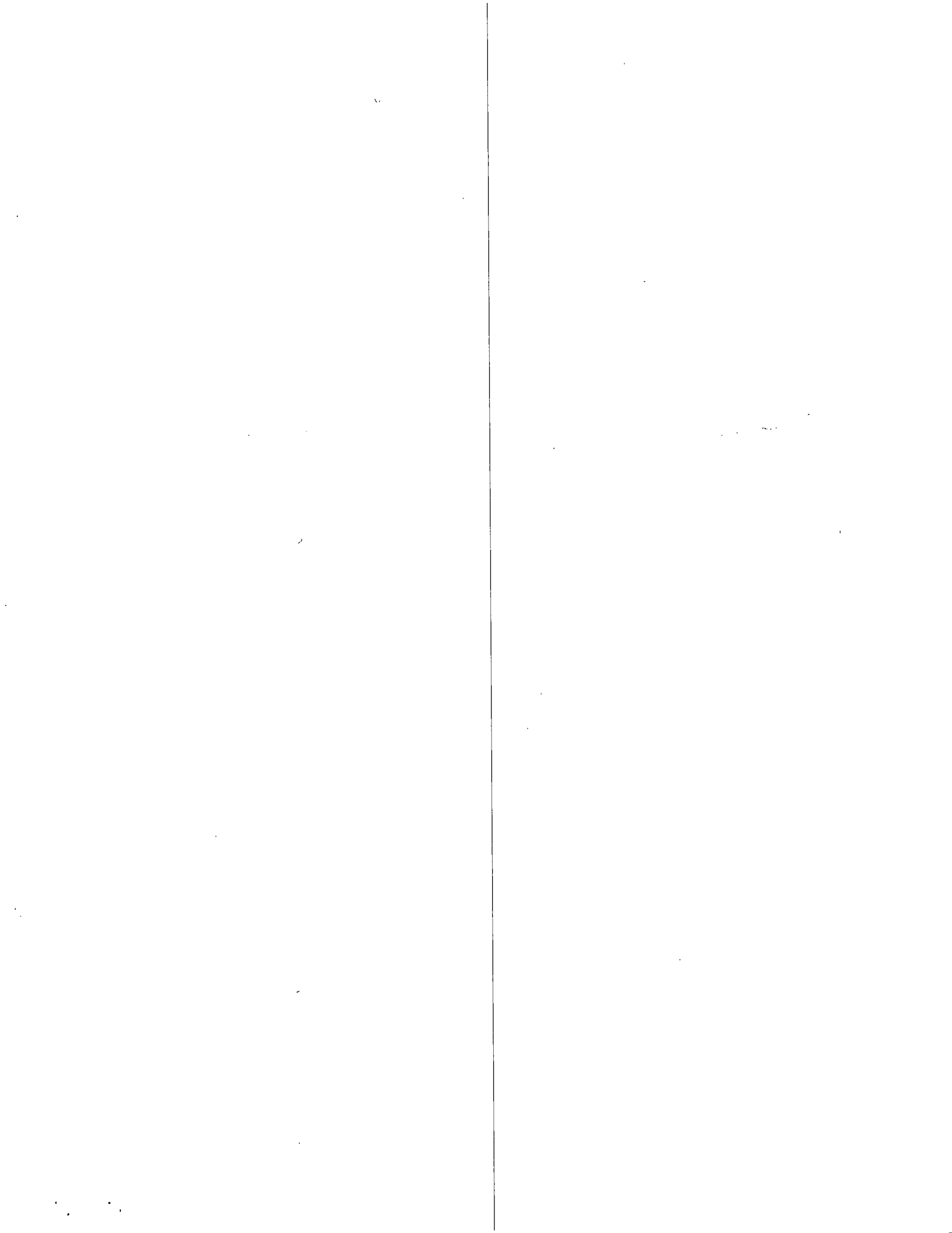
13. As succinctly stated by our Second District Court of Appeals in *Lee County v. Sunbelt Equities II* in discussing the circuit court's role in certiorari proceedings:

At the circuit level, three questions are asked: whether due process was afforded, whether the administrative body applied the correct law, and whether its findings are supported by competent, substantial evidence . . . (*Lee County, supra*, 1003).

14. Thus, in reviewing the action and decision of the Respondents, the Court is authorized only to determine whether the Respondents afforded the Petitioners due process, observed or departed from the essential requirements of the law, and supported their action and decision by substantial, competent evidence. *City of West Palm Beach Zoning Board of Appeals v. Education Development Center*, 504 So.2d 1385 Fla. 4<sup>th</sup> DCA 1987).

#### STANDARD OF REVIEW

15. In reviewing the action and decision of the Respondents the Court must subject those actions and decisions to strict judicial scrutiny. The action and decision complained of does not constitute legislative action requiring deferential judicial



review as to reasonableness. *Bd. of Cty Com'rs of Brevard v. Snyder*, 627 So.2d 469 (Fla. 1993); *Snyder v. Board of County Commissioners*, 595 So.2d 65 (Fla. 5<sup>th</sup> D.C.A., 1991).

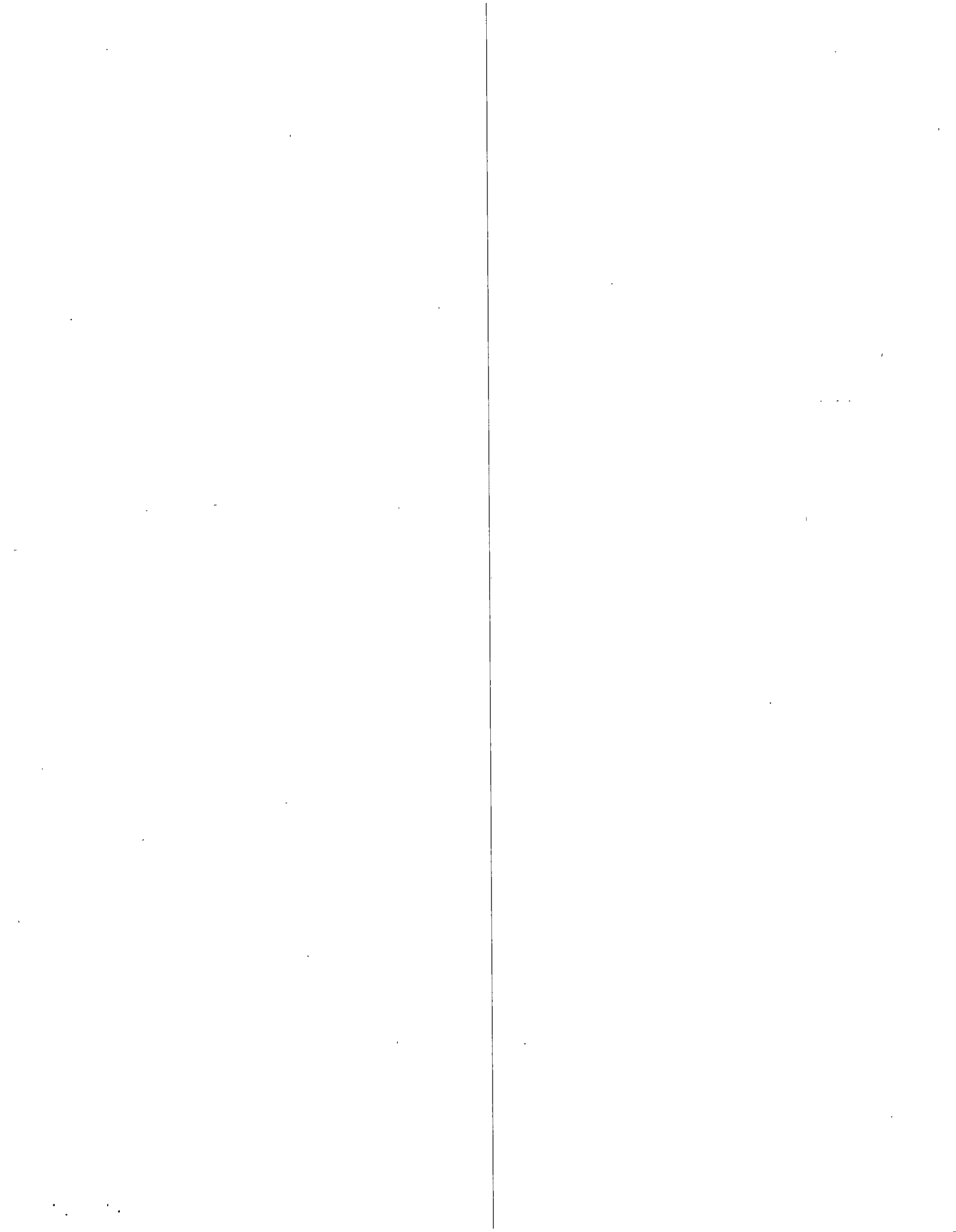
16. Florida's Fourth District Court of Appeal has also confirmed that the courts should use "strict judicial scrutiny" in reviewing local government's rezoning and land use decisions. *Section 28 Partnership Ltd. v. Martin County*, 649 So.2d 609 (Fla. 4<sup>th</sup> DCA 1994).

17. Assuming arguendo that the standard of review was not strict scrutiny but instead the deferential "fairly debatable" standard applicable to legislative acts of the Respondents, the Court would still be compelled to quash the conditions of approval of Ordinance 99-50 as passed by the Respondents.

#### PARTIES

18. The Petitioner, Longboat Key Casa Del Mar, Inc., a condominium association, is a Florida not-for-profit corporation which owns or controls real property and improvements located within the municipal limits of the Town of Longboat Key which lie within Manatee County, Florida.

19. The Petitioner, the Town of Longboat Key, is a municipal corporation under the laws of the State of Florida, and a portion of the Town lies within Manatee County, Florida.





20. The Respondent, Manatee County, is a county government under the laws of the State of Florida, the Florida Constitution, and Florida Statutes.

21. The Commission is the legislative governing body of the County established pursuant to the Florida Constitution and Chapter 125 and its Charter and exercises the legislative and other powers of county government through its commissioners, including the review and approval of various land use or land development petitions, applications, requests, permits and orders authorized by the County's Comprehensive Plan and Zoning Code.

STATEMENT OF FACTS ON WHICH PETITIONER RELIES

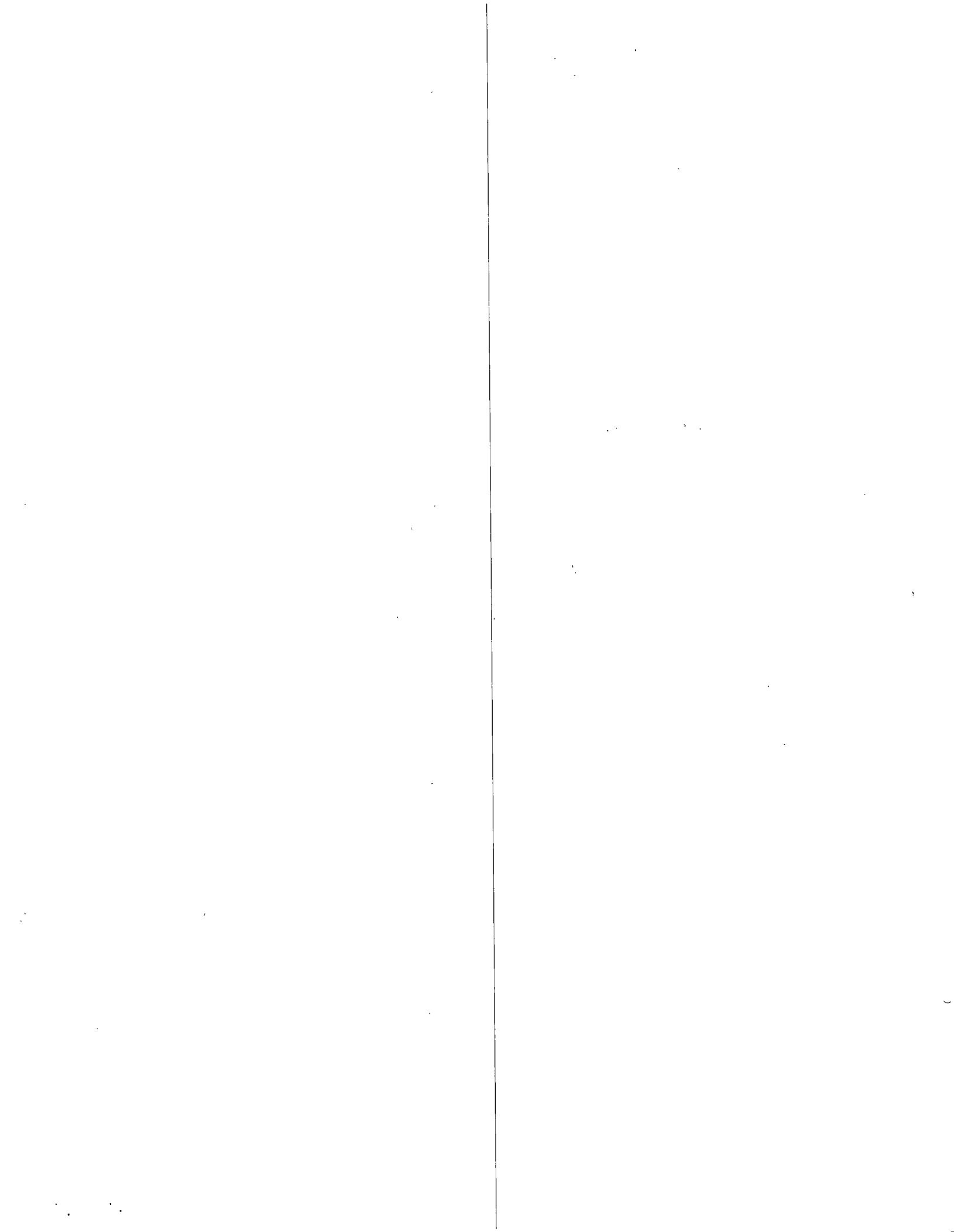
22. Sarasota Bradenton International Airport (the "Airport") is operated by the Sarasota-Manatee Airport Authority (the "Authority").

23. The Authority obtained for the Airport a Final Order from the Florida Land & Water Adjudicatory Commission in 1986 establishing a Development of Regional Impact (the "DRI").

24. The DRI was amended in 1990.

25. The Authority has subsequently sought to modify the DRI through a substantial deviation which has been approved by the County as Ordinance 99-50, the conditions of which are the subject matter of these actions. (Tab 1).

26. The Authority requested a substantial deviation to the DRI which included proposed Airport aviation related issues.



27. Specifically, the substantial deviation requested expanding Runway 14-32 by allowing an additional 1,150 feet at the southeast end, and 1,350 feet at the northwest end for a total runway length of approximately 9,500 feet. Further, the deviation requested expansion of the terminal by 175,000 square feet, as well as 800 spaces of public parking and certain other general aviation improvements together with changes to allowable uses for four out parcels. (Tab 1:Page 5).

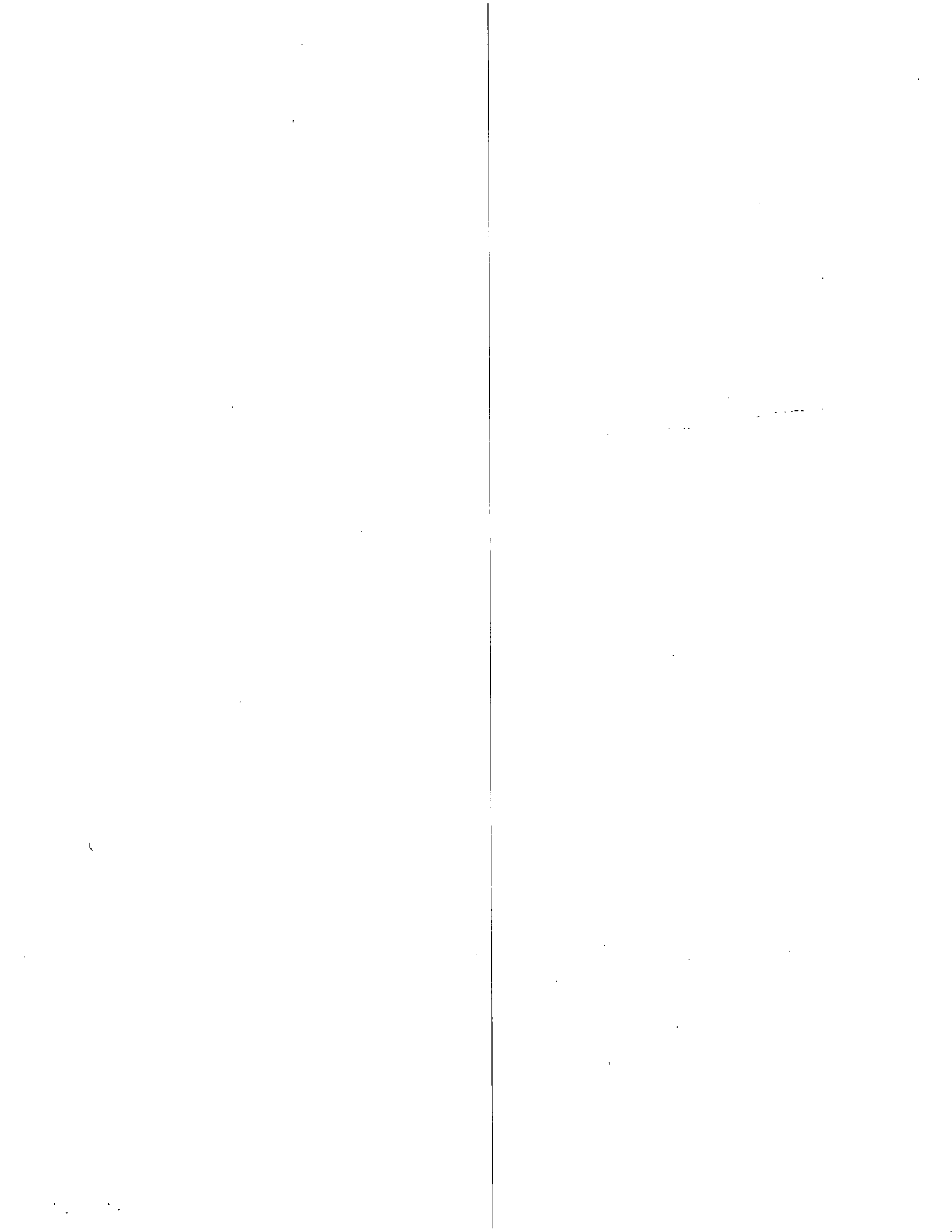
28. The Federal Aviation Administration ("FAA") was established by the federal government to provide rules and regulations concerning the operation of airports.

29. The FAA was granted exclusive jurisdiction to govern airport safety, noise and operations throughout the United States.

30. The FAA also controls the pilot's procedures for departures from runways, including runways at the subject Airport.

31. Part of the FAA's authority with the Airport is their determination of the procedures for departure from Runway 32, the portion of the Runway which lies within Manatee County.

32. The Authority prepared a Part 150 Study required by 44 C.F.R. 150, analyzing the departure routes for Runway 32. (Tab 2).



33. Currently, the procedure approved by the FAA for flights heading north departing Runway 32 is to turn at .9 miles from the center of the Airport ("DME") to a 295° radial, proceed up Sarasota Bay to an elevation of 3,000 feet, whereupon the plane is released to head to its destination.

34. The Authority seeks approval from the FAA to modify that departure route by requiring a turn to a 270° radial, flying aircraft across Longboat Key to their release point (Tab 2).

35. This matter has been before the Airport Authority and the FAA since 1995.

36. The FAA has not approved the change of departure because, among other things, the change creates a greater noise impact for certain individuals who reside on the mainland, generally located north of the Airport and west of U.S. 41. (Tab 3).

37. The conditions of approval from which relief is sought are as follows:

- a. N(3). "The SMAA shall continue to expeditiously and without further delays, seek approval from FAA of the 270° radial turn for planes departing on Runway 32. In the event the approval is not received prior to the state of Phase 2, construction of the expansion of the terminal building and parking garage shall not be authorized until either:
  - a. the 270° radial turn departure procedure is approved and operational or,
  - ii the SMAA can demonstrate to the County the Notice of Proposed Change pursuant to Section 380.06, Florida Statutes, that the SMAA has exerted good faith in a continued effort to

gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County."

- b. N(4). All noise abatement measures as described in Table 6-10 of the FAR Part 150 NCP (Noise Compatibility Plan) dated February 1997 shall be implemented as described with the modifications herein:
  - a. All aircraft weighing over 25,000 pounds and jet aircraft departing on Runway 32 shall be instructed to turn left at 0.9 DME to join the Sarasota 270° radial outbound to at least 7 DME, then proceed on course as directed by Air Traffic Control (ATC). Should, after implementation, the turn at the 7DME result in splay of aircraft that is further east than anticipated, the aircraft shall be instructed to proceed outbound to the 270° radial to the 8DME, then proceed on course as instructed by ATC. Should approval of the turn to the 270° radial be denied by the FAA because of airspace constraints, the current procedure shall be maintained until such time as the turn to the 270° radial becomes feasible. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing northbound on Runway 32 shall be instructed to turn left at 0.9DME to join the Sarasota 295° radial outbound, then proceed on course as instructed by ATC; and all aircraft weighing over 25,000 pounds and all jet aircraft departing southbound on Runway 32 shall be instructed to turn left at 0.9 DME to a bearing of 270°, then proceed on course as instructed by ATC.
  - b. Arriving aircraft on Runway 32 would be allowed to make visual approaches to the airport and turn to the runway heading as soon as cleared to do so by the Air Traffic Control Tower.
  - c. All aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 14 shall

be instructed to maintain runway heading until reaching 3,000 feet, then proceed on course.

- d. Continue balanced runway use program. The goal of this program is equal use of Runway 14 and Runway 32 for air carrier departures, and equal use of Runway 14 and Runway 32 for air carrier arrivals.
  - e. Encourage the airlines to make maximum use of their own internal quiet departure techniques, guided by FAA Advisory Circular 91-53A, "Noise Abatement Departure Profiles."
  - f. All departing aircraft, to the extent feasible, should be issued unrestricted climb to their requested en route altitude.
  - g. The departure of Stage 2 aircraft shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m., excluding only aircraft in use for emergency services such as police, ambulance, and military functions.
  - h. The prohibited hours for non-emergency engine maintenance run-ups shall be between the hours of 10:00 p.m. and 7:00 a.m.
  - i. The use of Auxiliary Power Units is prohibited between the hours of 10:00 p.m. to 7:00 a.m. unless ground power units are inoperative.
  - j. Training operations with larger aircraft on Runway 14 and Runway 32 shall be prohibited between the hours of 12:00 p.m. and 6:00 a.m.
- c. N(6). All departures of Stage 2 air carrier or cargo aircraft weighing over 75,000 pounds on Runway 14 shall commence their take-off roll at the current runway threshold. All other aircraft may use the declared distance runway length for Runway 32 departures.
- d. N(7). The SMAA shall diligently pursue Land Use Measures as described in Table 6-11 of the NCP dated February 1997 and establish a reasonable

time line for implementation of the measures 1 through 3.

ARGUMENT AND CITATIONS OF AUTHORITY

PREEMPTION

38. The Conditions of Approval (Tab 1:Page 23) challenged by the Writ of Certiorari depart from the essential requirements of law in that the authority to regulate aviation has been preempted by the federal government through its laws, rules, and regulations by establishing the Federal Aviation Administration.

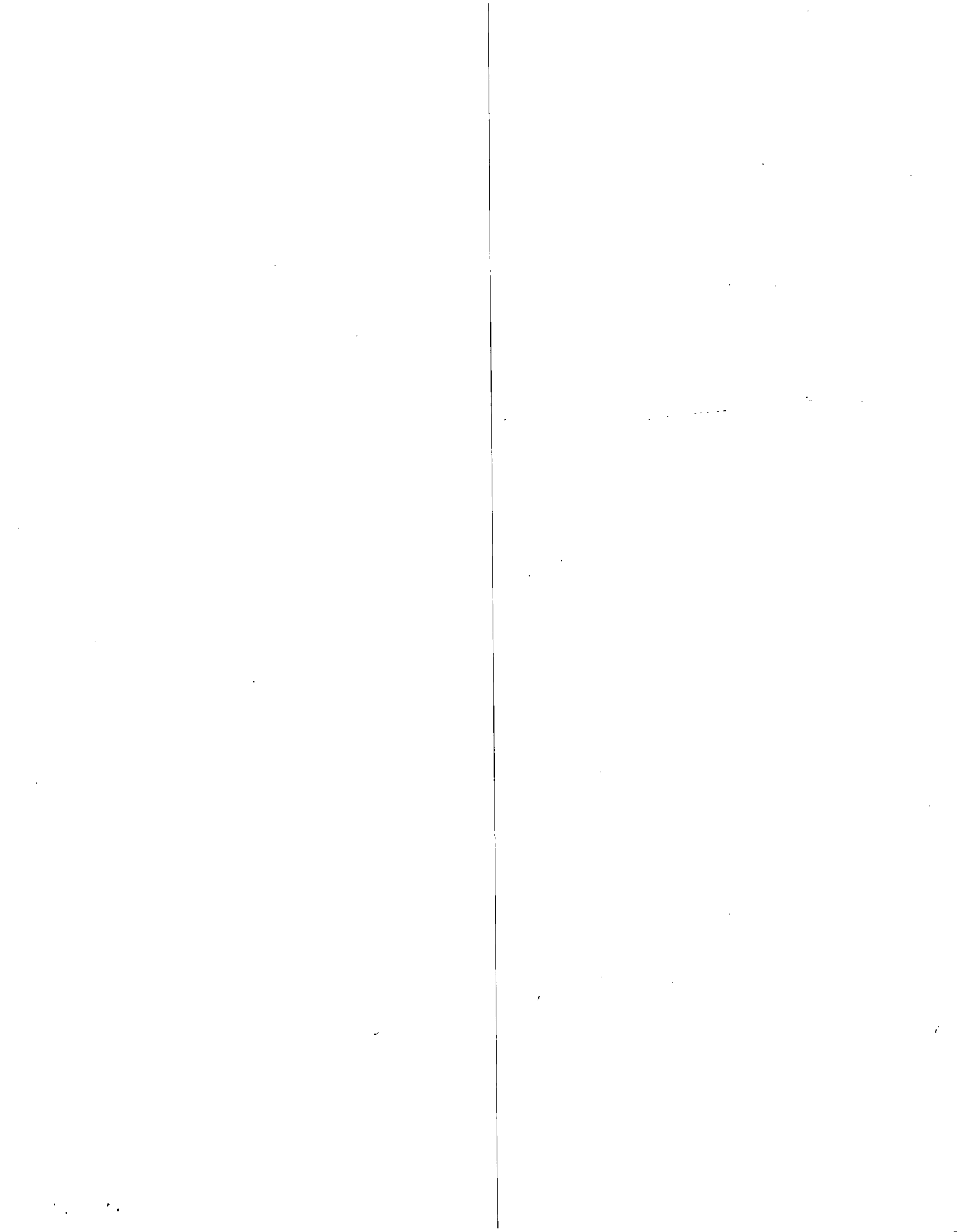
39. Under the commerce clause of the U.S. Constitution, the federal government has the power to set federal standards, regulations and rules for governance of airports throughout the United States.

40. There are two types of preemption: express and implied. For express preemption to occur, the legislature must expressly state that it intends by adoption of a regulatory scheme to preempt the field. *Santa Rosa County v. Gulf Power Co.*, 635 So.2d, 96 (Fla. 1<sup>st</sup> DCA 1994).

41. In the instant matter, express preemption exists. 49 U.S.C.A. 4171(3)(b) states:

"Preemption-(1) Except as provided in this subsection, a state, political subdivision of a state . . . may not enact a law, regular or other provision having the force and effect of law related to a price, route, or service of an air carrier that may provide air transportation under this subpart." [Emphasis added]





42. There is no exception to the prohibition within Section 4171(3) relating to the actions taken by the County as a condition of approval.

43. Further, 49 U.S.C.A. 4752(1)(2)and(3) state:

"Congress finds that . . . community noise concerns have led to uncoordinated and inconsistent restrictions on aviation that would impede the national air transportation system; (3) a noise policy must be carried out at the national level."

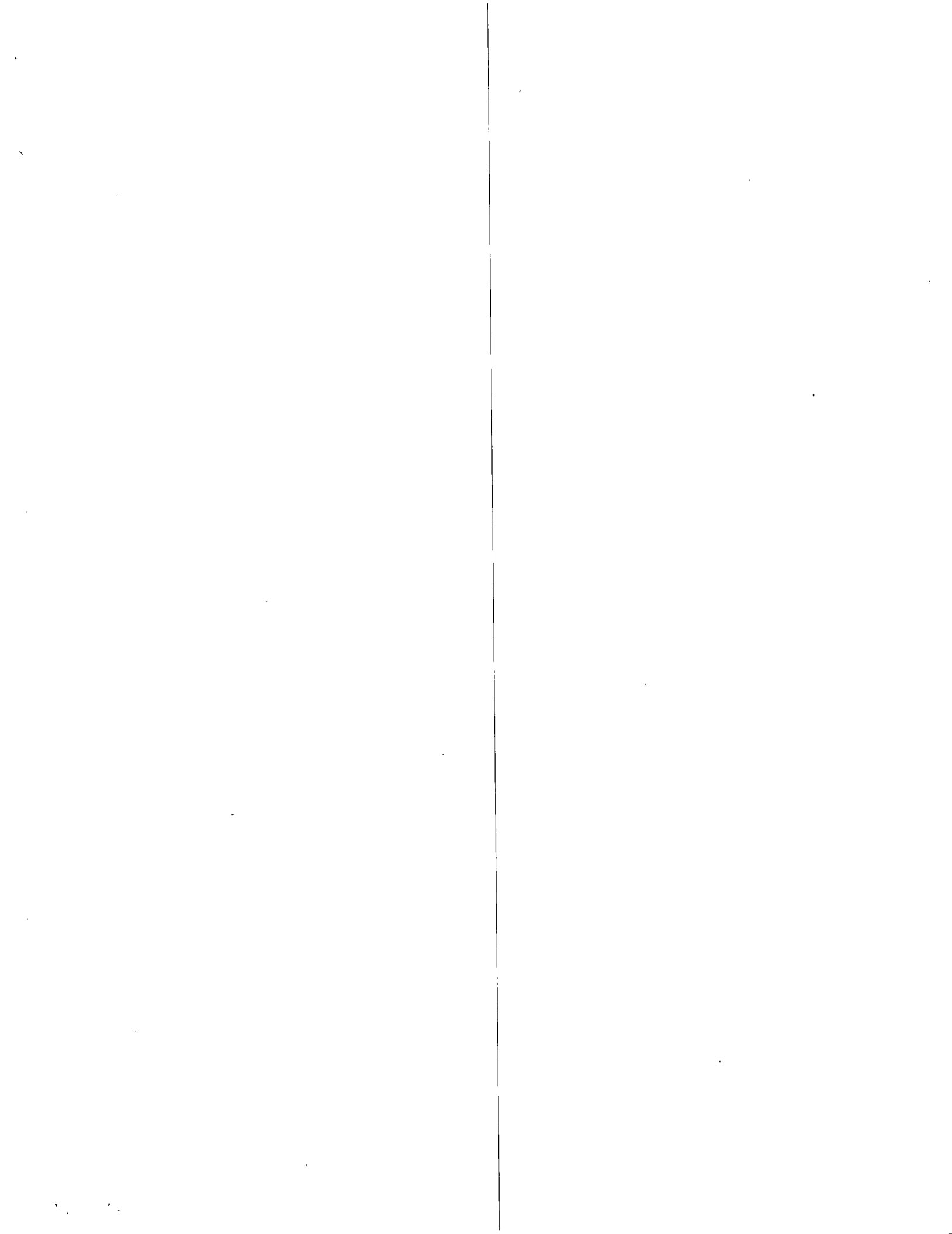
44. Manatee County has been expressly preempted from enacting zoning regulations which affect the aviation portion of airport facilities by virtue of the establishment and the findings of federal law.

45. The enactment of the conditions of approval N(3), N(4), N(6) and N(7) depart from the essential requirements of law as this specific area has been expressly preempted.

46. The conditions of approval challenged in this petition go so far as to direct the pilot as to how to operate the aircraft. For example, N(4) provides:

"Should, after implementation, the turn at the 7 DME result in splay of aircraft that is further east than anticipated, the aircraft shall be instructed to proceed outbound the 270° radial up to the 8 DME . . .".

47. By virtue of the establishment of the FAA, Manatee County has been preempted from enacting zoning regulations which



affect the operation of airport facilities and the aforementioned conditions of approval are not authorized.

ULTRA VIRES

48. Regulation of airport departures are also beyond the powers of Manatee County and are therefore *ultra vires*.

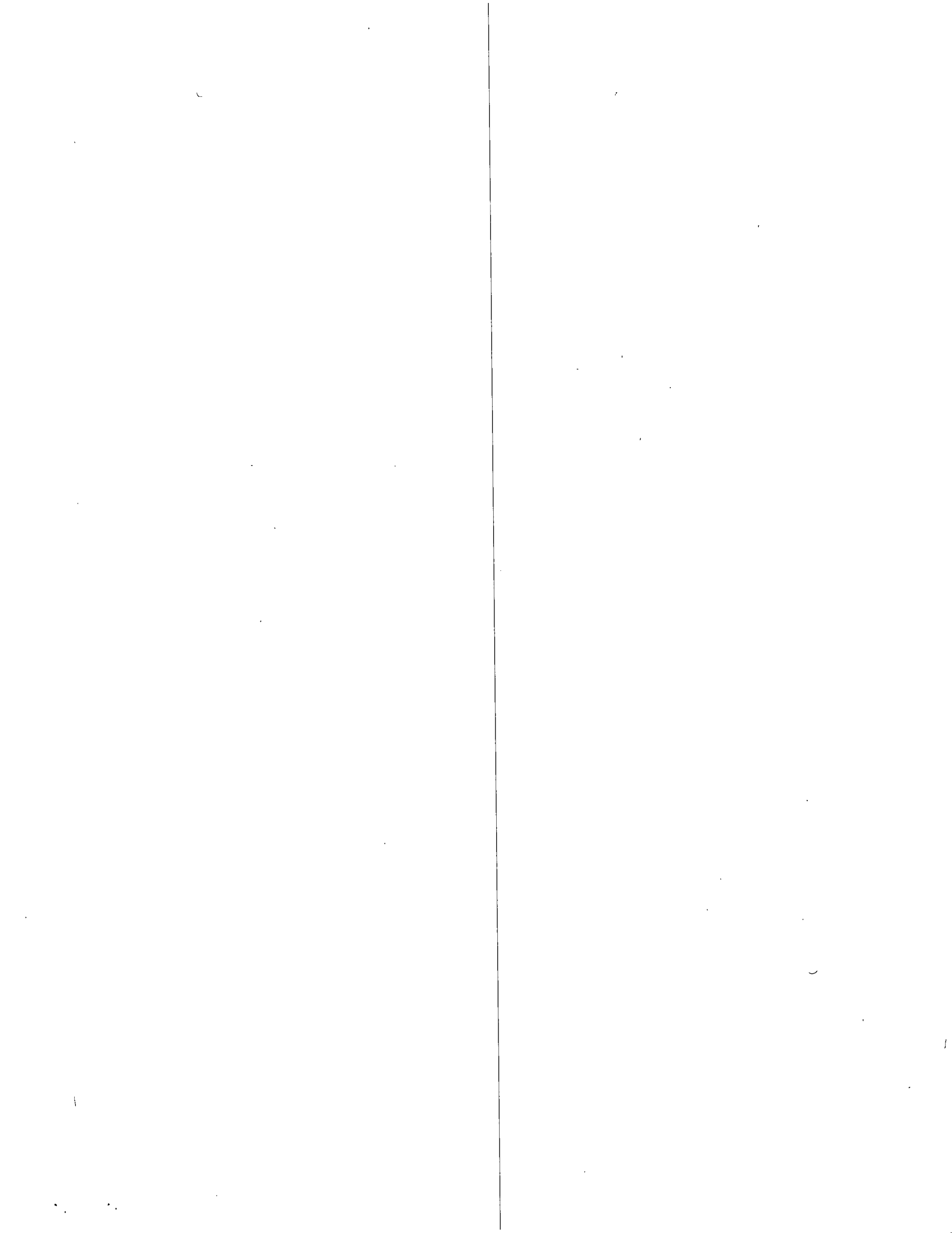
49. "An ordinance making an appropriation of the funds of a town or a city, derived from taxation, for purposes wholly beyond the purpose of a municipal grant, is a wrongful appropriation of the funds held in trust for the taxpayers and the people to pay the alimony and legitimate expenses of the town or city, and is, in short, *ultra vires*, null and void. *Duplig v. City of South Daytona*, 195 So.2d, 581 at 583, citing *Peck v. Spencer*, 7 So. 648 (Fla. 1890). See also *Knowles v. Magic City Grocery, Inc.*, 197 So. 843 (Fla. 1940).

50. Utilization of a zoning ordinance to control aircraft is beyond the powers of Manatee County, and is therefore an *ultra vires* act, and hence void.

DENIAL OF PETITIONERS' DUE PROCESS

51. The notice for the hearing for Ordinance 99-50 is attached. (Tab 4).

52. Nowhere in the hearing notice for Ordinance 99-50 is any mention that Manatee County will be considering the departure



route from Runway 32 as a condition of approval and thereby affecting land areas outside of the scope of the notice.

53. Notice must be reasonably calculated to alert individuals of an impending action. In the absence of waiver or estoppel, the notice requirement is mandatory and jurisdictional. *City of Fort Pierce v. Davis*, 400 So.2d 1242 (D.C.A. 1981).

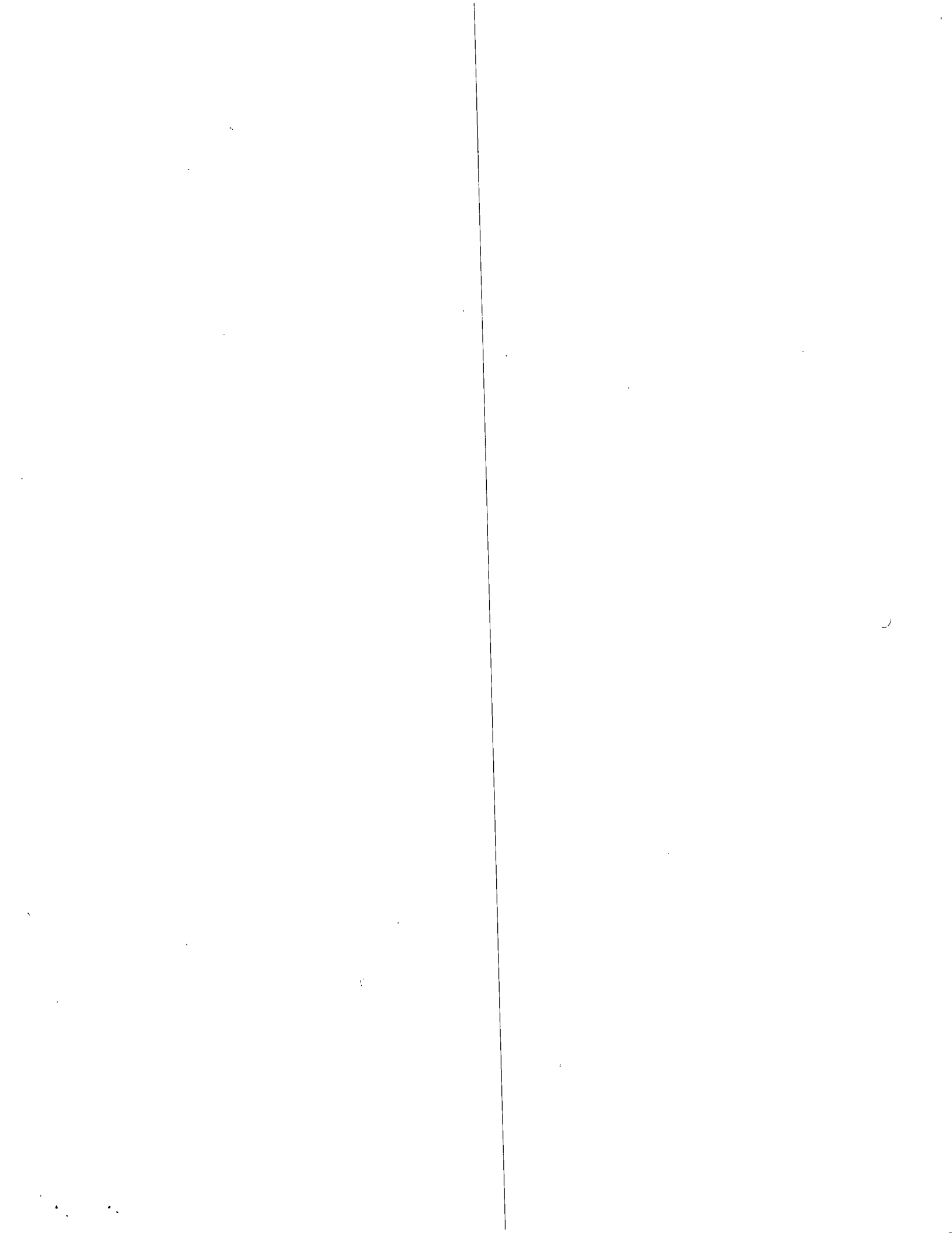
54. Inadequate notice is a denial of due process and thus conditions N(3), N(4), N(6) and N(7) must fail.

ARBITRARY, CAPRICIOUS  
LACK OF COMPETENT AND SUBSTANTIAL EVIDENCE

55. Assuming arguendo that Manatee County has the authority to require noise barriers and other physical improvements for the Airport (whose authority Petitioners do not challenge), there is no competent and substantial evidence for the proposition that the change of departure reduces noise in the affected area.

56. Indeed, a letter from the Federal Aviation Administration (Tab 3) notes that the change of departure to a 270° radial results in an increased noise level of greater than 1.5 decibels in the area north and west of Runway 32 located within Manatee County.

57. Further, in a letter from Noah Lagos, Director of Aviation for the Authority, to Robert H. Peterson, Community Planning Administrator of Manatee County, question Number 3 notes that "with respect to the runway extension and mitigation provided by the noise barriers, there is no change in the noise



reduction resulting from the barriers under the current or proposed departure procedure." (Tab 5).

58. Conditions of approval N(3), N(4), N(6) and N(7) lack competent, substantial evidence of record to support their inclusions in the Authority's development order.

Wherefore, Petitioners respectfully requests this Court grant a Writ of Certiorari striking conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, or declaring them null and void with no further force or effect, award Petitioners' their costs in this action, or for whatever relief this Court deems just and proper.

#### COUNT II

#### WRIT OF MANDAMUS

59. This is an action for a Writ of Mandamus pursuant to the Florida Rules of Civil Procedure, 1.630, and the Federal Rules of Civil Procedure, 9.100. (check)

#### NATURE OF CASE

60. Petitioners ask this Court for an issuance of Writ of Mandamus striking Conditions N(3), N(4), N(6), and N(7) from the conditions of approval of Ordinance 99-50 rendered December 15, 1999.

61. Paragraphs 18 through 58 are incorporated herein by reference.



Wherefore, Petitioners respectfully request this Court grant a Writ of Mandamus striking conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, or declaring them void with no further force or effect, award Petitioners' their costs of this action, or grant whatever other relief the Court deems just and proper.

COUNT III

DECLARATORY RELIEF

This is an action for declaratory relief pursuant to Chapter 86, Florida Statutes.

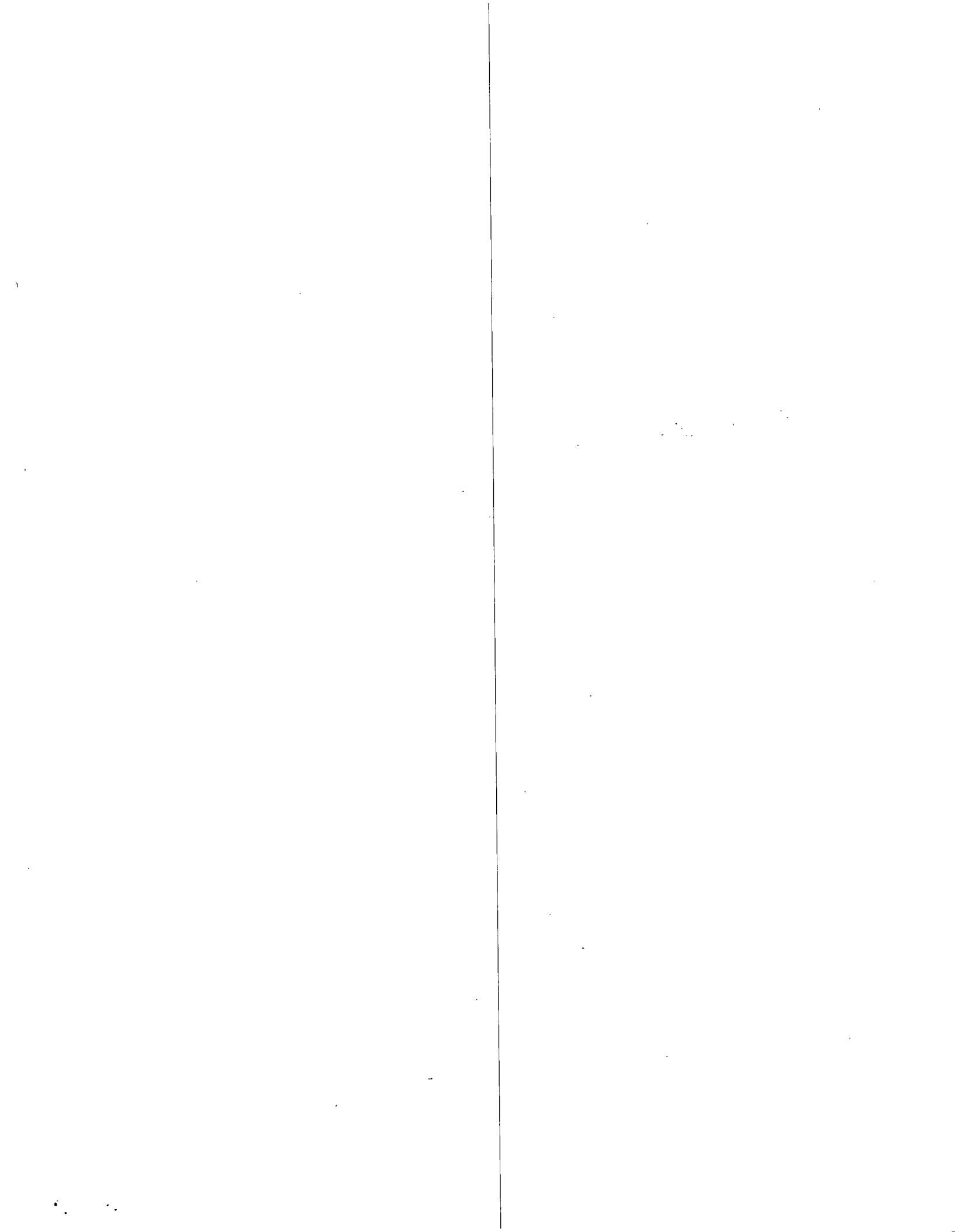
62. Paragraphs 18 through 58 are incorporated herein by reference.

63. Plaintiffs have an interest in and seek a declaration of their legal rights in relation to the conditions of approval N(3)(4)(6) and (7) of Ordinance 99-50.

64. There exists a real and present controversy between Plaintiffs and Defendants as to the ability of Defendants to enact conditions N(3)(4)(6) and (7) of Ordinance 99-50.

65. Plaintiffs seek a declaration that Defendants do not have the legal right or authority to condition their approval of Ordinance 99-50 as set forth in N(3), (4), (6) and (7) of Ordinance 99-50.

66. Plaintiffs are in doubt as to the rights of the parties, and the authority under Ordinance 99-50, and are



requesting a determination of the validity of the same, specifically conditions of approval N(3), (4), (6) and (7).

Wherefore, Plaintiffs respectfully request this Court to grant declaratory relief determining the validity of conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, award Plaintiffs their costs in this action, and grant whatever other relief this Court deems just and proper.

#### COUNT IV

##### PROCEDURAL DUE PROCESS

This is an action for procedural due process arising out of the United States Constitution, 14<sup>th</sup> Amendment, Federal Law, particularly the Civil Rights Act of 1871, 42 U.S.C., Section 1983.

67. Paragraphs 18 through 58 are incorporated herein by reference.

68. Note 3 of the conditions of approval states as follows:

N(3). "The SMAA shall continue to expeditiously and without further delays, seek approval from FAA of the 270° radial turn for planes departing on Runway 32. In the event the approval is not received prior to the state of Phase 2, construction of the expansion of the terminal building and parking garage shall not be authorized until either:

- a. the 270° radial turn departure procedure is approved and operational or,
- ii the SMAA can demonstrate to the County the Notice of Proposed Change pursuant to Section 380.06, Florida Statutes, that the SMAA has exerted good faith in a continued effort to gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County."

69. The determination of "exercised good faith" and "determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County" is unconstitutionally vague. The language of N(3) would permit arbitrary and capricious governmental decisions to be applicable in certain situations but deemed inapplicable in similar situated situations.

70. Further, the lack of notice of the consideration of the conditions of approval is a violation of the procedural due process requirements of the U.S. Constitution.

71. Plaintiffs have hired the undersigned counsel and are obligated to pay reasonable attorneys fees and costs.

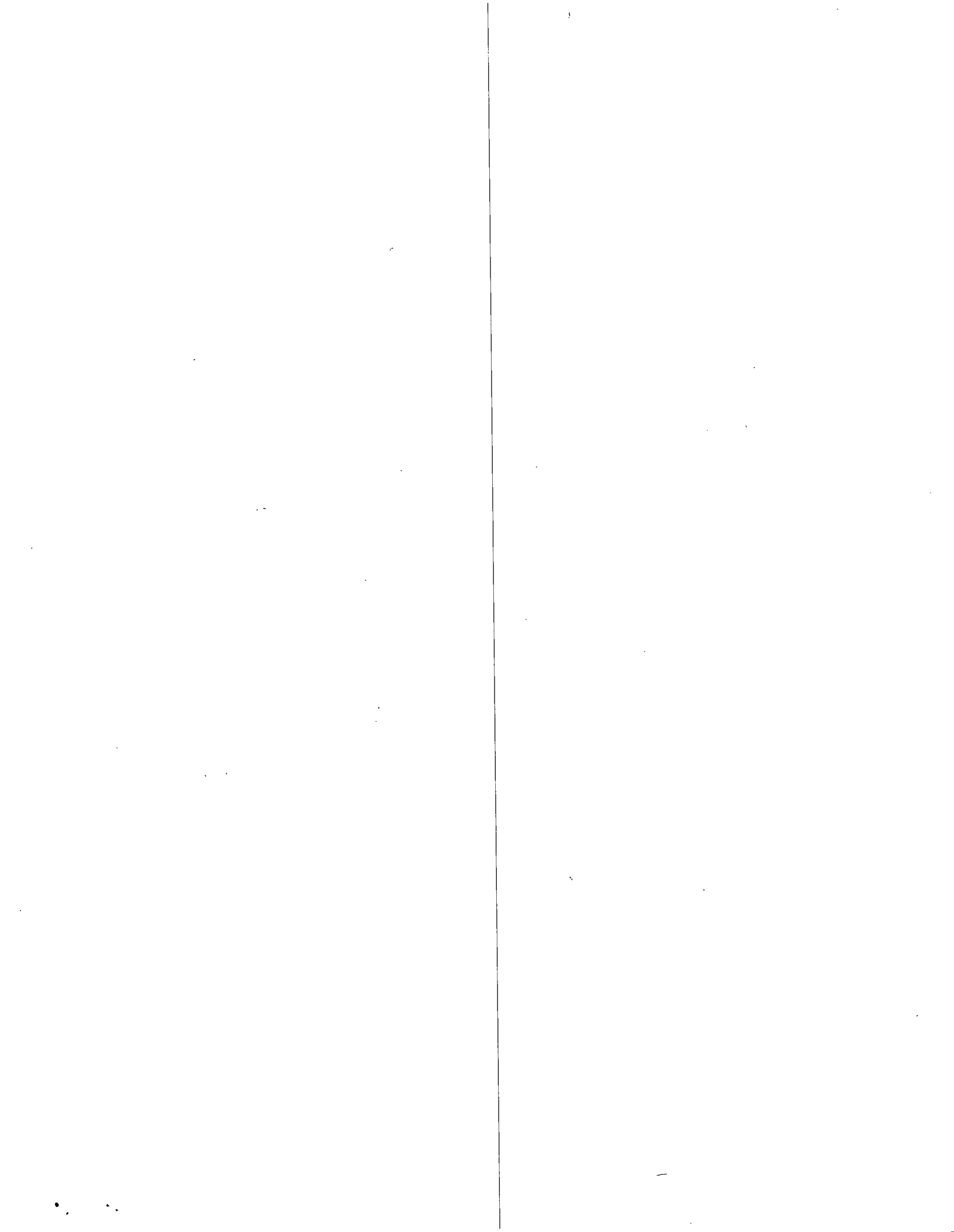
72. Plaintiffs are entitled to their attorneys fees pursuant to 42 U.S.C.A. 1988.

WHEREFORE, Plaintiffs request this Court to strike N(3), N(4), N(6), and N(7) of the conditions of approval of Ordinance 99-50, grant Plaintiffs their attorneys fees and costs, and grant whatever other relief this Court deems just and proper.

COUNT V

SUBSTANTIVE DUE PROCESS

This is an action for substantive due process arising out of the United States Constitution, 14<sup>th</sup> Amendment, Federal Law,



particularly, the Civil Rights Act of 1871, 42 U.S.C., Section 1983.

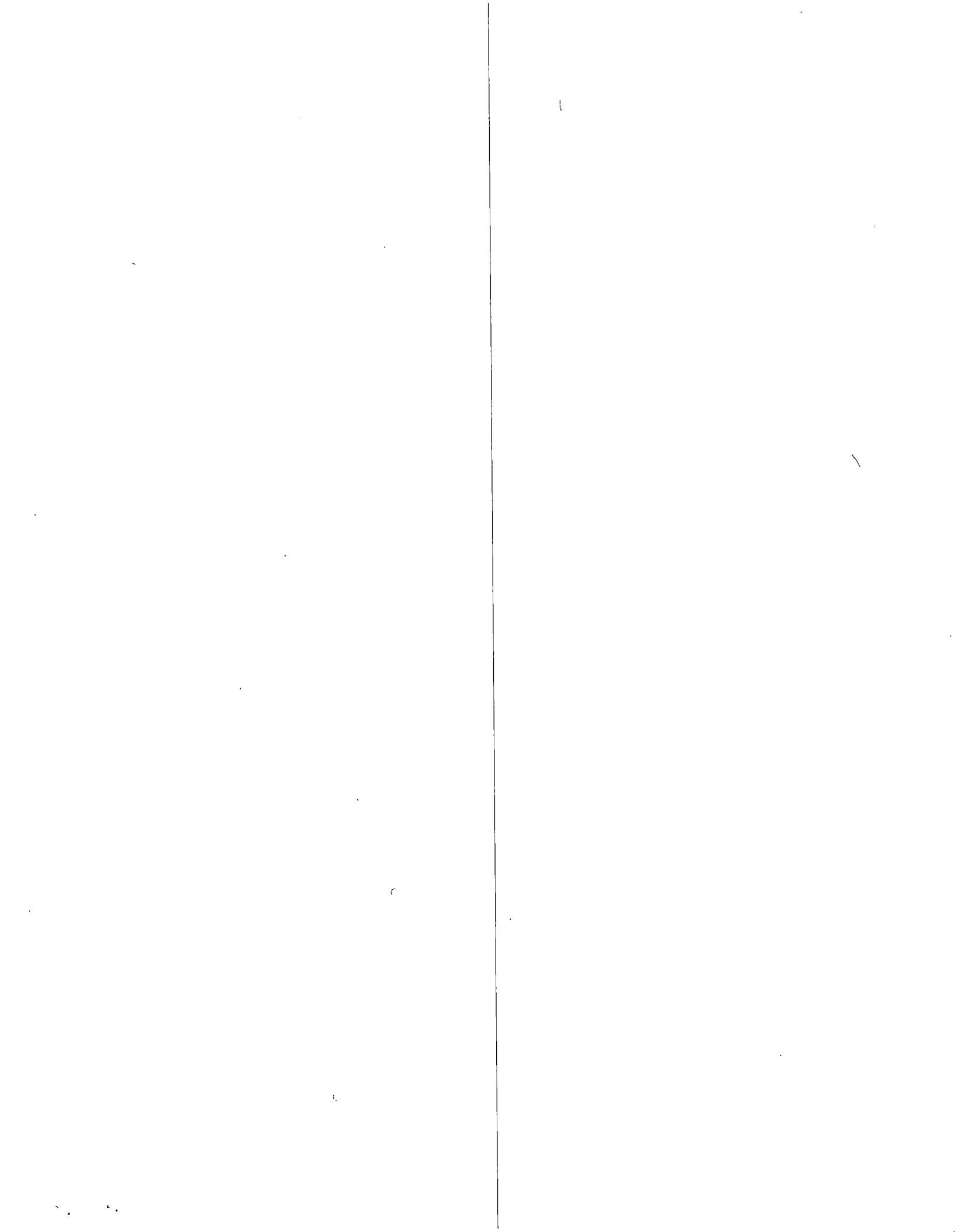
73. The acts and practices of the County have been and are being performed under the color of law, and therefore constitute the actions of the State within the meaning of the 14<sup>th</sup> Amendment of the U.S. Constitution.

74. The County's action by instituting conditions of approval N(3), N(4), N(6) and N(7) deprive the Plaintiffs of due process of law in violation of the 14<sup>th</sup> Amendment and 42 U.S.C. Section 1983. The County has acted without authority, and without a valid police power to institute said conditions of approval. There exists no substantive relationship between the public health, safety and welfare, and the County's attempt to require the aforementioned conditions of approval.

75. Further, the County's actions deprive Plaintiffs of a property right without due process of law. Plaintiffs were not afforded notice of the consideration of the inclusion of a condition relating to the change of departure, as part of the requirements of the runway and terminal expansion.

76. Plaintiffs have hired the undersigned counsel and are obligated to pay reasonable attorneys fees and costs.

77. Plaintiffs are entitled to their attorneys fees pursuant to 42 U.S.C.A. 1988.



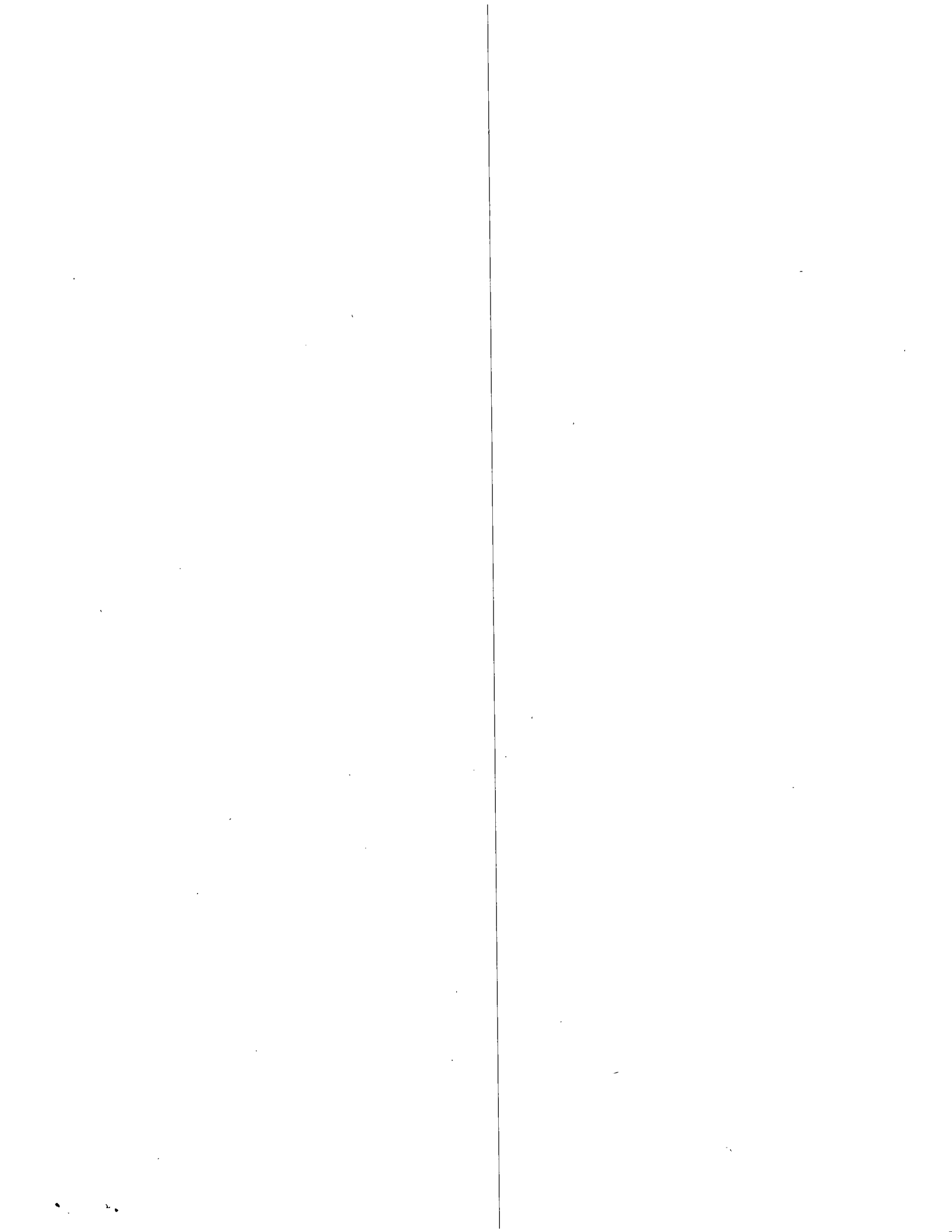
Wherefore, Plaintiffs respectfully request this Court strike N(3), N(4), N(6), and N(7) from the conditions of approval of Ordinance 99-50 rendered December 15, 1999, grant Plaintiffs their attorneys fees and costs, and grant whatever other relief this Court deems just and proper.

HANKIN, PERSSON, DAVIS,  
McCLENATHEN & DARNELL  
2033 Main Street, Suite 400  
Sarasota, FL 34237  
Attorneys for Petitioners  
Telephone: (941) 365-4950  
Fax: (941) 365-3259

By: 

David P. Persson  
Florida Bar No. 622486





IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA

LONGBOAT KEY CASA DEL MAR, INC.,  
a condominium association  
organized under the laws of  
the State of Florida, and  
TOWN OF LONGBOAT KEY, FLORIDA,  
a municipal corporation of the  
State of Florida,

Petitioners,

v.

Case No. \_\_\_\_\_

Division: \_\_\_\_\_

MANATEE COUNTY, FLORIDA, a county  
government organized under the laws  
of the State of Florida, and the  
BOARD OF COUNTY COMMISSIONERS  
FOR MANATEE COUNTY, the governing  
body of Manatee County,

Respondents.

PETITIONERS' REQUEST FOR ORAL ARGUMENT

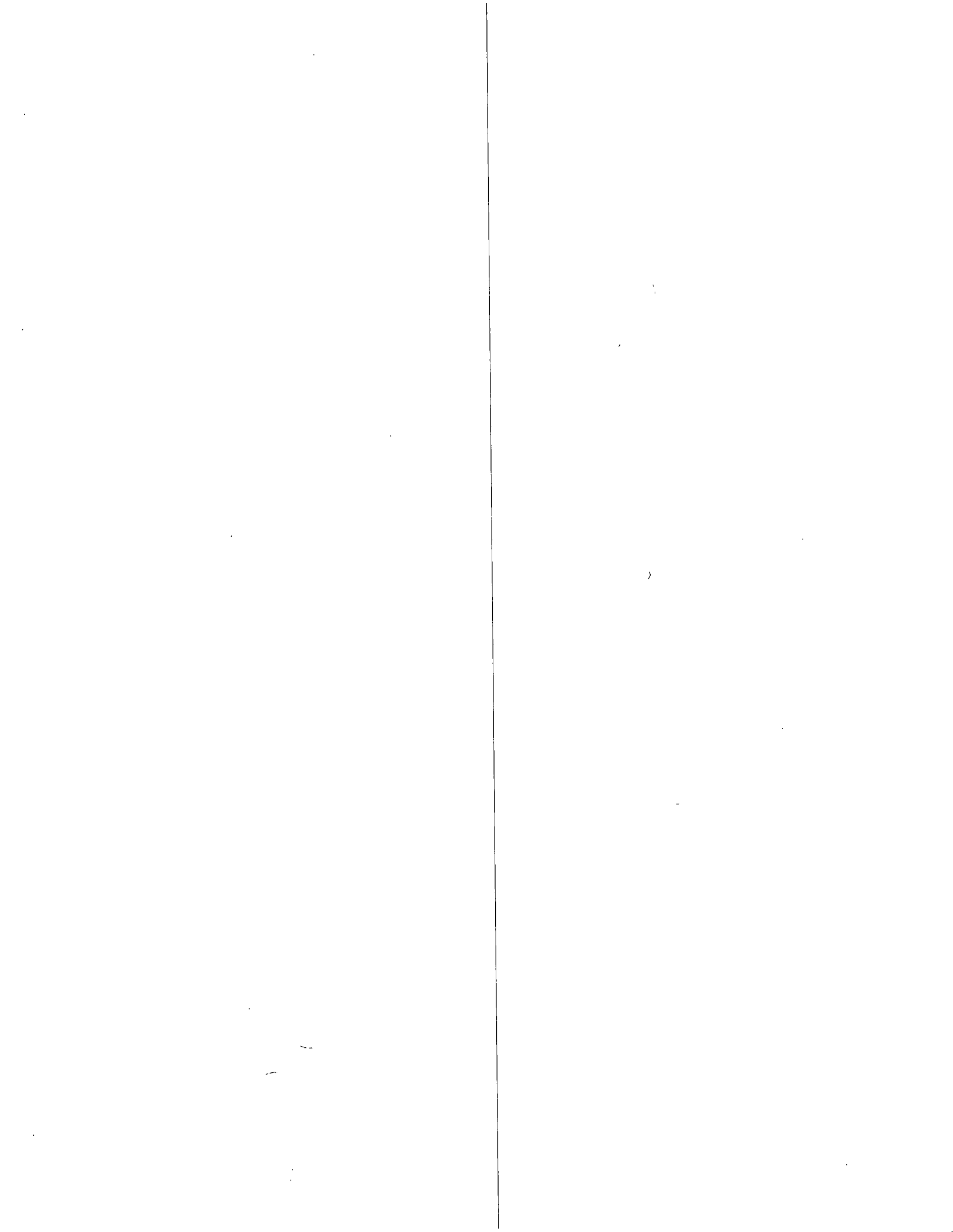
The Petitioners, LONGBOAT KEY CASA DEL MAR, INC., a  
condominium association organized under the laws of the State of  
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the State of Florida, by and through their undersigned attorneys,  
requests that the Court permit and grant oral argument on the  
issues involved in this action.

The Petitioners request that the court allow 1.5 hours for  
oral argument.

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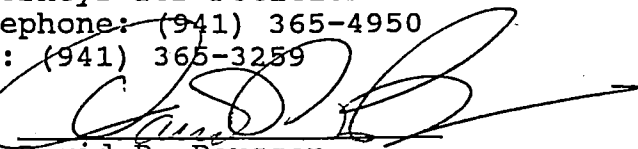
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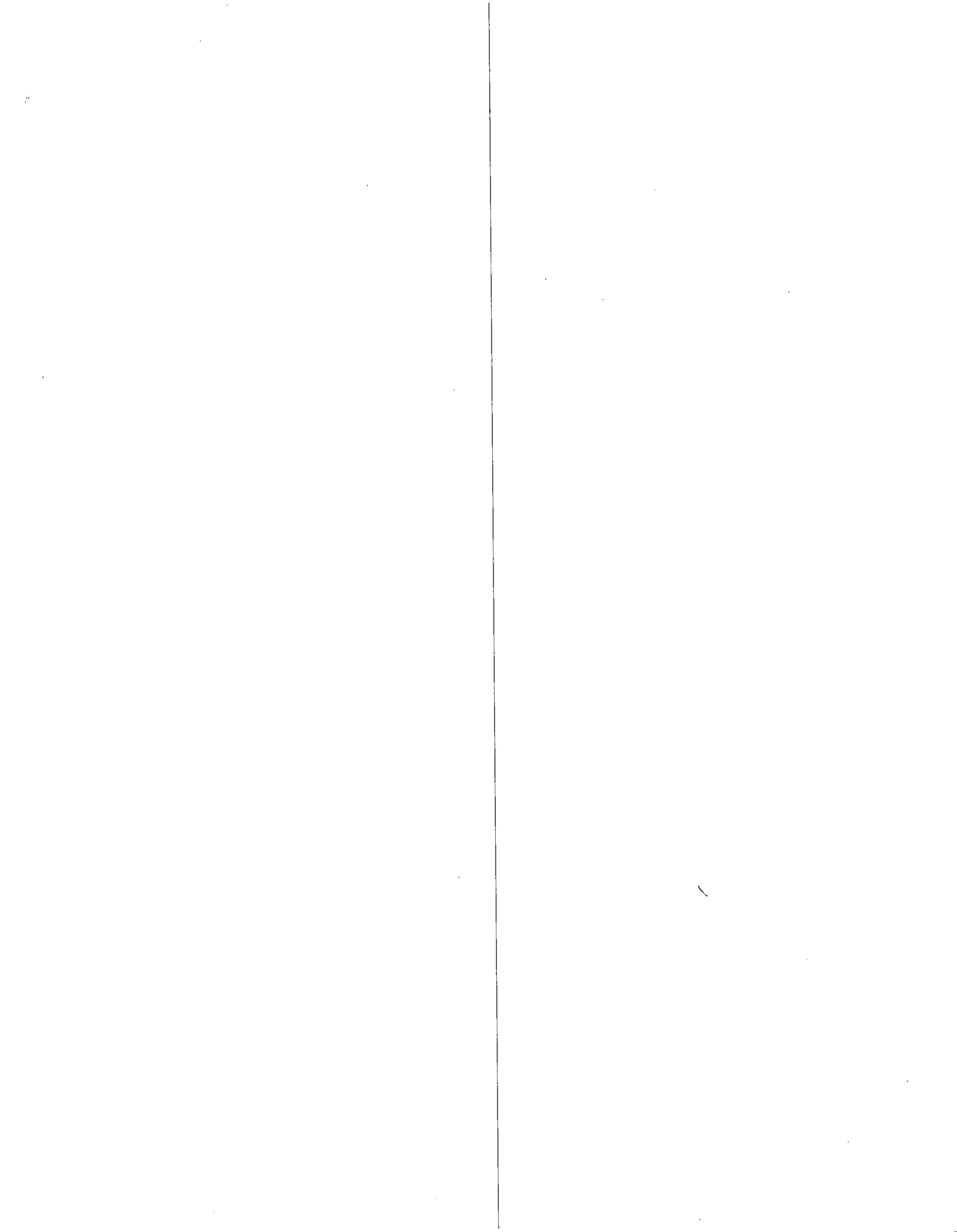
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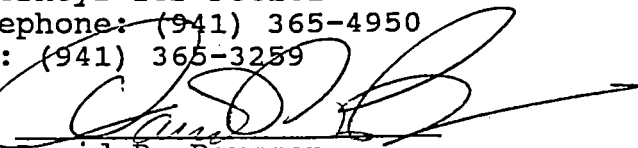
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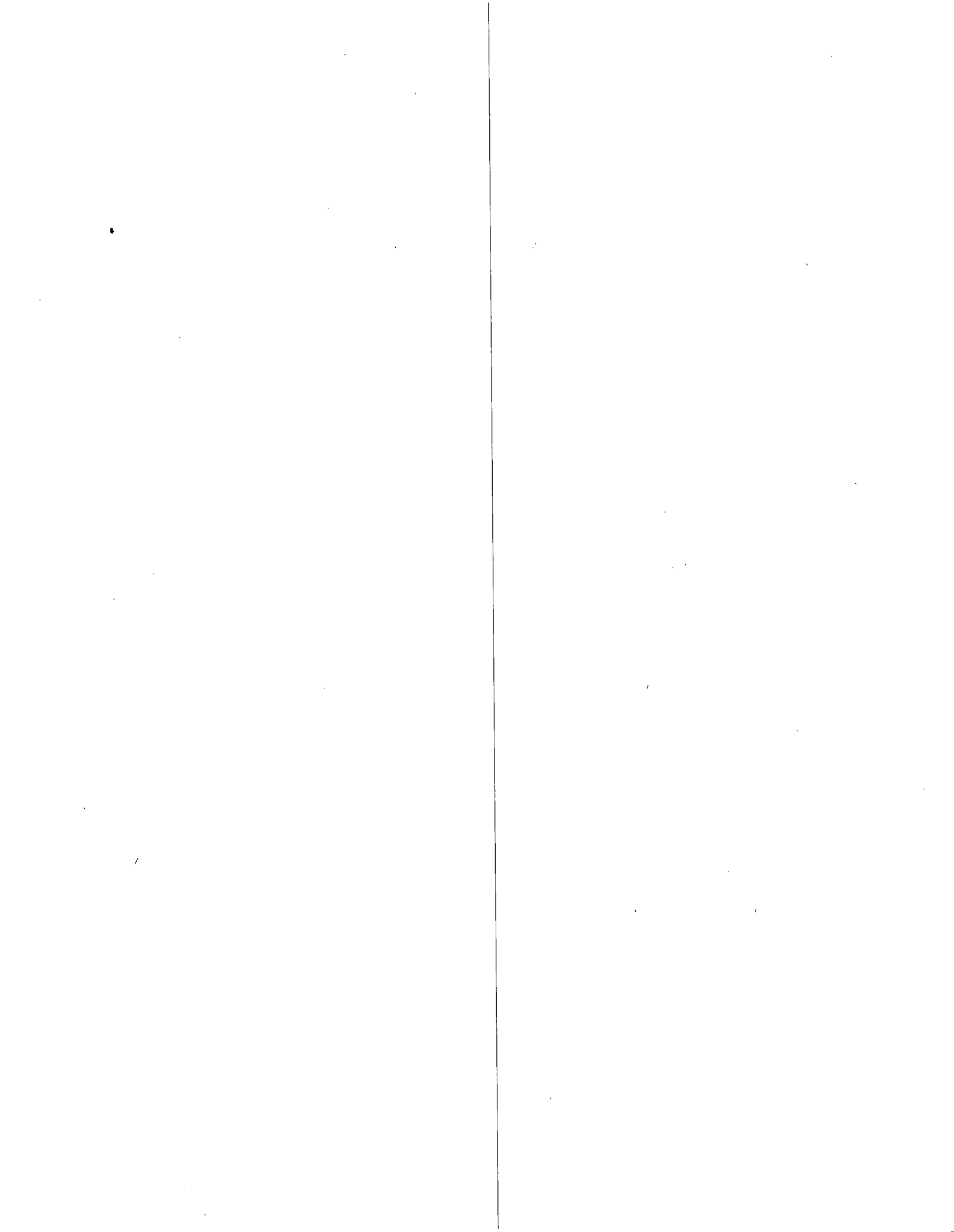
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[This Petition is filed pursuant to Rule 9.100(f) and,  
requires special processing by the Clerk, pursuant  
to Rule 9100(f)(3)]

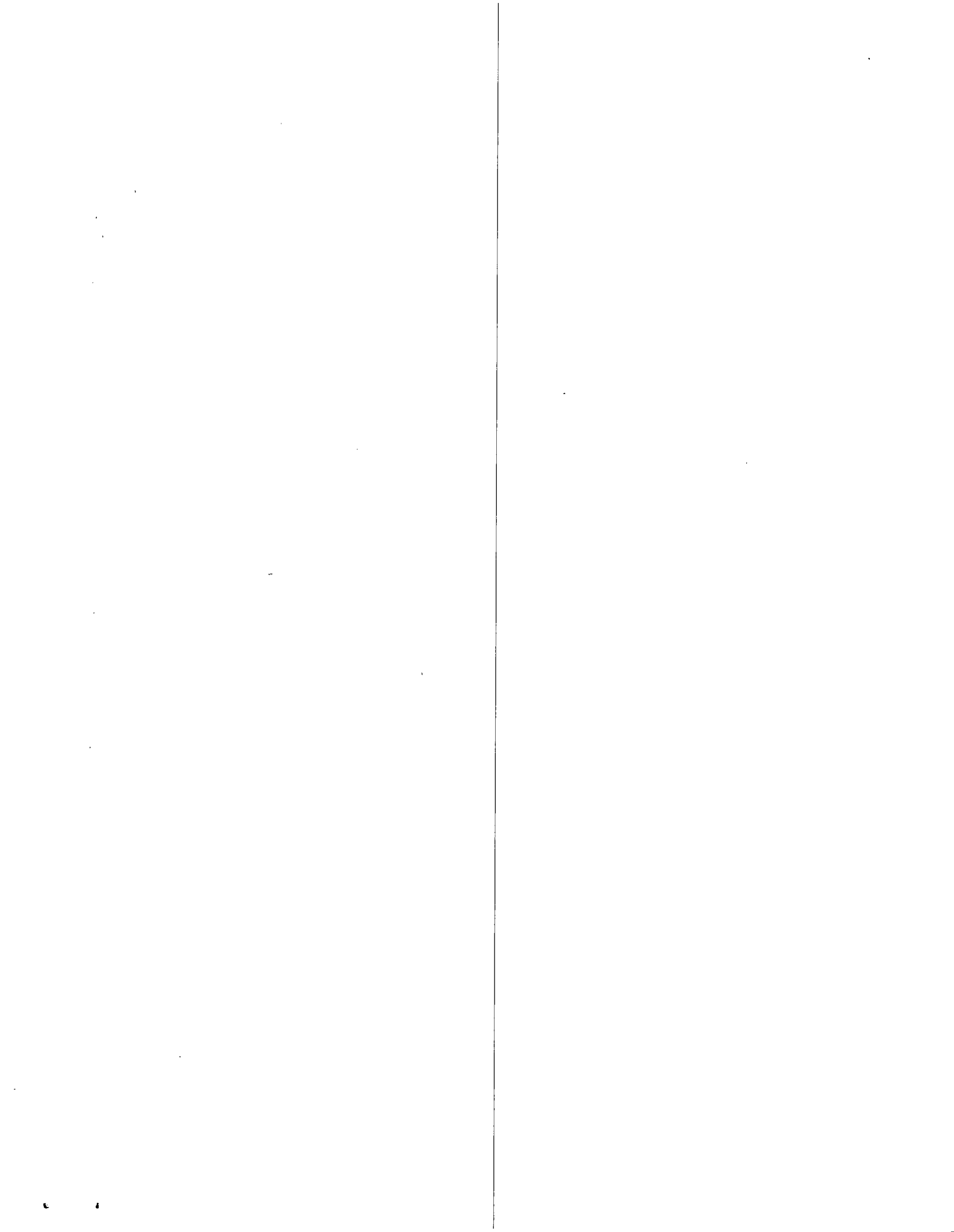
Respondents.

\_\_\_\_\_/

PETITION FOR WRIT OF CERTIORARI  
FOR REVIEW OF QUASI-JUDICIAL ACTION,  
PETITION FOR WRIT OF MANDAMUS,  
COMPLAINT FOR DECLARATORY RELIEF,  
VIOLATION OF PROCEDURAL AND SUBSTANTIVE DUE PROCESS

PETITIONERS, LONGBOAT KEY CASA DEL MAR, INC., a condominium  
association organized under the laws of the State of Florida, and  
the TOWN OF LONGBOAT KEY, a municipal corporation of the State of  
Florida (collectively "Petitioners") bring these actions against  
Respondents, MANATEE COUNTY, FLORIDA, a county government  
organized under the laws of the State of Florida (the "County")  
and the BOARD OF COUNTY COMMISSIONERS FOR MANATEE COUNTY, the





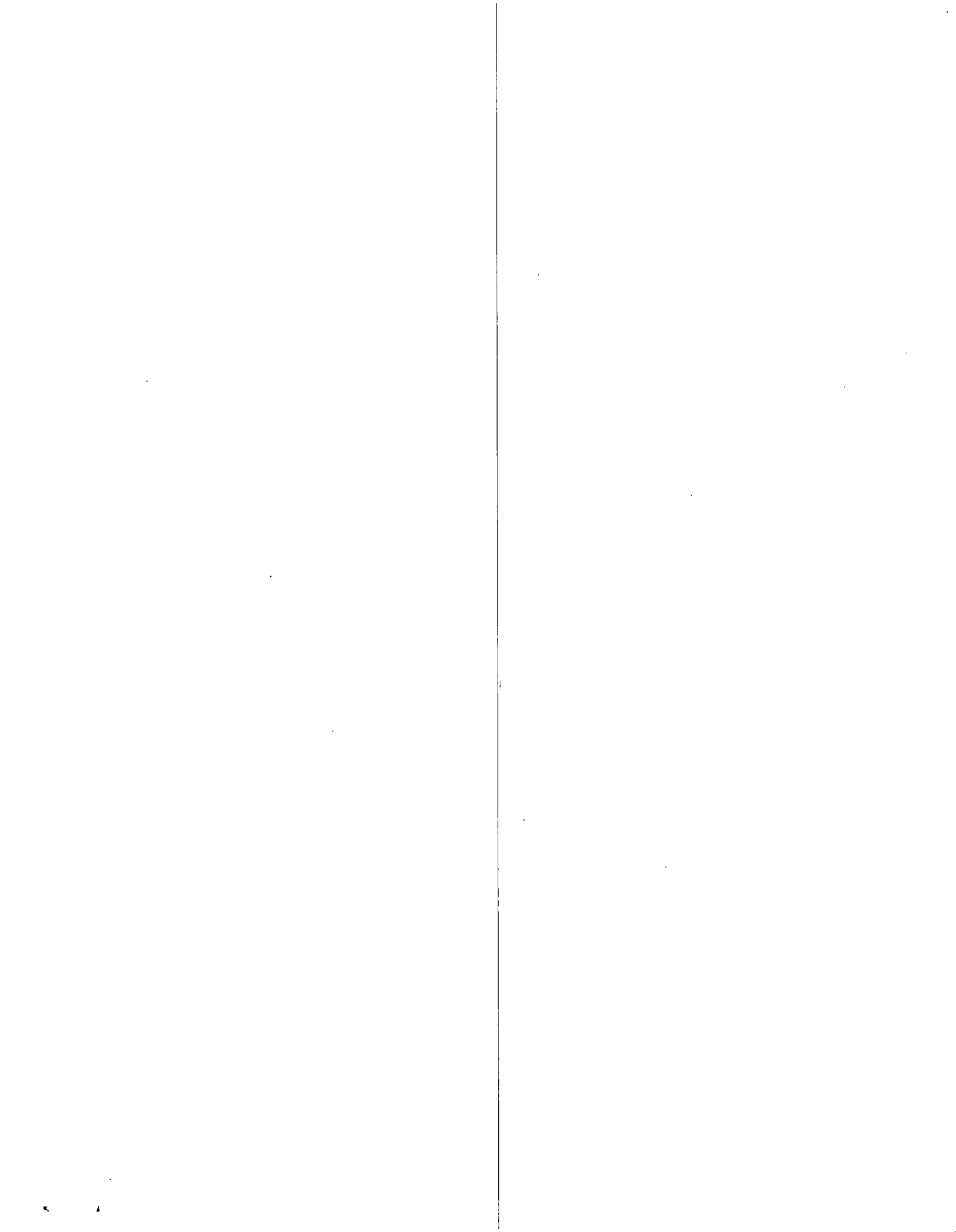
governing body of Manatee County, Florida (the "Commission") (collectively "Respondents"), and allege:

COUNT I

PETITION FOR WRIT OF CERTIORARI

1. This is an action seeking the issuance of a writ of certiorari. In this action, Petitioners are requesting the Court to judicially review, in its appellate capacity, conditions of approval for a final and quasi-judicial administrative action and decision of the Respondents granting the approval for the expansion of the Sarasota Bradenton Airport with an amendment to the Development of Regional Impact (DRI) for the Airport, pursuant to Ordinance 99-50. Petitioners challenge certain conditions of approval, specifically beginning on Page 23 of Ordinance 99-50, Sections N(3), N(4), N(6), and N(7). Petitioners do not challenge the ultimate decision of Respondents to grant the request of the Sarasota Bradenton Airport to expand its facilities. Petitioners only challenge the above-referenced conditions of approval.

2. The Petitioners contend that the conditions of approval (as cited above) deny the Petitioners due process, depart from the essential requirements of law, are arbitrary, unreasonable, capricious, and discriminatory, and are not supported by competent and substantial evidence.

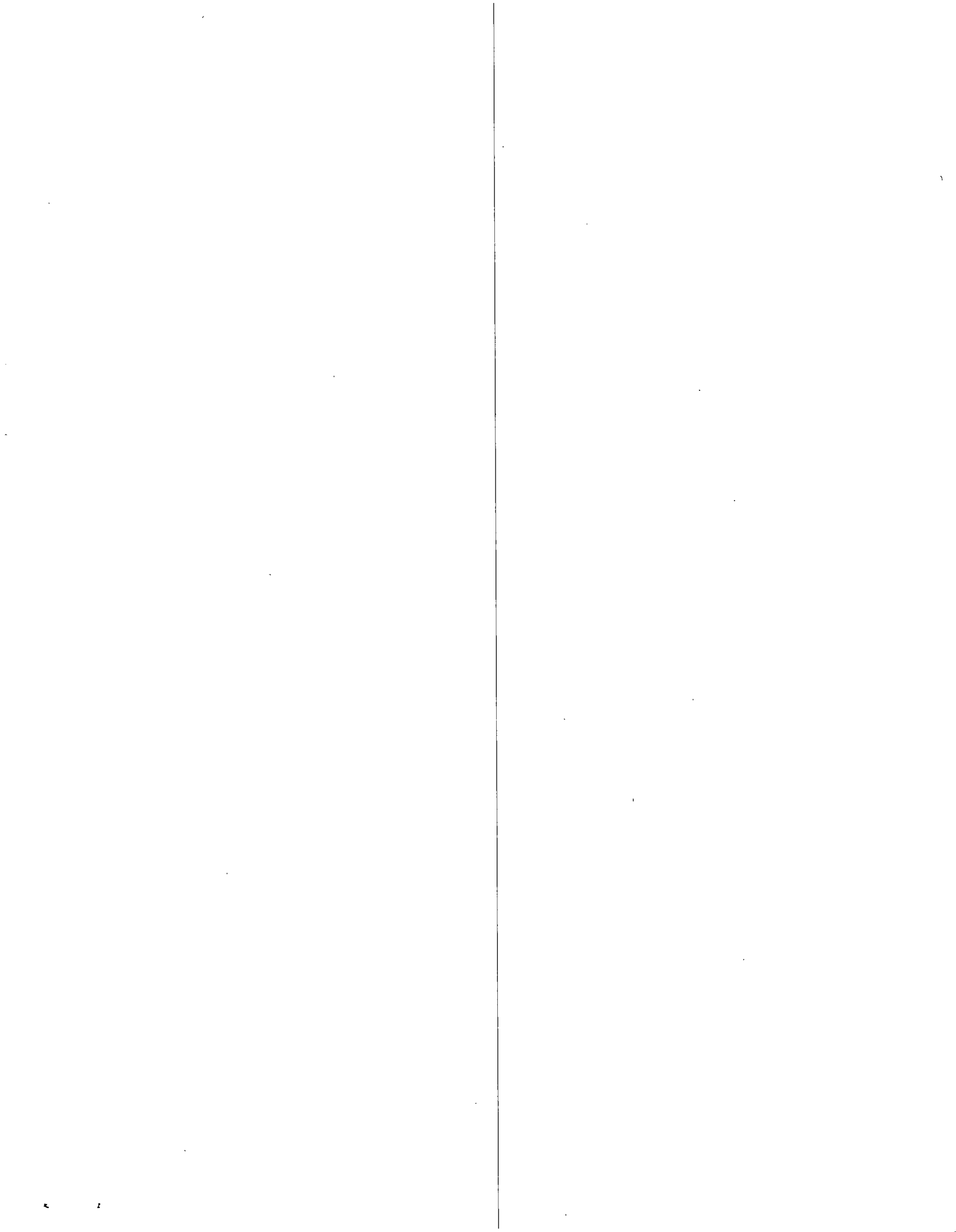


### APPENDIX AND CITATIONS

Those portions of the record of the proceedings before the Commission below that were available from the Clerk for the Commission at the time of filing this Petition for Writ of Certiorari, and that are relied upon by the Petitioner in support of its Petition, are set forth in the appendix to Petition for Writ of Certiorari and are separately bound and filed simultaneously with this Petition. The Appendix is expressly incorporated into and made a part of this Petition. Citations in this Petition to the Appendix shall be as follows: (Tab#:Page#). Where citations are made to the record which is not yet available, the citation will be blank. Concurrently with the filing of this Petition, Petitioner has also filed a Motion for Extension of Time to Complete and Supplement the Appendix to Petition for Writ of Certiorari and to Amend the Petition for Writ of Certiorari, Writ of Mandamus, and Complaint for Declaratory Relief, Procedural and Substantive Due Process.

### JURISDICTION OF THE COURT

3. The actions and decisions of the Respondents challenged by the Petitioners in this action were quasi-judicial in nature rather than legislative in nature, and therefore are properly reviewable by certiorari. *The Board of County Commissioners of Brevard County v. Snyder*, 627 So.2d 469 (Fla. 1993); *Sunbelt*

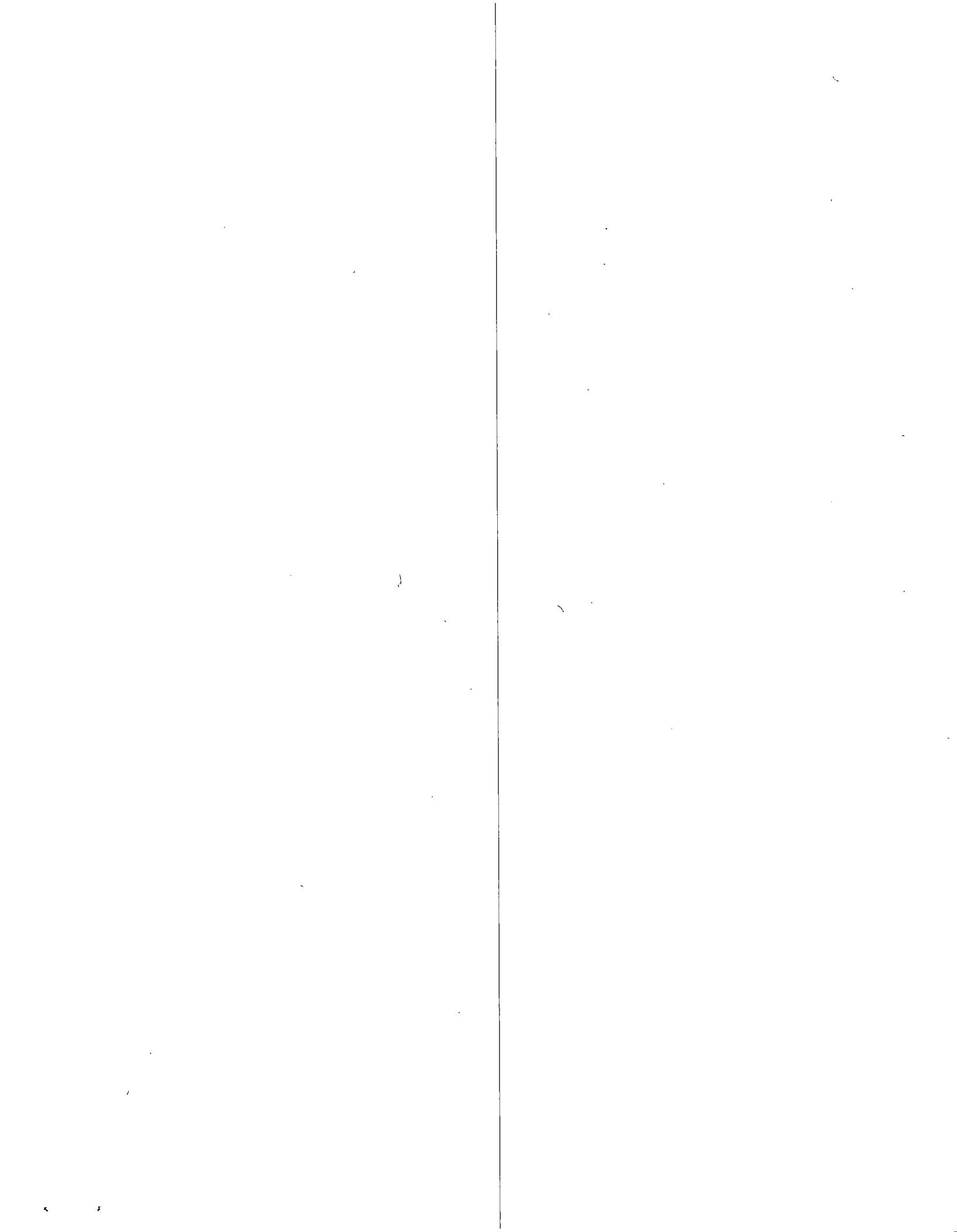


*Equities II v. Lee County*, 619 So.2d 996 (Fla. 2d DCA 1993); and *Irvine v. Duval County Planning Comm.*, 495 So.2d 167 (Fla. 1986).

4. Common law certiorari is available to obtain judicial review of final governmental or administrative actions where the Florida Legislature has failed to provide for review by statutory certiorari, where no other method of direct appellate review proceedings are provided by law, and where no other method of appeal is available. *DeGroot v. Sheffield*, 95 So.2d 912 (Fla. 1957) and *G-W Development Corporation v. Village of North Palm Beach Zoning Board of Adjustment*, 317 So.2d (Fla. 4<sup>th</sup> DCA 1975).

5. The action and decision of the Respondents was a final administrative action and decision. The Florida Legislature has failed to provide for review of that action and decision by statutory certiorari, no other method of direct appellate review proceedings of that decision and action is provided by law and no other method of appeal is available to Petitioner to challenge the action and decision.

6. This Court therefore has jurisdiction of this action pursuant to Rules 9.030(c), 9.100(a), 9.100(f) and 9.190(b)(3), Florida Rules of Appellate Procedure, and Article V, Section 5(b) of the Florida Constitution which authorizes circuit courts to issue writs of certiorari.



VENUE

7. The venue of this action properly lies in the Circuit Court of the Twelfth Judicial Circuit in and for Manatee County, Florida, because of the location of the real property and the requirements of approval which are the subject of this controversy are located within portions of the geographic boundaries of Manatee County, Florida.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

8. The Petitioners have exhausted all administrative remedies that are available to them with respect to the issues in controversy.

CONDITIONS PRECEDENT TO THIS ACTION

9. All conditions precedent to the institution of this action have occurred or have been performed.

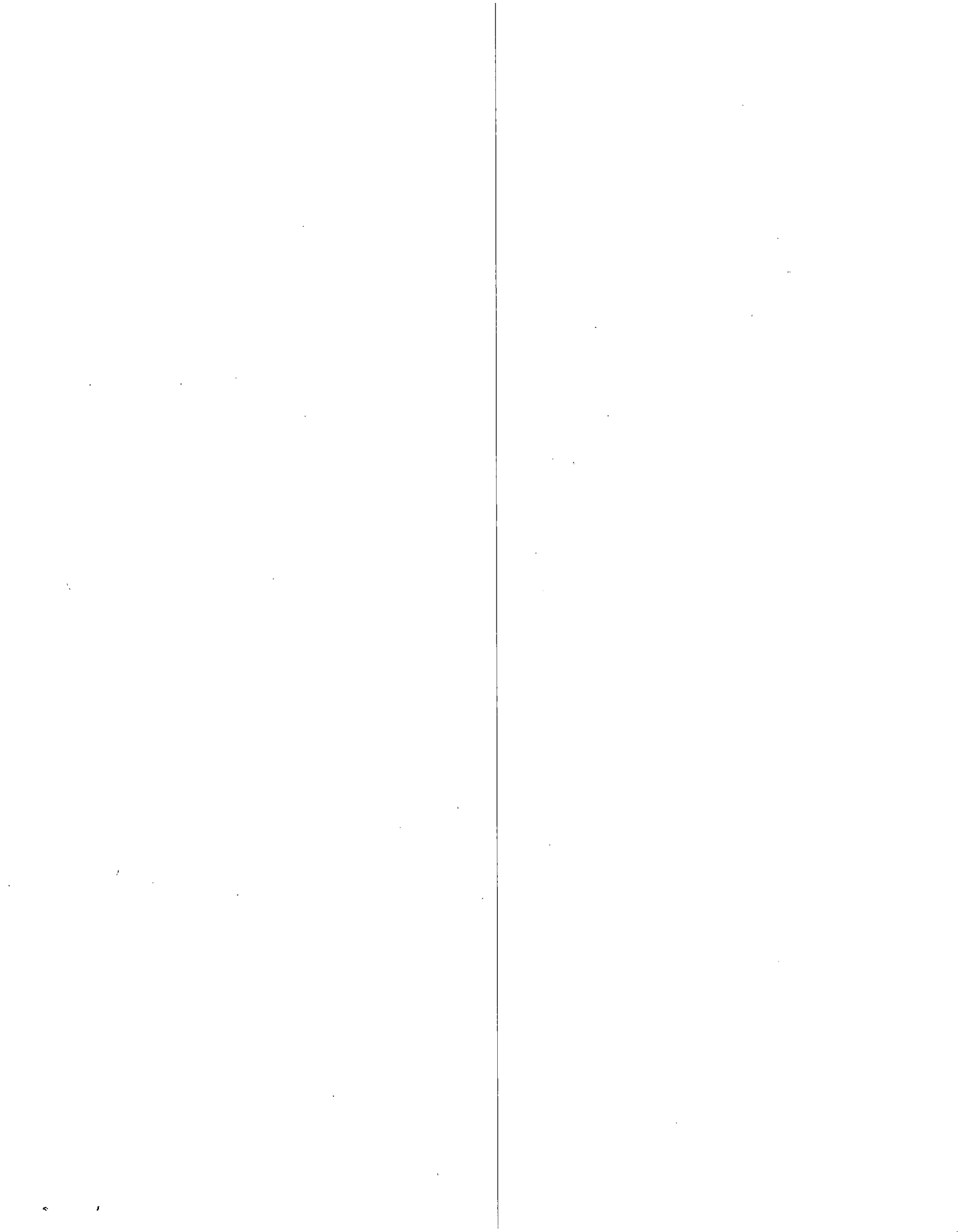
PETITION TIMELY FILED

10. This Petition for Writ of Certiorari was filed by the Petitioners within 30 days from the date of the action and decision by the Commission.

SCOPE OF REVIEW

11. It is clear that certiorari is an appellate process. *City Savings Corp v. S&B Partners*, 548 So.2d 1156 (Fla. 1<sup>st</sup> DCA 1989).





12. In this action, therefore, the Court will be acting in an appellate review capacity rather than in its traditional, normal and customary trial capacity involving fact finding and initial decision making. *Lee County v. Sunbelt Equities II*, 619 So.2d 996 (Fla.2d DCA 1993).

13. As succinctly stated by our Second District Court of Appeals in *Lee County v. Sunbelt Equities II* in discussing the circuit court's role in certiorari proceedings:

At the circuit level, three questions are asked: whether due process was afforded, whether the administrative body applied the correct law, and whether its findings are supported by competent, substantial evidence . . . (*Lee County, supra*, 1003).

14. Thus, in reviewing the action and decision of the Respondents, the Court is authorized only to determine whether the Respondents afforded the Petitioners due process, observed or departed from the essential requirements of the law, and supported their action and decision by substantial, competent evidence. *City of West Palm Beach Zoning Board of Appeals v. Education Development Center*, 504 So.2d 1385 Fla. 4<sup>th</sup> DCA 1987).

#### STANDARD OF REVIEW

15. In reviewing the action and decision of the Respondents the Court must subject those actions and decisions to strict judicial scrutiny. The action and decision complained of does not constitute legislative action requiring deferential judicial

review as to reasonableness. *Bd. of Cty Com'rs of Brevard v. Snyder*, 627 So.2d 469 (Fla. 1993); *Snyder v. Board of County Commissioners*, 595 So.2d 65 (Fla. 5<sup>th</sup> D.C.A., 1991).

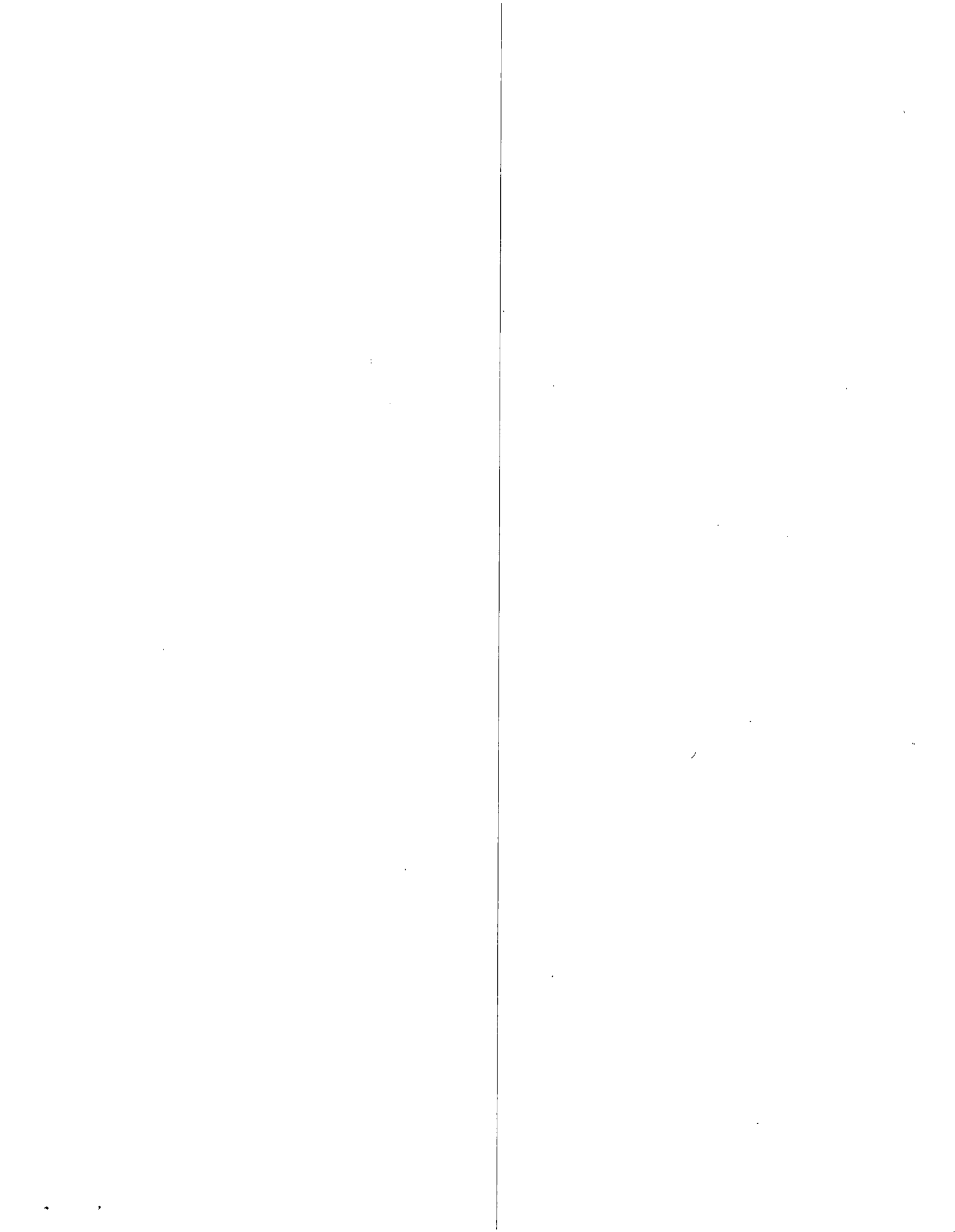
16. Florida's Fourth District Court of Appeal has also confirmed that the courts should use "strict judicial scrutiny" in reviewing local government's rezoning and land use decisions. *Section 28 Partnership Ltd. v. Martin County*, 649 So.2d 609 (Fla. 4<sup>th</sup> DCA 1994).

17. Assuming arguendo that the standard of review was not strict scrutiny but instead the deferential "fairly debatable" standard applicable to legislative acts of the Respondents, the Court would still be compelled to quash the conditions of approval of Ordinance 99-50 as passed by the Respondents.

#### PARTIES

18. The Petitioner, Longboat Key Casa Del Mar, Inc., a condominium association, is a Florida not-for-profit corporation which owns or controls real property and improvements located within the municipal limits of the Town of Longboat Key which lie within Manatee County, Florida.

19. The Petitioner, the Town of Longboat Key, is a municipal corporation under the laws of the State of Florida, and a portion of the Town lies within Manatee County, Florida.



20. The Respondent, Manatee County, is a county government under the laws of the State of Florida, the Florida Constitution, and Florida Statutes.

21. The Commission is the legislative governing body of the County established pursuant to the Florida Constitution and Chapter 125 and its Charter and exercises the legislative and other powers of county government through its commissioners, including the review and approval of various land use or land development petitions, applications, requests, permits and orders authorized by the County's Comprehensive Plan and Zoning Code.

STATEMENT OF FACTS ON WHICH PETITIONER RELIES

22. Sarasota Bradenton International Airport (the "Airport") is operated by the Sarasota-Manatee Airport Authority (the "Authority").

23. The Authority obtained for the Airport a Final Order from the Florida Land & Water Adjudicatory Commission in 1986 establishing a Development of Regional Impact (the "DRI").

24. The DRI was amended in 1990.

25. The Authority has subsequently sought to modify the DRI through a substantial deviation which has been approved by the County as Ordinance 99-50, the conditions of which are the subject matter of these actions. (Tab 1).

26. The Authority requested a substantial deviation to the DRI which included proposed Airport aviation related issues.

27. Specifically, the substantial deviation requested expanding Runway 14-32 by allowing an additional 1,150 feet at the southeast end, and 1,350 feet at the northwest end for a total runway length of approximately 9,500 feet. Further, the deviation requested expansion of the terminal by 175,000 square feet, as well as 800 spaces of public parking and certain other general aviation improvements together with changes to allowable uses for four out parcels. (Tab 1:Page 5).

28. The Federal Aviation Administration ("FAA") was established by the federal government to provide rules and regulations concerning the operation of airports.

29. The FAA was granted exclusive jurisdiction to govern airport safety, noise and operations throughout the United States.

30. The FAA also controls the pilot's procedures for departures from runways, including runways at the subject Airport.

31. Part of the FAA's authority with the Airport is their determination of the procedures for departure from Runway 32, the portion of the Runway which lies within Manatee County.

32. The Authority prepared a Part 150 Study required by 44 C.F.R. 150, analyzing the departure routes for Runway 32. (Tab 2).

33. Currently, the procedure approved by the FAA for flights heading north departing Runway 32 is to turn at .9 miles from the center of the Airport ("DME") to a 295° radial, proceed up Sarasota Bay to an elevation of 3,000 feet, whereupon the plane is released to head to its destination.

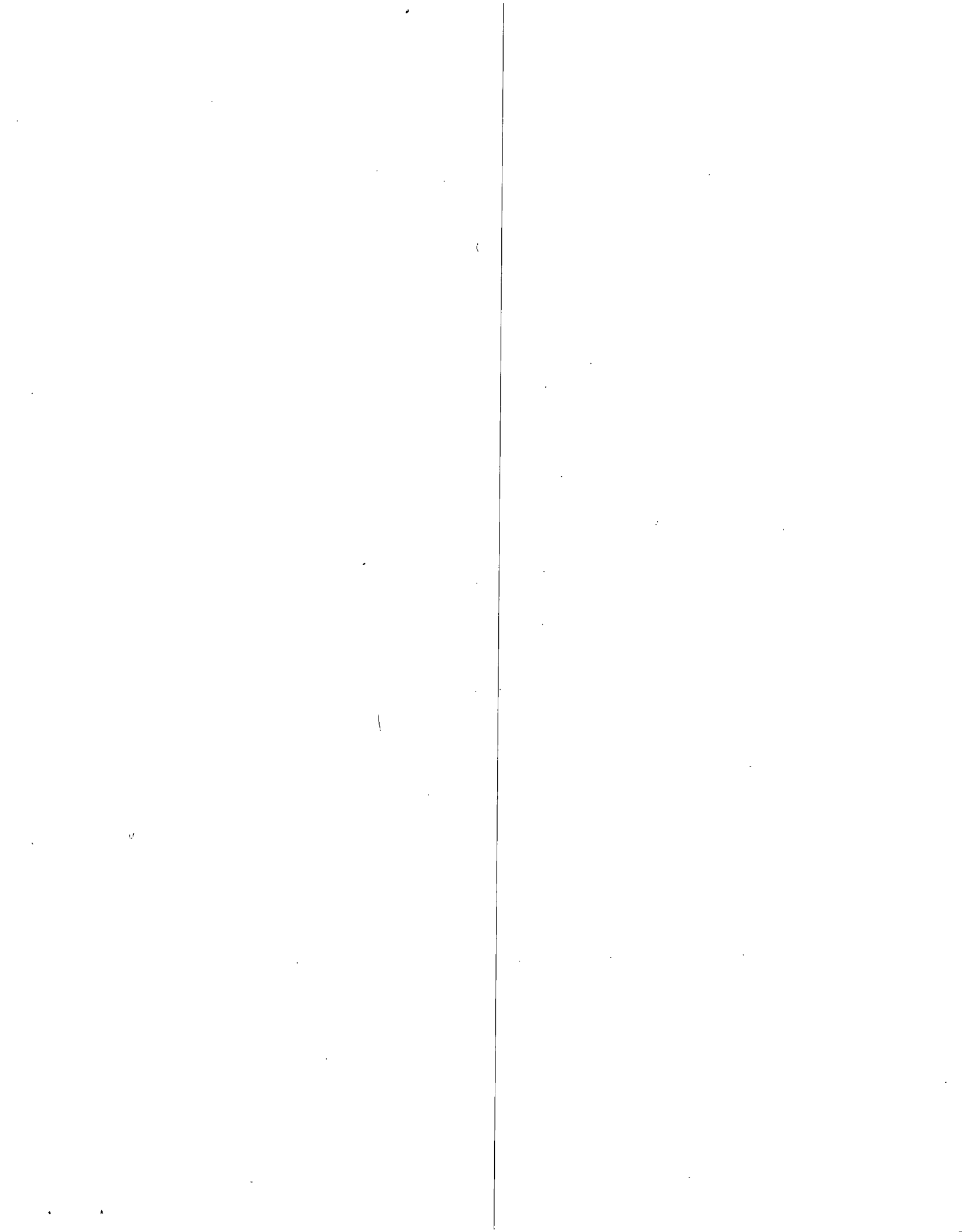
34. The Authority seeks approval from the FAA to modify that departure route by requiring a turn to a 270° radial, flying aircraft across Longboat Key to their release point (Tab 2).

35. This matter has been before the Airport Authority and the FAA since 1995.

36. The FAA has not approved the change of departure because, among other things, the change creates a greater noise impact for certain individuals who reside on the mainland, generally located north of the Airport and west of U.S. 41. (Tab 3).

37. The conditions of approval from which relief is sought are as follows:

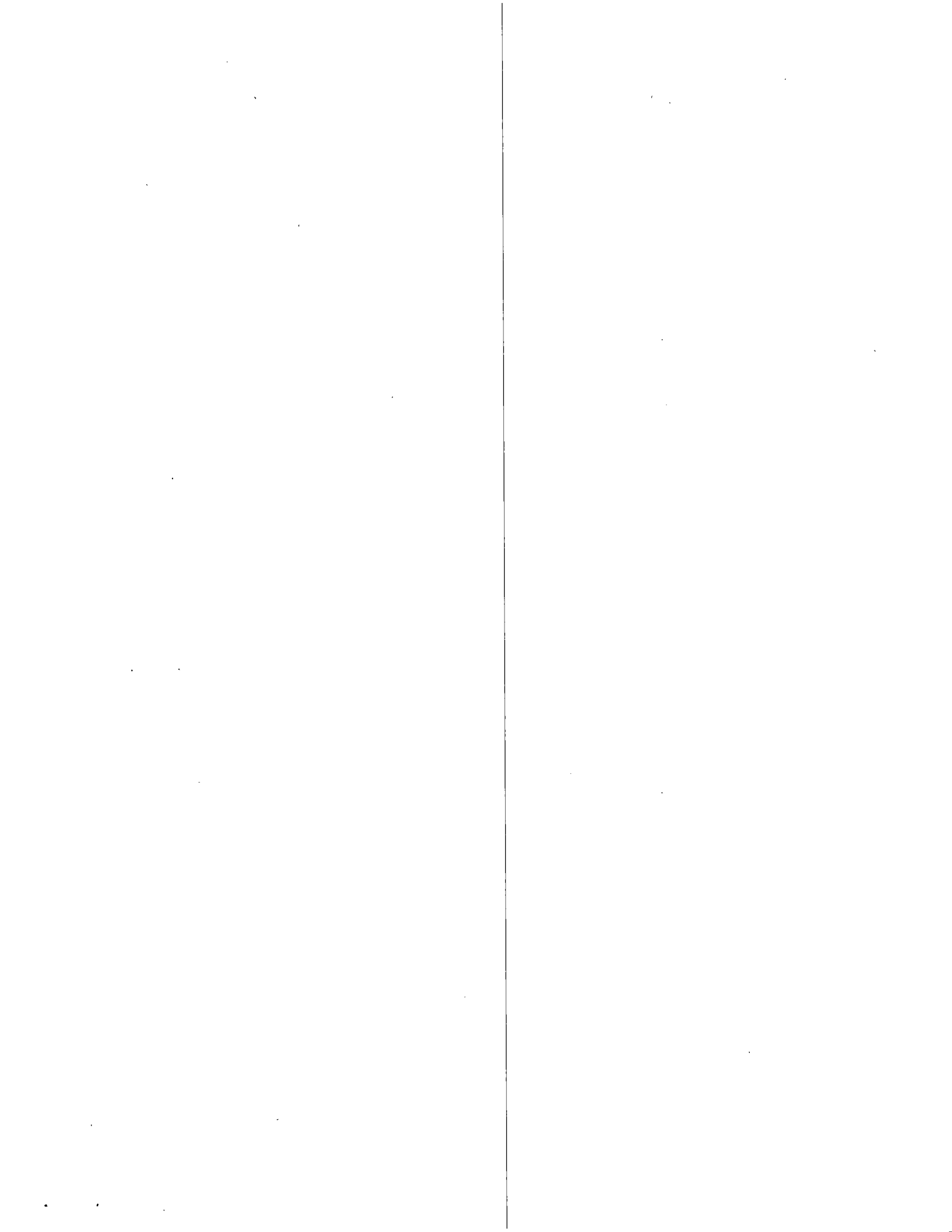
- a. N(3). "The SMAA shall continue to expeditiously and without further delays, seek approval from FAA of the 270° radial turn for planes departing on Runway 32. In the event the approval is not received prior to the state of Phase 2, construction of the expansion of the terminal building and parking garage shall not be authorized until either:
  - a. the 270° radial turn departure procedure is approved and operational or,
  - ii the SMAA can demonstrate to the County the Notice of Proposed Change pursuant to Section 380.06, Florida Statutes, that the SMAA has exerted good faith in a continued effort to





gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County."

- b. N(4). All noise abatement measures as described in Table 6-10 of the FAR Part 150 NCP (Noise Compatibility Plan) dated February 1997 shall be implemented as described with the modifications herein:
  - a. All aircraft weighing over 25,000 pounds and jet aircraft departing on Runway 32 shall be instructed to turn left at 0.9 DME to join the Sarasota 270° radial outbound to at least 7 DME, then proceed on course as directed by Air Traffic Control (ATC). Should, after implementation, the turn at the 7DME result in splay of aircraft that is further east than anticipated, the aircraft shall be instructed to proceed outbound to the 270° radial to the 8DME, then proceed on course as instructed by ATC. Should approval of the turn to the 270° radial be denied by the FAA because of airspace constraints, the current procedure shall be maintained until such time as the turn to the 270° radial becomes feasible. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing northbound on Runway 32 shall be instructed to turn left at 0.9DME to join the Sarasota 295° radial outbound, then proceed on course as instructed by ATC; and all aircraft weighing over 25,000 pounds and all jet aircraft departing southbound on Runway 32 shall be instructed to turn left at 0.9 DME to a bearing of 270°, then proceed on course as instructed by ATC.
  - b. Arriving aircraft on Runway 32 would be allowed to make visual approaches to the airport and turn to the runway heading as soon as cleared to do so by the Air Traffic Control Tower.
  - c. All aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 14 shall



be instructed to maintain runway heading until reaching 3,000 feet, then proceed on course.

- d. Continue balanced runway use program. The goal of this program is equal use of Runway 14 and Runway 32 for air carrier departures, and equal use of Runway 14 and Runway 32 for air carrier arrivals.
  - e. Encourage the airlines to make maximum use of their own internal quiet departure techniques, guided by FAA Advisory Circular 91-53A, "Noise Abatement Departure Profiles."
  - f. All departing aircraft, to the extent feasible, should be issued unrestricted climb to their requested en route altitude.
  - g. The departure of Stage 2 aircraft shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m., excluding only aircraft in use for emergency services such as police, ambulance, and military functions.
  - h. The prohibited hours for non-emergency engine maintenance run-ups shall be between the hours of 10:00 p.m. and 7:00 a.m.
  - i. The use of Auxiliary Power Units is prohibited between the hours of 10:00 p.m. to 7:00 a.m. unless ground power units are inoperative.
  - j. Training operations with larger aircraft on Runway 14 and Runway 32 shall be prohibited between the hours of 12:00 p.m. and 6:00 a.m.
- c. N(6). All departures of Stage 2 air carrier or cargo aircraft weighing over 75,000 pounds on Runway 14 shall commence their take-off roll at the current runway threshold. All other aircraft may use the declared distance runway length for Runway 32 departures.
- d. N(7). The SMAA shall diligently pursue Land Use Measures as described in Table 6-11 of the NCP dated February 1997 and establish a reasonable

time line for implementation of the measures 1 through 3.

ARGUMENT AND CITATIONS OF AUTHORITY

PREEMPTION

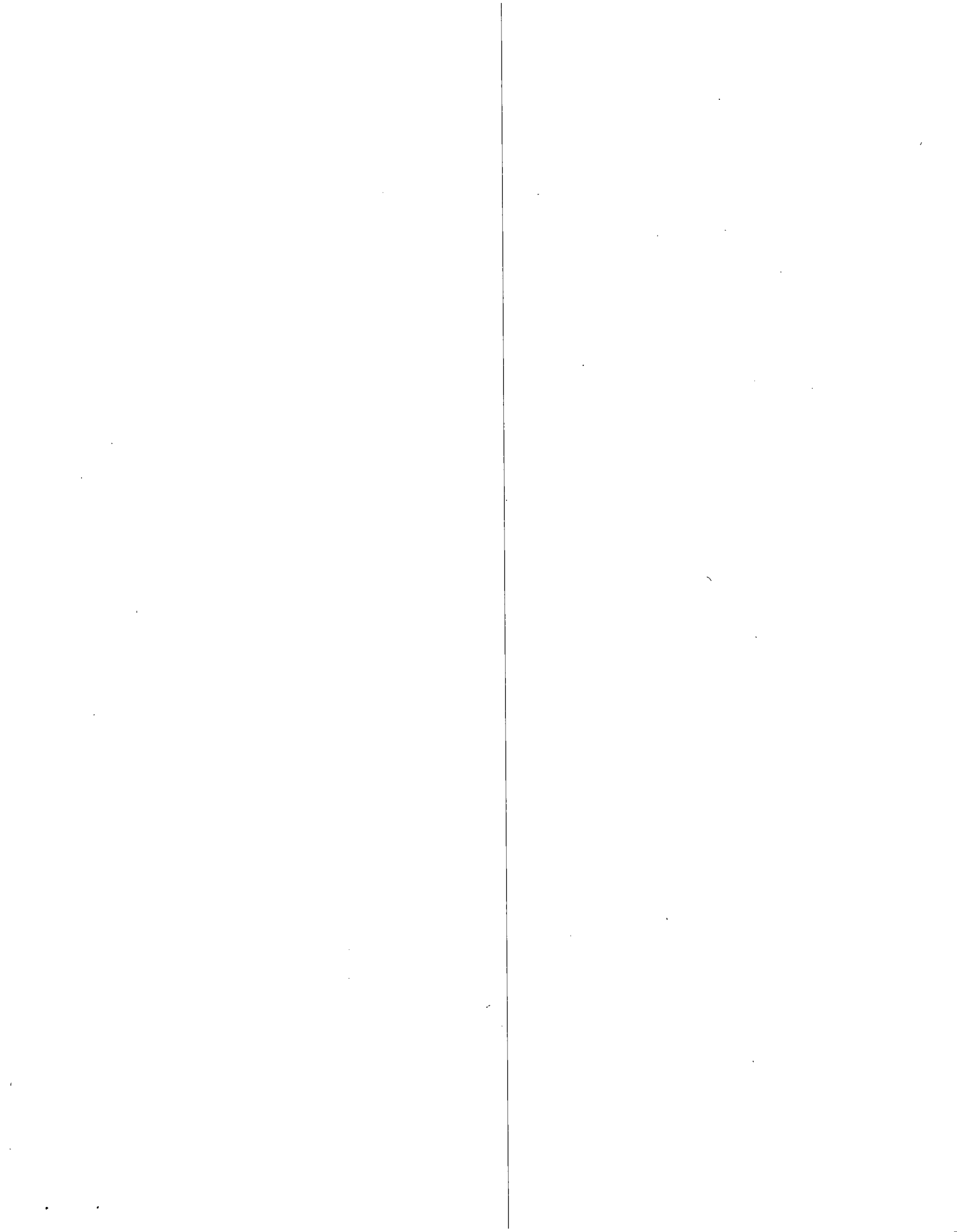
38. The Conditions of Approval (Tab 1:Page 23) challenged by the Writ of Certiorari depart from the essential requirements of law in that the authority to regulate aviation has been preempted by the federal government through its laws, rules, and regulations by establishing the Federal Aviation Administration.

39. Under the commerce clause of the U.S. Constitution, the federal government has the power to set federal standards, regulations and rules for governance of airports throughout the United States.

40. There are two types of preemption: express and implied. For express preemption to occur, the legislature must expressly state that it intends by adoption of a regulatory scheme to preempt the field. *Santa Rosa County v. Gulf Power Co.*, 635 So.2d, 96 (Fla. 1<sup>st</sup> DCA 1994).

41. In the instant matter, express preemption exists. 49 U.S.C.A. 4171(3)(b) states:

"Preemption-(1) Except as provided in this subsection, a state, political subdivision of a state . . . may not enact a law, regular or other provision having the force and effect of law related to a price, route, or service of an air carrier that may provide air transportation under this subpart." [Emphasis added]



42. There is no exception to the prohibition within Section 4171(3) relating to the actions taken by the County as a condition of approval.

43. Further, 49 U.S.C.A. 4752(1)(2) and (3) state:

"Congress finds that . . . community noise concerns have led to uncoordinated and inconsistent restrictions on aviation that would impede the national air transportation system; (3) a noise policy must be carried out at the national level."

44. Manatee County has been expressly preempted from enacting zoning regulations which affect the aviation portion of airport facilities by virtue of the establishment and the findings of federal law.

45. The enactment of the conditions of approval N(3), N(4), N(6) and N(7) depart from the essential requirements of law as this specific area has been expressly preempted.

46. The conditions of approval challenged in this petition go so far as to direct the pilot as to how to operate the aircraft. For example, N(4) provides:

"Should, after implementation, the turn at the 7 DME result in splay of aircraft that is further east than anticipated, the aircraft shall be instructed to proceed outbound the 270° radial up to the 8 DME . . . ."

47. By virtue of the establishment of the FAA, Manatee County has been preempted from enacting zoning regulations which

affect the operation of airport facilities and the aforementioned conditions of approval are not authorized.

ULTRA VIRES

48. Regulation of airport departures are also beyond the powers of Manatee County and are therefore *ultra vires*.

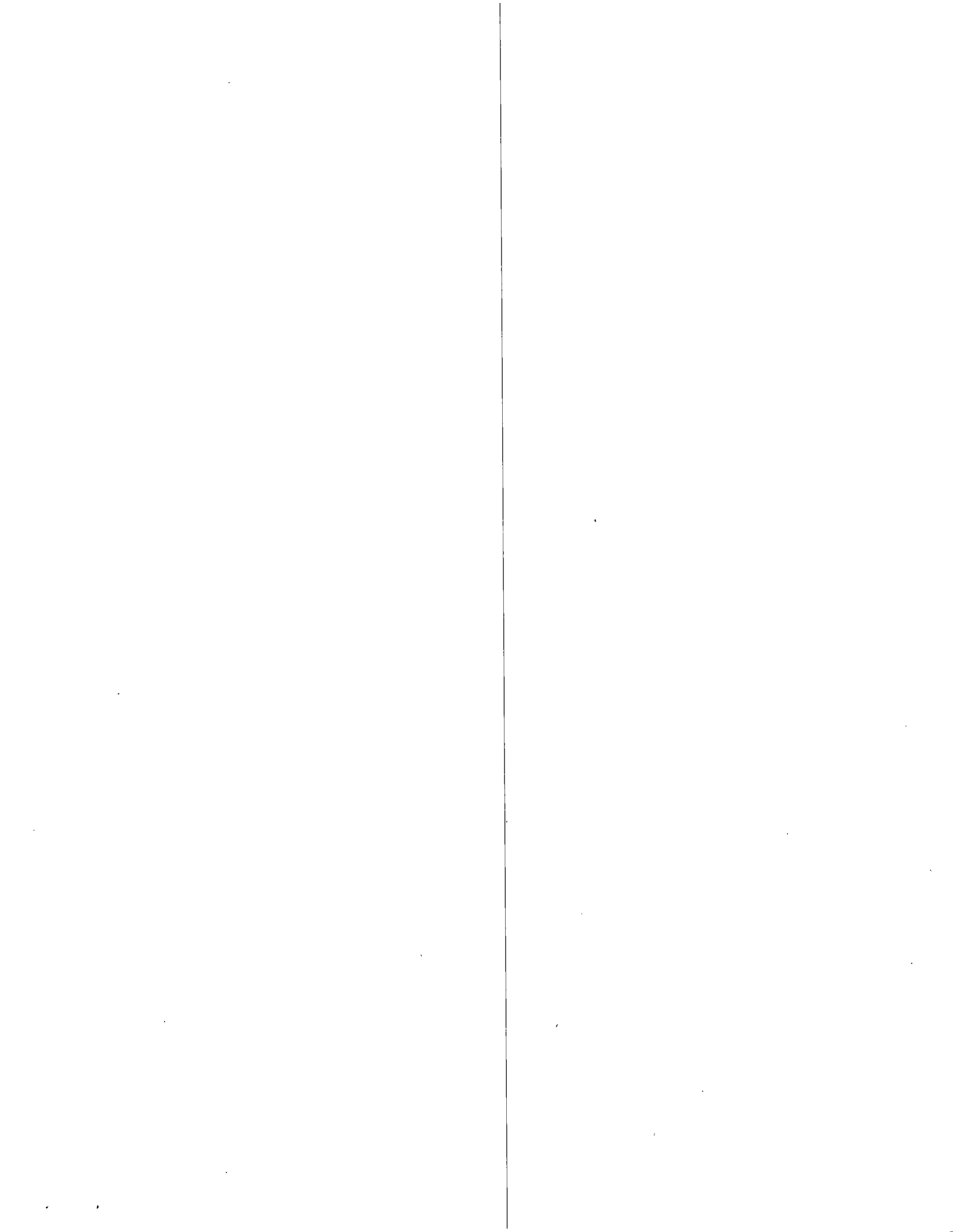
49. "An ordinance making an appropriation of the funds of a town or a city, derived from taxation, for purposes wholly beyond the purpose of a municipal grant, is a wrongful appropriation of the funds held in trust for the taxpayers and the people to pay the alimony and legitimate expenses of the town or city, and is, in short, *ultra vires*, null and void. *Duplig v. City of South Daytona*, 195 So.2d, 581 at 583, citing *Peck v. Spencer*, 7 So. 648 (Fla. 1890). See also *Knowles v. Magic City Grocery, Inc.*, 197 So. 843 (Fla. 1940).

50. Utilization of a zoning ordinance to control aircraft is beyond the powers of Manatee County, and is therefore an *ultra vires* act, and hence void.

DENIAL OF PETITIONERS' DUE PROCESS

51. The notice for the hearing for Ordinance 99-50 is attached. (Tab 4).

52. Nowhere in the hearing notice for Ordinance 99-50 is any mention that Manatee County will be considering the departure





route from Runway 32 as a condition of approval and thereby affecting land areas outside of the scope of the notice.

53. Notice must be reasonably calculated to alert individuals of an impending action. In the absence of waiver or estoppel, the notice requirement is mandatory and jurisdictional. *City of Fort Pierce v. Davis*, 400 So.2d 1242 (D.C.A. 1981).

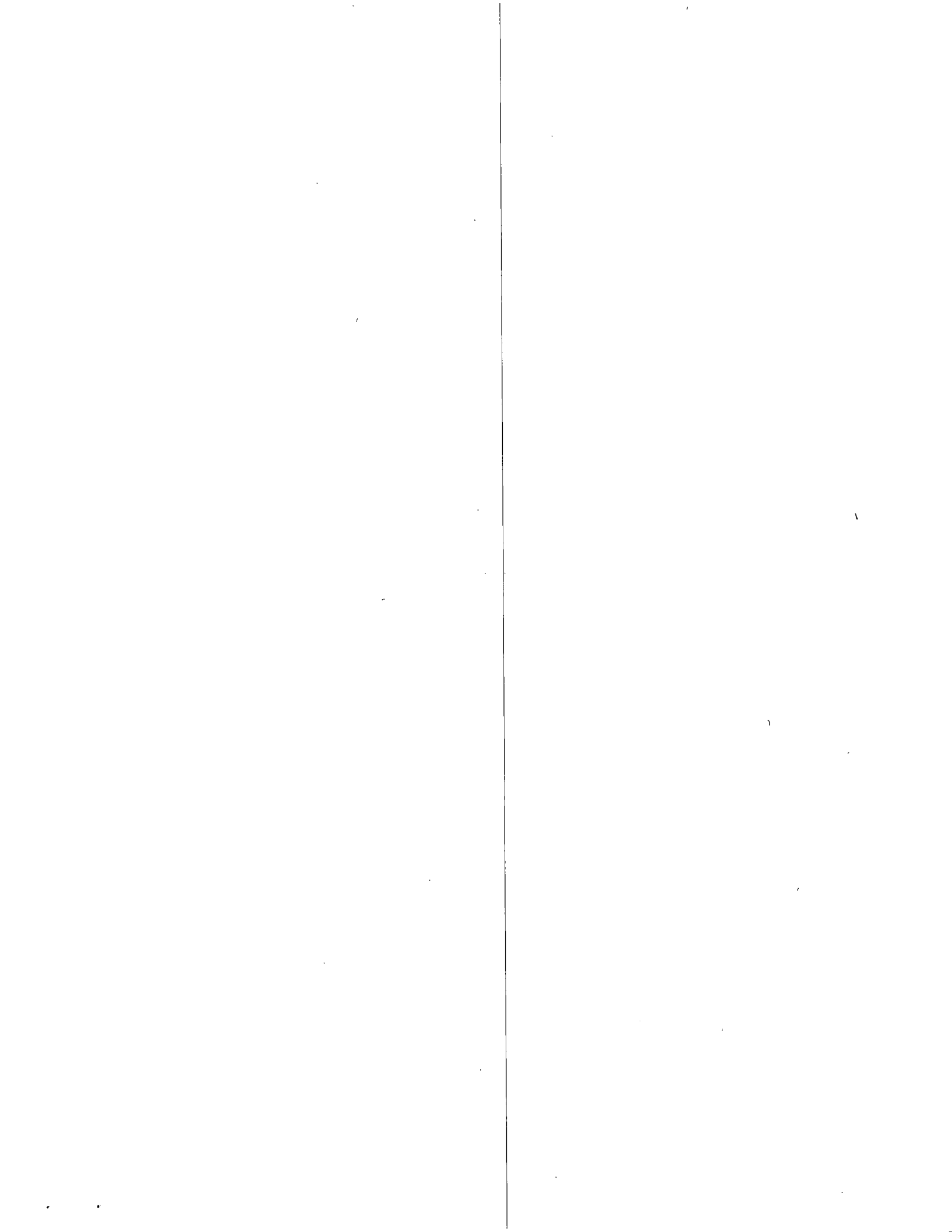
54. Inadequate notice is a denial of due process and thus conditions N(3), N(4), N(6) and N(7) must fail.

ARBITRARY, CAPRICIOUS  
LACK OF COMPETENT AND SUBSTANTIAL EVIDENCE

55. Assuming arguendo that Manatee County has the authority to require noise barriers and other physical improvements for the Airport (whose authority Petitioners do not challenge), there is no competent and substantial evidence for the proposition that the change of departure reduces noise in the affected area.

56. Indeed, a letter from the Federal Aviation Administration (Tab 3) notes that the change of departure to a 270° radial results in an increased noise level of greater than 1.5 decibels in the area north and west of Runway 32 located within Manatee County.

57. Further, in a letter from Noah Lagos, Director of Aviation for the Authority, to Robert H. Peterson, Community Planning Administrator of Manatee County, question Number 3 notes that "with respect to the runway extension and mitigation provided by the noise barriers, there is no change in the noise



reduction resulting from the barriers under the current or proposed departure procedure." (Tab 5).

58. Conditions of approval N(3), N(4), N(6) and N(7) lack competent, substantial evidence of record to support their inclusions in the Authority's development order.

Wherefore, Petitioners respectfully requests this Court grant a Writ of Certiorari striking conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, or declaring them null and void with no further force or effect, award Petitioners' their costs in this action, or for whatever relief this Court deems just and proper.

#### COUNT II

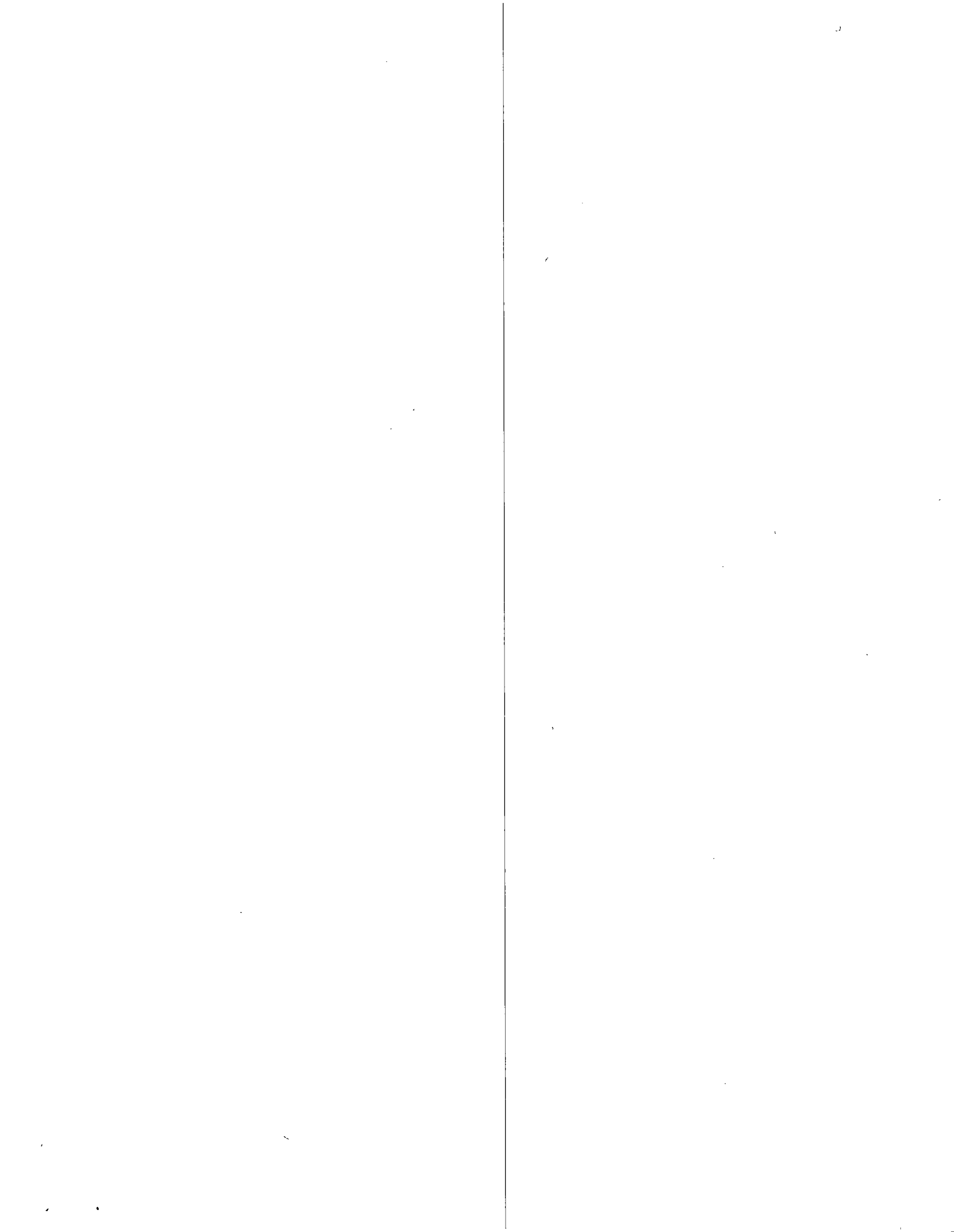
#### WRIT OF MANDAMUS

59. This is an action for a Writ of Mandamus pursuant to the Florida Rules of Civil Procedure, 1.630, and the Federal Rules of Civil Procedure, 9.100. (check)

#### NATURE OF CASE

60. Petitioners ask this Court for an issuance of Writ of Mandamus striking Conditions N(3), N(4), N(6), and N(7) from the conditions of approval of Ordinance 99-50 rendered December 15, 1999.

61. Paragraphs 18 through 58 are incorporated herein by reference.



Wherefore, Petitioners respectfully request this Court grant a Writ of Mandamus striking conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, or declaring them void with no further force or effect, award Petitioners' their costs of this action, or grant whatever other relief the Court deems just and proper.

COUNT III

DECLARATORY RELIEF

This is an action for declaratory relief pursuant to Chapter 86, Florida Statutes.

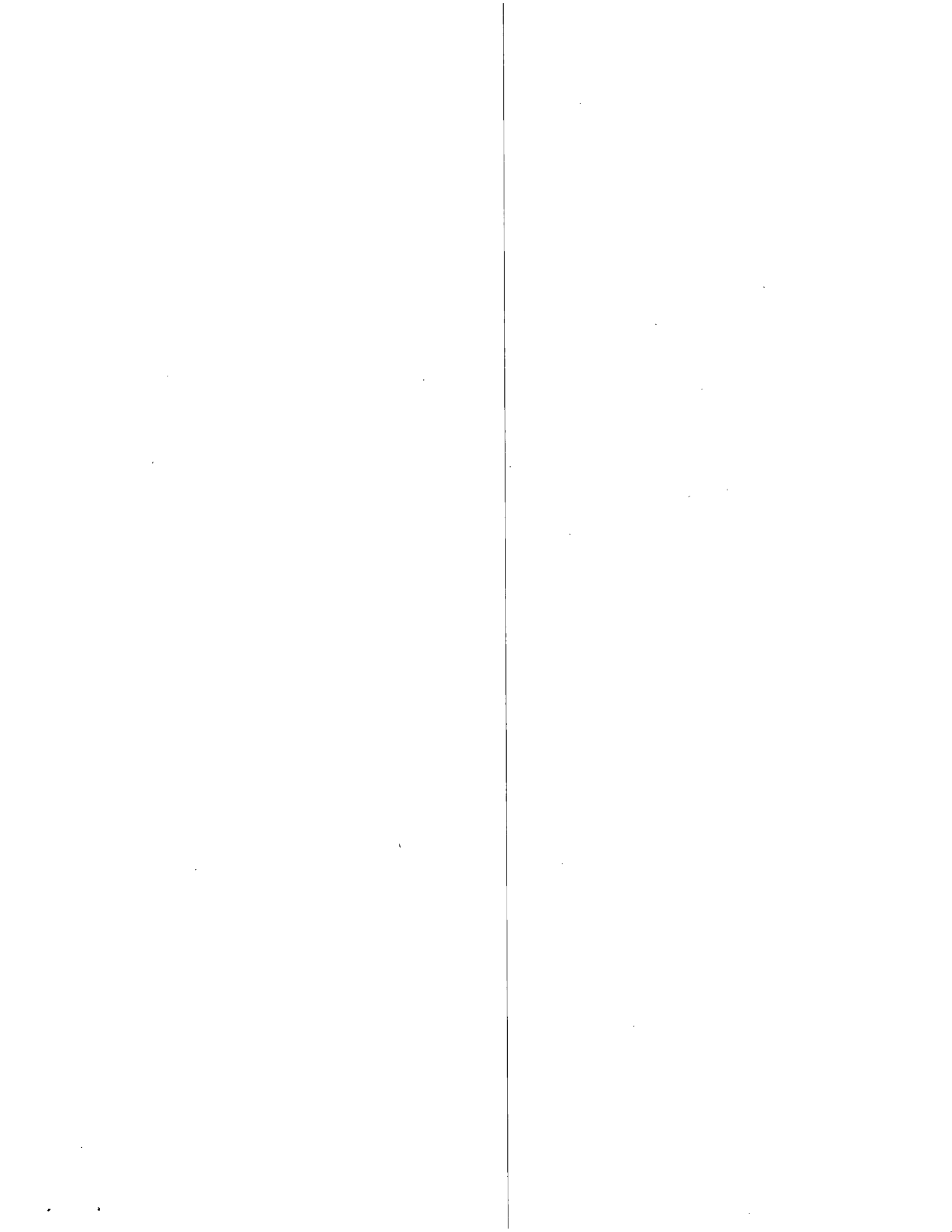
62. Paragraphs 18 through 58 are incorporated herein by reference.

63. Plaintiffs have an interest in and seek a declaration of their legal rights in relation to the conditions of approval N(3)(4)(6) and (7) of Ordinance 99-50.

64. There exists a real and present controversy between Plaintiffs and Defendants as to the ability of Defendants to enact conditions N(3)(4)(6) and (7) of Ordinance 99-50.

65. Plaintiffs seek a declaration that Defendants do not have the legal right or authority to condition their approval of Ordinance 99-50 as set forth in N(3), (4), (6) and (7) of Ordinance 99-50.

66. Plaintiffs are in doubt as to the rights of the parties, and the authority under Ordinance 99-50, and are



requesting a determination of the validity of the same, specifically conditions of approval N(3), (4), (6) and (7).

Wherefore, Plaintiffs respectfully request this Court to grant declaratory relief determining the validity of conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, award Plaintiffs their costs in this action, and grant whatever other relief this Court deems just and proper.

COUNT IV

PROCEDURAL DUE PROCESS

This is an action for procedural due process arising out of the United States Constitution, 14<sup>th</sup> Amendment, Federal Law, particularly the Civil Rights Act of 1871, 42 U.S.C., Section 1983.

67. Paragraphs 18 through 58 are incorporated herein by reference.

68. Note 3 of the conditions of approval states as follows:

N(3). "The SMAA shall continue to expeditiously and without further delays, seek approval from FAA of the 270° radial turn for planes departing on Runway 32. In the event the approval is not received prior to the state of Phase 2, construction of the expansion of the terminal building and parking garage shall not be authorized until either:

- a. the 270° radial turn departure procedure is approved and operational or,
- ii the SMAA can demonstrate to the County the Notice of Proposed Change pursuant to Section 380.06, Florida Statutes, that the SMAA has exerted good faith in a continued effort to gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County."

69. The determination of "exercised good faith" and "determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County" is unconstitutionally vague. The language of N(3) would permit arbitrary and capricious governmental decisions to be applicable in certain situations but deemed inapplicable in similar situated situations.

70. Further, the lack of notice of the consideration of the conditions of approval is a violation of the procedural due process requirements of the U.S. Constitution.

71. Plaintiffs have hired the undersigned counsel and are obligated to pay reasonable attorneys fees and costs.

72. Plaintiffs are entitled to their attorneys fees pursuant to 42 U.S.C.A. 1988.

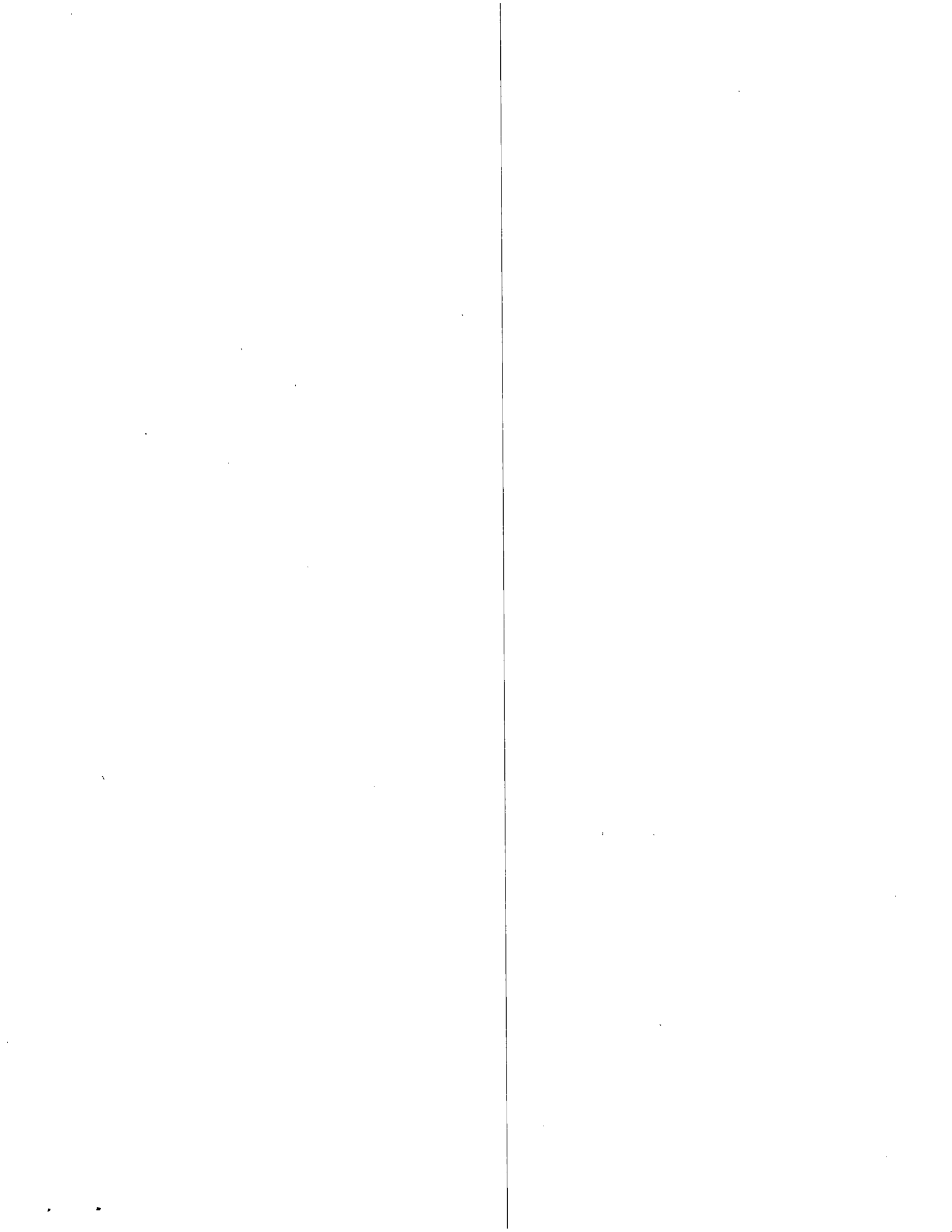
WHEREFORE, Plaintiffs request this Court to strike N(3), N(4), N(6), and N(7) of the conditions of approval of Ordinance 99-50, grant Plaintiffs their attorneys fees and costs, and grant whatever other relief this Court deems just and proper.

COUNT V

SUBSTANTIVE DUE PROCESS

This is an action for substantive due process arising out of the United States Constitution, 14<sup>th</sup> Amendment, Federal Law,





particularly, the Civil Rights Act of 1871, 42 U.S.C., Section 1983.

73. The acts and practices of the County have been and are being performed under the color of law, and therefore constitute the actions of the State within the meaning of the 14<sup>th</sup> Amendment of the U.S. Constitution.

74. The County's action by instituting conditions of approval N(3), N(4), N(6) and N(7) deprive the Plaintiffs of due process of law in violation of the 14<sup>th</sup> Amendment and 42 U.S.C. Section 1983. The County has acted without authority, and without a valid police power to institute said conditions of approval. There exists no substantive relationship between the public health, safety and welfare, and the County's attempt to require the aforementioned conditions of approval.

75. Further, the County's actions deprive Plaintiffs of a property right without due process of law. Plaintiffs were not afforded notice of the consideration of the inclusion of a condition relating to the change of departure, as part of the requirements of the runway and terminal expansion.

76. Plaintiffs have hired the undersigned counsel and are obligated to pay reasonable attorneys fees and costs.

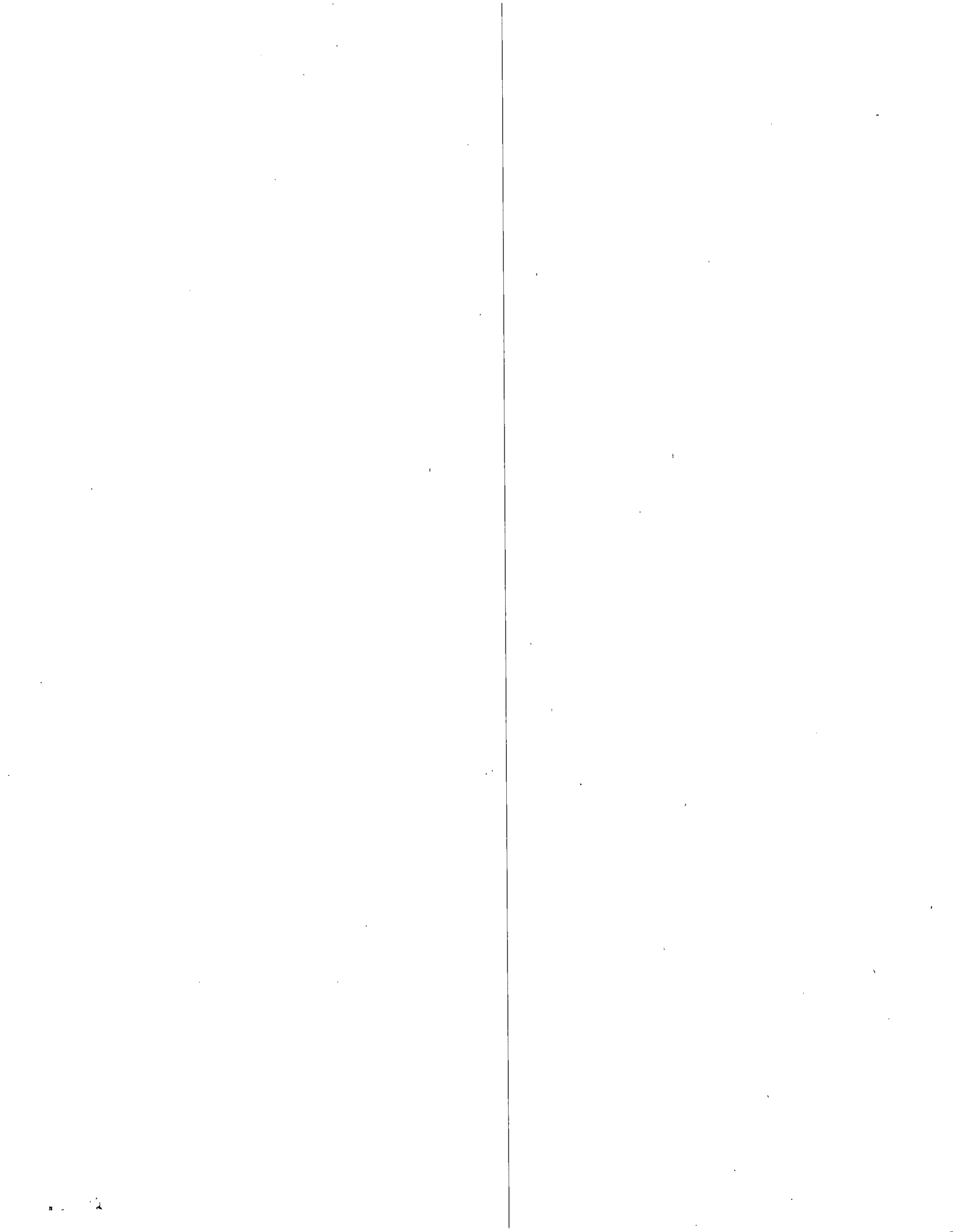
77. Plaintiffs are entitled to their attorneys fees pursuant to 42 U.S.C.A. 1988.

Wherefore, Plaintiffs respectfully request this Court strike N(3), N(4), N(6), and N(7) from the conditions of approval of Ordinance 99-50 rendered December 15, 1999, grant Plaintiffs their attorneys fees and costs, and grant whatever other relief this Court deems just and proper.

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Sarasota, FL 34237  
Attorneys for Petitioners  
Telephone: (941) 365-4950  
Fax: (941) 365-3259

By: 

David P. Persson  
Florida Bar No. 622486



IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA

LONGBOAT KEY CASA DEL MAR, INC.,  
a condominium association  
organized under the laws of  
the State of Florida, and  
TOWN OF LONGBOAT KEY, FLORIDA,  
a municipal corporation of the  
State of Florida,

Petitioners,

v.

Case No. \_\_\_\_\_  
Division: \_\_\_\_\_

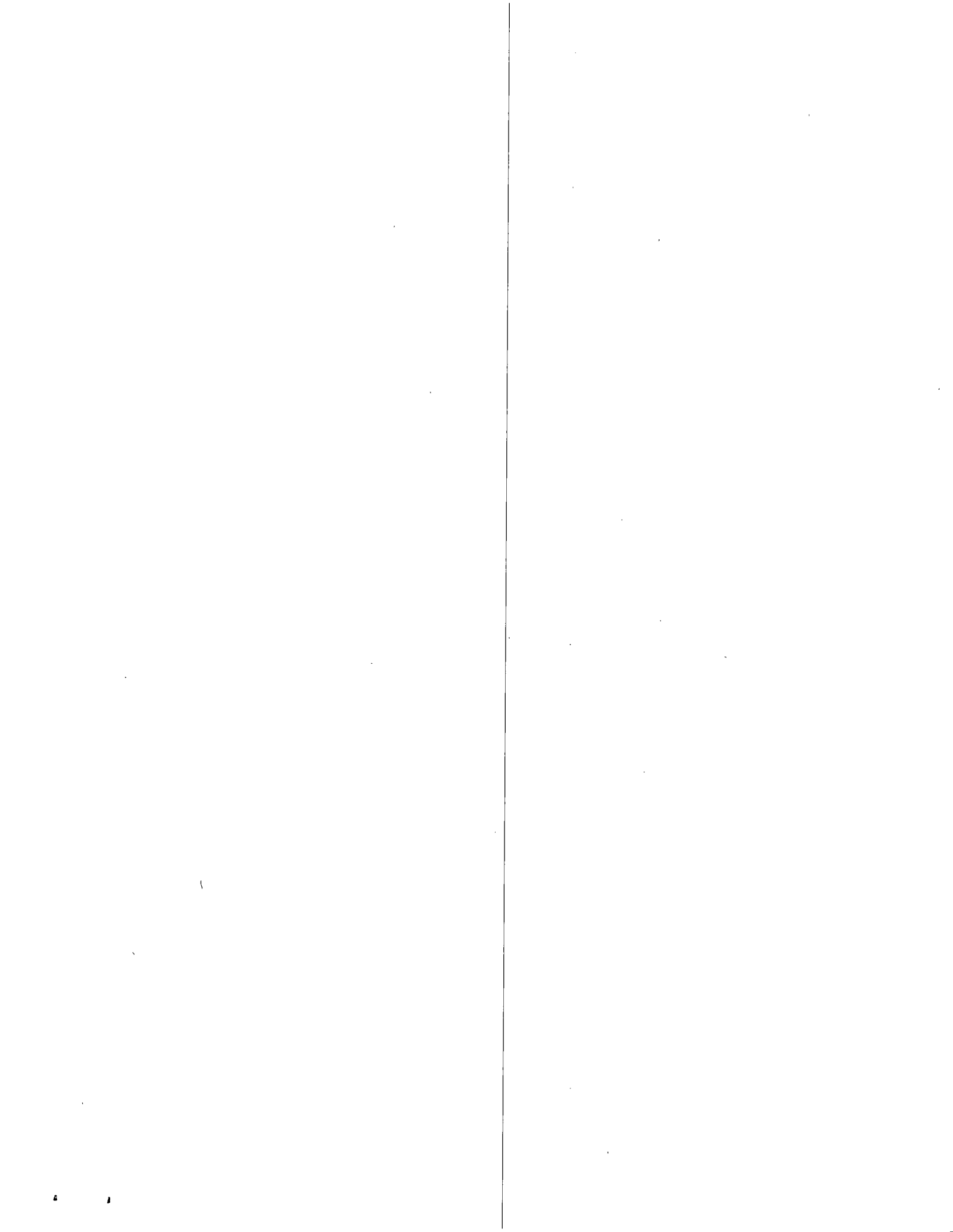
MANATEE COUNTY, FLORIDA, a county  
government organized under the laws  
of the State of Florida, and the  
BOARD OF COUNTY COMMISSIONERS  
FOR MANATEE COUNTY, the governing  
body of Manatee County,

[This Petition is filed pursuant to Rule 9.100(f) and,  
requires special processing by the Clerk, pursuant  
to Rule 9100(f)(3)]

Respondents.

PETITION FOR WRIT OF CERTIORARI  
FOR REVIEW OF QUASI-JUDICIAL ACTION,  
PETITION FOR WRIT OF MANDAMUS,  
COMPLAINT FOR DECLARATORY RELIEF,  
VIOLATION OF PROCEDURAL AND SUBSTANTIVE DUE PROCESS

PETITIONERS, LONGBOAT KEY CASA DEL MAR, INC., a condominium  
association organized under the laws of the State of Florida, and  
the TOWN OF LONGBOAT KEY, a municipal corporation of the State of  
Florida (collectively "Petitioners") bring these actions against  
Respondents, MANATEE COUNTY, FLORIDA, a county government  
organized under the laws of the State of Florida (the "County")  
and the BOARD OF COUNTY COMMISSIONERS FOR MANATEE COUNTY, the



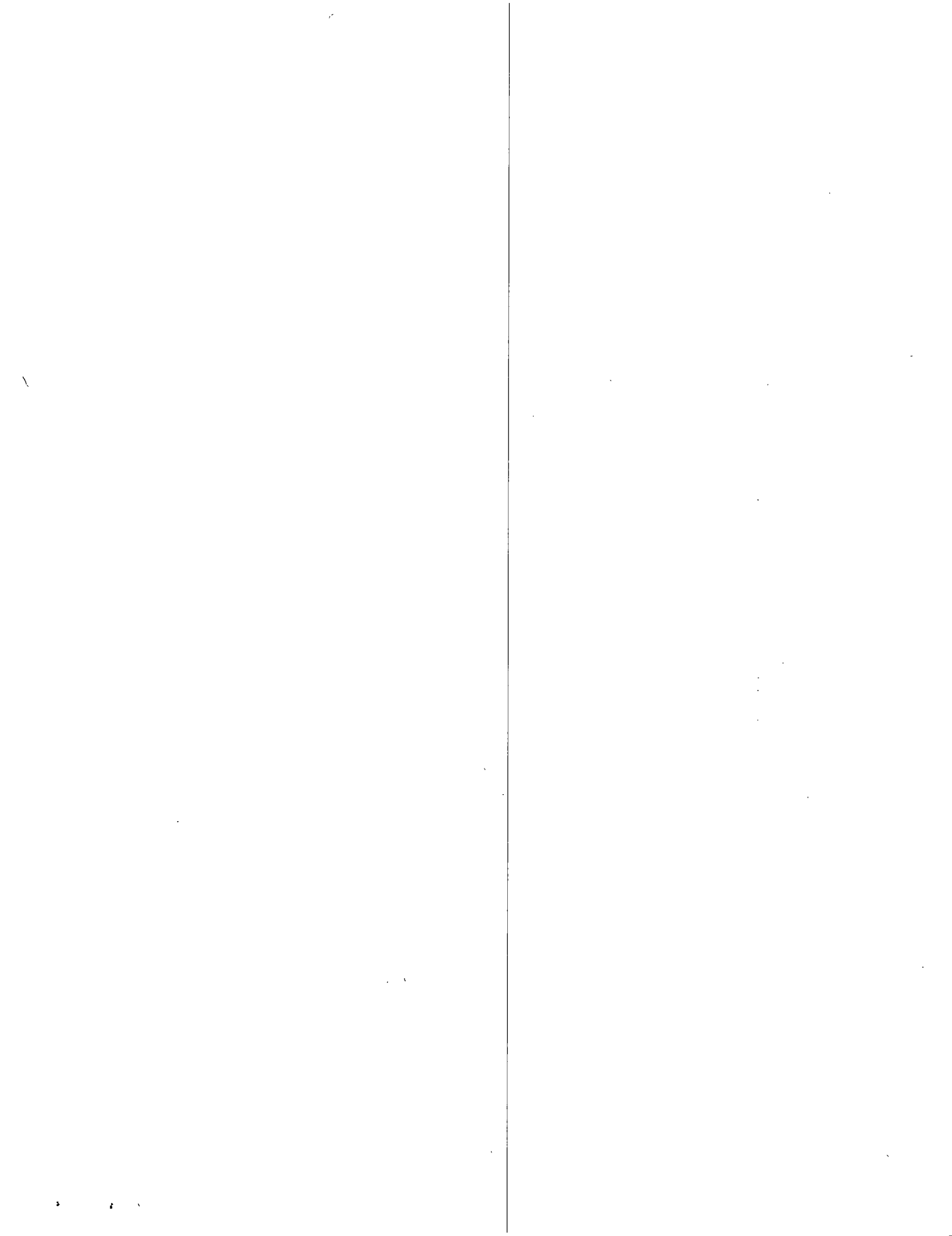
governing body of Manatee County, Florida (the "Commission") (collectively "Respondents"), and allege:

COUNT I

PETITION FOR WRIT OF CERTIORARI

1. This is an action seeking the issuance of a writ of certiorari. In this action, Petitioners are requesting the Court to judicially review, in its appellate capacity, conditions of approval for a final and quasi-judicial administrative action and decision of the Respondents granting the approval for the expansion of the Sarasota Bradenton Airport with an amendment to the Development of Regional Impact (DRI) for the Airport, pursuant to Ordinance 99-50. Petitioners challenge certain conditions of approval, specifically beginning on Page 23 of Ordinance 99-50, Sections N(3), N(4), N(6), and N(7). Petitioners do not challenge the ultimate decision of Respondents to grant the request of the Sarasota Bradenton Airport to expand its facilities. Petitioners only challenge the above-referenced conditions of approval.

2. The Petitioners contend that the conditions of approval (as cited above) deny the Petitioners due process, depart from the essential requirements of law, are arbitrary, unreasonable, capricious, and discriminatory, and are not supported by competent and substantial evidence.





#### APPENDIX AND CITATIONS

Those portions of the record of the proceedings before the Commission below that were available from the Clerk for the Commission at the time of filing this Petition for Writ of Certiorari, and that are relied upon by the Petitioner in support of its Petition, are set forth in the appendix to Petition for Writ of Certiorari and are separately bound and filed simultaneously with this Petition. The Appendix is expressly incorporated into and made a part of this Petition. Citations in this Petition to the Appendix shall be as follows: (Tab#:Page#). Where citations are made to the record which is not yet available, the citation will be blank. Concurrently with the filing of this Petition, Petitioner has also filed a Motion for Extension of Time to Complete and Supplement the Appendix to Petition for Writ of Certiorari and to Amend the Petition for Writ of Certiorari, Writ of Mandamus, and Complaint for Declaratory Relief, Procedural and Substantive Due Process.

#### JURISDICTION OF THE COURT

3. The actions and decisions of the Respondents challenged by the Petitioners in this action were quasi-judicial in nature rather than legislative in nature, and therefore are properly reviewable by certiorari. *The Board of County Commissioners of Brevard County v. Snyder*, 627 So.2d 469 (Fla. 1993); *Sunbelt*

*Equities II v. Lee County*, 619 So.2d 996 (Fla. 2d DCA 1993); and *Irvine v. Duval County Planning Comm.*, 495 So.2d 167 (Fla. 1986).

4. Common law certiorari is available to obtain judicial review of final governmental or administrative actions where the Florida Legislature has failed to provide for review by statutory certiorari, where no other method of direct appellate review proceedings are provided by law, and where no other method of appeal is available. *DeGroot v. Sheffield*, 95 So.2d 912 (Fla. 1957) and *G-W Development Corporation v. Village of North Palm Beach Zoning Board of Adjustment*, 317 So.2d (Fla. 4<sup>th</sup> DCA 1975).

5. The action and decision of the Respondents was a final administrative action and decision. The Florida Legislature has failed to provide for review of that action and decision by statutory certiorari, no other method of direct appellate review proceedings of that decision and action is provided by law and no other method of appeal is available to Petitioner to challenge the action and decision.

6. This Court therefore has jurisdiction of this action pursuant to Rules 9.030(c), 9.100(a), 9.100(f) and 9.190(b)(3), Florida Rules of Appellate Procedure, and Article V, Section 5(b) of the Florida Constitution which authorizes circuit courts to issue writs of certiorari.

VENUE

7. The venue of this action properly lies in the Circuit Court of the Twelfth Judicial Circuit in and for Manatee County, Florida, because of the location of the real property and the requirements of approval which are the subject of this controversy are located within portions of the geographic boundaries of Manatee County, Florida.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

8. The Petitioners have exhausted all administrative remedies that are available to them with respect to the issues in controversy.

CONDITIONS PRECEDENT TO THIS ACTION

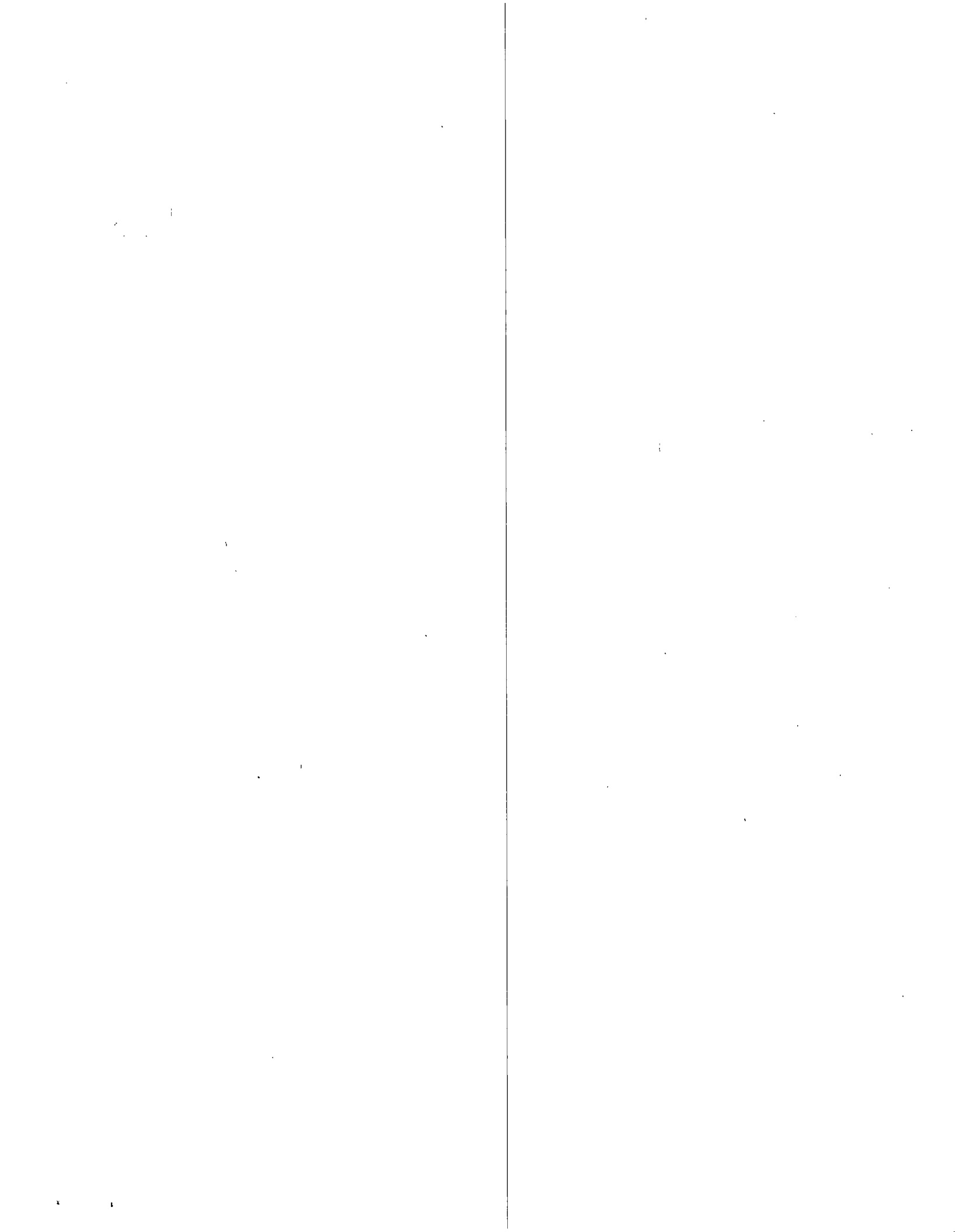
9. All conditions precedent to the institution of this action have occurred or have been performed.

PETITION TIMELY FILED

10. This Petition for Writ of Certiorari was filed by the Petitioners within 30 days from the date of the action and decision by the Commission.

SCOPE OF REVIEW

11. It is clear that certiorari is an appellate process. *City Savings Corp v. S&B Partners*, 548 So.2d 1156 (Fla. 1<sup>st</sup> DCA 1989).



12. In this action, therefore, the Court will be acting in an appellate review capacity rather than in its traditional, normal and customary trial capacity involving fact finding and initial decision making. *Lee County v. Sunbelt Equities II*, 619 So.2d 996 (Fla.2d DCA 1993).

13. As succinctly stated by our Second District Court of Appeals in *Lee County v. Sunbelt Equities II* in discussing the circuit court's role in certiorari proceedings:

At the circuit level, three questions are asked: whether due process was afforded, whether the administrative body applied the correct law, and whether its findings are supported by competent, substantial evidence . . . (*Lee County, supra*, 1003).

14. Thus, in reviewing the action and decision of the Respondents, the Court is authorized only to determine whether the Respondents afforded the Petitioners due process, observed or departed from the essential requirements of the law, and supported their action and decision by substantial, competent evidence. *City of West Palm Beach Zoning Board of Appeals v. Education Development Center*, 504 So.2d 1385 Fla. 4<sup>th</sup> DCA 1987).

#### STANDARD OF REVIEW

15. In reviewing the action and decision of the Respondents the Court must subject those actions and decisions to strict judicial scrutiny. The action and decision complained of does not constitute legislative action requiring deferential judicial

review as to reasonableness. *Bd. of Cty Com'rs of Brevard v. Snyder*, 627 So.2d 469 (Fla. 1993); *Snyder v. Board of County Commissioners*, 595 So.2d 65 (Fla. 5<sup>th</sup> D.C.A., 1991).

16. Florida's Fourth District Court of Appeal has also confirmed that the courts should use "strict judicial scrutiny" in reviewing local government's rezoning and land use decisions. *Section 28 Partnership Ltd. v. Martin County*, 649 So.2d 609 (Fla. 4<sup>th</sup> DCA 1994).

17. Assuming arguendo that the standard of review was not strict scrutiny but instead the deferential "fairly debatable" standard applicable to legislative acts of the Respondents, the Court would still be compelled to quash the conditions of approval of Ordinance 99-50 as passed by the Respondents.

#### PARTIES

18. The Petitioner, Longboat Key Casa Del Mar, Inc., a condominium association, is a Florida not-for-profit corporation which owns or controls real property and improvements located within the municipal limits of the Town of Longboat Key which lie within Manatee County, Florida.

19. The Petitioner, the Town of Longboat Key, is a municipal corporation under the laws of the State of Florida, and a portion of the Town lies within Manatee County, Florida.

20. The Respondent, Manatee County, is a county government under the laws of the State of Florida, the Florida Constitution, and Florida Statutes.

21. The Commission is the legislative governing body of the County established pursuant to the Florida Constitution and Chapter 125 and its Charter and exercises the legislative and other powers of county government through its commissioners, including the review and approval of various land use or land development petitions, applications, requests, permits and orders authorized by the County's Comprehensive Plan and Zoning Code.

STATEMENT OF FACTS ON WHICH PETITIONER RELIES

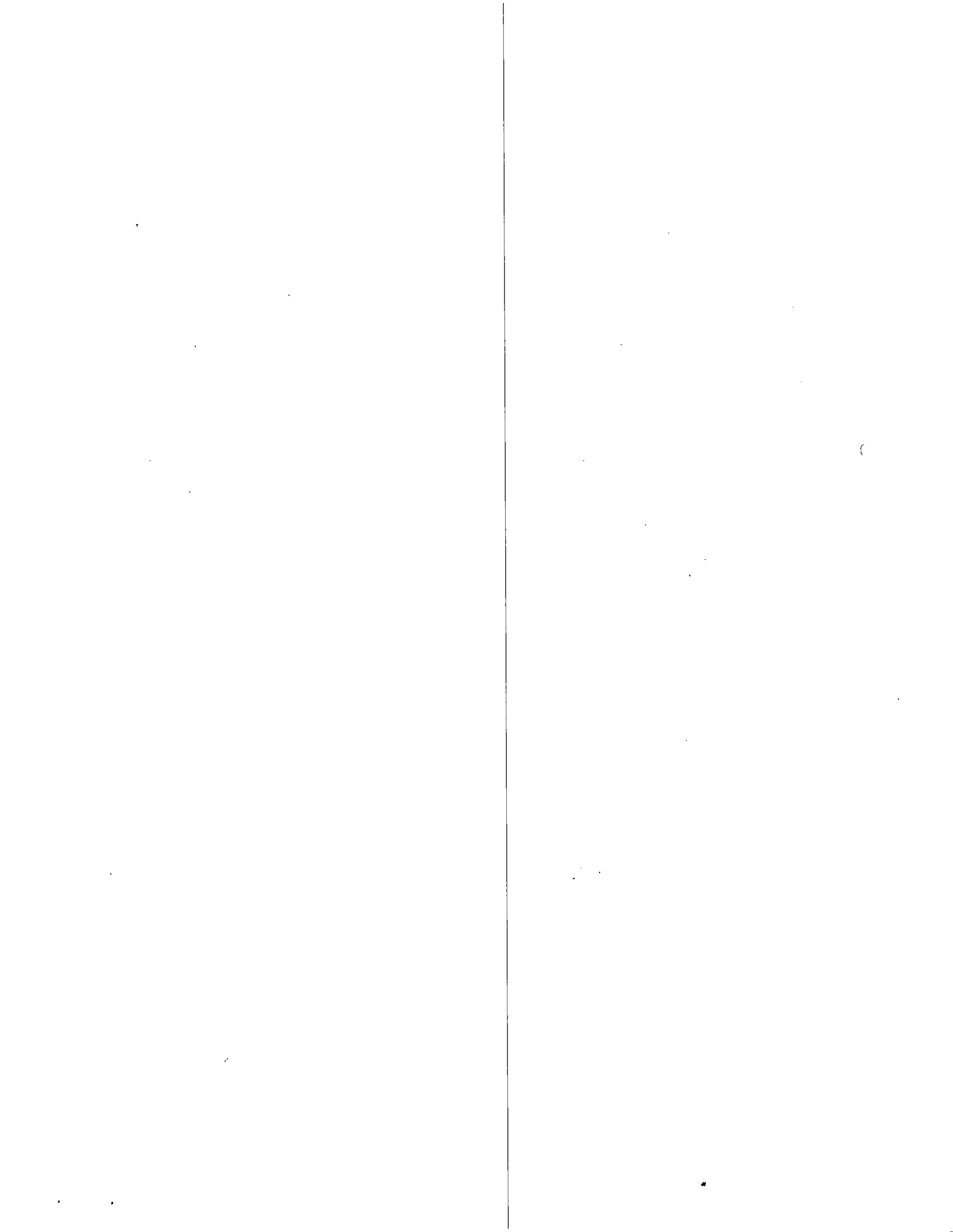
22. Sarasota Bradenton International Airport (the "Airport") is operated by the Sarasota-Manatee Airport Authority (the "Authority").

23. The Authority obtained for the Airport a Final Order from the Florida Land & Water Adjudicatory Commission in 1986 establishing a Development of Regional Impact (the "DRI").

24. The DRI was amended in 1990.

25. The Authority has subsequently sought to modify the DRI through a substantial deviation which has been approved by the County as Ordinance 99-50, the conditions of which are the subject matter of these actions. (Tab 1).

26. The Authority requested a substantial deviation to the DRI which included proposed Airport aviation related issues.





27. Specifically, the substantial deviation requested expanding Runway 14-32 by allowing an additional 1,150 feet at the southeast end, and 1,350 feet at the northwest end for a total runway length of approximately 9,500 feet. Further, the deviation requested expansion of the terminal by 175,000 square feet, as well as 800 spaces of public parking and certain other general aviation improvements together with changes to allowable uses for four out parcels. (Tab 1:Page 5).

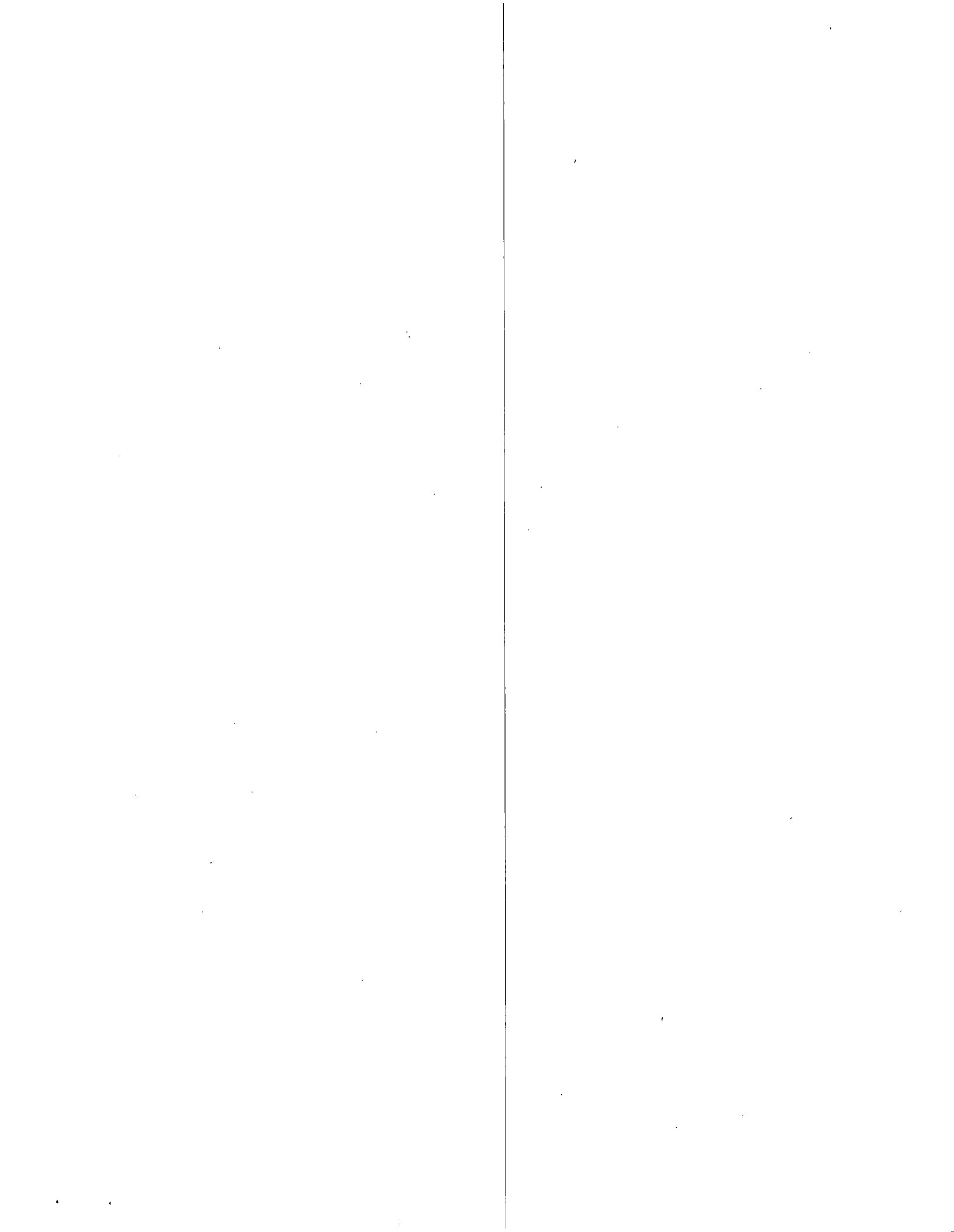
28. The Federal Aviation Administration ("FAA") was established by the federal government to provide rules and regulations concerning the operation of airports.

29. The FAA was granted exclusive jurisdiction to govern airport safety, noise and operations throughout the United States.

30. The FAA also controls the pilot's procedures for departures from runways, including runways at the subject Airport.

31. Part of the FAA's authority with the Airport is their determination of the procedures for departure from Runway 32, the portion of the Runway which lies within Manatee County.

32. The Authority prepared a Part 150 Study required by 44 C.F.R. 150, analyzing the departure routes for Runway 32. (Tab 2).



33. Currently, the procedure approved by the FAA for flights heading north departing Runway 32 is to turn at .9 miles from the center of the Airport ("DME") to a 295° radial, proceed up Sarasota Bay to an elevation of 3,000 feet, whereupon the plane is released to head to its destination.

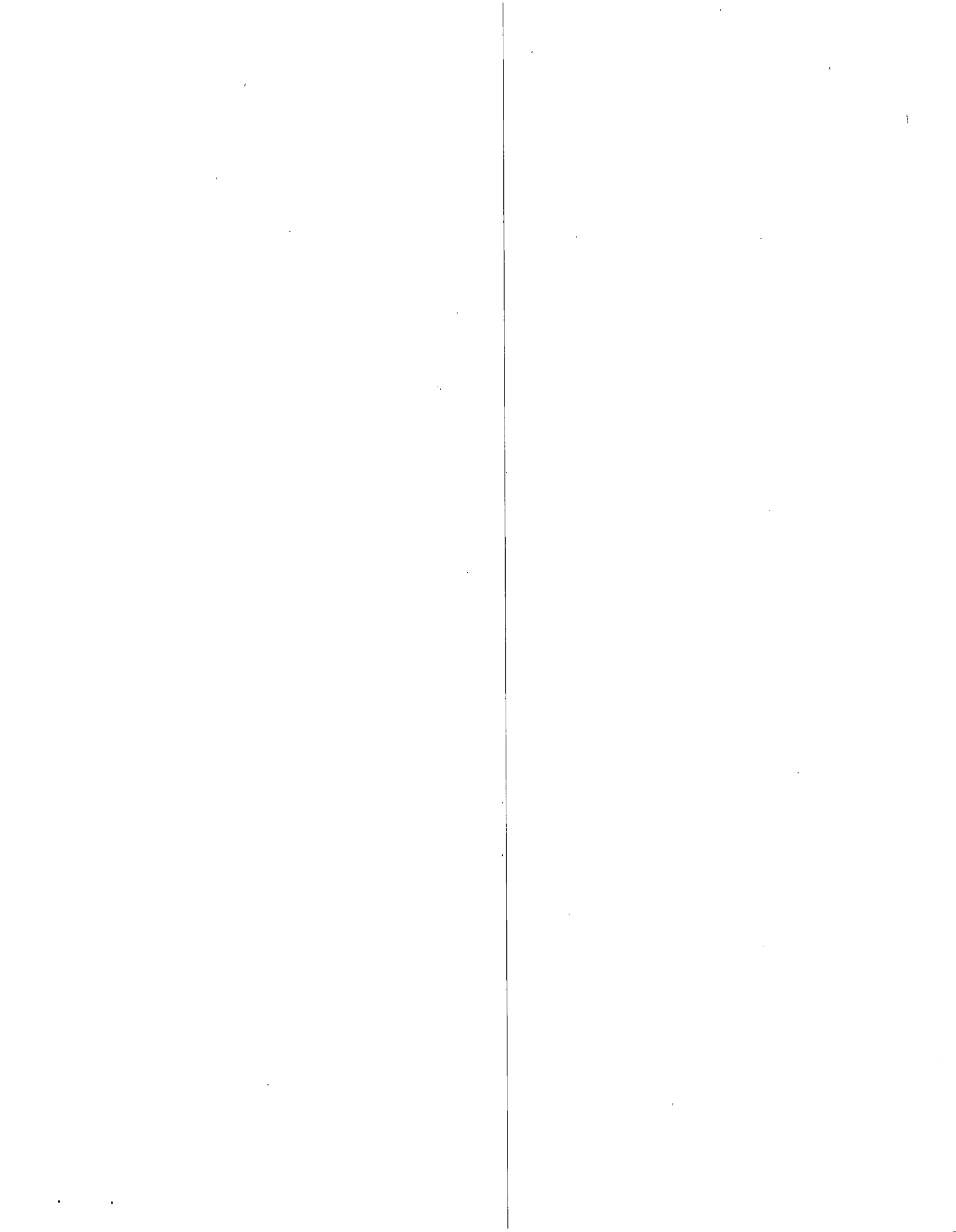
34. The Authority seeks approval from the FAA to modify that departure route by requiring a turn to a 270° radial, flying aircraft across Longboat Key to their release point (Tab 2).

35. This matter has been before the Airport Authority and the FAA since 1995.

36. The FAA has not approved the change of departure because, among other things, the change creates a greater noise impact for certain individuals who reside on the mainland, generally located north of the Airport and west of U.S. 41. (Tab 3).

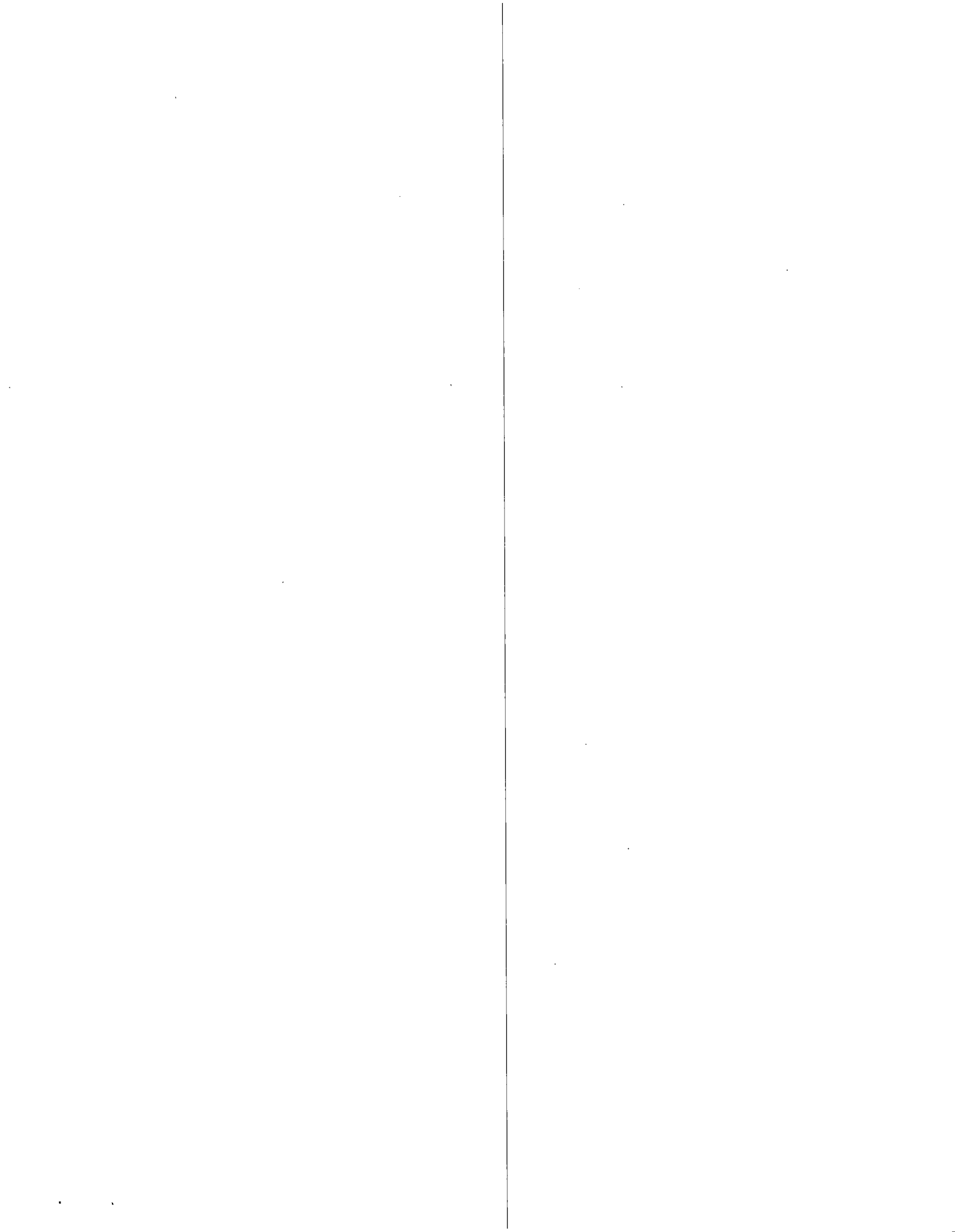
37. The conditions of approval from which relief is sought are as follows:

- a. N(3). "The SMAA shall continue to expeditiously and without further delays, seek approval from FAA of the 270° radial turn for planes departing on Runway 32. In the event the approval is not received prior to the state of Phase 2, construction of the expansion of the terminal building and parking garage shall not be authorized until either:
  - a. the 270° radial turn departure procedure is approved and operational or,
  - ii the SMAA can demonstrate to the County the Notice of Proposed Change pursuant to Section 380.06, Florida Statutes, that the SMAA has exerted good faith in a continued effort to



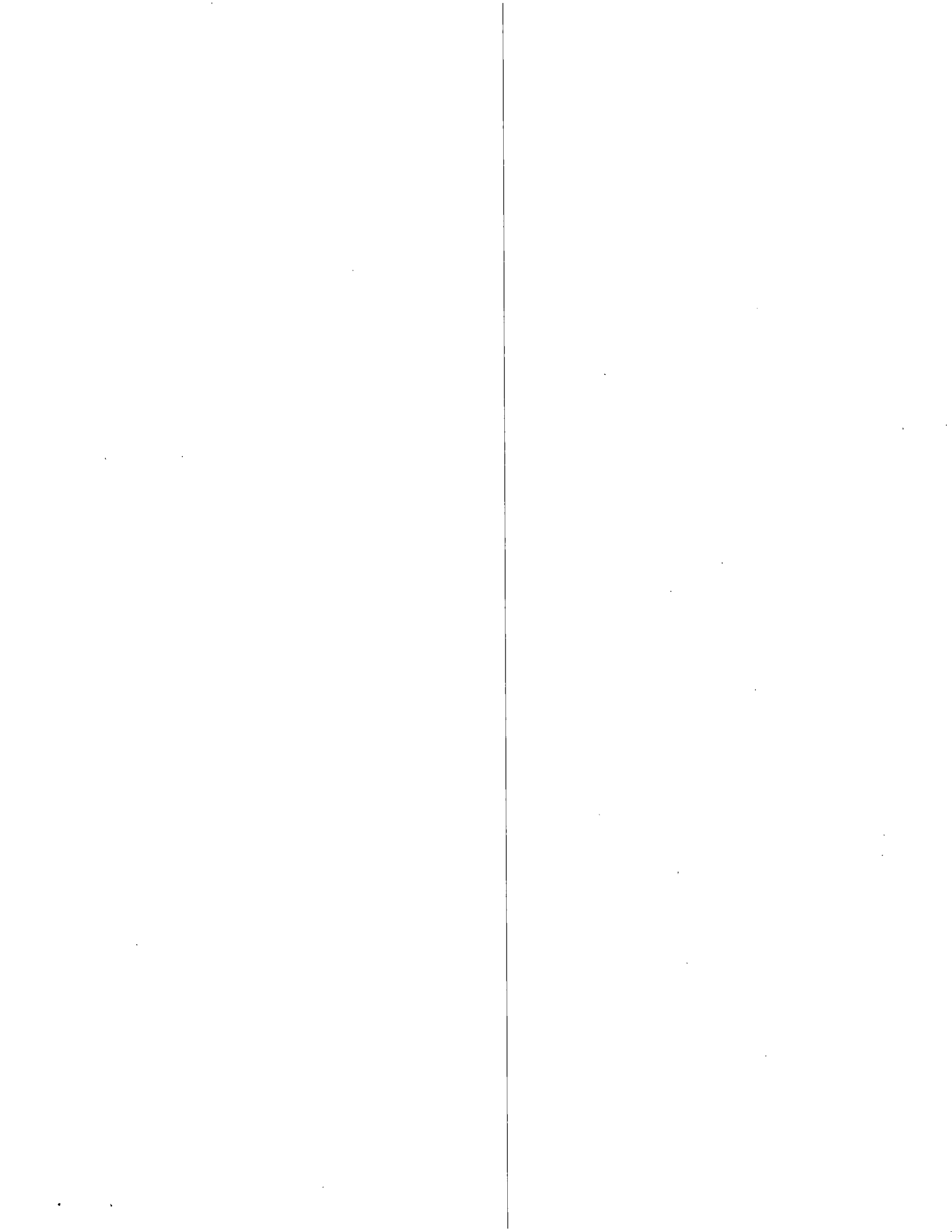
gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County."

- b. N(4). All noise abatement measures as described in Table 6-10 of the FAR Part 150 NCP (Noise Compatibility Plan) dated February 1997 shall be implemented as described with the modifications herein:
  - a. All aircraft weighing over 25,000 pounds and jet aircraft departing on Runway 32 shall be instructed to turn left at 0.9 DME to join the Sarasota 270° radial outbound to at least 7 DME, then proceed on course as directed by Air Traffic Control (ATC). Should, after implementation, the turn at the 7DME result in splay of aircraft that is further east than anticipated, the aircraft shall be instructed to proceed outbound to the 270° radial to the 8DME, then proceed on course as instructed by ATC. Should approval of the turn to the 270° radial be denied by the FAA because of airspace constraints, the current procedure shall be maintained until such time as the turn to the 270° radial becomes feasible. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing northbound on Runway 32 shall be instructed to turn left at 0.9DME to join the Sarasota 295° radial outbound, then proceed on course as instructed by ATC; and all aircraft weighing over 25,000 pounds and all jet aircraft departing southbound on Runway 32 shall be instructed to turn left at 0.9 DME to a bearing of 270°, then proceed on course as instructed by ATC.
  - b. Arriving aircraft on Runway 32 would be allowed to make visual approaches to the airport and turn to the runway heading as soon as cleared to do so by the Air Traffic Control Tower.
  - c. All aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 14 shall



be instructed to maintain runway heading until reaching 3,000 feet, then proceed on course.

- d. Continue balanced runway use program. The goal of this program is equal use of Runway 14 and Runway 32 for air carrier departures, and equal use of Runway 14 and Runway 32 for air carrier arrivals.
  - e. Encourage the airlines to make maximum use of their own internal quiet departure techniques, guided by FAA Advisory Circular 91-53A, "Noise Abatement Departure Profiles."
  - f. All departing aircraft, to the extent feasible, should be issued unrestricted climb to their requested en route altitude.
  - g. The departure of Stage 2 aircraft shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m., excluding only aircraft in use for emergency services such as police, ambulance, and military functions.
  - h. The prohibited hours for non-emergency engine maintenance run-ups shall be between the hours of 10:00 p.m. and 7:00 a.m.
  - i. The use of Auxiliary Power Units is prohibited between the hours of 10:00 p.m. to 7:00 a.m. unless ground power units are inoperative.
  - j. Training operations with larger aircraft on Runway 14 and Runway 32 shall be prohibited between the hours of 12:00 p.m. and 6:00 a.m.
- c. N(6). All departures of Stage 2 air carrier or cargo aircraft weighing over 75,000 pounds on Runway 14 shall commence their take-off roll at the current runway threshold. All other aircraft may use the declared distance runway length for Runway 32 departures.
- d. N(7). The SMAA shall diligently pursue Land Use Measures as described in Table 6-11 of the NCP dated February 1997 and establish a reasonable





time line for implementation of the measures 1 through 3.

ARGUMENT AND CITATIONS OF AUTHORITY

PREEMPTION

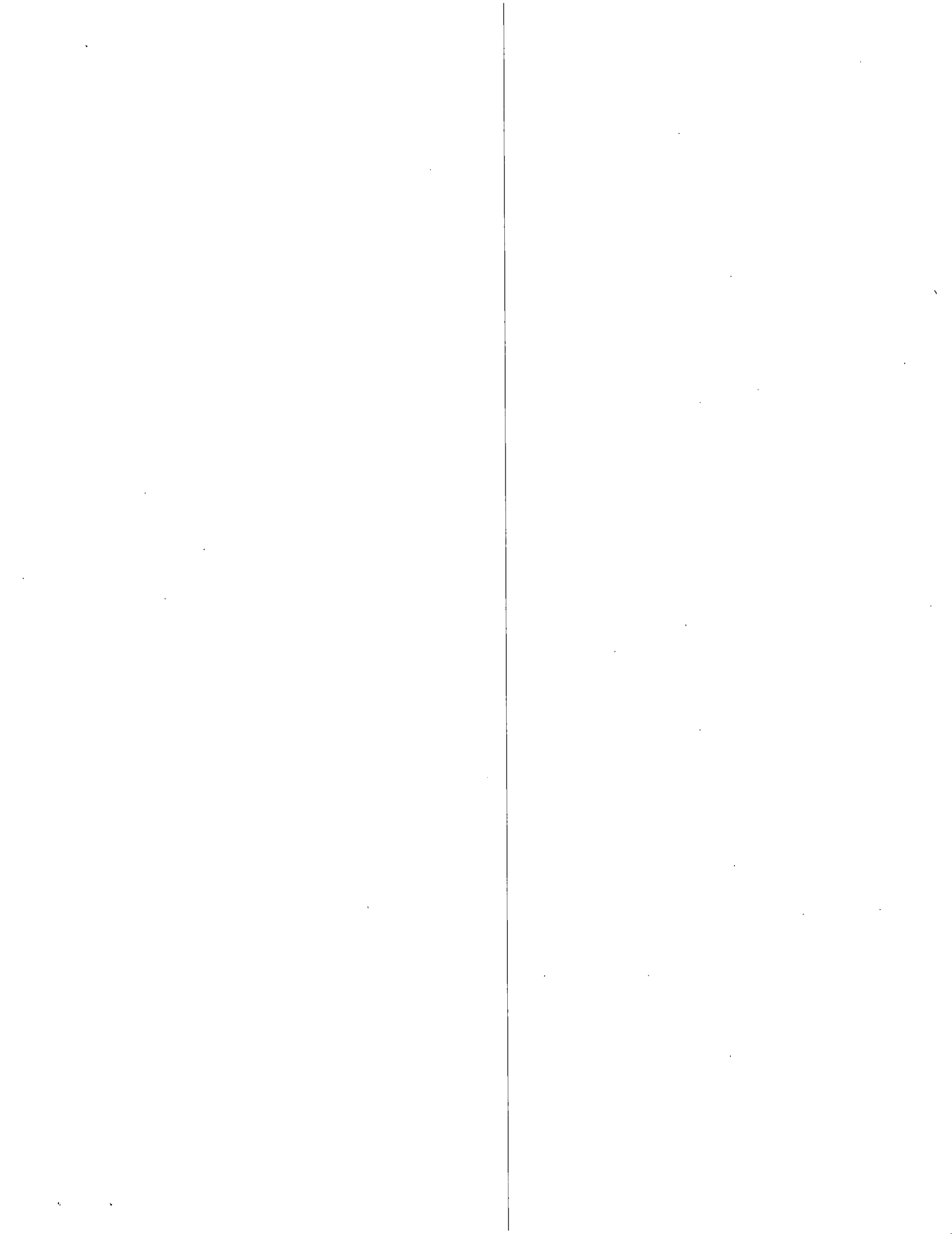
38. The Conditions of Approval (Tab 1:Page 23) challenged by the Writ of Certiorari depart from the essential requirements of law in that the authority to regulate aviation has been preempted by the federal government through its laws, rules, and regulations by establishing the Federal Aviation Administration.

39. Under the commerce clause of the U.S. Constitution, the federal government has the power to set federal standards, regulations and rules for governance of airports throughout the United States.

40. There are two types of preemption: express and implied. For express preemption to occur, the legislature must expressly state that it intends by adoption of a regulatory scheme to preempt the field. *Santa Rosa County v. Gulf Power Co.*, 635 So.2d, 96 (Fla. 1<sup>st</sup> DCA 1994).

41. In the instant matter, express preemption exists. 49 U.S.C.A. 4171(3)(b) states:

"Preemption-(1) Except as provided in this subsection, a state, political subdivision of a state . . . may not enact a law, regular or other provision having the force and effect of law related to a price, route, or service of an air carrier that may provide air transportation under this subpart." [Emphasis added]



42. There is no exception to the prohibition within Section 4171(3) relating to the actions taken by the County as a condition of approval.

43. Further, 49 U.S.C.A. 4752(1)(2) and (3) state:

"Congress finds that . . . community noise concerns have led to uncoordinated and inconsistent restrictions on aviation that would impede the national air transportation system; (3) a noise policy must be carried out at the national level."

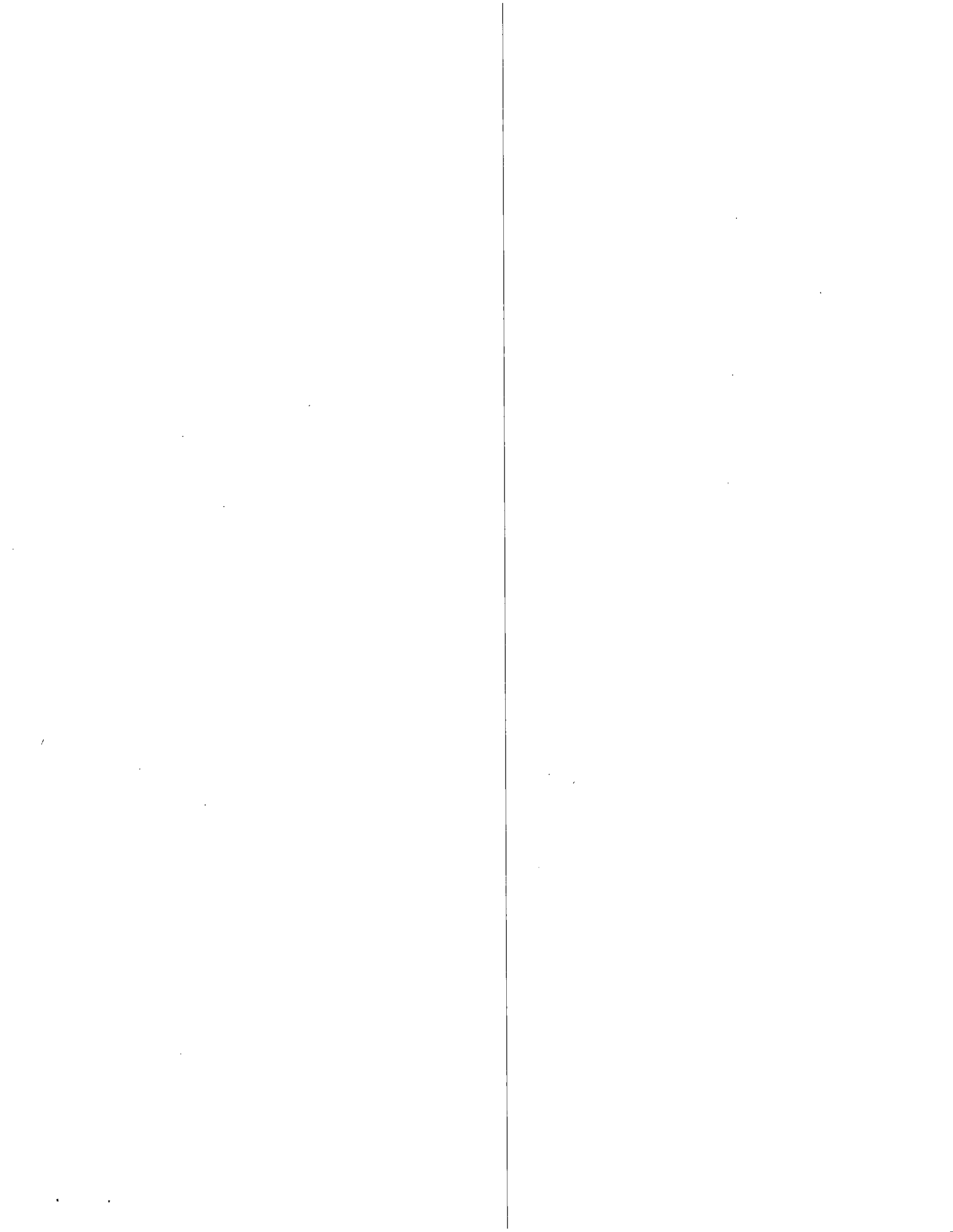
44. Manatee County has been expressly preempted from enacting zoning regulations which affect the aviation portion of airport facilities by virtue of the establishment and the findings of federal law.

45. The enactment of the conditions of approval N(3), N(4), N(6) and N(7) depart from the essential requirements of law as this specific area has been expressly preempted.

46. The conditions of approval challenged in this petition go so far as to direct the pilot as to how to operate the aircraft. For example, N(4) provides:

"Should, after implementation, the turn at the 7 DME result in splay of aircraft that is further east than anticipated, the aircraft shall be instructed to proceed outbound the 270° radial up to the 8 DME . . ."

47. By virtue of the establishment of the FAA, Manatee County has been preempted from enacting zoning regulations which



affect the operation of airport facilities and the aforementioned conditions of approval are not authorized.

#### ULTRA VIRES

48. Regulation of airport departures are also beyond the powers of Manatee County and are therefore *ultra vires*.

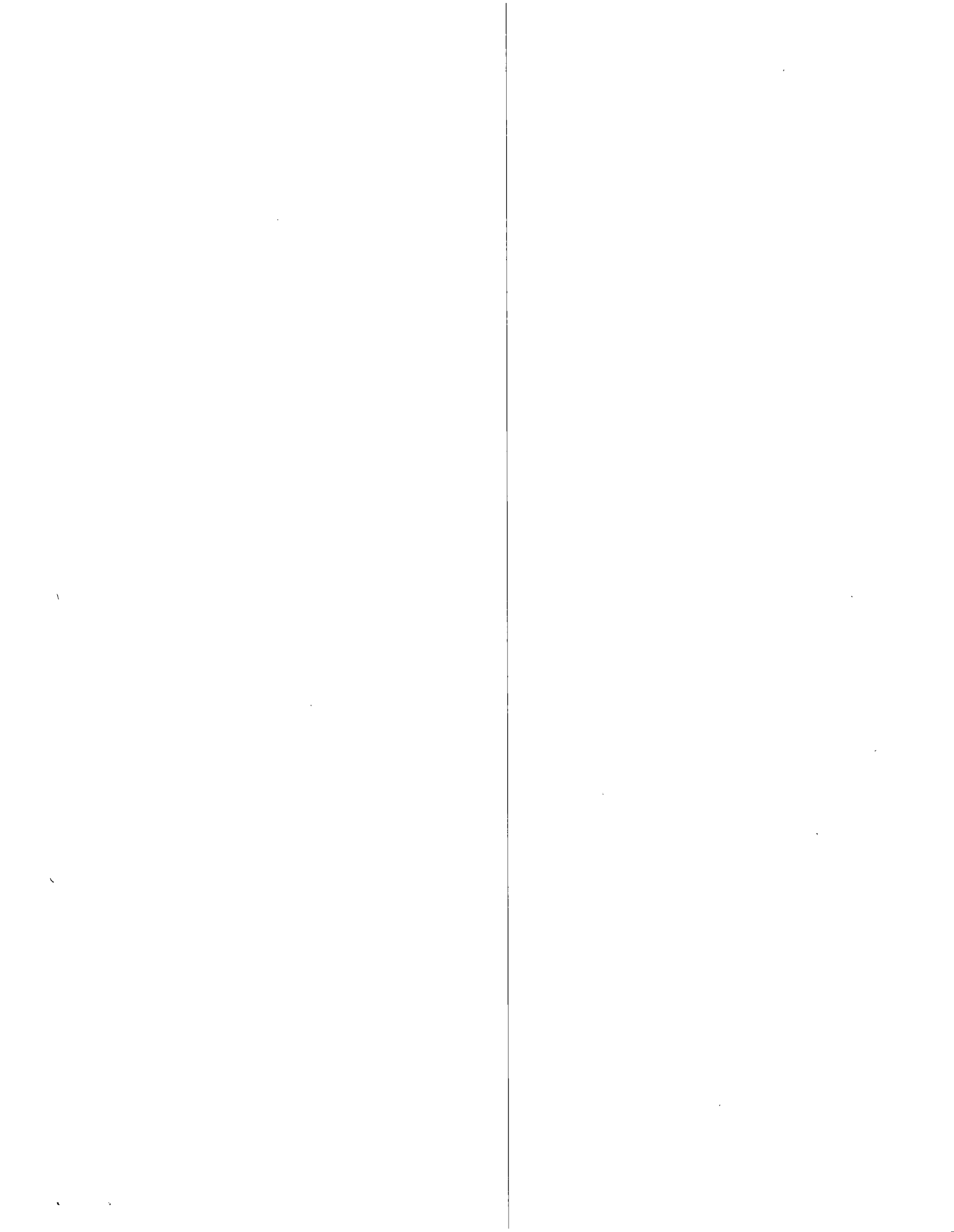
49. "An ordinance making an appropriation of the funds of a town or a city, derived from taxation, for purposes wholly beyond the purpose of a municipal grant, is a wrongful appropriation of the funds held in trust for the taxpayers and the people to pay the alimony and legitimate expenses of the town or city, and is, in short, *ultra vires*, null and void. *Duplig v. City of South Daytona*, 195 So.2d, 581 at 583, citing *Peck v. Spencer*, 7 So. 648 (Fla. 1890). See also *Knowles v. Magic City Grocery, Inc.*, 197 So. 843 (Fla. 1940).

50. Utilization of a zoning ordinance to control aircraft is beyond the powers of Manatee County, and is therefore an *ultra vires* act, and hence void.

#### DENIAL OF PETITIONERS' DUE PROCESS

51. The notice for the hearing for Ordinance 99-50 is attached. (Tab 4).

52. Nowhere in the hearing notice for Ordinance 99-50 is any mention that Manatee County will be considering the departure



route from Runway 32 as a condition of approval and thereby affecting land areas outside of the scope of the notice.

53. Notice must be reasonably calculated to alert individuals of an impending action. In the absence of waiver or estoppel, the notice requirement is mandatory and jurisdictional. *City of Fort Pierce v. Davis*, 400 So.2d 1242 (D.C.A. 1981).

54. Inadequate notice is a denial of due process and thus conditions N(3), N(4), N(6) and N(7) must fail.

ARBITRARY, CAPRICIOUS  
LACK OF COMPETENT AND SUBSTANTIAL EVIDENCE

55. Assuming arguendo that Manatee County has the authority to require noise barriers and other physical improvements for the Airport (whose authority Petitioners do not challenge), there is no competent and substantial evidence for the proposition that the change of departure reduces noise in the affected area.

56. Indeed, a letter from the Federal Aviation Administration (Tab 3) notes that the change of departure to a 270° radial results in an increased noise level of greater than 1.5 decibels in the area north and west of Runway 32 located within Manatee County.

57. Further, in a letter from Noah Lagos, Director of Aviation for the Authority, to Robert H. Peterson, Community Planning Administrator of Manatee County, question Number 3 notes that "with respect to the runway extension and mitigation provided by the noise barriers, there is no change in the noise

reduction resulting from the barriers under the current or proposed departure procedure." (Tab 5).

58. Conditions of approval N(3), N(4), N(6) and N(7) lack competent, substantial evidence of record to support their inclusions in the Authority's development order.

Wherefore, Petitioners respectfully requests this Court grant a Writ of Certiorari striking conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, or declaring them null and void with no further force or effect, award Petitioners' their costs in this action, or for whatever relief this Court deems just and proper.

#### COUNT II

#### WRIT OF MANDAMUS

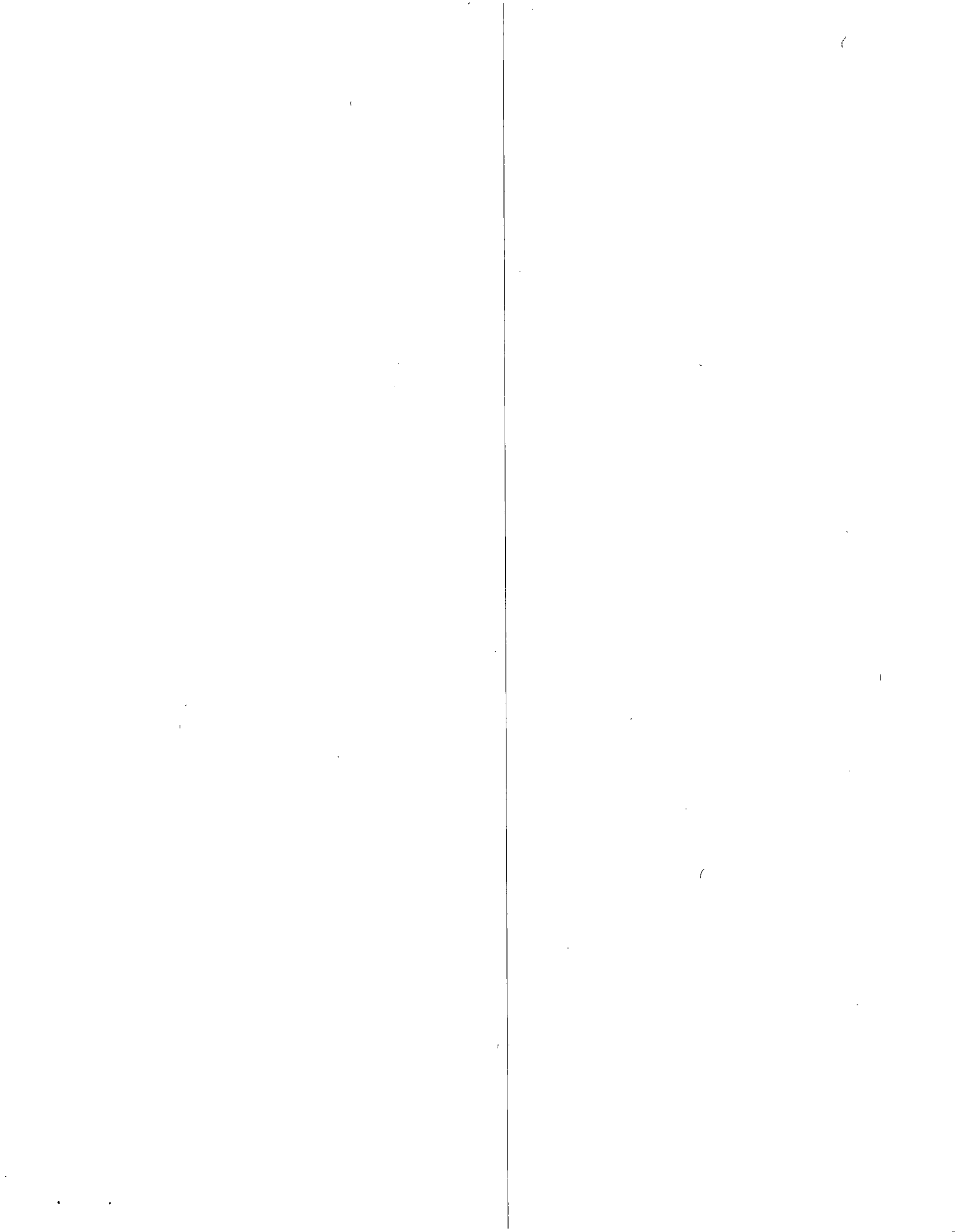
59. This is an action for a Writ of Mandamus pursuant to the Florida Rules of Civil Procedure, 1.630, and the Federal Rules of Civil Procedure, 9.100. (check)

#### NATURE OF CASE

60. Petitioners ask this Court for an issuance of Writ of Mandamus striking Conditions N(3), N(4), N(6), and N(7) from the conditions of approval of Ordinance 99-50 rendered December 15, 1999.

61. Paragraphs 18 through 58 are incorporated herein by reference.





Wherefore, Petitioners respectfully request this Court grant a Writ of Mandamus striking conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, or declaring them void with no further force or effect, award Petitioners' their costs of this action, or grant whatever other relief the Court deems just and proper.

COUNT III

DECLARATORY RELIEF

This is an action for declaratory relief pursuant to Chapter 86, Florida Statutes.

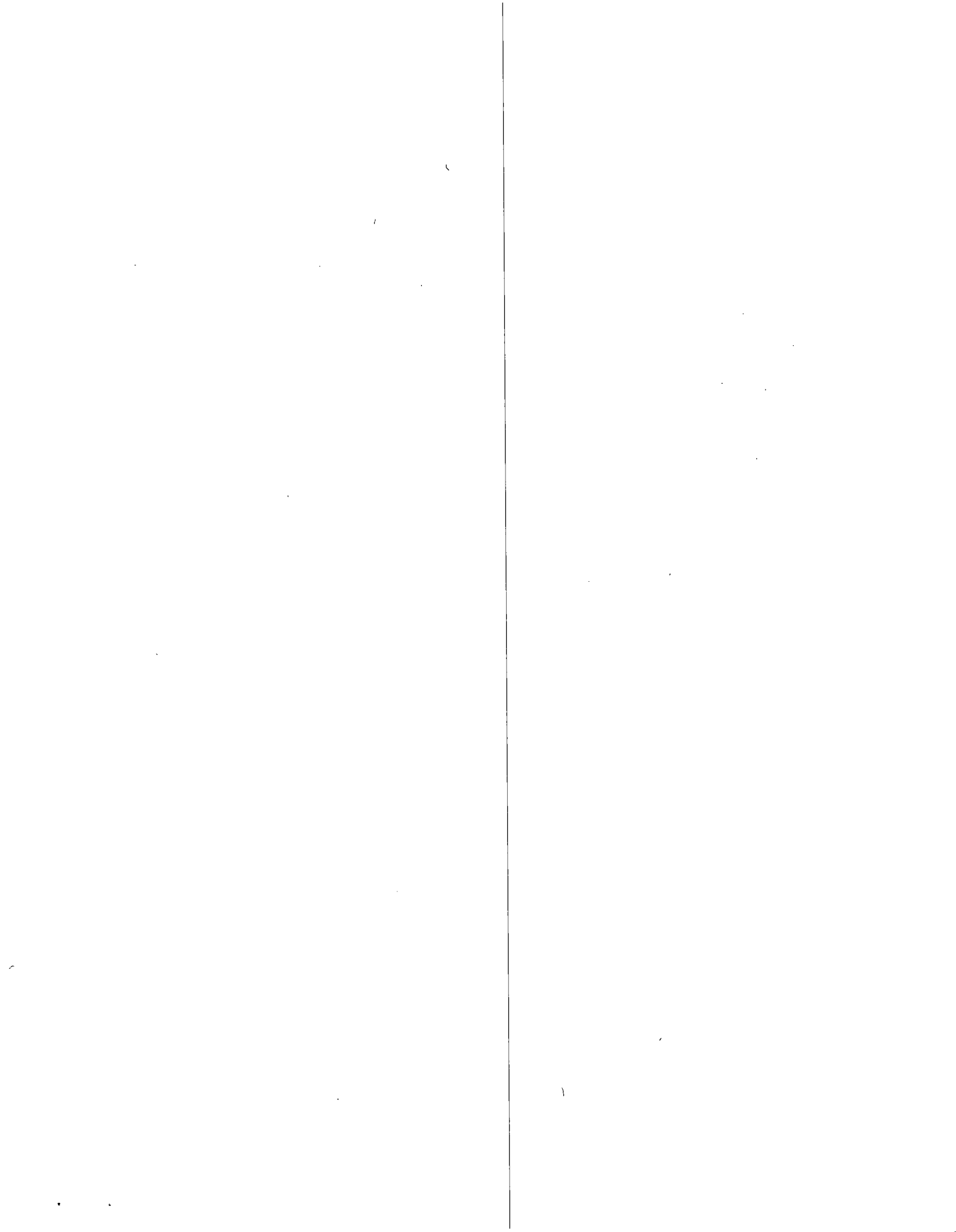
62. Paragraphs 18 through 58 are incorporated herein by reference.

63. Plaintiffs have an interest in and seek a declaration of their legal rights in relation to the conditions of approval N(3)(4)(6) and (7) of Ordinance 99-50.

64. There exists a real and present controversy between Plaintiffs and Defendants as to the ability of Defendants to enact conditions N(3)(4)(6) and (7) of Ordinance 99-50.

65. Plaintiffs seek a declaration that Defendants do not have the legal right or authority to condition their approval of Ordinance 99-50 as set forth in N(3), (4), (6) and (7) of Ordinance 99-50.

66. Plaintiffs are in doubt as to the rights of the parties, and the authority under Ordinance 99-50, and are



requesting a determination of the validity of the same, specifically conditions of approval N(3), (4), (6) and (7).

Wherefore, Plaintiffs respectfully request this Court to grant declaratory relief determining the validity of conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, award Plaintiffs their costs in this action, and grant whatever other relief this Court deems just and proper.

COUNT IV

PROCEDURAL DUE PROCESS

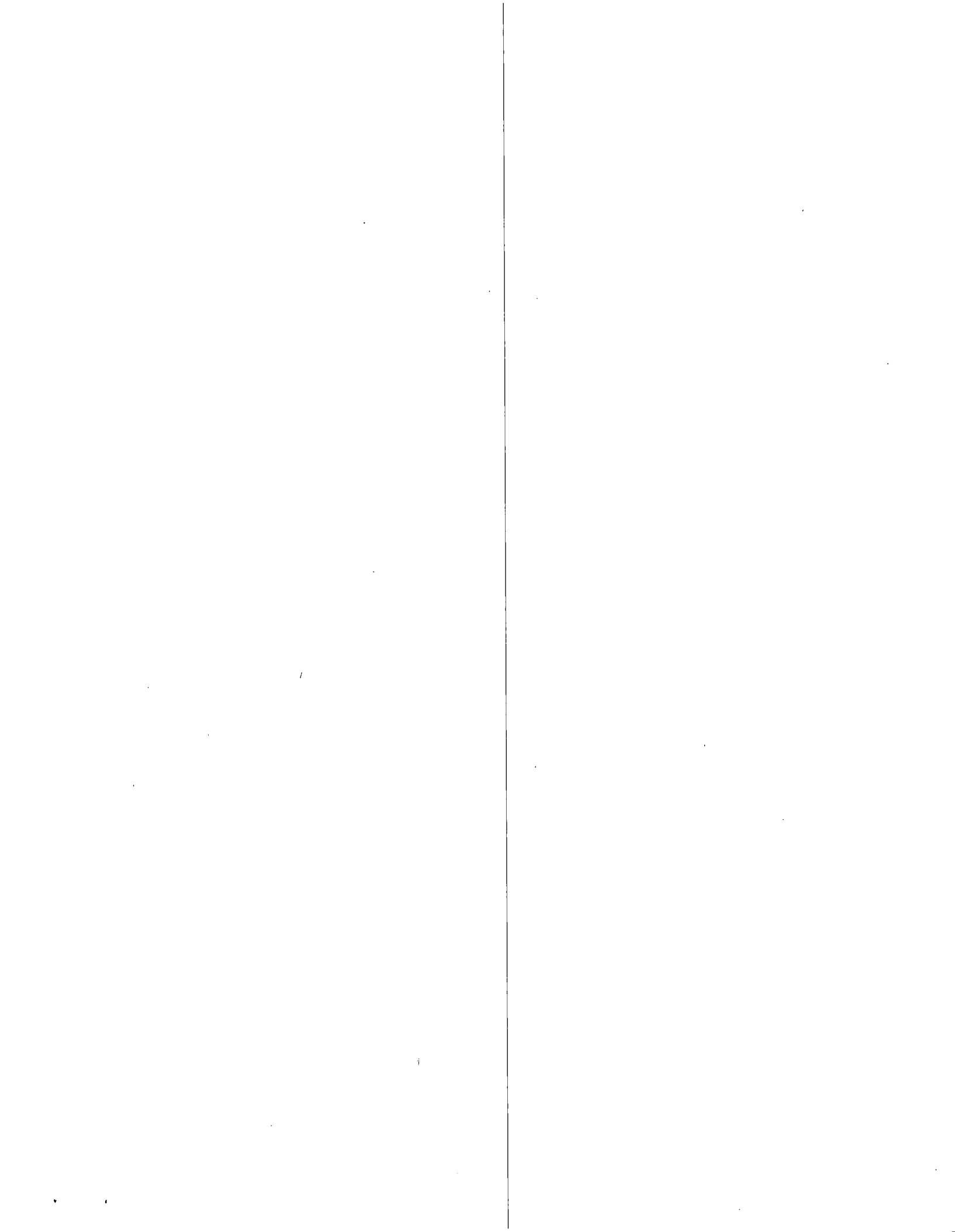
This is an action for procedural due process arising out of the United States Constitution, 14<sup>th</sup> Amendment, Federal Law, particularly the Civil Rights Act of 1871, 42 U.S.C., Section 1983.

67. Paragraphs 18 through 58 are incorporated herein by reference.

68. Note 3 of the conditions of approval states as follows:

N(3). "The SMAA shall continue to expeditiously and without further delays, seek approval from FAA of the 270° radial turn for planes departing on Runway 32. In the event the approval is not received prior to the state of Phase 2, construction of the expansion of the terminal building and parking garage shall not be authorized until either:

- a. the 270° radial turn departure procedure is approved and operational or,
- ii the SMAA can demonstrate to the County the Notice of Proposed Change pursuant to Section 380.06, Florida Statutes, that the SMAA has exerted good faith in a continued effort to gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County."



69. The determination of "exercised good faith" and "determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County" is unconstitutionally vague. The language of N(3) would permit arbitrary and capricious governmental decisions to be applicable in certain situations but deemed inapplicable in similar situated situations.

70. Further, the lack of notice of the consideration of the conditions of approval is a violation of the procedural due process requirements of the U.S. Constitution.

71. Plaintiffs have hired the undersigned counsel and are obligated to pay reasonable attorneys fees and costs.

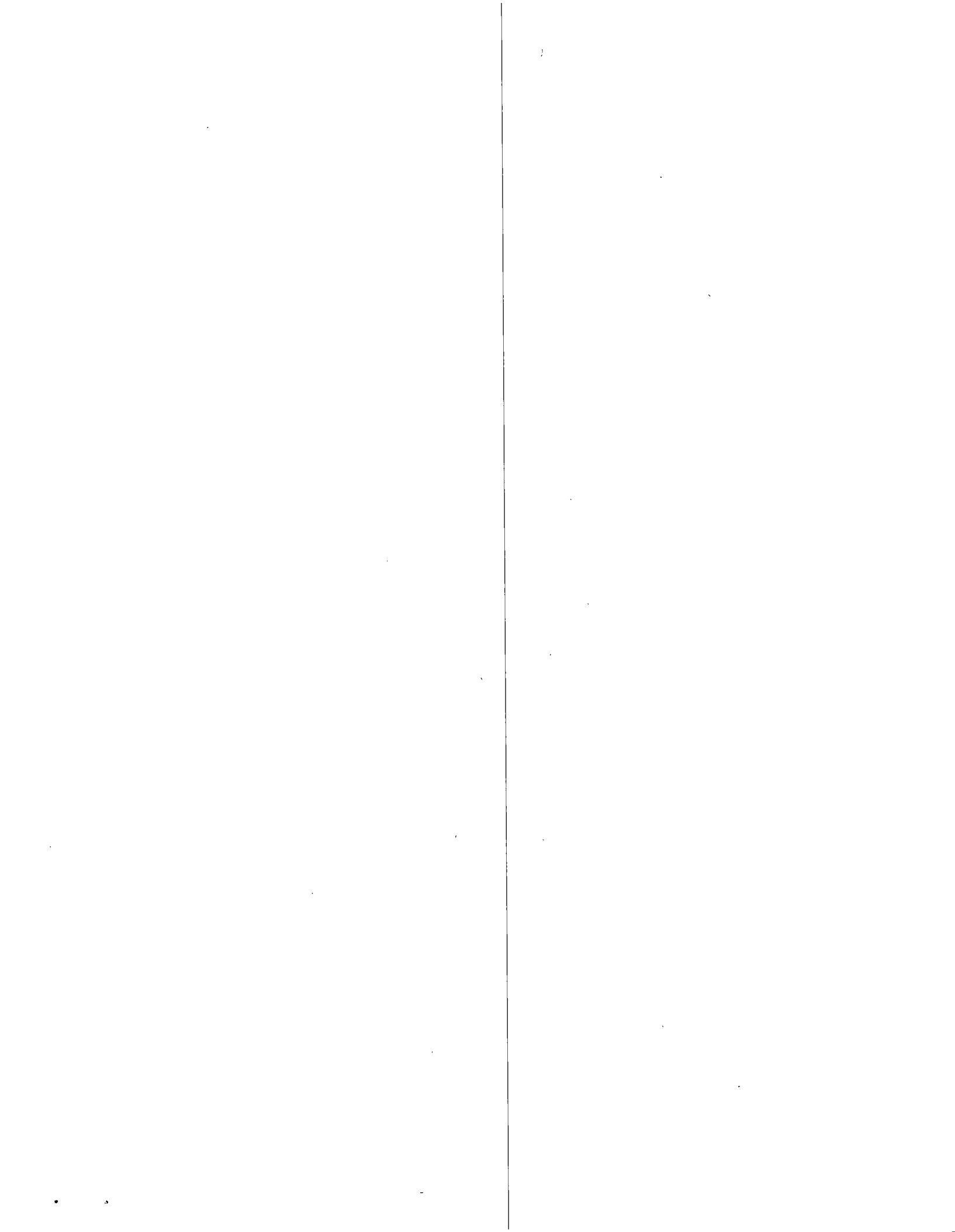
72. Plaintiffs are entitled to their attorneys fees pursuant to 42 U.S.C.A. 1988.

WHEREFORE, Plaintiffs request this Court to strike N(3), N(4), N(6), and N(7) of the conditions of approval of Ordinance 99-50, grant Plaintiffs their attorneys fees and costs, and grant whatever other relief this Court deems just and proper.

COUNT V

SUBSTANTIVE DUE PROCESS

This is an action for substantive due process arising out of the United States Constitution, 14<sup>th</sup> Amendment, Federal Law,



particularly, the Civil Rights Act of 1871, 42 U.S.C., Section 1983.

73. The acts and practices of the County have been and are being performed under the color of law, and therefore constitute the actions of the State within the meaning of the 14<sup>th</sup> Amendment of the U.S. Constitution.

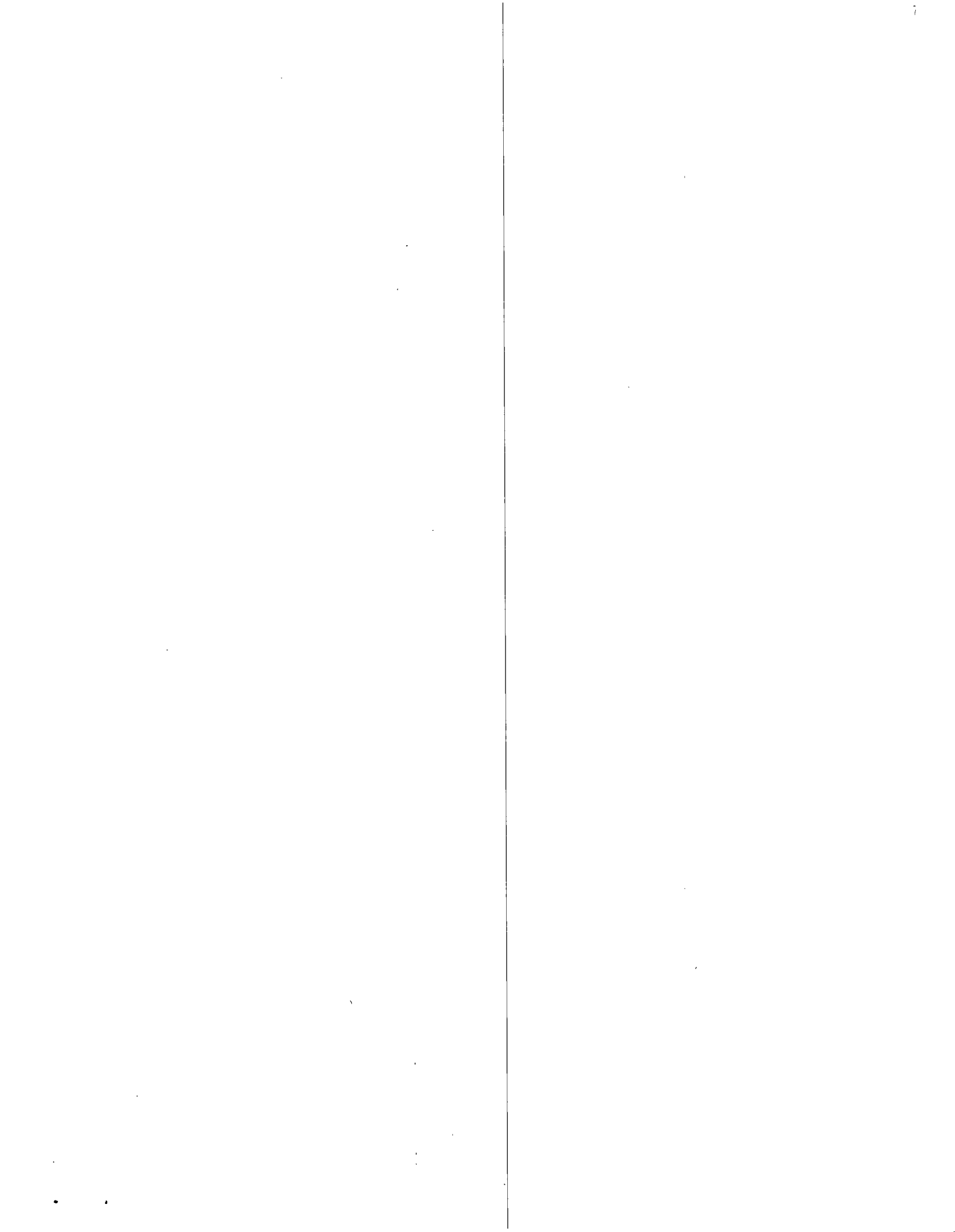
74. The County's action by instituting conditions of approval N(3), N(4), N(6) and N(7) deprive the Plaintiffs of due process of law in violation of the 14<sup>th</sup> Amendment and 42 U.S.C. Section 1983. The County has acted without authority, and without a valid police power to institute said conditions of approval. There exists no substantive relationship between the public health, safety and welfare, and the County's attempt to require the aforementioned conditions of approval.

75. Further, the County's actions deprive Plaintiffs of a property right without due process of law. Plaintiffs were not afforded notice of the consideration of the inclusion of a condition relating to the change of departure, as part of the requirements of the runway and terminal expansion.

76. Plaintiffs have hired the undersigned counsel and are obligated to pay reasonable attorneys fees and costs.

77. Plaintiffs are entitled to their attorneys fees pursuant to 42 U.S.C.A. 1988.



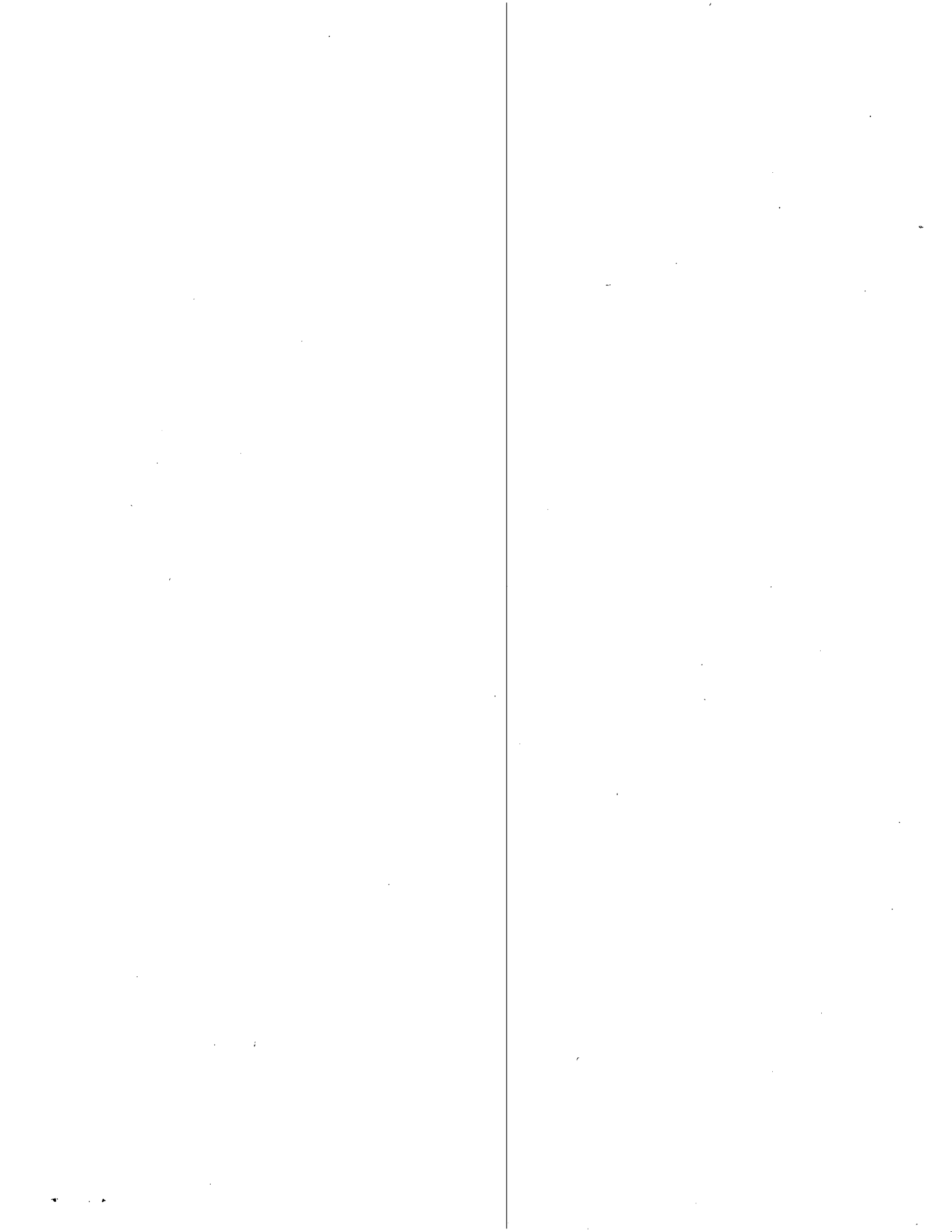


Wherefore, Plaintiffs respectfully request this Court strike N(3), N(4), N(6), and N(7) from the conditions of approval of Ordinance 99-50 rendered December 15, 1999, grant Plaintiffs their attorneys fees and costs, and grant whatever other relief this Court deems just and proper.

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By: 

David P. Persson  
Florida Bar No. 622486



IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA

LONGBOAT KEY CASA DEL MAR, INC.,  
a condominium association  
organized under the laws of  
the State of Florida, and  
TOWN OF LONGBOAT KEY, FLORIDA,  
a municipal corporation of the  
State of Florida,

Petitioners,

v.

Case No. \_\_\_\_\_  
Division: \_\_\_\_\_

MANATEE COUNTY, FLORIDA, a county  
government organized under the laws  
of the State of Florida, and the  
BOARD OF COUNTY COMMISSIONERS  
FOR MANATEE COUNTY, the governing  
body of Manatee County,

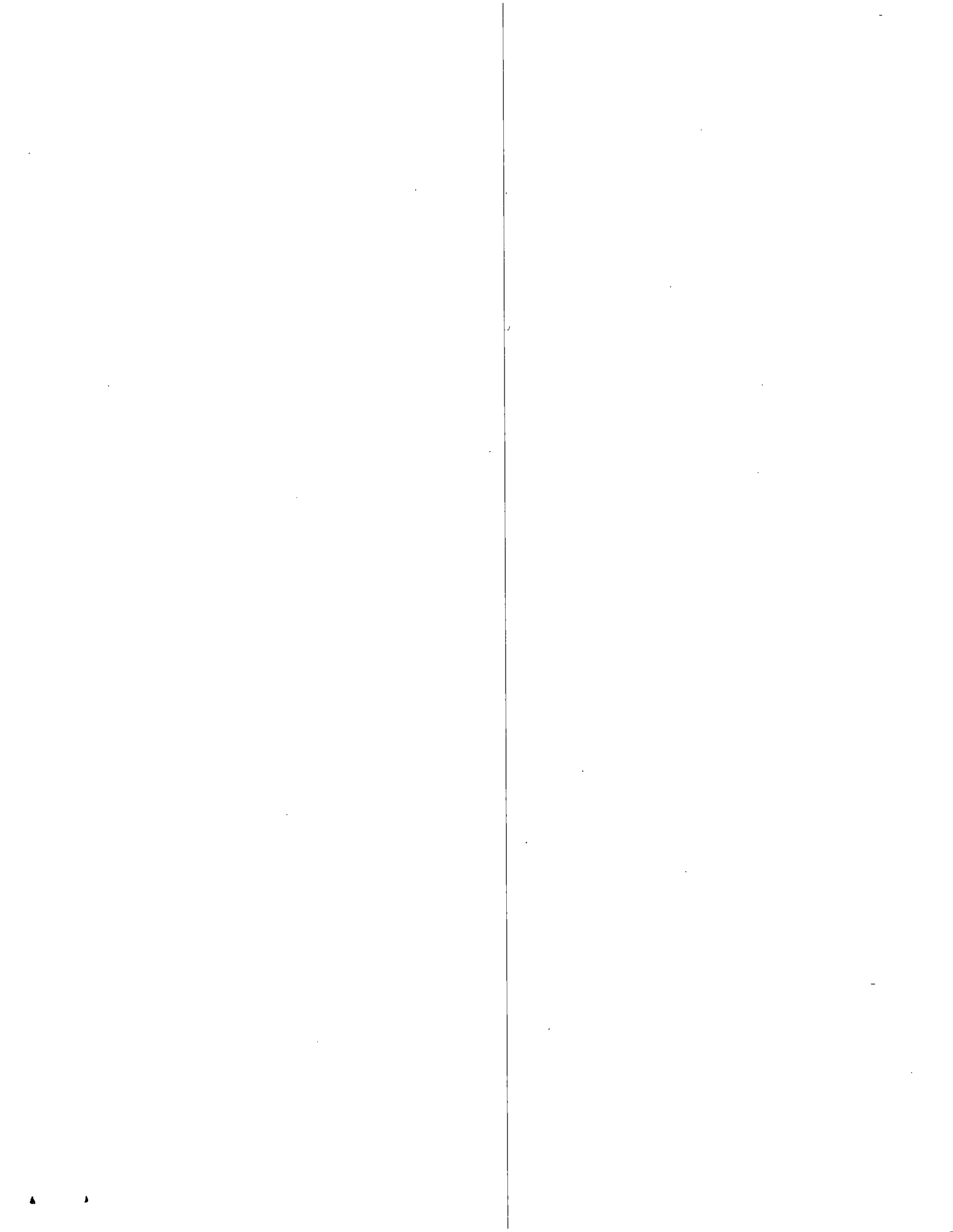
[This Petition is filed pursuant to Rule 9.100(f) and,  
requires special processing by the Clerk, pursuant  
to Rule 9100(f)(3)]

Respondents.

\_\_\_\_\_/

PETITION FOR WRIT OF CERTIORARI  
FOR REVIEW OF QUASI-JUDICIAL ACTION,  
PETITION FOR WRIT OF MANDAMUS,  
COMPLAINT FOR DECLARATORY RELIEF,  
VIOLATION OF PROCEDURAL AND SUBSTANTIVE DUE PROCESS

PETITIONERS, LONGBOAT KEY CASA DEL MAR, INC., a condominium  
association organized under the laws of the State of Florida, and  
the TOWN OF LONGBOAT KEY, a municipal corporation of the State of  
Florida (collectively "Petitioners") bring these actions against  
Respondents, MANATEE COUNTY, FLORIDA, a county government  
organized under the laws of the State of Florida (the "County")  
and the BOARD OF COUNTY COMMISSIONERS FOR MANATEE COUNTY, the



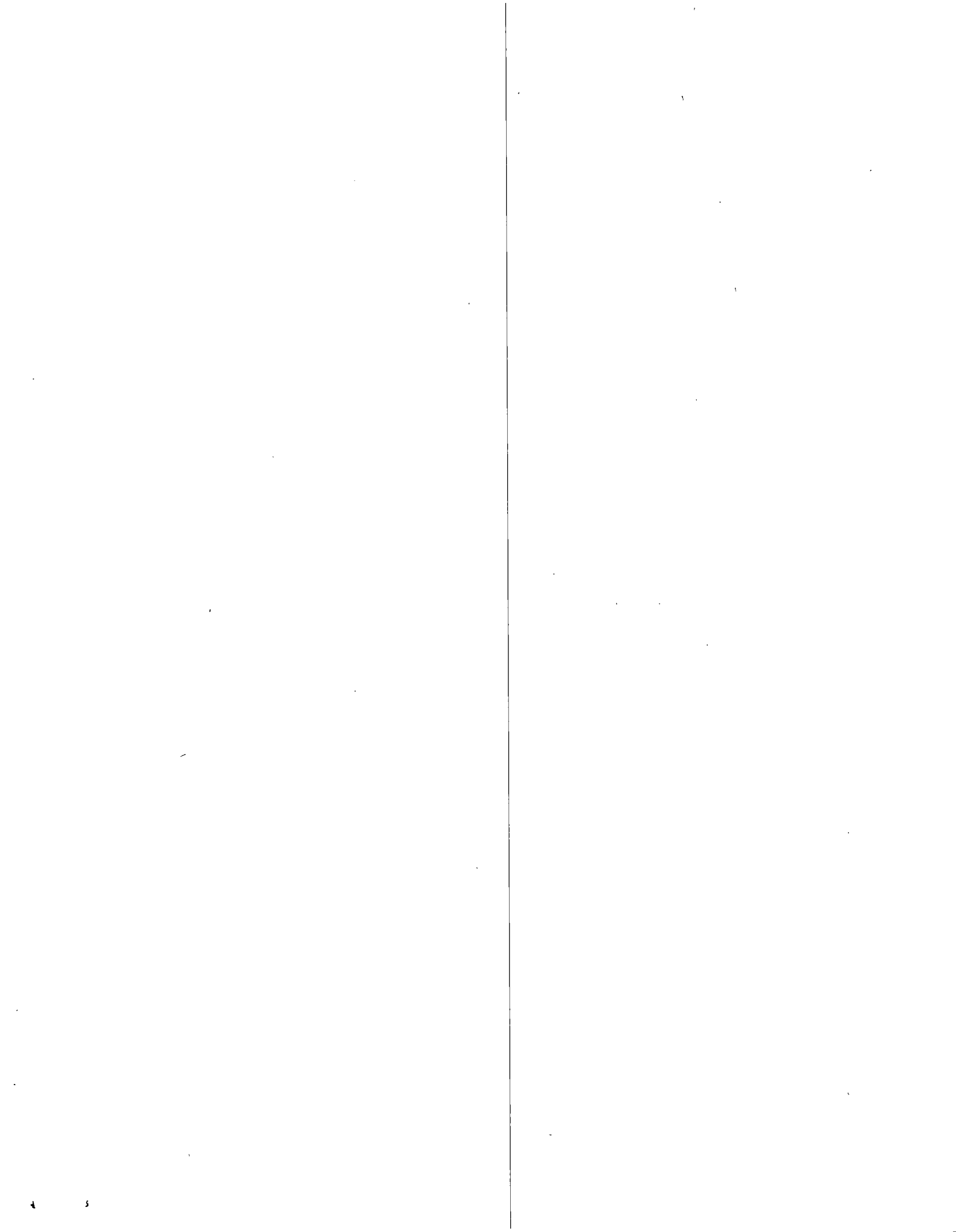
governing body of Manatee County, Florida (the "Commission") (collectively "Respondents"), and allege:

COUNT I

PETITION FOR WRIT OF CERTIORARI

1. This is an action seeking the issuance of a writ of certiorari. In this action, Petitioners are requesting the Court to judicially review, in its appellate capacity, conditions of approval for a final and quasi-judicial administrative action and decision of the Respondents granting the approval for the expansion of the Sarasota Bradenton Airport with an amendment to the Development of Regional Impact (DRI) for the Airport, pursuant to Ordinance 99-50. Petitioners challenge certain conditions of approval, specifically beginning on Page 23 of Ordinance 99-50, Sections N(3), N(4), N(6), and N(7). Petitioners do not challenge the ultimate decision of Respondents to grant the request of the Sarasota Bradenton Airport to expand its facilities. Petitioners only challenge the above-referenced conditions of approval.

2. The Petitioners contend that the conditions of approval (as cited above) deny the Petitioners due process, depart from the essential requirements of law, are arbitrary, unreasonable, capricious, and discriminatory, and are not supported by competent and substantial evidence.



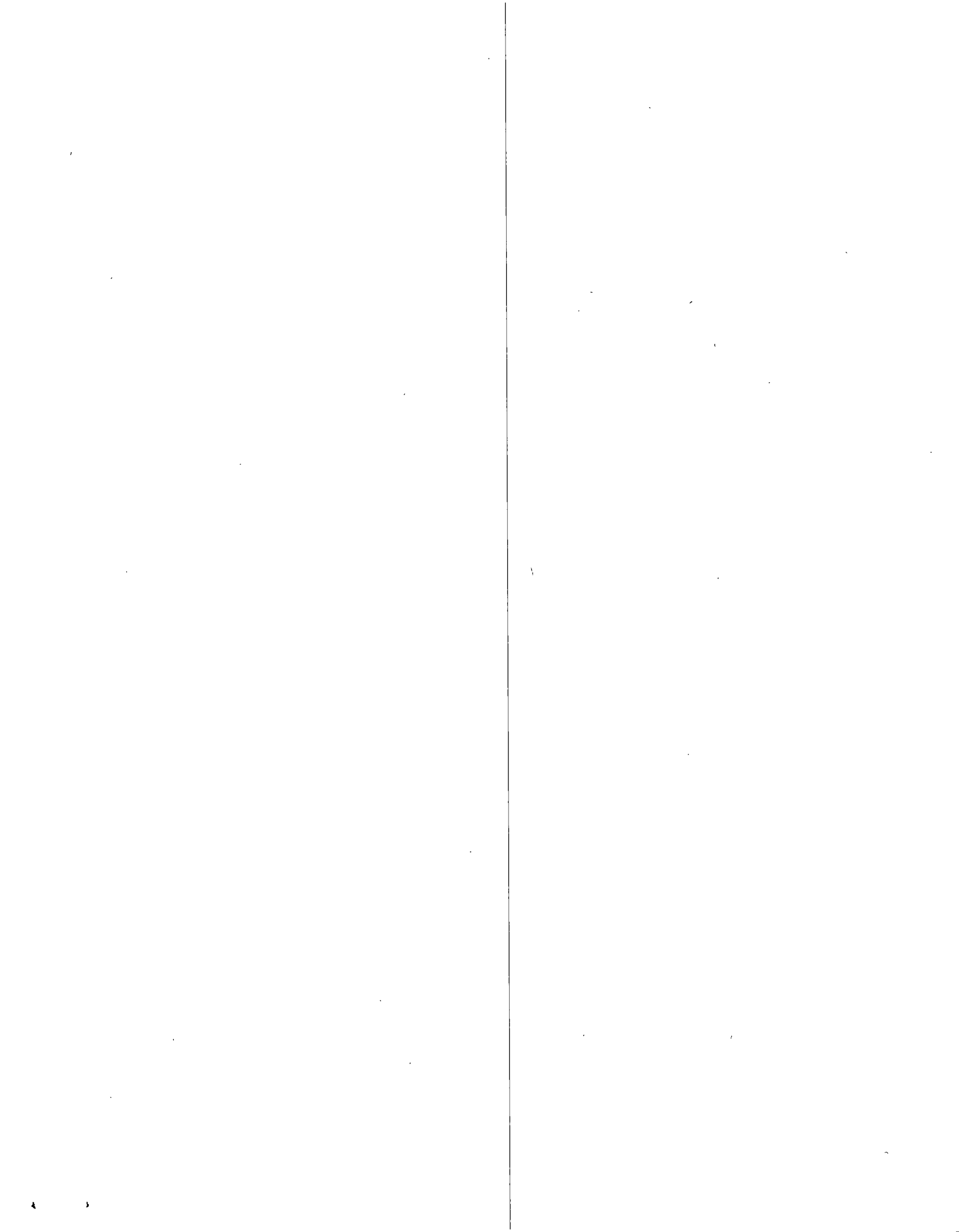
### APPENDIX AND CITATIONS

Those portions of the record of the proceedings before the Commission below that were available from the Clerk for the Commission at the time of filing this Petition for Writ of Certiorari, and that are relied upon by the Petitioner in support of its Petition, are set forth in the appendix to Petition for Writ of Certiorari and are separately bound and filed simultaneously with this Petition. The Appendix is expressly incorporated into and made a part of this Petition. Citations in this Petition to the Appendix shall be as follows: (Tab#:Page#). Where citations are made to the record which is not yet available, the citation will be blank. Concurrently with the filing of this Petition, Petitioner has also filed a Motion for Extension of Time to Complete and Supplement the Appendix to Petition for Writ of Certiorari and to Amend the Petition for Writ of Certiorari, Writ of Mandamus, and Complaint for Declaratory Relief, Procedural and Substantive Due Process.

### JURISDICTION OF THE COURT

3. The actions and decisions of the Respondents challenged by the Petitioners in this action were quasi-judicial in nature rather than legislative in nature, and therefore are properly reviewable by certiorari. *The Board of County Commissioners of Brevard County v. Snyder*, 627 So.2d 469 (Fla. 1993); *Sunbelt*



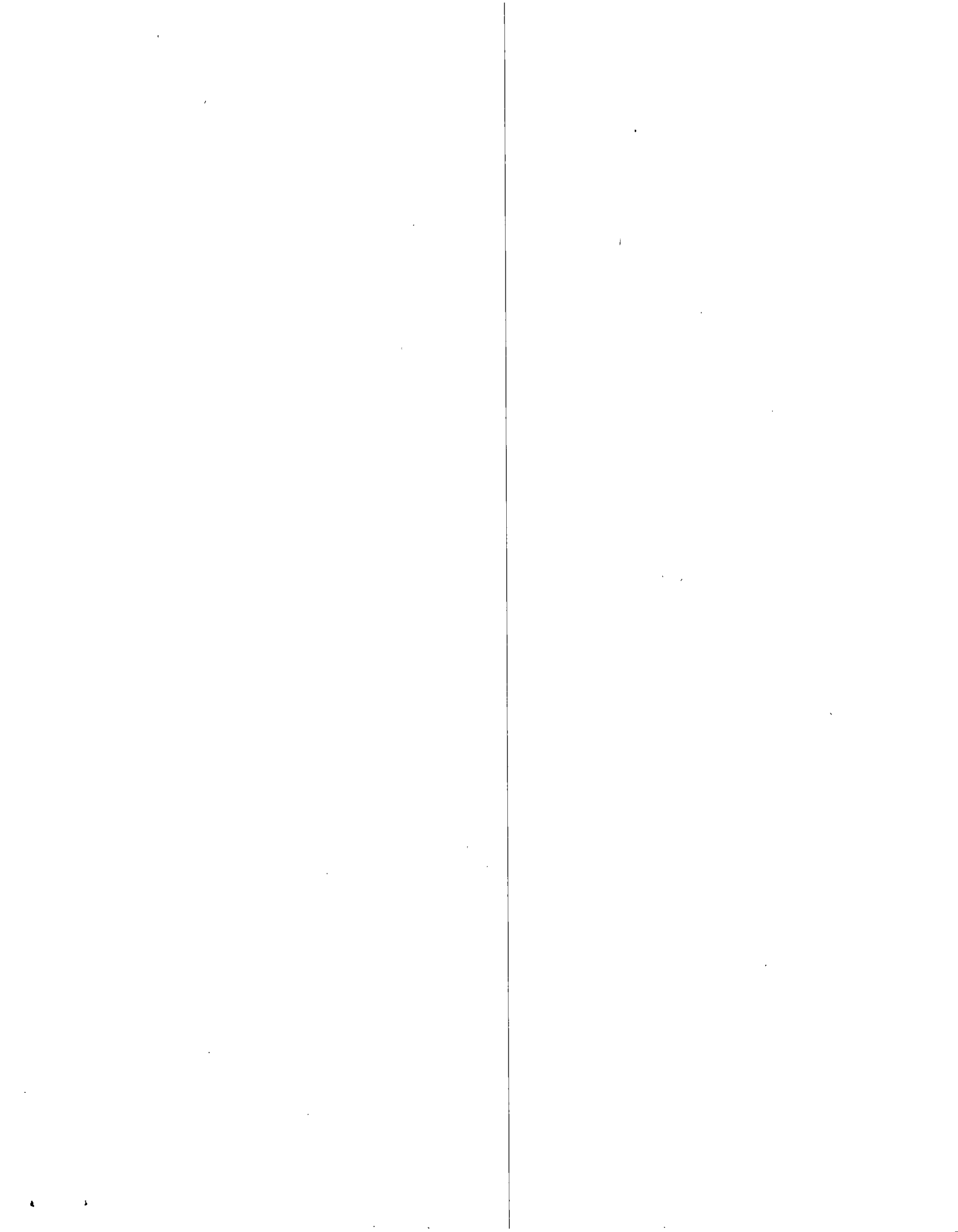


*Equities II v. Lee County*, 619 So.2d 996 (Fla. 2d DCA 1993); and *Irvine v. Duval County Planning Comm.*, 495 So.2d 167 (Fla. 1986).

4. Common law certiorari is available to obtain judicial review of final governmental or administrative actions where the Florida Legislature has failed to provide for review by statutory certiorari, where no other method of direct appellate review proceedings are provided by law, and where no other method of appeal is available. *DeGroot v. Sheffield*, 95 So.2d 912 (Fla. 1957) and *G-W Development Corporation v. Village of North Palm Beach Zoning Board of Adjustment*, 317 So.2d (Fla. 4<sup>th</sup> DCA 1975).

5. The action and decision of the Respondents was a final administrative action and decision. The Florida Legislature has failed to provide for review of that action and decision by statutory certiorari, no other method of direct appellate review proceedings of that decision and action is provided by law and no other method of appeal is available to Petitioner to challenge the action and decision.

6. This Court therefore has jurisdiction of this action pursuant to Rules 9.030(c), 9.100(a), 9.100(f) and 9.190(b)(3), Florida Rules of Appellate Procedure, and Article V, Section 5(b) of the Florida Constitution which authorizes circuit courts to issue writs of certiorari.



VENUE

7. The venue of this action properly lies in the Circuit Court of the Twelfth Judicial Circuit in and for Manatee County, Florida, because of the location of the real property and the requirements of approval which are the subject of this controversy are located within portions of the geographic boundaries of Manatee County, Florida.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

8. The Petitioners have exhausted all administrative remedies that are available to them with respect to the issues in controversy.

CONDITIONS PRECEDENT TO THIS ACTION

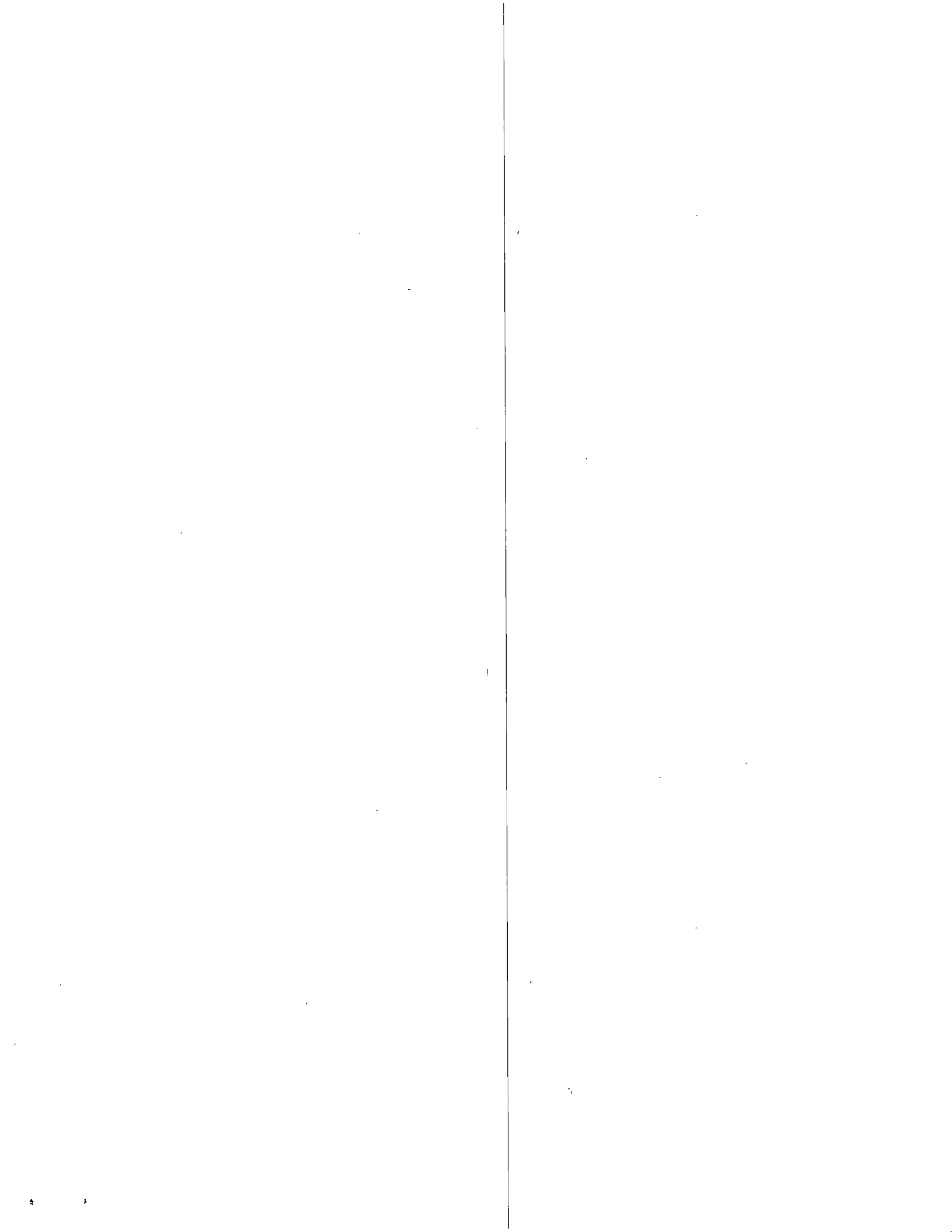
9. All conditions precedent to the institution of this action have occurred or have been performed.

PETITION TIMELY FILED

10. This Petition for Writ of Certiorari was filed by the Petitioners within 30 days from the date of the action and decision by the Commission.

SCOPE OF REVIEW

11. It is clear that certiorari is an appellate process. *City Savings Corp v. S&B Partners*, 548 So.2d 1156 (Fla. 1<sup>st</sup> DCA 1989).



12. In this action, therefore, the Court will be acting in an appellate review capacity rather than in its traditional, normal and customary trial capacity involving fact finding and initial decision making. *Lee County v. Sunbelt Equities II*, 619 So.2d 996 (Fla.2d DCA 1993).

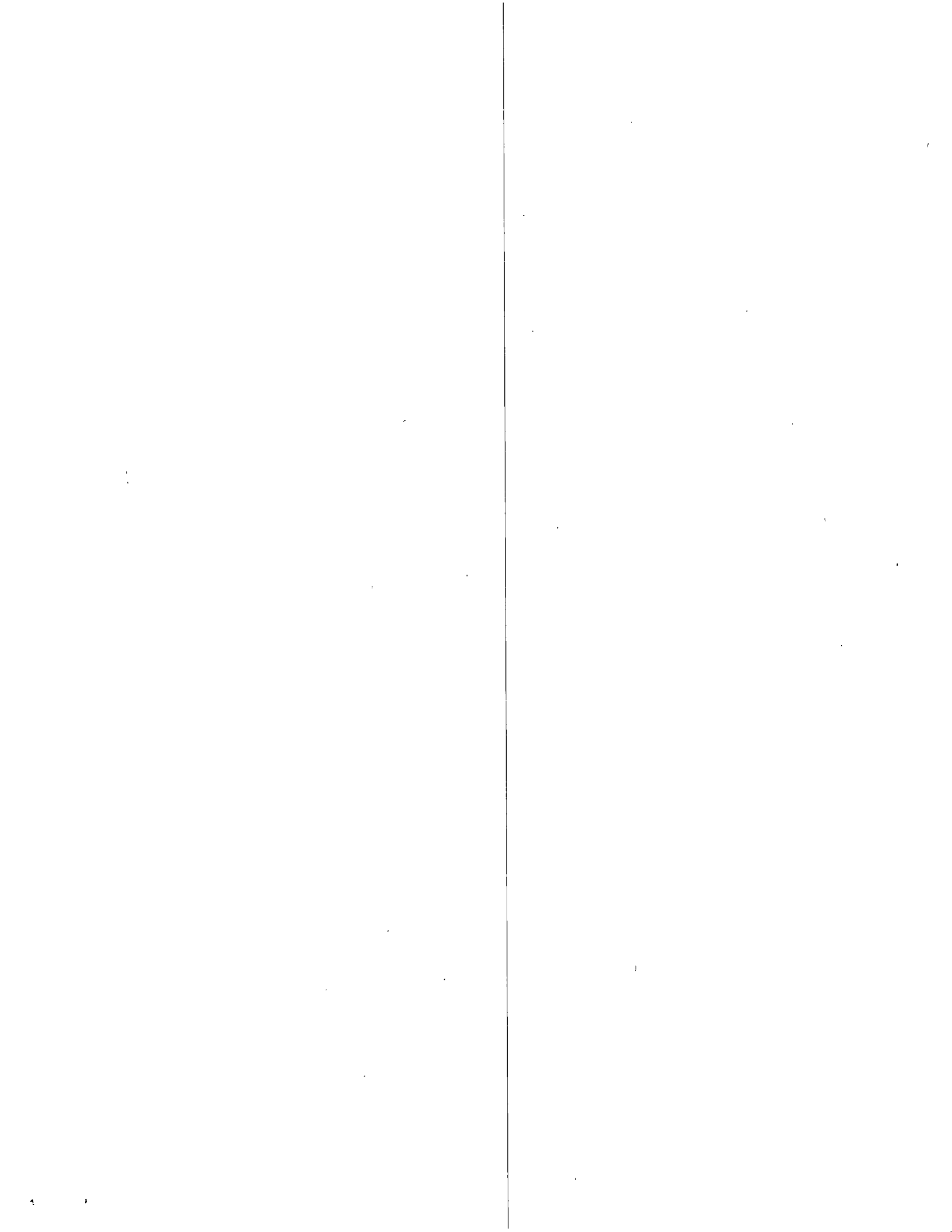
13. As succinctly stated by our Second District Court of Appeals in *Lee County v. Sunbelt Equities II* in discussing the circuit court's role in certiorari proceedings:

At the circuit level, three questions are asked: whether due process was afforded, whether the administrative body applied the correct law, and whether its findings are supported by competent, substantial evidence . . . (*Lee County, supra*, 1003).

14. Thus, in reviewing the action and decision of the Respondents, the Court is authorized only to determine whether the Respondents afforded the Petitioners due process, observed or departed from the essential requirements of the law, and supported their action and decision by substantial, competent evidence. *City of West Palm Beach Zoning Board of Appeals v. Education Development Center*, 504 So.2d 1385 Fla. 4<sup>th</sup> DCA 1987).

#### STANDARD OF REVIEW

15. In reviewing the action and decision of the Respondents the Court must subject those actions and decisions to strict judicial scrutiny. The action and decision complained of does not constitute legislative action requiring deferential judicial



review as to reasonableness. *Bd. of Cty Com'rs of Brevard v. Snyder*, 627 So.2d 469 (Fla. 1993); *Snyder v. Board of County Commissioners*, 595 So.2d 65 (Fla. 5<sup>th</sup> D.C.A., 1991).

16. Florida's Fourth District Court of Appeal has also confirmed that the courts should use "strict judicial scrutiny" in reviewing local government's rezoning and land use decisions. *Section 28 Partnership Ltd. v. Martin County*, 649 So.2d 609 (Fla. 4<sup>th</sup> DCA 1994).

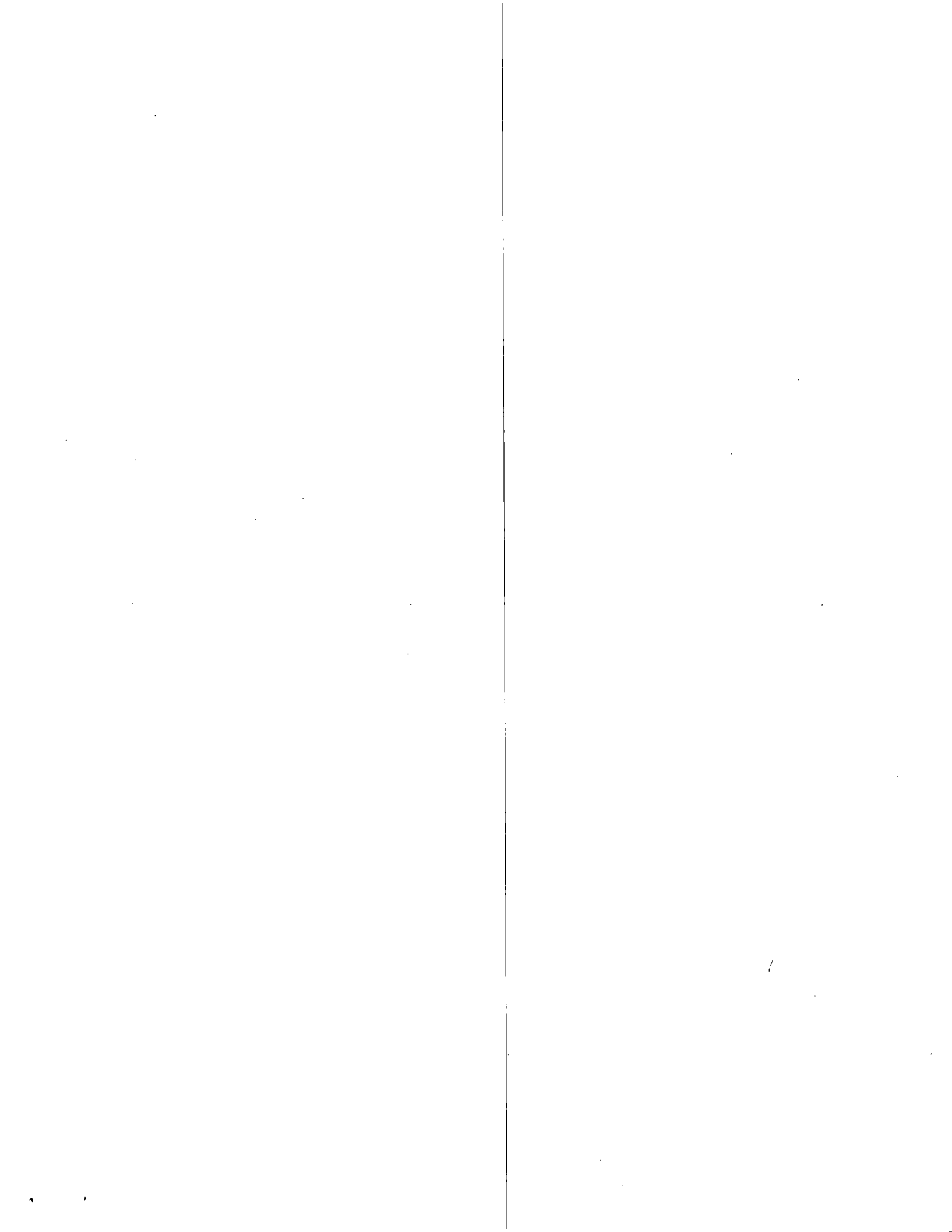
17. Assuming arguendo that the standard of review was not strict scrutiny but instead the deferential "fairly debatable" standard applicable to legislative acts of the Respondents, the Court would still be compelled to quash the conditions of approval of Ordinance 99-50 as passed by the Respondents.

#### PARTIES

18. The Petitioner, Longboat Key Casa Del Mar, Inc., a condominium association, is a Florida not-for-profit corporation which owns or controls real property and improvements located within the municipal limits of the Town of Longboat Key which lie within Manatee County, Florida.

19. The Petitioner, the Town of Longboat Key, is a municipal corporation under the laws of the State of Florida, and a portion of the Town lies within Manatee County, Florida.





20. The Respondent, Manatee County, is a county government under the laws of the State of Florida, the Florida Constitution, and Florida Statutes.

21. The Commission is the legislative governing body of the County established pursuant to the Florida Constitution and Chapter 125 and its Charter and exercises the legislative and other powers of county government through its commissioners, including the review and approval of various land use or land development petitions, applications, requests, permits and orders authorized by the County's Comprehensive Plan and Zoning Code.

STATEMENT OF FACTS ON WHICH PETITIONER RELIES

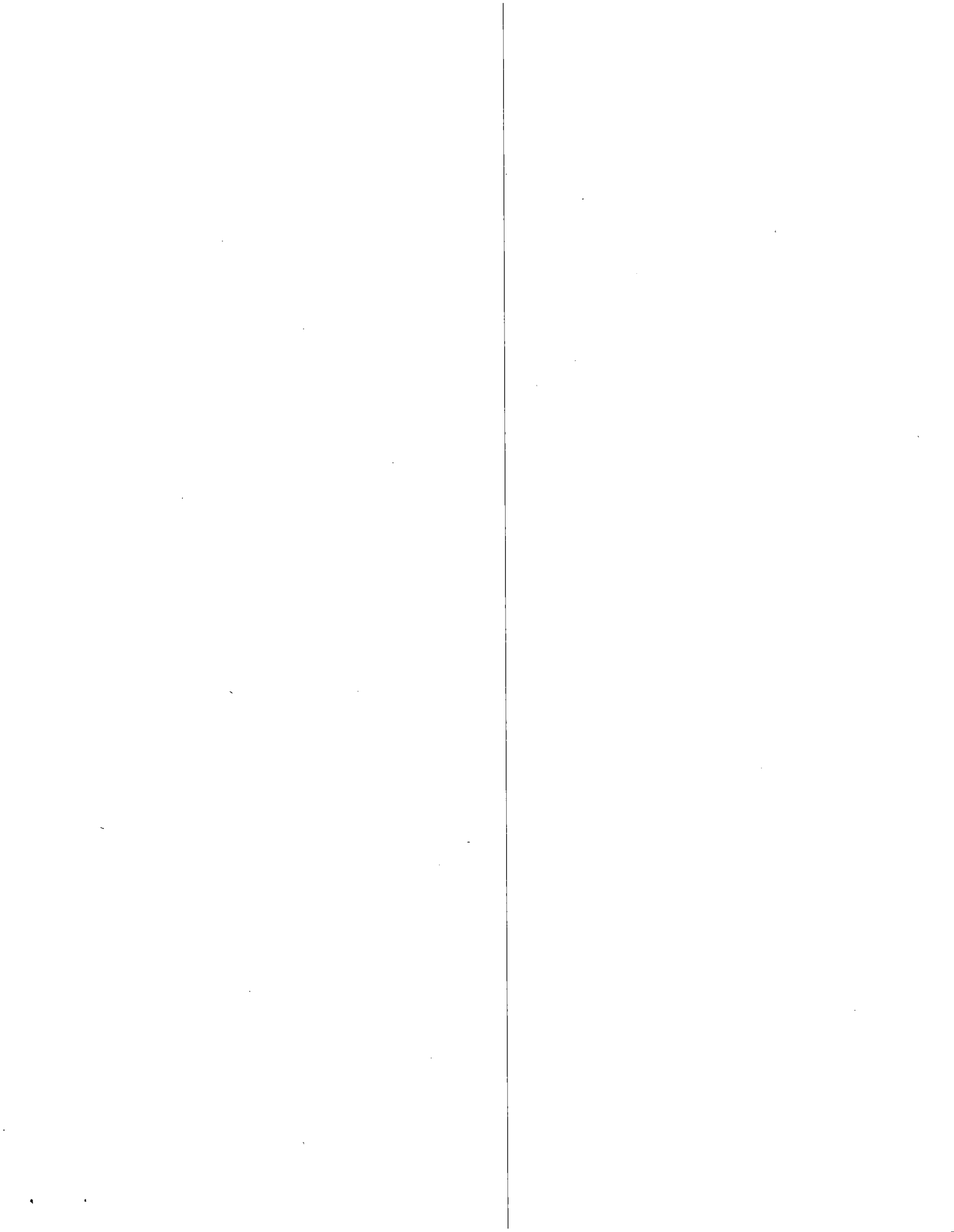
22. Sarasota Bradenton International Airport (the "Airport") is operated by the Sarasota-Manatee Airport Authority (the "Authority").

23. The Authority obtained for the Airport a Final Order from the Florida Land & Water Adjudicatory Commission in 1986 establishing a Development of Regional Impact (the "DRI").

24. The DRI was amended in 1990.

25. The Authority has subsequently sought to modify the DRI through a substantial deviation which has been approved by the County as Ordinance 99-50, the conditions of which are the subject matter of these actions. (Tab 1).

26. The Authority requested a substantial deviation to the DRI which included proposed Airport aviation related issues.



27. Specifically, the substantial deviation requested expanding Runway 14-32 by allowing an additional 1,150 feet at the southeast end, and 1,350 feet at the northwest end for a total runway length of approximately 9,500 feet. Further, the deviation requested expansion of the terminal by 175,000 square feet, as well as 800 spaces of public parking and certain other general aviation improvements together with changes to allowable uses for four out parcels. (Tab 1:Page 5).

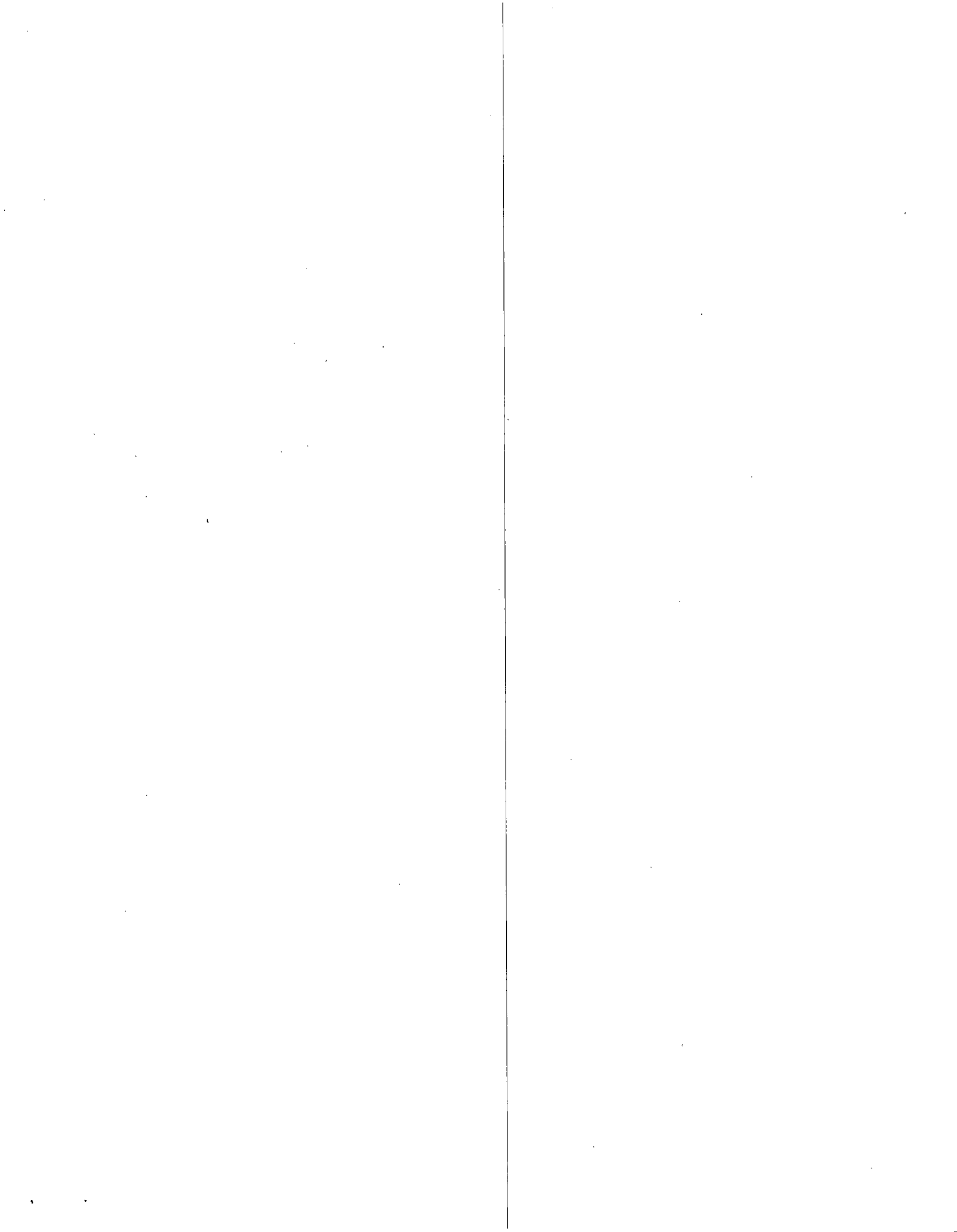
28. The Federal Aviation Administration ("FAA") was established by the federal government to provide rules and regulations concerning the operation of airports.

29. The FAA was granted exclusive jurisdiction to govern airport safety, noise and operations throughout the United States.

30. The FAA also controls the pilot's procedures for departures from runways, including runways at the subject Airport.

31. Part of the FAA's authority with the Airport is their determination of the procedures for departure from Runway 32, the portion of the Runway which lies within Manatee County.

32. The Authority prepared a Part 150 Study required by 44 C.F.R. 150, analyzing the departure routes for Runway 32. (Tab 2).



33. Currently, the procedure approved by the FAA for flights heading north departing Runway 32 is to turn at .9 miles from the center of the Airport ("DME") to a 295° radial, proceed up Sarasota Bay to an elevation of 3,000 feet, whereupon the plane is released to head to its destination.

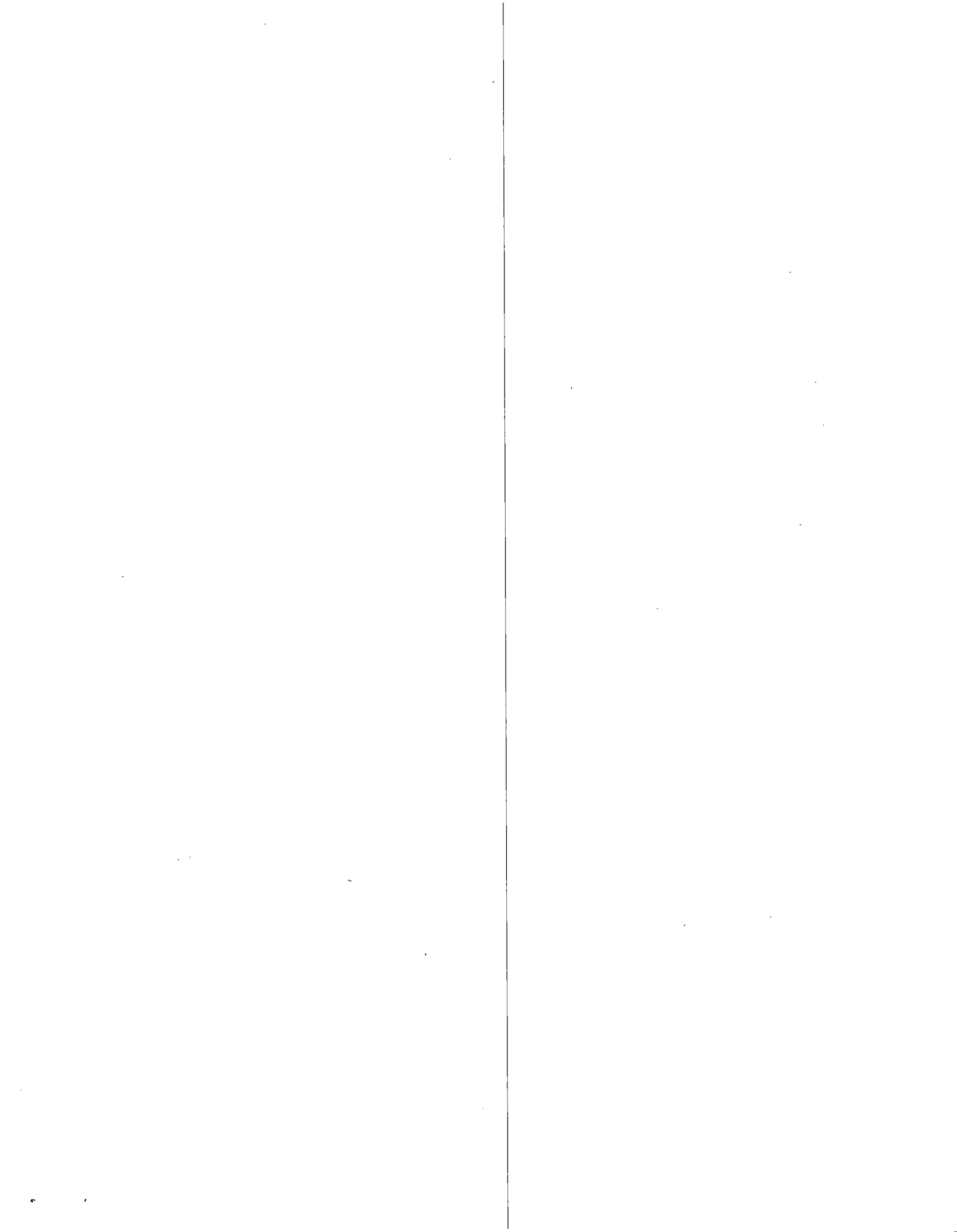
34. The Authority seeks approval from the FAA to modify that departure route by requiring a turn to a 270° radial, flying aircraft across Longboat Key to their release point (Tab 2).

35. This matter has been before the Airport Authority and the FAA since 1995.

36. The FAA has not approved the change of departure because, among other things, the change creates a greater noise impact for certain individuals who reside on the mainland, generally located north of the Airport and west of U.S. 41. (Tab 3).

37. The conditions of approval from which relief is sought are as follows:

- a. N(3). "The SMAA shall continue to expeditiously and without further delays, seek approval from FAA of the 270° radial turn for planes departing on Runway 32. In the event the approval is not received prior to the state of Phase 2, construction of the expansion of the terminal building and parking garage shall not be authorized until either:
  - a. the 270° radial turn departure procedure is approved and operational or,
  - ii the SMAA can demonstrate to the County the Notice of Proposed Change pursuant to Section 380.06, Florida Statutes, that the SMAA has exerted good faith in a continued effort to



gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County."

- b. N(4). All noise abatement measures as described in Table 6-10 of the FAR Part 150 NCP (Noise Compatibility Plan) dated February 1997 shall be implemented as described with the modifications herein:
- a. All aircraft weighing over 25,000 pounds and jet aircraft departing on Runway 32 shall be instructed to turn left at 0.9 DME to join the Sarasota 270° radial outbound to at least 7 DME, then proceed on course as directed by Air Traffic Control (ATC). Should, after implementation, the turn at the 7DME result in splay of aircraft that is further east than anticipated, the aircraft shall be instructed to proceed outbound to the 270° radial to the 8DME, then proceed on course as instructed by ATC. Should approval of the turn to the 270° radial be denied by the FAA because of airspace constraints, the current procedure shall be maintained until such time as the turn to the 270° radial becomes feasible. That is, all aircraft weighing over 25,000 pounds and all jet aircraft departing northbound on Runway 32 shall be instructed to turn left at 0.9DME to join the Sarasota 295° radial outbound, then proceed on course as instructed by ATC; and all aircraft weighing over 25,000 pounds and all jet aircraft departing southbound on Runway 32 shall be instructed to turn left at 0.9 DME to a bearing of 270°, then proceed on course as instructed by ATC.
- b. Arriving aircraft on Runway 32 would be allowed to make visual approaches to the airport and turn to the runway heading as soon as cleared to do so by the Air Traffic Control Tower.
- c. All aircraft weighing over 25,000 pounds and all jet aircraft departing on Runway 14 shall



be instructed to maintain runway heading until reaching 3,000 feet, then proceed on course.

- d. Continue balanced runway use program. The goal of this program is equal use of Runway 14 and Runway 32 for air carrier departures, and equal use of Runway 14 and Runway 32 for air carrier arrivals.
  - e. Encourage the airlines to make maximum use of their own internal quiet departure techniques, guided by FAA Advisory Circular 91-53A, "Noise Abatement Departure Profiles."
  - f. All departing aircraft, to the extent feasible, should be issued unrestricted climb to their requested en route altitude.
  - g. The departure of Stage 2 aircraft shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m., excluding only aircraft in use for emergency services such as police, ambulance, and military functions.
  - h. The prohibited hours for non-emergency engine maintenance run-ups shall be between the hours of 10:00 p.m. and 7:00 a.m.
  - i. The use of Auxiliary Power Units is prohibited between the hours of 10:00 p.m. to 7:00 a.m. unless ground power units are inoperative.
  - j. Training operations with larger aircraft on Runway 14 and Runway 32 shall be prohibited between the hours of 12:00 p.m. and 6:00 a.m.
- c. N(6). All departures of Stage 2 air carrier or cargo aircraft weighing over 75,000 pounds on Runway 14 shall commence their take-off roll at the current runway threshold. All other aircraft may use the declared distance runway length for Runway 32 departures.
- d. N(7). The SMAA shall diligently pursue Land Use Measures as described in Table 6-11 of the NCP dated February 1997 and establish a reasonable

time line for implementation of the measures 1 through 3.

ARGUMENT AND CITATIONS OF AUTHORITY

PREEMPTION

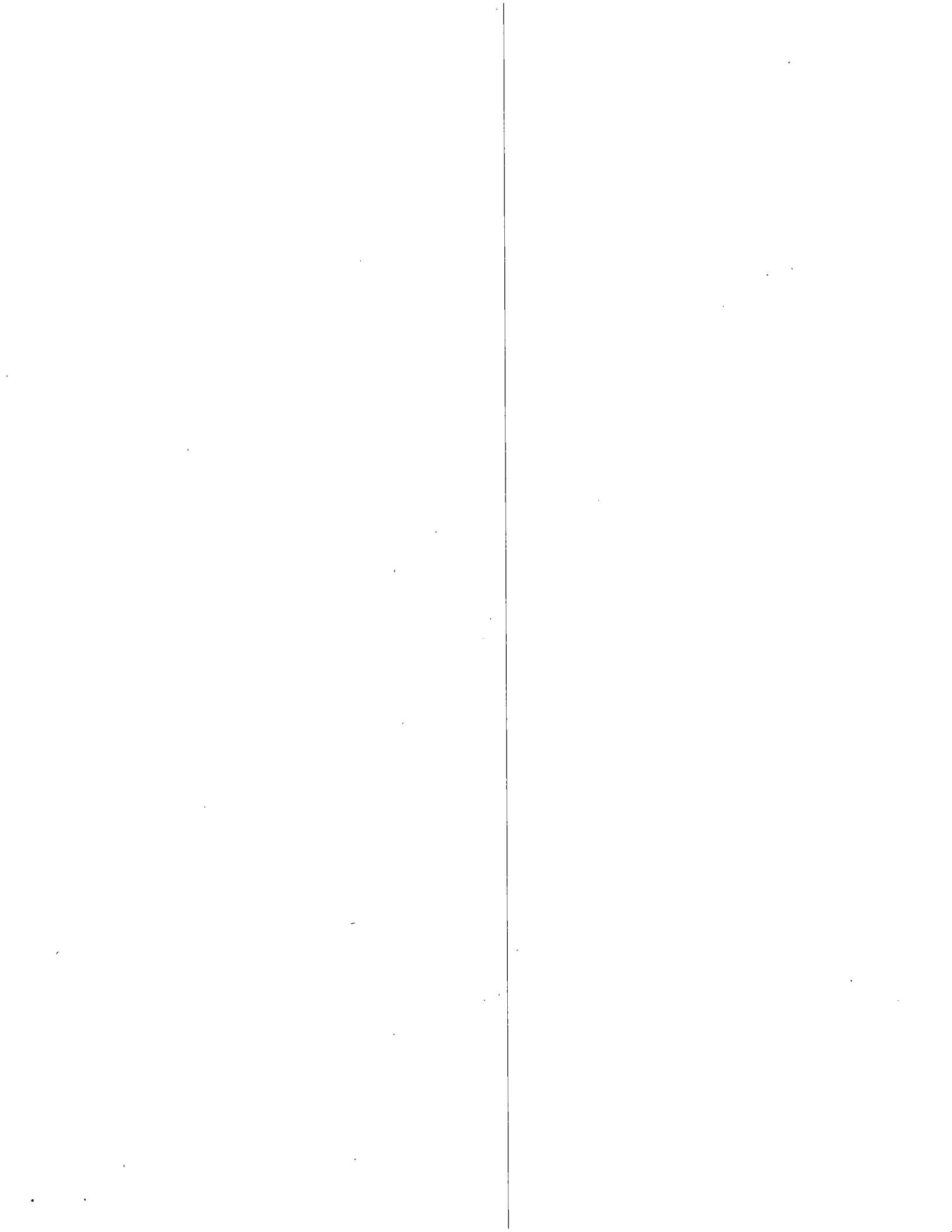
38. The Conditions of Approval (Tab 1:Page 23) challenged by the Writ of Certiorari depart from the essential requirements of law in that the authority to regulate aviation has been preempted by the federal government through its laws, rules, and regulations by establishing the Federal Aviation Administration.

39. Under the commerce clause of the U.S. Constitution, the federal government has the power to set federal standards, regulations and rules for governance of airports throughout the United States.

40. There are two types of preemption: express and implied. For express preemption to occur, the legislature must expressly state that it intends by adoption of a regulatory scheme to preempt the field. *Santa Rosa County v. Gulf Power Co.*, 635 So.2d, 96 (Fla. 1<sup>st</sup> DCA 1994).

41. In the instant matter, express preemption exists. 49 U.S.C.A. 4171(3)(b) states:

"Preemption-(1) Except as provided in this subsection, a state, political subdivision of a state . . . may not enact a law, regular or other provision having the force and effect of law related to a price, route, or service of an air carrier that may provide air transportation under this subpart." [Emphasis added]



42. There is no exception to the prohibition within Section 4171(3) relating to the actions taken by the County as a condition of approval.

43. Further, 49 U.S.C.A. 4752(1)(2) and (3) state:

"Congress finds that . . . community noise concerns have led to uncoordinated and inconsistent restrictions on aviation that would impede the national air transportation system; (3) a noise policy must be carried out at the national level."

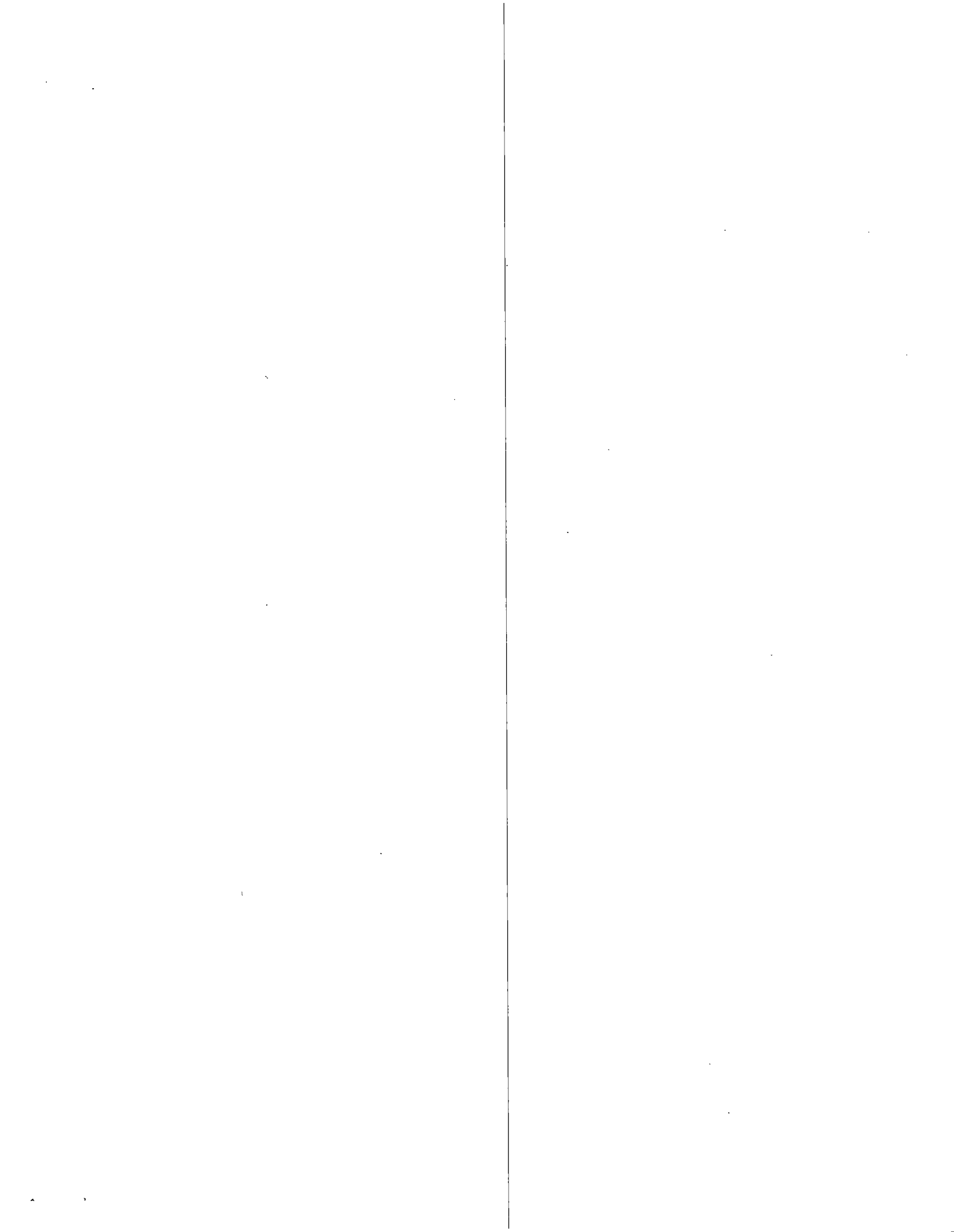
44. Manatee County has been expressly preempted from enacting zoning regulations which affect the aviation portion of airport facilities by virtue of the establishment and the findings of federal law.

45. The enactment of the conditions of approval N(3), N(4), N(6) and N(7) depart from the essential requirements of law as this specific area has been expressly preempted.

46. The conditions of approval challenged in this petition go so far as to direct the pilot as to how to operate the aircraft. For example, N(4) provides:

"Should, after implementation, the turn at the 7 DME result in splay of aircraft that is further east than anticipated, the aircraft shall be instructed to proceed outbound the 270° radial up to the 8 DME . . .".

47. By virtue of the establishment of the FAA, Manatee County has been preempted from enacting zoning regulations which



affect the operation of airport facilities and the aforementioned conditions of approval are not authorized.

ULTRA VIRES

48. Regulation of airport departures are also beyond the powers of Manatee County and are therefore *ultra vires*.

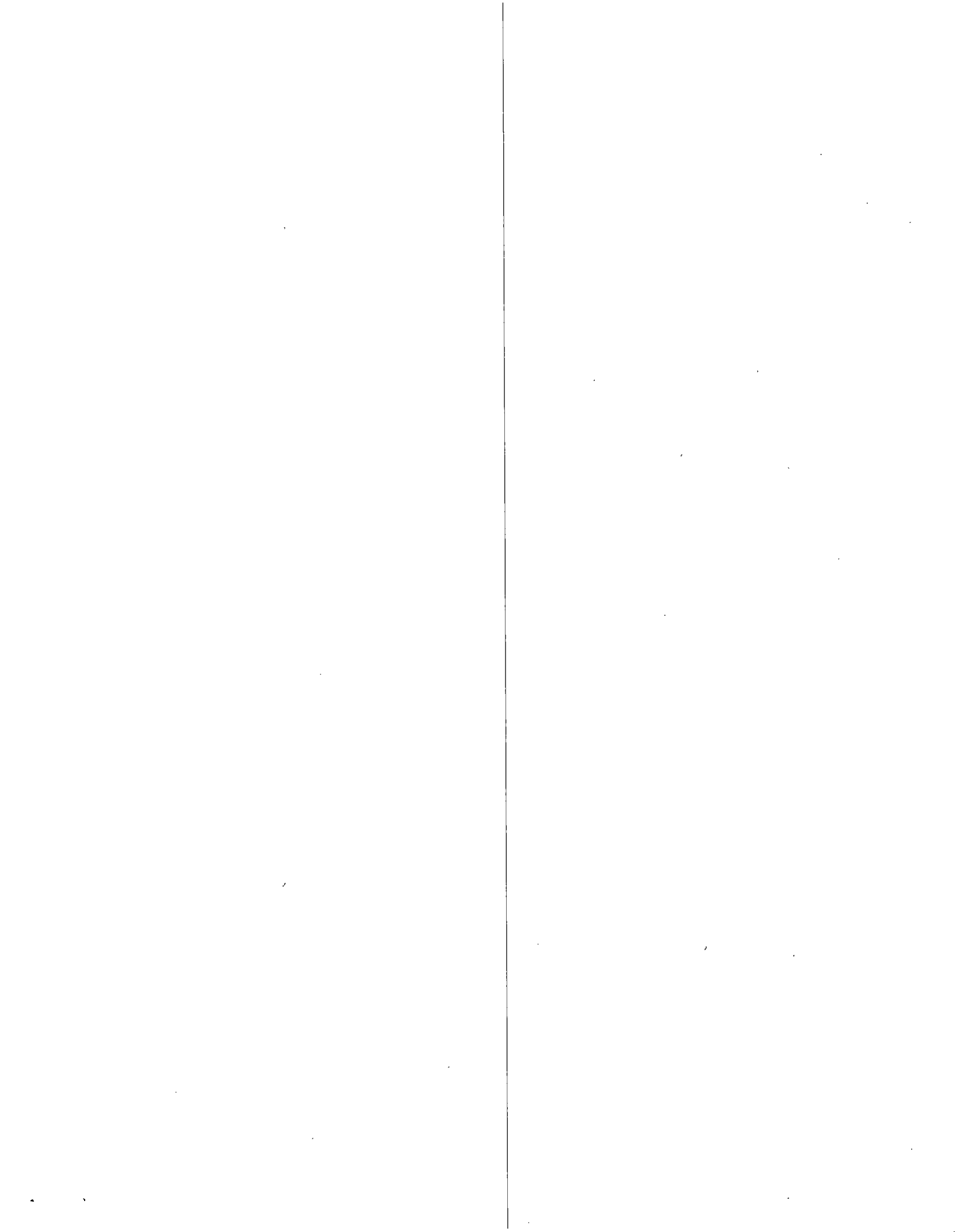
49. "An ordinance making an appropriation of the funds of a town or a city, derived from taxation, for purposes wholly beyond the purpose of a municipal grant, is a wrongful appropriation of the funds held in trust for the taxpayers and the people to pay the alimony and legitimate expenses of the town or city, and is, in short, *ultra vires*, null and void. *Duplig v. City of South Daytona*, 195 So.2d, 581 at 583, citing *Peck v. Spencer*, 7 So. 648 (Fla. 1890). See also *Knowles v. Magic City Grocery, Inc.*, 197 So. 843 (Fla. 1940).

50. Utilization of a zoning ordinance to control aircraft is beyond the powers of Manatee County, and is therefore an *ultra vires* act, and hence void.

DENIAL OF PETITIONERS' DUE PROCESS

51. The notice for the hearing for Ordinance 99-50 is attached. (Tab 4).

52. Nowhere in the hearing notice for Ordinance 99-50 is any mention that Manatee County will be considering the departure



route from Runway 32 as a condition of approval and thereby affecting land areas outside of the scope of the notice.

53. Notice must be reasonably calculated to alert individuals of an impending action. In the absence of waiver or estoppel, the notice requirement is mandatory and jurisdictional. *City of Fort Pierce v. Davis*, 400 So.2d 1242 (D.C.A. 1981).

54. Inadequate notice is a denial of due process and thus conditions N(3), N(4), N(6) and N(7) must fail.

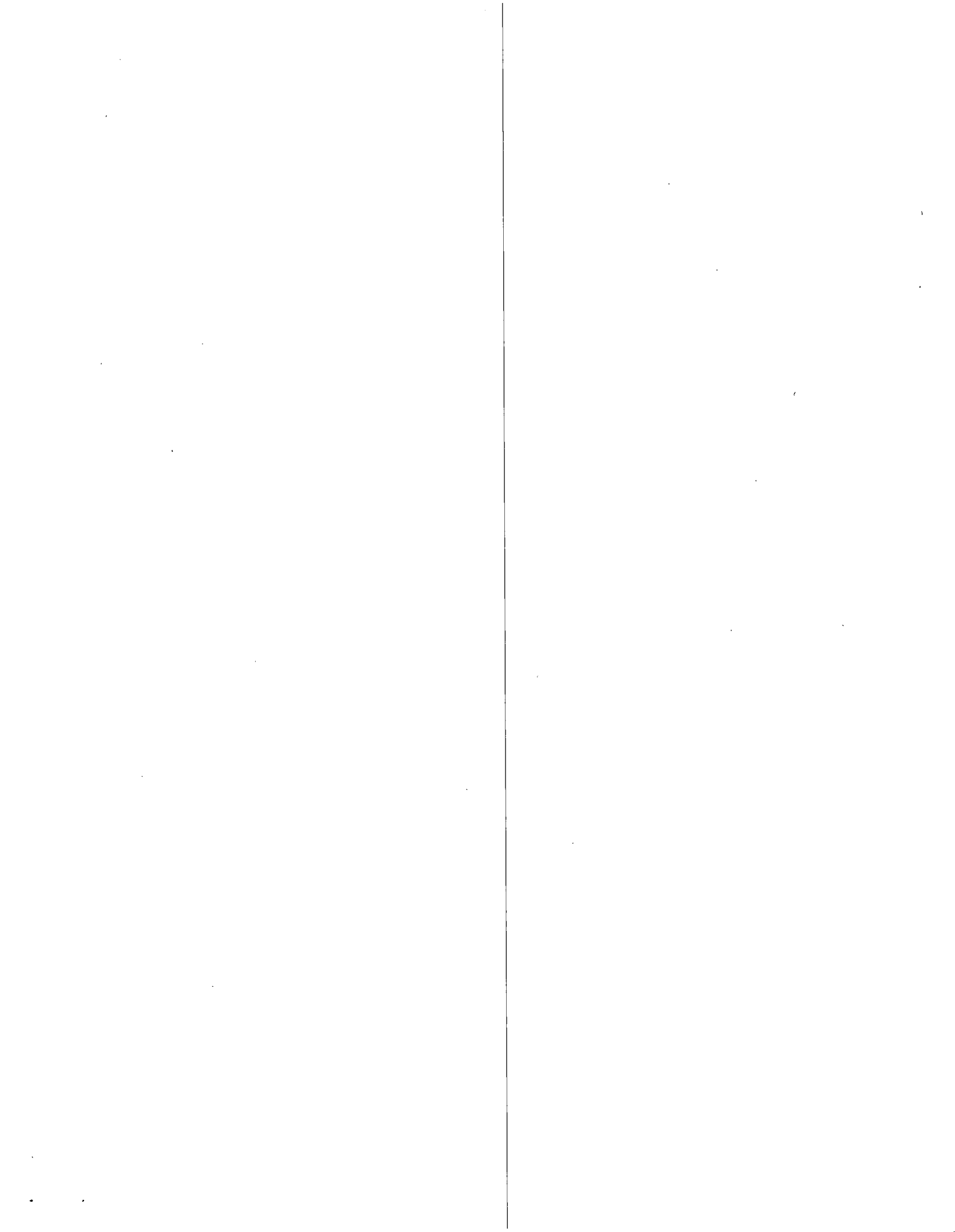
ARBITRARY, CAPRICIOUS  
LACK OF COMPETENT AND SUBSTANTIAL EVIDENCE

55. Assuming arguendo that Manatee County has the authority to require noise barriers and other physical improvements for the Airport (whose authority Petitioners do not challenge), there is no competent and substantial evidence for the proposition that the change of departure reduces noise in the affected area.

56. Indeed, a letter from the Federal Aviation Administration (Tab 3) notes that the change of departure to a 270° radial results in an increased noise level of greater than 1.5 decibels in the area north and west of Runway 32 located within Manatee County.

57. Further, in a letter from Noah Lagos, Director of Aviation for the Authority, to Robert H. Peterson, Community Planning Administrator of Manatee County, question Number 3 notes that "with respect to the runway extension and mitigation provided by the noise barriers, there is no change in the noise





reduction resulting from the barriers under the current or proposed departure procedure." (Tab 5).

58. Conditions of approval N(3), N(4), N(6) and N(7) lack competent, substantial evidence of record to support their inclusions in the Authority's development order.

Wherefore, Petitioners respectfully requests this Court grant a Writ of Certiorari striking conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, or declaring them null and void with no further force or effect, award Petitioners' their costs in this action, or for whatever relief this Court deems just and proper.

#### COUNT II

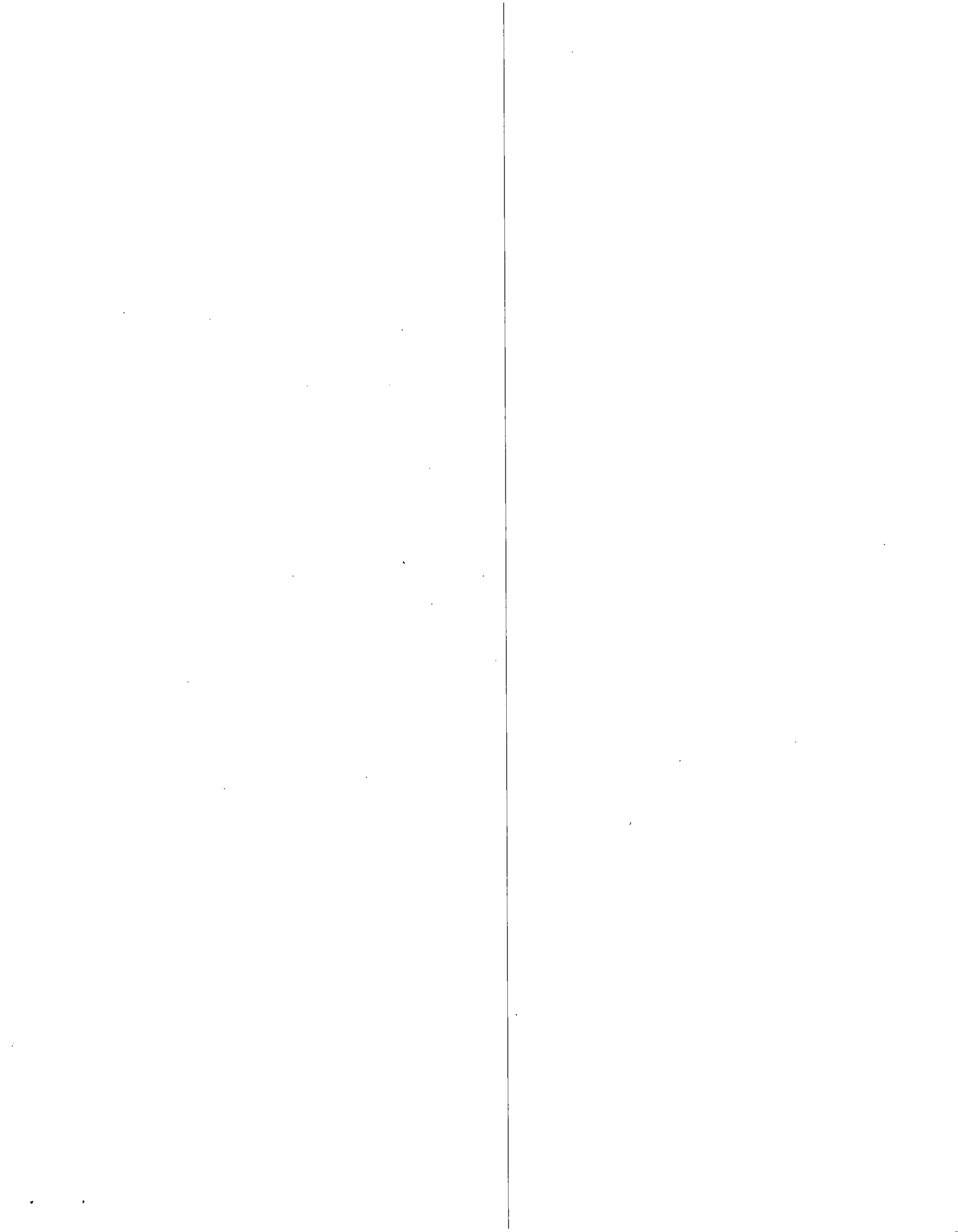
#### WRIT OF MANDAMUS

59. This is an action for a Writ of Mandamus pursuant to the Florida Rules of Civil Procedure, 1.630, and the Federal Rules of Civil Procedure, 9.100. (check)

#### NATURE OF CASE

60. Petitioners ask this Court for an issuance of Writ of Mandamus striking Conditions N(3), N(4), N(6), and N(7) from the conditions of approval of Ordinance 99-50 rendered December 15, 1999.

61. Paragraphs 18 through 58 are incorporated herein by reference.



Wherefore, Petitioners respectfully request this Court grant a Writ of Mandamus striking conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, or declaring them void with no further force or effect, award Petitioners' their costs of this action, or grant whatever other relief the Court deems just and proper.

COUNT III

DECLARATORY RELIEF

This is an action for declaratory relief pursuant to Chapter 86, Florida Statutes.

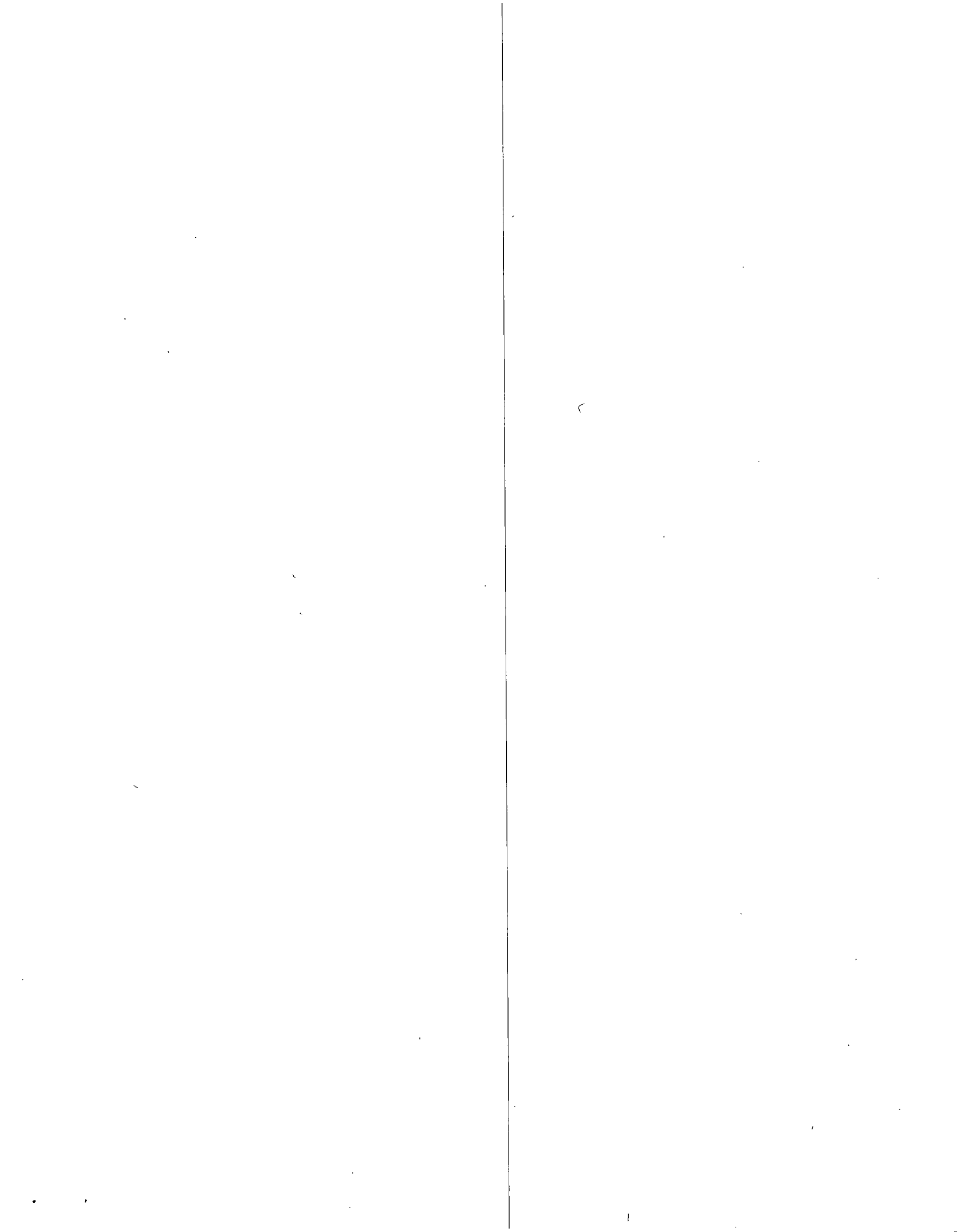
62. Paragraphs 18 through 58 are incorporated herein by reference.

63. Plaintiffs have an interest in and seek a declaration of their legal rights in relation to the conditions of approval N(3)(4)(6) and (7) of Ordinance 99-50.

64. There exists a real and present controversy between Plaintiffs and Defendants as to the ability of Defendants to enact conditions N(3)(4)(6) and (7) of Ordinance 99-50.

65. Plaintiffs seek a declaration that Defendants do not have the legal right or authority to condition their approval of Ordinance 99-50 as set forth in N(3), (4), (6) and (7) of Ordinance 99-50.

66. Plaintiffs are in doubt as to the rights of the parties, and the authority under Ordinance 99-50, and are



requesting a determination of the validity of the same, specifically conditions of approval N(3), (4), (6) and (7).

Wherefore, Plaintiffs respectfully request this Court to grant declaratory relief determining the validity of conditions of approval N(3), N(4), N(6), and N(7) of Ordinance 99-50, award Plaintiffs their costs in this action, and grant whatever other relief this Court deems just and proper.

#### COUNT IV

#### PROCEDURAL DUE PROCESS

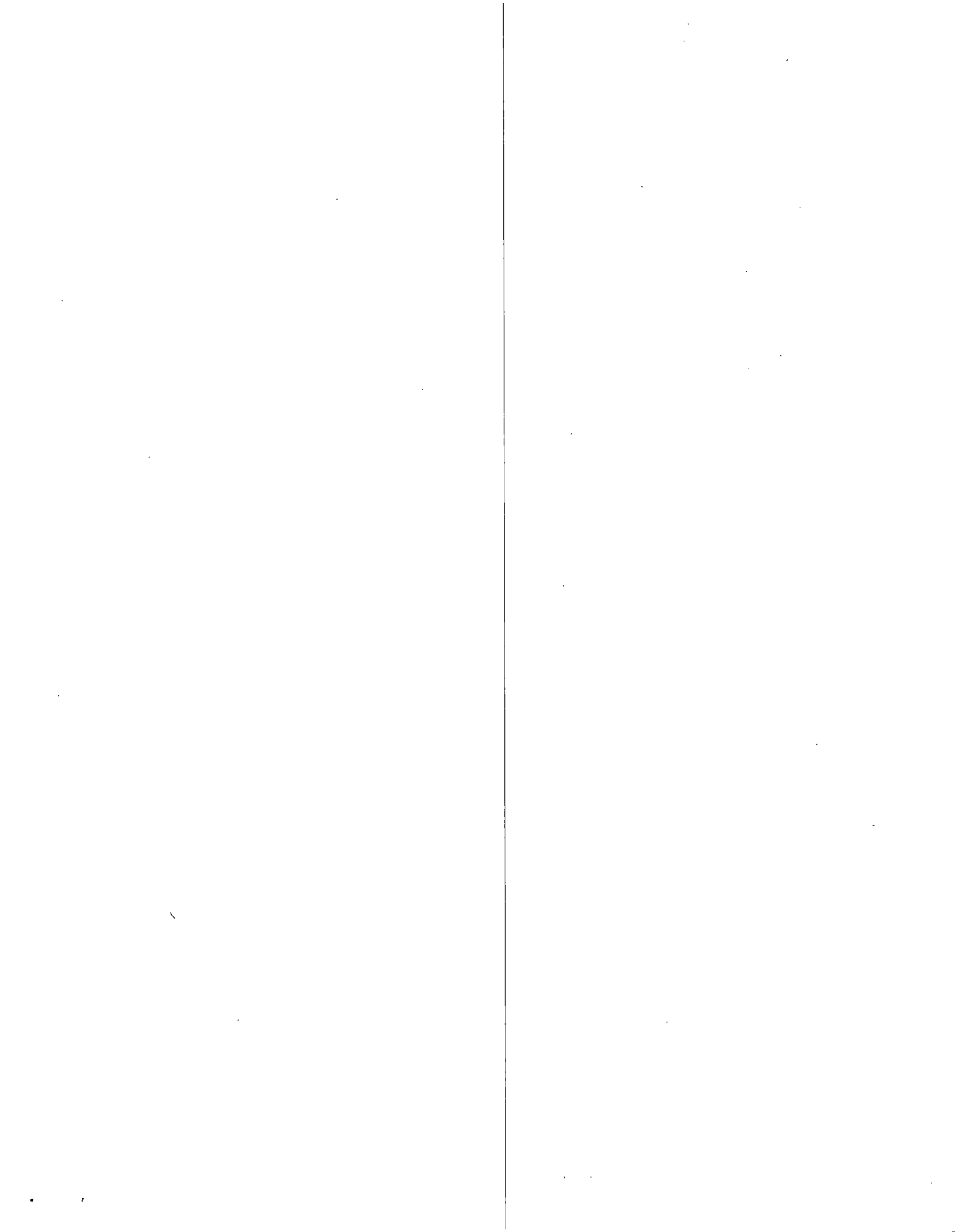
This is an action for procedural due process arising out of the United States Constitution, 14<sup>th</sup> Amendment, Federal Law, particularly the Civil Rights Act of 1871, 42 U.S.C., Section 1983.

67. Paragraphs 18 through 58 are incorporated herein by reference.

68. Note 3 of the conditions of approval states as follows:

N(3). "The SMAA shall continue to expeditiously and without further delays, seek approval from FAA of the 270° radial turn for planes departing on Runway 32. In the event the approval is not received prior to the state of Phase 2, construction of the expansion of the terminal building and parking garage shall not be authorized until either:

- a. the 270° radial turn departure procedure is approved and operational or,
- ii the SMAA can demonstrate to the County the Notice of Proposed Change pursuant to Section 380.06, Florida Statutes, that the SMAA has exerted good faith in a continued effort to gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County."



69. The determination of "exercised good faith" and "determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County" is unconstitutionally vague. The language of N(3) would permit arbitrary and capricious governmental decisions to be applicable in certain situations but deemed inapplicable in similar situated situations.

70. Further, the lack of notice of the consideration of the conditions of approval is a violation of the procedural due process requirements of the U.S. Constitution.

71. Plaintiffs have hired the undersigned counsel and are obligated to pay reasonable attorneys fees and costs.

72. Plaintiffs are entitled to their attorneys fees pursuant to 42 U.S.C.A. 1988.

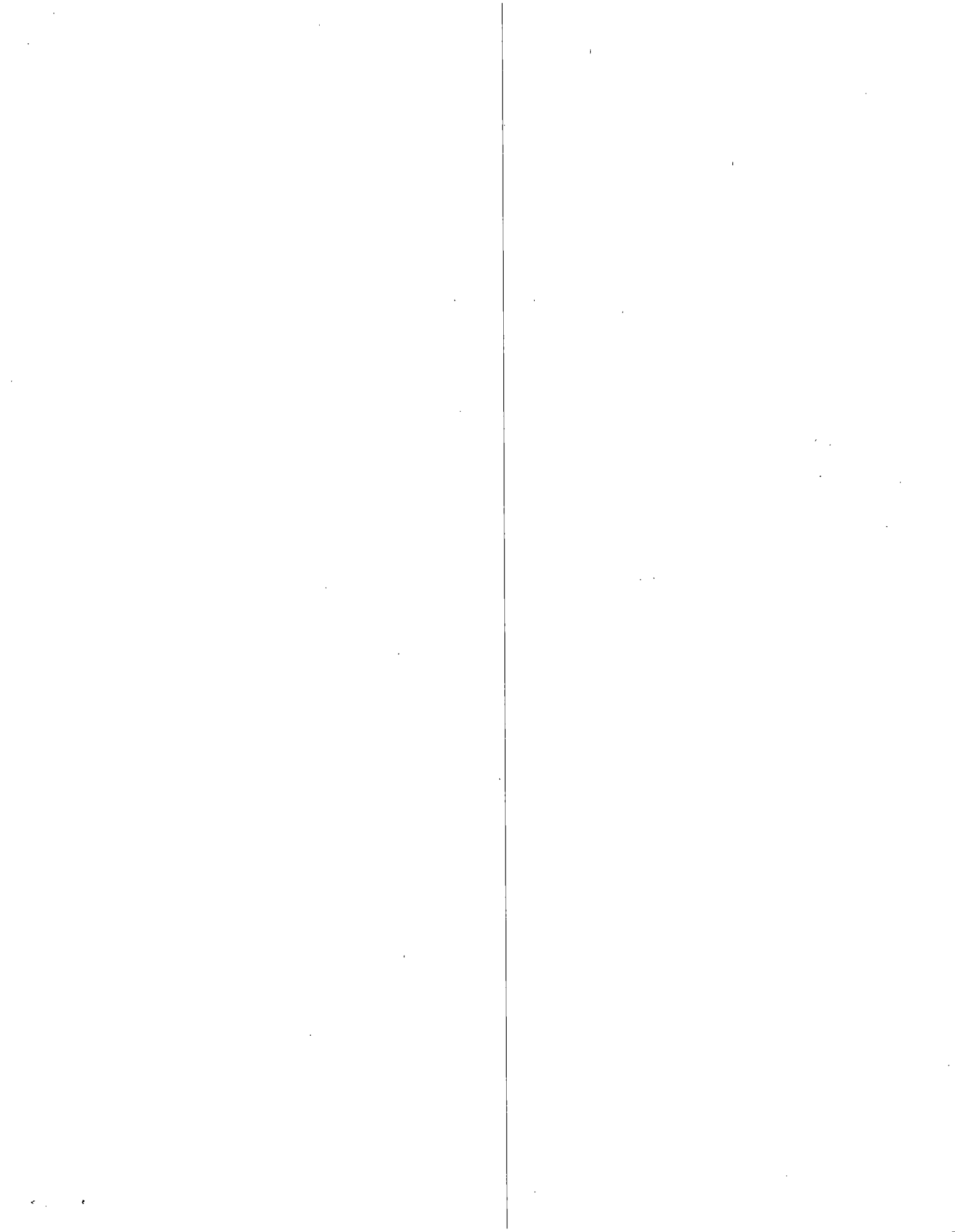
WHEREFORE, Plaintiffs request this Court to strike N(3), N(4), N(6), and N(7) of the conditions of approval of Ordinance 99-50, grant Plaintiffs their attorneys fees and costs, and grant whatever other relief this Court deems just and proper.

COUNT V

SUBSTANTIVE DUE PROCESS

This is an action for substantive due process arising out of the United States Constitution, 14<sup>th</sup> Amendment, Federal Law,





particularly, the Civil Rights Act of 1871, 42 U.S.C., Section 1983.

73. The acts and practices of the County have been and are being performed under the color of law, and therefore constitute the actions of the State within the meaning of the 14<sup>th</sup> Amendment of the U.S. Constitution.

74. The County's action by instituting conditions of approval N(3), N(4), N(6) and N(7) deprive the Plaintiffs of due process of law in violation of the 14<sup>th</sup> Amendment and 42 U.S.C. Section 1983. The County has acted without authority, and without a valid police power to institute said conditions of approval. There exists no substantive relationship between the public health, safety and welfare, and the County's attempt to require the aforementioned conditions of approval.

75. Further, the County's actions deprive Plaintiffs of a property right without due process of law. Plaintiffs were not afforded notice of the consideration of the inclusion of a condition relating to the change of departure, as part of the requirements of the runway and terminal expansion.

76. Plaintiffs have hired the undersigned counsel and are obligated to pay reasonable attorneys fees and costs.

77. Plaintiffs are entitled to their attorneys fees pursuant to 42 U.S.C.A. 1988.

Wherefore, Plaintiffs respectfully request this Court strike N(3), N(4), N(6), and N(7) from the conditions of approval of Ordinance 99-50 rendered December 15, 1999, grant Plaintiffs their attorneys fees and costs, and grant whatever other relief this Court deems just and proper.

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