

#6

**Manatee County
CLERK OF THE CIRCUIT COURT**

Richard B. "Chips" Shore

ROOM 234 - MANATEE COUNTY COURTHOUSE - BRADENTON, FLORIDA 33505 - TELEPHONE (813) 748-4501

March 9, 1984

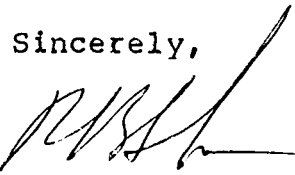
Mr. Bob McBeth
Federal Emergency Management Agency
1375 Peachtree Street, NE
Atlanta, Georgia 30309

Dear Mr. McBeth:

Enclosed for your records are certified copies of the Floodplain Management Regulations adopted by the Board of County Commissioners, Manatee County, Florida, in open session, on March 8, 1984.

- = Ordinance 84-01 (Attachment "A", maps, not included)
Adopting Flood Insurance Rate Maps and Flood Boundary-Floodway maps.
- = Resolution R-84-44, amending the Manatee County Building, Electric, Plumbing and Mechanical Codes relating to construction in flood areas.

Also, please find a copy of Article 3: Subdivision Regulations, Section 301: General Provisions.

Sincerely,


R. B. Shore

RBS:mp
Enc: (3)
cc: Planning and Development
County Attorney
✓ Board Records

CLERK CIRCUIT AND COUNTY COURT - CLERK BOARD OF COUNTY COMMISSIONERS - COUNTY COMPTROLLER, AUDITOR AND RECORDER





MANATEE COUNTY
BOARD OF COUNTY COMMISSIONERS

March 8, 1984

Mr. Bob McBeth
Federal Emergency Management Agency
1375 Peachtree Street, NE
Atlanta, GA 30309

Dear Mr. McBeth:

Enclosed is a certified copy of the Floodplain Management regulations adopted by Manatee County today.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

Edward W. Chance

EDWARD W. CHANCE
Chairman

EWC/LKF/hhv

enc.

ARTICLE 3: SUBDIVISION REGULATIONS

SECTION 301: GENERAL PROVISIONS

301A Title

When hereinafter used in this Article, the expression "these Regulations," unless the context indicates otherwise shall refer to Article 3, Subdivision Regulations of this Ordinance.

301B Applicability1. Generally

These Regulations shall apply to all subdivisions of land, as defined herein, located within the unincorporated area of Manatee County. After May 4, 1981:

a. Subdivision of Land

No person shall subdivide land without the approval and recording of a Final Subdivision Plat in accordance with the requirements of these Regulations unless such requirement is specifically waived by the Board of County Commissioners in accordance with the provisions of Sec. 303A.1.b, Final Plat Not Required.

b. Recording

No Final Subdivision Plat shall be recorded without prior approval in accordance with the requirements of these Regulations. In the event any unapproved plat is recorded it shall be stricken from the record upon application by the Board of County Commissioners.

c. Sale or Transfer of Land

No person shall sell or transfer any land of a subdivision before a Final Subdivision Plat has been approved and recorded as provided herein, unless such subdivision was created prior to May 4, 1981; Provided, that nothing herein shall be construed as affecting the validity of transfers of interests in lands, whether by private act or operation of law.

2. Subdivision Defineda. Generally

For the purposes of these Regulations the term "subdivision" means the division of a parcel of land into three (3) or more lots or parcels of land, for the purpose, whether immediate or future, of transfer of ownership, or, if the establishment of a new street is involved, any division of such parcel; provided that the division of

*See Article 7, Definitions

land into parcels of more than five (5) acres not involving the establishment of a new street or any change in street lines or easements, shall not be deemed to be a subdivision within the meaning of these Regulations. The term includes a re-subdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided. For the purposes of this definition, the term "street" means the primary means of access, whether public or private, to a lot or parcel of land.

b. Re-subdivision

For the purposes of these Regulations, the term "re-subdivision" means any amendment to an approved or recorded subdivision plat if such amendment affects any street layout or any reserved or dedicated area or easements for public use, or any lot or lot line so as to permit an increase in the residential density.

301C Building Permits and Certificates of Occupancy

No Building Permit or Certificate of Occupancy shall be issued for any structure on any parcel or lot which was created in violation of this Ordinance and which is not in conformity with the provisions of these Regulations.

301D Interpretation and Conflict

1. Minimum Requirements

In their interpretation and application, the requirements of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.

2. Conflict with Public and Private Provisions

a. Public Provisions

These Regulations are not intended to interfere with, abrogate or annul any order of a court of competent jurisdiction, statute, regulation or other provision of law. Where any provisions of these Regulations impose restrictions different from those imposed by any other provisions of County ordinances or regulations or other provisions of law, whichever provisions are more restrictive or impose higher standards shall control, unless the intent is clearly otherwise.

*See Article 7, Definitions



ACTION

To: Bob McBeth Date: 3/8/84

From: Carol Clarke Date Out _____ Initials _____

Re: Flood Regulations

- For your information
- For your approval
- For your signature
- Prepare reply for signature of _____

- For your comments
- Please handle
- Recommend we discuss
- As requested
- Please file

Comments:

- ① Attached is definition of "subdivision" from our code.
 - ② See Building Code Sec 3011 (p. 9) For Reference to Flood Management Permit in Floodway.
 - ③ See p. 3 Building Code for Lowest Floor
 - ④ See p. 5 Attachment B - Landward Reach near High Tide.
 - ⑤ See p. 7 Substantial Improvement.
- Any questions - Please call.

PS Form 3811, July 1983

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

- Show to whom, date and address of delivery.
- Restricted Delivery.

3. Article Addressed to:
*Bob McBeth
 Federal Emergency Management Agency*

4. Type of Service:
 Registered Insured
 Certified COD
 Express Mail

Article Number: *577394211*

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee
[Signature]

6. Signature - Agent
[Signature]

7. Date of Delivery
3/12/84

8. Addressee's Address (ONLY if requested and fee paid)



DOMESTIC RETURN RECEIPT

P 577 394 211

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to: *Bob McBeth - Fed. Emergency Management Agency*

Street and No.: *1375 Peachtree Street S.E.*

P.O., State and ZIP Code: *ATL., Ga. 30309*

Postage	\$ 2.24
Certified Fee	.75
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	.60
Return receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 3.59

Postmark or Date: *MAR 19 1984 FL*

PS Form 3800, Feb. 1982

U. S. POSTAL SERVICE

CASH RECEIPT

RECEIVED FROM _____ DATE _____

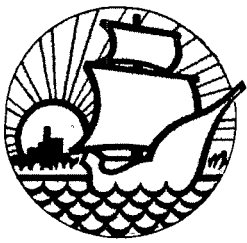
THE SUM OF \$ *9.98*

FOR *577394211 / 998* Dollars, 100

BY (Signature and title) _____

PS Form Jan. 1971 1096

BRADENTON MAR 19 1984 FL U.S. GPO: 1982-385-320



#6

MANATEE COUNTY GOVERNMENT

MEMORANDUM

TO: Board of County Commissioners

FROM: Larry K. Frazier, AICP, APA, Director
Planning & Development Department

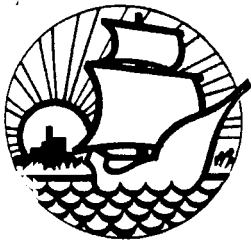
DATE: March 2, 1984

SUBJECT: Floodplain Management Regulations

The proposed regulations were transmitted to FEMA (the Federal Emergency Management Agency) after the last public hearing. As of this date, FEMA is still reviewing them, but will have a response prior to the March 8th meeting.

An ordinance will be forwarded to you when we receive the final FEMA comments.

LKF:prl



#6

MANATEE COUNTY GOVERNMENT

MEMORANDUM

To: Board of County Commissioners

From: Larry K. Frazier, AICP, APA
Director

Date: March 7, 1984

Subj: Floodplain Management Regulation

Attached are the adopting ordinance and resolution for the Floodplain Management Regulations. FEMA (The Federal Emergency Management Agency) requested the following changes from the drafts presented at the last hearing:

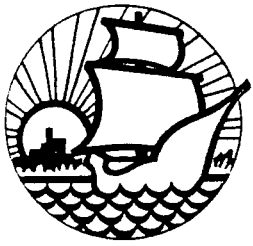
- (1) Clarification of non-conforming structure language
- (2) Prohibition against construction seaward of reach of mean high tide in velocity zones
- (3) Reference to Flood Management Permits in Construction Codes and
- (4) Modification of definition of "flow" in construction codes.

Additionally, staff recommends that the text be modified to exempt docks from the Floodplain Management Permit process. These changes are incorporated in the attached.

Staff recommends adoption of the ordinance and the resolution and immediate transmittal to FEMA to meet the March 15 deadline.

LKF/CBC/hhv

att.



MANATEE COUNTY
BOARD OF COUNTY COMMISSIONERS

March 8, 1984

Mr. Bob McBeth
Federal Emergency Management Agency
1375 Peachtree Street, NE
Atlanta, GA 30309

Dear Mr. McBeth:

Enclosed is a certified copy of the Floodplain Management regulations adopted by Manatee County today.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

EDWARD W. CHANCE
Chairman

EWC/LKF/hhv

enc.

#6

MARCH 4, 84

Re: TAX REDUCTION
+ LOWER ASSESSED
VALUE, ON 100 YR.
FLOOD PLAIN LANDS
MANATEE COUNTY, FLA.

MANATEE COUNTY GOVERNMENT.
212 6TH AVE. EAST
BRADENTON, FLA.

ATTN. FRANK PERKINS & COUNTY COMMISSIONERS.

GENTLEMEN & EDITORS.

NO STANDARDS SET FOR TAXPAYERS LOSS
" WHY NOT ? "

THERE IS NO TEETH IN THE PROPOSED
PASSAGE OF 100 YEAR FLOOD PLAIN MANAGEMENT
LAW, THAT PROVIDES A STANDARD FOR
TAXATION RELIEF, ON EFFECTED PROPERTY.

MILLIONS OF DOLLARS ARE GOING TO
BE LOST BY PRIVATE LAND OWNERS, ALONG
WITH CONTROLS, USEAGE, REDUCED VALUES,
OVER TAXED PROPERTY, AND IN SOME CASES
CAUSING LAND TO BECOME, NON USEABLE FOR
BUILDING USE.

THIS LAW, IF PASSED CONTROLS APPROXIMATELY
30% OF MANATEE COUNTY LANDS ONLY.

CONT.#2

#2 - CONT.

WHY IS 70%+ OF THE COUNTY, THAT WOULD NOT BE AFFECTED, BEING GIVEN A NON CONTROLLED, FLOOD PLAIN MANAGEMENT, ALL AT THE EXPENSE OF 30%+? (THIS IS UNFAIR)

THE CITY OF BRADENTONS, COUNCIL ALREADY DEMANDS "NO DEVELOPEMENT" NEAR "THE BRADEN RIVER," PROVIDING PASSAGE OF 100 YR FLOOD PLAIN LAW.

WHOM WILL PAY THESE LAND OWNERS THE LOSS THEY WILL SUFFER. ?

THEY ONCE HAD A DREAM OF USEAGE, BUT WILL BE LEFT WITH A REAL ESTATE TAX BILL, THAT WILL CONSTANTLY INCREASE, NOT DECREASE.

WHAT LAND APPRAISER WOULD PROVIDE A REPORT THAT 'LAND VAULES, AS ASSESED, WOULD REMAIN AT PRESENT VALUES, FOR PROPERTIES IN 100 YR. FLOOD PLAIN. ?

PLEASE DO NOT PROVIDE, AN OWNER PAID FOR FLOOD INSURANCE PROGRAM, THIS NO FREE LUNCH, AND IS NOT EQUAL EXCHANGE. " ONLY THE INSURANCE CO. GAINS."

CONT #3

#3 CONT.

ENCLOSING COPIES OF COUNTY LETTERS,
DURING FEB. 84 COVERING PROBLEM.

SAID COUNTY LETTERS, POINT OUT THE
UNFAIR EXISTING PROBLEM.

MANATEE COUNTY, PROPERTY APPRAISER,
IN HIS LETTER, ADMITS TO, REGULATION-
ASSESSMENTS, AND PROPERTY VALUES BEING
EFFECTED (ON $\frac{1}{3}$ THE OF THE COUNTY
SEE FLOOD PLAIN MAPS)

YET WITH THIS KNOWLEDGE, AND ADMISSION,
NO STANDARDS, NO METHOD, NO PLAN
IS, INCLUDED IN THE LAW, TO PROTECT
30%± OF THE COUNTIES PEOPLE THAT
OWN LAND IN THIS 100YR FLOOD PLAIN AREA.

THE TAXING PROPERTY ASSESSOR, ANSWER
IS APPROPRIATE CONSIDERATION MAY BE
GIVEN?

THIS STATEMENT WILL NOT GIVE YOU,
THE LAND OWNERS A STANDARD BY LAW.
BUT COULD PROVIDE APPEASEMENT, SHOULD
THEY DESIRE TO HEAR THE PUBLIC CRIES.

THIS PROBLEM WILL NOT GO AWAY, AS IT
IS UNFAIR.

WHY NOT FACE IT AS PROFESSIONALS,
AND PROVIDE THE PUBLIC WITH LAWFULL RELIEF,

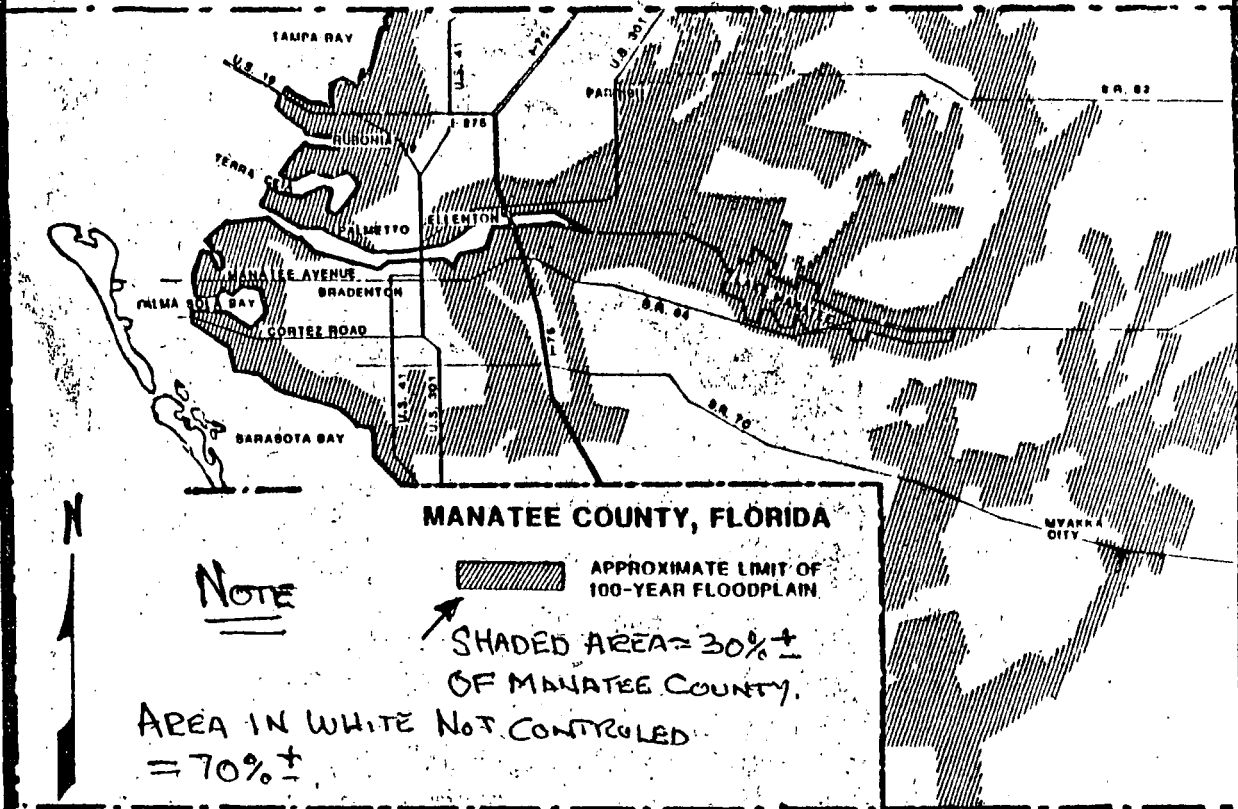
YOURS TRULY
CHARLES NEAL
2516 AVE "C"
BRADENTON BEACH, FLA

C.C. TO
ALL CONCERNED

NOTICE OF PUBLIC HEARING

BEFORE THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING TEXT AMENDMENTS TO ORDINANCE 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE & THE MANATEE COUNTY BUILDING CODE, MECHANICAL CODE, PLUMBING CODE & ELECTRICAL CODE

The Manatee County Board of County Commissioners proposes to adopt Floodplain Management Regulations which may affect property in flood hazard areas identified on the map below. These regulations include amendments to the Manatee County Building Code, Mechanical Code, Plumbing Code, and Electrical Code in effect. The proposed amendments are designed to ensure Manatee County's continued participation in the National Flood Insurance Program. A Public hearing on these regulations will be held on February 7, 1984 at 6:30 p.m. in the Commission Chambers of the Manatee County Courthouse, Bradenton, Florida.



Copies of the proposed amendments and the proposed Flood Insurance Rate Maps are available for public review at the Manatee County Planning and Development Department, 212 Sixth Avenue East, Bradenton, Florida 33505. All interested persons are invited to attend and be heard. Written comments filed with the Planning Director, 212 Sixth Avenue East, Bradenton, will be entered in the record. According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which appeal is to be based.

Development's danger

For too long, public policy has been designed to encourage development of barrier islands.

The federal government (that is, you and I) subsidizes flood insurance for those foolish enough to build homes and businesses on these shifting spits of sand that would be inundated if even a minor hurricane were to blow our way. Until recently, the federal government would finance up to 80 percent of the cost of installing water and sewer systems on the islands, making development even more attractive. The folly of all this was brought home in last week's *Island Herald*. Sarasota coastal ecologist Tom Cross, speaking at the Anna Maria Island Community Center, detailed man's futile efforts to control shoreline erosion by means of seawalls, groins, revetments and other devices designed to alter the natural systems responsible for creating the barrier islands.

Cross' advice is simple: Instead of trying to control the uncontrollable wind, waves and currents that buffet and

shape the islands, man should stand back and let nature take its course.

To use Cross' metaphor, a natural beach is like an artful boxer who absorbs and dissipates blows. A seawall is like a slugger who tries to stand up to the punishment and gets clobbered in the process — even if he wins, he loses.

It's too late to move everyone off the islands. But it's not too late for every level of government — local, state and federal — to do everything in their power to discourage the further development of the islands.

Eliminating federally subsidized flood insurance would be a good start. The state has a program to buy up undeveloped shoreline tracts — but it is underfunded and unwieldy, not to mention overly political. Local governments can do their bit by "down-zoning" portions of the islands to prevent condominiums from springing up on the water's edge, by beating back attempts to breach the Coastal Construction Control Line, by rejecting any and all temptations to facilitate island development.

The Bradenton Herald

401 13th St. West, Bradenton, Fla. 33506, 62nd Year, Number 156

Publisher Frank M. McComas
Executive Editor Wayne H. Poston
Managing Editor Shirley J. Foor
Editorial Page Editor David E. Klement
General Manager Robert G. Beck

Council asks for stringent growth policy

Task force gets gripes

BILL RUFTY

Herald Staff Writer

Bradenton City Council members want a stringent policy of no development near the Braden River, source of the city's drinking water.

They sent two department heads to deliver that message Wednesday night to the county's Southeast Development Sector Task Force.

Task force members, already complaining of city official's attacks on their work, also heard from Manasota 88, the environmental group.

The city's recommendation — no development in the so-called "100-year-flood plain" — is even more restrictive than the proposal of the state's Save Our Rivers program to keep 540 acres out of developers' hands. City planners say they haven't tallied it up yet, but the council's proposed policy, if eventually accepted by the county, could keep hundreds more acres out of development. *

Council members voted 3-2 Wednesday, with councilmen Bob Sweat and Jim Barfield dissenting, to adopt a report on the river made by their consulting engineers, Smith and Gillespie.

Comprised of county employees and developers' representatives, the task force is charged with recommending growth management policies for the area between State Road 70 and University Parkway and between I-75 and Lockwood Ridge Road. But the city and environmental groups charge the study group is not doing enough to protect the river, which forms Evers Lake, the city reservoir, from developers seeking to build near its shores.

Most restrictive among the consultants' tough recommendations is the proposal that no development occur within the 100-year-flood plain of the river.

That zone is an area where, as it is estimated, waters would rise during the worst storm in a 100-year period. The zone includes more than the 540 acres in the Save Our Rivers program, scheduled for purchase by the Southwest Florida Water Management District.

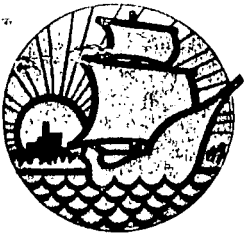
Bradenton Planning Director Jerry West and Public Works Director Earl Crawley delivered the decision to the task force members. Just last week task force members received the planning department's demands for specific protections on the river, but council members said Wednesday's action added clout.

All along the river area are large parcels, most of which are slated for residential and commercial development.

Plans for Circle N Ranch, of which State Sen. Pat Neal is majority partner, show residential units within the 30 acres of his property that are included in the Save Our Rivers purchase list.

City planning officials have tried to push the task force for weeks to adopt the Smith and Gillespie report, but several task force members, including county Utilities Planner Charlie Hunsicker, have said that such stringent prohibitions amount to illegal taking of property rights. **

Manasota 88 representatives didn't bother with just no-development zones around the river. They said that the task force should take to the Manatee County Commission a recommendation of no new rezoning in the sector. Many of the large tracts owned by development companies, including Neal's and Cooper Creek, are still zoned agricultural. *



MANATEE COUNTY GOVERNMENT

February 9, 1984

Mr. Charles Neal
2516 Avenue "C"
Bradenton Beach, Florida 33510

Dear Mr. Neal:

Thank you for your letter of February 2nd regarding the proposed floodplain management regulations. Your comments were presented to the Board of County Commissioners and your letter was entered into the record of the February 7th public hearing.

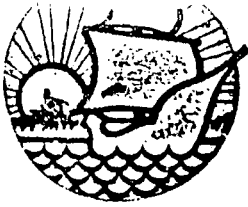
I have contacted Property Appraiser Perkins and will be working with him to ensure appropriate consideration of flood zone designations in the assessment process.

Again, thank you for your concern and comments.

Sincerely,

Larry K. Frazier, AICP, APA, Director
Planning & Development Department

LKF:CBC:prl
Enc.



MANATEE COUNTY GOVERNMENT

MEMORANDUM

TO: Frank Perkins
Property Appraiser

FROM: Larry K. Frazier, AICP, APA, Director
Planning & Development Department

DATE: February 13, 1984

SUBJECT: Proposed Floodplain Management Regulations

The Federal Emergency Management Agency has issued new flood hazard maps for Manatee County. To remain in the National Flood Insurance Program, the Board of County Commissioners must adopt these maps and revise our existing Flood Ordinance prior to March 15, 1984. To this end, the Commissioners are considering the enclosed documents.

During the course of the public hearings on these regulations, questions from the public have arisen regarding the effect these regulations will have on property values and, consequently, on assessments. I think it is generally recognized that development in floodways and velocity zones will be more difficult as a result of adoption of these regulations. Appropriate consideration of this should be included in the assessment process.

My staff will be available to review these regulations with you in detail and to answer any questions.

LKF:CBC:prl
Enclosure

DEAR MR. FRAZIER
NO ANSWER TO DATE, AS
A LEGAL STANDARD BEING
PUT INTO LAW. IN SAID
FLOODPLAIN LAW. BEING
SET FOR PASSAGE?
C. NEAL