

PLANNING AND ZONING COMMISSION

May 1, 1962

The regular meeting of the Planning and Zoning Commission convened at 1:30 P.M. with Chairman D. Vincent Wilder presiding.

Commission members present were: Messrs. Wilder, Schneider, Cromer, Siegert, and Gregory. Also present were: Mr. Vines, Planning Director; and Mr. George Lane, County Attorney.

Minutes of the April 10, 1962 Special Meeting were approved as submitted. Minutes of the April 17, 1962 Regular Meeting were also approved as submitted.

NEW PUBLIC HEARINGS

#R-62. BRADENTON FLORAL COMPANY, INC. Petition to rezone from R-1A to R-3 Lots 13 through 21 and Lots 27 through 35, ALANDALE SUBDIVISION, as per plat recorded in Plat Book 4, Page 85, Public Records of Manatee County, Florida.

Mr. Jackson D. Miller, attorney, representing the Bradenton Floral Company and Mrs. Carmen B. Hiscox, owner of the property, pointed out on the map the location of the land involved in the petition, and noted that the proposed rental apartments would be close to shopping centers and an Elementary school, and was an ideal location for such use. He stated the submitted plans called for two three-story buildings situated over 100 feet North of Manatee Avenue, West, with adequate parking behind the proposed apartments on Third Avenue., with parking entrances on 43rd and 44th Streets, and on Third Avenue, West.

Mr. William Hiscox spoke in favor of the rezoning, as did Mr. Richard Jordan, whose mother is an adjacent property owner. Mr. Jordan stated that he was in favor of the petition, as all the neighbors were, provided that the rezoning would be restricted to this petitioner only for the submitted plans.

Mr. Paul H. Warner, another property owner, spoke in favor of the proposed project, and suggested that some type of plantings be provided around the parking area. He questioned the possible nuisance of the main air-conditioning units.

Mr. Miller said each apartment unit would have its own individual heating and cooling system.

Mr. C. A. Morey, 299-44th Street West, told the Commission that he was not opposed to the proposed apartments, but did object to the parking area being located on Third Avenue, unless some shrubbery or other protection could be provided to keep lights in the parking area from shining into his bedroom windows.

Mr. William Campbell, 221 First Avenue, West, realtor handling the sale of the property, stated that the petitioners planned to preserve all the shrubbery which now borders the north boundary, and that the proposed plans called for a decorative fence on Third Avenue.

Mr. Wilder then read a memorandum from the Planning Director addressed to the Commission members stating that he had explained to the applicants that the question of whether or not rezoning would be granted would depend in large part on whether or not the design and layout of the proposed apartment project were such that no substantial detrimental effect would be imposed on the surrounding single-family residential district; and that the submitted preliminary plans should undergo substantial design improvement which would make the project acceptable in the surrounding neighborhood.

In his closing statement, Mr. Miller brought to the attention of the board members the economic factors involved in the proposed project, and pointed out that the county would benefit from up-to-date apartment-type housing; and that in revising the submitted plans, the protection of the neighborhood would be kept in mind by all parties involved in the project.

Commission members concurred that such apartment-type building would benefit the county if the building plans could be worked out satisfactorily.

Mr. Cromer moved to close the public hearing on Rezone Petition #R-62, seconded by Mr. Gregory.
APPROVED.

Mr. Cromer then made a motion to approve Rezone Petition #R-62 for an apartment house site, provided that this approval shall not be final until such time as the Rezone Committee, the developers, and the Planning staff have an agreement upon improved design and site plans for the apartments and parking facilities, before submission to the County Commission for approval. Mr. Gregory seconded the motion.

UNANIMOUSLY APPROVED.

#R-63. Commission-initiated petition to rezone from R-1AA to R-1AB approximately 180 acres lying south of Oneco Road between Highways 301 and 41, said property being more particularly described as:

The NW 1/4 of NE 1/4 of Section 13, Township 35 South, Range 17 East; ALSO: The N 1/2 of NW 1/4 of Section 13, Township 35 South, Range 17 East; ALSO: The NE 1/4 of NE 1/4 of Section 14, Township 35 South, Range 17 East; ALSO: Begin at the NE corner of NW 1/4 of NE 1/4 of Section 14, Township 35 South, Range 17 East; thence run West 630 feet; thence South 1320 feet; thence East 630 feet; thence North 1320 feet to the Point of Beginning, all of said property lying South of Oneco Road between U.S. Highways 41 and 301, Manatee County, Florida.

Mr. Wilder explained that due to an error in the property description by the Bradenton Herald, public hearing on the petition would remain open until the May 15th hearing, but that all parties who were present to be heard would be given the opportunity.

Mr. Gregory, Chairman of the Rezone Committee, said a study had been made of the entire area to be rezoned, and recommended that due to the varied sizes of lots in each subdivision, Oneco Terrace should be rezoned to R-1AB (1,000 square feet of living area); Sunniland Subdivision to R-1AB (850 square feet); and Kirkhaven in the following manner: Unit One, Section A, R-1AB and Section B, R-1A; Unit Two, R-1AB; Unit Three, R-1A; Unit Four, R-1AB; and Unit Five, R-1AB.

A large delegation from Kirkhaven Subdivision, with Mr. Al Grossman as spokesman, presented their views in favor of upgrading the area.

Chairman Wilder read two letters in opposition to rezoning of any type, from Mr. Claude O. Childers, and from Mr. and Mrs. Clarence R. Keck, said letters being on file in the Planning Office.

HEARING CONTINUED TO MAY 15th.

#N-20. A. M. LEACH, INC. Petition to construct a 40' x 60' addition to a non-conforming gasoline service station located at the southeast corner of 35th Streets West and Manatee Avenue, more particularly described as: Lots 1, 2 and 195 of Rosedale Sub-Division, as per plat recorded in Plat Book 1, Page 298, Public Records of Manatee County, Florida.

Mr. Abbie Leach, owner of the property, explained that the submitted plans called for an addition to the present station on the lot south of the station, and the old house now on the lot and being used for minor storage of used tires, would be torn down. He stated that no major repairs are being conducted at the site, and the new addition is to be used for indoor minor repair work which is now being done outside. He stated that he owned the properties on both sides of 35th Street, and the new addition would be a substantial improvement to the area.

Mr. Murray Kesten, whose residence would abutt the proposed addition, complained of the noise caused by repairs carried on at the station during the evening hours. He told Commission members that the present operator of the service station, Mr. Al Smith, had advised him that work would cease at 5 P.M. in the new addition, but there was no guarantee that Mr. Smith would be the operator of the station in the future. Mr. Kesten stated that the service station was at its present location when his home was purchased.

Mr. Leach advised the Commission that all repairs would be conducted completely within the new addition.

Mr. Cromer moved to close the public hearing on #N-20, seconded by Mr. Siegert. APPROVED.

Mr. Cromer then made a motion to refer petition #N-20 to committee for study. Mr. Siegert seconded the motion.

UNANIMOUSLY APPROVED. REFERRED TO COMMITTEE FOR STUDY AND RECOMMENDATION

#N-21. DUANE LEE. Petition to construct a 30' x 75' addition to a non-conforming gasoline service station located at the northeast corner of 60th Avenue West and U.S. 41, more particularly described as: LOTS 7 and 8 of Block 1, SPRING SUBDIVISION, as per plat recorded in Plat Book 8, Page 32, Public Records of Manatee County, Florida.

Mr. Lee appeared in his own behalf, stating that he planned a 30' x 75' addition to his present gasoline service station by remodeling the former drug store building located on the corner of 60th Avenue and Highway 41 for a sales room and office. He said he bought this new property a year and a half ago, consisting of 142 feet on U.S. 41 which now gave him 242 feet on U.S. Highway 41 and 300 feet in depth on 60th Avenue. He stated that the gas islands would be changed and there would be entrances on Highway 41 and on 60th Avenue. He explained that for the last ten years he had operated a gasoline service station and had done major engine work and repair service on Lot 8 and part of Lot 7, before zoning. He said his main business was tires, batteries and tune-ups, plus garbage cans and parking of trucks on the rear of his property in connection with a garbage franchise he owns.

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Mr. William Garland, attorney representing the Bayshore Service Station (AMOCO), spoke in objection to the petition, and questioned the jurisdiction of the Planning and Zoning Commission in the matter, saying this was properly a variance request, since the petitioner was expanding onto new property with a non-conforming gasoline service station, and such request should be brought before the Board of Zoning Appeals.

After much discussion between Commission members, Mr. Garland, the petitioner, and the County Attorney,

Mr. Cromer moved to continue the public hearing until May 15th, and have the matter referred to the County Attorney for a decision on whether or not the Planning Commission has jurisdiction in the matter. Mr. Gregory seconded the motion.

HEARING CONTINUED.

NEW BUSINESS

#S-40. MANASOTA INDUSTRIAL PARK. Request for 90-day extension of Preliminary Plat.

UNANIMOUSLY APPROVED.

#S-43. LAKESIDE TRAILER TOWN, UNIT TWO. Request for 90-day extension of Preliminary Plat.

UNANIMOUSLY APPROVED.

SAN REMO SHORES, UNIT III. Request for 90-day extension of Preliminary Plat.

UNANIMOUSLY APPROVED.

#S-47. CORAL SHORES SUBDIVISION, UNIT I. Approval of Final Plat.

Mr. Schneider moved, seconded by Mr. Siegert, that the Final Plat of Coral Shores Subdivision, Unit I be approved, subject to approval by the County Attorney of Escrow Agreement on completed improvements.

UNANIMOUSLY APPROVED AND RECOMMENDED TO GOVERNING BODY FOR APPROVAL.

#S-48. LaPLATA PARK. Approval of Final Plat.

Mr. Gregory moved to approve the Final Plat of LaPlata Park and recommend approval of the County Commission. Mr. Siegert seconded the motion.

UNANIMOUSLY APPROVED AND RECOMMENDED TO THE GOVERNING BODY FOR APPROVAL.

#S-49. FLAMINGO CAY, UNIT ONE. Approval of Final Plat.

Mr. Gregory moved to approve the Final Plat of Flamingo Cay, Unit One, and recommend approval to the County Commission, subject to approval of Escrow Agreement by the County Attorney on completed improvements. Mr. Cromer seconded the motion.

UNANIMOUSLY APPROVED AND RECOMMENDED TO THE GOVERNING BODY FOR APPROVAL.

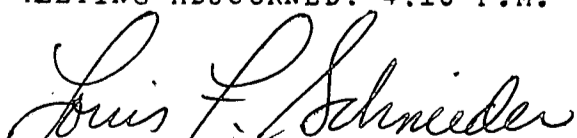
Mr. Wilder read a letter of resignation dated April 17, 1962, from Mr. Malcolm Duggan, Planning and Zoning Commission member, effective immediately, said letter being on file in the Planning Office.


Mr. Gregory made a motion, seconded by Mr. Cromer, that a letter of appreciation be sent to Mr. Duggan for his services to the Planning and Zoning Commission.

UNANIMOUSLY APPROVED.

Mr. Wilder read an invitation from the Cedar Hammock Fire Control District to an Open House at the new fire station, to be held on May 5, 1962, and urged all Planning and Zoning Commission members to attend.

MEETING ADJOURNED: 4:10 P.M.


Louis F. Schneider, Secretary


D. Vincent Wilder, Chairman