

April 25, 1960

The Board of County Commissioners of Manatee County, Florida, met in regular session, Monday, April 25th, 1960 at 9:30 a.m., in the court house in Bradenton, Florida.

Present were Commissioners John G. Jones, H. C. Slaughter, Irwin Klemmer, Elmer Bustle and Tom W. Jennings, Deputy Clerk Bruce M. Cox and County Attorney George H. Harrison.

The meeting was called to order by Chairman Slaughter.

Minutes of April 11, 1960 were read. The Chairman stated that if there were no alterations, corrections or additions the Minutes would stand approved as read.

GARBAGE FRANCHISE TRANSFER DISTRICT NO. 3 APPROVED
FROM PAUL ZAAGMAN (CEDAR HAMMOCK DISPOSAL) TO M. B. CILLEY

Paul Zaagman requested the Board's approval to transfer the western half of Garbage Franchise District No. 3 to M. B. Cilley. The Commissioners, in previous session, had approved the transfer of this Franchise from Otis McClendon to Mr. Zaagman, d/b/a Cedar Hammock Disposal Corporation.

Motion was made by Mr. Bustle that transfer of Garbage Franchise for District No. 3, in part, be approved as follows:

From PAUL ZAAGMAN d/b/a CEDAR HAMMOCK REFUSE CORP.
To M. B. CILLEY

That portion of District No. 3 designated as
the western half of the district:
West of 59th Street to Palma Sola Bay,
North side of Manatee Avenue to Manatee River.

Motion was seconded by Mr. Klemmer and carried unanimously. (Change in boundary lines of Garbage Franchise Districts to be considered on May 16, 1960 when petitions for Franchises reviewed by the Board.)

PHILLIPS and ALLENS RE SUBDIVISION OF W. H. VANDERIPES SUBDIVISION PETITION & RESOLUTION
STREET CLOSED

The Board received petition from LOUIS A. and ELSIE V. WALKER, WENDELL L. and MARIE S. CODDINGTON, HENRY MEYER, EDWIN B. BOFINGER, MAUDE A. DAY, WILLIAM A. DAY and JOHN R. DAY, as Trustees (Lee S. Day, deceased), and GRACE G. BREITMEYER requesting vacation of a certain roadway shown on the plat of PHILLIPS AND ALLENS RE SUBDIVISION OF W. H. VANDERIPES SUBDIVISION, together with proof of publication of Notice of Intention of the petitioners to apply for the closing of said roadway on April 25, 1960.

The Board then called for Public Hearing on the Petition. Upon being advised that the Petition had been approved by the Planning and Zoning Commission, and no objection being heard at this meeting, motion was made by Mr. Jones that petition be approved and resolution closing the street be adopted. Motion was seconded by Mr. Klemmer and carried unanimously. (Resolution recorded A16-53)

HOUGHTON SUBDIVISION OF MEMPHIS
VACATION OF 24TH STREET REQUESTED

PETITION RECEIVED
PUBLIC HEARING CONT'D

The County Attorney advised that he had not been furnished with information relative to petition for the vacation of 24th Street in HOUGHTON SUBDIVISION OF MEMPHIS. Public Hearing on this petition was continued until a future meeting or until the county attorney advised that it was in order for consideration by the Board.

WYATT'S ADDITION TO SUNSHINE RIDGE KESSLER DRIVE CLOSED
(PUBLIC HEARING ON PETITION TO CLOSE KESSLER DRIVE CONTINUED UNTIL MAY 9, 1960 =See page 304)

Public hearing was held on the petition of HENRY C. MATTESON and JAMES M. and LOUISE BROWN to close a portion of KESLER DRIVE as shown on the plat of WYATT'S ADDITION

RES
A16
53

April 25, 1960 (Cont'd)

TO SUNSHINE RIDGE. Upon no objections being heard, motion was made by Mr. Bustle that petition be approved and the following ^{resolution} adopted. Motion was seconded by Mr. Jones and carried unanimously.

Z O N I N G

RECOMMENDATIONS OF PLANNING & ZONING COMMISSION

Charles Hess, director, submitted and explained the recommendations of the Planning and Zoning Commission:

APPROVED
to C-2
COMMERCIAL

Rezone from C-3 COMMERCIAL TO C-2 COMMERCIAL the west 480 ft. south of ACL RR of SW $\frac{1}{4}$ of N $\frac{1}{4}$ of Sect. 36, Twp. 34S., R 17 E; also the west 300 ft. of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sect. 36, Twp. 34S., R 17E. = located on east side of 1st Street from City Limits of Bradenton south=
APPROVED by P & Z Commission and so recommended to the Board.

Upon motion by Mr. Bustle, seconded by Mr. Jones, the recommendation of the Planning and Zoning Commission was accepted and the zoning to C-2 COMMERCIAL approved.

PALM GROVE TRAILER PARK (Rocky Bluff area)
FINAL PLANS APPROVED

Upon motion by Mr. Jones, seconded by Mr. Bustle, final plans of PALM GROVE TRAILER PARK was approved as recommended by the Planning and Zoning Commission.

APPROVED

Gus Boyer, Sr.,
Application to extend non-conforming use by erecting a roof over present trailer and cabana on Lots 8 and 9 of G. C. WYATT'S ADDITION TO SUNSHINE RIDGE at 28th Ave. East =
APPROVED by the P & Z Commission and so recommended to the Board.

Upon motion by Mr. Jennings, seconded by Mr. Bustle, the application of GUS BOYER, SR., was approved as recommended.

APPROVED

John Denesuk
Application for excavation permit for a shell pit = located on north side of Little Pittsburgh Road approx. 600 ft. east of U.S. 41=
APPROVED by the P & Z Commission and so recommended to the Board.

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the application of JOHN DENESUK was approved as recommended.

ROYAL GARDENS ESTATES (TRAILER PARK)
FINAL PLANS APPROVED

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the final plans of ROYAL GARDENS ESTATES, INC. (TRAILER PARK) were approved.

APPROVED

Southern Realty & Utilities Corp.
Application to excavate for shell (located 400 ft. off east side of 43rd St. and 3/4 mile north of Cortez Road) =
APPROVED by the P & Z Commission and so recommended to the Board.

Upon motion by Mr. Klemmer, seconded by Mr. Jennings, the application of SOUTHERN REALTY & UTILITIES CORP. was approved as recommended.

WINDSOR PARK SUBDIVISION SECOND and THIRD UNITS
PLATS APPROVED

The final Plats of WINDSOR PARK, SEDOND UNIT and THIRD UNIT, were recommended for approval by the Planning and Zoning Commission. Plat of the Second Unit had been held from the previous meeting at the request of Commissioner Klemmer.

Walter Woodward and William C. Daniel, attorneys for the owners and developers of the subdivision were present with Freeman H. Horton, engineer. The attorneys explained that, contrary to general opinion, the plans for dwellings to be constructed in these subdivisions called for 870 square feet, which would actually be upgrading the zoning requirements of 720 square feet.

The County Engineer concurred with the proposal of an easement being conveyed to the county for the widening and straightening of the CEDAR HAMMOCK DRAIN, shown on the

April 25, 1960 (Cont'd)

plat. It was brought out during discussion that the points of beginning and ending were the same as the existing canal.

Upon motion by Mr. Jennings, seconded by Mr. Klemmer, the Plats of WINDSOR PARK, SECOND UNIT, and WINDSOR PARK, THIRD UNIT, were approved.

WYATT'S ADDITION TO SUNSHINE RIDGE
KESSLER DRIVE = PUBLIC HEARING ON CLOSING CONTINUED UNTIL MAY 9, 1960

George Harrison, County Attorney, advised that he had been informed that the petition of Henry C. Matteson and James M. and Louise Brown to close a portion of KESLER DRIVE in WYATT'S ADDITION TO SUNSHINE RIDGE had not been considered by the Planning and Zoning Commission at the public hearing on April 21st because neither the petitioners nor their counsel had appeared and public hearing had been continued until the next meeting of that Commission.

Motion for the approval of the petition and adoption of a resolution thereon was rescinded (see page 302) and upon motion by Mr. Bustle, seconded by Mr. Jones, public hearing was continued until May 9th, 1960.

HOUGHTON SUBDIVISION OF MEMPHIS PUBLIC HEARING ON PETITION RE 24TH STREET
RESOLUTION ADOPTED CLOSING STREET

Robert Rickey, attorney representing H. L. and KATHRINE MOSS, submitted petition for the closing of 24th Street in HOUGHTON SUBDIVISION OF MEMPHIS, together with proof of publication of Intention to Apply to the Board of County Commissioners for adoption of a resolution closing said street on April 25th, 1960. This petition had been approved by the Planning and Zoning Commission and so recommended to the Board.

No objections were heard and upon motion by Mr. Jones, seconded by Mr. Bustle, the petition was approved and granted by adoption of resolution as follows: (Recorded A16-54)

RICKEY, ROBERT
AUTHORIZED TO BRING SUIT FOR ZONING VIOLATIONS

Robert Rickey, attorney for the Planning and Zoning Commission, requested authorization to bring suit against the following for ZONING VIOLATIONS:

Allen Jones (fruit stand on U.S. 301 = too close to side road; too close to highway; did not obtain permit to erect existing building. Had been notified but refuses to adhere to zoning regulations)

Davis Junk Yard, Samoset

Deese Junk Yard, Samoset

Kermit E. Brown (junk yard near airport)

J. M. Helms = Junk Yard

Glenn Roman = Trailer at Ellenton

He explained these represented violations accumulated over approximately nine months and the Planning and Zoning Commission recommended that legal action be taken as continued efforts by letter and personal contact had not resulted in any attempt by the property owners to comply with regulations; that the suits would be in the form of injunction for property owners to comply with court orders.

Upon motion by Mr. Jones, seconded by Mr. Bustle, Mr. Rickey was authorized to bring suit against the property owners for Zoning Violations, as requested.

Also: Center Road (Thurmond) = storing building materials;
no permit

Bay Colony (a resident caring for an incompetent person for compensation = not permitted in residential area)

April 25, 1960 (Cont'd)

STATE BOARD OF ADMINISTRATION
 AUTHORIZED TO HOLD 20% SURPLUS GAS TAX FUNDS FOR \$1,100,000 CERTIFICATES

Chairman Slaughter reported that he and the county attorney had been in Tallahassee during the past week and had conferred with Sam Draper, head of the Special Revenue Section of the State Road Department, and he had advised that it would be necessary for this Board to adopt a resolution authorizing the State Board of Administration to withhold the county's 20% surplus gas tax funds in connection with the pledge for payment of principal and interest on \$1,100,000 certificates of indebtedness (See minutes of 10/26/59).

In order to clear the records, and since people have expressed concern as being fearful that the Board will spend money to provide rights of way for certain projects and there will be no funds left to complete all projects, he wished to state that Mr. Rogero and the State Road engineers had been informed (at a recent meeting) that it was not the Board's intention to do these projects halfway, but to be sure that sufficient funds were available to provide rights of way.

- 1) From the intersection of U.S. 41 and U.S. 19, north of Palmetto, southward to the north approach of the new Manatee River Bridge, and from said intersection southwesterly to 8th Avenue in Palmetto; and
- 2) From the south approach of the new Manatee River Bridge, southward on First Street in Bradenton to the Cortez Road south of Bradenton, and
- 3) Thence via the Cortez Road, westward back to U.S. 41.

As to whether or not money will be available for the Tamiami Trail from Cortez Road to the city limits of Bradenton, the Board members expressed hope this project can be included, but since the primary purpose was to move traffic from the interchange (U.S. 19 & 41) to 301, this project is now of utmost concern and interest.

Upon motion by Mr. Jones, seconded by Mr. Klemmer, resolution authorizing the State Board of Administration to withhold the county's 20% surplus gas tax funds, for the purpose, or purposes, set forth in Resolution of October 26, 1959, was unanimously adopted. (Resolution recorded A16-55)

RES.
A16-
55

KIRKHAVEN SUBDIVISION
 COMPLAINT ON DRAINAGE

Al Grossman again appeared before the Board to complain about the drainage situation in Kirkhaven Subdivision.

CEDAR HAMMOCK DRAIN LATERAL "B"
 COUNTY ENGINEER AUTHORIZED TO PROCEED WITH IMPROVEMENTS

George Harrison, County Attorney, advised the Board that no record could be found of an injunction by the property owners against the CEDAR HAMMOCK DRAINAGE DISTRICT and it can be assumed that such a suit was never filed. The Board, thereupon, authorized John B. Benson, Jr., County Engineer, to proceed with the necessary improvements as determined by his recent survey.

Mr. Benson and Commissioner Bustle voiced opinion that with the widening and deepening of the canal much of the drainage problem in the Kirkhaven Subdivision would be eliminated, to some degree at least. Chairman Slaughter requested Mr. Bustle to investigate the one specific area (septic tank or tanks) in the subdivision to see if there was something that could be done to correct the situation in the near future.

BID ON OIL ADDITIVE ACCEPTED
 BARDAHL OIL COMPANY OF TAMPA

Only one bid on oil additives (Crankcase & Transmission) was received, Bardahl Oil Company of Tampa.

April 25, 1960 (Cont'd)

Upon motion by Mr. Jennings, seconded by Mr. Jones, bid was accepted

BARDAHL OIL COMPANY OF TAMPA	30 gal. drum	55 gal. drum
Additive for crankcase oil, per gal.	5.10 (\$153.)	4.47 (\$245.85)
Additive for Transmission grease "	5.10 "	4.47 "

BONDS APPROVED

DEPUTY SHERIFFS, BUILDING CONTRACTOR

Upon motion by Mr. Jones, seconded by Mr. Klemmer, the following bonds were approved:

DEPUTY SHERIFFS Bessie Lee Ulrey
Michael A. Prieto

BUILDING CONTRACTOR

Frank E. Cowan, d/b/a Cowan Construction Co.

BILLS APPROVED FOR PAYMENT

Upon motion by Mr. Bustle, seconded by Mr. Klemmer, the following bills were approved for payment:

John B. Benson, Jr.	14.57	G.E. Johnson	7024.80
James M. Doss	100.00	M.T. McInnis	27.85
Irwin Klemmer	33.36	Public Relations	
Physicians Med. Lab.	100.00	Council	980.24

WARRANT LIST & REQUISITIONS APPROVED

Upon motion by Mr. Jennings, seconded by Mr. Klemmer, Warrant List of April 25, 1960 and requisitions were approved and Warrant Lists of April 30, 1960 (to include payrolls) and May 2, 1960 were authorized.

Correspondence was read from

- 1) Onnie Lee & Lucretia Tyson
Request for approval of 2 APS license

TYSON, ONNIE LEE & LUCRETIA
2 APS LICENSE APPROVED

Upon motion by Mr. Jones, seconded by Mr. Jennings, the Board approved the granting of a 2 APS license for

ONNIE LEE and LUCRETIA TYSON
Washington Park (905 29th Street E.)
Palmetto, Florida

if all requirements of the State Beverage Department are met by the applicants.

- 2) De Soto Celebration Association (Dewey A. Dye, Jr., president
Conquistadors)
Letter of appreciation to Board for endorsement
- 3) J. T. Prater, Captain, Florida Highway Patrol = 29th Ave. W.
Relaying complaints on parking on 29th Avenue West between
9th Street W. (SR 683) and 14th Street W. (U.S. 41)

NO PARKING SIGNS ON 29TH AVENUE WEST

The County Engineer advised that "NO PARKING ANYTIME" signs were now on order and as soon as they arrive they would be erected, in accordance with the Board's directive. Chairman Slaughter stated he would write Captain Prater that the signs would be erected on 29th Avenue, between 9th Street and 14th Street in the very near future.

CARUTHERS, WILBUR
EASEMENT FOR RIGHT OF WAY ACCEPTED

(for Bill Seavy)

Wilbur Caruthers, who had appeared before the Board in a previous meeting in connection with working out a problem created by recent legislative act (Planning and Zoning) whereby no permits would be issued for construction of residences on property not abutting a dedicated road (His property is located on a peninsular in the Marineland area. All deeds on property in the area give egress and ingress to adjacent owners, but county

April 25, 1960 (Cont'd)

advises this does not constitute dedication as county right of way) was present. He explained that he had been unable to obtain an easement from the adjacent property owner (which had been recommended by the Board) because such a conveyance would deprive him of approximately two hundred feet of waterfront. (Marineland Subdivision & adjacent property)

In order to relieve this obvious hardship, motion was made by Mr. Jones that a 15-foot easement be accepted from Mr. Caruthers for dedication of right of way only, and not for maintenance, and the Planning and Zoning Commission notified of the Board's action as the acceptance of such easement would enable Mr. Caruthers to comply with the zoning regulations. Motion was seconded by Mr. Bustle and carried unanimously.

13TH AVENUE RIGHT OF WAY
CONDEMNATION PROCEEDINGS AUTHORIZED AGAINST JAS. & MABEL/ BUREL (RESOLUTION)

John Benson, County Engineer, reported that the County Right of Way Agent had contacted the owners of the one parcel necessary to obtain to complete right of way for 13th Avenue East (to colored school) and no reasonable amount would be considered by them. (The appraisal figure was \$2500.00, which would include right of way and damages).

Motion was made by Mr. Bustle that condemnation proceedings be instituted by the County Attorney against JAMES and MABEL BUREL and so authorized by adoption of the necessary resolution. Motion was seconded by Mr. Jones and carried unanimously. (Resolution recorded A16-56)

RES.
A16-
56

PIPE INSTALLATIONS AUTHORIZED

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, request for installation of pipe was granted for

Dwight Sprang
5501 21st Street Ct. \$24.00

ILDERTON, BLAIR M. & DOROTHY M.
DEED ACCEPTED (BOWLEE'S CREEK AREA)

NOT FOR MAINTENANCE

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, deed for a portion of a street near Bowlee's Creek was accepted from

BLAIR M. & DOROTHY M. ILBERTON

it being understood that this was for dedication purposes and was not being accepted for maintenance.

LAURAL CORPORATION
HUSTED, GRANGER & GENEVIEVE H.
ROSE, MARIE PATTON

EASEMENTS ACCEPTED

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, Easements were accepted from (Storm drain in Palma Sola Park)

Husted, Granger and Genevieve H. Joint Owners
Rose, Marie Patton
Laural Corporation (2 Easements)

FLOYD, GEORGE FRANKLIN
EMPLOYED AS PLUMBING INSPECTOR

Paul Cannon, Building Director, requested that George Franklin Floyd be employed as plumbing inspector on a temporary basis, explaining that since L. R. Armstrong had been transferred to inspection of septic tanks, illness of another plumbing inspector and the need for substitute during vacation periods, additional help was needed.

Upon motion by Mr. Jones, seconded by Mr. Bustle, George Franklin Floyd was employed as plumbing inspector on temporary basis.

April 25, 1960 (Cont'd)

SANITARY CODE ADOPTED

Motion was made by Mr. Klemmer that the Sanitary Code, worked out and recommended by Dr. Frederick Allen, Health Director, and John Benson, County Engineer, be adopted. Motion was seconded by Mr. Jones and carried unanimously. (Entitled "WATER SUPPLY AND WASTE WATER DISPOSAL (Including Sewage Treatment)")

ELECTRICAL CODE AMENDMENT REQUESTED

Mr. Klemmer requested Paul Cannon, Building Director, to check into the advisability of amending the Electrical Code to U.S. Bureau of Fire Underwriters recommendation of 100 amp. minimum, and submit report in a week or two.

BRUNT, JAMES ALBERT

TUBERCULOSIS HOSPITAL APPLICATION APPROVED

Upon motion by Mr. Jones, seconded by Mr. Jennings, application of James Albert Brunt to enter the State Tuberculosis Hospital was approved.

MEETING ADJOURNED

There being no further business, the Board adjourned to meet Monday, May 2nd, 1960 at 9:30 a.m.

ATTEST:

M. T. McInnis, Clerk


Deputy Clerk

APPROVED


Chairman