

January 9, 1961

The Board of County Commissioners of Manatee County, Florida, met in the Court House in Bradenton, Florida, Monday, January 9, 1961 at 9:30 a.m.

Present were Commissioners Earl A. Bibey, H. C. Slaughter, Irwin Klemmer, Elmer Bustle and William E. Crist, Deputy Clerk Bruce M. Cox and County Attorney James Adams.

The meeting was called to order by Chairman Crist.

Minutes of the Board meeting of January 3, 1961, convened at 9:30 a.m., were read. Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the minutes were approved as read.

Minutes of the Board meeting of January 3, 1961, convened at 11:00 a.m., were read. Upon motion by Mr. Slaughter, seconded by Mr. Bustle, the minutes were amended as follows:

"Motion was made by Mr. Slaughter that Mr. James R. Adams be appointed County Attorney, with the understanding that this position is now on a full time basis, at a salary of \$8,500.00 per year."

Minutes were approved as corrected on motion by Mr. Slaughter and seconded by Mr. Bustle.

FLAMINGO CAY, INC.  
BOARD OBJECTS TO SALE OF SUBMERGED LAND

RE: TRUSTEES OF INTERNAL IMPROVEMENT  
FUND

Raymond F. Copes of Flamingo Cay, Inc., appeared before the Board in regard to a proposed development on Manatee Avenue and Palma Sola Bay and urged the members of the Board to offer no objections to the sale of adjacent submerged lands, scheduled to be considered by the Trustees of the Internal Improvement Fund in Tallahassee, January 10, 1961 at 11:00 a.m. (For Objections Only). He explained that the project had received the approval of the Planning and Zoning Commission and the Board of County Commissioners in October, 1960 (Ref. page 420, October 24, 1960); that the plans submitted for approval had included the submerged lands contemplated to be purchased, and that he was concerned about the rumor that members of the Board were going to offer objections to the sale.

Chairman Crist stated (i.e.) that the previous Board had indicated approval of the bulkhead line (some 43 miles having been given a line called the bulkhead line, however, over 100 miles of shoreline is yet to be considered by the present Board), but the Board, as now constituted, has not indicated its opinion and it was desired that the matter be re-opened for study and recommendation by the present Board.

Col. Glenn Reeves, chairman of the Planning and Zoning Commission during the period of bulkhead line hearings, gave a resume of proceedings leading up to the approval of the bulkhead line and advised that the proposed development lay within the line as now established.

Commissioners Slaughter and Bustle stated they would not oppose the application for the sale of the submerged land if the location is within the bulkhead line as now established.

Commissioner Bibey stated that he, as a new member of the Board, was not familiar with the established bulkhead line and in all fairness would have to object to any land sale until he had an opportunity to give it further study.

MOTION:

Commissioner Klemmer stated he felt the bulkhead line went out too far and he would like to give the proposal more study and would, therefore, offer a motion that a telegram be sent to the Trustees of the Internal Improvement Fund in objection to the sale of the property (described in the applications scheduled for hearing in Tallahassee, Tuesday, January 10, 1961 at 11:00 a.m.)

Motion was seconded by Mr. Bibey.

Inasmuch as Mr. Copes had stated that if the application is tabled or postponed the entire project will be withdrawn from Manatee County, James A. Howze, engineer and John Green, attorney for N.K. Winson-Sanson Corporation, urged that the Board exclude this property from the telegram to the Trustees.

The Board recessed for ten minutes to study the maps of the area involved in the discussion.

After recess, the Board reconvened with all members present.

Col. Bert N. Bryan, representing the Manatee County Conservation Alliance, offered recommendation that the Board object to the sale of all submerged land in Manatee County to be passed on by the Trustees of the I.I.Fund on January 10th.

During the lengthy discussion on the matter, the commissioners opposing the sale stressed that there was no intent to hold up development of Manatee County, but that the new members of the Board only desired ample time to be able to give careful study to the bulkhead line as now established so they would be in a position to defend and render fair and just decisions thereon; that this was not to be construed to mean that the bulkhead line is considered wrong, only that the Board members want to be satisfied that public interest is best served.

Upon question directed to Mr. Copes as to the amount of money involved in the project, he told the Board that it would be better than five million dollars in the initial project; would include three hundred homes besides the commercial area (apartment houses, marina, etc); that his firm had contemplated getting started February 1st.

A letter from the Izaak Walton League of America was read:

Request that the Manatee County Commission enter objections to the Internal Improvement Fund Trustees in Tallahassee regarding the sale of certain bay bottomlands adjacent to Perico Island, as advertised in public hearing of Jan. 10.

Motion was re-stated:

It was moved by Mr. Klemmer, and seconded by Mr. Bibey that a telegram be sent to the Trustees of the Internal Improvement Fund in Tallahassee opposing the sale of submerged lands at this time, pending further study by this Board.

Mr. Bustle moved for the following amendment:

That inasmuch as no objections had been made to the bulkhead line as relates to the Flamingo Cay, Inc., property that this parcel be excluded from the objections, to be considered separately, and not to be considered in whole, in order that this development not be held up. Motion was seconded by Mr. Slaughter for the amendment.

Voting "Aye" on the amendment were Commissioners Slaughter and Bustle.

Voting "No" on the amendment were Commissioners Bibey, Klemmer and Chairman Crist. Motion did not carry and the amendment was denied.

Voting "Aye" (by show of hands) on the motion to oppose the sale of any bottomlands, by wire to the Trustees of the Internal Improvement Fund in Tallahassee, were Commissioners Bibey and Klemmer and Chairman Crist. Voting "No", Commissioners Slaughter and Bustle. Motion carried and so ordered.

Z O N I N G

RECOMMENDATIONS BY PLANNING & ZONING COMMISSION

Charles Hess, Director, submitted and explained the report of the Planning and Zoning Commission on items recommended to the Board of County Commissioners for approval:

Russell C. Jordan & Assoc.  
Petition to rezone from R-1 Residential to M-2 General Industrial, Blk 1 of North Sarasota Sub., also lots 5 through 16, 29 through 33 of Blk 2; lots 34 through 43 of Blk 2; lots 1 through 16; lots 29 through 46 of Blk. 3; Lots 1 through 18 of Blk 4; all in Sect. 32, Twp. 35S., R 18E, Located north of County Line Road and East of ACL R.R.

APPROVED TO M-2 General Industrial

Upon motion by Mr. Bustle, seconded by Mr. Klemmer, the rezoning was approved as recommended.

Amend the Comprehensive Plan By rezoning from T-Trailer Park to R-1AA Residential: Lots 13 through 21, incl., Blk. 1; Lots 10 through 27, incl., Blk 3 of Twin Isles Estates, Unit 1, all in Sect. 11, Twp. 35S., R 16E., located south of Cortez Road and east of Paradise Bay Trailer Park.

APPROVED TO R-1AA RESIDENTIAL

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the rezoning to R1AA Residential was approved as recommended.

APPROVED R-3  
TO C-1 COMMERCIAL  
Amend the Comprehensive Plan  
By rezoning from C-3 Commercial to C-1 Commercial:  
The E $\frac{1}{2}$  of W $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sect. 23, Twp. 35S., R 17E; less W. 332 ft. of S. 150 ft. of N. 1050 ft. of E $\frac{1}{2}$  of SW $\frac{1}{4}$ ;  
ALSO rezone the W. 250 ft. of E. 400 ft. of S. 150 ft. of N. 1080 ft. of W $\frac{1}{2}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sect. 23, Twp. 35S., R 17E, located on W. side of U.S. 41, N. & S. of Florida Ave.

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the rezoning to C-1 Commercial was approved as recommended.

APPROVED R-2  
REZONE TO R-1AA RESIDENTIAL  
Amend the Comprehensive Plan  
By rezoning from C-3 Commercial to R-1AA Residential:  
Beginning at NW corner of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sect. 13, Twp. 35S., R 17E., thence E. 370 ft., S. 225 ft., E. 50 ft., S. 100 ft., W. 20 ft., S. 965 ft., W. 50 ft., S. 1320 ft., W. 352 ft., N. 2640 ft. to POB;  
ALSO rezone from C-3 Commercial to C-2 Commercial:  
Beginning 370 ft. E. of NW corner of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  OF SE $\frac{1}{4}$  of Sect. 13, Twp. 35S., R 17E., thence east to E. Section line, thence south 2640 ft., thence west 308 ft., north 1320 ft., east 50 ft., north 965 ft., east 20 ft., north 100 ft., west 50 ft., north 225 ft. to POB; all located on west side of U.S. 301 between Little Pittsburgh Rd. & Pitcairn Rd.=  
APPROVED excepting the 10 acres of land owned by Dr. Kirk (this 10 acres to be considered in separate public hearing)

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the rezoning to R-1AA Residential and to C-2 Commercial was approved as recommended.

APPROVED:  
Non-Conforming  
Carl W. & Rose Langenberg  
Application to extend non-conforming use by erecting a 9x18 ft. screen enclosure and two window awnings; located at 1118 37th Ave. W.

Upon motion by Mr. Klemmer, seconded by Mr. Slaughter, the application of Carl W. & Rose Langenberg was approved.

APPROVED:  
Non-Conforming  
A. E. Packer  
Application to extend non-conforming use by erecting a 139"xl40" screen enclosure and 5 window awnings; located at 1204 37th Ave. W.

Upon motion by Mr. Klemmer, seconded by Mr. Bibey, the application of A. E. Packer was approved.

APPROVED :  
Non-Conforming  
Anthony Alliotta  
Application to extend non-conforming use of a warehouse (Mockingbird Hill)

Upon motion by Mr. Bustle, seconded by Mr. Slaughter, the application of Anthony Alliotta was approved.

#### LUXOR TRAILER PARK

#### PLANS APPROVED

Upon motion by Mr. Klemmer, seconded by Mr. Slaughter, the final plans of LUXOR TRAILER PARK (E. H Daley, owner) were approved.

#### NOBLE PARK PLAT APPROVED

Upon motion by Mr. Slaughter, seconded by Mr. Bustle, the Plat of NOBLE PARK was approved. (Cashier's check for \$2000.00 accepted in lieu of performance bond for street improvements.)

#### BAY PALMS, UNIT 9 PLAT APPROVED

Upon motion by Mr. Bibey, seconded by Mr. Klemmer, the plat of BAY PALMS, UNIT 9 (located in City of Holmes Beach) was approved.

McMULLEN, JOHN C.  
PERMIT GRANTED FOR BOAT WHARF (PALMA SOLA BAY)

Mr. Klemmer moved that permit be granted JOHN C. McMULLEN to erect a boat wharf adjacent to The Prada, on Palma Sola Bay. The application (approved by the Planning and Zoning Commission) had been referred to him at a previous meeting for investigation and recommendation. Motion was seconded by Mr. Bibey and carried.

DEADLINE FOR AGENDA  
CERTIFICATES OF APPRECIATION FOR SERVICES

Chairman Crist made announcements as follows:

- 1) Although the Board has indicated a deadline of noon each Friday for items to appear on the Agenda, this does not mean that emergency matters will not be presented any time.
- 2) Proposal has been made to present Certificates of Merit to individuals in appreciation of services (civic, professional, etc.,) rendered Manatee County. This project is well advanced and will be completed in the near future.

TAYLOR, R. J. (JACK)

APPOINTED MEMBER BOARD OF TRUSTEES  
MANATEE VETERANS MEMORIAL HOSPITAL

Motion was made by Mr. Klemmer that R. J. (JACK) TAYLOR be re-appointed as member of the Board of Trustees of the Manatee Veterans Memorial Hospital for a two-year term. Motion was seconded by Mr. Bustle and carried.

PLANNING & ZONING COMMISSION  
MEMBERS APPOINTED

REEVES, GLENN S.  
WILHELM, A. B.

EVANS, JOSEPH  
WILDER, D. V.

Mr. Klemmer moved for the appointment of the following as members of the Planning and Zoning Commission, effective January 16, 1961:

- |   |  |
|---|--|
| GLENN S. REEVES                               | FOR A TERM OF 3 YEARS (re-appointment) |
| A. B. WILHELM                                 | FOR A TERM OF 1 YEAR (re-appointment)  |
| D. VINCENT WILDER                             | FOR A TERM OF 3 YEARS                  |
| (To replace H. L. Moss, term expiring)        |  |
| JOSEPH S. EVANS                               | FOR A TERM OF 3 YEARS                  |
| (To replace W. H. Hooper, Jr., term expiring) |  |

and that Certificates of Appreciation be sent to Mr. Moss and Mr. Hooper for their services to the county. Motion was seconded by Mr. Bibey and carried.

OFFICIALS' BONDS APPROVED

ELY, RAYMOND D.  
MICHAEL, JOE E.

Upon motion by Mr. Slaughter, seconded by Mr. Bustle, the following bonds were approved and executed by the Board:

- |                     |  |          |
|---------------------|--|----------|
| JOE E. MICHAEL, JR. | Justice of Peace, District 11                  |          |
|                     | Milwaukee Insurance Company of Milwaukee, Wis. | \$500.00 |
| RAYMOND D. ELY      | Constable, District 1                          |          |
|                     | Hartford Accident & Indemnity Company          | \$500.00 |

WARRANT LISTS AND REQUISITIONS APPROVED

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, Warrant List of January 9, 1961 was approved and Warrant Lists of January 14 & 16, 1961 were authorized,

January 9, 1961 (Cont'd)

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, requisitions were approved.

## BILLS APPROVED FOR PAYMENT

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

Anna Maria Teen Club	496.00	
Wyman, Green & Blalock	6.00	(Bond, J. D. Stokes)
Committee of 100	97.04	
Florida Shore & Beach Preservation Assoc.	100.00	
State Assoc. of County Commissioners	750.00	
Manatee County Insurance Agency	20.00	(Bonds, H.C. Slaughter Raymond D. Ely)
M. T. McInnis, Clerk Circuit Court	6831.50	
Manatee County Public Relations	597.02	(total)
G. B. Trout Insurance Agency	7.57	
Jury Commission: G. W. Dillon	100.00	
G. C. Valentine	100.00	
L. Sharer (Sec'y)	100.00	
	300.00	
S.W. Tuberculosis Hospital	687.50	
Gilbert E. Johnson	7595.18	& \$31,397.87
Cascade Petroleum Company	7.60	
(Refund of assessments on oil & mineral rights:		
Receipt #567888	\$5.07	
Receipt #567889	2.53)	

PALMETTO SKYWAY & PALMETTO POINT SUBDIVISIONS  
EXPENDITURE FOR STREET IMPROVEMENTS AUTHORIZED

John Benson, Jr., County Engineer, explained that a street lying between the Palmetto Skyway and Palmetto Point Subdivisions had deteriorated badly and should be re-paved; that the developers had proposed to pay two-thirds of the cost of the re-paving if the county would assume the balance of the estimated \$1400.00. Due to county maintenance responsibilities involved, he offered recommendation that the Board give the proposal favorable consideration.

Upon motion by Mr. Slaughter, seconded by Mr. Bustle, the Board authorized expenditure up to \$500.00 for improvements to the road between the two subdivisions.

## PURCHASE OF TRUCKS TABLED

Mr. Benson's request to advertise for bids on the purchase of trucks for the Road Department was tabled for further study.

BENSON, JOHN B.  
GRANTED LEAVE OF ABSENCE

Mr. Benson requested leave of absence to attend a conference of the Highway Research Board, National Association of County Engineers, in Washington, D.C., at no expense to the county. AUTHORIZED. (January, 1961)

## Correspondence was read from

- 1) Mable Davis, Supervisor of Registration  
Request for approval to attend conference of Florida Association of Supervisors of Registration in Clearwater, January 12, 13, 14, 1961.  
AUTHORIZED.
- 2) Board of County Commissioners, Sarasota County  
Notice of a meeting of the South Florida Highway District steering committee in Miami, January 20, and request name of delegate by this Board.

The chairman appointed Mr. Klemmer to attend this meeting as delegate from the Board of County Commissioners, Manatee County.

3) Department of Water Resources  
Request for the Board to arrange for a public meeting in Bradenton on the morning of January 20, 1961.

This matter was referred to Earl Bibey, as committee on Manatee River Water Supply & Conservation and Southwest Florida Water Conservation District, to arrange for the meeting to be held in the auditorium of the new Manatee County Office Building.

30TH AVENUE RIGHT OF WAY  
PURCHASE & APPRAISAL

Mr. Klemmer explained that it would be necessary to obtain additional right-of-way for the continuation of 30th Avenue W. running west from U. S. 41 (Tamiami Trail) to 26th Street, either by negotiation to purchase or condemnation proceedings, and moved that the appraisal be obtained and acquisition be authorized as soon as possible because a building was being started on one of the three lots involved. Motion was seconded by Mr. Bibey and carried.

Inasmuch as zoning clearance for the building had been obtained by the owner, the building director, Mr. Paul Cannon, was advised to confer with the county attorney relative to permit being issued for construction.

KISINGER, RAYMOND COUNTY SURVEYOR  
RECOMMENDATION COUNTY ENGINEER EXAMINE PLATS TABLED

Raymond Kisinger, County Surveyor, recommended that the county engineer be required to examine plats before they are submitted for Planning and Zoning Commission and the Board of County Commissioners for approval. This authority had been delegated to James A. Howze, former tax assessor.

This recommendation was taken under advisement.

MANATEE COUNTY TUBERCULOSIS & HEALTH ASSOCIATION COUNTY HEALTH DEPARTMENT  
LETTER OF APPRECIATION SENT FOR X RAY MACHINE

Mr. Bustle moved that a letter of appreciation be sent to the Manatee County Tuberculosis and Health Association for contribution of a new X-Ray Machine, to replace the very old in use at the County Health Department. Motion was seconded by Mr. Klemmer and carried.

LOW COST HOUSING PROGRAM, NO. 221  
FHA REQUESTED RE MANATEE COUNTY PARTICIPATION

Mr. Bibey requested, and was granted, permission to write the Housing and Home Financing Agency and the Federal Housing Authority in regard to making Manatee County eligible to participate in the low cost housing program, No. 221. Mr. Bibey, as county commissioner of the district in which relocation of U.S. 19 would cause displacement of many persons, expressed concern about this situation and urged that every effort be made to find a solution to the problem. Mr. Bustle advised that the chairman of the Urban Renewal Program, in Hillsborough County, has offered cooperation in any way possible.

MEETING ADJOURNED

Upon motion by Mr. Bustle, seconded by Mr. Klemmer, the Board adjourned to meet Monday, January 16, 1961 at 9:30 a.m.

ATTEST: M. T. McInnis, Clerk

  
Deputy Clerk

APPROVED

  
Chairman