

OCTOBER 9, 1961

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Monday, October 9, 1961 at 9:30 A. M.

Present were Commissioners Earl Bibey  
 H. C. Slaughter  
 Irwin Klemmer  
 Elmer Bustle  
 W. E. Crist, Chairman  
 Deputy Clerk Bruce M. Cox  
 County Attorney Kenneth Cleary

The meeting was called to order by Chairman Crist.

Minutes of the Regular Meeting of September 25, 1961 were approved on motion by Mr. Klemmer, seconded by Mr. Bustle and carried.

WILLIAMS SUBDIVISION, MELVINNIE  
 DEED ACCEPTED FOR RIGHT-OF-WAY ✓

Mr. Robert Knowles, attorney, requested that the Board accept a deed for a 43.36 foot right-of-way through the Melvinnie Williams Subdivision (plat recorded in Deed Book 328, page 152). He explained that the subdivision was laid out prior to subdivision regulations and provision was made for only a 10-foot road, which was deemed adequate at the time for the type buildings being constructed. Now that regulations required that buildings be constructed on a 50-foot right-of-way, the property owners were faced with the hardship of not being able to use their lots because they could not obtain a building permit. Inasmuch as there are existing buildings it was impossible to dedicate more than 43.36 feet, but all the property owners had joined in execution of the deed.

In view of the circumstances, outlined by Mr. Knowles and with which they were familiar, Mr. Vines, county planner, and Mr. Benson, county engineer, stated they offered no objections to the dedication.

The county attorney recommended that the deed be accepted with the understanding that the county did not assume responsibility for maintenance of the road.

Upon motion by Mr. Slaughter, seconded by Mr. Bustle, the deed was accepted, subject to approval by the county attorney, for dedication purposes only and not for county maintenance.

SOUTHERN INVESTMENT COMPANY SUBDIVISION  
 STREET VACATED

PUBLIC HEARING  
 RESOLUTION ✓

Public hearing was held on the petition of B. U. ZOLLER, A. S. ZOLLER and SEABOARD AIRLINE RAILROAD COMPANY to vacate certain streets in the SOUTHERN INVESTMENT COMPANY'S SUBDIVISION. (Located in City of Bradenton).

Mr. William Vines, planning director, submitted recommendation by the Planning and Zoning Commission that the petition be granted, as there were no objectors at the hearing held by that commission and the petition had been approved by the City of Bradenton council.

Upon motion by Mr. Bibey, seconded by Mr. Bustle, recommendation of the Planning and Zoning Commission was approved and Resolution granting the Petition was adopted.

RESOLUTION RECORDED

B17-42

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(Cont'd)

Z O N I N G

RECOMMENDATIONS BY PLANNING AND ZONING  
COMMISSION

Mr. William Vines, planning director, submitted recommendations of the Planning and Zoning Commission:

FERRELL PARK SUBDIVISION and FAIRHAVEN SUBDIVISION

Rezone from T-Trailer Park to C-1 Commercial;  
Lots 2, 5, 10 and 11 of Fairhaven Subdivision, also  
East 100 ft. of Lot 37 and East 100 ft. of North 15 ft.  
of Lot 36 of Ferrell Park Subdivision, located in Sect. 2,  
Twp. 35 South, Range 17 East, lying south of 26th Ave. W.  
and west of 14th Street W. APPROVED by P & Z Commission  
and so recommended to the Board.

Upon motion by Mr. Bibey, seconded by Mr. Slaughter, this rezoning was deferred for one week for the county attorney to check into the legal description.

CHILD CARE CENTERS

Amend Zoning Ordinance by permitting child care centers as a permissive use in all zoning districts in which residences are a permitted use. APPROVED by P & Z Commission and so recommended to the Board.

Mr. Vines explained that day nurseries (or child care centers) were not now mentioned in the zoning ordinances; that the amendment was duly advertised and there were no objections at the public hearing held by the P & Z Commission.

Dr. Allen advised that foster homes were allowed in any district, but they were limited to five children and the fact that there was no provision for child care centers in the ordinances was a problem; that environment was an important factor and residential areas were preferred to commercial areas for that reason.

Carl French appeared on behalf of John R. Cobb, who had petitioned for the establishment of a child care center on 43rd Street West. He stated that all those around the property had been contacted and there were no objections at all, this being done in the beginning because they did not want to pay the \$50.00 fee and come in and ask for something that they knew was going to be fought.

Oscar Brewer voiced objections to the establishment of day nurseries being allowed in residential areas because of the noise and nuisance.

JOHN R. COBB

Petition for the establishment of a child care center on Lots 198 and 199 of Westwego Park Subdivision, located at 618 43rd Street W. APPROVED by the P & Z Commission and so recommended to the Board as site meets all county regulations and had been inspected and approved (by Health Department).

Upon motion by Mr. Klemmer, seconded by Mr. Bibey, the proposed amendment relative to child care centers and the petition of John R. Cobb were deferred for one week.

ARTERIAL HIGHWAY PLAN

The Planning and Zoning Commission recommended adoption of the Proposed Arterial Highway Plan as indicated on a map projecting Federal Highways, 4-lane highways and 4 travel lanes, undivided.

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Upon motion by Mr. Slaughter, seconded by Mr. Klemmer, the Board deferred action on the Arterial Highway Plan for at least two weeks in order that the Plan could be given careful study.

BERNARD BANSTRA for B & W FROZEN FOODS

Petition for approval of a non-conforming use by enclosing a 30' x 36' existing truckport in a C-1 District to be used for a freezing room:

Begin at the intersection of the center line of Cortez Road as shown on Plat of South Side Farms, as per plat thereof recorded in Plat Book 7, Page 13, Public Records of Manatee County, Florida, and West line of Lot 4 of said Plat extended, thence East 20 feet, thence North parallel to the West line of said Lot 4 250 feet for a P.O.B.; thence continue North along the same line 100 feet, thence East 100 feet; thence South parallel to the West line of said Lot 4 100 feet, thence West 100 feet to the P.O.B.

APPROVED by the P & Z Commission and so recommended to the Board.

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, petition of Bernard Bandstra, for B & W Frozen Foods, was approved as recommended.

52 12.79 MEAD SMITH

The granting of a special exception for the erection of a Community Civic Center, located on Lot 6, Block 11, Subdivision of Rubonia, Sect. 25, Twp. 33 South, Range 17 East, was APPROVED by the P & Z Commission and so recommended to the Board.

Upon motion by Mr. Slaughter, seconded by Mr. Bibey, special exception for a Community Civic Center in Rubonia, for Mead Smith, was approved as recommended.

SHOUP VOTING MACHINE COMPANY  
CONTRACT EXECUTED FOR 20 VOTING MACHINES

Upon motion by Mr. Bibey, seconded by Mr. Slaughter, the Board entered into Contract Agreement for the purchase of twenty (20) voting machines from the Shoup Voting Machine Company, and the chairman was authorized to execute said contract.

TORCHY'S BAY VIEW CABINS  
COMPLAINT RE SET BACK LINES REFERRED TO PLANNING & ZONING COMMISSION

A letter from Joseph Torchia, Torchý's Bay View Cabins, called the Board's attention to the inequity of set-back lines in

Article 15-C1 Commercial District Section 15.4C, requiring set-back of 25 feet from county line for trailers, etc., and zoning law calling for setback of buildings of 50 feet, which caused hardship because trailers could be placed in such a manner as to obscure other business enterprises on the highway.

Upon recommendation of the county attorney, this matter was referred to the Planning and Zoning Commission for consideration at the time of amending the zoning ordinances.

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CONTRACTORS' BONDS APPROVED

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

Building Contractors

Jack Howard Tracy ✓  
Laurence Richmond  
James G. Casto

Plumbing Contractors

E. H. Christie ✓  
James Rowan

BETTER BUSINESS BUREAU

CHAIRMAN TO APPROACH CHAMBER OF COMMERCE RE ESTABLISHMENT ✓

Chairman Crist reported that it had been suggested by various business people and citizens throughout the area that it might be advisable for the county, or someone, to start what is commonly known as a Better Business Bureau in order to have a centralized agency to register complaints on unscrupulous business activities by people coming into the county and/or obtaining business or selling products under fraudulent circumstances, then moving out without fulfilling contract, etc. It was believed that the establishment of such a Bureau would prevent certain repercussions from unfavorable publicity that would affect the City of Bradenton and other cities involved, in addition to performing a service to the people of Manatee County by seeing that they receive just return for their money.

Upon question by Mr. Bibey as to whether or not this could be a part of the activities of the Chamber of Commerce, Chairman Crist stated that if there were no objections he would approach the Chamber of Commerce and other business organizations with a view toward finding out their reaction to this subject. Other members of the Board concurred with the chairman on this procedure.

GENERAL TELEPHONE COMPANY

RE: INCREASE IN RATES ✓

Inasmuch as the application of the General Telephone Company for increase in rates is coming up for decision on November 14, 1961, and this Board has taken no action insofar as whether the increase should be approved or disapproved, Chairman Crist stated that, in the absence of instructions to the contrary, he would approach the telephone company with a view toward getting a statement as to the proposed use of the increase (revenue therefrom) contemplated in the three counties involved and would advise the Board of the results.

DEPUTY SHERIFFS' BONDS APPROVED ✓

Upon motion by Mr. Bustle, seconded by Mr. Bibey, the following bonds were approved:

Sheriff's Posse

Joseph Andrew Ferencz  
Robert S. Harvin  
Ronald Stephen Keck  
Howard W. Kirk  
James T. McGowan  
Mayo B. Mott, Jr.  
Philip Herbert Silverthorn  
Ralph W. Smith  
Austin Ray Switzer

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School Deputies

Hazel Jeanne Varian ✓

## WARRANT LIST &amp; REQUISITIONS APPROVED

Upon motion by Mr. Bustle, seconded by Mr. Klemmer, Warrant List of October 9, 1961 and Requisitions were approved and Warrant Lists of October 14 and 15, 1961 were authorized. (Warrant list of October 14, 1961 to include payrolls of that date upon condition that all employees have performed their services in accordance with established time and payroll practices of the county departments.)

|                      |       |
|----------------------|-------|
| General Revenue Fund | No.   |
| Road and Bridge Fund |       |
| Miscellaneous Funds  | No. 1 |

## BILLS APPROVED FOR PAYMENT

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

|  |          |
|--|----------|
| Corene Norris, clerical help in the office of the<br>Soil Conservation District, at 75 cents<br>per hour, effective October 2, 1961. |          |
| Committee of 100   | \$ 94.42 |
| Manatee County Youth Center  | 9.58     |
| Florida Forest Service   | 9162.00  |

AVANT, JR., SIDNEY

APPLICATION APPROVED TUBERCULOSIS HOSPITAL ✓

Upon motion by Mr. Slaughter, seconded by Mr. Bibey, application of SIDNEY AVANT, JR., to enter the State Tuberculosis Hospital was approved.

## CORRESPONDENCE

Correspondence was read from

- 1) FLORIDA BOARD OF FORESTRY  
Report on operations during the year ending June 30, 1961. ✓
- 2) ROBERT O. WRIGHT  
Resignation as Assistant Director, Manatee County Civil Defense, effective 15 October 1961.

WRIGHT, ROBERT O.

RESIGNATION ACCEPTED

ASSISTANT CIVIL DEFENSE DIRECTOR ✓

Upon motion by Mr. Slaughter, seconded by Mr. Bustle, resignation of Robert O. Wright, as Assistant Civil Defense Director, was accepted and letter of appreciation for his services and Manatee County Certificate of Merit authorized sent to him.

- 3) WATSON & COMPANY  
Forwarding copy of Invitation to Bid for kitchen equipment and sterilizer and surgical lights for MVM Hospital (authorized advertised 19 September 1961)

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4) WEST SIDE FIRE CONTROL DISTRICT

Requesting the Board to accept easement and improve a road, to be known as 65th Street W., to be used as access to site to be purchased for central fire station.

Referred to Commissioner Klemmer in whose district the Fire District is located.

5) CITY OF HOLMES BEACH

Expressing desire to come under law to be enacted by county relative to regulations concerning reflectors on manually pedalled bikes.

Referred to county attorney Kenneth Cleary and Sheriff Ken Gross.

6) TRUSTEES OF INTERNAL IMPROVEMENT FUND

Notice that application of Albert F. Roth for bulkhead line (within City of Bradenton) approved. ✓

7) PALMA SOLA SCHOOL PARENT-TEACHERS ASSOCIATION

Requesting that County install and maintain sidewalks on and in proximity of Palma Sola School.

Referred to Commissioner Klemmer in whose district the school is located.

CADMUS, MILTON

RE: BEVERAGE LICENSE                      ACTION    NO OBJECTION RESCINDED ✓

Motion was made by Mr. Bibey that action of the Board on 11 September 1961, offering no objection to the increase in Beverage License series for MILTON CADMUS and the county attorney advising the State Beverage Department no zoning violations, be rescinded. Motion was seconded by Mr. Slaughter and carried.

COUNTY ENGINEER REPORTS

ANNA MARIA STREETS  
BULKHEAD MAPS ✓

Mr. John Benson, county engineer, reported that

==recommendations relative to improvements of three streets in Anna Maria had been sent to that city;  
==descriptions and maps establishing bulkhead line in Manatee River east of Bradenton and Palmetto almost ready to be delivered to the Trustees of the Internal Improvement Fund.

PIPE INSTALLATIONS AUTHORIZED ✓

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, recommendation of the county engineer was accepted and work authorized on

Storm drain south side of Little Pittsburgh Road installed at no cost to Met's Department Store if they would furnish the materials (650 ft. pipe to be laid).

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GAMBLE, PHILIP  
OPTION TO REMOVE SHELL, ETC., EXECUTED

Mr. Benson explained that the one-year option by the county to remove shell and shell marl materials from the property of Philip Gamble had expired and recommended renewal as it would be to the best interest of the county to have this material available at this location.

Upon motion by Mr. Bibey, seconded by Mr. Klemmer, the Board entered into Option with Philip Gamble for the right and privilege to excavate and remove shell and shell marl materials from

The Southwest corner of property described  
as that part of W $\frac{1}{2}$  of Section 26, lying  
north of Bradenton-Arcadia Road, less  
N 3769 ft. (26-14-18)  
for the sum of \$10.00

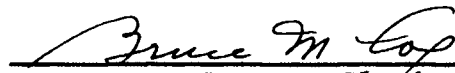
and said option authorized executed by the chairman.

MEETING ADJOURNED

The chairman declared the meeting adjourned until Monday, October 16, 1961 at 7:00 p.m.

ATTEST:

M. T. McInnis, Clerk

  
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Deputy Clerk

APPROVED 9 November 1961

  
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Chairman