

MARCH 12, 1963

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, March 12th, 1963 at 1:30 P. M.

Present were Commissioners E. A. Bibey, Chairman
 Dan McClure
 Irwin Klemmer
 Ralph S. Clark
 W. E. Crist, Vice Chairman
 Deputy Clerk Bruce M. Cox
 County Attorney Kenneth Cleary

The meeting was called to order by Chairman Bibey.

MINUTES APPROVED

Upon motion by Mr. Crist, seconded by Mr. Klemmer, Minutes of previous meetings were approved:

REGULAR MEETING OF FEBRUARY 27, 1963
 REGULAR MEETING OF MARCH 4, 1963

Z O N I N G

William Vines, County Planner, submitted matters on zoning for consideration of the Board.

SE-46 E. G. HAMILTON GOLF COURSE EXPANSION
 Application for permit for expansion of existing Palm View Golf Course from nine to eighteen holes; recommended by P & Z Commission for approval.

Upon motion by Mr. McClure, seconded by Mr. Clark, special exception for expansion of the Palm View Golf Course was approved.

Z-5 AMEND ZONING ORDINANCE TO ALLOW
 PLANNED COMMUNITY DEVELOPMENTS TABLED ONE WEEK

Commission-initiated petition to amend the zoning ordinance to allow Planned Community Developments as Special Exceptions in the "R" and "R-3" Districts was recommended by the P & Z Commission for approval. Mr. Vines stated that there was no attempt here to set up "Cluster Housing" or low cost or low quality projects and it was recommended that, if the amendment should be adopted, only high quality projects be considered.

Mr. Abe Cole described a planned development for this area if this amendment is approved and urged the Board to give favorable consideration to its adoption without delay.

This recommendation of the Planning and Zoning Commission was tabled for study for one week.

R-88 RE-ZONE FROM "T", VARIOUS PARCELS TABLED
 The P & Z Commission recommended approval of commission-initiated petition to rezone from "T" certain parcels of land presently undeveloped:

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- Parcel #1 Rezone to "R-1AA"
Land lying on Cortez Road, fronting on
Sarasota Bay
- Parcel #3 Rezone to "A"
Located north of dolomite plant at inter-
section of U. S. 301 and Manatee River
- Parcel #4 Rezone to "A", with rezone to "T" or "T-1"
recommended for approval simultaneously
with approval of final development plans.
Located east of Ellenton, south of U.S. 301,
fronting on Manatee River.
- Parcel #5 &
Parcel #6 Rezone to "A"
Land lying northerly and southerly of
the Manatee River.

Mr. Vines pointed out the locations of the various parcels on the map and explained the reasons for recommending the rezoning. Committee reports were submitted and discussed.

Thomas M. Gallen, attorney representing Louis J. Barolo, submitted Petition in Protest to rezoning the property described as Parcel 1, in R-88, recommended by the Planning and Zoning Commission. He pointed out the equities of his client in this property, stating that it had taken Mr. Barolo nine years to clear all flaws in the title and to meet all prerequisites of the Planning and Zoning Commission.

Mr. Herzog, who was interested in the development of this property as a waterfront trailer park, showed the Board members a plan of the proposed development and explained that it had not been submitted to the Planning and Zoning Commission because it had only recently been returned (approved) by the prospective buyer (B.C. Berg, of Chicago).

Motion was made by Mr. Clark that the recommendation of the Planning and Zoning Commission to rezone Parcel No. 1 to R-1AA be denied. Motion was seconded by Mr. McClure. (Tabled)

Mr. Crist stated that these recommendations were the result of a policy established some time ago and believed that the property should be inspected. He moved that the motion be tabled. Motion was seconded by Mr. Klemmer. Voting "Aye" for tabling motion to deny recommendation were Commissioners Crist and Klemmer. Voting "No" were Commissioners Clark and McClure. Chairman Bibey voted "Aye". Motion carried.

John C. Manson, attorney representing Ralph V. and Barbara M. Brewster and Oscar (Sr.) and Bessie T. Smith, submitted Petition of Protest to the proposed change in zoning their property described in Parcel 4, R-88, recommended by the Planning and Zoning Commission. He referred to Chapter 59-1542, Laws of Florida, 1959, Section 8.12, relative to changes in the zoning ordinances by amendment, and requested that the petition initiated by the Planning and Zoning Commission be turned down. (No substantial change in character or development of area under consideration for rezoning.)

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Harry Keller, owner of Parcel 3, requested that no change be made in the present zoning of the forty-acre tract.

Motion was made by Mr. Klemmer that the recommendation of the Planning and Zoning Commission No. R-88 be tabled until the regular meeting of the Board on March 18, 1963. Motion was seconded by Mr. Crist and carried.

When question arose as to the legality of this re-zoning, when the property owners objected to the changes, the county attorney declined to give an opinion at this time because of conflict of interests (he was attorney for Mr. Barolo, who was represented by Mr. Gallen at this hearing).

R-91 REZONE FROM T-1 TO A TABLED ONE WEEK
Commission-initiated petition to rezone from "T-1" to "A" a parcel of land on the Braden River adjacent to Jiggs Landing recommended for approval; P & Z Commission further recommends that at such time as final development plans are approved, the area be rezoned to "T" or "T-1".

Motion that the petition be denied was withdrawn in favor of tabling the matter for one week.

R-90 RICHARD WYNGARDEN- VILLA DEL SOL TRAILER PARK
Petition to rezone from "C-1" to "T" a 15-foot strip to allow enlargement of the lots in Villa Del Sol Trailer Park was recommended for approval.

T-19 VILLA DEL SOL TRAILER PARK PLANS APPROVED
Revised plans for enlargement of lots in Villa Del Sol Trailer Park recommended for approval.

Upon motion by Mr. Clark, seconded by Mr. Klemmer, petition to rezone a 15-foot strip for enlargement of lots in Villa Del Sol Trailer Park and the plans for this enlargement were approved and the rezoning adopted.

✓ RESOLUTION

ZONING
R-90

SE-45 MARJORIE BLANCK NURSING HOME APPROVED
Petition for special exception to allow a nursing home on Little Pittsburgh Road at 20th Street West was recommended by the P & Z Commission for approval, with stipulation regarding careful attention to architectural treatment, prior determination of health department requirements and prior approval of final subdivision plans for the remainder of the five-acre tract.

Motion was made by Mr. Klemmer that the petition for the nursing home be approved, provided that the petitioners comply with stipulations set out by the Planning and Zoning Commission as to

- 1) Architectural plans being submitted and approved by the Commission;
- 2) Sanitary and other utility facilities to be approved by local and State Health Departments;
- 3) 5-acre tract to be subdivided and final plat placed on record prior to final approval of application.

Motion was seconded by Mr. Clark and carried.

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ZONING OF LARGE UNDEVELOPED AREAS
PLAN APPROVED

Upon motion by Mr. Klemmer, seconded by Mr. Crist, the recommendation of the Comprehensive Plan Committee was accepted and policy of allowing no further large urban area zoning except in conjunction with firm development plans was approved.

FRASER, INC., CARL C. (J. C. GARRISON)
DEED TO 13TH AVENUE ACCEPTED

Upon motion by Mr. Clark, seconded by Mr. McClure, deed was accepted from

CARL C. FRASER (BY J. C. GARRISON)
for 13th Avenue W. right-of-way

SOUTHEAST HIGH SCHOOL
MATERIAL FOR RUNNING TRACK AUTHORIZED

Motion was made by Mr. McClure that the County Engineer be authorized to furnish clay or marl for the running tract at the Southeast High School. Motion was seconded by Mr. Clark and carried.

CUTTING & REMOVING TREES FROM COUNTY R/W
BIDS REFERRED TO COUNTY ENGINEER

Bids on cutting and removing trees from county rights-of-way were received and read from

STRICKLAND TREE SERVICE	\$60.00 per tree
VERNON THOMPSON	\$40.00 per tree
(trees in excess of 12 inches dia.)	

Upon motion by Mr. Klemmer, seconded by Mr. Clark, the bids were referred to the County Engineer for recommendation.

MONNIER, DONALD B,
BOND AS HOSPITAL TRUSTEE APPROVED

Upon motion by Mr. Clark, seconded by Mr. Klemmer, bond of DONALD B. MONNIER, as member of the Board of Trustees of the Manatee Veterans Memorial Hospital, was approved. (Term beginning January 14, 1963 and ending January 14, 1965).

BOSWELL, LEE W. & MARGARET
WARD, S. O. & DOROTHY B. R/W DEED FROG CREEK PROJECT

Upon motion by Mr. McClure, seconded by Mr. Clark, deed was accepted from

LEE W. and MARGARET BOSWELL)	Parcel No. 1 of the
S. O. and DOROTHY B. WARD)	Frog Creek Project

CERTIFICATE OF CORRECTION (E & I)

Upon motion by Mr. Crist, seconded by Mr. Klemmer, Certificate of Correction (E & I) was approved for

No. 319 SAMUEL A. CORNWELL, JR.

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WARRANT LIST & REQUISITIONS

Upon motion by Mr. Klemmer, seconded by Mr. Crist, Warrant List of March 12, 1963 and requisitions were approved and Warrant Lists of March 15 and 18, 1963 were authorized; Warrant List of March 15, 1963 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). (See page 48)

BILLS APPROVED FOR PAYMENT

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

Southwest Tuberculosis Hospital	537.50
Manatee River Soil Conservation	75.72
William Geeslin	136.70
M. T. McInnis	3098.15
Louis F. Schneider & J. Arthur Miller	450.00
Robert A. Rickey	1507.00
American Sterilizer Company	34876.80
Hawkins & Titsworth (Bond of D. Monnier)	20.00
Physicians Medical Laboratory	100.00
Park, Beach & Recreation Commission	207.15
Tampa Bay Regional Council	1000.00

PARK, BEACH & RECREATION COMMISSION
RE: PLANS FOR PUBLIC BEACH

Mr. McClure moved that the architects, Schneider and Miller, be requested to meet with the Park, Beach and Recreation Commission to discuss the terms of the contract for development of the Public Beach on south end of Anna Maria Island, which had been entered into between the architects and the Board of County Commissioners; also that the county attorney be present. Motion was seconded by Mr. Clark and carried.

STATE ROAD DEPARTMENT
RESOLUTION RE SECONDARY ROAD FUNDS

Upon motion by Mr. Clark, seconded by Mr. Crist, Resolution was adopted requesting the State Road Department to use proceeds of this county's share of the Seventh Cent gas tax (80% of the 7th Cent) for 1963-1964 on the following roads:

- 1) SR 675 - Rutland Road. It is requested that this road be re-surfaced from Parrish to Sullivans Bridge (U.S. 301 to SR 64)
- 2) SR 64 Spur - 75th Street. It is requested that road be re-surfaced from Manatee Avenue north to DeSoto Monument.
- 3) It is requested that the remainder of Manatee County Secondary Funds be reserved for purchase of Primary Rights of Way.

RESOLUTION RECORDED C18-13

COUNTYWIDE DRAINAGE SYSTEM PLAN

Mr. Crist was authorized to proceed with determining the cost, and time involved, of preparation of overall drainage plan by a competent hydraulic engineer.

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LEGISLATION

Edwin A. Jones submitted a copy of Policy Statement of the Committee for Manatee County with a draft of a County Code for Manatee County. He requested that the Commissioners consider the County Code Bill in the meeting to be held Thursday, March 14th instead of the proposed "City of Manatee" Bill.

Mason Woodworth presented summary of signatures on petitions to legislators opposing enactment of proposed Act Creating City of Manatee, which would be presented to the legislative committee at the public hearing Saturday, March 16th.

G. E. Rautenbert requested that, should the referendum on the new City of Manatee bill be held, the date be changed from September 9 to November 5 or 12.

After a short recess, the Board reconvened, with Vice Chairman Crist presiding in the absence of the Chairman who was called to a meeting of the Airport Authority.

Gene Cox, representing the committee opposed to the City of Manatee bill, asked that the county commissioners withdraw their implied support of this bill and endorse the County Code Bill.

CORRESPONDENCE

Correspondence was read from

- 1) PALMETTO JUNIOR CHAMBER OF COMMERCE
Resolution urging legislative delegates to allow residents to express desires re "City of Manatee" in referendum.
- 2) STATE ASSOCIATION OF COUNTY COMMISSIONERS
Re: Governor Farris Bryant's "County Government Week" Proclamation.

PROCLAMATION COUNTY GOVERNMENT WEEK

Upon motion by Mr. Clark, seconded by Mr. Klemmer, the week of March 18 - 22, 1963 was proclaimed "County Government Week" with public invitation to citizens to visit the county courthouse to observe duties, services and functions of its several departments.

- 3) DESOTO CELEBRATION, INC.
Request for Board to purchase award/trophy for outstanding float in DeSoto Parade.

DESOTO CELEBRATION

Motion was made by Mr. McClure that the Board participate with DeSoto Celebration, Inc., for purchase of a trophy, up to \$50.00, such trophy to be rotated from year to year as annual award by the County Commissioners for the outstanding float in the DeSoto Parade. Motion was seconded by Mr. Klemmer and carried.

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- 4) RICHARD W. ERVIN, ATTORNEY GENERAL
Ruling that Vice Chairman of the Board of County Commissioners or Vice Chairman of Board of County Commissioners of Sarasota County would be authorized to sit as members of the Sarasota-Bradenton Airport Authority Board when Chairman of either Board of County Commissioners is unable to act either through illness or otherwise.
- 5) J. G. RIDDLE, HARRY SNOW
Request to open road between Snow's, the Golf Course and Riddle's properties, east and west lines through to Palm View Road.

This was referred to Mr. McClure, who advised that the matter was being investigated.

MANATEE VETERANS MEMORIAL HOSPITAL
FRENCH, CARL

APPOINTED TRUSTEE

Motion was made by Mr. Klemmer that CARL FRENCH be appointed member of the Board of Trustees of the Manatee Veterans Memorial Hospital for a period of three years, to fill vacancy created by resignation of James Valdes.

Mr. Crist requested Mr. Klemmer to act as Chairman.
Mr. Crist seconded the motion for appointment of Carl French as Trustee for the Manatee Veterans Memorial Hospital.

The Chair was then resumed by Mr. Crist, who called for a vote on the motion.

Voting "Aye" were Commissioners McClure and Klemmer. Commissioner Clark voted "No". Motion was carried.

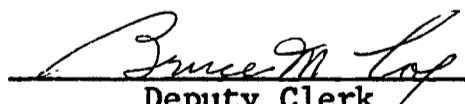
MEETING ADJOURNED

The Vice Chairman then declared the meeting adjourned until Monday, March 18, 1963 at 1:30 P. M.

ATTEST:

M. T. McInnis, Clerk

APPROVED:


Deputy Clerk


Chairman

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See page 46 for Motion approving Warrant List:

General Revenue Fund	#1563 - #1638
Road & Bridge Fund	# 669 - # 714
Miscellaneous Funds	# 145 - # 158
Capital Outlay Fund	# 28 - # 30