

MARCH 19, 1963

BULKHEAD LINE

The Board of County Commissioners met in the Court House in Bradenton, Florida, Tuesday, March 19th, 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. He stated that the purpose of the meeting was to hold a public hearing on the establishment of a bulkhead line in that portion of Manatee County extending from the Hillsborough-Manatee County line southward to the existing line; however, before proceeding with the hearing, one small matter of county business required disposition.

SEASIDE GARDENS

PLAT APPROVED

William Vines, County Planner, submitted plat of Seaside Gardens, a subdivision lying wholly within the City of Holmes Beach, and advised that it had been found to be in order by the County Engineer ~~eer~~ and the County Attorney (approved by City of Holmes Beach).

Upon motion by Mr. Crist, seconded by Mr. Klemmer, the plat of Seaside Gardens was approved..

BULKHEAD LINE

The Chairman of the Board opened the public hearing on the establishment of a bulkhead line described as: "Begin at the intersection of U. S. Highway 19 and the Tampa Bay coastline of Manatee County; thence run northeasterly along the natural undulations of the Manatee County coastline to the Manatee-Hillsborough County line", advertised October 5, 12 and 19, 1962, to be held at 10:30 A. M., November 19, 1962; which public hearing was continued (page 627, Minute Book 17) until February 18, 1963 (page 23, Minute Book 18) and then continued until March 19, 1963, at 1:30 P. M.

JAMES WALLACE, attorney, owner of the property around Two Brothers Island, proposed that (1) the bulkhead line be brought up and around the island from the south, and (2) if any steps were going to be taken to acquire the property for public property (parks, etc.) that this be done now.

The Chairman advised, for the record that the subject of taking, or acquiring, this property had not been discussed by the Board of County Commissioners.

LETTERS considered pertinent to this hearing were read by the County Attorney: (all these letters were in favor of the Board not deviating from present policy in the establishment of bulkhead lines and/or urging that the line be set with a view toward conservation of marine and wildlife)

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- 1) Isaac Walton League of America, Manatee Chapter
(with resolution)
- 2) Dorothy Y. Hilburn
- 3) Mabel V. Phillips
- 4) Weston B. Lazear
- 5) Dr. Davies Lazear
- 6) Alden Dun Perley
- 7) Mrs. J. Henry Rummell
- 8) Marian Sorenson
- 9) Mrs. Juliet Grandi
- 10) Edith & Harold Heiser
- 11) Florence C. Garris
- 12) Mr. & Mrs. Bertram A. Barber
- 13) Manatee County Audubon Society
- 14) Manatee River Garden Club, Palm Circle
- 15) Mrs. Cordelia A. Keeler
- 16) Mrs. Majorie W. Ward
- 17) Mrs. Florence Rodgers
- 18) Marian R. Armstrong
- 19) Ernest C. Colwell
- 20) G. L. Armstrong
- 21) Harry W. Hayward
- 22) Mrs. Walter H. Heath & Mrs. W. R. Billup
- 23) Leslie B. Ryder
- 24) Mrs. Eva B. Hitch

The letter from "A winter visitor" was discarded
(no name signed)

D. G. HALEY, attorney, was present to object to the establishment of a bulkhead line as proposed. He had previously filed objections of

D. G. HALEY, JOHN D. SASSE, AND BARNETT NATIONAL BANK OF JACKSONVILLE, FLORIDA, AS TRUSTEE OF TRUST ESTATE OF A. Y. MILAM, DECEASED TO PARTS OF THEIR LANDS AFFECTED BY PROPOSED BULKHEAD LINES; (with supplement)

LUCIUS S. RUDER, AS IT AFFECTS HIS LANDS (with supplement)

ANNE M. HALEY, AS IT AFFECTS HER LANDS (with supplement)

He stated that this was a very serious situation so far as these property owners are concerned and thought that these property owners should be given the right to discuss this matter prior to a public hearing, and he had suggested that a committee be appointed to review the situation. He stated that he had bought his lands in this area in 1919 and had paid taxes for forty-three years and felt he was entitled to this consideration. He referred to the proposed bulkhead line here as incongruous, inharmonious, of varying widths and impossible; that those were shallow sloughs or bayous, filled with mangrove, not navigable, at low tide he could walk across them.

The County Attorney stated that he was willing to accept the certificates (showing chain of title to these lands by government patents, etc.) given him by Mr. Haley and insisted that the abstracts be furnished for his examination, and that it was not necessary for them to be brought to date. Mr. Haley stated he would provide the abstracts as requested.

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DEWEY A. DYE, JR., attorney representing the Hendry Corporation, who owned approximately 950 acres along the north side of Bishop's Harbor and a portion along Tampa Bay north of Bishop's Harbor, stated that they had prepared an exhibit, based upon a survey made by Freeman H. Horton, engineer, of aerial photographs (with overlays), taken within the last six weeks.

He pointed out the boundary lines of the Hendry property, survey lines of the U. S. Government survey of the section. He explained that this whole area, practically, is mangrove, salt marshes, flats, water, oyster bars; that when the U. S. Government survey was made (estimated to be in the 1850's) it was classified as swamp and overflow land and not as submerged and it was patented out as swamp and overflow land, which means that over half of it is land and somewhat less than half of it is water.

Over the aerial photograph the engineer had superimposed the suggested bulkhead line, prepared by the technical committee (county), showing the effect of the line on private ownership. He stated that over three hundred acres, under the proposed line, would be excluded from any possibility of development, just cut out completely.

FREEMAN H. HORTON, engineer, as a witness for Mr. Dye, described the general character of the property owned by the Hendry Corporation as typical mangrove swamp area with sand flats and mud pockets; pockets of water two to two and one-half feet deep at high tide.

Mr. Dye referred to the report of the Bulkhead Line Committee of November 19, 1962, which oriented the area for conservation of marine life, for which there is no provision in the statutes (state concerned with interference with navigation); that if sanctuary was desired the property should be purchased and not ask the owner of suitable property to donate; that the committee had made proposal for the line according to their own standards instead of conferring with property owners as to their desires for uses of their own land.

BOB BENDER, speaking on behalf of the Isaac Walton League of America, Manatee Chapter, urged the Board to consider the protection and conservation of natural resources of the area, including valuable grass flats and mangrove areas essential to marine and bird life which contribute substantially to sports and commercial fishing and the general overall economy of Manatee County, and requested that the bulkhead line be adopted as recommended by the committee.

COL. BERT N. BRYAN, representing the Manatee County Conservation Alliance, asked for conclusion of this matter, stating that the Alliance approves of the committee recommendation, but recognizes the possibility of some modification at some future date; that when the line is finally set the Conservation Alliance will be behind the Board unless consideration of public interest is not considered.

Other individuals speaking in favor of setting the bulkhead line as recommended by the Bulkhead Line Committee and/or conservation of natural resources were:

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EDWIN CRAWFORD

ALLEN HITCH, president of Manatee County Audubon Society

WAYNE MEAD, president of Fish Dealers Association, Manatee County

LEWIS KENDON

FRED BALDWIN

WILLIAM VINES, County Planner and a member of the Bulkhead Line Committee, explained the reasons for the committee submitting the proposal for establishing the bulkhead line as designated on the map. After summary, he stated the intention was to, as much as possible, balance the needs and values of development portion of the land while reducing marine values as little as possible.

COMMITTEE APPOINTED

Chairman Bibey appointed a committee of William Vines, John Benson, Kenneth Cleary and himself to meet with the owners of property in the area of the proposed bulkhead line sometime in the very near future to discuss various merits of the line.


PUBLIC HEARING CLOSED


Upon motion by Mr. Crist, seconded by Mr. McClure, the public hearing was closed.

ATTEST:

M. T. McInnis, Clerk

APPROVED:


Deputy Clerk


Chairman