

OCTOBER 7, 1963

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Monday, October 7th, 1963 at 1:30 P.M.

Present were Commissioners E. A. Bibey, Chairman
 Dan P. 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.

WALTER CORPORATION, JIM
 RE: LEROY MAZON PROPERTY, LORD'S SUBDIVISION

L. F. Hines, sales manager of Jim Walter Corporation, requested information on requirements of the Building Department that property be located on a county-maintained road in order for the owner to obtain a building permit. He advised that the property on which his firm wished to construct a residence for Leroy Mazon was located in Lord's Subdivision Replat of W $\frac{1}{2}$ of Lots 5 & 6 (in Tallavast area). He was referred to the County Engineer, who would determine if this was a plat of record with proper dedication of roads, etc., to the public.

PALMA SOLA WATER SHORTAGE PROBLEM
 COUNTY ATTORNEY REQUESTED SEEK INJUNCTION

A group of residents in the Palma Sola area were again before the Board relative to the continued water shortage and to urge that steps be taken to eliminate agricultural activities in the residential areas (67th and 75th Streets). Jim Beck stated that it had been definitely established that the pumps (used by the farmers for irrigation purposes) affected the water supply in the area.

Herman Stahl gave readings of water levels at various intervals before, during and after the period of time the farmers had refrained from pumping.

Mr. McClure noted from figures supplied by the County Health Director that approximately fifty deep wells were located north of Manatee Avenue and approximately seventy located south of Manatee Avenue, west of the city limits, and that all could be contributing to the problem. He pointed out that some of these were flowing wells.

Motion was made by Mr. Klemmer that the County Attorney be authorized to seek relief for the citizens of the western part of Manatee County by any legal means, an injunction, or whatever is necessary in order to secure a just distribution of water to everyone. Motion was amended to include provision that the Chairman of the Board supervise and approve the recommendation of the County Attorney (so that the responsibility rests with the Board and not the County Attorney). * Motion was seconded by Mr. Crist (who made recommendation for the amendment).

Voting "Aye" were Commissioners Bibey (Chairman), McClure, Klemmer, Clark and Crist. Motion carried unanimously.

*And further that the matter move expeditiously, with authority to obtain expert advice with a view toward solving the problem.

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After a ten minute recess the Board reconvened with all members present.

CIVIL DEFENSE

REPAIRS TO BASE STATION AUTHORIZED

Madelon Snyder, Manatee County Civil Defense Director, requested permission to have the base station on the Road Department net put into operable condition. She stated it was impossible to use the facilities (radio) in the Civil Defense headquarters during the storm on September 29th and there was no radio contact with the County Engineer and the crew. The Board authorized her to proceed with the necessary repairs.

MANATEE COUNTY CALL

ACTION DESIGNATING LEGAL ADVERTISING RESCINDED

Robert Knowles, appearing as attorney for the Bradenton Herald, referred to action of the Board in recent meeting designating the Manatee County Call to be the official newspaper for publication of legal notices as of the 1st of October, 1963. He said there was probably a misunderstanding as to the law as far as their being qualified as of now to run legal notices; that it was his understanding that they will not have held a second class mailing permit until sometime in March, 1964. He asked if the Board intended to take action designating a newspaper which would be properly qualified at this time to handle these legal notices.

Mr. Crist moved that the action by this Board designating the Manatee County Call as the legal advertising representative be rescinded. Motion was seconded by Mr. McClure and carried. (See page 268, Minutes of September 24, 1963.)

PALMETTO GROVE & GARDEN COMPANY

PETITION TO CLOSE STREETS APPROVED

PETITIONER: AMERICAN CONCRETE C/T

Public hearing was held on the petition of AMERICAN CONCRETE CROSSTIE CORPORATION to vacate portions of streets or alleys in PALMETTO GROVE and GARDEN SUBDIVISION. There were no objections and the Planning Director advised that the zoning committee had determined that no service to be rendered by these streets except to the area involved. (Correction: Mr. Wilder advised that the investigating committee had found that no service was to be rendered by these streets except to the area involved. This referred to the area being excavated by the petitioner to supply fill for the new highway.) Public hearing was closed.

Jack Newsome, attorney, appeared on behalf of the petitioner.

Upon motion by Mr. McClure, seconded by Mr. Clark, the petition was granted and resolution was adopted vacating portions of 4th Avenue E., 6th Avenue E., 33rd Street E. and 37th Street E., in Palmetto Grove and Garden Subdivision.

RESOLUTION RECORDED C18-87

BUDGET AMENDMENT : CAPITAL OUTLAY

FEDERAL GRANT FOR MANATEE MEMORIAL HOSPITAL

Public Hearing was held on proposed Supplemental Budget for including Federal Grant of \$43,000.00 and cash carry-over of \$39,487.99 in the Capital Outlay Fund (for Manatee Memorial Hospital) in the budget

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for 1963-1964. Public Hearing was closed.

Upon motion by Mr. Clark, seconded by Mr. Klemmer, Resolution adopting the Supplemental Budget for the Capital Outlay Fund for the fiscal year 1963-1964 was adopted.

RESOLUTION

C18-88

COUNTYWIDE LIBRARY SERVICE
ALLOCATION CONFIRMED

The Board having given public notice that it would consider providing for the establishment of free library service for Manatee County at this meeting, moved for approval of agreement between the Florida State Library Board, the City of Bradenton and the City of Palmetto and the Board of County Commissioners ; and further that a Resolution be adopted allocating \$10,000.00 for this purpose and requesting the Governor of the State of Florida to appoint the members of the County Library Board as follows:

Colonel C. H. Owens for a term of ONE YEAR
Reverend Fred T. Kyle for a term of TWO YEARS
Mrs. James P. Thornton for a term of TWO YEARS
Miss Helen Holt for a term of THREE YEARS
Mrs. Fred Eubanks for a term of THREE YEARS

Motion was seconded by Mr. McClure and carried.

RESOLUTION

C18-89

Z O N I N G

D. Vincent Wilder submitted and explained the recommendations of the Planning Commission.

Z-7 SIGN REGULATIONS APPROVED AMENDMENT TO ORDINANCE
Commission-initiated petition to consider amendment of sign regulations in the Zoning Ordinance (1) To revise sign free zones as indicated on amended map; (2) To adopt policy for granting temporary sign permits in the sign free zones on Temporary Use Permit basis. Recommended by Planning Commission for approval.

James Wallace, attorney for the Sign Industries, and Mr. King, of King Sign Company, offered suggestions in connection with the proposed amendment.
Public hearing was closed.

Motion was made by Mr. Klemmer to adopt resolution revising the sign free zones as indicated on the map and approving the policy for granting temporary sign permits in the sign free zones. Motion was seconded by Mr. Crist. Voting "Aye" were Commissioners McClure, Klemmer and Crist. Voting "No" were Commissioner Clark and Chairman Bibey. Since no change in the zoning ordinance shall become effective except by an affirmative vote of four-fifths of the full membership of the Governing Body, the Chairman stated that motion did not carry.

Motion was made by Mr. Clark that recommendation No. 2 of the Planning Commission be accepted and resolution be adopted setting the Policy for Granting Temporary Sign Permits in the Sign Free Zones and that

recommendation No. 1 concerning revision of the sign free zones be returned to the zoning ordinance committee for study and re-submit to this Board in two weeks. Motion was seconded by Mr. Crist and carried unanimously.

ZONING
Z-7

RESOLUTION

Z-8 FLORIDA MOBILEHOME ASSOCIATION
"T" and "T-1"

AMENDMENT TO ZONING
ORDINANCE RE MOBILEHOME
DISTRICTS APPROVED

Petition to consider amendment of the "T" and "T-1" Mobile-home Zoning Districts in the Zoning Ordinance to permit use of required side and rear buffers for street right of ways. Recommendations of the Zoning Commission were outlined by Mr. Wilder.

James Wallace, attorney representing the Florida Mobilehome Association, stated that there was no controversy on the proposed amendment.

Upon motion by Mr. Clark, seconded by Mr. McClure, the recommendations of the Planning Commission were accepted and Resolution adopting Amendment to the Zoning Ordinance, "T" and "T-1" Mobilehome Zoning Districts (buffer zones) was adopted.

ZONING
Z-8

RESOLUTION

Z- 10 AMENDMENT TO ZONING ORDINANCE

"BOAT LIVERIES"
CONTINUED ONE WEEK

Commission-initiated petition to consider amendment of the Zoning Ordinance with regard to Special Exceptions (boat liveries, etc.); recommended by Planning Commission for approval.

Upon motion by Mr. Crist, seconded by Mr. Clark, action on this proposed amendment was deferred and the matter continued one week.

R-116 BRADEN RIVER CORP. REZONE TO "T" DENIED

Petition to rezone from "C-1 and "A" to "T" to permit installation of a mobilehome subdivision on a 320-acre parcel lying south of SR 70 and east of Braden River City (Gateway East) was recommended by the Planning Commission for denial. (area involved does not comply with adopted county policy of permitting new mobilehome development only in those areas of the county which are characterized by existing mobilehome development).

Ed Johnston, attorney representing Braden River Corp., stated there had been no determination by the Planning and Zoning Commission as to the highest and best use of the land, but the decision to deny was based only on the fact that this was not in conformity with the policy that had been previously established. He stated that he would like for the record to indicate that the petitioners requested the Board to make known the reasons why this particular petition was denied and that this particular request by the petitioners was denied, that they had no knowledge other than the written recommendations by the Planning and Zoning Commission as to why this petition was denied.

Chairman Bibey said to let the records show, also, that Mr. Johnston had made no effort to secure this information from the Planning and Zoning Board (since the hearing).

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Mr. Johnson pointed out that this property was in a remote area and there were not a great number of objections to the petition, as filed, by the residents living in the immediate area, although there was some objection (by adjoining property owners). He explained that the original subdivision development had not progressed as anticipated and a swimming pool, shuffleboard courts and appropriate recreation area had been installed in the hope that more people would be attracted to buy homes; that the homes were not sold and the owners considered this plan to make, in their opinion, the highest and best of the land and would enable them to sell lots to prospective mobile-home owners and also to continue in the home construction business. He requested that the Board consider rezoning only forty acres, directly east of the existing subdivision, at the present time instead of the entire parcel as petitioned and consider the balance on amended petition at a future date.

Dewey A. Dye, Jr., attorney for the Manatee Fruit Company, an abutting property owner, objected to the granting of the petition by Braden River Corp.

R. A. Jordan submitted petition from residents of Gateway East (Braden River City) and the members of Baptist Chapel stating no objections to the mobilehome development;

Mr. and Mrs. W. S. Anderson spoke in favor of the development.

Mr. Crist recommended and moved that the Board accept the recommendation of the Planning Commission and that the petition of Braden River Corp. be denied. Motion was seconded by Mr. McClure and carried. (Mr. Clark refrained from voting.)

V-26 PALMETTO GROVE AND GARDEN SUBDIVISION
(Public hearing held and resolution adopted page 271)

V-33/27 JOHN WESLEY PARK REPLAT
Request for adoption of a resolution setting time and place of public hearing for vacation of a portion of 15th Street Court E., running between 66th Avenue Drive and 66th Avenue Terrace, just east of U.S. 301.

WESLEY PARK REPLAT, JOHN
PUBLIC HEARING SCHEDULED ON PETITION TO VACATE STREET

Upon motion by Mr. Clark, seconded by Mr. McClure, Resolution was adopted setting October 21st, 1963 as the date of public hearing on the petition of DETWEILERS PROPANE GAS SERVICE, INC., to vacate a portion of a street in John Wesley Park Replat.

✓RESOLUTION C18-90

R-120 MANATEE ROYAL PALMS, INC. REZONE TO "R-3" AND
SPECIAL EXCEPTION DELAYED

Petition to rezone from "A" to "R-3" and to grant Special Exception to permit a Planned Retirement Community on a 500-acre parcel located 2½ miles east of Braden River, north of State Road 64, was recommended by the Planning Commission approval subject to and simultaneous with approval of final plans of each unit, which will be final subdivision plans, or in the event no subdivision plat is filed, will be

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guaranteed by bond or other security in the same manner as subdivisions.

Mr. Crist moved that this petition be delayed for one week in order that the Board would have an opportunity to examine the preliminary plans. Motion was seconded by Mr. Klemmer and carried.

ELECTION OFFICIALS
DESIGNATED FOR NOVEMBER 5, 1963 SPECIAL ELECTIONS

Upon motion by Mr. Clark, seconded by Mr. Crist, Clerks and Inspectors were appointed to conduct the Special Elections to be held Tuesday, November 5th, 1963.

✓ RECORDED

C18-91

WORKMEN'S COMPENSATION INSURANCE
BIDS REFERRED TO CLERK & COMMITTEE

Bids on Workmen's Compensation Insurance for the period November 1, 1963 to November 1, 1964, were received, opened and read from

KESSLER & ASSOCIATES

SHELTON INSURANCE COMPANY

ISLAND INSURANCE AGENCY

JOHN HUTH

and referred to the Deputy Clerk and Insurance Committee for study and recommendation, on motion by Mr. McClure, seconded by Mr. Klemmer.

COUNTY EMPLOYEES COMMENDED

Upon being advised by the County Engineer that the employees in the Manatee County Engineering and Highway Departments had done an outstanding job during the emergency on Sunday, September 29th, 1963 (Storm) and in addition to the thirty hourly employees, who received compensation for their work, there were salaried employees who would receive no compensation.

These employees were

Bill Baird
Ken Foster
Luther Bartels
Dorothy Davis

Edith McLennon
Clyde Fortner
Lewis Harrison
Mark Wright

and the Board commended them for aiding during the emergency.

MEETING ADJOURNED

Upon motion the Board adjourned until 1:30 P.M., Tuesday, October 8, 1963.

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