

JULY 9, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, July 9, 1974 at 9:05 A. M.

Present were Commissioners Ken Burton, Chairman
 Robert C. Hutches, Vice Chairman
 Dan P. McClure
 L. H. Fortson, Jr.
 Kenneth D. Dierks
Also present were Henry E. Bourne, Deputy Clerk
 Richard A. Hampton, County Attorney

The Meeting was called to order by Chairman Burton.

ZONING

Recommendations of the Planning Commission were presented by Art Fischer, Planning Director.

R-680 W. G. KOEHN, Vice president, Trust Officer, Manatee National Bank (Lane Marshall & Assoc., agent) - Request to change present zoning on 3415 First Street, Bradenton (10 acres) from R-1AA District to PUD.

The Planning Commission recommended approval provided the maximum density of dwelling units per acre does not exceed that which was authorized in the R-1AA and C-1 Districts prior to this action. (For Commercial, Professional, Motel and Multi-family housing.)

Motion was made by Mr. Hutches that R-680 be approved and Resolution adopted as follows:

REZONE FROM DISTRICT R-3 : W'ly 569.85 ft. of N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 1, Twp. 35 S, R 17E; less 1st Street R/W - TO DISTRICT C-1;
Note: See April 24, 1974 for approval to C-1)

REZONE FROM DISTRICT R-1AA: E'ly 670.15 ft. of N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 1, Twp. 35S, R 17E - less 1st Street R/W; further described as 3415 First Street, Bradenton. (Note: See April 24, 1974 for referral R-1AA to R-3 back to Planning Commission for restudy.)

Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED ZONING
 R-680

R-684 COUNTY COMMISSION INITIATED; R-1AA DENIED

Request change from present zoning

R-587 (From R-3 back to R-1AA) east side of 26th Street W.

R-593 (From R-3 back to R-1AA) 4915 26th Street W.

The Planning Commission recommended R-3 zoning remain, which was recommendation for denial of Commission Initiated R-684.

Turner Matthews, attorney representing the owner of the 4.2-acre parcel, stated that the owners have plans drawn and proceeding as the financial market permits, noting that there was drastic drop in this type of development because no funds are available for financing.

Carl French, representing the owners of the 21.53-acre parcel, said no plans were presented at the time of rezoning and they were trying to acquire another portion to make a total of :27 acres; that a land planner had been employed to make a study of the total acreage.

Motion was made by Mr. McClure that R-684 be DENIED and that the property in R-587 and R-593 remain as presently zoned. Motion was seconded by Mr. Fortson and carried unanimously.

JULY 9, 1974

(Cont'd)

R-688 JACK MOORHEAD DISTRICTS R-1B, C-1 ADOPTED

Request change Parcel A from District A to District R-1B, or such other district as is determined to be more appropriate, and to permit said parcel to be used for subdivision of single-family residences with a golf course thereon, together with related facilities and to change the present zoning of Parcel B from District A to District C-1, or such other district as is determined to be more appropriate, to permit said parcel to be used for commercial and support purposes of Parcel A and other related commercial purposes.

Location: SE corner between U.S. 301 and Erie Road or North of U.S. 301 and east of Erie Road, between Parrish and Palmetto. The Planning Commission recommended approval .

Jack Moorhead outlined plans for development of Rocky Bluff and Tennis Club Estates, with density of 1.76 per acre (Golf Course #1 phase, Residential #2 phase, Commercial last phase).

Chairman Burton stated that Mr. Moorhead had previously approached him in connection with rezoning the property for a mobilehome park and he had recommended that it be developed for single-family residences; that because of his interest in this connection he felt he should not vote on the motion.

Mr. Hutches moved for the approval of R-688 and for the adoption of a Resolution rezoning PARCEL A, containing 220.71 acres, to DISTRICT R-1B, and rezoning PARCEL B, containing 14.88 acres to DISTRICT C-1. Motion was seconded by Mr. Dierks and carried by affirmative vote by Mr. Hutches, Mr. Dierks, Mr. Fortson and Mr. McClure.

ZONING
RESOLUTION RECORDED R-688

R-689 DR. LUTHER WILKINS PR (PROFESSIONAL) ADOPTED

Request to change zoning from District R-1AA to District PR- (Professional, .66 acres located 4705-09 26th Street W. The Planning Commission recommended approval with recommendation that ingress and egress not be directly onto 26th Street W.

Ed Whitted was present on behalf of the petitioner and stated that plans were not firmed up as yet but visualizes either two or three professional offices.

Mr. McClure moved for the approval of R-689 and adoption of a Resolution rezoning the property to DISTRICT PR (PROFESSIONAL) in accordance with recommendations of the Planning Commission. Motion was seconded by Mr. Hutches and carried unanimously.

ZONING
RESOLUTION RECORDED R-688

SE-729 (SE-540) JAMES COKER MOBILEHOME APPROVED

Request to permit mobilehome for dwelling in conjunction with agricultural uses on 9.62 acres located NE of Myakka City on Wauchula Road, approx. 1½ miles north of SR 70, Myakka. The Planning Commission recommended approval for two (2) years.

Mr. Hutches moved for the approval of SE-729 and adoption of a Resolution to permit James E. Coker to locate a mobilehome on said property for a period of two (2) years. Motion was seconded by Mr. Dierks and carried unanimously.

ZONING
RESOLUTION RECORDED SE-729

R-691 SARASOTA-MANATEE AIRPORT AUTHORITY; DISTRICT M-1 ADOPTED

(Richard V. Wolf, Sectary) - Request to change zoning from District R-3 (Multiple Family Residential) to District M-1 (Industrial), or to such other district as is determined to be more appropriate, 10 acres m/1 located on East side of

U.S. 301 approx. 800 ft. north of County Line Road (85th Avenue E.).

The Planning Commission recommended approval. (Airport Authority negotiating lease for construction of a warehouse.)

Mr. Dierks moved for approval of R-691 and adoption of a Resolution rezoning said property to DISTRICT M-1 (INDUSTRIAL). Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING R-691

R-693 ELLIS GREENE DISTRICT "A" ADOPTED

Request rezone from District R-1D to District Agriculture (or to such other district as is determined to be more appropriate) 14.82 m/1 acres located east of 16th Avenue E. (Canal Road) and 660 ft. north of 28th Street Court E., Palmetto. The Planning Commission recommended approval.

Ellis Green explained that he purchased the property in 1964 for retirement and assumed it was zoned for agriculture at that time.

Mr. McClure moved for the adoption of a Resolution rezoning R-693 to DISTRICT "A" (AGRICULTURE). Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING R-693

SE-721 (SE-525) WARREN A. & ARTHILLA SWEETMAN; M/HOME APPROVED

Request to permit mobilehome as dwelling in conjunction with agriculture on 1 acre located on the south side of Experimental Farm Road, approx. 120 ft. east of SAL Railroad, Palmetto. The Planning Commission recommended approval for two (2) years.

Mr. Hutches moved for the adoption of a Resolution approving SE-721 for Warren A. and Arthilla Sweetman for a period of two (2) years. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED ZONING SE-721

SE-725 BLASERS' NURSERY M/HOME APPROVED

Request for permit a mobilehome for employee's dwelling in conjunction with agricultural uses on 32.02 acres located south of Tallevast Road and 2650 ft. west of 39th St. E. (Tuttle), Tallevast.

The Planning Commission recommended approval for two years with provision for extension for another two years.

Mr. Dierks moved for the adoption of a Resolution approving SE-725 for Blasers' Nursery for a period of two (2) years and providing for granting for another two years by the Planning Director if no substantial changes have taken place in the surrounding area. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING SE-725

SE-731 RALPH & JOYCE T. SMATHERS; CONVENIENCE STORE APPROVED

Request to permit convenience store on Lots 1, 2 & 24 Walnut Avenue, Palmetto.

The Planning Commission recommended approval.

It was noted that Canal Road was in bad condition and that the County Engineer has no plans for resurfacing this year.

Motion was made by Mr. Hutches that a Resolution be adopted approving SE-731 for Ralph and Joyce T. Smathers. Motion was seconded by Mr/ Fortson and carried unanimously.

RESOLUTION RECORDED ZONING SE-731

JULY 9, 1974

(Cont'd)

SE-733 DONALD A. KENNARD; PLANT NURSERY DENIED

Request to permit a Plant Nursery on .51 acres located at 1819 81st Street NW., Bradenton. (Arthur Hunter, agent)
The Planning Commission recommended denial.

D. A. Kennard explained that there was no improvement in adjacent properties; that there would be no landscaping on the street and permanent plantings were not planned; that plants and shrubs were to be grown for exhibition at another location.

Mr. Fortson described the area as being off the North Loop Road in R-1B zoning district and directly west of Shaw's Point; that to approve this request would be to open up an area to spot zoning where nice homes were being constructed. Petition from surrounding landowners, opposing the change in zoning to allow a plant nursery or any other commercial activity in the neighborhood was submitted.

Among those appearing in opposition to the Plant Nursery were

Stan Stephens
George Pappas
Mrs. Grace Hodges

Motion was made by Mr. Fortson that SE-733 for Donald A. Kennard be denied as this is strictly residential area and not compatible for quasi-agricultural uses. Motion was seconded by Mr. Dierks and carried unanimously.

SE-735 DENVER L. THRASHER M/HOME APPROVED

Request for mobilehome in conjunction with agricultural uses on 30.4 acres m/1 located at eastern deadend of Palm View Road (61st Street E.), Palmetto.

The Planning Commission recommended approval for two years with provision for an additional two years.

Mr. McClure moved for the adoption of a Resolution approving SE-735 for Denver L. Thrasher for a period of two (2) years, providing for another two years to be granted by the Planning Director if no substantial changes have taken place in the surrounding area. Motion was seconded by Mr. Hutches and carried unanimously.

ZONING
RESOLUTION RECORDED SE-735

N-95 ANDERSON CONSTRUCTION COMPANY; WAREHOUSE DENIED

Request for expansion to a distribution warehouse at 5429-33 16th Street E. (Oneco Blvd), Oneco. (0.54 acres)

The Planning Commission recommended denial. (Committee report read.)

Motion was made by Mr. Dierks that N-95 (Anderson Construction Company) to permit expansion of a non-conforming distribution warehouse be denied. Motion was seconded by Mr. Fortson and carried unanimously.

N-96 GULF COAST GIRL SCOUT COUNCIL, INC.; M/HOME APPROVED

Request exchange an old mobilehome for a newer and larger one to house the Camp Honi Hanta at East of 51st Street E., west of Braden River and approx. 2300 ft. north of S.R. 70. (64+ acres)
The Planning Commission recommended approval.

Mr. Dierks moved for the approval of N-96 for the Gulf Coast Girl Scout Council, Inc., and adoption of the appropriate resolution for non-conforming use expansion for a newer and larger mobilehome. Motion was seconded by Mr. Hutches and carried unanimously.

ZONING
RESOLUTION RECORDED N-96

T-1-76(P) TRAVEL TOWNE OF BRADENTON; PRELIMINARY DENIED

Request approval preliminary plans for Travel Trailer Park with 399 sites on 39.9 acres on Braden River Road. The Planning Commission recommended denial.

O. E. Randle, Director of Pollution Control, advised that this proposed development was directly opposite intake of the City of Bradenton water system; that no engineering plans had been submitted to the Health Department that would adequately protect the water quality. There was discussion on the problem of the property being in a flood prone area.

Because of the close proximity to Ward Lake and no proof and assurance that the water supply would not be endangered, Mr. Dierks moved that the preliminary plans for Travel Towne of Bradenton not be approved and that request T-1-76(P) be denied. Motion was seconded by Mr. Hutches and carried unanimously.

RECESS

After a short recess the meeting was reconvened.

MCUS EQUIPMENT: BIDS ON TRUCK

Sealed bids received on one (1) new 1974 model one-half ton Pickup Truck (utility body) for Manatee County Utilities System were opened as follows:

BILL GRAHAM FORD	\$4001.48
Letter read cancelling bid	
COX CHEVROLET	3550.00

Motion was made by Mr. Hutches that the bid submitted by

COX CHEVROLET for one (1) half-ton
Pickup Truck, for \$3550.00

be accepted as recommended by Chris Angelidis, Director of Manatee County Utilities System. Motion was seconded by Mr. Dierks and carried unanimously.

GRADALL REPAIRS - HIGHWAY DEPARTMENT

Carlos Ugarte, County Engineer, requested the Board to waive bid policy and authorize purchase of a motor for the gradall for approximately \$3300.00.

Motion was made by Mr. Hutches that the Board advertise for bids to be received and opened July 23, 1974 on a new motor for the Gradall. (Bid policy not waived.) Motion was seconded by Mr. Fortson and carried.

CORTEZ GARDENS (59TH STREET W.)

The Planning Director and County Engineer were requested to investigate a problem where a property owner was encountering difficulty in obtaining a building permit in Cortez Gardens Subdivision, off 59th Street West. Mr. Fortson explained that this is a commercial strip which runs from Cortez Road into the area; that the sewer contractor was putting in utility lines on the public road not being maintained by the county; however, that county had graded the road(s) on emergency basis.

STANDARD OIL PROPERTY - COUNTY PURCHASE

Upon being advised by Bob Moon that the County Attorney had examined the abstract and passed on title of property purchased from Standard Oil Company, motion was made by Mr. McClure that the Clerk be authorized to issue check in the amount of \$47,000 to Standard Oil Company and check in the amount of \$2850.00 to John Bize, exclusive agent for Standard Oil Company. Motion was seconded by Mr. Dierks and carried.

JULY 9, 1974

(Cont'd)

SEWAGE PROJECT, PART D, SECTION I, II
CHANGE ORDER - WOODRUFF & SONS, INC.

Motion was made by Mr. Hutches that the appropriate county officers be authorized to execute

Change Order No. 1 WOODRUFF & SONS, INC.
Part D, Section I - II - Gravity Sewer, Force Main
and Lift Station; Decrease contract \$27,535.80
(Contract price to date \$6,526,884.83)

Motion was seconded by Mr. McClure and carried unanimously. (Substitute 4" & 6" PVC pipe for VC pipe and change method of installation of services from open cut to jack and bore where feasible.)

CONSTRUCTION TRUST FUNDS

Mr. Hutches moved for the adoption of a Resolution authorizing payment of

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4B-79

Harold D. & Sylvia E. Rowe	\$	709.00
Merle W. & Mary C. Tinkham		257.20
Robert A. & Dorothy E. Stroker		150.00
Department of Pollution Control		22,397.08

and acceptance of Manatee County Utilities System easements from HAROLD D. & SYLVIA E. ROWE; MERLE W. & MARY C. TINKHAM; ROBERT A. & DOROTHY E. STROKER. Motion was seconded by Mr. Dierks and carried unanimously.

✓ RESOLUTION RECORDED V24-145

Mr. Hutches moved for the adoption of a Resolution authorizing payment of

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 C-1

The Crom Corporation (Final)		\$12,044.96
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and for approval and execution, by appropriate county officers, of Final Reconciliation Agreement and Final Release of Lien on Port Manatee Ground Storage Tank - Project 7273-4. Motion was seconded by Mr. Fortson and carried unanimously.

✓ RESOLUTION RECORDED V24-146

Mr. Hutches moved for the adoption of a Resolution authorizing payment of

PROJECT CONSTRUCTION TRUST FUND ACCOUNT

Payment No. 2

Carl E. Widell & Son	58,256.21
Tech Corporation & Associates	95,944.43
Giannetti & Lanzo	416,280.87)
	244,880.55)
Lee Construction Co. of Sanford	129,526.00
Chris Nelsen & Son, Inc.	29,580.80
Woodruff & Sons, Inc.	242,499.01)
	353,478.23)
Tech Corp. & Assoc.	25,758.06

and authorization for execution of Requisition for withdrawal of funds in the amount of \$1,596,154.16 for payment of said requisition. Motion was seconded by Mr. Dierks and carried unanimously.

✓ RESOLUTION RECORDED V24-147

AMBULANCE SERVICE: SALE OF UNITS

Ken McKendree requested the Board to declare two of the oldest units (ambulances) surplus property and advertise for sale to the highest bidder. Motion was made by Mr. McClure that two County Ambulance units be declared surplus property and to authorize Invitation for Bids on same for sale to the highest bidder, said bids to be opened

July 30, 1974. Motion was seconded by Mr. Dierks and carried.

ZONING

R-666 WILLIAM J. JOHNSON

Rezone from R-1 to PR (Professional for a funeral home on property located on the northwest corner of 29th Street E. and 8th Avenue E., Palmetto (Adopted February 5, 1974)

Earl Baden, Jr., representing William Johnson, referred to action of the Board in a previous meeting concerning rezone of the property, approved for a funeral home, without notice to the owner. He advised that the owner had obtained all clearances except those from the Health Department, but he was presently working with Dr. Sam Simpson on that permit. He read bills paid to date, contract with Chennault, Inc., for \$63,000.00 for construction of the building, stating that a loan for \$75,000.00 had been approved by Manatee National Bank. He requested that the Board reverse action of July 2, 1974 and instruct County Departments to issue appropriate permits as soon as Dr. Simpson approves the Health Department permit.

In view of the circumstances and the action of the property owner in proceeding with construction, etc., based on rezone to PR, the County Attorney indicated there was little chance of successfully defending rezone back to R-1.

Motion was made by Mr. McClure that the Board rescind its action of July 2, 1974, referring R-666 back to the Planning Commission to advertise for a rehearing (review for rezone from PR back to R-1). Motion was seconded by Mr. Fortson and carried unanimously.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Dierks the Board unanimously approved Requisitions from July 2 to July 9, 1974, also Warrant Lists, and authorized Warrant Lists to July 16, 1974, said Warrant Lists to include any payrolls during that period upon condition that all employees have performed their services in accordance with time and payroll practices of the county departments. (Listed

BILLS FOR PAYMENT

Upon motion by Mr. Dierks, seconded by Mr. Fortson, the following bills were unanimously approved for payment:

Medical Examiners	\$1445.00
Manatee Memorial Hospital	\$884.84; \$441.00; \$3881.00
Alan Brice	614.00

BOARD OF TAX ADJUSTMENT

The Chairman appointed Robert C. Hutches, Chairman, and Dan P. McClure and Kenneth D. Dierks as members of the Board of Tax Adjustment, with request to the Manatee County School Board to appoint two members as required by law.

COUNTY EMPLOYEES - PERSONNEL POLICY (AGRICULTURAL DEPARTMENT)

Dr. James L. App, County Extension Director, requested that two employees, who joined the staff on December 26, 1973, be allowed to take their vacation time during the second year of employment. The Personnel Policy calls for employees to take vacation time after the first twelve (12) months of employment before the following December 31st, and because of duties and departmental activities, etc., both employees would be unable to take twelve days vacation following employment anniversary date.

Motion was made by Mr. Fortson that the Board waive the provisions for vacations, presently in the personnel policy, for these two employees, KAY SHAL and LARRY HARMS, and allow them to take vacation time in the second year of employment. Motion was seconded by

JULY 9, 1974

(Cont'd)

Mr. McClure and carried unanimously.

COUNTY PERSONNEL POLICY - AMENDMENT

Motion was made by Mr. Fortson to amend the Personnel Policy to allow County employees to take accumulated vacation time within the next calendar year after the first anniversary date of employment. Motion was seconded by Mr. McClure and carried unanimously.

PLANNING COMMISSION - MEMBER

Motion was made by Mr. McClure that Egbert (Bud) Reasoner be re-appointed a member of the Planning Commission for a three-year term, retroactive to March 1, 1974. He noted this was overlooked at the time Robert H. Hoffman was reappointed in March. Motion was seconded by Mr. Fortson and carried unanimously.

PARKS & RECREATION BOARD - MEMBER

Motion was made by Mr. McClure to reappoint Dr. George Cajoleas as member of the Parks & Recreation Board for a four-year term. (June, 1974 - June, 1978) Motion was seconded by Mr. Hutches and carried unanimously.

COUNTY EMPLOYEE (PLANNING DEPARTMENT)

Art Fischer, Planning Director, requested that the Board waive County Personnel Policy in connection with Claude McGavit and grant full year accumulated sick leave. He explained that Mr. McGavit, who has only six months actual employment, is extremely ill with infectious hepatitis, but will return to the Planning Department upon recovery. Mr. Fischer stated that he would be personally responsible if any financial reimbursement should be necessary.

Motion was made by Mr. Dierks that request be granted and policy be waived to allow sick leave for Claude McGavit on basis of one-year employment. Motion was seconded by Mr. Fortson and carried unanimously.

MCUS EASEMENTS

Motion was made by Mr. Hutches that easements for Manatee County Utilities System be accepted from

CREWS CORPORATION
RUTHCO, INC.
C. M. & LUCY M. HOYT
JACK & MARY ELLEN CARSON
BETTY J. ANDERSON (as Trustee)
(5 easements for water lines)
(9 easements for sewer lines)

RALPH S. COOPER
JOSEPH E. DUKE
CARL M. PETERSEN
ROBERT D. & DOROTHY CAMPBELL
MARGARET ESKEW and
HARRIET COMSTOCK
HOWARD E. & MAUDE ANN HELMS
MANATEE PROPERTIES, INC.
PAUL A. & JEAN A. MAY
WILLIAM & PAULINE PRUITT

Motion was seconded by Mr. Dierks and carried unanimously.

POLLUTION CONTROL BOARD

O. E. (Bud) Randle reported two vacancies on the Pollution Control Board created by resignations of RANDOLPH SNELL and CLARENCE HARRISON.

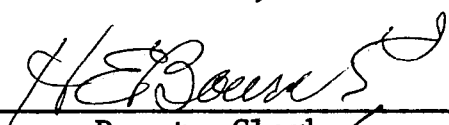
MEETING ADJOURNED


There being no further business, the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk

APPROVED: 17 December 1975


Deputy Clerk


Chairman