

FEBRUARY 14, 1980

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Courthouse, Bradenton, Florida, Thursday, February 14, 1980 at 9:02 a.m.

Present were Commissioners:  
 Patricia M. Glass, Chairman  
 Lamar S. Parrish, Vice-Chairman  
 L. H. Fortson, Jr.  
 Louis E. Driggers

Absent was: Claude E. McGavic

Also present were:  
 E. N. Fay, Jr., County Attorney  
 David B. Collier, County Administrator  
 Peter Ramsden, Finance Director, representing R. B. Shore,  
 Clerk of Circuit Court

Representing the various news media were Betty Kohlman, St. Petersburg Times; Mark Todd, Sarasota Herald-Tribune, and others who entered during the meeting.

The meeting was called to order by Chairman Glass.

NATIONAL ENGINEERS WEEK

Upon motion by Mr. Driggers, seconded by Mr. Parrish, a proclamation was unanimously adopted declaring the week of February 17 through 23, 1980 as National Engineers Week.

RECORD PROCLAMATION S9-19

KNIGHTS OF COLUMBUS: ANNUAL TOOTSIE ROLL DRIVE

It was the consensus of the Board to approve the Knights of Columbus, DeSoto Council #5604, Annual Tootsie Roll Drive on February 29, March 1 and 2, 1980.

MATERIALS AND SERVICES

The County Administrator submitted for approval recommendation of the Materials and Services Department as outlined in memorandum dated February 5, 1980 from Gary M. Knuckles, Director (deferred from 2/12/80):

Various Departments

- Bid No. 80-26 - Communications Maintenance Contract  
 a. Award Bid to Motorola C & E, Inc.  
 b. Authorize Chairman to execute 2-year contract

Motion was made by Mr. Fortson to approve the contract award as recommended by Mr. Knuckles. Motion was seconded by Mr. Driggers and carried unanimously.

ZONING

GOOD SHEPHERD CHURCH OF THE BRETHREN - WAIVE ASPHALTED PARKING SPACES - APPROVED

Due to financial burden, Reverend Don White, of Good Shepherd Church of the Brethren, appeared before the Board requesting that the asphalt requirement for 12 to 15 parking spaces at the church be waived. He pointed out that he would not be reducing the number of required parking spaces as "grass" parking would be provided.

Marty Jacobs, Planning and Development Department, stated there was no objection by the Planning and Development Department to the request if the church maintains the grass adequately.

Mr. Fortson moved to approve the waiver request as recommended by the Planning Department. Motion was seconded by Mr. Parrish and carried unanimously.

Charles Carrington, Planning Director, and Marty Jacobs, Planning and Development, submitted recommendations of the Planning Commission:

R-1033 COUNTY COMMISSION INITIATED - REZONE TO R-1AB - DEFERRED

(Charles C. Carrington, AICP, Agent) Request: To change the present zoning from R-1AA and R-2 district to R-1AB on 280 acres in Sec. 6., Twp 35, Rge. 18. to restrict residential development to the construction of single family homes. Planning Commission recommended APPROVAL.

Upon question regarding clarification of pending building permits for duplexes, Mr. Carrington stated that if the rezone is approved, all outstanding valid permits would be honored; however, those in the process of being issued would not be honored.

Dick Hampton, Attorney, representing Mockingbird Hill Development Corporation, stated that the Corporation is developing a project in the area in question which consists of 11 duplexes, one of which is already built. He reported that three building permits have already been issued and that applications for seven more permits were made this morning. He urged the Board not to rezone the 11 lots owned by his client.

Gail Wallace, 2515 32nd Ave., E., spoke in favor of the rezone.

After discussion, action was deferred until the next regularly scheduled zoning meeting (February 28, 1980) to afford the Commissioners an opportunity to further review the proposed rezone.

R-1034 ROBERT E. & DOROTHY B. WILLIS - REZONE TO PR - APPROVED

(Lloyd Lyday, Agent) Request: To change the present zoning from R-1AA district to PR district on .68 acre located at the SE Corner of 26th St. W. & 49th Ave. W. to permit the construction of a professional office. Planning Commission recommended APPROVAL.

Lloyd Lyday, Agent, was available to answer any questions and advised the Board the office would be a medical office.

Mr. Fortson moved to approve R-1034. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTIONSE-1274 MARGARET SCRIPPS BUZZELLI - GROUP TREATMENT HOME (ALCOHOLIC REHABILITATION) - DENIED

Request: Special Exception to permit a Group Treatment Home (Alcoholic Rehabilitation) in an -A- district for up to forty patients for a permanent period of time with one year to complete 25 percent of construction on 42.8 acres located S of Myakka City, S of SR 70.

Planning Commission recommended APPROVAL in accordance with Section VI, Paragraph 14 of the Manatee County Zoning Ordinance, with the following stipulations:

1. The wastewater treatment and disposal facility will be constructed on high ground above the 100 year flood plain in accordance with Florida D.E.R. requirements. The sanitary sewer collection system will consist of sealed grinder pump units with pressure pipe force mains, thus, minimizing the possibility of water pollution during a flood.
2. All habitable finished floors in the project will be constructed above the prescribed 100 year flood plain elevation. In addition, the minimum elevation of the main entrance road will be above the 100 year elevation.
3. The proposed treatment facility will have a minimal dependence upon nearby major medical institutions. The proposed treatment facility might need to refer patients for hospital care 3-17 times a year. (A similar institution, Bowling Green Inn, Bowling Green, Florida, reports 12 of 2,000 admissions require referral for hospital care, .6 percent).

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4. The existing Emergency Medical Services facility located at S.R. 64 and S.R. 675 would be able to serve the proposed facility without the addition of personnel or vehicles.
5. All on-site roads and travelways shall be a minimum of 20 feet in width.
6. All on-site roads, travelways and off-street parking areas shall be paved as required by the Zoning Ordinance.
7. Excavation of the pond (if less than 2 acres) will require a minor earthmoving permit; said permit shall be obtained prior to any excavation.
8. All operational facilities will be surrounded by a fence, a minimum of six feet in height.

Mr. Carrington reported that at the public hearing, four individuals spoke in opposition, two petitions were submitted in opposition (with a total of 115 signatures); and that three letters were received from students, the Dean and a Professor from the University of South Florida in favor. He read into the record a letter from the University of South Florida indicating they expect to be involved in the educational portion of the program once it is established.

Tom McCollum, Vice President, Zoller & Najjar Eng., Jim Poag, Director of the facility, if granted, and Ron Larson, Vice President of Zoller & Najjar Eng., were available to answer any questions. Mr. McCollum stated they would prefer not to fence the property that abuts the Myakka River nor to pave the minor surface road; however, they would meet those requirements if it is the will of the Board.

James Poag explained the program and read into the record a letter from Donald J. Heathy, Executive Director of Manatee Mental Health Center, and the names of residents of Myakka City supporting the proposed program.

Robert Boylston, Attorney representing H. H. Morgan who owns and resides on adjacent property to the proposed development, spoke in opposition to the Special Exception.

#### RECESS/RECONVENE

After a brief recess, the Board reconvened with all members present except Mr. McGavic.

Speaking in favor of SE-1274 were Linda Meisenbach, Myakka City, and Juel Gill.

Speaking in opposition were Richard Vorce, Richard Johnson, Naomi Morgan, and Diana Hodges.

Frank Smith, architect for the project, stated the Rehabilitation Center would have no effect on the surrounding property and that the site was selected for its "retreat" potential. He presented slides on structures similar to the proposed building.

Dr. John Morrill, Ecologist and Environmentalist from New College, stated he has prepared an environmental impact statement on the site and the surrounding areas and emphasized that it is not "bottom land" nor a "river swamp" and the site is protected from flood velocity.

Mr. Driggers pointed out that he was not opposed to the proposed facility but he was opposed to the location of the site due to its flood prone nature, that it is not compatible with the surrounding area, and that he felt the land in question should be left as it is.

Motion was made by Mr. Driggers to deny SE-1274. Motion was seconded by Mr. Parrish. Voting "Aye" were Commissioners Driggers, Parrish and Fortson. Voting "No" was Chairman Glass. Motion carried.

SE-1282 - CECIL & JOYCE WELDONRESIDENTIAL CARE FACILITY - WITHDRAWN

(Warren W. Ryder, Agent) Request: Special Exception to permit a residential care facility (a group care home for ten or more persons) in an -A- district for an indefinite period of time on .40 acre located at 6612 - 12th Ave. E. Planning Commission recommended APPROVAL in accordance with Section VI, Paragraph 14, of the Manatee County Zoning Ordinance, with the stipulation that all parking and landscaping improvements be installed within ninety days of approval.

Mr. Carrington stated he had received a letter from Agent Warren W. Ryder requesting withdrawal of the Special Exception.

Motion was made by Mr. Driggers to grant the request for withdrawal. Motion was seconded by Mr. Parrish and carried unanimously.

HOUSEMOVING PERMITS

Motion was made by Mr. Fortson to approve application for housemoving permit (No. 80-1) from

Gregory and Timothy Smith to move a building from 3 Miles NE of Myakka City Wachula Road  
to 5812 Ellenton-Gillette Rd.  
Pre-moving No. 26121

Motion was seconded Mr. Driggers and carried unanimously.

Motion was made by Mr. Parrish to approve application for housemoving permit (No. 80-2) from

James Tinkl to move a building from SE Corner Kay Road & SR 64 to 3/4 Mile S of 675 on Spencer Parrish Grade  
Pre-moving No. 26139

Motion was seconded by Mr. Driggers and carried unanimously.

HOUSEMOVING - GRAHAM

Dr. Angus Graham submitted photographs of four houses and requested authorization for the Planning Director to issue four housemoving permits to move the buildings onto property (which requires subdividing) at the same time subdivision plans are being completed. He explained that his request is the result of financial institutions lending more money on subdivided property than on one parcel, whereby the present owner of the property was required to pay \$5,000 (non-refundable) on the property he is purchasing, and if the Board will authorize issuance of the housemoving permits while the subdivision plans are going on, the present owner of the property will not lose his \$5,000.

Mr. Driggers moved to authorize the Planning Department to issue the housemoving permits, subject to the owner submitting a new plat, and with the understanding that the owner is aware that approval of the subdivision plat and the Certificate of Occupancy will be necessary prior to the time the homes can be occupied. Motion was seconded by Mr. Parrish and carried unanimously.

AMENDMENT TO PRIVATE STREET NO. 18 (JARRELL)

Marty Jacobs, Planning and Development, recommended approval of a

## RESOLUTION APPROVING PRIVATE EASEMENT AS PRIVATE STREET

whereas the Board of County Commissioners found and determined on December 5, 1975, that the 20 foot easement for ingress and egress identified as Private Street No. 18 was adequate under the circumstances at that time to serve as access to a parcel of land abutting on said easement, Barbara F. Jarrell, Orville E. Jarrell and Hilda L. Jarrell, and Sherman A. Humphreys and Mary E. Humphreys have now applied for approval of the easement as a private street identified as Amendment to Private Street No. 18.

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Motion was made by Mr. Parrish to adopt the Resolution. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION S9-20

MANATEE OPPORTUNITY COUNCIL (HEAD START BUILDING)

Mr Driggers recommended and moved to authorize the Planning Department to issue a temporary Certificate of Occupancy for the Manatee Opportunity Council Head Start Building east of 15th Street and to allow them an extension of six months to complete the paving and landscaping requirements as submitted on their original plan. Motion was seconded by Mr. Parrish and carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT: SAMOSET SEWER SYSTEM

The County Attorney submitted and recommended approval of a

RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATION FOR FUNDING UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AS ADMINISTERED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

to construct a sewer collection system in Samoset.

Motion was made by Mr. Driggers to adopt the resolution. Motion was seconded by Mr. Parrish and carried unanimously.

RECORD RESOLUTION S9-21

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Fortson, seconded by Mr. Parrish, the Board unanimously approved the Clerk's Consent Calendar dated February 14, 1980 as follows:

1. BOND:  
Moving and Alteration of Building  
 ACCEPT: Aldice F. Jeffries, \$10,000 Surety Bond, Moving  
 No. 26391
  
2. BILLS FOR PAYMENT:
 

Russell & Axon (Sewage Treatment Plant)	\$22,695.46
Mann & Fay (37th Street, East)	2,007.75
Mann & Fay (January, 1980)	9,200.50

SARASOTA-BRADENTON AIRPORT AUDIT REPORT

Upon motion by Mr. Driggers, seconded by Mr. Fortson, the Sarasota-Bradenton Airport Audit Report from Valdes, McLain, Pratt & Company for the fiscal year ending September 30, 1979 was unanimously accepted into the record.

AQUATIC PLANT CONTROL QUARTERLY FINANCIAL REPORT

Upon motion by Mr. Parrish, seconded by Mr. Driggers, the First Quarter (October 1 - December 31) Aquatic Plant Control Quarterly Financial Report for Fiscal Year 1979-80 was unanimously accepted into the record.

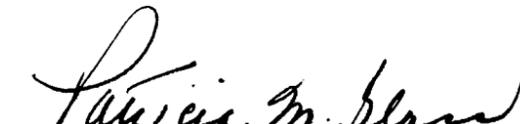
MEETING ADJOURNED

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

Attest:

  
 Clerk

APPROVED:

  
 Chairman 3/10/80

Adj: 12:08 p.m.