

JUNE 12, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, June 12, 1980 at 9:05 a.m.

Present were Commissioners:

Lamar S. Parrish, Vice-Chairman
 Claude E. McGavic
 L. H. Fortson, Jr.
 Louis E. Driggers

Absent was Commissioner:

Patricia M. Glass, Chairman

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.

Invocation by Rev. Stephen J. Braun, First Assembly of God, Bradenton

The meeting was called to order by Vice-Chairman Parrish.

FEE SCHEDULES

Following suggestion by Mr. McGavic that fee schedules be based on the Tampa Bay Area Consumer Cost Index and adjusted semi-annually, the County Administrator advised that all departments will review fees and submit recommendations regarding possible revisions for review by the Board during the budget session.

PAL-ELL PARK SUBDIVISION: VACATION OF WALNUT AVENUE

The Vice-Chairman declared the public hearing open (notice published in Bradenton Herald May 14, and 21, 1980) for the purpose of considering petition of Ralph L. and Joyce T. Smathers, for vacation of

The East 150 feet (only) of Walnut Avenue, a dead-end street located wholly within Pal-Ell Park Subdivision

Bruce Siciliano advised that all reviewing departments have no objections to the proposed vacation.

Dick White, representing the petitioners, was available to answer questions.

The Vice-Chairman declared the public hearing closed.

Motion was made by Mr. McGavic to approve 80-V-5

RESOLUTION VACATING CERTAIN STREETS, ROADS OR OTHER APPROPRIATE PROPERTY DESCRIBED AS WALNUT AVENUE.

Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION S9-274

TARA-DRI PUBLIC HEARING

Motion was made by Mr. Driggers to schedule a public hearing August 27, 1980 at 9 a.m. on TARA (Development Ltd.) DRI (Development Regional Impact) application for a major planned unit development located in the SW corner of SR 70 and I-75, and that it be a joint meeting between the Board of County Commissioners and the Planning Commission. Motion was seconded by Mr. McGavic and carried unanimously.

ZONING

Charles Carrington, Planning Director, recommended the Board adopt the following amended rezone resolutions to correct scrivener's errors:

- 1) R-913 Lula Mae Waldref (adopted 8/1/78) - Correct Zoning Change from M-2 to M-1

RECORD RESOLUTION

- 2) R-1025 Otto J. Semrow & Thomas J. Wigdahl (adopted 4/10/80) - Correct description to read "SE 1/4 of SE 1/4 of Section 3, Township 34S, Range 18E, Manatee County, Florida"

RECORD RESOLUTION

Motion was made by Mr. Driggers to adopt the amended rezone resolutions as outlined by Mr. Carrington. Motion was seconded by Mr. McGavic and carried unanimously.

HOUSING PROJECT REVIEW--SYLVAN OAKS

The public hearing was opened for the purpose of considering the proposal by Sylvan Oaks Development Corporation to construct a public housing project No. FL-29-0057-104 consisting of 94 elderly units (50 units for low and moderate income persons) to be located on Memphis Road, between U.S. 41 and Canal road. (Published in Bradenton Herald June 6, 1980)

Carol Clarke, Planning Department, advised that the proposal is consistent with both numerical goals and locations established in the Housing Assistance Plan and recommended that a letter to the Department of Housing and Urban Development (HUD) be prepared summarizing comments from County staff.

It was pointed out that the sponsors are proposing connection to the sewage collection system and sewage treatment plant at Sylvan Oaks I and since that system and plant have not been accepted by County Utilities System due to various problems, the site cannot be served.

The Vice-Chairman declared the public hearing closed.

Motion was made by Mr. Fortson to authorize Ms. Clarke to prepare a letter to HUD for review by the Board. Motion was seconded by Mr. Driggers and carried unanimously.

ZONING

Charles Carrington, Planning Director, and Bruce Siciliano, Planner, submitted recommendations of the Planning Commission.

There were no objections to suggestion by Mr. Carrington that the following petitions be considered simultaneously:

R-80-15 E. M. CARTER, AS TRUSTEE - REZONE TO A-2 - APPROVED
 R. E. Nelson, Inc., Agent Request: To change the present zoning from A to A-2 district to permit the development of a 422 single family lot, residential/golf course community on 82.5 acres located east of and near I-75 and south of Moccasin Wallow Road
 Planning Commission recommended APPROVAL.

R-80-24 E. M. CARTER, AS TRUSTEE - REZONE TO A-2 - APPROVED
 R. E. Nelson, Inc., Agent Request: To change the present zoning from A to A-2 district to permit the development of a 540 lot mobilehome subdivision on 144.58 acres located east of I-75 and south of Moccasin Wallow Road
 Planning Commission recommended APPROVAL.

JUNE 12, 1980

Cont'd

SE-80-27 E. M. CARTER, AS TRUSTEE - GOLF COURSE - APPROVED
 R. E. Nelson, Inc., Agent Request: Special Exception to permit an executive golf course and a 422 lot residential community designed to R-1B district requirements on 342 acres located east of I-75 and south of Moccasin Wallow Road (Proposed zoning: A-2)
 Planning Commission recommended APPROVAL for a permanent period of time with a permanent time waiver to complete 25 percent of construction. This request is in compliance with Section VI, Paragraph 14 of the Manatee County Zoning Ordinance.

SE-80-28 E. M. CARTER, AS TRUSTEE - MOBILEHOME SD - APPROVED
 R. E. Nelson, Inc., Agent Request: Special Exception to permit a 540 lot mobilehome subdivision designed to T district requirements for a permanent period of time with a permanent time waiver to complete 25 percent of construction. Planning Commission recommended APPROVAL for a permanent period of time with 18 months to begin construction. The request is in compliance with Section VI, Paragraph 14 of the Manatee County Zoning Ordinance.

Ralph Nelson, Agent, explained the proposed use of the property commenting that the project would be developed in five phases and he outlined the area involved on the map.

To prepare for the possibility of a regional plant in the area, Jim Rhinehart, Manatee County Utilities System, recommended that the treatment plant be constructed to allow diversion from the plant site to a central plant, if necessary. E. M. Carter, Petitioner, expressed no objections to the recommendation.

Mr McGavic relayed concerns expressed by Arlene Flisik (representing Manasota-88) regarding

- 1) whether eagles or their nests have been sighted on the property and
- 2) open end time limit for completion of 25 percent of the project,

William Kipp, representing the land owners involved, advised that no eagles or their nests have been sighted and Mr. Carter said the project is funded and developers are prepared to commence construction.

Jerome Gostkowski, Highway Department, advised that the proposed traffic circle at the main entrance is not acceptable to the Highway Department and recommended the plan be changed to a channelized T-intersection; however, this problem could be handled during construction plans.

The Planning Director referred to a letter from the Palmetto Fire Department noting that the development would be in the Division of Forestry's area, which is located in Oneco, and that the response time to a fire would be approximately one hour.

The Planning Director submitted the following stipulations for the Board to consider on SE-80-27 and SE-80-28:

- 1) A maintenance ownership plan be processed with the subdivision for private recreational uses and open spaces to assure that proper maintenance be provided.
- 2) A tree survey be made to identify all trees; that any relocation or removal of trees over 4" in diameter be approved prior to action.
- 3) An agreement be prepared whereby maintenance of street lighting, and any other lighting, would be the responsibility of the homeowners association.

- 4) Street signs to be allowed and shall be constructed to County standards; all other signs be identified and approved as an amendment to special exception.
- 5) Special Exception run with the property ownership rather than granted to the applicant specifically.
- 6) Special Exception be granted with an 18 month time waiver and permit three years to complete each of the five phases.

On SE-80-28:

- 1) Vegetative screening and buffering be provided to separate the proposed uses from the surrounding land uses and right of ways where appropriate. The required 50' buffer along the western property border should be landscaped to provide an opaque buffer along the interstate
- 2) A non-ingress vehicular easement be provided along the entire western boundary of the proposed subdivision except where there is access to the frontal road.

Mr. McGavic suggested that creation of a municipal service taxing district for this property be considered in the planning stages of the project to insure a minimum level of services for such activities as fire protection, ambulance service, police protection, trash collection, street lighting, and maintenance of open areas and recreation areas.

Motion was made by Mr. McGavic to approve R-80-15 and R-80-24 (by adoption of appropriate resolutions). Motion was seconded by Mr. Fortson and carried unanimously.

RECORD RESOLUTIONS

Motion was made by Mr. McGavic to approve SE-80-27 and SE-80-28 as recommended by the Planning Commission with the following stipulations: Construction begin within 18 months and that the applicant be granted three years for each of the five phases to complete construction of each phase; the special exception run with the land. Motion was seconded by Mr. Driggers and carried unanimously.

R-80-20 WATSON AND DODGE, INC - REZONE TO R-2 - DEFERRED
 Ralph Varner Jr., Agent Request: To change the present zoning from R-1AB to R-2 district to permit the construction of duplex residences and to make two existing duplexes conforming uses located at 60th St. Ct. W. on 1.07 acres.
 Planning Commission recommended DENIAL.

Rezone petition R-80-20 was deferred until June 26, 1980 at the request of Ralph Varner, Agent.

RECESS/RECONVENE

After a brief recess, the Board reconvened with all members present except Chairman Glass.

SE-80-39 MAYER REALTY, II - 2-COP - APPROVED
 SE to be granted to Thomas L. & Theodora Young (Agents)
 Request: Special Exception to permit consumption of beer and wine on premises at the Bagel Inn, in a C-district on 6.9 acres located at 5603 Manatee Ave. W.
 Planning Commission recommended APPROVAL for a permanent period of time
 (In compliance with Section VI, Paragraph 14 of the Manatee County Zoning Ordinance)

Dolly Young, Agent, requested the special exception run with the property. She noted that the restaurant is open six days a week until 5 p.m. in the summer, and until 7 p.m. in the season.

Motion was made by Mr. McGavic to approve SE-80-39.

JUNE 12, 1980

Cont'd

Upon question as to whether the special exception was to run with the land, Mr. McGavic withdrew the motion.

Motion was made by Mr. McGavic that SE-80-39 be granted to Bagel Inn Tower Square, Inc., for a permanent period of time and with the understanding that this request is in compliance with Section VI, Paragraph 14 of the Manatee County Zoning Ordinance. Motion was seconded by Mr. Fortson and carried unanimously.

R-80-25 MAXINE WHITE - REZONE TO C - DEFERRED

Maxine White, Agent Request: To change the present zoning from R-1AA to C district to permit a fruit and vegetable business on .03 acre located at 3320 53rd Avenue East (SR 70)
Planning Commission recommended APPROVAL.

In response to question, Maxine White, Agent, advised that the driveway has been widened, the building remodeled and a trailer moved to comply with the building code.

Upon concern expressed that the rezone may encourage further commercial zoning in the area, the item was deferred until the next scheduled zoning meeting (June 26, 1980) to allow a full Board review and to afford the Planning Director an opportunity to research the zoning ordinance as to whether a more appropriate zoning or home occupation may be considered.

R-80-27 AGRI-VENTURES, INC - REZONE TO C-1 - APPROVED

Robert J. Boylston, Agent Request: To change the present zoning from R-1 to C-1 district to permit retail stores and/or offices on .5 acre located at Ellenton-Gillette Road.
Planning Commission recommended APPROVAL.

R-80-28 WM J. MCCOLGAN & WM B. KIPP - REZONE TO C-1 - APPROVED

Robert J. Boylston, Agent Request: To change the present zoning from R-1 district to C-1 district to permit retail stores and/or offices on .42 acre located at Ellenton-Gillette Road and 12th Street East. Planning Commission recommended APPROVAL.

Robert Boylston, Agent, advised that both rezone petitions are on the only residentially zoned property on the west side of Ellenton-Gillette Road between US 301 and the railroad right of way and should be zoned consistent with uses that are compatible for this neighborhood.

Bill Kipp, President of Agri-Ventures, Inc., was available to answer questions.

Motion was made by Mr. Driggers to approve R-80-27 and R-80-28 (by adoption of appropriate resolutions). Motion was seconded by Mr. McGavic and carried unanimously.

RECORD RESOLUTIONS

R-80-29 WILLIAM B. KIPP, AS TRUSTEE - REZONE TO C - APPROVED

Robert J. Boylston, Agent Request: To change the present zoning from R-1 to C district to permit retail stores and/or offices on .52 acre located at Ellenton-Gillette Road (approximately 800' north of US 301).
Planning Commission recommended APPROVAL.

Robert Boylston, Agent, and William Kipp, Petitioner, were available to answer questions.

Motion was made by Mr. Driggers to approve R-80-29 (by adoption of appropriate resolution). Motion was seconded by Mr. Fortson and carried unanimously.

RECORD RESOLUTION

R-80-30 WILLIAM D. HUDSON - REZONE TO C-1 - APPROVED

William D. Hudson, Agent Request: To change the present zoning from R-1A to C-1 district to bring a parcel owned by one individual into a unified zoning classification to permit the construction of an apartment complex on 0.11 acre located at 6815 14th Street West. Planning Commission recommended APPROVAL.

Upon question, it was pointed out that the property would be used for calculation of density requirements for an apartment complex.

Motion was made by Mr. McGavic to approve R-80-30 (by adoption of appropriate resolution). Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION

R-80-31 DUANE J. SORENSON - REZONE TO C-2 - APPROVED

R. E. Nelson, Inc., Agent Request: To change the present zoning from M-1 to C-2 district to permit a commercial center on approximately 5.9 acres located north of US 301, south of Seaboard Coastal RR between Palmetto & Ellenton. Planning Commission recommended APPROVAL.

Ralph Nelson, Agent, was present and explained the proposed use of the property.

Motion was made by Mr. Fortson to approve R-80-31 (by adoption of appropriate resolution). Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION

R-80-33 ROBT H. DICK & K. FRANK KONKEL
REZONE TO R-1AA - DEFERRED

K. Frank Konkkel, Agent Request: To change the present zoning from PR to R-1AA district to permit the construction of duplex residences on approximately .58 acre at the corner of 27th Street and 48th Avenue West. Planning Commission recommended APPROVAL.

In compliance with a request from Robert Dick, the Vice-Chairman announced that this item would be considered later in the meeting.

R-80-32 BART G. VAN INGEN - REZONE TO R-3 - APPROVED

R. E. Nelson, Inc., Agent Request: To change the present zoning from A to R-3 district to permit the construction of multi-family housing on approximately 4 acres located south of US 301, East of 12th Ave. E. Planning Commission recommended APPROVAL.

William Kipp, representing the Petitioner, advised that this property adjoins R-3 zoning (to the east).

Motion was made by Mr. Driggers to approve R-80-32 (by adoption of appropriate resolution). Motion was seconded by Mr. McGavic and carried unanimously.

RECORD RESOLUTION

SE-792 RONNIE CONNER - COMMERCIAL ACTIVITY - DEFERRED
AMENDMENT

Ronnie Conner, Agent Request: Special Exception to permit limited commercial activity on an approved private landing strip for a period of ten years plus an additional 10 years to be granted at the administrative discretion of the Planning Director. The commercial activity shall include and be limited to (1) Charge for landing and tie down fees; (2) Parachute Club; (3) Charge for minor repair; (4) Increase from six to ten planes. (Amendment to SE-792 approved 4/2/75). Located Singeltary Road, 3 miles west of Myakka City on 12.075 acres. Planning Commission recommended APPROVAL for a period of five years plus an additional five years to be granted at the administrative discretion of the Planning Director; and with the following stipulations:

JUNE 12, 1980

Cont'd

- 1) The maximum number of planes permitted on the site at one time shall not exceed six, except for emergency landings.
 - 2) Charge for minor repairs will be permitted but major repairs would not be permitted.
- (This request is in compliance with Section VI, Paragraph 24, of the Manatee County Zoning Ordinance.)

Ronnie Conner, Petitioner, advised that the parachute club has been in operation for two years; that no objections were expressed until recently. Before allowing the club to operate, he had researched whether this would be in violation of the zoning ordinance and was given a negative response by the Planning and Development Department.

He commented that due to economics, it is necessary for him to increase the number of planes to ten and be able to charge for tie down fees.

In response to question regarding insurance, Mr. Conner advised that there were three types: \$1,000,000 liability coverage for the airport; the aircrafts are insured; the parachutes are insured with the USPA (United States Parachute Association).

The item was deferred until June 26, 1980, to afford Mr. Conner an opportunity to submit proof of insurance.

SE-80-41 COLONY MOBILEHOME COMMUNITIES

CABLE TV TOWER - APPROVED

Robert Michael Busch, Agent Request: Special Exception to permit the erection of one cable TV tower in a T-1 district on approximately 246.77 acres located at 7520 US 301 North, Ellenton. Planning Commission recommended APPROVAL for an indefinite period of time with the stipulation prohibiting the location of mobilehome residences or permanent structures within a 75' radius of the base of the tower. This request is in compliance with Section VI, Paragraph 14 of the Manatee County Zoning Ordinance.

Motion was made by Mr. Driggers to approve SE-80-41, as recommended by the Planning Commission. Motion was seconded by Mr. McGavic and carried unanimously.

SE-80-43 KATHLEEN & JOHN CALI - DAY CARE CENTER - DEFERRED

Thomas McCollum, Agent Request: Special Exception to permit a day care center in an R-1AA district for a period of ten years on 1.10 acres at 6112 5th Street East. Planning Commission recommended APPROVAL for a period of five years plus an additional five years to be granted at the administrative discretion of the Planning Director and with the following stipulations:

- 1) All off-street parking and vehicular travel ways shall be paved.
- 2) The access drive to employee parking shall be a minimum of 16' wide and paved.
- 3) The proposed circular driveway shall be a minimum of 20' wide and shall include a minimum of three vehicle parking spaces at 90 degree angle and a vehicle loading zone 40' in length.

This request is in compliance with Section VI, Paragraph 14 of the Manatee County Zoning Ordinance.

Tom McCollum requested that the petitioner not be required to pave the drive to employee parking as it is too restrictive and would cost approximately \$5,000 and would only be utilized by four employees. He advised, however, that Mr. Cali is agreeable to putting the 16' stabilized base on the driveway.

This item was deferred until June 26, 1980, to allow Mr. McCollum to submit a letter indicating the hours and days that the day care center will be in operation and to allow Commissioner Glass (in whose district the property is located) an opportunity to be present.

SE-80-44 DUANE J. SORENSON - CONTRACTOR'S FACILITY - APPROVED
(SE to be granted to Square G Construction Company, Inc)
Sam Hardee, Agent Request: Special Exception to permit contractor's facility and operation in an M-1 district on 5 acres located approximately 1,075 feet west of intersection of Canal and Memphis Roads, Palmetto.
Planning Commission recommended APPROVAL for a permanent period of time with twelve months to complete 25 percent of construction, and with the following stipulations.

- 1) A landscaped buffer not less than 8' in width will be required along the west property line. Said buffer shall be a minimum of 2' in height at time of planting and be capable of growing to a height of 6' at maturity and shall be 80 percent opaque when viewed 2-6' above ground level.
- 2) In addition one tree (as defined by the Manatee County Zoning Ordinance) every 75 lineal feet or fraction thereof, shall be provided on the east and west boundaries of the site.
- 3) Fire hydrant shall be installed as requested by the fire district.

This request is in compliance with Section VI, Paragraph 14 of the Manatee County Zoning Ordinance.

Sam Hardee, Agent, and William Kipp, outlined the property involved on a map and explained the proposed plan for the property.

For clarification Bruce Siciliano, Planning and Development Department, commented that the landscaped buffer applies to the separation of an offstreet parking area so that the buffer would only be required at the entrance ways and the parking areas; it would not be the entire west property line. He also reported that the stipulation regarding one tree every 75 feet would entail one tree and hedge material to the north end of the driveway--not the entire perimeter through the groves.

Motion was made by Mr. Fortson to approve SE-80-44 with the buffer as outlined by Mr. Siciliano for only the front part of the land and include the stipulation that a fire hydrant be installed. Motion was seconded by Mr. Driggers and carried unanimously.

R-80-33 ROBERT H. DICK & K. FRANK KONKEL
REZONE TO R-1AA APPROVED
(Deferred from earlier in meeting)

Robert Dick, Petitioner, submitted a proposed plan which would allow eight duplex lots in that section.

Motion was made by Mr. Fortson to approve R-80-33 (by adoption of appropriate resolution) as recommended by the Planning Commission. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION

78-S-19(F) RIVER SPRINGS SUBDIVISION - F/PLAT APPROVED
W. J. Hooper, Developer; Zoller & Najjar Engineering, Agent
Request: Final plat approval of a single family subdivision (28 lots) on approximately 36 acres zoned A located approximately one mile west of Rye Bridge on Manatee River between Upper Manatee River Road and Manatee River.
Planning Commission recommended APPROVAL subject to the format of the bond and the final plat being approved by the County Attorney.

The County Attorney advised the bond (\$124,960 Letter of Credit, George and Maxine Hooper and William and Addie Hooper, Principal; Exchange National Bank, Surety) and plat are in good legal form.

JUNE 12, 1980

Cont'd

Motion was made by Mr. Driggers to approve 78-S-19(F) and accept the bond. Motion was seconded by Mr. McGavic and carried unanimously.

80-S-1(P&F) ROAD TO BAY SUBDIVISION - P&F/PLAT - DEFERRED
 Fred Katz, Developer; Al Tague, Agent Request: Preliminary and Final Plat approval of a single family subdivision (5 lots) on approximately five acres zoned A.

The Planning Director advised that the plat is incomplete and the item was deferred.

80-S-4 (P&F) VAN DUYNE'S REPLAT OF PATRISON SUBDIVISION
P&F PLAT - DEFERRED
 Ernest & Marilyn VanDuyne, Developers; Albert Tague, Jr. and Associates, Agent Request: Preliminary and final plat approval of a duplex subdivision (2 lots) on 0.45 acre zoned R-1AA at 66th Avenue West, approximately 594' west of 5th St. W.

Planning Commission recommended APPROVAL with a waiver of sidewalk, recreation and fire protection requirements and provided the County Attorney approves the format of the final plat.

The Planning Director advised that the plat was not complete and the item was deferred.

80-S-15 (P) SAND LAKE SUBDIVISION - P/PLAT - APPROVED
 Sandhoff Construction Co. Inc., Developer; Manatee Engineering, Inc., Agent Request: Preliminary plat approval of a duplex subdivision (14 lots) on 5.49 acres zoned R-1AA located on Palma Sola Road, 1/4 mile north of Cortez Road.

Planning Commission recommended APPROVAL with the condition that the developer reconstruct Palma Sola Road to County standards along the frontage of the property and with a waiver of sidewalk and recreation requirements.

The Highway Department recommended the following:

- 1) The developer shall be solely responsible for reconstruction of Palma Sola Boulevard, from the northern property line of this development, southerly to the northern terminus of the reconstruction done by the developer of Cutrona Subdivision.
- 2) Ten feet of additional drainage easement shall be provided along the existing drainage easement to the rear of lots 13 and 14.

Max Rogers, representing the Developer, noted his suggested alternatives in connection with reconstructing the Road, and the fact that it will cost an additional \$1800 to \$2000 per lot if the Highway Department recommendation is approved. He requested that consideration be given for financial assistance by the county in paving Palma Sola Road if there is no alternate other than presented by the Highway Department.

Bruce Siciliano, Planning Department, advised that Cutrona/Q Square Subdivision (in the same area) was required to pave their frontage and approximately 300 feet to Cortez Road.

Following comments that the road is in deplorable condition (deteriorated and impassable in some areas); that County funds are not available for paving the road and that a precedent has been set by requiring Cutrona Subdivision to pave additional road to certain standards, motion was made by Mr. Fortson to approve preliminary plat of Sand Lakes Subdivision as recommended by the Planning Commission. Motion was seconded by Mr. McGavic and carried unanimously.

Inasmuch as the Planning Commission recommendation included paving only the frontage of the property, motion was made by Mr. Fortson to rescind the previous motion and approve 80-S-15(P) Sand Lakes Subdivision as recommended by the Planning Commission and include the stipulation as outlined by the Highway Dept that the developer be required to pave to the existing pavement as provided by Mr. Cutrona. Motion was seconded by Mr. McGavic and carried unanimously.

T-1/65(F) PINEY POINT MOBILE ESTATES, 1ST SECTION
UNIT II, SECTION I - F/PLAN - APPROVED

J. B. Turbeville, Developer; James R. Kennedy, Agent
Request: Final Plan approval of a mobilehome subdivision
(72 lots) on 10.3 acres zoned T-1 located on Rock Payne
Road, east of US 41.

Planning Commission recommended APPROVAL.

Motion was made by Mr. McGavic to approve final plan of Piney Point Mobile Estates T-1/65 (F). Motion was seconded by Mr. Driggers and carried unanimously.

HOUSEMOVING (GRAHAM)

In connection with Housemoving application No. HM-80-11

Angus Graham to move a building from 302 2nd Ave. E, Bradenton
to 4216 3rd Ave. W, Palmetto
Pre-Moving No. 27921

Mr. Beedenbender, speaking in behalf of his mother, stated opposition to the request.

Stewart Thorsen, part owner of the house, advised that the house is in good condition and would be brought up to the standards of the neighborhood.

Motion was made by Mr. McGavic to approve HM-80-11. Motion was seconded by Mr. Fortson and carried unanimously.

RECESS/RECONVENE

The Vice-Chairman declared the meeting recessed until 1:30 p.m.

The meeting reconvened at 1:34 p.m. with all members present except Chairman Glass.

BLUE BIRD RANCH SUBDIVISION (PROPOSED)

In compliance with request of Henry B. Garland, Jr., by letter dated June 11, 1980, motion was made by Mr. Fortson to withdraw petition for Blue Bird Ranch Estates Subdivision. Motion was seconded by Mr. Driggers and carried unanimously.

FIRST EVANGELICAL FREE CHURCH (SE-80-25)

James Vaughn, Chairman of the Building Committee of the First Evangelical Free Church, submitted a letter dated June 2, 1980 requesting that SE-80-25, approved by the County Commission on May 8, 1980, be amended to allow for an extension of Stipulation No. 2

Re: All improvements, such as parking and landscaping, shall be installed within ninety days of approval of the Board of County Commissioners

until such time as paving 35th Avenue East is complete and free access from this street can be established onto the property.

He explained that completion improvements at the present time would involve unnecessary damage to the existing lawn, the removal of existing trees for parking spaces not yet needed and additional expense of connecting a new driveway with 35th Avenue East.

JUNE 12, 1980

Cont'd

Bruce Siciliano, Planning Department, stated no objections to the request with the condition that if they have a problem maintaining the grass because of traffic, sufficient area be paved and additional spaces be put in.

Motion was made by Mr. Driggers to approve the request as set forth in the letter dated June 2, 1980 from the First Evangelical Free Church. Motion was seconded by Mr. Fortson and carried unanimously.

REZONE: SCHRIMSHER/MOORE (R-1028)

Mrs. Dona Schrimsher, 1011 37th Avenue East, requested an application for rezone on duplex property she and Thomas Moore purchased on November 2, 1979. She advised that the property was rezoned single family without her knowledge or notification (R-1028 approved 1/10/80). Due to a financial hardship, the property must be sold; however, the property value has decreased.

Stewart Thorsen, Realtor, reported that the property value is less for R-1A zoning (single family) than for the R-1AA zoning (duplex).

Mr. Carrington advised that legal notice was published and adjoining property owners, as shown on current tax records, were notified.

Motion was made by Mr. Driggers to waive the fee for the rezone application by Thomas E. Moore and Dona Schrimsher. Motion was seconded by Mr. Fortson and carried unanimously.

37TH STREET EAST: PAVING

In connection with request by the residents that the County pave 37th Street East, suggestions offered for discussion included:

- 1) Pave road and assess adjoining property owners 100 percent
- 2) Residents initiate road Participation Project
- 3) Place project on Comprehensive Plan Capital Improvements Program
- 4) Vacate the street and give it to property owners with rights of easements
- 5) Close the road to through traffic
- 6) Put project on Road Bond Issue

The following individuals spoke concerning 37th Street: Paul Jaworoski, 501 37th Street East; Theodore Tobias, 4620 37th Street East; and Clyde Green, 4415 37th Street East.

Motion was made by Mr. Driggers to instruct Staff to prepare revised cost information for paving 37th Street East for review by the Board when reviewing the Capital Improvements Projects. Motion was seconded by Mr. Fortson.

During discussion, Mr. Parrish instructed the Highway Department to grade the road (pull the shoulders in) one time to help alleviate the drainage problem and the County Attorney was instructed to submit information on Tuesday, June 17, 1980, for possible closing of the road. Motion carried unanimously.

GARBAGE FRANCHISE AGREEMENTS

Bob Fernandez, Assistant County Administrator, submitted proposed Garbage Franchise Agreements. The item was deferred to June 24, 1980, pending review by the Commissioners.

COMMUNITY DEVELOPMENT BLOCK GRANT, PHASE I

Motion was made by Mr. Driggers to advertise public hearing on July 1, 1980, at 9:30 a.m. for the purpose of considering the amendment to the Community Development Block Grant, Washington Park, Phase I. Motion was seconded by Mr. McGavic and carried unanimously.

CONDEMNATION SUIT: CURTIS UNION 76 SERVICE, INC

In connection with condemnation suit, Manatee County, vs. Curtis Union 76 Service, Inc., et al, Case Nos. CA-78-762; 45-482, motion was made by Mr. Driggers and seconded by Mr. McGavic to approve

Stipulation as to Parcel No. 102

whereby the Defendant, Willis R. Miller, shall be awarded \$20,000 as full and just compensation for said property.

Motion carried unanimously.

H.O.P.E. OF MANATEE, INC: LEASE

The County Attorney submitted for approval a

LEASE AGREEMENT BY AND BETWEEN THE COUNTY OF MANATEE, LESSOR, AND H.O.P.E. OF MANATEE, INC, LESSEE

for real property described as follows:

That certain building and the adjacent motor vehicle parking facilities abutting said building located in the NE corner of the intersection of 6th Avenue, West and 10th Street, West, previously used for the offices of the Manatee County Veterans Service Department

for a term of ninety days commencing on the date that the City of Bradenton causes the necessary certificate or other document to be issued evidencing that the premises may be occupied and whereby either party may terminate this lease by giving written notice ten days prior to the anticipated termination date.

Motion was made by Mr. Driggers to approve the lease and authorize the Chairman to sign. Motion was seconded by Mr. Fortson and carried unanimously.

RECORD LEASE S9-275

PUBLIC SAFETY COMPLEX BOND ISSUE

The County Attorney reported that suit had been filed for validation of the Public Safety Complex Bond Issue and hearing had been set for July 14, 1980.

CONSENT CALENDAR

Upon motion by Mr. McGavic, seconded by Mr. Fortson, the Consent Calendar dated June 12, 1980 was unanimously approved as follows:

BILLS FOR PAYMENT:

Century Consultants, Ltd.	\$ 1,332.36
Refund: Ryan Homes, Inc. (Bldg Permit)	57.50
Manatee County Insurance Agency, Inc:	
Public Employees Bond Deposit Premium	60,000.00
Workers Compensation Deposit Premium	47,000.00

ASSET MANAGEMENT:

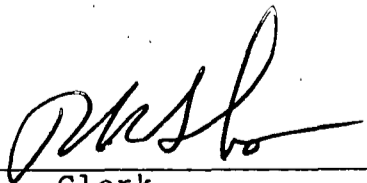
Deletion of Assets - Highway and Engineering: Asset No. 10194.01, Black and Decker Hammer Drill

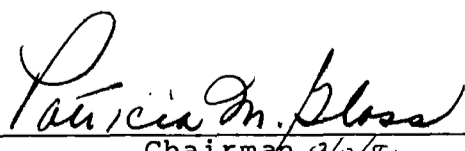
MEETING ADJOURNED

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

Attest:

APPROVED:


Clerk


Chairman 9/9/80

Adj: 3:15 p.m.