

OCTOBER 9, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday October 9, 1980 at 9:07 a.m.

Present were Commissioners:
Patricia M. Glass, Chairman
Claude E. McGavic
L. H. Fortson, Jr.

Absent were Commissioners:
Lamar S. Parrish, Vice-Chairman
Louis E. Driggers

Also present were:
Alan Prather, Acting County Attorney
David B. Collier, County Administrator
Ralph Umana, Asst. Finance Director, representing R. B. Shore, Clerk of Circuit Court

Representing the various news media were David Priddy, WTRL; Libby Allison, The Bradenton Herald; Mark Todd, Sarasota Herald-Tribune, and others who entered during the meeting.

Invocation by Rev. Frank Brower, Sara Bay Baptist Church.

The meeting was called to order by Chairman Glass.

AIRPORT AUTHORITY

Commissioner McGavic reported on a study being conducted by the Sarasota Manatee Airport Authority and the nine most acceptable sites selected by the Site Selection Committee for the location of a proposed carrier airport. Chairman Glass suggested that this Board have representation and input on this and other related matters at a public hearing to be held early in November.

BRIDGE INSPECTION - BOY SCOUTS FACILITY (CAMP FLYING EAGLE)

Mr McGavic reported that the bridge on the Boy Scouts property (Camp Flying Eagle) is in need of repair, and a thorough inspection would take about six hours.

Motion was made by Mr Fortson to authorize the County Engineer to inspect the bridge. Motion was seconded by Mr McGavic and carried unanimously.

MATERIALS AND SERVICES

Recommendations of Materials and Services Department were outlined in memorandum from Gary M. Knuckles, Director, dated October 2, 1980.

UTILITIES

1. Bid No. 80-72 Cold Water Meters
 - a. Authorization to award bid divisions as follows:

Division I - Positive Displacement Meters - Domestic Neptune Meters, second low base bidder for following reasons: Reliability, accuracy, and standardization (reduction by number of brands and parts inventory).

Division II - Positive Displacement Meters - Commercial and Special Domestic Service Meters
to Neptune Meters, low bidder

Division III - Turbine Meters
To Multiple low bidders: Kent Meter Sales; B & H Sales; Neptune Meters.

Mr Fortson moved for approval of award of Bid 80-72. Motion was seconded by Mr McGavic and carried unanimously.

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ROSE PARK SUBDIVISION - VACATION OF PINE STREET

Public hearing on petition by Wigdahl/Semrow for vacation of a portion of Pine Street, Rose Park Subdivision, was continued to October 14, 1980.

FAIRPLAY & C.C. FRASERS SUBDIVISIONS - VACATION OF CENTER ST

Public hearing was opened to consider the petition of Fred Katz and Harry C. Holleran for the vacation of the West 322 feet of Center Street in Fairplay Subdivision and the west 336 feet of an unnamed street as shown on Plat of C.C. Frasers Subdivision (80-V-6).

The County Utilities Department, in a letter from Leonard R. Carlton, dated October 2, 1980, requested that a 20 foot sewer easement be retained for future lines.

Fred Katz stated there are water and sewer lines down 61st Avenue East and 12th Street the full length of the property in both directions, and questioned the need for such easement. The public hearing was continued until the Utilities Department could be contacted to determine if the easement is actually needed.

ANDRESS SUBDIVISION - VACATION OF 53RD AVENUE W

Public hearing was opened to consider the petition of Gordon H. and June G. Arnold; Charles E. and Virginia Hawkins; Helen Dole Hawkins; Albert V., Leonard J., Charles H. and Clarence L. Pillsbury; Katherine L. Robinson; and Florida Conference Association of Seventh Day Adventist to close and vacate that portion of 53rd Avenue West on Sneads Island lying north from the extended southernmost boundary of Lot 1 of Andress Subdivision (80-V-10).

Bruce Siciliano, County Planner, stated that none of the reviewing agencies have any objections since the City of Palmetto officially withdrew its objection (via letter from Mayor J.J. Holland, dated October 8, 1980).

Mr Fortson moved for adoption of resolution (80-V-10) vacating 53rd Avenue as described in petition. Motion was seconded by Mr McGavic and carried unanimously.

✓RECORD RESOLUTION S11-23

ZONING

Recommendations of the Planning Commission were submitted by Bruce Siciliano, Planner.

SE-80-64 ROXANNE & RICHARD TOBIN - BEAUTY SHOP APPROVED
(Deferred 9/25/80, so petitioner could be present to answer questions from the Board)
Planning Commission recommended APPROVAL for a period of five years with a waiver of Section VI, Paragraph 33, Sub-paragraph "h" of Zoning Ordinance

Mrs Tobin was available to answer any questions and stated that she will be the operator of the beauty shop and that there will be no exterior changes to the facility.

Mr Fortson recommended and moved to approve SE-80-64 for a period of three years (instead of five) and authorize the Planning Director to administratively review and grant another three years if there have been no problems. Motion was seconded by Mr McGavic and carried unanimously.

R-80-70 SARASOTA-MANATEE AIRPORT AUTHORITY - REZONE TO M-1 - DEFERRED

Request: Change zoning from C-2 to M-1 to permit expansion of existing facilities at American Beryllium Co., Inc. on one acre on Tallevast Road, 440 ft East of US 301.
Planning Commission recommended APPROVAL.

Tom Durkin, Attorney representing American Beryllium Co. Inc., said the expansion would consist of about 16,000 square feet.

At the request of Mr Durkin, this petition was deferred to the following Tuesday, October 14, 1980, in order that it might be considered by a full (five-member) Board.

Chairman Glass stated for the record that her husband is an employee of the American Beryllium Company.

FAIRPLAY AND C.C. FRASER'S SUBDIVISION - VACATION OF CENTER ST

Mr Siciliano reported that the Utilities Department has been contacted and that one twenty-foot utility easement is requested, but that the petitioner has the choice in which right of way the easement may be located. Mr Katz had no objection.

Public hearing was continued until Tuesday, October 14, 1980, in order that an agreement on the location of the easement may be reached and appropriate documents prepared.

SE-80-61 GERALD E. LAYMAN & DON PRESSLER - DEFERRED

Request: Special Exception to permit construction of a public utility building for General Telephone Company of Florida on 1.39 acres on Lot 1, Block 4, Windsong Acres, at NE corner of SR 64 and 111th St. E. Planning Commission recommended APPROVAL with stipulation that all landscaping be installed prior to issuance of Certificate of Occupancy.

Mr Siciliano relayed request from General Telephone Company (via letter dated 10/6/80) to defer this petition for one month.

There were no objections.

SE-80-62 TEKLA & IRVING J. HALL - CHURCH - DEFERRED

(SE to be granted to Westside Church of Christ)
Request: Special exception to permit construction of a church and church related activities for a permanent period of time with two years to complete 25 percent of construction, on 2.5 acres on 55th St W., approx. 500 ft north of Manatee Avenue W. Planning Commission, having specifically considered the criteria set forth in Section VI-14 of the Zoning Ordinance, recommended APPROVAL with stipulation that the grassed parking areas incorporate a means of controlling internal circulation.

Mr Siciliano reported that in conjunction with the application, petitioners are requesting waiver of a buffer area along north and west sides until completion of phase I.

Written material (in opposition) from Heyward E. Moseley and Robert S. Brown was accepted.

Other individuals expressing opposition were:

Vernon Oblisk; Terry Montgomery; Mrs Glenn Reynolds; Beverly Mooney; R.S. Brown; Fred Schaub; and Ken Cleary, Attorney, who read a statement by Heyward E. Moseley. Mr Cleary also requested denial of the petition on behalf of the area neighborhood.

Robert Knowles, Agent for the petitioners, stated that SE-80-62 meets all the requirements of the Zoning Ordinance, and requested action be deferred until the full Board is present to vote.

There were no objections.

D. E. Mason, Church member, spoke in favor of SE-80-62.

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SE-80-68 NANCY W. REGAL - GASOLINE PUMPS APPROVED

(SE to be granted to Southland Corp., d/b/a 7-Eleven Stores)
Request: Special exception to permit the operation of self service gasoline pumps (3) in conjunction with a 7-Eleven Food Store.

Planning Commission, having specifically considered the criteria set forth in Section VI-14 of the Zoning Ordinance, recommended APPROVAL for a permanent period of time.

Motion was made by Mr Fortson to approve SE-80-68 as recommended. Motion was seconded by Mr McGavic and carried unanimously.

SE-80-70 JACK & EDNA BOGGS - MOBILE HOME - APPROVED

Request: Special exception to permit a mobile home in addition to a single family residence on 10.18 acres at 403 Rye Bridge Road.

The Planning Commission, having specifically considered the criteria set forth in Section VI-14 of the Zoning Ordinance, recommended APPROVAL for a period of five years plus an additional five years to be granted at the administrative discretion of the Planning Director.

Motion was made by Mr McGavic to approve SE-80-70 as recommended by the Planning Commission. Motion was seconded by Mr Fortson and carried unanimously.

SE-80-74 BLAKE & VIRGINIA WHISENANT - PACKING HOUSE APPROVED

(SE to run with the land)

Request: Special exception to permit a packing house for fruits and vegetables on 47 acres on SR 64.

Planning Commission, having specifically considered the criteria set forth in Section VI-14 of the Zoning Ordinance, recommended APPROVAL for a permanent period of time to be granted to Blake & Virginia Whisenant.

Mr Siciliano advised that the applicant is also requesting a waiver of paving and landscaping of off-street parking areas, and that the Planning Staff has no objection to the waiver.

Robert J. Boylston, Agent, was available to answer any questions.

Motion was made by Mr Fortson to approve SE-80-74 as recommended by the Planning Commission, including the waiver. Motion was seconded by Mr McGavic and carried unanimously.

SE-80-75 RALPH & CYNTHIA FULGHUM - BEAUTY SHOP APPROVED

Request: Special exception to permit a beauty shop as a home occupation on .30 acre at 2725 38th Avenue E. Planning Commission, having specifically considered the criteria set forth in Section VI-14 of the Zoning Ordinance 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 a waiver of Section VI, Paragraph 33, Sub-paragraph "h" of the Zoning Ordinance.

Motion was made by Mr McGavic to approve SE-80-75 as recommended by the Planning Commission. Motion was seconded by Mr Fortson and carried unanimously.

SE-80-76 KONSTANTINOS MALLIARAS - 2-COP APPROVED

Request: Special exception to permit consumption of beer and wine (2-COP) on premises of Coconut Hut Restaurant, on .73 acre at 3401 14th St. W.

Planning Commission, having specifically considered the criteria set forth in Section VI-14 of the Zoning Ordinance, recommended APPROVAL for a permanent period of time with the stipulations that the number of seats be limited to 52 until additional parking and landscaping is installed as required by the Zoning Ordinance.

William Kaklis, Agent, was available to answer any questions.

Motion was made by Mr Fortson to approve SE-80-76 as recommended by the Planning Commission. Motion was seconded by Mr McGavic and carried unanimously.

SE-80-73 FIRST CAPITAL INCOME PROPERTIES - 2-COP APPROVED
(SE to be granted to William & Betty Bradford)
Request: Special exception to permit consumption of beer and wine on premises at Mr B's Coney Island Restaurant (4425 14th St W., Cortez Plaza Shopping Center) with a seating capacity of 90.
Planning Commission, having specifically considered the criteria set forth in Section VI-14 of the Zoning Ordinance recommended APPROVAL for an indefinite period of time.

Motion was made by Mr Fortson to approve SE-80-73 as recommended. Motion was seconded by Mr McGavic and carried unanimously.

RECESS/RECONVENE

After a brief recess, the Board reconvened with all members present except Mr Driggers and Mr Parrish.

HOUSEMOVING (CLEMENTS)

Motion was made by Mr Fortson to approve application for a housemoving permit (HM-80-21) from

John Clements to move a building from 5220 Gulf of Mexico Dr
Bradenton Beach
to 5719 SR 64 East
Pre-moving No. 29428.

Motion was seconded by Mr McGavic and carried unanimously.

Maxine Clements, owner, summarized planned additions to the building to bring it up to zoning standards.

79-S-26(F) WOODLAWN LAKES S/D - F/PLAT APPROVED
(Skyway, Inc., Developer)
Request: Final plat aproval of a single family subdivision of 120 lots on 59 acres west of Erie Road, one mile north of US 301.
Planning Commission recommended APPROVAL.

The Acting County Attorney approved the form of the plat and the security guaranteeing completion of subdivision improvements (\$96,000.00 held in escrow by the Guaranty Savings & Loans Association of St Petersburg, financial institution, for Skyway, Inc., developer).

Mr Fortson moved for approval of the final plat of Woodlawn Lakes Subdivision and to accept the escrow agreement. Motion was seconded by Mr McGavic and carried unanimously.

RECORD AGREEMENT S11-24

79-S-42(F) PALMA SOLA WOODS S/D - F/PLAT APPROVED
(Dietch's Land Co., Developer)
Request: Final plat approval of a single family subdivision of 14 lots on 4.40 acres at 19th Avenue W. and 75th St W.
Planning Commission recommended APPROVAL.

The Acting County Attorney approved the form of the plat and the bond (\$2,673.00 cashier check, No. 7443, payable to the County by Exchange Bank) to assure completion of the sidewalks.

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Motion was made by Mr Fortson to approve the final plat of Palma Sola Woods Subdivision and accept the bond. Motion was seconded by Mr McGavic and carried unanimously.

80-S-38(P&F) TACO BELL S/D - F/PLAT - APPROVED
(Perrenult/Gentry, Developers)

Request: Preliminary and final plat approval of one commercial lot on 0.39 acre at 6221 14th St. W. Planning Commission recommended APPROVAL with waiver of sidewalk, recreation and fire protection requirements.

Motion was made by Mr Fortson to approve final and preliminary plat of Taco Bell Subdivision as recommended. Motion was seconded by Mr McGavic and carried unanimously.

80-S-39(P&F) OXLEY'S PARADISE BAY S/D - F/PLAT APPROVED
(Robert L. Oxley, Developer)

Request: Preliminary and final plat approval of a duplex subdivision of 4 duplex lots on 2.28 acres on Oneida Road west of Center Road, Palmetto Point. Planning Commission recommended APPROVAL with waiver of recreation requirements.

Mr McGavic suggested that the ownership of a park within the subdivision be investigated and that assessments on the plats be given consideration as a means of accomplishing road improvements.

Motion was made by Mr McGavic to approve Oxley's Paradise Bay Subdivision as recommended. Motion was seconded by Mr Fortson and carried unanimously.

80-S-40(P) BRADEN WOODS S/D - P/PLAT APPROVED
(Florida First Service Corp., Developer)

Request: Preliminary plat approval of a single family subdivision of 161 single family lots on 200 acres southeast of the intersection of SR 70 and proposed I-75. Planning Commission recommended APPROVAL with waiver of recreation requirements, subject to requirement that all through roads shall have a 24-foot wide pavement width and all other streets be 22 feet wide with stabilized shoulders sufficient for emergency vehicles.

Mr Siciliano pointed out that this property is located about 3/4 mile east of I-75 and the proposed TARA project, and that it lies within the Ward Lake watershed. The petitioner has submitted a preliminary investigation report on hydraulic conductivity of the shallow soils at the subject site. The report recommends that further investigation of soil and ground water conditions be completed during the design phase to establish methods of controlling groundwater elevations and allow preparation of design criteria for septic tank utilization. The Health Department will require these recommendations to be implemented and advises that failure to adequately document that the project will not have an adverse impact on Ward Lake may result in denial of construction plan approval of the project.

According to Mr Siciliano, the plans were delivered to the City of Bradenton for review and no significant input had been received.

Mr Fortson moved for approval of preliminary plan of Braden Woods Subdivision as recommended by the Planning Commission. Motion was seconded by Mr McGavic and carried unanimously.

80-T/3(P) TERRA SIESTA MOBILE HOME PARK - DEFERRED
(Thomas J. Wigdahl, Developer)

Request: Preliminary plan approval of a mobile home park expansion of 450 mobile home lots on 91 acres northwest of the intersection of US 301 & Erie Road directly south of Colony Lakes Estate Mobile Home Park.

Planning Commission recommended APPROVAL, contingent upon approval of the required street vacation by the Board of County Commissioners prior to final plan approval.

Mr Siciliano suggested this item be deferred to Tuesday, October 14, 1980 in order that it might be considered simultaneously with the request by Mr Wigdahl for vacation of a portion of Pine Street (80-V-9). There were no objections.

HOUSEMOVING (JMC DEVELOPMENT)

Motion was made by Mr McGavic to approve application for housemoving permit (HM-80-22) from

J.M.C. DEVELOPMENT to move a building from St Petersburg, Fla to 400 US 301 Blvd., W
Pre-moving No. 29846.

Motion was seconded by Mr Fortson and carried unanimously.

80-S-32(P) FISHER CREEK FARMS - DEFERRED
(John Nash, Developer)

Request: Preliminary plan approval of a single family subdivision of 53 lots on 183 acres 2 miles south of SR 64 along west side of Bethany Road.
Planning Commission recommended DENIAL.

Mr Siciliano cited Pollution Control Department comments: "the subject project lies within close proximity of Lake Manatee and increased density of population with accompanied use of septic tanks, pesticides, herbicides and other pollutants would not be in the best interest of County water supply reservoir;" and comments by the Utilities Department that the referenced development could have detrimental effect on Lake Manatee through seepage from septic tanks.

During his presentation Robert Lombardo, Civil Engineering Consultants, Inc., Agent, pointed out that because of the size of the proposed lots, the development is permitted under County Zoning. He also mentioned that the property is adjacent to a dairy owned by Commissioner Driggers.

Mr Fortson requested deferral until Mr Driggers is present and stated that he would also like to hear comments from the Utilities Director.

R. A. Wilford, Utilities Director, stated that the concerns of the Utilities Department had not changed since the original report, and further, he is requesting the Board to approve a proposed contract with Gee and Jensen, Engineering Consultants, to perform a comprehensive impact study of the Lake Manatee watershed.

This item was deferred to Tuesday, October 14, 1980.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 1981

Discussion of the 1981 Community Development Block Grant Program was deferred to Tuesday, October 14, 1980.

CLERK'S CONSENT CALENDAR

Upon motion by Mr Fortson, seconded by Mr McGavic, the Clerk's Consent Calendar dated October 9, 1980 was unanimously approved as follows:

BILLS FOR PAYMENT

Mann & Fay:

(Professional Services for month of September 1980)	\$5,532.36
(W.R. Grace & Co, DRI #8/SE-852)	172.00
(Professional Services rendered Transportation Dept.)	1,127.07
(General Obligation Road Bond Issue)	39.37
(Eminent Domain proceedings, 53rd Ave W, Watkins, et al)	187.50

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MINUTES FOR APPROVAL - August 21, 26 & 28, 1980.LAKE MANATEE RESERVOIR - GEOTECHNICAL AND HYDROLOGICAL ENGINEERING STUDY
The Acting County Attorney submitted a proposed agreement for

Gee & Jenson, Engineers-Architects and Planners, Inc

to perform consulting, design and other professional services to establish the safe sustained yield of Lake Manatee Reservoir and evaluate potential impacts of development within its watershed.

The scope of the work is to be divided into three phases:

- Phase I - Base Line Analysis of Existing Watershed
- Phase II - Safe Yield and Impact Assessment
- Phase III - Ongoing Monitoring Programs

Motion was made by Mr Fortson to authorize the Chairman to execute the Agreement. Motion was seconded by Mr McGavic and carried unanimously.

✓RECORD AGREEMENT

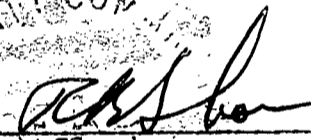
S11-25

MEETING ADJOURNED

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

Attest:

APPROVED:



 Clerk



 Chairman 11/26/80

Adj: 11:30 a.m.