

FEBRUARY 11, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, February 11, 1982 at 9:12 a.m.

Present were Commissioners:

Vernon E. Vickers, Chairman
Edward W. Chance, Vice-Chairman
Claude E. McGavic
Westwood H. Fletcher, Jr.
Patricia M. Glass

Also present were:

Mary Greenwood, County Attorney
David B. Collier, County Administrator
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representing the various news media were Libby Allison and Jud Magrin, Sarasota Herald-Tribune, and others who entered during the meeting.

Invocation by Irene Avers, Chaplin, Asbury Towers.

The meeting was called to order by Chairman Vickers.

ANIMAL CONTROL

Mrs. Glass stated that she and Sheriff Burton recommend posting \$1,000 reward for any information leading to the arrest and conviction of persons promoting dog fighting. (Action later in the meeting).

In connection with a recommendation by Mrs Glass that the Humane Society be given the management of the Animal Center, the County Administrator advised that he is scheduling a meeting with representatives of the Society to discuss that possibility.

STUDENT IN GOVERNMENT WEEK

The County Administrator was instructed to coordinate a tour of Port Manatee for students participating in "Student in Government Week" February 15 - 19, 1982.

LOT CLEARING PETITION

The Chairman declared the public hearing open for the purpose of considering Lot Clearing Petition

LC-1527 William L. Stoeltzing alleging that property owned by Henry F. Sharpe has not been cleared in accordance with requirements of Chapter 69-1284, Laws of Florida, Special Acts of 1969.

Dave Fulford, Enforcement Officer, Planning and Development, submitted photographs substantiating the petition.

Public hearing was closed.

Motion was made by Mrs. Glass to approve Lot Clearing Petition LC-1527 (by adoption of appropriate resolution determining that the property owner has not complied with the law and demanding corrective action be taken). Motion was seconded by Mr Chance and carried unanimously.

RECORD RESOLUTION S31-963

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Chance, seconded by Mrs. Glass, the Clerk's Consent Calendar dated February 11, 1982 was unanimously approved as follows:

BILLS FOR PAYMENT:

Gee & Jenson - Watershed Study; Phase II	\$50,665.97
Universal Tank & Iron Works: Tank #4; Est. #14	32,038.20
Tank #4; Est. #15	59,545.00
WED Contractors - Raw Water Intake & Pump #2; Est. #14	72,021.50

Refund: J. Edward Perry (P&R)	\$ 46.80
Refund: Frank Cowley, M.D. (P&R)	88.92
Refund: Randolph Lindskou (P&R)	42.12
Refund: Walter Zimmerman (P&R)	45.76
Refund: Fred Haas (P&R)	29.12
Refund: Sheila Y. Hatmaker (OB Clinic)	50.00
Refund: Arlene Conley (OB Clinic)	25.00

AUTHORIZE CHAIRMAN TO SIGN:

Partial Release of Special Improvement Assessment Lien:
George H. and Lois Smock - Lot 1 Block C; 26th St. Add.

CITY OF BRADENTON - PLANNING COMMISSION

It was brought to the attention of the Board that the Agenda of the City of Bradenton Planning Commission, February 17, 1982, indicated partial Release of Special Improvement Assessment Lien for Hidden Pines, Inc., (zoned PDFB) will be considered. This development is across from the Manatee County Utilities Administration Building.

CONTRACTS: WATER LINE/ROAD PAVING

Upon recommendation by the County Attorney, Mrs Glass moved that the Chairman execute the following contracts in triplicate, subject to receipt of bonds and accompanying powers of attorney (to be approved by the County Attorney):

- 1) Peninsular Supply Company, \$201,714.23
Whitfield Water Line Extension/awarded 1/19/82. (Performance Bond: Insurance Company of North America, surety)
- 2) Hewitt Contracting Company, Inc (formerly Square G Construction Co., Inc), \$74,971,75
Project 5016, Alternate A: 23rd Avenue from 15th St E., west to deadend/awarded 1/19/82. (Performance Bond: Seaboard Surety Company, surety)
- 3) Wendel Kent & Company Inc, \$187,277.90
Project 5019, 60th Ave, Terrace, West from 12th Street West/awarded 1/19/82 (Performance Bond: Fidelity & Deposit Company of Maryland, surety).

Motion was seconded by Mr. McGavic and carried unanimously. S31-964
RECORD CONTRACTS S31-965
S31-966

ONECO PARK SUBDIVISION: VACATION OF STREET (81-V-11)

Public hearing (continued from 1/14/82) was declared open for the purpose of considering application (81-V-11) by Robert H. Holman for vacation of a portion of a certain street in Oneco Park Subdivision (Plat Book 1, page 217).

Planning staff noted that the Department of Transportation has requested that the existing drainage easement remain intact until a new easement is established.

There being no public comments, the public hearing was declared closed.

Mr. Chance moved to adopt resolution 81-V-11. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD RESOLUTION S31-967

HIGHPOINT SUBDIVISION: VACATION OF PLAT (82-V-1)

Upon motion by Mrs. Glass, seconded by Mr. Chance, a

RESOLUTION DECLARING A PUBLIC HEARING ON APPLICATION
FOR VACATION OF A SUBDIVISION PLAT,

Highpoint Subdivision (Plat Book 5, page 41), to be held on March 11, 1982, was unanimously adopted. The application (82-V-1) was submitted by David K. Deitrich, as Trustee.

RECORD RESOLUTION S31-968

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ZONING

Public hearing was opened for the purpose of considering

ORDINANCE Z-82-1:

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE RE-ZONING OF CERTAIN LAND FROM AF/RI-B (AGRICULTURAL FRINGE/SINGLE FAMILY RESIDENTIAL DISTRICT) TO AF/PDR (AGRICULTURAL FRINGE/PLANNED RESIDENTIAL DEVELOPMENT DISTRICT) AND PDR (PLANNED RESIDENTIAL DEVELOPMENT DISTRICT); PROVIDING AN EFFECTIVE DATE.

(Notice published in the Bradenton Herald January 25, 1982)

Z-82-1 FT MYERS/BRADENTON TRUST - APPROVED

Request: To change present zoning from AF/R-1B to AF/PDR and PDR District on 44.5 acres east of, and adjacent to, Pearce Drainage Canal near 37th St. E., south of State Rd. 70.

Planning Commission recommended APPROVAL of the conceptual plan for 45 acres of Garden Lakes and adoption of Ordinance Z-82-1 subject to the following conditions:

1. The developer shall dedicate and construct a tie from 39th Street East to 37th Street East; the timing and phasing for construction to be determined prior to final development plan approval.
2. Revised conceptual development plan for the entire 135 acre project is required to amend any density of land use provisions of the original development plan Z-81-25.

Ralph Nelson, Agent, presented testimony on behalf of the petitioner.

Public hearing was closed.

Mr. Fletcher moved to approve the conceptual plan for 45 acres of Garden Lakes and adopt Manatee County Ordinance Z-82-1 subject to the conditions set forth by the Planning Commission. Motion was seconded by Mr. Chance and carried unanimously.

RECORD ORDINANCEPROCLAMATION: BIG BROTHER/BIG SISTER APPRECIATION WEEK

Judy Childers, Director, Big Brothers and Sisters, introduced the "match of the month" - Big Brother Ralph Putnam and Little Brother Bryan Curry.

Mr. Glass read a proclamation by the Board of County Commissioners declaring

FEBRUARY 14-20, 1982 AS BIG BROTHER/BIG SISTER APPRECIATION WEEK

Upon motion by Mr McGavic, seconded by Mr. Chance, the proclamation was unanimously adopted.

RECORD PROCLAMATION S31-969

ZONINGZ-82-2 MANATEE WOODLANDS - R-3A APPROVED

Request: to change present zoning from A-1 to R-3A on 15.9 acres at the southeast corner of US 301 & 25th Ave E., Ellenton.

Planning Commission recommended APPROVAL of the conceptual plan and adoption of ordinance, subject to:

1. The project connect to the Tidevue Package Treatment Plant.
2. The Developer shall dedicate a 50 foot right-of-way along the property's south boundary line as a future means of access for the undeveloped property to the east.

Public hearing was opened for the purpose of considering

ORDINANCE Z-82-2

AMENDING ORDINANCE NO. 81-4....

PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1 TO R-3A;
PROVIDING AN EFFECTIVE DATE.

(Notice published in the Bradenton Herald, January 25, 1982)

Ralph Nelson explained the general location and zoning characteristics of the area. He indicated that access to the site is from 25th Ave E., a non-constructed 25 foot county right-of-way, and since 25th Ave E. is accessible from US 301, the developer proposes a median cut to permit access for east and west bound traffic. He said the developer had some problem with dedication of a 50-foot right-of-way.

Carol Clarke, Planning & Development, stated that County policy is to require two means of access for high density development and the 50-foot right-of-way along the south property line will provide an alternative access for the undeveloped property to the east and prevent future access problems.

Mr. Chance favored the proposed project, which is in his district, however, he recommended that the Planning Commission not allow circulation of traffic through Highland Shores Subdivision, as the residents of that area are opposed to that.

C.M. Bayless, who holds a mortgage on the subject property and owns the property adjacent to the development, viewed the proposed plans and offered no objections.

John D. Harland, Highland Shores Subdivision, stated that the residents will fight the egress and ingress of traffic through that subdivision

Mr. Chance moved to approve conceptual plan for Manatee Woodlands and adopt Manatee County Ordinance Z-82-2. Motion was seconded by Mr. McGavic and carried unanimously.

RECORD ORDINANCE

SP-82-4 SHOP & GO, INC.- GASOLINE PUMPS - APPROVED *Zoning*

Request: A special permit to allow gasoline pumps at an existing convenience store located at 6228 - 15th St. East on 1.75 acres Zoned C-1.

Planning Commission recommended APPROVAL, subject to the revision of Site Plan as recommended by Planning Staff.

(Notice published in the Bradenton Herald, January 22, 1982)

Robert J. Boylston, Attorney representing the applicant, stated that a revised preliminary site plan incorporating all recommendations by the Planning Commission has been submitted. With reference to a canopy over the gas pumps, he requested waiver of the setback requirements of the Manatee County Comprehensive Zoning and Land Development Code as follows:

A waiver of 6 ft of the said setback requirement on the 63rd Avenue East side of the property and a waiver of 2 ft on the U. S. Highway 301 side.

Mrs. Glass moved to approve Special Permit SP-82-4 with the waiver provision included. Motion was seconded by Mr. Fletcher and carried unanimously.

SP-81-49 FPA CORP - TELEPHONE SWITCHING STA. - APPROVED

Request: Special permit to allow a telephone switching station, a light utility use, on .299 acre, 438 feet south of Country Club Way on Whitfield Avenue.

Planning Commission recommended APPROVAL subject to:

1. Waiver of the minimum lot area.
2. Waiver of the minimum lot width
3. A landscaped buffer strip will be required around the entire boundary of the subject site to screen it from future residences.

(Notice published in the Bradenton Herald, January 21, 1982)

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Andrea Lee, agent for the Telephone Company, explained that no personnel will be assigned to this location, but parking spaces will be allowed for two cars for maintenance, repairs, etc.

Mr. Fletcher moved to approve Special Permit No. SP-81-49 subject to the conditions set forth by the Planning Commission. Motion was seconded by Mrs. Glass and carried unanimously.

RECESS/RECONVENE

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

LEGISLATION - MANATEE MEMORIAL HOSPITAL

The County Attorney submitted a proposed amendment to Chapter 78-555, stating that a question exists regarding the notice that is required by law before the bill can be filed by the legislature.

CHAPTER 78-555

An Act relating to Manatee County; amending chapter 78-555, laws of Florida, 1978, to permit and empower the Board of County Commissioners of Manatee County to lease or sell the capital facilities of the Manatee Memorial Hospital to a nonprofit or profit corporation; providing for reestablishment of the Board of Trustees; providing an effective date.

She indicated that Section 1102 of Florida Statutes requires that a bill be advertised in the newspaper 30 days before it is filed with the legislation. Since only 35 days are left in the present Legislative Session, she recommended that the notice be advertised Saturday, February 13, 1982.

Mrs. Glass moved that the Board advertise the proposed changes in Chapter 78-555 as outlined and coordinate with the Legislative Delegation to get this legislation through this session. Motion was seconded by Mr. McGavic and carried unanimously.

MANATEE MEMORIAL HOSPITAL: PRESENTATIONS BY MANAGEMENT FIRMS

It was concensus of the Board that Trustees of Manatee Memorial Hospital should continue to set up presentations by firms interested in the management concept.

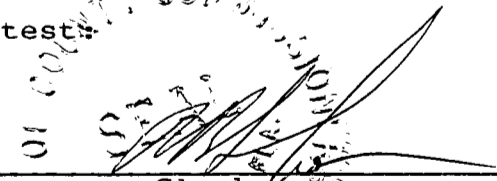
ANIMAL CONTROL CENTER

Mrs. Glass moved that the Board authorize, for a period of 90 days, a \$1,000 reward for the arrest and conviction of anyone involved in or promoting dog fighting in Manatee County. Motion was seconded by Mr. Chance and carried unanimously.

MEETING ADJOURNED

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

Attest:


Clerk

APPROVED:


Chairman 8/10/82

Adj: 11:17 a.m.