

MARCH 25, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, March 25, 1982 at 9:07 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:

Keith Roberts, Assistant County Attorney
Kathy Snell, representing the Acting County Administrator
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representing the various news media were Greg Spears, The Bradenton Herald; Jud Magrin, Sarasota Herald-Tribune; David McGiver and Sharon Colby, WBRD, and others who entered during the meeting.

Invocation by Rev. Gerald Williams, Emanuel United Methodist Church

The meeting was called to order by Chairman Vickers.

BOAT LICENSE PROCEEDS

A letter from Sam A. Cornwell, Tax Collector, dated December 3, 1981 regarding funds available to Manatee County from the Department of Natural Resources from boat license proceeds was referred to Kathy Snell with instructions to research and report to the Board.

COUNTY ADMINISTRATOR POSITION

Motion was made by Mr. Fletcher, seconded by Mrs. Glass, to authorize staff to advertise immediately for applications for the position of County Administrator. Motion carried three to two with Commissioners Chance, Fletcher and Glass voting "Aye," and Commissioners Vickers and McGavic voting "Nay."

DELINQUENT PROPERTY TAX ROLLS

Mr. Fletcher reported he had been received inquiries from two newspapers of whether or not delinquent property tax rolls are going to be submitted for bid.

Motion was made by Mr. Chance that staff be authorized to work with Commissioner Fletcher to research statutory requirements and County policy regarding advertising delinquent taxes and bid procedures. Motion was seconded by Mrs. Glass and carried unanimously.

CITY OF PALMETTO

At the request of Mayor Burton, City of Palmetto, Kathy Snell was instructed to schedule a meeting between the Palmetto City Council and the Board of County Commissioners to discuss matters of concern to the City.

PLANNING DEPARTMENT PRIORITIES

Larry K. Frazier, Planning Director, reported on departmental priorities for the next three months which included amendments to the Land Development Code.

PITTSBURGH PARK (SKEET) - VACATION OF STREET

Public hearing (continued from 9/8/81) was opened for the purpose of considering application (81-V-4) by Viola Skeet for vacation of a portion of CITRUS STREET as shown on the plat of PITTSBURGH PARK (Plat Book 5, Page 14).

MARCH 25, 1982

Cont'd

Due to the time lapse since the last hearing, The Planning Director recommended a new public hearing date be advertised for April 22, 1982.

Public hearing was declared closed.

Upon motion by Mr. Chance, seconded by Mrs. Glass resolution was unanimously adopted scheduling a public hearing, April 22, 1982, to consider 81-V-4.

RECORD RESOLUTION S31-1095

COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE

Mrs. Glass moved for adoption of a

RESOLUTION ESTABLISHING AND APPROVING A FEE
FOR MANATEE COUNTY COMPREHENSIVE ZONING AND
LAND DEVELOPMENT CODE

as follows:

Manatee County Zoning Atlas (reduced size) - \$110 per copy.
Subscription to Revisions - \$ 60 per annum.

Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD RESOLUTION S31-1096

HOUSEMOVING (BECK; KEFFER)

Motion was made by Mr. Chance to approve housemoving application

HM-82-6 Jim Beck - to move a building from SE corner 63rd
Avenue and 33rd Street East, Bradenton .
To: South side SR 675,
approximately 1/2 mile east of US 301
Pre-Moving No. 39052

with stipulation that prior to issuance of a Certificate of Occupance one kitchen be removed to convert the duplex to a single family residence. Motion was seconded by Mrs. Glass and carried unanimously.

Motion was made by Mr. Chance to approve housemoving application

HM-82-5 Mike Keffer - to move a building from 33rd Street East
and 63rd Avenue East (Bradenton)
to 207 48th Street Court Northeast
Pre-Moving No. 39055

with the following conditions to be met prior to the issuance of a Certificate of Occupancy: (1) a minimum of forty-four (44) square feet of living area shall be added to the dwelling; (2) the mobile home shall be removed from the property. Motion was seconded by Mr. McGavic and carried unanimously.

ZONING

The Planning Director submitted recommendations of the Planning Commission.

80-S-12 RYAN COURT SUBDIVISION - F/PLAT APPROVED

Request: Final Subdivison Plat Approval of 4.14 acres
on east side of 9th Street East at 35th Avenue East.

Mr. Chance moved to approve Final Subdivision Plat No. 80-S-12, Ryan Court Subdivision, approve and accept the improvement bond, (cashier's check, \$2,227.50 for sidewalk), subdivision agreement with Minerva L. Steger P/R of Estate of Frederick A. Steger (aka Fred A. Steger and David L. Steger) and defect security (cashier's check \$3,536.77). Motion was seconded by Mr McGavic and carried unanimously.

RECORD AGREEMENT S31-1097

79-S-40 GLENWOOD ACRES - F/PLAT APPROVED

Request: Final Subdivision Plat Approval of 16.33 acres north of Roman Road, East of U. S. 41

Mr. McGavic moved to approve Final Subdivision Plat No. 79-S-40, Glenwood Acres, approve and accept the subdivision agreement with Dorothy J. Campbell, improvement bond (\$1,500.00, Dorothy J. Campbell, principal; Service Insurance Co., surety) and Defect Security (\$2,000.00 Certificate of Deposit.) Motion was seconded by Mr. Chance and carried unanimously.

RECORD AGREEMENT S31-1098

80-T-1 COUNTRY LAKES VILLAGE, PHASE I - APPROVED

Request: Final Mobile Home Park Plan Approval on 46.8 acres (Total Phase I & II) at Intersection of Bayshore Rd and Palmview Road.

Mr. McGavic moved to approve Final Mobile Home Park Plan No. 80-T-1 Country Lakes Village, Phase I. Motion was seconded by Mr. Fletcher and carried unanimously.

The Chairman declared the public hearing open for the purpose of considering all Zoning Atlas Amendments.

Z-82-7 ROSENA & BREADY BUTLER - C - APPROVED

Request: To change the present zoning from R-1 to -C- on 1.01 acres at 319 -17th Street, East, Palmetto. Planning Commission recommended APPROVAL.

Layon Robinson, Attorney representing the applicant, was present.

ORDINANCE Z-82-7:

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 REZONING OF CERTAIN LAND FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO -C- (NEIGHBORHOOD COMMERCIAL DISTRICT); PROVIDING AN EFFECTIVE DATE.

(Notice published in The Bradenton Herald March 3, 1982).

Mr. Chance moved to adopt Manatee County Ordinance Z-82-7. Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD ORDINANCE

Z-82-10 GORDON MEYERS, AS TRUSTEE - R-4B & C-1 APPROVED

Request: To change the present Zoning from C-1 to R-4B and from R-4B to C-1 on 14.88 Acres at NE Corner of U. S. 301 and Erie Road. Planning Commission recommended APPROVAL.

ORDINANCE Z-82-10:

AMENDING ORDINANCE No. 81-4... PROVIDING FOR THE REZONING OF CERTAIN LAND FROM R-4B AND C-1 TO R-4B AND C-1; PROVIDING AN EFFECTIVE DATE.

(Notice published in The Bradenton Herald, February 24, 1982).

Mr. Chance moved to adopt Manatee County Ordinance Z-82-10. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD ORDINANCE

Z-82-12 JOHN C. & MARGARET V. ALBRITTON - C-1 APPROVED

Request: To change the present zoning from R-2 to C-1 on 1 acre at 2001 8th Avenue West, Palmetto. Planning Commission recommended APPROVAL

MARCH 25, 1982

Cont'd

ORDINANCE Z-82-12
 AMENDING ORDINANCE NO. 81-4....
 PROVIDING FOR THE REZONING OF CERTAIN LAND FROM R-2
 TO C-1. PROVIDING AN EFFECTIVE DATE.

(Notice published in Bradenton Herald February 24, 1982)

Mr. McGavic moved to adopt Manatee County Ordinance Z-82-12.
 Motion was seconded by Mr. Fletcher and carried unanimously.

Rita Johnson, 3116 17th, E., and Shirley Hornes, 308 17th St. E.
 Palmetto, spoke in opposition.

RECORD ORDINANCE

Z-82-13 - DONALD & JENNIFER HAGA - A-1 APPROVED *Zoning*

Request: To change the present zoning from -A- to A-1
 on 5 acres east of Erie Road & South of Erie Court Rd., north
 of U S 301.

Planning Commission recommended APPROVAL.

ORDINANCE Z-82-13:
 AMENDING ORDINANCE NO. 81-4...
 PROVIDING FOR THE REZONING OF CERTAIN LAND FROM -A- TO
 A-1; PROVIDING AN EFFECTIVE DATE.

(Notice Published in The Bradenton Herald March 8, 1982)

Mr. Chance moved to adopt Manatee County Ordinance Z-82-13.
 Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD ORDINANCE

Z-82-15 - OATLEY HIGGINS - C-2 APPROVED *Zoning*

Request: To change the present zoning from C-1
 to C-2 on 1.16 Acres at 5909 15th Street East.

Planning Commission recommended APPROVAL.

ORDINANCE Z-82-15:
 AMENDING ORDINANCE NO. 81-4...
 PROVIDING FOR THE REZONING OF CERTAIN LAND FROM C-1
 TO C-2; PROVIDING AN EFFECTIVE DATE.

(Notice published in The Bradenton Herald, March 5, 1982)

Mr. Fletcher moved to adopt Manatee County Ordinance Z-82-15
 Motion was seconded by Mrs. Glass and carried unanimously.

RECORD ORDINANCE

Z-82-6 - ROSARIO AND NETTIE DAVI - R-2 APPROVED *Zoning*

Request: To change the present zoning from R-1 to
 R-2 on .76 acre at 30th Street W., south of 46th Ave. W.

Planning Commission recommended DENIAL.

ORDINANCE Z-82-6:
 AMENDING ORDINANCE NO. 81-4...
 PROVIDING FOR THE REZONING OF CERTAIN LAND FROM
 R-1 TO R-2; PROVIDING AN EFFECTIVE DATE.

(Notice Published in The Bradenton Herald, February 25, 1982)

Rosario Davi, applicant, stated he bought the property primarily
 because the R-2 zoning on the property at that time allowed two
 family dwellings; that he has invested a considerable amount of
 money to fill and upgrade the property and now that he is ready
 to build, he cannot do so because the Comprehensive Plan has changed
 the zoning to R-1.

Those speaking in favor of granting the rezone to R-2 were:
 Nicholas Fascio, Dominic Iorio, and Triano Charles.

Speaking against the granting of the rezone to R-2 were: Abel
 Rogers, Elaine Nelson and Allen Barn.

Mr. Fletcher acknowledged receipt of letter from Jessie Snyder dated 3/10/82 supporting the granting of the rezone to Mr. Davi.

Mr. Fletcher moved to adopt Manatee County Ordinance Z-82-6. Motion was seconded by Mr. Chance and carried four to one with Mr. McGavic voting "Nay."

RECORD ORDINANCE

After a brief recess, the Board reconvened with all members ^{Zoning} present.

ZONING

SP-82-14 RONALD & BEVERLY WIDNER - DAY CARE CENTER - DEFERRED
(Action taken later in the meeting)

Request: A special permit to allow a day care center for 45 children on .33 acre at 904 -43rd Street W.

Howard Handy spoke against the granting of the special permit indicating that 43rd and 9th represents a dangerous corner for the location of a day care center.

Dennis DeVoe, property owner adjacent to the proposed day care center, spoke in opposition.

Carol Poole, who is planning to work at the day care center, spoke in favor of the special permit.

Action on petition SP-82-14 was deferred to later during the meeting, pending presentation by the Highway Department relative to access.

SP-82-22 HELEN E. BOWEN -TELEPHONE STATION - APPROVED

Request: Special permit to allow a telephone switching station, on 1 acre at SE corner Willis Road and Frontage Road east of I-75.

Planning Commission recommended APPROVAL contingent upon approval of the required variance by the Board of Zoning Appeals.

John Mander and Andrea Lee, representing, General Telephone Company were present.

Mr. McGavic moved to approve SP-82-22, subject to the stipulation set forth by the Planning Commission. Motion was seconded by Mr. Chance and carried unanimously.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Chance, seconded by Mrs. Glass, the Clerk's Consent Calendar dated March 25, 1982, was unanimously approved as follows:

BONDS:

Approve: Sheriff's Public Employees Blanket Bond
(Deletions & Additions, dated 3/19/82)

RECORD S31-1099

BILLS FOR PAYMENT:

W.R. Frizzell Architects - Public Safety Complex	\$ 8,901.97
Russell & Axon - Professional Services, Raw Water Intake and Pump Station No. 2	124.28
CH2M Hill Southeast Inc. -	
Wastewater Management Plan-South 201	3,761.17
Wastewater Management Plan-North 201	3,342.82
EW Siver & Assoc. - Insurance Consulting Services (Feb, 1982)	90.45
Manatee Memorial Hosp.: Indigent Hosp.	8,707.14
OB Clinic	2,540.56
OB Clinic	2,078.64
W. Pearson Clack, M.D. - Medical Exanimer (2/82)	7,272.38
Refund: Agricultural Research & Education Center - taps made into 8" line installed by the Center and the Utilities Department	1,449.00
Refund: Bill Hart (installment & deposit of water & sewer)	250.00
Refund: Mabel Hager (over paid on account)	200.00
Refund: E. H. Lodge (over paid on account)	188.50

MARCH 25, 1982

Cont'd

AUTHORIZE CHAIRMAN TO SIGN

Partial Release of Special Improvement Assessment Liens:
 Anthony & Jeanne Faso Bertha S. Nicoll

AUDITOR'S SELECTION COMMITTEE

Kathy Snell advised that a meeting of the Auditor's Selection Committee will be held March 31, 1982 at 1:30 p.m. in the County Administrator's Conference Room.

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

ZONINGSP-82-14 RONALD & BEVERLY WIDNER - DAY CARE CENTER - APPROVED

Planning Staff submitted recommendations of the Planning Commission for approval of SP-82-14 with the following conditions:

1. An additional bathroom be installed to Health Department standards.
2. Improvements to the proposed parking and access drive be completed prior to licensing by the Health Department as a day care center.
3. Slats be added to the existing chain link fence along the west property line prior to licensing.
4. The right-of-way required by the Highway Department to improve the intersection at 9th Avenue West and 43rd Street West be dedicated by the applicant prior to licensing as a day care center.
5. No future access shall be allowed on 43rd Street West.

Jerome Gostkowski, Highway Department, came before the Board and explained the County's plans for the area of 43rd Street W. and 9th Avenue West.

Mr. Chance moved to approve SP-82-14 subject to conditions set forth by the Planning Commission, adding the stipulation no left turn exit from the property. Mr. Chance withdrew his motion.

Mr. Chance moved to approve SP-82-14 subject to the conditions set forth by the Planning Commission with the addition of

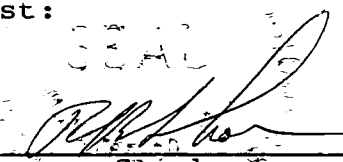
6. That the driveway be designed for no left turn on 9th Avenue West.

Motion was seconded by Mrs. Glass and carried unanimously.

MEETING ADJOURNED

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

Attest:


 Clerk

APPROVED:


 Chairman 8/24/82

Adj: 12:23 p.m.