

NOVEMBER 4, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, November 4, 1982 at 10:33 a.m.

Present were Commissioners:

Vernon E. Vickers, Chairman
Claude E. McGavic
Westwood H. Fletcher, Jr.
Patricia M. Glass

Absent:

Edward W. Chance, Vice-Chairman

Also present were:

Keith Roberts, Assistant County Attorney
David Rothfus, representing County Administrator
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representing the various news media were Jay Green, The Bradenton Herald; Jud Magrin, Sarasota Herald-Tribune; Pat Watson, WBRD, and others who entered during the meeting.

The meeting was called to order by Chairman Vickers.

HANDICAPPED FACILITIES - BEACH (A.B.L.E. ORGANIZATION)

Mrs. Glass advised that it had been brought to her attention by the A.B.L.E. Group (dedicated to provide accessibility to buildings for handicapped persons) that improvements need to be made at the beaches on parking conditions and lavatory accessibility for the handicapped.

The matter was referred to the County Administrator's office for investigation and report.

LEGISLATIVE DELEGATION

Mr. McGavic recommended the Board schedule a meeting with the Legislative Delegation to discuss legislative needs of the County, particularly relating to protection of the watershed, and relayed comment by Mrs. Simone (Representative) that she is prepared to draft legislation to give the Board more authority on watersheds.

PORT AUTHORITY - PURCHASE COUNTY TRUCKS

Mr. McGavic moved to accept the offer of \$10,000 from the Port Authority for purchase of two County-owned used Dodge trucks, Asset Nos. 15950 and 15951. Motion was seconded by Mrs. Glass and carried unanimously.

1982 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION - TALLEVAST

Larry Frazier, Planning and Development Director, submitted and requested approval of the 1982 Community Development Block Grant Small Cities Program for the Tallevast Comprehensive Improvement Program.

Mr. Fletcher moved to authorize the Chairman to sign the 1982 Community Development Block Grant Application and the letter forwarding same. Motion was seconded by Mr. McGavic and carried unanimously.

MANATEE PLAN - ANNUAL REPORT

The Planning Director submitted the first Annual Report on the Manatee Plan by the Planning Commission as required by the Comprehensive Plan, which reviews the condition of each element of the Plan, identifies problems with implementation and recommends appropriate changes and areas for additional concentration and study.

Mr. Fletcher moved that the Manatee Annual Plan First Annual Report under date of October 1982 be accepted into the record. Motion was seconded by Mr. McGavic and carried unanimously.

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ROOFING CODE AMENDED - (SECTION 7)

The Chairman declared public hearing open for the purpose of considering certain amendments to the Manatee County Roofing Code. (Notice published in The Bradenton Herald 10/22/82.)

The Planning Director submitted recommendations of the Building Contractor's Examining Board for amendments to the Roofing Code by certain changes, deletions and additions in Sub-paragraphs (a) and (b), Section 7, Certificates of Competency, provided for in the proposed Resolution.

Public Comments:

Oscar Blair, a licensed roofing contractor in the City of Bradenton, and general contractor in Manatee County, stated his concern that this may restrict the roofing trade and appears to be unfair to the building trade.

John Russell Sarge spoke in support of the Roofing Code Ordinance.

Jim Garrison, representing Manatee County-Sarasota County Roofing Contractors Association, supported adoption of the resolution.

The Chairman declared the public hearing closed.

Keith Roberts pointed out that Section 2 of the Resolution should designate that This Resolution instead of "This Ordinance" shall be effective December 1, 1982.

Mr. Fletcher moved to adopt

RESOLUTION AMENDING SECTION 7 OF THE MANATEE COUNTY
ROOFING CODE SETTING RULES AND REGULATIONS FOR
LICENSING ROOFING CONTRACTORS

with the correction as indicated by the Attorney. Motion was seconded by Mr. McGavic and carried unanimously.

RECORD RESOLUTION

S32-594

OGLESBY CREEK ROAD VACATION - PUBLIC HEARING DATE

Mr. McGavic moved to adopt

Resolution Declaring Public Hearing on Application for
Vacation of Streets or Roads to be Held December 2, 1982.
Re: 83-V-1 by W.R. Grace & Company for vacation of a portion
of Oglesby Creek Road.

Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD RESOLUTION

S32-595

ZONING82-S-11 OTTER LAKE SUBDIVISION - P/PLAT APPROVED

Request: Preliminary cluster subdivision plat approval on 5.20 acres at northeast corner of 30th Ave. W. and 24th St. W. Planning Commission recommended APPROVAL, with the following conditions: The developer shall be required to provide sufficient screening and landscaping on the construction drawings. A five foot (5') wide sidewalk will be required along 30th Avenue West.

Mr. Fletcher moved to approve Preliminary Plat 82-S-11 with the conditions stipulated. Motion was seconded by Mrs. Glass and carried unanimously.

The Chairman declared public hearing open for the purpose of considering

Z-82-53 - THOMAS HOWZE - AF/C1 - APPROVED

Request: Change zoning from AF/C to AF/C-1 on 1.37 Acres at northeast corner of State Road 64 and 65th St. E. Planning Commission recommended APPROVAL.

ORDINANCE Z-82-53:

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 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 REZONING OF CERTAIN LAND FROM AF/C (AGRICULTURAL FRINGE/NEIGHBORHOOD COMMERCIAL DISTRICT) TO AF/C-1 (AGRICULTURAL FRINGE GENERAL/ COMMERCIAL DISTRICT); PROVIDING AN EFFECTIVE DATE.

(Notice Published in the Bradenton Herald, October 16, 1982)

Linda Perkins, on behalf of Thomas Howze, stated that the purpose is to enable the applicant to rent to a veterinarian.

The Chairman declared the public hearing closed.

Having found the application to be consistent with the requirements of the Comprehensive Plan and Land Use Ordinance, Mr. McGavic moved to approve Z-82-53. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD ORDINANCE

Public hearing was held to consider:

SP-82-84 - ROBERT E. & RITA M. VETTER - MOBILE HOME APPROVED

Request: Special permit to allow a mobile home as a residence on 70 acres, on south side of State Road 64, 2 miles west of Myakka City Road.

(Notice published in The Bradenton Herald 10/13/82)

Planning Commission recommended APPROVAL for a term of 5 years plus an additional 5 years to be granted at the administrative discretion of the Planning Director.

Having considered the application in terms of the Land Use Code and finding it to be consistent with all requirements, Mr. McGavic moved to approve SP-82-84 as recommended by the Planning Commission. Motion was seconded by Mrs. Glass and carried unanimously.

SP-82-86 - RUALTO COMPANY TRUST - SETBACK APPROVED

Request: Special Permit to allow a ten (10') foot setback on the west property line for expansion of a non-conforming structure on 1.18 acres at 1980 Limbus Avenue East.

(Notice published in The Bradenton Herald 10/17/82)

Planning Commission recommended APPROVAL.

(Depart Mr. Fletcher)

Having considered the requirements of the ordinance and finding the request to be consistent with the Land Use Code, Mr. McGavic moved to approve Special Permit SP-82-86 as recommended by the Planning Commission. Motion was seconded by Mrs. Glass and carried unanimously.

For the record, Mr. Chance was not in attendance and Mr. Fletcher was not present to vote.

SP-82-97 - SARASOTA/MANATEE AIRPORT AUTHORITY - DEFERRED

Request: Special Permit to allow an expansion of existing airport terminal facilities, People Express Terminal, at Sarasota-Bradenton Airport.

(Notice published in The Bradenton Herald 10/13/82)

Planning Commission recommended APPROVAL.

(Enter Mr. Fletcher)

Jeff Flute, representing the applicant, had no objection to a recommendation to defer this request until all members of the Board are in attendance.

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Motion was made by Mr. Fletcher, and seconded by Mr. McGavic, to defer SP-82-97 to November 18, 1982.

Mr. Fletcher amended his motion to defer SP-82-97 to November 9, 1982. Motion, as amended, was seconded by Mr. McGavic and carried unanimously.

Z-82-49 - SOUTH FLORIDA MUSEUM, INC. - PDR & PDR/ST - APPROVED
(Deferred from 10/21/82)

Request: Change zoning from R-1B, R-1C, R-1C/ST, & R-1B/ST to PDR & PDR/ST District on 13.4 Acres on north side of 21st Avenue N. W., 600 feet west of 88th Street Court, N. W.

Planning Commission recommended APPROVAL with the following conditions:

1. The Developer shall install the necessary improvements required by Manatee County Utilities to serve the site with water and sewer.
2. The developer shall reconstruct 21st Avenue N.W. to County standards the entire length of the site's southern boundary.
3. The developer shall resurface 21st Avenue N.W. from this parcel to 83rd Street West, a distance of approximately 2150 feet. This resurfacing shall consist of an average asphalt capping of one (1") inch. The developer shall submit all engineering and construction drawings to the Highway Department for review and approval prior to all road construction improvements.
4. The developer shall allow professional archaeological testing and surveying of the areas immediately adjoining the described outparcel generally encompassing all property lying north of the proposed lake. Upon the finding of any significant remains, shall provide for the removal of these remains at his cost. In addition, the developer shall appropriately seed the Indian Mound to prohibit further surface erosion of this sensitive area. It is noted that, pending any significant finds, this work should not require more than three weeks to complete.
5. The developer shall relocate the triplex structure adjacent to the recreation area outside the V-15 velocity zone to the furthest extent possible.
6. The developer shall provide single family detached units along the western property line of this parcel with the exception of the proposed triplex unit adjacent to the recreation area. The developer may, at his option, relocate attached units to the eastern parcel line. Conditions No. 5 and 6 shall be reflected on the preliminary plan.
7. The developer shall provide a dedicated easement to South Florida Museum, Inc. for access to the existing Indian Mound from 21st Avenue N. W. This easement shall provide for complete and unrestricted access to the Indian Mound for the benefit of the general public.

ORDINANCE Z-82-49:

AMENDING ORDINANCE NO. 81-4....

PROVIDING FOR THE REZONING OF CERTAIN LAND FROM R-1B, R-1C, R-1C/ST, AND R-1B/ST TO PDR AND PDR/ST; PROVIDING AN EFFECTIVE DATE.

(Deport Mr. Vickers; Mr. McGavic, Acting-Chairman)

Dewey Dye, Jr., Attorney for South Florida Museum, Inc., commented on the benefits to the Museum Program and recommended approval of the request.

Robert Lombardo, Consulting Engineer for the project, requested that the matter be deferred until later in the meeting.

CLERK'S CONSENT CALENDAR

Upon motion by Mrs. Glass, seconded by Mr. Fletcher, the Clerk's Consent Calendar dated November 4, 1982, was unanimously approved:

BONDS:

Approve:

Sheriff Public Employee Blanket Bond: Additions/Deletions,
Bond No. 767012-20210325 Auto Owners Insurance Company.

(Listed below last entry on Consent Calendar)

BILLS FOR PAYMENT:

Woodruff & Sons - 59th St. W. (Est. #3)	\$ 49,006.65
Hobbs Const. - PSC (Est. #14)	816,795.75
Blake Mem. Hosp. - Indigent Hosp.	628.48
Manatee Mem. Hosp.: Indigent Hosp.	10,839.92
Indigent Hosp.	12,956.83
Indigent Hosp.	8,012.28
OB Clinic	5,404.56
OB Clinic	3,603.04
OB Clinic	5,179.37
OB Clinic	3,152.66
OB Clinic	4,503.80
Refund: Annie Burney (OB Clinic)	50.00
Refund: Ruth E. Buckner (OB Clinic)	100.00
Refund: Tina Curtis (OB Clinic)	50.00
Refund: Janet R. McBride (OB Clinic)	50.00
Refund: Deborah Dempsey (OB Clinic)	50.00
Refund: Joyce Stephens (OB Clinic)	75.00
Refund: Tracy Jeannine Hargett (OB Clinic)	50.00
Refund: Howard Craddock (Golf Play Book/P&R)	70.20

AUTHORIZE CHAIRMAN TO SIGN:

Partial Release of Special Improvement Assessment Lien:
 Richard & Ruth Hyde (Proj. 542; Acct.11)

Sheriffs P/E Blanket Bond

<u>Additions:</u> Turner, Cynthia	Civil
Smith, Cynthia	Booking Clerk
Stewart, Paul B.	Spec. Dep.
Parks, Frank	Spec. Dep.
Winterbottom, Roy	Spec. Dep.
Carley, Daniel	Spec. Dep. BPD
Skinner, I. M.	P/T Pol. Off.
Schrontz, William	P/T Pol. Off.
Fox, Cecil, Jr.	P/T Pol. Off.
Hubbard, David P., Jr.	P/T Bailiff
Wilkinson, Dane	Corr. Off.
Dunnett, Gerhard	Corr. Off.
Wierendorf, Patricia	Ops. Supp.
Agramonte, Virginia	Ops. Supp.
Bahnsen, Lawrence	Ops. Supp.
Fabec, Raymond	Pat. Dep.
Kyle, Michael	Pat. Dep.
Litschauer, Louise	Commo.
Fann, Virginia	Sch. Cross. Guard
Amato, John	Airport Sec.
Goodman, Leon	Airport Sec.
<u>Deletions:</u> Perez, Linda S.	Communications
Glover, Gary L.	Posse
Montoya, Ricky L.	Posse
Osolin, William T., Jr.	Posse
Palino, Margaret A.	Commo.
Stewart, Mary E.	Commo.
Jones, George H.	Civil, P/T
Worsley, John	Crime Prev. P/T
Cole, Brenda L.	Corr. Off.
Olmstead, Edward B.	Corr. Off.
Wheaton, John S.	Corr. Off.
Parrimon, Dale R.	Corr. Off.
Thomas, Vernon G.	Corr. Off.
Nelson, Cherylanne H.	Sch. Cross. Guard
Hart, Richard E.	Sch. Cross. Guard relief
Douglas, Janet S.	Sch. Cross. Guard relief
Brewington, Maroony	Sch. Cross. Guard relief
Swarts, Ronald	Sch. Cross. Guard relief
Davidson, Donna	Sch. Cross. Guard relief
Smith, Mildred	Sch. Cross. Guard relief
Helmer, George P.	P.T. Deputy
Pike, Donald L.	Airport Security
Wheeler, Stephen L.	Airport Security
Wolf, Richard V.	Airport Security
Polumbo, Thomas A.	Airport Security
De Puy, Frank	Spec. Dep.

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Perry, Lawrence N.	Pat. Dep.
Clark, James R.	Pat. Dep.
Gummel, Gary W.	Pat. Dep.
Fox, Cecil E. Jr	Detention
Thomas, Carl A.	Prop. & Evidence
Nicholson, Betty L.	Civil

RECESS/RECONVENE

The meeting was declared recessed until 1:30 p.m.

The Board reconvened at 1:40 p.m. with all members present, except Mr. Chance.

ZONING (Continued)Z-82-49 - SOUTH FLORIDA MUSEUM, INC - REZONE APPROVED

Bob Lombardo stated his client is in agreement with the stipulations as outlined.

Jackson Miller, Attorney, supported approval of the project.

George Brown, Attorney representing the developer, was present.

George Pappas, Palma Sola Heights, referred to a petition urging denial of the zoning change as it is inconsistent with the character of single-family-homes in the neighborhood, with particular objection to introduction of multi-family dwelling units in the area.

Those speaking in objection to the rezone were:

Clark Hodges, Palma Sola, and Pauline Wilson, 1806 76th St. N.W.

John Russell Sarich, Developer, indicated that the units will have a square footage of 1650 to 1750 per unit and the price will range from \$150,000 to \$290,000 each.

Mr. Fletcher submitted a petition, with 352 signatures of residents and property owners of the area, requesting denial of Z-82-49.

Having considered the requirements of the Ordinance, and finding that if certain conditions and requirements are met with respect to Z-82-49, the application will be consistent with the requirements of the Ordinance, Mr. McGavic moved for approval of Z-82-49 with the conditions outlined and presented by the Planning Commission and Staff. Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD ORDINANCEZ-82-44 - IRA GREEN BRIGGS CARROLL - PDR/AF/WP/ST APPROVED

Request: Change present zoning from A-1 AF/WP/ST to PDR/AF/WP/ST on 26 acres on north side of County Line Road, approximately 1/2 mile west of Whitfield Avenue Extension (Notice published in The Bradenton Herald 10/13/82)

Planning Commission recommended APPROVAL with the following conditions:

1. The developer shall install three (3) fire hydrants at locations designated by the Oneco-Tallevast Fire Department
2. A future minor collector street (42-foot half-right-of way) shall be dedicated and constructed to County Standards (24 foot paved asphalt) on the eastern lot line of this parcel. The developer shall not be permitted to tie into this roadway at any point less than 300 feet north of the existing pavement of County Line Road.
3. The developer shall dedicate and construct this minor collector from County Line Road north to the proposed access road into this project beyond the 300 foot restricted access area.
4. The developer shall dedicate a 33-foot half-right-of-way along the eastern parcel line north of the proposed access into this parcel and extend this right-of-way to the north of the parcel.

- 5. The developer shall provide and construct paved access (24 foot minimum) to the west property line via the proposed internal project drive. The developer may use the existing County right-of-way north of reserved State right-of-way to construct any internal access on frontage road. In the event that this project is not constructed prior to adjacent properties developing, the developer shall dedicate sufficient right-of-way to allow for construction of this frontage road.
- 6. The developer shall be required to construct acceleration/ deceleration lanes at the designated project entrance.
- 7. The proposed parking spaces provided for the recreation area shall be accessed via a single driveway entrance.

ORDINANCE Z-82-44:
 AMENDING ORDINANCE NO. 81-4....
 PROVIDING FOR REZONING OF CERTAIN LAND FROM A-1/AF/WP/ST
 TO PDR/AF/WP/ST; PROVIDING AN EFFECTIVE DATE.

The Assistant County Attorney indicated that most of the recommended stipulations have to do with the interlocal agreement regarding access to County Line Road; however, the developer has taken issue with one of the stipulations.

John Thomas, County Transportation Department, explained the objections the developer has about dedicating sufficient right of way to build frontage road and easement for roadway and utilities.

Ron Larsen, Engineer of Record, objected to the last (third) sentence in Condition No. 5 and requested it be deleted.

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

Mike Horner, Planner, said that Condition No. 5, starting with the third sentence, has been revised or amended to read:

In the event that this project is not constructed prior to adjacent properties developing, the developer shall dedicate a 36-foot easement for frontage road and utility construction line within section 33, adjacent to County Line Road right of way area.

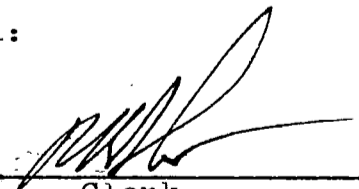
Having considered the Manatee Plan and comments and discussions in the public hearing, Mr. Fletcher moved to approve Manatee County Ordinance Z-82-44 with the conditions as amended and set forth by the Planning Commission. Motion was seconded by Mr. McGavic and carried unanimously.

~~RESOLUTION~~
ORDINANCE
 zoning

MEETING ADJOURNED

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

Attest:



 Clerk

APPROVED:



 Chairman 3/1/83

Adj: 3:14 p.m.

BCC

11/04/82

No backup/documentation for the following items:

**Handicapped Facilities – Beach (A.B.L.E. Organization)
Legislative Delegation**

BC19821104DOC002