

NOVEMBER 18, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, November 18, 1982 at 9:12 a.m.

Present were Commissioners:

Vernon E. Vickers, Chairman
Edward W. Chance, Vice-Chairman
Kent G. Chetlain
Westwood H. Fletcher, Jr.
Patricia M. Glass

Also present were:

Keith Roberts, Assistant County Attorney
David Rothfuss, representing the 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; Pat Wasson, WBRD; Haven Simmons, Channel 40 News, and others who entered during the meeting.

Invocation by Reverend Steve Wicker, The Tabernacle

The meeting was called to order by Chairman Vickers.

ZONING

Z-82-52 DANNY L & ANITA G. EPPLE - REZONE TO -C- - DEFERRED

Motion was made by Mr Fletcher, and seconded by Mr Chetlain, to defer application Z-82-52 to December 2, 1982 in anticipation of a letter of withdrawal. Motion carried unanimously.

(Note: Application not published for public hearing.)

WATER NEEDS & SOURCES FOR MANATEE COUNTY

It was the concensus of the Board that a work session be scheduled to discuss water needs and sources for Manatee County.

GREAT AMERICAN SMOKEOUT

By motion of Mrs Glass, seconded by Mr Fletcher a Resolution was unanimously adopted endorsing the "GREAT AMERICAN SMOKEOUT" encouraging citizens to give up smoking for one day, November 18, 1982.

RECORD RESOLUTION

S32-616

ZONNING: MANATEE PLAN AMENDMENTS

Public hearing was opened for the purpose of considering amendments to the Manatee Plan, PA 82-2. (Notice published in The Bradenton Herald 11/3 & 12, 1982)

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PORT MANATEE INDUSTRIAL AREA

= Extension of the Port Manatee Industrial area south to I-275 between U.S. 41 and the Southern/Seaboard Coastline Railroad boundaries.

Carol Clarke, Chief Comprehensive Planner, reviewed the staff report, stating the effect would be to designate this area as suitable for industrial development and permit property owners to request industrial zoning. She reported that staff recommends deletions of the area south of Bishops Harbor Road and designation of the remaining area as part of the "present" Port Manatee Industrial Area, also adoption of the following findings:

Adequacy of Supporting Data. The study, Manatee County: Industrial Growth and Development recommends expansion of the Port Manatee Industrial area. The study analyzed each of the industrial areas in the County and made recommendations for future industrial growth.

Consistency with Remainder of Plan Policies. Policies for new industrial areas are located in the Land Use Element of The Manatee Plan (Policy 4-10C). The proposed amendment meets the criteria for access and avoidance of commercial and residential neighborhoods. At the present time, the site is not within close commuting range of employees. However, the opening of I-75 and the construction of I-275 will make this area much more accessible. The amendment is consistent with The Manatee Plan.

Effects on Surrounding Jurisdictions. The amendment will have no substantive effects on any surrounding jurisdiction.

Economic Assumptions. The economic assumptions are those in the adopted plan and those outlined in Manatee County: Industrial Growth and Development.

Arline Flisik stated that the Land Use Committee of Manasota 88 would not favor the adoption of this amendment in its present form.

Mr Chetlain moved to adopt the Findings set forth in the staff report and recommended by the Planning Commission; adopt PA-82-2 as to the Port Manatee Industrial Area; and instruct staff to prepare appropriate written Findings and response to public comment. Motion was seconded by Mr Fletcher and carried unanimously.

CORTEZ MIX-3 SECTOR, MARINE INDUSTRIES

= Clarify intent of the Manatee Man to limit the industrial area to marine industries only; eliminate heavy commercial, light and heavy industry as consistent uses and designate Planned Industrial as consistent for marine industries only.

Carol Clarke reviewed the staff report and recommendation for approval of the amendment and adoption of the following findings:

Adequacy of Supporting Data. The amendment is based on an analysis of the needs of the Cortez Mix 3 sector which was conducted prior to the adoption of The Manatee Plan. The amendments clarify the original intent of The Manatee Plan.

Consistency With the Remainder of the Plan Policies. The proposed amendments are not in conflict with any other policies of The Manatee Plan.

Effects on Surrounding Jurisdictions. The proposed amendment will have no substantive effect on any surrounding jurisdiction.

Economic Assumptions. The economic assumptions are the same as in the adopted plan.

Mr Fletcher moved to adopt the Findings set forth in the staff report and recommended by the Planning Commission; adopt PA-82-2 as to the Cortez Mix-3 Sector; and instruct staff to prepare appropriate written Findings and response to public comment. Motion was seconded by Mrs Glass and carried unanimously.

The Chairman declared the public hearing closed.

(NOTE: Written Findings and the enacting ordinance will be presented to the Board December 7, 1982.)

PDR-82-2 TIDY ISLAND, PHASE I, EAST VILLAGE F/PLAN - APPROVED
Request: Final Planned development plan approval on 25 acres at the south end of 86th Street West, south of Cortez Road and south of Bay Hollow Condominiums.
Planning Staff recommended APPROVAL.

Randy Chastain, President of Island Properties, was present to answer any questions.

Having considered the staff report and finding this request to be consistent with the Manatee Plan, Mr Fletcher moved to approve Planned Residential Plan No. PDR-82-2, Tidy Island, Phase I, East Village. Motion was seconded by Mr Chance and carried unanimously.

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After further discussion, motion was made by Mr Chance to reconsider the previous action. Motion was seconded by Mr Fletcher and carried unanimously.

Having considered the staff report and finding this request to be consistent with The Manatee Plan, Mr Fletcher moved to approve Planned Residential Development Plan No. PDR-82-2, Tidy Island, Phase I, East Village, and requested a roll call vote. Motion was seconded by Mr Chance. Voting "Aye" were Commissioners Fletcher, Chance, Glass and Vickers. Commissioner Chetlain voted "Nay". Motion carried.

RECORD PDR

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

Z-82-57 RALPH F CONSTANTINO, ET AL - C-2 APPROVED

Request: Rezone from C-1 and R-1 to C-2, 2.84 acres on the west side of 9th Street West at 31st Avenue West.
Planning Commission recommended APPROVAL.

Public hearing was held for the purpose of considering:

MANATEE COUNTY ORDINANCE Z-82-57:

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 REZONING OF CERTAIN LAND FROM R-1 AND C-1 TO C-2; PROVIDING AN EFFECTIVE DATE.

(Notice published in The Bradenton Herald 10/25/82)

Having considered the application of Ralph F. Constantino, et al, the staff report, the Planning Commission's recommendation and finding the request to be consistent with the Manatee Plan, Mr Chance moved to approve Manatee County Ordinance No. Z-82-57. Motion was seconded by Mrs Glass and carried unanimously.

RECORD ORDINANCE

Z-82-58 MURRAY CHRIS-CRAFT SPORTBOATS, INC. - M-2 APPROVED

Request: Rezone from M-1 to M-2, 9.88 acres, 1,300 feet south of Whitfield Avenue between the Seaboard Coastline Railroad Right-of-Way and Pupil Street.

(Notice published in The Bradenton Herald 10/28/82)

Planning Commission recommended APPROVAL.

MANATEE COUNTY ORDINANCE Z-82-58:

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA,
PROVIDING FOR THE REZONING OF CERTAIN LAND FROM M-1 TO M-2; PROVIDING AN EFFECTIVE DATE.

Having reviewed the application of Murray Chris-Craft Sportboats, Inc., considering the staff report, Manatee County Planning Commission's recommendation and finding the request to be consistent with The Manatee Plan, Mr Chance moved to approve Manatee County Ordinance Z-82-58. Motion was seconded by Mrs Glass and carried unanimously.

RECORD ORDINANCE

SP-82-91 MURRAY CHRIS-CRAFT SPORTBOATS, INC. - A APPROVED

Request: Special Permit for 40,500 square foot addition to an existing fiberglass assembling and manufacturing operation, on 9.88 acres, 1,300 feet south of Whitfield Avenue between the Seaboard Coastline Railroad Right-of-Way and Pupil Street.

(Notice published in The Bradenton Herald 10/28/82)

Planning Commission recommended APPROVAL.

Having reviewed the application of Murray Chris-Craft Sportboats, Inc., Special Permit application, having considered the staff report, the Planning Commission's recommendation and finding the request to be consistent with the Manatee Plan, Mr Chance moved to approve Special Permit No. SP-82-91. Motion was seconded by Mr Fletcher and carried unanimously.

SP-82-87 SWIRE SOUTHWOOD, INC - BEER & WINE (2-COP) APPROVED
 Request: Special Permit to allow beer and wine permit (2-COP) for Charlie Q Restaurant and Olympic Flame Restaurant at Southwood Mall, southwest corner of U.S. 41 and 57th Ave. W. (Notice published in The Bradenton Herald 10/29/82)
 Planning Commission recommended APPROVAL.

Having considered application SP-82-87, Swire Southwood, Inc., the staff report, Planning Commission's recommendation and finding the request to be consistent with The Manatee Plan, Mrs Glass moved to approve SP-82-87. Motion was seconded by Mr Chance and carried unanimously.

SP-82-89 RICHARD BENNETT - RENTAL APARTMENTS APPROVED
 Request: Special Permit to allow construction of six rental apartments on 0.69 acre, the portion of the property zoned C-1 on the west side of 12th Street West at 65th Avenue West. (Notice published in The Bradenton Herald 10/28/82)
 Planning Commission recommended APPROVAL.

Having considered the application of Richard Bennett, the staff report, Planning Commission's recommendation and finding the request to be consistent with The Manatee Plan, Mrs Glass moved to approve Special Permit SP-82-89. Motion was seconded by Mr Chance and carried unanimously.

SP-83-1 WILLIAM & VIVIAN SAFFOLD - MOBILE HOME APPROVED
 Request: Special Permit to allow a mobile home as a residence 3 miles north of S.R. 62 on Saffold Road, 1/4 mile south of Manatee/Hillsborough County line on 96 + acres. (Notice published in The Bradenton Herald 10/25/82)
 Planning Commission recommended APPROVAL for a time period of ten years plus an additional ten years to be granted at the administrative discretion of the Planning Director.

After having reviewed application of William E. and Vivian B. Saffold, considered the staff report, the Planning Commission's recommendation and finding the request to be consistent with The Manatee Plan, Mr Chance moved to approve Special Permit, SP-83-1 for a time period of ten years plus an additional ten years to be granted at the administrative discretion of the Planning Director. Motion was seconded by Mr Fletcher and carried unanimously.

SP-82-93 PHILIP J & HELEN L GAMBLE - APPROVED
 Request: Special permit to allow a gasoline facility/convenience store establishment on .79 acre on the north side of S.R. 64, approximately 200 feet east of 65th Street East. (Notice published in The Bradenton Herald 10/23/82)
 Planning Commission recommended APPROVAL.

Eldon Johnson, representing the applicants on behalf of Shell Oil Co., was present to answer any questions.

After having reviewed application of Philip J. & Helen L. Gamble, staff report, Planning Commission's recommendation and finding the request to be consistent with The Manatee Plan, Mr Chance moved to approve Special Permit No. SP-82-93. Motion was seconded by Mrs Glass and carried unanimously.

SP-82-92 F.A. DAVIDSON, AS TRUSTEE - 4-COP APPROVED
 Request: Special permit to allow consumption of beer, wine and liquor (4-COP-Lounge) at "The Stables", an existing restaurant on 1.99 acre on the northeast corner of the intersection U.S. 41 and 68th Avenue West. (Notice published in The Bradenton Herald 10/29/82)
 Planning Commission made no recommendation.

William V. Kaklis, Attorney for the petitioner, was present.

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The Planning Director stated that staff recommends approval of the request and that the special permit run with the land.

Having reviewed SP-82-92, F.A. Davidson, as trustee, considered the staff report and finding consistency with The Manatee Plan, Mrs Glass moved to approve SP-82-92. Motion was seconded by Mr Chance. Voting "Aye" were Commissioners Chance, Chetlain, Glass and Vickers. Commissioner Fletcher voted "Nay". Motion carried.

Z-82-56 GARY & MONA GEORGE - AF/C-1A NOT APPROVED

Request: Rezone from AF/R-1B to AF/C-1A 13,800 square feet on the southwest corner of the intersection of S.R. 70 and 34th Street East (102.3 feet frontage on S.R. 70).

Planning Commission recommended DENIAL.

MANATEE COUNTY ORDINANCE Z-82-56:

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA,
PROVIDING FOR THE REZONING OF CERTAIN LAND FROM AF/R-1B TO AF/C-1A;
PROVIDING AN EFFECTIVE DATE.

(Notice published in The Bradenton Herald 10/30/82)

Frank Rollings, representing the petitioners, submitted a petition with fourteen names stating no objections.

Bernard Saluta, citizen, spoke in opposition to the rezone.

Kenneth Den, citizen, sees no traffic problems.

Having heard the discussion here today, and having reviewed the application of Gary & Mona George, Mr Chance moved to approve Z-82-56 and find it consistent with The Manatee Plan. Motion was seconded by Mr Vickers. Voting "Aye" were Commissioners Chance and Vickers. Commisisoners Chetlain, Fletcher and Glass voted "Nay". Motion defeated.

Z-82-59 PURSLEY PROPERTIES, INC - AF/WP/C-1/ST DEFEATED

Request: Rezone from AF/WP/A-1/ST to AF/WP/C-1/ST on 10 acres on the south side of SR 70, west of Braden Run (entrance to Braden Woods Subdivision).

Planning Commission recommended APPROVAL.

MANATEE COUNTY ORDINANCE Z-82-59:

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA,
PROVIDING A REZONING OF CERTAIN LANDS FROM AF/WP/A-1/ST to
AF/WP/C-1/ST; PROVIDING AN EFFECTIVE DATE.

(Notice published in The Bradenton Herald 10/28/82)

Dennis Warner, 1306 70th Street, spoke in opposition to the request, suggested it be rezoned to PDC, and submitted a map of the area.

Larry Durriso, representing the petitioner, and Tom McCollum, planner, Zoller & Najjar Engineering, made presentations and were available to answer any questions.

After having reviewed the application of Pursley Properties, Inc., having considered the staff report, the Planning Commission's recommendation, the comments made during the public hearing, and finding the request to be consistent with The Manatee Plan, Mr Chance moved to approve Manatee County Ordinance No. Z-82-59. Motion was seconded by Mr Vickers. Voting "Aye" were Commissioners Chance and Vickers. Commissioners Chetlain, Fletcher and Glass voted "Nay". Motion defeated.

(Exit Chairman Vickers; Vice-Chairman Chance presides)

During further discussion, it was suggested that the property be rezoned to a PR District.

(Enter Chairman Vickers)

Motion was made by Mrs Glass to reconsider the previous action taken by the Board. Motion was seconded by Mr Fletcher and carried unanimously.

RECESS/RECONVENE

The Chairman declared the meeting recessed to 2:30 p.m.

The Board reconvened at 2:37 p.m. with all members present.

Z-82-59 PURSLEY PROPERTIES, INC - AF/WP/PR/ST APPROVED

Tom McCollum proposed that they be permitted to amend the category to PR and proceed with the hearing. They agree to begin work on the development of another rezone request to PDC for the remainder of the property, as well as the northern portion of the PR District, and will bring it back to the Board as soon as something can be worked out.

Having reviewed the application of Pursley Properties Inc, identified as Z-82-59, and having considered the staff report, the Planning Commission's recommendations and comments made during the public hearing together with the finding that the amended request is consistent with The Manatee Plan, Mr Fletcher moved to approve Manatee County Ordinance No. Z-82-59 as a PR Classification (AF/WP/PR/ST). Motion was seconded by Mrs Glass and carried unanimously.

RECORD ORDINANCE

Z-82-60 SKYWAY, INC. - PDR APPROVED

Zoning

Request: Rezone from R-1B to PDR 54.1 acres on the west side of Erie Road, approximately 2,175 feet south of the Seaboard Coast Line Right-of-way.

Planning Commission recommended APPROVAL with the following conditions:

1. The developer shall dedicate an additional twelve feet of right-of-way along Erie Road for a total half right-of-way of forty-two feet.
2. The developer shall construct a left turn storage lane on Erie Road into the entrance of this project.
3. The developer shall construct acceleration/deceleration lanes with appropriate tapers at the project entrance.
4. The developer shall upgrade Erie Road along this parcel frontage to a rural section meeting all County engineering and construction standards. This construction must be completed with Phase IV or at such earlier or later time as the County shall determine, based on anticipated construction of Erie Road south of the subject property.

MANATEE COUNTY ORDINANCE Z-82-60:

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, PROVIDING FOR THE REZONING OF CERTAIN LAND FROM R-1B TO PDR; PROVIDING AN EFFECTIVE DATE.

(Notice published in The Bradenton Herald 10/28/82)

Available to make presentations and answer questions were Ralph Nelson and Tom Levin of R.E. Nelson, Inc., and Tom Parsly, Brad Baldwin and Larry Durriso, representing Skyway Inc.

Mr Nelson stated that there were no objections to the conditions set forth by the Planning Commission.

After reviewing the application of Skyway Inc., and having considered the staff report, Planning Commission's recommendation, and finding the request to be consistent with The Manatee Plan, Mr Chance moved to approve Manatee County Ordinance Z-82-60 with the conditions recommended by the Planning Commission. Motion was seconded by Mrs Glass and carried unanimously.

RECORD ORDINANCE

Z-83-4 DAVID WOLD, JAMES WOLD & LAMAR RICHARDS - M-1 APPROVED

Zoning

Request: Rezone from A-1 to M-1 on the west side of U.S. 41, approximately 1,300 feet north of Bishop Harbor Road
Planning Commission recommended DENIAL.

MANATEE COUNTY ORDINANCE Z-83-4:

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, PROVIDING FOR THE REZONING OF CERTAIN LANDS FROM A-1 TO M-1; PROVIDING AN EFFECTIVE DATE.

(Notice published in The Bradenton Herald 10/28/82)

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Maurice Goodnight and William Kipp, agents, were available to make presentations and answer any questions.

Having considered the staff report, Planning Commission's recommendation, comments received during the public hearing, and finding that the request is consistent with The Manatee Plan, Mr Chetlain moved to adopt Manatee County Ordinance No. Z-83-4 with the proviso that it will become effective no sooner than December 8, 1982. Motion was seconded by Mr Fletcher and carried unanimously.

RECORD ORDINANCE

(Exit Chairman Vickers; Vice-Chairman Chance presides)

 *zoning*CLERK'S CONSENT CALENDAR

Upon motion by Mr Fletcher, seconded by Mrs Glass, the Clerk's Consent Calendar, dated November 18, 1982, was unanimously approved:

BONDS

Release: Manatee River Homes - DWP #10231 - \$ 360.00

BILLS FOR PAYMENT:

Zoller & Najjar Engineering - 5,000.00

General Fund -

(Mary Greenwood, Attorney Fees, MCUD

September 1982 - \$260.00

October 1982 \$997.50 - 1,257.50

Wilson Coastal Enterprises

(Future I-75 water & sewer casings) - 51,932.47

MEETING ADJOURNED

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

Attest:

APPROVED:



Clerk



Chairman 3/1/83

Adj: 3:35 p.m.