

MAY 28, 1986

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION, for the purpose of holding a PUBLIC HEARING, in the Courthouse, Bradenton, Florida, Wednesday, May 28, 1986 at 6:12 p.m.

Present were Commissioners:

Westwood H. Fletcher, Jr., Chairman
Edward W. Chance
Maxine M. Hooper

Absent were Commissioners:

Lloyd C. Hagaman, Jr., Vice-Chairman
Kent G. Chetlain

Also present were:

Ronald H. Rabun, County Administrator
Barbara Levin, Assistant County Attorney
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by H. Hamilton Rice, Jr.

The meeting was called to order by Chairman Fletcher.

All witnesses giving testimony were duly sworn.

ZONING

Public hearing (Notice in The Bradenton Herald 5/21/86) was opened for the purpose of considering

PA-86-01(1) PLANNED MARINE DEVELOPMENT IN THE PALMA SOLA SECTOR

Request: Allow Planned Marina Development in the Palma Sola Sector, bounded on the north by the Manatee River, on the west by Anna Maria Sound, on the south by Manatee Avenue and on the east by 75th Street Northwest to Riverview Boulevard, then east to the western boundary of LB Buck Subdivision, on sites specifically designated in the Land Use Element.

Planning Commission recommended APPROVAL.

PA-86-01(2) EXPANSION OF THE SOUTH COUNTY INDUSTRIAL AREA

Request: Expand South County Industrial Area to include a 40 acre tract of land bounded on the north by 59th Avenue East (vacated), on the east by 33rd Street East, on the south by Saunders Road (63rd Avenue East) and on the west by South County Industrial Area.

Planning Commission recommended APPROVAL.

Barbara Levin, Assistant County Attorney, advised this public hearing is for one Plan Amendment with two sections, and each section may be acted upon separately.

PA-86-01(1) PLANNED MARINE DEVELOPMENT IN THE PALMA SOLA SECTOR

Carol Clarke (duly sworn), Planning Department, advised this public hearing is the first of two before transmittal of the request to the Department of Community Affairs for review.

Peggy Adams (duly sworn), Planning Department, stated criteria for consideration of a Planned Marina Development (PDM) are:

1. At least two acres in area;
2. Direct access to navigable water and a major thoroughfare;
3. Previously operated as a marina.

She stated the requested site is two acres in the Palma Sola Sector, north of Manatee Avenue on north Anna Maria Sound (North Bay Harbor Inc). There may be other sites appropriate for this land use, but this will be addressed upon revision of the Manatee Plan.

Staff recommends approval of this amendment for the following reason:

- = Manatee Plan currently allows development of a marina with a boat livery, a moderate intensity recreation use, only within designated corridors. These corridors intersect with open water at three points within Manatee County. Whether or not these areas are appropriate for marina development has not been determined. Approval of this amendment to the Manatee Plan will allow PDM in the Palma Sola Sector on specific property and preclude the proliferation of commercial development in the sector. Staff finds that the proposed amendment to the PDM in the Palma Sola Sector would allow a compatible land use in an appropriate area of Manatee County.

Ms. Adams stated staff received a letter in opposition from Dr. Milton Stratos.

Frank Buskirk (duly sworn), President, North Bay Harbor, Inc., requested approval of the amendment to allow development of the site.

Regarding environmental issues, Mr. Buskirk stated:

- = There will be no dredging at the site;
- = Mangroves will not be disturbed;
- = Agency regulations as to stormwater run-off will be met;
- = Cooperation with the Department of Natural Resources regarding Manatees.

He cited an error on Map 1 of the backup material as to site location.

Kathryn Fernald (duly sworn), speaking for Save Our Bays and Manasota 88, inquired if there would be a restaurant allowed on the site (objecting to additional traffic). Staff advised under PDM a restaurant is an allowed use, but cannot be considered until time of rezone.

Avery Gould (duly sworn), representing Flamingo Cay Association, questioned allowing live-aboard boats in the PDM designation.

Kelvin Lindbloom (duly sworn) spoke in opposition to the amendment as pollutants will be introduced to the air and water.

Sherwood Hiller (duly sworn), Larson Engineering, reported on the Manatee Avenue traffic evaluation study done for North Bay Harbor Inc. He summarized the study (directional trips taken from March 3-13, 1986) for twenty-four hour periods:

Monday - Friday	- 18,900
Saturday	- 19,860
Sunday	- 16,945

He stated the problem of development depends on certain traffic characteristics which are:

1. Does the development attract new traffic?
2. Does the development capture traffic?

Mr. Hiller cited the marina as an intervening opportunity, therefore will capture existing traffic. He suggested solutions to traffic problems will be: 1) deceleration lane; 2) left-turn lane.

Russell Fernald (duly sworn) questioned the traffic figures cited and objected to traffic created by a restaurant (not under consideration at this time).

PA-86-01(2) EXPANSION OF THE SOUTH COUNTY INDUSTRIAL AREA

Ms. Adams advised the request for amendment came from all but one property owner of the forty acres considered in this request. She submitted and referred to an aerial map:

Exhibit No. 1

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(Cont'd)

She referred to a 1982 study concerning future land area requirements for industrial growth and development, in which the South County was not identified as an industrial area requiring expansion. Presently 16.1 percent of the Industrial area is developed. Additionally, the adjacent area and north of the site is developing residential. An essential policy of the Plan is that residential areas should be designed to be free from influence of encroachment of incompatible land uses.

Staff objects to the amendment due to:

1. Amendments to the Plan should rectify some deficiency or correct some inconsistency (this does not);
2. Area is a problem due to residential and industrial (amendment would shift problem from one group of owners to another group of owners, not solve it).

Ms. Adams read a letter in opposition received from Carol Logan.

Upon question, Ms Adams stated a more appropriate buffer for the South County Industrial Area (hereafter designated as Area) would be Pearce Drainage Canal (hereafter designated as Canal).

William Wheeler (duly sworn) objected to the Area being extended to his property line, but agreed the Canal would be a logical boundary. He submitted and reviewed a diagram and photographs of the area:

Exhibit No. 2

Upon question, Ms. Clarke stated staff objected to the request due to the residences across 33rd Avenue East (inadequate buffer); however, staff would not object if the Area extended to the Canal.

It was noted that the residents could petition for a Plan Amendment on the east side of 33rd Street East or a the County could initiated Amendment.

Mrs. Levin advised: 1) This portion of the Plan Amendment may be rejected at the next hearing to allow inclusion of the east side of 33rd Street to Canal (prepare new Amendment with new boundaries); or 2) staff may initiate a separate Plan Amendment.

Harry Parmenter (duly sworn), Harry's Tree Service, stated he lives adjacent to Mr. Wheeler and has a Special Permit to operate a tree service on his property. He concurred with the suggestion of moving the boundary to the Canal.

Chad Damron (duly sworn) concurred with the suggestion.

Sam Hardee (duly sworn), representing the owner of twenty of the forty acres in the request, submitted an aerial photograph and expressed concern that the application will be delayed at the behest of the amendment to the Plan Amendment (inclusion of property east of 33rd Street East).

Exhibit No. 3 - Aerial Photograph

He stated concerns of the applicants as to appropriate land use with present zoning are:

1. Eighty-four foot right-of-way (33rd Street) as buffer is better than the barbed-wire fence currently used.
2. Questions of buffering should be presented at time of rezone.
3. Main thrust of industrial development in the County is in this area.

Lester Smith (duly sworn), owner of five acres included in the request, expressed the need for Industrial zoning.

Motion was made by Mrs. Hooper to continue the public hearing for Plan Amendment PA-86-01(1)(2) to June 11, 1986 at 6:00 p.m. Motion was seconded by Mr. Chance and carried unanimously.

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(Cont'd)

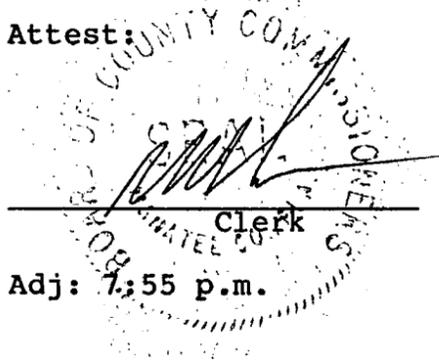
Staff was directed to prepare a motion for a Board-initiated Plan Amendment (to Industrial) to include land east of 33rd Street East to the Pearce Canal at the next public hearing (options listed by Mrs. Levin).

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

The seal is circular with the text "BOARD OF COMMISSIONERS" around the top and "COUNTY OF SANTA CLARA" around the bottom. In the center, it says "OFFICE OF THE CLERK". A signature is written across the seal.
Clerk

A handwritten signature in cursive script is written over a horizontal line. Below the line, the word "Chairman" is printed. To the right of the signature, the date "7-1-86" is handwritten.
Chairman 7-1-86

Adj: 7:55 p.m.