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JULY 10, 1985

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, July 10, 1986, at 8:50 a.m.

Present were Commissioners:  
 Westwood H. Fletcher, Jr., Chairman  
 Edward W. Chance, Vice-Chairman  
 Kent G. Chetlain  
 Patricia M. Glass  
 Maxine M. Hooper

Also present were:  
 David Rothfuss, Assistant 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 Reverend James Pike, First General Baptist Church

The meeting was called to order by Chairman Fletcher.

All witnesses/staff giving testimony were duly sworn.

**WATER AND SEWER BOND REFINANCING**

R. B. Shore, Clerk of Circuit Court, requested conceptual approval of 15 million dollars new construction funds for the Utilities System prior to passage of the new Tax Reform Act.

Motion was made by Mr. Chance, seconded by Mrs. Glass and carried unanimously, to approve the addition of the new construction funds in the bond documents as outlined in Memorandum dated July 8, 1986 titled "Water and Sewer Refinancing"

**ZONING**

Public hearing (Notice in the Bradenton Herald 6/21/86) was opened for the purpose of considering

**SP-86-59 DOROTHEA MCCARTHY - DRIVE-IN BANKING (APPROVED)**

Request: To allow a drive-in financial institution, on the north side of Manatee Avenue West between 43rd and 44th Streets West. Planning Commission recommended APPROVAL with stipulations recommended by staff:

1. The entire site, including the PR portion, shall be limited to only the three driveways shown on the Preliminary Site Plan dated April 11, 1986.
2. At least, all minimum landscaping and buffering required by the Land Development Code to minimize potential for nuisances shall be provided.
3. Roadway improvements to 43rd and 44th Streets West, meeting County standards and the requirements of the County Engineer, shall be constructed.
4. The developer shall construct/reconstruct the sidewalk along 44th Street West for the site frontage.
5. The developer, his heirs, assigns or transferees are hereby notified that the Impact Fee Ordinance, when adopted by Manatee County, may require the payment of impact fees.  
 (NOTE: Impact Fee Ordinance adopted 6/27/86)

Jim Farr, Larson Engineering was present representing the applicant.

Sue Styers spoke in opposition.

Jerome Gostkowski, Public Works/Highway, recommended the widening and tapering of 44th Street in order to minimize traffic.

The public comment portion of the hearing was closed.

Motion

Having considered the staff report, the Planning Commission's recommendation, comments made at the public hearing, and finding the request to be consistent with the Manatee Plan, Mr. Chetlain moved to approve SP-86-59 with the stipulations recommended by the Planning Commission with additional stipulation:

- = that the applicant pay for the widening and tapering of 44th Street onto Manatee Avenue as recommended by the County Transportation Department.

Motion was seconded by Mrs. Glass for discussion.

Motion for amendment to delete improvements on 44th Street and add stipulation for exit signs on 43rd Street was withdrawn.

Amendment to Motion

Motion made by Mrs. Glass to delete stipulation No. 5. Motion was seconded by Mrs. Hooper and carried unanimously.

Following discussion original motion and second were withdrawn.

Motion - Approved

Having considered the staff report, the Planning Commission's recommendation, comments made at the public hearing, and finding the request to be consistent with the Manatee Plan, Mr. Chetlain moved to approve Special Permit No. SP-86-59 with stipulations recommended by the Planning Commission and Highway Department, deleting Stipulation No. 5. Motion seconded by Mrs. Hooper and carried unanimously.

Z-86-43 JUNG S. LUCK - C-1 (APPROVED)

Request: Rezone from A-1 to C-1, retaining AF District, on 0.2 acre on south side of S.R. 64 at the intersection with Kay Road.

Public hearing (Notice in The Bradenton Herald 6/21/86) was held for the purpose of considering

## ORDINANCE Z-86-43

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

Robert Gause, of Zoller Najjar and Schroyer, represented the applicant.

Having considered the staff report, the Planning Commission's recommendation, comments made at the public hearing, and finding the request to be consistent with the Manatee Plan, Mrs. Hooper moved to approve Manatee County Ordinance No. Z-86-43. Motion was seconded by Mr. Chance and carried unanimously.

RECORD ORDINANCE Z-86-43

Public hearing (Notice in The Bradenton Herald 6/21/86) was opened for the purpose of considering

SP-85-63 CIRCLE K CORPORATION - SELF SERVICE GASOLINE (APPROVED)

Request: To allow self-service gasoline sales in conjunction with a convenience store on 3.67 acres on the south side of S.R. 64, at the intersection with Kay Road.

Planning Commission recommended APPROVAL with stipulations recommended by Staff.

1. The proposed entrances shall align with Kay Road and 65th Street East (Manatee Palms) on the north side of S.R. 64. Either joint access or cross access easements shall be required to be recorded with the parcels to the east and west.
2. The maximum driveway width shall be thirty four (34') feet.
3. A minimum of one hundred (100') feet of left turn storage on S.R. 64 shall be provided for both entrances.
4. The eastern drive shall be constructed with a full acceleration and deceleration lane.
5. The western drive shall be constructed with a refuge lane.
6. A minimum turning radius of thirty-five (35') feet shall be required on both drives. However, a fifty (50') foot radius is recommended for the eastern drive.
7. Legal instruments demonstrating the ability to construct joint driveways, or cross access for those drives offsite, shall be provided.

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8. The western access drive is currently zoned A-1, and shall be rezoned to an appropriate commercial classification prior to Special Permit approval.
9. A force main to the Southwest Regional Treatment Plant will be operational by early 1986. A tie shall require the installation of a private grinder pump and lift station. Should tie in to public sewer be desired, the required improvements shall be shown on the Final Site
10. Gas pumps shall be registered with DER per Chapter 17-61, Florida Administrative Code.
11. Landscaping shall be required as follows for the truck parking area: One hundred (100) square feet of interior landscaping and one (1) tree shall be provided for each 1,000 square feet of pavement to divide and break up the expanse of pavement.
12. Screening shall be required along the south and west property lines to comply with Sec. 205F.2.F(2)(a) of the Land Development Code.
13. The developer, his heirs, assigns or transferees are hereby notified that the Impact Fee Ordinance will require the payment of impact fees.  
(NOTE: Impact Fee Ordinance adopted 6/27/86)

Robert Gause, representing the applicant, offered no objections to request by G. Warren Johnson, Jr., adjacent property owner, for a natural buffer of trees to be placed on the south side of the property.

Having considered the staff report, the Planning Commission's recommendation, comments made at the public hearing, and finding the request to be consistent with the Manatee Plan, Mrs. Hooper moved to approve Special Permit No. SP-85-63 with the stipulations recommended by the Planning Commission and

= with the additional stipulation that adequate natural buffering be planted to create an opaque buffering within two years and that buffering be maintained.

Motion was seconded by Mrs. Glass and carried unanimously.

Recess/Reconvene. All members present except Mr. Chance.

**Z-86-59 WELLCRAFT MARINE CORP - M-2 HEAVY INDUSTRIAL (APPROVED)**

Request: Rezone from C-1 to M-2 on 2.03 acres, 360 feet south of 67th Avenue East and 348 feet east of 15th Street East (Old U.S. 301)

Public hearing (Notice in The Bradenton Herald 6/21/86) was held for the purpose of considering

ORDINANCE Z-86-59  
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA,  
PROVIDING FOR THE REZONING OF CERTAIN LAND FROM C-1 TO  
M-2; PROVIDING AN EFFECTIVE DATE.

John B. Benson, Jr., representing the applicant, commented that rezone to M-2 will bring the property into conformity with usage.

Having considered the staff report, the Planning Commission recommendation, comments made at the Public Hearing, and finding the request to be consistent with the Manatee Plan, Mrs. Hooper moved to approve Manatee County Ordinance No. Z-86-59. Motion was seconded by Mr. Chetlain and carried unanimously.

RECORD ORDINANCE Z-86-59

Public hearing (Notice in The Bradenton Herald 6/21/86) was held for the purpose of considering

**SP-86-64 WELLCRAFT MARINE CORP - M-2 HEAVY INDUSTRIAL (APPROVED)**

Request: Special Permit to allow very heavy manufacturing on 2.03 acres, 360 feet south of 67th Avenue East and 348 feet east of 15th Street East.

John B. Benson, Jr. advised that the Planning Commission recommended waiver of rezoning application fee.

Discussion: Waiver of rezoning fee, etc.

Having considered the staff report, the Planning Commission recommendation, comments made at the Public Hearing, and finding the request to be consistent with The Manatee Plan, Mrs. Hooper moved to approve Special Permit SP-86-64. Motion was seconded by Mr. Chetlain and carried unanimously.

Public hearing (Notice in The Bradenton Herald 6/21/86) was held for the purpose of considering

**SP-86-62 ROBERT E KING/WALLACE TERVIN - (APPROVED)**

Request: Special Permit to allow a mobile home as a residence on 12 acres on the north side of a private street approximately 1,000 feet east of Myakka-Wauchula Road.

Planning Commission recommended APPROVAL with stipulation recommended by Staff.

1. Approval of this Special Permit shall be for a time period of five (5) years plus five (5) years at the administrative discretion of the Planning Director.

Wallace Tervin, agreed to the stipulation.

Having considered the staff report, the Planning Commission's recommendation, and finding the request to be consistent with the Manatee Plan, Mrs. Hooper moved to approve Special Permit No. SP-86-62 with the stipulation recommended by the Planning Commission. Motion was seconded by Mrs. Glass and carried unanimously.

**Z-83-12(R) COOPER CREEK CENTER - TIME EXTENSION (APPROVED)**

Request: One (1) year time extension to submit preliminary site plans for the Cooper Creek Center, on 604.7 acres, north of University Parkway on the west side of I-75.

Barbara Levin, Assistant County Attorney, advised the preliminary site plan time frame was a stipulation contained in the Development Order and questioned whether other deviations would be forthcoming.

Bob Greene, counsel for the applicant, stated that, in his opinion, this extension was not a substantial deviation.

Having considered the staff report and finding the request to be consistent with the Manatee Plan, Mrs. Hooper moved to approve a one-year time extension to August 16, 1987, to submit a preliminary development plan. Motion was seconded by Mr. Chetlain.

Discussion: Development in the watershed.

Voting "Aye" were Mrs. Hooper, Mrs. Glass and Mr. Fletcher. Voting "Nay" was Mr. Chetlain. Motion carried.

RECORD ORDINANCE

Z-83-12-(R)

**Z-86-30 SCHROEDER MANATEE INC/CYPRESS BANKS DRI HEARING**

Michael Hennessy, Chief of Current Planning, recommended the DRI hearing before the Board of County Commissioners be set for October 9, 1986 in order to provide sufficient time for staff review and to allow for appropriate advertising prior to the Planning Commission meeting.

Mrs. Hooper moved to set a public hearing for Cypress Banks on October 9, 1986, 5:00 p.m. or soon thereafter. Motion was seconded and carried unanimously.

(Enter Mr. Chance)

**86-S-29 SCOTT TERRACE - P/PLAT (APPROVED)**

Request: Preliminary Subdivision Plat for twenty-five (25) lots with a waiver of sidewalk, street separation, and recreational open space requirements on 7.74 acres between 63rd Avenue East and 64th Avenue East on the west side of 9th Street East.

Planning Commission recommended APPROVAL with waiver of street separation and recreational open space requirements and stipulations recommended by Staff:

1. A 24-foot wide cross-access easement shall be recorded for future development from the proposed street "B" to the property northeast of the proposed subdivision.
2. The proposed retention area shall have a positive slope to the south with an underdrain.

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3. A five foot (5') wide concrete sidewalk shall be constructed for the site frontages along 63rd Avenue East and 9th Street East.
4. Pursuant to Section 205F.1.f. of the LDC, any existing trees on-site shall be preserved, relocated, or replaced. Compliance shall be demonstrated on the construction drawings.
5. The location of fire hydrants shall meet the requirements of the Oneco-Tallevast Fire District.
6. A four foot (4') wide concrete sidewalk shall be constructed for the site frontage along 64th Avenue East within a pedestrian easement on lots that front 64th Avenue East.

Discussion: Sidewalk construction on 9th Street East, 63rd and 64th Avenues, etc.

Having considered the staff report, the Planning Commission recommendation, and finding the request to be consistent with the Manatee Plan, Mrs. Glass moved to approve Preliminary Subdivision Plat No. 86-S-29 with the stipulations recommended by the Planning Commission and the waivers of the street separation and recreational open space requirements. Motion was seconded by Mr. Chance and carried unanimously.

**IMPACT FEE ADMINISTRATION PROCEDURES (INTERIM)**

Jim Seuffert, Director Office of Management and Budget submitted:

R-86-154 A RESOLUTION ADOPTING INTERIM PROCEDURES FOR IMPACT FEE ADMINISTRATION (INTERIM MANUAL); TO BE SUPERSEDED BY A RESOLUTION ADOPTING FINAL ADMINISTRATIVE PROCEDURE;

*Rec'd  
8-27-86  
R-90-73*

Mrs. Glass moved to adopt Resolution R-86-154. Motion was seconded by Mrs. Hooper and carried unanimously.

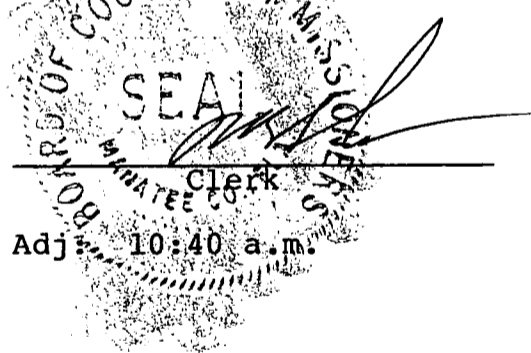
RECORD RESOLUTION 835-499

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



*Richard H. Tucker*  
Chairman 8/19/86