

DECEMBER 18, 1986

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Courthouse, Bradenton, Florida, Thursday, December 18, 1986, at 9:08 a.m.

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

Also present were:
Mark P. Barnebey, Assistant County Attorney, representing
H. Hamilton Rice, Jr., 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 Commissioner Patricia M. Glass.

The meeting was called to order by Chairman Fletcher.

All witnesses/staff giving testimony were duly sworn.

ZONING

PDR-80-2 TARA, PHASE II - TIME EXTENSION (DEFERRED)

Request: Approval of a time extension to the November 13, 1986 preliminary plan submission deadline for 354 acres in the southeast area and in the Watershed of the Evers Reservoir, on the southwest corner of the intersection of S.R. 70 and I-75.

Mike Hennesy, Planning & Development, advised the applicant requested deferral to a meeting in January, 1987. No action was taken.

Upon advice of staff, motion was made by Mr. Chance, and seconded by Mrs. Glass, to continue Z-86-112 to January 22, 1987.

Public hearing (Notice in The Bradenton Herald 10/17/86) was opened for the purpose of considering

Z-86-112 MANATEE RIVER FLOODWAY REVISION (CONTINUED)

Request: Amendment to The Comprehensive Zoning and Land Development Code, Section 205H, Floodplain Management, to revise Flood Boundary-Floodway and Flood Insurance Rate Maps, Panels 215 and 220, on the northern and southern banks of the Manatee River, below the Lake Manatee Dam, in Sections 17 and 18 of Township 34, Range 19E, affecting approximately 43.1 acres on the north side of the River and 29.5 acres on the south side of the River. Planning Commission forwarded the request with NO RECOMMENDATION.

The motion to continue was withdrawn.

Gregory Porges, Attorney representing property owner on the southern bank of the Manatee River, requested this item be continued to January 22, 1987.

Motion was made by Mrs. Glass, seconded by Mr. Chance and carried unanimously, to continue the public hearing to January 22, 1987.

Z-83-12(R) WILBUR BOYD CORP - REVISED CONCEPTUAL PLAN (CONTINUED)

Request: Approval of a revision to the conceptual plan, adopted August 16, 1984 for 604.68 acres in the southeast area and in the watershed for the Evers Reservoir, at the northwest corner of the intersection of University Parkway and I-75.

PDR/PDI/PDC-86-16 COOPER CREEK CENTER - PRELIMINARY PLAN (CONT'D)

Request: Approval of a preliminary master development plan for Phase I on 240.3 acres in the southeast area and in the watershed for the Evers Reservoir, at the northwest corner of the intersection of University Parkway and I-75.

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Mrs. Glass moved to defer Z-83-12 and PDR/PDI/PDC-86-16 until December 23, 1986 (due to improper advertising). Motion was seconded by Mr. Chance. Voting "Aye" were Mr. Chance, Mr. Fletcher, Mrs. Glass, and Mr. McGrath. Voting "Nay" was Mr. Chetlain. Motion carried.

Public hearing (continued from 12/11/86) was opened to consider

SP-86-100 BRYCE DAVIS - ONE-CHAIR BEAUTY SALON (APPROVED)

Warren Williams expressed concerns regarding parking in the street.

The public comment portion of the hearing was closed.

Having considered the staff report, the recommendation of the Planning Commission, comments made at the public hearing and finding the request to be consistent with the Manatee Plan, motion was made by Mrs. Glass and seconded by Mr. Chance to approve Special Permit SP-86-100 with the stipulations recommended by the Planning Commission and staff, with an additional stipulation that no off-site parking, related to the business, be allowed. Motion carried unanimously.

Public hearing (Notice in The Bradenton Herald 11/21/86) was opened for the purpose of considering

SP-86-87 E. & M. SMITH - BEER & WINE (APPROVED)

Request: Special permit to allow the on-site consumption of beer and wine (2-COP) in connection with an existing sixteen seat deli/restaurant on .274 acre at 12012 Cortez Road.

Planning Commission recommended APPROVAL with stipulations:

1. The number of seats cannot exceed sixteen.
2. A six foot opaque fence shall be erected along the south property line, per Section 405.F(3)(i), before issuance of the liquor license.

Discussion: inclusion of stipulation on all special permits for beer and wine to state no exotic dancing or adult entertainment uses shall be permitted.

Scott Callins, Attorney representing the applicant, stated the fence will be erected as soon as heavy equipment from construction in the area is removed.

Ed Smith, applicant, also spoke on behalf of his request.
(Depart Mr. Chance)

The public comment portion of the hearing was closed.

Having considered the staff report, the recommendation of the Planning Commission, comments made at the public hearing and finding the request to be consistent with The Manatee Plan, Mrs. Glass moved to approve Special Permit SP-86-87 with the stipulations recommended by the Planning Commission. Motion was seconded by Mr. McGrath and carried unanimously.

Consent Agenda (Administrative)

Items removed from the Consent Agenda and considered later in the meeting were PDR-84-8(F), Melwood Oaks, and 86-S-35(P), Fox Chase.

Items considered were:

86-S-36(P) LAKESIDE WOODS - PRELIMINARY PLAT (APPROVED)

Request: Approval of a preliminary subdivision plat for 27 lots at 3.5 du/acre on 16 acres on the east side of Whitfield Avenue Extension, approximately 700 feet north of Timber Lake Drive.

Planning Commission recommended APPROVAL with stipulations:

1. At time of construction drawings, the following deficiencies must be corrected and information provided.
 - a. The runoff coefficients for Palm Aire Master Drainage Plan, as well as those for this project, are required.
 - b. Limitation of the wetlands by Army Corp of Engineers, i.e., dredge and fill, pipe, building, etc., is required.
 - c. Proposed road grades, lot elevations, as well as slope information, must be provided.

- d. A twenty-five foot wide maintenance easement is required to maintain the existing drainage easement (along the lake) on the south side of this proposal.
- e. The internal sidewalks shall be moved farther back from the curbing.
- 2. A tree survey with the location of all trees to be removed, relocated and replacement trees must be submitted at time of construction drawings.

86-S-40(P) CANDLEWOOD SUBDIVISION - PRELIMINARY PLAT (APPROVED)

Request: Approval of a preliminary subdivision plat for 66 lots on 29.35 acres on the northwest corner of 51st Avenue East and 30th St E, with the northern half extending to new U.S. 301.

Planning Commission recommended APPROVAL with stipulation:

- 1. At the time of construction plans, the following items must be provided:
 - a. Easements may be required for existing ditches, contact the Highway Department.
 - b. The number of trees to be removed and location of replacement trees.

PDR-84-4(F) THOUSAND OAKS, VILLAGE III - FINAL PLAN (APPROVED)

Request: Approval of a final development plan consisting of 19 lots at a density of 3.9 du/acre on 4.79 acres on the west side of Erie Rd, approximately 1.5 miles north of U.S. 301, Ellenton.

Having considered the staff reports and the recommendations of the Planning Commission, Mr. Chetlain moved to approve 86-S-36(P), 86-S-40(P) and PDR-84-4(F) (with the stipulations recommended). Motion was seconded by Mrs. Glass and carried unanimously.

RECORD PDR PDR-84-4(F)

86-S-35(P) FOX CHASE - PRELIMINARY PLAT (APPROVED)

Request: Approval of a preliminary subdivision plat for 43 lots at a density of 2.5 du/acre on 16.77 acres on the south side of Old Tampa Road, west of 96th Street, with a waiver of the recreational open space requirements.

Planning Commission recommended APPROVAL with the waiver and stipulation:

- 1. Location of trees to be removed and preserved, and location of replacement trees must be shown on construction drawings, per Section 205.1.

Discussion: Request for waiver of recreational open space requirements.

Fred Goodrow, Planning & Development Director, stated waiver of recreational open space requirements in lieu of impact fees had been recommended.

(Enter Mr. Chance)

Having considered the staff report, the recommendation of the Planning Commission and finding the request to be consistent with The Manatee Plan, Mr. Chance moved to approve Preliminary Subdivision Plat 86-S-35(P) with the stipulation recommended by the Planning Commission and waiver of the recreational open space requirements. Motion was seconded by Mrs. Glass and carried unanimously.

PDR-84-8(F) MELWOOD OAKS - FINAL PLAN (APPROVED)

Request: Approval of a final development plan for 176 lots at a density of 5.6 du/acre on 31.34 acres on the west side of 3rd Avenue West, approximately 700 feet north of 33rd Street West, southeast of Palmetto Point Subdivision, Palmetto.

If approved, staff recommended the following stipulations:

- 1. The developer shall construct 5th Avenue West to County standards (Urban Section) from the 90 degree turn, south to 33rd Street West.
- 2. The developer shall construct 5th Avenue West to County standards for the length of the site frontage along said street. Construction shall occur simultaneously with construction of the abutting phase, or earlier if this or adjoining development takes access from this street.
- 3. Homeowners documents shall be approved and recorded prior to final plat approval.

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Jerome Gostkowski, Public Works/Transportation, advised the developer had prepared construction plans for 5th Avenue West and agreed to construct the entire unpaved portion to 33rd Street West.

Jim Farr, Larson Engineering, representing the applicant, clarified the timing of the improvements which are to be made and Mr. Gostkowski concurred.

Recess/reconvene. All members present.

Mr. Gostkowski outlined the amended stipulations as follows:

1. The developer shall construct 5th Avenue West from the end of the pavement on 41st Street West (aka Center Road) south to the 90 degree turn north of 33rd Street West, prior to construction of the 51st unit.
2. The developer shall construct 5th Avenue West from the 90 degree turn south to 33rd Street West with the construction of Phase VI, to standards acceptable to the Department of Public Works.
3. Homeowners documents shall be approved and recorded prior to final plat approval.

Having considered the staff report and finding the request to be consistent with the Manatee Plan, motion was made by Mr. Chance and seconded by Mrs. Glass, to approve PDR-84-8(F) with the stipulations outlined by Mr. Gostkowski. Voting "Aye" were Commissioners Chance, Fletcher, Glass, and McGrath. Voting "Nay" was Commissioner Chetlain. Motion carried.

RECORD PDR PDR-84-8(F)

Public hearing (Notice in The Bradenton Herald 11/21/86) was held for the purpose of considering

SP-86-93 RONNIE BECK - MOBILE HOME (APPROVED)

Request: Special permit to allow a mobile home as a temporary residence in addition to an existing mobile home dwelling on 13.07 acres on the southeast side of Rye Road, midway between State Road 64 and Water Line Service Road.

Planning Commission recommended APPROVAL for a time period of five years plus five years at the administrative discretion of the Planning Director.

Having considered the staff report, the recommendation of the Planning Commission, and finding the request to be consistent with The Manatee Plan, Mr. McGrath moved to approve Special Permit SP-86-93 for a time period of five years plus five years at the administrative discretion of the Planning Director as recommended by the Planning Commission. Motion was seconded by Mrs. Glass and carried unanimously.

Public hearing (Notice in The Bradenton Herald 11/21/86) was held for the purpose of considering

SP-86-102 ALVIN C. STRAUSS - MOBILE HOME (APPROVED)

Request: Special permit to allow a mobile home as a temporary residence on 6.23 acres on the south side of Singletary Road, approximately 1,300 feet east of Bender Road.

Planning Commission recommended APPROVAL for a time period of five years plus five years at the administrative discretion of the Planning Director.

Having considered the staff report, the recommendation of the Planning Commission, and finding the request to be consistent with The Manatee Plan, Mr. McGrath moved to approve Special Permit SP-86-102 for a time period of five years plus five years at the administrative discretion of the Planning Director as recommended by the Planning Commission. Motion was seconded by Mrs. Glass and carried unanimously.

UNIVERSITY PARKWAY - IMPROVEMENTS

Mr. Gostkowski submitted and read memorandum from Richard A. Wilford, Director of Public Works, regarding problems relating to development of property along University Parkway and construction of improvements necessary to offset impacts.

He reviewed alternatives, in order of recommended preference, which would deal with the "lag" between creation of impacts and construction of impact offsetting road improvements.

1. Return University Parkway to Florida Department of Transportation and provide cost sharing for construction.
2. Total funding from impact fees.
3. Funding from impact fees supplements with assessments against developing and developable properties within the vicinity of the roadway.
4. Total funding from ad valorem and gas taxes.

Discussion: Alternatives one and two.
(Depart Mr. Chance)

Mr. Chetlain moved to direct staff to pursue options one and two simultaneously. Motion was seconded by Mr. Fletcher and carried unanimously.

SOUTHEAST AREA TASK FORCE

Following brief discussion with regard to special meeting with the Southeast Area Task Force, et al, motion was made by Mrs. Glass, and seconded by Mr. Chetlain, to invite the City of Bradenton to appoint a member of the City Council to the Southeast Area Task Force.
(Enter Mr. Chance)

Motion carried unanimously.

LAWSUITS - AIRPORT AUTHORITY VS MANATEE COUNTY (DRI)

Motion was made by Mr. Chance, and seconded by Mr. Chetlain, to place on a future agenda the reconsideration of action (12/16/86) to appeal the decision of the Governor and Cabinet regarding Airport Authority vs Manatee County (DRI) (Final Order of the Florida Land and Water Adjudicatory Commission). Following discussion, motion was withdrawn.

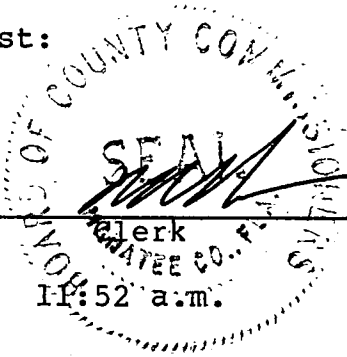
Mr. Chance moved to reconsider the action taken to appeal the decision by the Governor and Cabinet on the Airport issue. Motion was seconded by Mr. Chetlain. Voting "Aye" were Commissioners Chance and Chetlain. Voting "Nay" were Commissioners Fletcher, Glass, and McGrath. Motion failed to carry.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



 Clerk



 Chairman 2/17/87

Adj: 11:52 a.m.