

SEPTEMBER 22, 1994

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, September 22, 1994, at 9:03 a.m.

Present were Commissioners:

Stan Stephens, Chairman  
Joe McClash, First Vice-Chairman  
Kent G. Chetlain, Second Vice-Chairman  
John R. Gause, Third Vice-Chairman  
Patricia M. Glass  
Lari Ann Harris

Absent was Commissioner: Maxine M. Hooper (death in the family)

Also present were:

Mark P. Barnebey, Assistant County Attorney  
Susan G. Romine, Deputy Clerk,  
representing R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by Reverend Robert Scott, Calvary Baptist Church.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

#### AGENDA DELETIONS

Carol Clarke, Planning, Permitting and Inspections Director, stated the authorization for Risk Management to review commercial insurance policies and payment of up to \$777,000 in aggregate in premiums for such renewals was deferred to September 27, 1994.

#### CONSENT AGENDA

Upon motion by Mr. McClash and second by Mrs. Harris, the Consent Agenda for September 22, 1994, was approved 6 to 0, with deletion of approval to execute Cypress Banks Impact Fee Agreement for Emergency Medical Services and Police Protection. Items APPROVED:

#### ZONING

Public hearing (Notice in The Bradenton Herald 8/23/94) was held to consider

Z-94-08 COUNTY INITIATED/LOUIS V. FERRARA - PRS/HA/WR/AI (APPR)  
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM RSF-3/HA/WR/AI TO PR-S/HA/WR/AI; PROVIDING AN EFFECTIVE DATE; ON .27 ACRE LOCATED AT THE NORTHEAST CORNER OF U.S. 41 AND MAGELLAN DRIVE.

Planning Commission recommended APPROVAL.

RECORD S44-236

Public hearing (Notice in The Bradenton Herald 9/2/94) was held to consider

Z-94-13 ERNESTINE BASLER - RSF-4.5/WP-E/ST (APPROVED)  
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1/WP-E/ST TO RSF-4.5/WP-E/ST; PROVIDING AN EFFECTIVE DATE; ON 11.6 ACRES LOCATED 530 FEET NORTH OF 75TH TERRACE EAST, 110 FEET WEST OF TUTTLE AVENUE.

Planning Commission recommended APPROVAL.

RECORD S44-237

Public hearing (Notice in The Bradenton Herald 9/2/94) was held to consider

Z-94-12 GREGORY J. SHEPPARD - RSF-4.5 (APPROVED)  
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1 TO RSF-4.5; PROVIDING AN EFFECTIVE DATE; ON 2 ACRES LOCATED ON THE NORTH SIDE OF 38TH AVENUE EAST, 480 FEET WEST OF 33RD STREET EAST.

Planning Commission recommended APPROVAL.

RECORD S44-238

SEPTEMBER 22, 1994

(Cont'd)

Donna Horn, resident of Greendale Estates, expressed concern regarding the future effect of the rezoning on her property.

Public hearing (Notice in The Bradenton Herald 8/23/94) was held to consider

Z-94-07 COUNTY INITIATED/DANIEL AND ELIZABETH CALLAGHAN, ET AL - HM  
(APPROVED)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM HC TO HM; PROVIDING AN EFFECTIVE DATE; ON .86 ACRE LOCATED AT THE NORTHEAST CORNER OF 15TH STREET EAST AND 38TH AVENUE EAST.

Planning Commission recommended APPROVAL.

RECORD S44-239

Public hearing (Notice in The Bradenton Herald 8/23/94) was held to consider

Z-94-10 COUNTY INITIATED/BLALOCK, CALLAGHAN, GLASGOW, ET AL - HM  
(APPROVED)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM LM TO HM; PROVIDING AN EFFECTIVE DATE; ON 20.71 ACRES LOCATED ON THE NORTHWEST CORNER OF 44TH AVENUE EAST AND 15TH STREET EAST.

Planning Commission recommended APPROVAL.

RECORD S44-240

CA-94-09(T) DON HARVEY CREDIT AUTHORIZATION

Credit Authorization CA-94-09(T) for Don Harvey.

RECORD S44-241

SUMMER FOOD SERVICE PROGRAM

Reimburse Manatee County School Board for costs of waste removal associated with operation of the Summer Food Grant Program in the amount of \$3,211.02.

MANATEE COMMUNITY COLLEGE - DUI PROGRAM

Execution of a Memorandum of Agreement with Manatee Community College, Institute of Drug and Alcohol Education, to provide a Driving while Under the Influence (DUI) Program and Special Supervision Services.

RECORD S44-242

CLERK'S CONSENT CALENDAR

BONDS

Waste Management of Manatee and Sarasota County - Extension Certificate for Bond PP90-0027 with Power of Attorney, Cedar Hammock Refuse Disposal Corp., Principal, \$750,000, solid waste collection franchise for service area 2 (extending bond to 10/1/95).

Accept:

West Glenn, Phase II/89-S-11 Sidewalks (Lots 49 & 78)

1. Agreement w/Centex Real Estate Corporation, guaranteeing completion of required sidewalks and bikeways, \$1,560.
2. Performance Bond: \$1,560 (Cashier's Check 1465595, Nations Bank).

Release:

The Trails, Phase 2-A/90-S-23

1. Agreement w/K. K. & C. B. Development, Inc., warranting required improvements, \$29,188.85.
2. Defect Security: \$29,188.85 (Irrevocable Standby Letter of Credit A-1172, Barnett Bank of Manatee County).

Tara, Phase 1, Unit 3/88-S-11 Sidewalks

1. Agreement w/William T. Higgs, guaranteeing completion of required improvements, \$15,730.
2. Performance Bond: \$15,730 (Letter of Credit SM-20693091, Citizens & Southern National Bank of Florida).

Fresh Meadows, Phase I/88-S-30 Sidewalks

1. Agreement w/Daniel Development, Inc., guaranteeing completion of required improvements, \$18,029.
2. Performance Bond: \$18,029 (Amended Letter of Credit S00020095, Bank of New York).

Heather-Glen, Phase I/88-S-9

1. Agreement w/Heather Glen Land Corp. for required improvements, \$413,762.76.
2. Performance Bond: \$413,762.76 (Irrevocable Letter of Credit SB 3832, First Florida Bank, N.A.).
3. Agreement w/Stephen B. Duke, for required improvements, \$31,944.

4. Performance Bond: \$31,944 (Amended Letter of Credit SB 3833, First Florida Bank, N.A.)
5. Agreement w/First Florida Bank, N.A., guaranteeing completion of required improvements (sidewalks), \$31,944.
6. Performance Bond: \$31,944 (Amended Letter of Credit SB 3833, First Florida Bank, N.A.)

**West Glen, Phase II/89-8-11**

1. Agreement w/Centex Real Estate Corporation, guaranteeing completion of required improvements, \$12,870.
2. Performance Bond: \$12,870 (Letters of Credit (2) and Amendment 00336317/EM35329093, First National Bank of Chicago/NationsBank)

**BILLS FOR PAYMENT**

Carlton, Fields, Ward, et al - SWFWMD Matters, Inv 29097	\$ 455.54
Carlton, Fields, Ward, et al - BCC Matters, Inv 29145	656.61
Carlton, Fields, Ward, et al - Kathy Snell, Inv 29098	1,128.14
Hogg, Allen, Norton, et al - Retainer/Gen Matters, Inv 58-83	2,092.85
Professional Service Industries - Palma Sola Causeway Pk	1,575.60
Richard W. Bass Associates - Appraisal Svcs; Utility Esmnts @ 68 Ave Drive West	1,500.00
Sutter Roofing - Safety Complex Roof Replacement	12,265.46
T. W. Althof Co - Housing Rehabilitation (Bauer & Arnold)	7,020.50
HRS M/C Public Health Unit - Hepatitis Vaccine Program	1,358.00
Inter Bay Marine Construction - One mile Artificial Reef Material Replacement	15,079.74
Woodruff & Sons - Bayshore Gardens Parkway Improvements	112,591.71
Woodruff & Sons - Braden River Crossing Pipe Installation	58,716.00
Sewell, Valentich, et al - Appraisal Svcs/SR 70 Widening	1,500.00
Briley, Wild & Assoc - Lychee Acres Sanitary Sewer Sys	2,245.00
Briley, Wild & Assoc - Reclaimed Wtr Main, Bay Dr-34 St W	7,656.11
Camp Dresser & McKee - Strmwtr Mgmt Master Plan, Inv 1-Rev	18,833.50
Walrus Construction - Highway Foreman's Bldg, Req 2	35,356.50
L&M General Construction - Housing Rehab/Final (Roundtree)	600.00

**RESCIND REFUNDS**

Willis A. Smith Construction - Building Permit/Commercial (appr 8/9/94)	365.00
Willis A. Smith Construction - Mercantile/Access & Drainage/Radon Permit (appr 8/9/94)	581.83

**REFUNDS**

Norman Johnston - Ambulance Overpayment	287.39
Loretta Schluge - Ambulance Overpayment	364.29
Loretta Zeides - Ambulance Overpayment	164.29
Leroy Adams - Ambulance Overpayment	204.71
Fay Fraiden - Ambulance Overpayment	196.05
Robert Webster - Ambulance Overpayment	359.96
Jessie Sanderson - Ambulance Overpayment	119.60
Carnel Dragoo - Ambulance Overpayment	111.72
Ray Hobson - Ambulance Overpayment	104.00
Julia Kelly - Ambulance Overpayment	385.63
Richard Almouist - Ambulance Overpayment	200.38
Ruth Chatfield - Ambulance Overpayment	351.30
Venture Rentals, Ltd. - Contractor License Renewal	120.00
CRF Inc. - Renovation Permit/Overpayment:	212.66

**WARRANT LIST**

Approve: September 13, 1994 through September 21, 1994  
 Authorize: September 22, 1994 through September 26, 1994

**MINUTES FOR APPROVAL**

August 9, 1994 - Regular

**AUTHORIZE CHAIRMAN TO SIGN**

**Corrective Documents/Scrivener's Errors:**

1. PDO-93-02(Z)(P) Baden Trust/Hospice of SW Florida - legal description (original approved 1/27/94; corrected 7/12/94) RECORD S44-243
2. PDO-94-02(Z)(P) Don Harvey - legal description (approved 8/25/94) RECORD S44-244

**Child Support Enforcement/Service of Process - Amendment 1 to contract with Department of Revenue, to increase fee for service process from \$12 to \$20.** RECORD S44-245

**Partial Release of Special Improvement Assessment Liens:**  
 Project 3905 (54)

SEPTEMBER 22, 1994

(Cont'd)

**APPROVE, RATIFY & CONFIRM****P & R Special Interest Classes Instructor's Agreements:**

Marian C. Jacobs - Bridge

RECORD S44-246

**ACCEPT**

**Records Destruction Request** - Bureau of Archives & Records Management Form listing County records for destruction: No. 207 and No. 215, Planning, Permitting and Inspections; No. 204, Parks & Leisure; No. 214, Community Services

**Lakewood Ranch Community Development District I** - Minutes of the Board of Supervisors meetings held August 4, 1994

**Resume** - Brian H. Hurd, Planning, Permitting and Inspections Department  
**Operational Compliance Audit** - Report No. 12400 from the Florida Office of the Auditor General of the Office of the State Attorney, 12th Judicial Circuit (April 1, 1993 - March 31, 1994)

**North River Fire District** - Budget for FY 1994-95

**Manatee County Mosquito Control District** - Resolutions to Adopt Millage Rate and to Adopt Budget FY 1994-1995

**Southwest FL Water Management District** - FY 1995 Meeting Schedule/Map

**West Coast Inland Navigation District** - FY 1994/95 budget summary and public meeting schedule; District map; Resolutions 94-2 and 94-3

**Law Library Committee** - List of members and meeting schedule FY 1994

(End Consent Agenda)

**ZONING**

Public hearing (Notice in The Bradenton Herald 9/2/94) was held to consider

**PDC-94-03(P) E. S. REASONER (APPROVED)**

Request: Preliminary Site Plan to establish a retail/wholesale nursery in the PDC zoning district; located on 3.85 acres on the south side of 53rd Avenue East (State Road 70) 1,100 feet west of 33rd Street East.

Planning Commission recommended APPROVAL with Stipulations:

1. An integrated pesticide, herbicide and fertilizer management plan, incorporating all chemical applications with the project, shall be submitted and approved by the Environmental Action Commission prior to release of a Certificate of Occupancy.
2. Fences shall not be erected within the areas that are identified on the plan as wetlands or wetland buffers.
3. The gazebo flooring and roofing shall be designed to reduce shading of existing wetland vegetation.
4. Prior to Final Site Plan approval, a conservation easement dedicated to and enforceable by Manatee County shall be recorded.
5. Prior to Final Site Plan approval, a certified wetlands survey is required.
6. Prior to Final Site Plan approval, the drainage design shall be performed by the reviewing engineer of the Planning, Permitting and Inspections Department.
7. Prior to Final Site Plan approval, the applicant shall obtain the fire flow data of the hydrant from the fire marshall and furnish the information to the reviewing engineer of the Planning, Permitting and Inspections Department.
8. The Final Site Plan shall indicate connection to the Manatee County sanitary sewer system and installation of a lift station.

and Modification (Findings outlined in the staff report):

1. Section 722.1.4 regarding the installation of a sidewalk.

Darenda Marvin, Planning, Permitting and Inspections, stated the request is to allow establishment of a retail/wholesale nursery and accessory office building. The applicant is attempting to replicate the site, which is the original site of Reasoners Nursery, as much as possible in order to attain National Register status for historic places.

She reviewed the site plan and referred to the large wetland on the site which is of concern to staff. The applicant is not in agreement with Stipulation 8, which requires that he install a lift station and connect to the sanitary sewer.

Chris Mowbray, Planning, Permitting and Inspections, explained the process to connect the sewer line and installation of the lift station. Mr. Mowbray reviewed the four exceptions in the Comprehensive Plan.

Ms. Clarke recommended modification of Stipulation 8 by deleting the phrase "and installation of a lift station" and adding the wording "upon additional impact to the project."

Based upon the staff report, evidence presented and comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, Mrs. Harris moved to approve Preliminary Site Plan No. PDC-94-03(P) with Stipulations No. 1-7, 8 (amended by staff); adoption of the Findings for Modification and approval of the Modification to Section 722.1.4 of the Land Development Code. Motion was seconded by Mr. McClash and carried 6 to 0.

RECORD S44-247

Public hearing (Notice in The Bradenton Herald 9/2/94) was held to consider

**PDR-94-07(P) STEVE MARSHALL (WOODS OF WHITFIELD UNIT 10) (APPROVED)**

Request: Preliminary Site Plan to allow a 28-lot subdivision at a density of 2.76 du/acre and grant Special Approval to a project that exceeds a density of 2 du/acre in the RES-3 Future Land Use Category; located on 10.15 acres, 600 feet west of 9th Street East (Pennsylvania Avenue) and 125 feet north of Ponderosa Pine Lane.

Planning Commission recommended APPROVAL with Stipulations:

1. The applicant shall apply for and receive a Certificate of Level of Service prior to approval of the Final Site Plan.
2. An application for a Fugitive Particulate Abatement Plan and an 8 1/2 x 11 inch map of the construction area shall be submitted to the Director of the Environmental Action Commission for review and approval prior to the approval of a Final Site Plan for the project.
3. Prior to final plat approval, the applicant shall obtain, from the property owner to the north, right of way or a pedestrian easement underlying the sidewalk which encroaches over the adjacent property to the north.

and Modifications (Findings outlined in the staff report):

1. Section 603.7.4.2 Open Space requires that single family residential subdivisions in the PDR district have an area equal to at least 25 percent of the land area of the district.
2. Section 603.7.4.5 Greenbelts requires that each distinct neighborhood in the PDR district be bordered by a continuous greenbelt measuring fifteen feet in width.

Norm Luppino, Planning, Permitting and Inspections, reviewed the staff report including the location and the surrounding land uses. Staff considers this to be in-fill development and consistent with the surrounding land uses.

Mr. Luppino submitted a letter from Judy Mitchell-Farri, adjacent property owner, recommending the greenbelt area not be modified on the west side of the property.

Steven K. Marshall, applicant, advised that he will not be the developer; however, it is probable that any developer would attempt to retain as many trees as possible.

Based upon the staff report, evidence presented and comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, Mrs. Harris moved to approve Preliminary Site Plan No. PDR-94-07(P) with Stipulations Nos. 1-3; granting special approval to a project that exceeds a density of 2 du/acre in the RES-3 Future Land Use Category; adopt the Findings for Modifications, and approve the Modifications to Sections 603.7.4.2 and 603.7.4.5 of the Land Development Code. Motion was seconded by Mr. McClash and carried 6 to 0.

RECORD S44-248

SEPTEMBER 22, 1994

(Cont'd)

Public hearing (continued from 8/25/94) was opened to consider

**PDW-91-02(Z) (P) HANS AND MARIA WEISSGERBER/DSA MARINA** (CONTINUE TO 10/27/94 AND READVERTISE)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LANDS FROM RSF-3/WR/CH/AI AND RSF-3/WR/AI TO PDW/WR/CH/AI AND PDW/WR/AI; PROVIDING FOR AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN FOR A LARGE PROJECT ALLOWING FOR THE DRY STORAGE OF 199 BOATS, AN 851-SQUARE-FOOT DOCKMASTER BUILDING, AND A 4,300-SQUARE-FOOT RETAIL BOAT SALES AND SERVICE AREA WITH OUTDOOR DISPLAY, INCLUDING SPECIAL APPROVAL FOR A PROJECT LOCATED IN THE CH DISTRICT ON 6 ACRES ADJACENT TO THE WEST SIDE OF U.S. 41 IMMEDIATELY SOUTH OF BOWLEES CREEK.

Alan Prather, representing DSA Marina, advised he is not opposed to the continuance; however, he requested it not be continued indefinitely, but continued to October 27, 1994. He believes that he will receive the necessary letter from the Department of Environmental Protection (DEP) and other state agencies within that time frame.

(Depart Mr. Chetlain)

Mr. McClash moved to continue PDW-91-02(Z) (P) Hans and Maria Weissgerber/DSA Marina to October 27, 1994, at 9:00 a.m., or as soon thereafter the same may be heard, and to readvertise. Motion was seconded by Mrs. Harris and carried 5 to 0.

**COMPREHENSIVE PLAN AMENDMENTS**

Ms. Clarke advised this is the second phase of public hearings required for adoption of the following Comprehensive Plan amendments.

Public hearing (continued from 9/13/94) was held to consider

**ORDINANCE 94-12** AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR TEXT AMENDMENTS TO THE MASS TRANSIT ELEMENT, AMENDING METHODS UPON WHICH LEVEL OF SERVICE FOR MASS TRANSIT IS CALCULATED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.  
(PA-94-01; Mass Transit Element)

Based upon the evidence presented and comments made at the public hearing, the action of the Planning Commission, upon technical support documents, and finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mrs. Harris moved to adopt Manatee County Ordinance 94-12 (Plan Amendment PA-94-01). Motion was seconded by Mr. McClash and carried 5 to 0.

RECORD S44-249

Public hearing (continued from 9/13/94) was held to consider

**ORDINANCE 94-15** AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR A CHANGE TO THE FUTURE AND EXISTING TRAFFIC CIRCULATION MAPS AND TEXT TO ADDRESS THE NUMBER OF LANES, FUNCTIONAL CLASSIFICATION AND RIGHT-OF-WAY NEEDS ON COUNTY THOROUGHFARE ROADS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.  
(PA-94-04; Future Traffic Circulation Maps)

(Enter Mr. Chetlain)

Ms. Clarke stated some changes include revisions to the functional classification map, requirements for lane width, and requirements by each individual road section, etc.

Based upon the evidence presented and comments made at the public hearing, the action of the Planning Commission, upon technical support documents, and finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mr. McClash moved to adopt Manatee County Ordinance 94-15 (Plan Amendment PA-94-04). Motion was seconded by Mr. McClash and carried 5 to 0.

RECORD S44-250

Public hearing (continued from 9/13/94) was held to consider

**ORDINANCE 94-21** AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR AMENDMENTS TO THE FUTURE LAND USE ELEMENT, OPERATIVE PROVISION, THE CAPITAL IMPROVEMENT ELEMENT, AND THE TRAFFIC CIRCULATION ELEMENT TO REVISE AND CLARIFY TABLES 5-1 AND 12-OA, PEAK HOUR LEVEL OF SERVICE STANDARDS FOR TRAFFIC, RECOGNIZING PROGRAMMED CAPACITY, AND ALLOWING FOR A PROVISION FOR DE MINIMIS IMPACT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-94-10; LOS Clarifications)

Ms. Clarke explained that this is an amendment with changes to the traffic circulation element.

Based upon the evidence presented and comments made at the public hearing, the action of the Planning Commission, upon technical support documents, and finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mr. Chetlain moved to adopt Manatee County Ordinance 94-21 (Plan Amendment PA-94-10). Motion was seconded by Mr. Gause and carried 6 to 0.

RECORD S44-251

Public hearing (continued from 9/13/94) was held to consider

**ORDINANCE 94-18** AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN MODIFYING THE POLICIES RELATING TO ACCESS TO COMMERCIAL USES TO ALLOW INDIRECT ACCESS UNDER SPECIFIC LIMITED CIRCUMSTANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-94-07; Commercial Access Requirements)

Ms. Clarke noted this amendment provides an exception to commercial locational criteria for residential religious communities that contain offices in conjunction with those communities (i.e. Missionary Village).

Based upon the evidence presented and comments made at the public hearing, the action of the Planning Commission, upon technical support documents, and finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mr. McClash moved to adopt Manatee County Ordinance 94-18 (Plan Amendment PA-94-07). Motion was seconded by Mr. Chetlain and carried 6 to 0.

RECORD S44-252

Public hearing (continued from 9/13/94) was held to consider

**ORDINANCE 94-13** AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT, TO CLARIFY POLICIES RELATING TO COMPATIBILITY AND TIMING OF LAND USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-94-02; Compatibility Guidelines)

(Depart Mrs. Harris)

Ms. Clarke reported the proposed language is to strengthen the Comprehensive Plan policies with regard to compatibility of adjacent land uses and timing of development.

(Enter Mrs. Harris)

Based upon the evidence presented and comments made at the public hearing, the action of the Planning Commission, upon technical support documents, and finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mr. Chetlain moved to adopt Manatee County Ordinance 94-13 (Plan Amendment PA-94-02). Motion was seconded by Mr. Gause and carried 6 to 0.

RECORD S44-253

SEPTEMBER 22, 1994

(Cont'd)

Public hearing (continued from 9/13/94) was held to consider

**ORDINANCE 94-14** AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR TEXT ADDITIONS TO THE COASTAL ELEMENT, REFLECTING THE COUNTY'S PARTICIPATION AND SUPPORT OF THE TAMPA BAY NATIONAL ESTUARY PROGRAM, PROVIDING FOR AMENDMENTS TO CHANGE REFERENCES FROM MOBILE HOME TO MANUFACTURED HOME IN THE DEFINITIONS, COASTAL MANAGEMENT, AND HOUSING ELEMENTS, PROVIDING FOR THE DELETION OF THE PROVISIONS FOR AN INTERLOCAL AGREEMENT WITH THE MYAKKA RIVER MANAGEMENT COORDINATING COUNCIL IN THE COASTAL MANAGEMENT ELEMENT, PROVIDING FOR THE DELETION OF THE REQUIREMENT FOR PLANNED DEVELOPMENT ZONING FOR CERTAIN PROJECTS WITHIN THE WO-E, WO-M, AND THE CHHA; TO PROVIDE CLARIFICATIONS AND REFLECT CHANGED CIRCUMSTANCES; PROVIDING FOR PLAN VARIANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.  
(PA-94-03; Inconsistencies/Changed Circumstances)

Ms. Clarke advised that this a housekeeping amendment that deals with different agencies, and changing references from mobile homes to manufactured homes.

Based upon the evidence presented and comments made at the public hearing, the action of the Planning Commission, upon technical support documents, and finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, and upon the comments received from the Florida Department of Community Affairs, Mrs. Harris moved to adopt Manatee County Ordinance 94-14 (Plan Amendment PA-94-03). Motion was seconded by Mr. McClash and carried 6 to 0. RECORD S44-254

#### CONSTRUCTION TRADES BOARD

George R. Devenport, County Building Official, Planning, Permitting and Inspections, advised that on August 9, 1994, eleven individuals were appointed to the Construction Trades Board. One of the appointees (Sherry Lawrence, seat 10) declined due to the meeting schedule.

He referred to a list of eight individuals who are qualified for that seat who were applicants under the original nominations.

Nominations:            Russ Olson - by Mr. Chetlain  
                              Mark Mullen - by Mr. McClash

Mrs. Harris moved that nominations be closed. Motion was seconded by Mr. Gause and carried 6 to 0.

Voting for Russ Olson were Mr. Chetlain and Mr. Gause. Voting for Mark Mullen were Mrs. Harris, Mrs. Glass, Mr. McClash, and Mr. Stephens.

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried 6 to 0, to cast a unanimous ballot for Mark Mullen.

#### DEVELOPMENTS OF REGIONAL IMPACT - GUIDELINES AND THRESHOLDS

Mike Pendley, Planning, Permitting and Inspections, reviewed the Development of Regional Impact (DRI) process and thresholds. Statewide guidelines and standards to determine whether a proposal is a DRI are listed in Section 380.0651 of the Florida Statutes. He referred to the "banded thresholds," which range from 80 to 120 percent of a specific number (acres, square feet, parking spaces, etc). Binding Letters of Interpretation are issued by the Department of Community Affairs for the purpose of clarifying whether a development is a DRI.

Discussion: Clarification on the multi-use and the percentages; if there are thresholds for transportation; process for a Binding Letter; revisit some concerns; compatibility; want to share more knowledge with the public; legislation; agricultural and impact fee issues.

Recess/Reconvene. All members present except Mrs. Hooper.



(Depart Mr. Chetlain)

CHILDREN'S SERVICES FUNDING RECOMMENDATIONS

Cheri Coryea, Community Services, submitted information pertaining to previous discussions (9/13/94) regarding the funding recommendations for FY95 Children's Services dedicated millage funding awards.

(Enter Mr. Chetlain)

Ms. Coryea noted that eight programs remained open for discussion: Manatee Opportunity Council (MOC) Project Child Care/Subsidized Day Care; Downtown Center for Children/Infant-Toddler; Manatee Glens Corporation/Juvenile Assessment Center; Manatee Memorial Hospital/Therapeutic Foster Homes; Police Athletic League/Manatee Program; Just for Girls/GIRLS; MOC Project Childcare/Resource Mobile; Full Service School of Manatee County/HIPPY.

Following lengthy discussion, there was consensus to fund MOC Project Child Care/Subsidized Day Care and Downtown Center for Children/Infant-Toddler as proposed.

(Depart Mrs. Glass)

Regarding Manatee Glens Corporation/Juvenile Assessment Center, Mr. Stephens recommended reserving the funds (\$62,552) with Manatee County, establishing a six-month time limit, and obtain an agreement with the School Board and the court system, etc.

(Enter Mrs. Glass)

Discussion: Have the School Board and the Sheriff's Office participate in a work session regarding use of Bradenton Middle School; etc.

It was decided to reserve funds for Manatee Glens Corporation/Juvenile Assessment Center and schedule a work session regarding items discussed.

Discussion ensued regarding Manatee Memorial Hospital/Therapeutic Foster Homes, Police Athletic League/Manatee Program, and MOC Project Child Care/Resource Mobile. Funding was recommended as proposed.

Ms. Coryea referred to Just for Girls/G.I.R.L.S. and Full Service School of Manatee County/HIPPY, and addressed concerns regarding alternative education funding.

Discussion: Have School Board handle programs; policy necessary for HIPPY program; concerned with supporting programs that should be funded by the School Board; reserve funds until policy is established; alternative education; PACE Center for Girls is designated under general revenue funding; etc.

H. Hamilton Rice, Jr., County Attorney, advised that if the funds are held in reserve, a public hearing is not required.


Motion was made by Mr. Chetlain and seconded by Mr. Gause, to approve funding recommendations with the exception of alternative education (Juvenile Assessment Center, G.I.R.L.S., and HIPPY) and that those monies will be held in reserve. Voting "Aye" were Mrs. Harris, Mr. Chetlain, Mr. Gause, Mr. McClash, and Mr. Stephens. Voting "Nay" was Mrs. Glass. Motion carried.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

  
\_\_\_\_\_  
Clerk

  
\_\_\_\_\_  
Chairman 11/15/94

Adj: 12:05 p.m.  
/dmo