

JANUARY 25, 1996

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, January 25, 1996, at 9:02 a.m.

## Present were Commissioners:

Stan Stephens, Chairman  
 Gwendolyn Y. Brown, Second Vice-Chairman  
 Lari Ann Harris, Third Vice-Chairman (entered during meeting)  
 John R. Gause  
 Maxine M. Hooper  
 Joe McClash

## Absent was Commissioner:

Patricia M. Glass, First Vice-Chairman (attending a meeting)

## Also present were:

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

Invocation by Rev. W. A. "Bud" Gillett, First Baptist Church.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

CONSENT AGENDA

Upon motion by Mrs. Hooper and second by Ms. Brown, the Consent Agenda dated January 25, 1996, was approved 5 to 0. Items APPROVED:

ZONING

Public hearing (Notice in the Bradenton Herald 1/12/96) was held to consider

PDR-95-13(Z)(P) THE AURORA FOUNDATION - PDR & P/PLAN (APPROVED)  
 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 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 A TO PDR PROVIDING AN EFFECTIVE DATE; AND PRELIMINARY SITE PLAN TO ALLOW A 15,054-SQUARE-FOOT OFFICE USE ACCESSORY TO A RESIDENTIAL RELIGIOUS DEVELOPMENT; GRANTING SPECIAL APPROVAL FOR A SMALL OFFICE PROJECT EXCEEDING 3,000 SQUARE FEET; ON 18.08 ACRES LOCATED ON THE NORTH SIDE OF STATE ROUTE 64, 2/3 MILE WEST OF RYE ROAD.

Planning Commission recommended ADOPTION with Stipulations:

1. The office use shall be accessory to the adjacent residential religious development.
2. Prior to Certificate of Occupancy, the developer shall install an eastbound left-turn deceleration lane on S.R. 64 at the development's access driveway.

ADOPTION of the findings for Specific Approval; and GRANTING the request for Specific Approval for an alternative to Table A of Section 710 of the LDC to allow a 20-foot-wide drive aisle connecting the parking area to S.R. 64. RECORD S44-2435

Joseph Aleppo, representing Aurora Foundation, spoke in favor of the request and thanked staff for their efforts.

FINAL PLATSHighgate

1. Final Plat.
2. Mortgagee's Joinder in Declaration Only from William T. Harrison, Jr.
3. Agreement with Northern Capital Group to Defer Completion of Required Sidewalks for Private Subdivisions. RECORD S44-2436
4. Conservation Easement from Northern Capital Group.
5. Declaration of Restrictions.
6. List of Holdings.
7. Fiscal and Budgetary Information.
8. Maintenance Program.
9. Notice to Buyers.

West Lakes Plaza

1. Final Plat.
2. Mortgagee's Joinder in Declaration Only from Principal Mutual Life Insurance.
3. Agreement with Lark Investments, N.V., Guaranteeing Completion of Required Sidewalks, \$9,659.
4. Performance Bond: \$9,659 (Letter of Credit No. STBSC-0895, SouthTrust Bank of the Suncoast, surety).
5. Conservation Easement from Lark Investments, N.V.

S.R. 70 ACQUISITION

Contract for Sale and Purchase for a Warranty Deed from Flora Real Estate Management Company for right-of-way for the road improvement of S.R. 70, from New 301 Boulevard to I-75, \$1,000. RECORD S44-2437

CLERK OF CIRCUIT COURT - CONSENT AGENDA

WARRANT LIST

Approve: January 9, 1996 through January 24, 1996

Authorize: January 25, 1996 through January 29, 1996

AUTHORIZE CHAIRMAN TO SIGN

Corrective Document (scrivener's error):

Ordinance 95-44 Schroeder-Manatee, Inc./University Lakes DRI 22, Development Order Ordinance (adopted 12/21/95) RECORD S44-2438

Satisfaction of Judgments:

- Warren Thomas, Case No. 88-2927F (\$50)
- Vicky Walsh, Case No. 94-1390T (\$25)
- Vicky Walsh, Case No. 94-1390T (\$25)
- Donald J. Smith, Case No. 94-2225F (\$150)
- Leola Russell, Case No. 89-1921JD (\$75)
- Scott McIntyre, Case No. 94-2710M (\$20)
- Jeffrey Raymond Goodhart, Case No. 94-1013F (Satisfying duplicate judgment recorded in error)
- Jeffrey Raymond Goodhart, Case No. 94-419F (\$100)

Partial Release of Special Improvement Assessment Liens:

Projects 3100-2509; 5152; 3102-2502; 3106-5144 (3); 3009-5147 (2); 5144; 5035; 4101-3905; 5042; 5062; 3004-2507; 5147

ACCEPT

Records Destruction Request - Bureau of Archives & Records Management Form listing County records for destruction:

- No. 236 - Office of Information Services/Telecommunications
- No. 240 - Planning, Permitting & Inspections/Records Management
- No. 242 - Tax Collector/Tag Department
- No. 245 - Community Services/Human Services
- No. 246 - Financial Management/Purchasing

Letter (1/8/96) from Sarasota Bradenton International Airport regarding Resort Tax Distribution

North River Fire District Audited Financial Statements for Fiscal Year ending September 30, 1995.

Transcript of Litigation Assessment Meeting (1/9/96) regarding Bruce Love Worker's Compensation Claims (authorizing settlement of \$17,500 and \$4,000)

(End Consent Agenda)

CYPRESS BANKS - DRI 17

COMPREHENSIVE PLAN AMENDMENT

Public hearing (Notice in the Bradenton Herald 1/19/96) was held to consider

ORDINANCE 95-40 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (SHEET 20) FROM AT/WO-E TO UF-3/WO-E FOR CERTAIN LAND LOCATED WITHIN THE CYPRESS BANKS DEVELOPMENT OF REGIONAL IMPACT WHICH IS LOCATED ON THE SOUTH SIDE OF STATE ROAD 70, EAST OF LAKEWOOD RANCH BOULEVARD (FKA UPPER MANATEE RIVER ROAD) AND WEST OF LORRAINE ROAD, CONSISTING OF 26.2 ACRES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-95-15; Property Owners - Schroeder Manatee Ranch, Inc.)

(Enter Mrs. Harris)

Darenda Marvin, Planning, Permitting and Inspections, stated that inasmuch as the Ordinance was transmitted to the Department of Community Affairs and there were no objections, she recommended adoption of Ordinance 95-40. She entered a letter (12/15/95) from DCA.

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(Cont'd)

Based upon the evidence presented and the comments made at the public hearing, the action of the Planning Commission, upon the 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 95-40 (Plan Amendment PA-95-15). Motion was seconded by Mrs. Harris and carried 6 to 0. RECORD S44-2439

**ZONING**

Public hearing (continued from 9/28/95) was held to consider

**Z-86-30(G)(R<sup>3</sup>-B) SCHROEDER MANATEE RANCH, INC.**

**CYPRESS BANKS DRI 17 - PDMU/GENERAL DEVELOPMENT PLAN (APPROVED)**  
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 PDR/WP-E/ST AND PDC/WP-E/ST TO PDMU RETAINING ALL OF THE OVERLAY DISTRICTS; PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A REVISED GENERAL DEVELOPMENT PLAN (MAP H DATED 9/6/95); LOCATED ON 1,790 ACRES ON THE SOUTH SIDE OF S.R. 70, GENERALLY BETWEEN THE RIVER CLUB DEVELOPMENT AND LORRAINE ROAD. Planning Commission recommended ADOPTION and APPROVAL of the revisions to the General Development Plan amending Conditions A.(1-14), B.(1-7), C.(1-6), D.(1-17), E.(1-11), F.(1-2), G.(1), H.(1-21), deleting H.(22), and renumbering H.(23) to H.(22). RECORD S44-2440

Mrs. Marvin submitted amended and added Conditions. She recommended adoption of the Ordinance. RECORD S44-2441

**Georgianne Ratliff**, representing the applicant, addressed Condition D.(1) and recommended the following rewording:

D.(1) A surface water quality monitoring program and any amendment thereto shall be submitted to the Manatee County Environmental Action Commission (EAC) (or their successors) for approval and the Tampa Bay Regional Planning Council (TBRPC) for review and shall provide....

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. Hooper moved to adopt Manatee County Zoning Ordinance No. Z-86-30(G)(R<sup>3</sup>-B), including the language as amended. Motion was seconded by Mr. Gause and carried 6 to 0. RECORD S44-2442

Public hearing (continued from 9/28/95) was held to consider

**R-95-220 SCHROEDER MANATEE RANCH, INC./CYPRESS BANKS DRI 17 (ADPT)**

Request: Determination of whether the proposed modifications to change the approved land uses and the amount of acreage devoted to each land use and to include the definition of District constitutes a substantial deviation pursuant to Chapter 380.06, Florida Statutes, to the Cypress Banks DRI Development Order, located on 1,790 acres on the south side of S.R. 70, generally between the River Club Development and Lorraine Road.

Planning Commission recommended ADOPTION of the findings that the proposed NOPC (Notice of Proposed Change) modifying the Cypress Banks DRI as approved by the Board does not constitute a substantial deviation and ADOPTION of Resolution

\* Replaced by  
R-97-163,  
1/6/98

**R-95-220** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING, REPLACING AND SUPERSEDING RESOLUTION R-89-161 AS AMENDED BY R-89-161(R), R-92-170, AND R-94-133 WHICH ISSUED A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL FILED BY SMR-1 DEVELOPMENT OR REGIONAL IMPACT, ALSO KNOWN AS DRI 17; TO

REVISE MAP H, AMEND EXHIBIT D TO CHANGE THE APPROVED LAND USES AND THE AMOUNT OF ACREAGE DEVOTED TO EACH LAND USE, AMEND SECTION 4, DEVELOPMENT COMPONENTS, ADD THE DEFINITION OF "DISTRICT" AND RESTATE THE PROVISIONS THAT REMAIN UNCHANGED; PROVIDING AN EFFECTIVE DATE.

Mrs. Marvin recommended adoption of the Resolution and recommended the same change in language to D.(1) as in the previous Ordinance.

Mary Sheppard spoke with regard to open space and landscaping.

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, Section 380.06, Florida Statutes, and Rule 9J-2.0251(2)(c), Florida Administrative Code, Mrs. Harris moved to adopt the findings that the proposed NOPC modifying the Cypress DRI as approved by the Board does not constitute a substantial deviation and adopt Manatee County Resolution R-95-220, replacing in their entirety R-89-161(R), R-92-170, and R-94-133, as recommended by the Planning Commission, including the same language changes (D.1) as noted previously in the record [Z-86-30(G)(R<sup>3</sup>-B)]. Motion was seconded by Mr. McClash and carried 6 to 0. RECORD S44-2443

AWARD - RAPID RESPONSE TEAM

The Chairman noted that at the Chamber of Commerce annual dinner an award was presented to Carol Clarke, Planning, Permitting and Inspections Director, and Clara Campbell, Growth Management, for Manatee County's Rapid Response Team. He presented the plaque to Ms. Clarke and Ms. Campbell.

GREENWAYS NETWORK - CONCEPTUAL PLAN

Clara Campbell, Growth Management, requested conceptual approval of a tentative route (corridor) for a Greenway in Manatee County which will connect with Sarasota and Hillsborough Counties. She referred to a map.

The Sierra Club is seeking to establish a Greenway in Manatee County, which will connect with Sarasota and Hillsborough Counties. In anticipation of a workshop being held by the Sierra Club on January 26, 1996, approval of the concept is recommended pending site review.

Paul Bowen, representing Manatee Greenways, distributed a handout regarding the Needs for Manatee Greenways Trails and addressed details of the plan.

Motion was made by Mrs. Harris, seconded by Mr. McClash and carried 6 to 0, to support the concept of greenways in Manatee County.

CODE ENFORCEMENT LIEN - 14420 HIGHLAND ROAD (CE811X563)

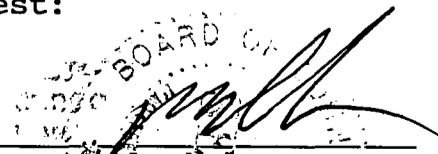
Paul Bangel, Assistant County Attorney, recommended the Board accept the offer of Jack Gay of \$2,500 for the release of Code Enforcement liens on property located at 14420 Highland Road (property previously owned by William C. Hand), and authorize the Director of Public Safety or his designee to release the Code Enforcement liens upon such payment. The value of the property is estimated at \$21,386 (taxable amount) as of November 1995 and the lien exceeded the value of the property.

Motion was made by Mr. Gause, seconded by Mrs. Harris and carried 6 to 0, to accept the recommendation of the County Attorney's Office.

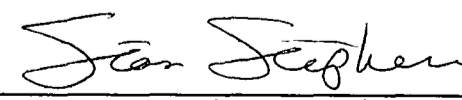
MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

  
Clerk  
Adj: 9:42 a.m.  
/gbh

APPROVED:

  
Chairman 3/12/96