

MANATEE COUNTY BOARD OF ZONING APPEALS

MAY 22, 1974

The regular meeting of the Manatee County Board of Zoning Appeals was held on Wednesday, May 22, 1974, at 1:30 PM, with Mr. Thomas W. Stewart, Chairman, presiding. Present were members Messrs. Lonnie Pullen, J. Stanley Whichel, Kenneth Pfister, Oscar Smith, Thomas W. Stewart and Mrs. Brenda Crosthwait. Also present was Mr. M. J. Sackett, Zoning Inspector.

The meeting was opened by the Pledge of Allegiance to the Flag.

The Minutes of the April 17, 1974 meeting were accepted as presented.

Mr. Sackett read the following Proof of Publication:

A-333 DONALD L. BLAKER, 806 30th Street West, Bradenton, Florida, request for a variance of 2 feet on the South property line to reduce the front setback from 25' to 23' as required in Section V, R-1AA, One and Two Family District, Paragraph D-1, pg 11 of the Manatee County Zoning Ordinance. Property is described as: The North 91' and the East 20' of the South 109' of Lot 6, Block D of Patrison Subdivision, PB 7, pg 91, PRMCF, Section 23, Twp 35S, Rge 17E, Manatee County Florida. Property is located at 911 66th Avenue West, Bradenton, Florida.

Mr. Stewart noted that petition A-333 and A-334 were from the same person and for contiguous property and asked Mr. Sackett to read the following Proof of Publication so both could have action taken at the same time:

A-334 DONALD L. BLAKER, 806 30th Street West, Bradenton, Florida, request for a variance of 2 feet on the South property line to reduce the front setback from 25' to 23' as required in Section V, R-1AA, One and Two Family District, Paragraph D-1, pg 11 of the Manatee County Zoning Ordinance. Property is described as: The North 91' and the West 20' of the South 109' of Lot 7, Block D of Patrison Subdivision, PB 7, pg 91 PRMCF, Section 23, Twp 35S, Rge 17E Manatee County, Florida. Property is located at 909 66th Avenue West, Bradenton, Florida.

Mr. Stewart asked Mr. Blaker to state the unique aspects of this case which would justify a variance.

Mr. Donald L. Blaker, Owner, appeared in behalf of this petition. He stated he had given his mason the prints for the two duplexes and told him to follow them except for the slab for the carport should be 18 feet wide instead of 20 feet as the plans were drawn. The mason followed the plans exactly and when the Building Department inspector made the inspections, he did not find the error.

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Mr. Blaker stated he found the error and came to the Zoning Department and reported it at which time he was told he could apply for a variance.

Mr. Pfister verified the fact that they were talking about lots 6 and 7, Block D of Patrison Subdivision and that the requirement of zoning is 25' front setback and Mr. Blaker was asking for a 2' variance. Mr. Pfister then asked if everything else meets the setback requirements.

Mr. Blaker said yes, everything.

Mr. Pfister asked who owns the property in front of the two duplexes Mr. Blaker is building and Mr. Blaker stated he does.

Mr. Stewart then asked Mr. Sackett if Mr. Blaker had applied for permits for four duplexes at one time if the zoning clearances would have been issued and Mr. Sackett said yes, at that time but the law has now been changed.

There was no one in the audience that wished to speak in favor of or in opposition to this petition and there was no correspondence received regarding same.

Mr. Stewart declared the Public Hearing closed at 1:45 PM.

After a brief discussion of the evidence submitted, Mr. Stewart declared the Board back in formal session at 1:46 PM.

Mr Pullen read the following Resolution:

IN RE: A-333 and A-334

It is the finding of this Board, based upon the evidence and a personal visit to the area, that the granting of this variance will not materially change the character or quality of the neighborhood, and that the strict application of the provisions of the Zoning Ordinance would result in an unnecessary hardship to the applicant, inconsistent with the general purpose and intent of the Ordinance, it is, therefore, the decision of this Board that the variance as requested be granted, to wit:

A variance of 2 feet on the South property line to reduce the front setback from 25' to 23' on Lot 6 and Lot 7, Block D of Patrison Subdivision, Section 23, Twp 35S Rge 17E, Manatee County Florida.

Mr. Pullen moved, the Resolution be adopted, Mr. Pfister seconded.

Voting as follows: Smith "Aye", Whichel "Aye", Pfister "Aye", Pullen "Aye", Stewart "Aye", Crosthwait "Aye".

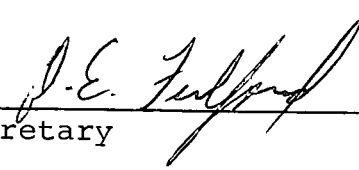
It is therefore resolved by the Board that the above-styled petition be granted.

DONE THIS 22nd DAY OF MAY 1974.

BY: 

CHAIRMAN BOARD OF ZONING APPEALS
MANATEE COUNTY, FLORIDA

Attest;


Secretary

VARIANCE APPROVED

Mr. Sackett read the following Proof of Publication:

A-335 MARY L. MARTIN, Box 730, Sheffield, Alabama, Edwin T. Mulock, Attorney, request for a variance of 3 feet on the West side of property line to reduce the front setback from 25' to 22' as required in Section V, R-1A Single Family District, Paragraph D-4, pg 11 of the Manatee County Zoning Ordinance. Property is described: Beginning at the NE corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, thence West 100 feet, South 337.53 feet more or less to graded road, East 100 feet, North 337.53 feet to POB, Section 33, Twp 34S, Rge 17E, Manatee County Florida, being the NW corner of 18th Avenue and 47th Street West, Bradenton, Florida.

Edwin Mulock, Attorney for Mrs. Martin, appeared in behalf of this petition. He noted the error in the application that stated the variance was requested on the west side of the property line and should have been on the east side of property line. The reason for the variance request is because of deed restrictions that require a 10' side setback. The zoning only requires 8' side setback but this is a corner lot and as such it is considered to have two fronts and two sides. The variance request is for the 47th Street front.

Mr. Pfister asked several questions concerning the possibilities of placing the house more than 25' back from 18th Avenue and Mr. Mulock stated he had not discussed this with Mrs. Martin. Mr. Pfister was concerned that the house, if built at the 25' setback, would hinder visibility at the corner. Mr. Mulock later stated that the deed restrictions would require any building be built at least 40' from 18th Avenue West.

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Mr. Pfister asked Mr. Sackett if someone could eventually build another house on this lot and Mr. Sackett said they could as far as the zoning ordinance was concerned but the deed restricts such building.

There was no one in the audience that wished to speak in favor of or in opposition to the petition and no correspondence had been received regarding same.

Mr. Stewart declared the Public Hearing closed at 2:00 PM.

After a very brief discussion of the evidence presented, the Board reconvened at 2:01 and Mr. Pullen read the following resolution:

RESOLUTION OF VARIANCE

IN RE: A-335 Mary L. Martin, Edwin Mulock, Attorney

It is the finding of this Board, based upon the evidence and a personal visit to the area, that the granting of this variance will not materially change the character or quality of the neighborhood, and that the strict application of the provisions of the Zoning Ordinance would result in an unnecessary hardship to the applicant, inconsistent with the general purpose and intent of the ordinance, it is, therefore, the decision of this Board that the variance as requested be granted, to wit:

A variance of 3 feet on the East side of property line to reduce the front setback from 25' to 22' on property described as: Beginning at the NE corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, thence West 100 feet, South 337.53 feet more or less to graded road, East 100 feet, North 337.53 feet to POB, Section 33, Twp 34S, Rge 17E, Manatee County, Florida, being the NW corner of 18th Avenue and 47th Street West, Bradenton, Florida.

Mr. Pullen moved the Resolution be adopted, Mr. Pfister seconded.

Mr. Stewart recommended the Resolution be amended to include the stipulation that the building be placed at least 40' from the 18th Avenue property line.

Voting as follows:

Smith "Aye", Pullen "Aye", Crosthwait "Aye", Pfister "Aye", Whichel "Aye", Stewart "Aye".

It is therefore resolved by the Board the above-styled petition be granted.

DONE THIS 22nd DAY OF MAY 1974.

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BY: 

CHAIRMAN, BOARD OF ZONING APPEALS
MANATEE COUNTY, FLORIDA

Attest;


Secretary

VARIANCE APPROVED

MANATEE COUNTY BOARD OF ZONING APPEALS

JUNE 12, 1974

A called meeting of the Manatee County Board of Zoning Appeals was held on Wednesday, June 12, 1974, at 1:30 PM, with Mr. Thomas W. Stewart, Chairman, presiding. Present were members Messrs. Lonnie Pullen, J. Stanley Whichel, Kenneth Pfister, Oscar Smith and Thomas W. Stewart. Mrs. Brenda Crosthwait was absent. Mr. M. J. Sackett, Zoning Inspector, was also present.

The meeting was opened by the Pledge of Allegiance to the Flag.

The Minutes of the May 22, 1974 meeting were accepted as presented.

Mr. Sackett read the following Proof of Publication:

A-336 HERMAN BRAMEISTER, Property Owner, Post Office Box 1087, Palmetto, Florida, KENTUCKY FRIED CHICKEN COMPANY, Lessee, Post Office Box 3288, Sarasota, Florida, ARTCRAFT HEATH SIGN COMPANY, Agent, Post Office Box 22066, Tampa, Florida, request for a variance of 10' from the East property line and 10' from the South property line and a variance of 144 square feet for a sign area. Section VI, ¶ 20-G (b) pg 125 of the Manatee County Zoning Ordinance requires 15' setback from both 67th Street and Manatee Avenue because corner lots are considered to have two fronts and two sides. Section VI, ¶ 20-F (b) which limits Class "A" signs to 150 square feet in a sign-free area. Property is described as: NE 1/4 of SE 1/4 of §30, Twp 34S, Rge 17E, P-41-2. Property is located at the NW corner of Manatee Avenue and 67th Street West, Bradenton, Florida.

Mr. Pfister stated he thought the setback was 25' not 15' and Mr. Sackett explained that for a sign of this size, the setback was 15'. The 25' setback is for buildings.

Mr. Steve Spahr, Agent representing Kentucky Fried Chicken appeared in behalf of the petition. He stated the sign they would like to install on the premises is the standard size for all Kentucky Fried Chicken Store signs. The particular circumstances that require a variance in this case is the fact that if the setbacks were observed, the sign would be in the center of the driveway.

Mr. Stewart said he understood the company did not want to change the parking, they just want the Board to change the Zoning Ordinance.

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