

March 2, 1977

Manatee County Planning Commission

Fay Firkins, Chairman

ATTEST:

Gordon Bartle, Secretary

MANATEE COUNTY PLANNING COMMISSION
 COUNTY COURT HOUSE
 MARCH 16, 1977

The Manatee County Planning Commission met in regular session on Wednesday, March 16, 1977, in the County Commission Chambers at the County Court House. Chairman, Fay Firkins, called the meeting to order at 9:30 A.M. leading in the Pledge of Allegiance to the Flag.

The Secretary, Gordon Bartle, called the roll of members. Those present were: Chairman, Fay Firkins; Vice Chairman, Robert Hoffman; Secretary, Gordon Bartle; Sam Hayden; Mrs. Ann Bott; Mr. George Hooper; and Mr. Seymour Sailes.

The Chairman called for the approval of the March 2, 1977, minutes. Mr. Hoffman moved for approval of the minutes as submitted, seconded by Mr. Bartle.

(MOTION CARRIED UNANIMOUSLY)

R-819 COUNTY COMMISSION INITIATED (PALMA SOLA AREA)

Request: To change the present zoning from M-1 (Light Industrial) to R-1B (One Family Dwelling) district or to such other district as determined to be more appropriate.

Proposed Use: Single family residences

Location: On the N. side of 9th Avenue N.W. & W. of 83rd Street N.W.

Area: 33.49 acres ±

Mr. Hooper read the committee report recommending approval of R-819 and moved for approval by adoption of the committee report. Mr. Bartle seconded the motion.

(MOTION CARRIED UNANIMOUSLY)

N-103

PHILIP FAUCETTE

Request: Replacement of non-conforming mobile home

Location: E. of U.S. 301 at the intersection of U.S. 301 & Old Parrish Road, Parrish, Fl.

Area: 4.69 ± acres Zoned: -A-

March 16, 1977

Mr. Hoffman read the committee report recommending approval and moved to approve N-103 by adoption of the committee report. Mr. Bartle seconded the motion.

(MOTION CARRIED UNANIMOUSLY)

SE-991 HARMON IRVIN
Request: Mobilehome as dwelling
Location: Approx. $\frac{1}{2}$ mi N of SR 70 & $\frac{1}{4}$ mi E.
of Bethany Road, Verna, Fl.
Area: 5.5 acres Zoned: -A-

Mr. Hoffman read the committee report recommending approval for a period of five (5) years and may be extended an additional five (5) years by the Planning Director provided the area has not changed substantially, and moved for approval of SE-991 by adoption of the committee report. Mr. Hayden seconded the motion.

(MOTION CARRIED UNANIMOUSLY)

SE-994 MANATEE INDUSTRIAL CENTER, INC. - Ray Hays, Agent
Request: Gasoline service station
Location: E. side of U.S. 301 and approx. 200 ft.
S. of 63rd Avenue East
Area: 0.71 acre Zoned: C-1

Mr. Hoffman read the committee report recommending approval with stipulations, and moved to approve SE-994 by adoption of the committee report. Mrs. Bott seconded the motion.

(MOTION CARRIED UNANIMOUSLY)

SE-988 COLONY MOBILEHOME COMMUNITIES - Ralph Nelson, Agent
Request: Special Exception to permit non-public
piers, docks, boat launching areas, country club
and restaurant facilities for yacht club and
associated facilities.
Location: North of Manatee River, West of Colony
Cove Mobilehome Park, Phase IV and South of
Colony Cove Mobilehome Park, Phase I.
Area: (10.0± acres) + (19.0± acres) + (7.3± acres)

Petition was deferred until April 6, 1977.

77-T-1/1(P) COLONY COVE MOBILEHOME PARK, PHASES V, VI, & VII - Agent,
Dan Zoller Engineering
Request: Preliminary plan approval for an expansion
of an existing mobilehome park of 65 lots
Location: Bordered on the north by Colony Cove
Phase I and approx. 1320 ft. south of U.S. 301
Area: 36.3± acres Zoned: T-1

Petition was deferred until April 6, 1977.

PUBLIC HEARING TO CONSIDER:

March 16, 1977

Z-107

COUNTY COMMISSION INITIATED - ZONING ORDINANCE AMENDMENT

Amend Section V, the -A- General Agricultural District, Paragraph "C" to read as follows:

C. MINIMUM LOT OR PARCEL SIZE (PERMITTED USES):

Single family dwelling:

100 feet in width.

Minimum of one (1) acre in area.

Single family mobilehome:

200 feet in width.

Ten (10) acres in area (mobilehome must be removed if lot or parcel reduced in size below ten (10) acres.)

Note: This amendment will reduce the minimum area for a single family dwelling in the -A- General Agricultural district from two (2) acres to one (1) acre.

Mr. West explained that the present requirements imposed an undue hardship in many instances and that the County Commissioners had requested the amendment.

There were no objections. The Public Hearing was closed. Mr. Hayden moved to approve Z-107, seconded by Mr. Bartle.

(MOTION CARRIED UNANIMOUSLY)

R-815

HAZEL BARTH - Daniel Barth, Sr., Agent

Request: To change the present zoning from -A- (General Agriculture) to A-1 (Suburban Agriculture) district or to such other district as determined to be more appropriate.

Proposed Use: Single family subdivision

Location: On the N.E. corner of Tallevast Road and Lynden Lane approx. 2 mi E of Tallevast

Area: 10 acres

The Public Hearing remains open and the petition deferred until action has been taken on proposed zoning ordinance amendment, Z-107, by the County Commission.

R-816

C. R. BURNETT & SONS, INC. (Gillette Bapt. Church) Vera Jo Strickland, Agent

Request: To change the present zoning from -A- (General Agriculture) to A-1 (Suburban Agriculture) or to such other district as determined to be more appropriate.

Proposed Use: Pastorium for Gillette Baptist Church

Location: Located on the E. side of Ellenton Gillette Road and approx. 300 yds south of Bill Willis Road and south of Gillette Cemetery, Gillette

Area: 1 acre

The Public Hearing remains open and the petition deferred until action has been taken on proposed zoning ordinance amendment, Z-107, by the County Commission.

March 16, 1977

R-817

CLARENCE W. SPIVEY, SR. - Jerome Pratt, Agent
Request: To change the present zoning from R-1AA
(One and Two Family Dwellings) to C-1 (Commercial)
district or to such other district as determined
to be more appropriate.
Proposed Use: Parking of trucks (produce)
Location: 5433 16th Street E., Bradenton, Fl.
Area: 0.51 acre

Mr. Pratt and Mr. Ryan, attorneys for the petitioner, made the presentation.

Opposing the petition:

Mr. Ross Tyree, 5418 16th Street East, Oneco, presented a petition with 60 signatures opposing the petition, as well as photographs of the surrounding area.

Mrs. Lester Yancey, Myakka Star Route, Bradenton, spoke in opposition and also advised that she had received a letter from a department of the County asking that the trucking company be removed from her property. She said the County officials apparently thought the property used by the trucking company belonged to her.

A letter from the Highway Department listing their reasons for opposing the petition was read into the record.

Nine letters from surrounding property owners opposing the petition were read into the record.

Mr. Pratt, in rebuttal, stated that the building had been in continuous commercial operation since 1959, and that the trend of the area is towards commercial rather than residential.

Mr. West explained that the business had been operating as a non-conforming use and that a petition for expansion had been denied. He said the petitioner had been cited for a violation because he had gone from a non-conforming use to a heavier non-conforming use and that the matter is now in the Courts.

The Public Hearing was closed. Mr. Hayden moved to refer R-817 to Committee and to direct the Planning Staff to investigate the area for any other possible violations. Mr. Hooper seconded the motion.

(MOTION CARRIED UNANIMOUSLY)

R-818

ESTHER K. FINNEY - Albert Luper, Agent
Request: To change the present zoning from R-1AA
(One and Two Family Dwellings) to R-3 (Multiple
Family Residential and Resort) district or to
such other district as determined to be more
appropriate.
Proposed Use: Apartments
Location: E side of 26th Street West approx.
½ mi S of Cortez Road
Area: 2.77 ± acres

Mr. Luper presented the petition. He explained the plans would call for a two story building with 24 units.

March 16, 1977

Paul Myers, 5012A 24th Street West, was somewhat concerned until assured by Mr. Luper that the building would only be two stories. He said he had no objection to two stories.

A letter from the Highway Department addressing their requirements was read into the record.

Mr. R. A. Jordon, representing Mrs. Finney as a real estate agent, spoke in favor of the petition, and said the only easement for maintaining a drainage canal was on the Finney property. There was considerable discussion concerning the condition of the canal.

The Public Hearing was closed. Mr. Bartle moved to refer R-818 to Committee, seconded by Mr. Hooper.

(MOTION CARRIED UNANIMOUSLY)

R-820 CURTIS A. & CURTIS S. PETZOLDT - Robt. Boylston,
Ralph Nelson, Dan Zoller, Agents
Request: To change the present zoning from -A-
(General Agriculture) to T-1 (Mobilehome Park)
district or to such other district as determined
to be more appropriate. (And Plan Review)
Proposed Use: Mobilehome Park (Royal Estates
Mobilehome Park)
Location: 9200 U.S. Hwy 301, N., Ellenton, Fl.
Area: 55.91 ± acres

R-821 CURTIS A. AND CURTIS S. PETZOLDT - Robert Boylston,
Ralph Nelson, Dan Zoller, Agents
Request: To change the present zoning from -A-
(General Agriculture) to C-1 (Commercial) district
or to such other district as determined to be
more appropriate.
Proposed Use: Commercial/Professional Shopping Center
Location: 9200 U.S. Hwy 301 North, Ellenton, Fla.
Area: 20.15 acres ±

R-820 and R-821 were heard simultaneously. Mr. Boylston and Mr. Nelson made the presentation using visual aids to show the proposed shopping area and mobilehome park. They said they believed this to be the highest and best use of the land.

Frank Otten, 4024 Moccasin Wallow Road, expressed concern about the water backing up onto his property.

Jack Moorehead, 9917 Spoonbill Road, Flamingo Cay, spoke in favor of the petition.

Roger Conley, attorney, representing his father, as well as other residents of the area, opposed the petition. He pointed out the importance of retaining agricultural areas and objected to the increase in traffic.

There was considerable discussion concerning the condition of Old Tampa Road, which the Highway Department considers inadequate to handle the increased traffic. Mr. Nelson indicated they were willing to comply with the Highway Department recommendations concerning the entrance and the dedicated right of ways, and that they planned improvements to U.S. 301. They felt the project would take from 3 to 5 years to complete.

March 16, 1977

The Public Hearing was closed. Mr. Bartle moved to refer R-820 and R-821 to Committee, seconded by Mr. Hayden.

(MOTION CARRIED UNANIMOUSLY)

R-822 RAYMOND N. PHILLIPS - Sidney R. Wilkinson, Agent
Request: To change the present zoning from R-1AA (One and Two Family Dwelling) to R-3 (Multiple Family Residential and Resort) district or to such other district as determined to be more appropriate.
Proposed Use: Apartments
Location: S side of 57th Avenue East & 660 ft. West of 5th Street East
Area: 1.23 acre

Mr. Wilkinson presented the petition explaining it would extend the same zoning as adjoining property presently owned by the petitioner.

A letter from the Health Department listing their stipulations was read into the record. The Highway Department had no objections.

The Public Hearing was closed. Mr. Bartle moved for approval of R-822, seconded by Mr. Hayden.

(MOTION CARRIED UNANIMOUSLY)

R-823 PLANNING COMMISSION INITIATED (WASHINGTON GARDENS)
Request: To change all of the R-1AA (One and Two Family Dwelling) districts in the East ½ of Sec. 12, Twp. 34S, Rge. 17E, to R-1AB (One Family Dwelling) district or to such other district as determined to be more appropriate.
Location: Property located W of Canal Road (16th Ave. East) & N & S of 25th Street East, Palmetto.
Area: 106.19 ± acres

Mr. West gave the background information on the petition and explained the requirements of the proposed zoning as it relates to the construction of dwellings.

Lawrence Livingston, acting as spokesman for a large number of people in the audience, supported the petition.

Mr. Richard Hampton, attorney, representing the Austin Development Corp., developers of the proposed Palmetto Villas Subdivision which would be affected by the rezoning, spoke in opposition. He submitted, for the record, a copy of the complaint which had been filed with the Circuit Court of Manatee County. He said the complaint sought a mandatory injunction to restrain any rezoning action with references to this property. He explained that the property had been purchased in 1971, and that they had been encouraged by the Manatee County Housing Authority to proceed with their plans to build duplexes, and that they were even advised to acquire another 2.3 acres, which they did. He stated further that the preliminary plans for the project had been approved by both the Planning Commission and the County Commission and that they had already spent in excess of \$96,000 on the development.

The Public Hearing was closed. Mr. Bartle moved to refer R-823 to Committee, seconded by Mr. Hayden.

(MOTION CARRIED UNANIMOUSLY)

March 16, 1977

SE-996 MANASOTA-SOLVE, INC. - George K. Brown, Jr., Agent
 Request: Special Exception to permit an office for
 counselling and for referrals for young women
 offering alternatives to abortion.
 Location: 911-A and 911-B 60th Avenue Terrace
 West, Bradenton
 Area: 0.40 acre Current Zoning: R-1AA

Mr. Brown, attorney, presented the petition explaining that it was a non-profit organization operated by volunteers. He said the duplex had been donated to the organization and that they expected to care for no more than 6 girls at one time. He said the reason for applying for the Special Exception is for the purpose of maintaining an office, which would involve very little other than telephone activity.

Mr. Rick McCormick, 2127 East Leland Drive, Sarasota, spoke in favor of the organization. He said it provided a community service and was funded by donations. He said the sole purpose is to provide girls a chance to bear their children if they wish to do so.

Opposing the petition were: Emanuel Hanjiles, 60th Avenue, Terrace West; Mrs. George Harter, Snead Island; Jim Schaffer, 910A 60th Avenue Terrace West; and Ed Mueller, 903 60th Avenue Terrace West. They felt it would devalue their property, cause traffic congestion, and did not want a business of any kind encroaching on the neighborhood.

Letters in opposition: Mrs. Catherine Walsh, Maxine and James Cowart, Paul and Sara Turk, Emanuel and Bridget Hanjiles, Edward and Carol Mueller, Leroy Baer.

The Public Hearing was closed. Mr. Hoffman moved to refer SE-996 to Committee, seconded by Mrs. Bott.

(MOTION CARRIED UNANIMOUSLY)

NEW BUSINESS:

77-S-7(P) THE FAIRWAYS AT CONQUISTADOR - Dan Zoller Engineer, Inc., Agt.
 Request: Preliminary plat approval of a single family sub.
 Unit Type: 22 single family lots
 Location: Bordered on the south by El Conquistador
 Parkway & approx. 3/4 mi to the west of 34th Street West.
 Area: 7.20 acres ± Zoned: R-1B

Mr. William Swan presented the petition. There were no departmental objections and the Planning Staff recommended approval.

Mr. Hoffman moved for approval of 77-S-7(P), seconded by Mr. Hayden.

(MOTION CARRIED UNANIMOUSLY)

LATE ITEM:

76-T-1/4(F) ELLENTON GARDENS TRAVEL RESORT - James Kennedy, Agent
 Request: Final Plan approval of a travel trailer park
 Unit Type: 95 travel trailer sites (Phase I)
 Location: Bordered on the south by U.S. 301 &
 on the west by 73rd Avenue East.
 Area: 12.5 total acres Zoned: T-1

March 16, 1977

Mr. William Swan presented the petition. He said the original intent was to request approval for 173 lots; however, bad weather had prevented them from completing all of the improvements. The 95 sites are located to the back of the park where the improvements meet departmental requirements. The Planning Staff recommended approval.

Mr. Hayden moved for approval of 76-T-1/4(P) Phase I, seconded by Mr. Bartle.

(MOTION CARRIED UNANIMOUSLY)

Meeting adjourned at 12:40

Manatee County Planning Commission

Fay Firkins, Chairman

ATTEST:

Gordon Bartle, Secretary

MANATEE COUNTY PLANNING COMMISSION
COUNTY COURT HOUSE
APRIL 6, 1977

The Manatee County Planning Commission met in regular session on Wednesday, April 6, 1977, in the County Commission Chambers at the County Court House. Chairman, Fay Firkins, called the meeting to order at 9:30 A.M. leading in the Pledge of Allegiance to the Flag.

The Secretary, Gordon Bartle, called the roll of members. Those present were: Chairman, Fay Firkins; Vice Chairman, Robert Hoffman; Secretary, Gordon Bartle; Sam Hayden; Mrs. Ann Bott; Mr. George Hooper; and Mr. Seymour Sailes.

The Chairman called for the approval of the March 16, 1977, minutes. Mr. Bartle moved for approval of the minutes as submitted, seconded by Mr. Hayden.

(MOTION CARRIED UNANIMOUSLY)

PETITIONS AWAITING DECISION: