

PLANNING AND ZONING BOARD

REGULAR MEETING

DECEMBER 05, 2002, 6:00 P.M.

Hardee County Public Health Unit--Conference Room
115 K.D. Revell Road, Wauchula, FL

: - : A G E N D A : - :

Planning and Zoning Board

James Barncord
Don Chancey
Roger Conley
Dan Graham, Vice Chairman
Charles C. Nicholson
Carl Saunders
Fred Small
Vida Tomlinson, Chairman

Staff

Building/Zoning Director, T. Mike Cassidy
County Attorney Ken Evers
County Manager Lex Albritton
B/Z Office Manager B.J. Haney
B/Z Executive Secretary Tina Huntsman

PLEASE TURN OFF ALL CELL PHONES AND PAGERS OR SWITCH THEM TO SILENT NOTIFICATION

| | |
|-----------------------------|--|
| Chairman | Call 12/05/02 Regular Meeting to order |
| Secretary | Roll Call |
| Secretary | Notice of Publication for Regular P/Z 12/05/02 Meeting-- The Herald-Advocate 11/21 and 11/28/02 --Affidavit of Publication on file |
| Building/Zoning Director | Courtesy Notices were mailed to adjoining property owners, and all advertisements/public notices were properly posted |
| Chairman/Designee | Explain Planning and Zoning Board's General Rules of Procedure (Page Seven) |
| County Attorney | Administration of oath to witnesses who wish to offer testimony |
| Chairman | Approval--Minutes of November 07, 2002 Regular Meeting ----- |
| receive | Acknowledge receipt of "NOTES" of the November 14, 2002 Joint Meeting with BCC to 2002-2003 Annual Reports from IMC Phosphates |

RECOMMENDATION TO BCC

On 11/14/02 BCC held a joint meeting with the P/Z to receive the 2002-2003 Annual Report from IMC Phosphates Co. Absent a P/Z quorum, the BCC was advised that at the next regularly-scheduled P/Z meeting the P/Z would offer a recommendation for approval or disapproval to the BCC.

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the 2002-2003 Annual Report from IMC Phosphates Co. based on review of the written Annual Report of which each Board Member has a copy.

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the 2002-2003 Annual Report from IMC Phosphates Co. based on _____

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EXCEPTION TO POLICY L1.15 of the "COMP PLAN"

Agenda No.

- 03-04 Michael P. Patton requests an **Exception to Policy L1.15 of the "Comp Plan"** to allow transfer of a parcel from the 13.65MOL-ac-parent-parcel to immediate family member (daughter) for primary place of residence, A-1 (Agriculture) 05 35 27 0000
02520 0000
On or abt SR66, Hardee County **BCC to hear 12/19/02, 1:30 P.M.**
(RECOMMENDATION TO BCC) **Hardee County Public Health Unit
Conference Rm., Wauchula**

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an:
Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 13.65MOL-ac-parent-parcel to immediate family member (daughter) for primary place of residence based on staff's findings, conclusion, recommendation, and recommended condition, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the request for an
Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 13.65MOL-ac-parent-parcel to immediate family member (daughter) for primary place of residence based on
_____;

Agenda No.

- 03-05 Mary Jane/Edward D. Albritton request an **Exception to Policy L1.15 of the "Comp Plan"** to allow transfer of a parcel from the 2.90MOL-ac-parent-parcel to immediate family member (son) for primary place of residence, A-1 (Agriculture) 30 33 25 0000 05630 0000
On or abt Old Bradenton Rd, Hardee County **BCC to hear 12/19/02, 1:30
P.M.**
(RECOMMENDATION TO BCC) **Hardee County Public Health Unit
Conference Rm., Wauchula**

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an:
Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 2.90MOL-ac-parent-parcel to immediate family member (wife) for primary place of residence based on staff's findings, conclusion,

recommendation, and recommended condition, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the request for an Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 2.90MOL-ac-parent-parcel to immediate family member (wife) for primary place of residence based on _____;

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EXCEPTION TO POLICY L1.15 of the "COMP PLAN"

Agenda No.

03-07 R. Todd Garrett requests an **Exception to Policy L1.15 of the "Comp Plan"** to allow transfer of a parcel from the 20MOL-ac-parent-parcel to immediate family member (father) for primary place of residence, A-1 (Agriculture) 06 35 23 0000 07560 0000
On or abt Roy Moore Rd, Hardee County **BCC to hear 12/19/02, 1:30 P.M.**
(RECOMMENDATION TO BCC) **Hardee County Public Health Unit Conference Rm., Wauchula**

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an: Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 20MOL-ac-parent-parcel to immediate family member (father) for primary place of residence based on staff's findings, conclusion, recommendation, and recommended condition, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the request for an Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 20MOL-ac-parent-parcel to immediate family member (father) for primary place of residence based on _____;

Agenda No.

03-08 Hoyt E., Sr./Joan Terrell request an **Exception to Policy L1.15 of the "Comp Plan"** to allow transfer of a parcel from the 18.20MOL-ac-parent-parcel to immediate family member (daughter) for primary place of residence, A-1 (Agriculture) 11 34 25 0000 07520 0000
On or abt Bost/Popash Rd, Hardee County **BCC to hear 12/19/02, 1:30 P.M.**
(RECOMMENDATION TO BCC) **Hardee County Public Health Unit Conference Rm., Wauchula**

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 18.20MOL-ac-parent-parcel to immediate family member (daughter) for primary place of residence based on staff's findings, conclusion, recommendation, and recommended condition, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the request for an Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 18.20MOL-ac-parent-parcel to immediate family member (daughter) for primary place of residence based on _____;

PLANNING AND ZONING BOARD

REGULAR MEETING

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EXCEPTION TO POLICY L1.15 of the "COMP PLAN"

Agenda No.

03-09 C.R. Jr./Pearl L. Powell, by and through their Authorized Representative requests an **Exception to Policy L1.15 of the "Comp Plan"** to allow transfer of a parcel from the 20MOL-ac-parent-parcel to immediate family member (son) for primary place of residence, F-R (Farm-Residential)

30 33 25 0000 06220 0000

On or abt Old Bradenton/Polk Rds, Hardee County
(RECOMMENDATION TO BCC)

**BCC to hear 12/19/02, 1:30 P.M.
Hardee County Public Health Unit
Conference Rm., Wauchula**

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 20MOL-ac-parent-parcel to immediate family member (son) for primary place of residence based on staff's findings, conclusion, recommendation, and recommended condition, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the request for an Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 20MOL-ac-parent-parcel to immediate family member (son) for primary place of residence based on _____;

Agenda No.

03-10 James L./Audrey Swailes request an **Exception to Policy L1.15 of the "Comp Plan"** to allow transfer of a parcel from the 11MOL-ac-parent-parcel to immediate family member (wife) for primary place of residence, A-1 (Agriculture) 24 34 25 0000
06820 0000
On or abt St Rd 64E Rd, Hardee County
(RECOMMENDATION TO BCC)

**BCC to hear 12/19/02, 1:30 P.M.
Hardee County Public Health Unit
Conference Rm., Wauchula**

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an:
Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 11MOL-ac-parent-parcel to immediate family member (wife) for primary place of residence based on staff's findings, conclusion, recommendation, and recommended condition, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the request for an
Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a parcel from the 11MOL-ac-parent-parcel to immediate family member (wife) for primary place of residence based on _____;

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| REZONE |
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Agenda No.

03-06 The J.R. Paul, Jr. Family Limited Partnership by and through its Authorized Representative Timothy P. Wheat, Regional Vice President of Pinnacle Housing Group requests a **Rezone** of 9.73MOL ac of a 31.67MOL-ac parent parcel from F-R (Farm-Residential) to R-3 (Multiple Family Residential)
On or about South Florida Ave, Hardee County 16 34 25 0000 05030 0000
(RECOMMENDATION TO BCC) Parent Parcel

**BCC to hear 12/19/02, 1:30 P.M.
Hardee County Public Health Unit
Conference Rm., Wauchula**

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for a:
Rezone of 9.73MOL ac of a 31.67MOL-ac-parent-parcel from F-R to R-3 based on staff's findings, conclusion, recommendation, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the request for a:
Rezone of 9.73MOL ac of a 31.67MOL-ac-parent-parcel from F-R to R-3 based on _____

Agenda No.

03-12 Arthur H./Anita L. Melendy, by and through their Authorized Representative requests approval of a **Rezone** of 40MOL ac from F-R (Farm-Residential) to A-1 (Agriculture)
On or abt SR62
(RECOMMENDATION TO BCC)

20 33 25 0000 02520 0000
BCC to hear 12/19/02, 1:30 P.M.
Hardee County Public Health Unit
Conference Rm., Wauchula

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for a:
Rezone of 40MOL-ac parcel from F-R to A-1 based on staff's findings, conclusion, recommendation, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the request for a:
Rezone of 40MOL-ac parcel from F-R to A-1 based on _____

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| PRELIMINARY SITE DEVELOPMENT PLAN |
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Agenda No.

03-11 Arthur H./Anita L. Melendy, by and through their Authorized Representative requests approval of a **Preliminary Site Development Plan** for a Six L's Farm Op, Inc. project to develop a 300+unit farmworker housing complex, currently zoned F-R (Farm-Residential)
On or abt SR62

20 33 25 0000 02520 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to **APPROVE** the request for a:
Preliminary Site Development Plan for a Six L's Farm Op, Inc. project to develop a 300+-unit farmworker housing complex on 40MOL ac based on staff's findings, conclusion, recommendation, and recommended conditions, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to **DENY** the request for a:
Preliminary Site Development Plan for a Six L's Farm Op, Inc. project to develop a 300+-unit farmworker housing complex on 40MOL ac based on _____

VARIANCE

Agenda No.

03-03 Charles A. Barton, Jr. requests a **Variance** to the minor subdivision requirements of the Hardee County Unified Land Development Code (ULDC) for a 40MOL-ac parcel, A-1 (Agriculture)

On or abt SR66, Hardee County
(RECOMMENDATION TO BCC)

31 34 26 0000 06210 0000

**BCC to hear 12/19/02, 1:30 P.M.
Hardee County Public Health Unit
Conference Rm., Wauchula**

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for a:

Variance to the minor subdivision requirements of the ULDC for a 40MOL-ac parcel based on staff's findings, conclusion, recommendation, and based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of the request for a:

Variance to the minor subdivision requirements of the ULDC for a 40MOL-ac parcel based on

OTHER BUSINESS

PLANNING AND ZONING BOARD

REGULAR MEETING

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REMINDERS/NOTICES

**CF Industries' Annual Report
(P/Z Board has been given copies of the Report)
Joint Meeting w/BCC
Conference Rm., Hardee County Public Health Unit**

Thursday, December 12, 2002, 5:30 P.M.

**Next Regular P/Z Meeting
Board to elect Chairman and Vice Chairman**

January 09, 2003, 6:00 P.M.

ALSO

AS INFORMATION

P/Z will hear the Rezone, Major Special Exception and Variance requests from IMC Phosphates Co. for its Ona Mine, and will hear a request for approval of a DRI, approval of a Master Mining Plan, approval of an NOPC, and approval for the initial Annual Unit Review

You will probably want to bring your copy of the April, 2000 IMC Consolidated Development Application for the Ona Mine, and the September, 2002 IMC Master Mining and Reclamation Plan--Ona Mine. Copies for distribution will not be available at the meeting.

Meeting adjourned at _____ P.M.

GENERAL RULES OF PROCEDURE

Ladies and Gentlemen,

This is a quasi-judicial proceeding and any decision of the Board must be supported by substantial and competent evidence. In rendering its decision the Board shall rely solely upon that testimony which is relevant and material and any testimony given in the form of an opinion will not be relied upon unless given by a qualified witness.

You shall have the right to give testimony, and to present evidence and witnesses. The applicant, the Board and any interested persons shall be given an opportunity to ask questions of any witness. Any persons who wish to testify shall be administered an oath to swear or affirm to tell the truth.

At this time, if there is anyone who wishes to speak before the Board, please rise for the administration of Oath.