

PLANNING AND ZONING BOARD

REGULAR MEETING--FEBRUARY 13, 2003, 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, Vice Chairman
Dan Graham
Charles Huntsman
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 Administrative Assistant Tina Huntsman
Development/Planning Director Kris DeLaney
Mining Coordinator, Doug Knight

TURN OFF ALL CELL PHONES AND PAGERS OR SET THE UNIT TO SILENT ANNOUNCEMENT

Chairman	Call 02/13/03 Regular Meeting to order
Administrative Asst.	Roll Call
Administrative Asst.	Notice of Publication for Regular P/Z 02/13/03 Meeting--Agenda Nos. 03-16, 03-17, 03-18 The Herald-Advocate 01/30 and 02/06/03--Affidavit of Publication on file Notice of Publication for Regular P/Z 02/13/03 Meeting--Agenda No. 03-13 The Herald-Advocate 11/28, 12/05, 12/26/02; and 01/02/03--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 January 09, 2003 Regular Meeting

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

Agenda No.

03-16 Deborah Hart Boehm requests an **Exception to Policy L1.15 of the "Comp Plan"** to allow transfer of a parcel from the 10.50MOL-ac-parent-parcel to immediate family member (sister) for primary place of residence, A-1 (Agriculture) 12 34 25 0000 05170 0000
On or abt Griffin Rd, Hardee County

(P/Z TO OFFER RECOMMENDATION TO BCC)

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 no-less-than-2.5-ac-parcel from the 10.50MOL-ac-parent-parcel to immediate family member (sister) for primary place of residence 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 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 no-less-than-2.5-ac-parcel from the 10.50MOL-ac-parent-parcel to immediate family member (sister) for primary place of residence based on_____.

BCC to hear 02/20/03, 1:30 P.M., Hardee County Public Health Unit, Conference Rm., Wauchula

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TEMPORARY SPECIAL USE PERMIT

Agenda No.

03-17 Earl O./Glenda S. Bolin request a **Temporary Special Use Permit** to temporarily locate a second s/f dwelling on this parcel to provide for the care of the children by the mother
F-R (Farm-Residential) 05 34 25 0000 01990 0000
On or abt Louisiana St, Hardee County

(P/Z TO OFFER RECOMMENDATION TO BCC)

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: **Temporary Special Use Permit** to temporarily locate a second s/f dwelling on this parcel to provide for the care of the children by the mother 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 recommend **DENIAL** to the Board of County Commissioners of the request for a: **Temporary Special Use Permit** to temporarily locate a second s/f dwelling on this parcel to provide for the care of the children by the mother based on _____.

BCC to hear 02/20/03, 1:30 P.M., Hardee County Public Health Unit, Conference Rm., Wauchula

SPECIAL EXCEPTION

Agenda No.

03-18 Octaviano R., Jr./Oralia D. Flores request a **Special Exception** to locate a s/f MH dwelling on 1.66MOL ac F-R (Farm-Residential) 29 33 25 0200 00001 0007
On or abt Louisiana St, Hardee County

(P/Z TO OFFER RECOMMENDATION TO BCC)

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: **Special Exception** to locate a s/f MH dwelling on this parcel 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 recommend **DENIAL** to the Board of County Commissioners of the request for a: **Special Exception** to locate a s/f MH dwelling on this parcel based on _____.

BCC to hear 02/20/03, 1:30 P.M., Hardee County Public Health Unit, Conference Rm., Wauchula

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*REZONE; MAJOR SPECIAL EXCEPTION; VARIANCES;
APPROVAL OF DRI DEVELOPMENT ORDER;
APPROVAL OF A MASTER MINING PLAN;
APPROVAL OF AN NOTICE OF PROPOSED CHANGE;
APPROVAL FOR INITIAL ANNUAL UNIT REVIEW.*

Agenda No.

- 03-13 IMC Phosphates Co., Valeria Roberts, Mary Linda Owens and James Allen McLeod, by and through their Authorized Representative request:
- a **Rezone** of appr. 20,622.08MOL ac from A-1 to A-1/M-1;
 - a **Rezone** of appr. 13.63MOL ac from C-2 to A-1/M-1
(Parcel I.D. No. 33 34 24 0830 00012 0003);
 - a **Rezone** of appr. 39.00MOL ac from F-R to A-1/M-1
(Parcel I.D. No. 33 34 24 0000 05320 0000);
 - a **Major Special Exception** to construct/operate a phosphate mining facility known as the Ona Mine on 20,675MOL ac;
 - a **Variance** to Section 2.06.06 A.06. of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) Development Standards for noise;
 - a **Variance** to Section 2.06.06 B.02. of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) Development Standards for air monitoring;
 - a **Variance** to Section 2.06.06 B.04. of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) Development Standards for rainfall monitoring;
 - a **Variance** to Section 2.06.06 C.01. of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) Development Standards for rainfall monitoring;
 - a **Variance** to Section 2.06.06 of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) Development Standards for setbacks;
 - an **approval of a DRI (Development of Regional Impact) Development Order** to mine and disturb 20,675MOL ac to be known as the Ona Mine;
 - an **approval of a Master Mining Plan** for the Ona Mine;
 - an **approval of an NOPC (Notice of Proposed Change)** to amend the Ft. Green Southern Reserves Development Order to allow siting of additional proposed clay settling areas and revisions to the post reclamation topography and revegetation plans;
 - an **approval for the Initial Annual Unit Review** for the Ona Mine.

County Staff to present Staff Report.

Chairman to call for Applicant/Authorized Representative Input.

Chairman to call for Public Input.

Chairman to call for Questions from the Board.

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(P/Z TO OFFER RECOMMENDATION TO BCC)

P/Z 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 apprx. 20,622.08MOL ac from **A-1 to A-1/M-1**,
Rezone of apprx. 13.63MOL ac from **C-2 to A-1/M-1**,
Rezone of apprx. 39.00MOL ac 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 apprx. 20,622.08MOL ac from **A-1 to A-1/M-1**,
Rezone of apprx. 13.63MOL ac from **C-2 to A-1/M-1**,
Rezone of apprx. 39.00MOL ac from **F-R to A-1**, based on _____.

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06A.06.** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for noise** 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 recommend **DENIAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06A.06.** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for noise** based on _____;

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06B.02.** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for air monitoring** 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 recommend **DENIAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06B.02.** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for air monitoring**; based on _____;

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I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06B.04.** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for rainfall monitoring** 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 recommend **DENIAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06B.04.** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for rainfall monitoring**; based on _____;

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06C.01.** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for rainfall monitoring** 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 recommend **DENIAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06C.01.** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for rainfall monitoring**; based on _____;

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for setbacks** 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 recommend **DENIAL** to the Board of County Commissioners of the request for a: **Variance to Section 2.06.06** of Hardee County Ordinance No. 1999-02, as an amendment to the Hardee County Unified Land Develop Code's (Ordinance No. 1996-02) **Development Standards for setbacks** based on _____;

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I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an: **approval of a DRI (Development of Regional Impact) Development Order** to mine and disturb 20,675MOL ac to be known as the Ona Mine 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 recommend **DENIAL** to the Board of County Commissioners of the request for an: **approval of a DRI (Development of Regional Impact) Development Order** to mine and disturb 20,675MOL ac to be known as the Ona Mine based on _____;

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an: **approval of a Master Mining Plan** for the Ona Mine 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 recommend **DENIAL** to the Board of County Commissioners of the request for an: **approval of a Master Mining Plan** for the Ona Mine based on _____;

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an: **approval of an NOPC (Notice of Proposed Change)** to amend the Ft. Green Southern Reserves Development Order to allow siting of additional proposed clay settling areas and revisions to the post reclamation topography and revegetation plans 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 recommend **DENIAL** to the Board of County Commissioners of the request for an: **approval of an NOPC (Notice of Proposed Change)** to amend the Ft. Green Southern Reserves Development Order to allow siting of additional proposed clay settling areas and revisions to the post reclamation topography and revegetation plans based on _____;

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the request for an: **approval for the Initial Annual Unit Review** for the Ona Mine 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 recommend **DENIAL** to the Board of County Commissioners of the request for an: **approval for the Initial Annual Unit Review** for the Ona Mine based on _____;

BCC to hear 02/20/03, 2:00 P.M.
Hardee County Public Health Unit Conference Rm., Wauchula

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OTHER BUSINESS

Chairman Tomlinson requests the Board schedule a Workshop with the County Attorney to define the duties of the P/Z Board and the parameters of data and information the Board must use in making its decisions or recommendations.

**Next Regular P/Z Meeting, March 06, 2003, 6:00 P.M.
Conference Rm., Hardee County Public Health Unit**

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.

