

# PLANNING AND ZONING BOARD

REGULAR MEETING—APRIL 06, 2006, 6:00 P.M.

Hardee County Board of County Commissioners Board Room  
412 W. Orange Street, Courthouse Annex, Room 102, Wauchula, Florida

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

### Planning and Zoning Board

James Barncord  
Don Chancey  
Roger Conley, Chairman  
Charles C. Nicholson, Vice Chairman  
Oscar Ortiz  
Carl Saunders  
Vida Tomlinson  
Max Ullrich  
Tommie Underwood

### Staff

Building/Zoning Director, T. Mike Cassidy  
Lex Albritton, County Manager  
Kenneth B. Evers, County Attorney  
B/Z Office Manager B.J. Haney  
B/Z Executive Assistant Dee Shackelford

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

- Chairman Call April 06, 2006, Regular Meeting to order
- B/Z Exe Assistant Notice of Publication for Regular P/Z April 06, 2006 Meeting was published in **The Herald-Advocate** on 03/16 and 03/23/06 Affidavit of Publication on file
- B/Z Director Courtesy Notices were mailed to adjoining property owners, and all advertisements/public notices were properly posted
- Chairman Explain Planning and Zoning Board's General Rules of Procedure (Page Seven)
- B/Z Office Manager/  
Notary Public Administration of oath to witnesses who wish to offer testimony  
*"Do you swear or affirm that the testimony you will present at this public hearing is the truth, the whole truth and nothing but the truth, so help you God?"*
- Chairman Approval--Minutes of March 02, 2006 Regular Meeting  
Approval--Minutes of Joint Meeting with BCC on March 14, 2006 to receive the 2004-2005 and 2005-2006 Annual Reports from CF Industries, Inc.

## TEMPORARY SPECIAL USE PERMIT

Agenda No.

06-18 Ernesto/Jeannie Aguilar request a **Temporary Special Use** Permit for the temporary location of a 2<sup>nd</sup> dwelling on a .72MOL-acre-parcel, zoned R-2 to provide a place of residence for the daughter Elizabeth Aleman in need of care by her family

On or about Franklin St,W of First Ave  
Hardee County

08 33 25 0000 06750 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners for the request for a **Temporary Special Use Permit** for the temporary location of a 2<sup>nd</sup> dwelling on a .72MOL-acre-parcel zoned R-2 to provide a place of residence for the daughter Elizabeth Aleman in need of care by her family based on staff's findings, conclusion, and recommendation for approval, 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 for the request for **Temporary Special Use Permit** for the temporary location of a 2<sup>nd</sup> dwelling on a .72MOL-acre-parcel zoned R-2 to provide a place of residence for the daughter Elizabeth Aleman in need of care by her family based on based on \_\_\_\_\_.

**BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, April 20, 2006, 8:35 A.M.**

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**FINAL SUBDIVISION PLAT**

Agenda No.

06-20 Wauchula Land Group LLC by and through its Authorized Representative requests approval of a **Final Subdivision Plat** for **Orange Walk**, 15MOL ac, zoned R-2 for the development of 71 single-family dwellings in a planned unit development

On or about Tustenugee Tr and Heard Bridge Rd  
Hardee County

34 33 25 0000 00770 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend APPROVAL to the Board of County Commissioners for the request for a **Final Subdivision Plat** for **Orange Walk**, 15MOL ac, zoned R-2 for the development of 71 single-family dwellings in a planned unit development; this plat meets the requirements of the Hardee County Unified Land Development Code.

I make a MOTION to recommend DENIAL to the Board of County Commissioners for the request for a **Final Subdivision Plat** for **Orange Walk**, 15MOL ac zoned R-2 for the development of 71 single-family dwellings in a planned unit development based on \_\_\_\_\_.

**BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board for Final Subdivision Plat for Orange Walk on Thursday, April 20, 2006, 8:35 A.M.**

**PRELIMINARY SUBDIVISION PLAT**

Agenda No.

06-17 Florida Land Partners, LLC by and through its Authorized Representative requests approval of a **Preliminary Subdivision Plat** to subdivide 762.95MOL acres into 35 lots, 5.0-acres-or-greater in size, minimum 225 ft of public road frontage, zoned A-1

On or about Old Town Creek Rd/Mel Smith Rd  
Hardee County

15 33 27 0000 10020 0000  
15 33 27 0000 10030 0000  
16 33 27 0000 10020 0000  
16 33 27 0000 00500 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to **APPROVE** the request for **Preliminary Subdivision Plat** to subdivide 762.95 MOL acres into 35 lots, 5.0-acres-or-greater in size, minimum 225 ft of public road frontage, zoned A-1 based on staff's findings, conclusion, and recommendation for approval, and recommended conditions based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to **DENY** the request for **Preliminary Subdivision Plat** to subdivide 762.95MOL acres into 35 lots, 5.0-acres-or-greater in size, minimum 225 ft of public road frontage, zoned A-1 based on \_\_\_\_\_.

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### PRELIMINARY SITE DEVELOPMENT PLAN

Agenda No.

06-21 Triple H Grove Corp. by and through its Authorized Representative requests a **Preliminary Site Development Plan** for **Tierra Verde S/D** for the location of approximately 126 single-family dwellings on 9,375 or 10,625MOL-sq-ft-lots in a Planned Unit Development on 47MOL acres zoned R-2

On or about S si of Bostick Rd, W of Barkdoll Rd  
Hardee County

20 33 25 0000 01370 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to **APPROVE** the request for **Preliminary Site Development Plan** for **Tierra Verde S/D** for the location of approximately 126 single-family dwellings on 9,375 or 10,625MOL-sq-ft-lots in a Planned Unit Development on 47MOL acres zoned R-2 based on staff's findings, conclusion, and recommendation for approval, and recommended conditions based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to **DENY** the request for **Preliminary Site Development Plan** for **Tierra Verde S/D** for the location of approximately 136 single-family dwellings on 9,375 or 10,625MOL-sq-ft-lots in a Planned Unit Development on 47 MOL acres, zoned R-2 based on \_\_\_\_\_.

### REZONE

Agenda No.

06-22 Joseph F./Ellen E. Smith, request a **Rezone** of 33MOL acres from A-1 (Agriculture) to C-2 (General Commercial) for the development of a hotel, restaurant and closed-in storage facility

On or about E si of Old Dixie Hwy, W si of Highway 17 North  
North of the old "Citrus Store"  
Hardee County

17 33 25 0000 06520 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners for the request for a **Rezone** of 33MOL acres from A-1 (Agriculture) to C-2 (General Commercial) for the development of a hotel, restaurant and closed-in storage facility based on staff's findings, conclusion, and recommendation for approval, 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 for the request for **Rezone** of 33MOL ac from A-1 (Agriculture) to C-2 (General Commercial) for the development of a hotel, restaurant and closed-in storage facility based on \_\_\_\_\_.

**BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, April 20, 2006, 8:35 A.M.**

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### REZONE

Agenda No.

06-24 Noey Flores, Steven M. Carpenter, Junior M. Archer and Juan Delatorre by and through their Authorized Representative requests a **Rezone** of 51.45MOL acres from F-R (Farm-Residential) to R-3 (Multiple-Family Residential) for the development of up to 12 units per acre of one- and two-story multi-family townhomes/condos

On or about Old Bradenton Rd N of Lost Acres Dr  
Hardee County

29 33 25 0000 04910 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners for the request for a **Rezone** of 51.45MOL acres from F-R (Farm-Residential) to R-3 (Multiple-Family Residential) for the development of up to 12 units per acre of one- and two-story multi-family townhomes/condos based on staff's findings, conclusion, and recommendation for approval, 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 for the request for **Rezone** of 51.45MOL acres from F-R (Farm-Residential) to R-3 (Multiple-Family Residential) for the development of up to 12 units per acre of one- and two-story multi-family townhomes/condos based on \_\_\_\_\_.

### **BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, April 20, 2006, 8:35 A.M.**

Agenda No.

06-25 Stine Family Partnership, Joseph K. Lopez, Sr. Family Partnership and Edward S. Schontag, Jr. by and through their Authorized Representative request a **Rezone** of 75.71MOL ac from A-1 (Agriculture) to R-3 (Multiple-Family Residential) for the development of townhomes at the rate of 08 units/acre, and single-family dwellings at the rate of four units/acre, and a clubhouse, pool and recreation area

On or abt S si of Louisiana St/N of W Main St  
and W of Terrell Rd  
Hardee County

05 34 25 0000 03750 0000  
05 34 25 0000 03270 0000  
05 34 25 0000 03410 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners for the request for a **Rezone** of 75.71MOL acres from A-1 (Agriculture) to R-3 (Multiple-Family Residential) for the development of townhomes at the rate of 08 units/acre, and single-family dwellings at the rate of four units/acre, and a clubhouse, pool and recreation area based on staff's findings, conclusion, and recommendation for approval, 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 for the request for **Rezone** of 75.71MOL acres from A-1 (Agriculture) to (Multiple-Family Residential) for the development of townhomes at the rate of 08 units/acre, and single-family dwellings at the rate of four units/acre, and a clubhouse, pool and recreation area based on \_\_\_\_\_.

**BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, April 20, 2006, 8:35 A.M.**

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**REZONE**

Agenda No.

06-26 William H./Carla A. Harlan, Trustees by and through their Authorized Representative request a **Rezone** of 38MOL ac from A-1 (Agriculture) to C-2 (General Commercial) for the development of a sewer package plant and water plant to be added as a part of the (96.07MOL-acre) already-approved project to be developed by Florida Reno LLC for the development of single-family dwellings in a planned unit development, a 20-room resort and clubhouse, recreation area and dock

On or abt W si of S Florida Ave  
Hardee County

21 34 25 0000 03870 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners for the request for a **Rezone** of 38MOL acres from A-1 (Agriculture) to C-2 (General Commercial) for the development of a sewer package plant and water plant to be added as a part of the (96.07MOL-acre) already-approved project to be developed by Florida Reno LLC for the development of single-family dwellings in a planned unit development, a 20-room resort and clubhouse, recreation area and dock based on staff's findings, conclusion, and recommendation for approval, 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 for the request for **Rezone** of 38MOL acres from A-1 (Agriculture) to C-2 (General Commercial) for the development of a sewer package plant and water plant to be added as a part of the (96.07MOL-acre) already-approved project to be developed by Florida Reno LLC for the development of single-family dwellings in a planned unit development, a 20-room resort and clubhouse, recreation area and dock based on \_\_\_\_\_.

**BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, April 20, 2006, 8:35 A.M.**

Agenda No.

06-27 Walter S./Carol M. Farr Trustees by and through their Authorized Representative request a **Rezone** of 50MOL ac from A-1 (Agriculture) to R-3 (Multiple-Family Residential) to be added as a part of the (96.07MOL-acre) already-approved project to be developed by Florida Reno LLC for the development of single-family dwellings in a planned unit development, a 20-room resort and clubhouse, recreation area and dock

On or abt W si of S Florida Ave  
Hardee County

(Parent Parcel)  
21 34 25 0000 06970 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners for the request for a **Rezone** of 50MOL acres from A-1 (Agriculture) to R-3 (Multiple-Family Residential) to be added as a part of the (96.07MOL-acre) already-approved project to be developed by Florida Reno LLC for the development of single-family dwellings in a planned unit development, a 20-room resort and clubhouse, recreation area and dock based on staff's findings, conclusion, and

recommendation for approval, and based on the testimony received and the evidence presented at the public hearing;

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I make a MOTION to recommend **DENIAL** to the Board of County Commissioners for the request for **Rezone** of 50MOL acres from A-1 (Agriculture) to R-3 (Multiple-Family Residential) to be added as a part of the 96.07MOL-acre already-approved project to be developed by Florida Reno LLC for the development of single-family dwellings in a planned unit development, a 20-room resort and clubhouse, recreation area and dock based on \_\_\_\_\_.

**BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, April 20, 2006, 8:35 A.M.**

**FINAL SITE DEVELOPMENT PLAN**

Agenda No.

06-28 Florida Reno LLC by and through its Authorized Representative requests approval of a **Final Site Development Plan** for **Peace River Resort** to encompass 184.07MOL ac for the development of single-family dwellings in a planned unit development, a 20-room resort and clubhouse, recreation area and dock and sewer and water plant

On or abt S Florida Ave, N of St Rd 64 W  
Hardee County

Board requested a suggested format for its MOTIONS

I make a MOTION to **APPROVE** the request for **Final Site Development Plan** for **Peace River Resort** to encompass 184.07MOL ac for the development of single-family dwellings in a planned unit development, a 20-room resort and clubhouse, recreation area and dock and sewer and water plant based on staff's findings, conclusion, and recommendation for approval, and recommended conditions based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to **DENY** the request for **Final Site Development Plan** for **Peace River Resort** to encompass 184.07MOL ac for the development of single-family dwellings in a planned unit development, a 20-room resort and clubhouse, recreation area and dock and sewer and water plant based on staff's findings, conclusion, and recommendation for approval, and recommended conditions based on \_\_\_\_\_

Agenda No.

06-23 FINR II (Florida Institute of Neurological Rehabilitation) by and through its Authorized Representative requests approval of a **Final Site Development Plan** to construct and operate two 12-bed assisted living facilities, a swimming pool complex, a horse barn and interior roadway resurfacing, on FINR's 871.98MOL-acre-complex, zoned A-1

On or about Vandolah Rd  
Hardee County      04 34 24 0000 10010 0000      04 34 24 0000 00100 0000  
                                 05 34 24 0000 02550 0000      08 34 24 0000 05370 0000  
                                 09 34 24 0000 03790 0000      09 34 24 0000 03770 0000  
                                 16 34 24 0000 02550 0000

Board requested a suggested format for its MOTIONS

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I make a MOTION to **APPROVE** the request for **Final Site Development Plan** to construct/operate two 12-bed assisted living facilities, a swimming pool complex, a horse barn and interior roadway resurfacing on FINR’s 871.98MOL-acre-complex, zoned A-1 based on staff’s findings, conclusion, and recommendation for approval, and recommended conditions based on the testimony received and the evidence presented at the public hearing;

I make a MOTION to **DENY** the request for **Final Site Development Plan** to construct/operate two 12-bed assisted living facilities, a swimming pool complex, a horse barn and interior roadway resurfacing on FINR’s 871.98MOL acre-complex, zoned A-1 based on \_\_\_\_\_.

**OTHER BUSINESS**

**Next Regular P/Z Meeting, May 04, 2006, 6:00 P.M.**

**Regular 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 and raise your right hand

