

PLANNING AND ZONING BOARD

REGULAR MEETING—NOVEMBER 02, 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

Nicholas Staszko, Planning/Development Director
Lex Albritton, County Manager
Kenneth B. Evers, County Attorney
B.J. Haney, Planner II

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

- Chairman Call November 02, 2006, Regular Meeting to order
- Haney Notice of Publication for Regular P/Z November 02, 2006 Meeting was published in **The Herald-Advocate** on 10/19 and 10/26/06
Affidavit of Publication on file
- Planning Director
Staszko 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 Three)
- Haney
Notary Public Administration of oath to witnesses who wish to offer testimony
- Chairman Approval--Minutes of October 05, 2006 Regular Meeting
Approval--Minutes of October 05, 2006 Public Hearing amending Section 7.12.04 of Unified Land Development Code under Ordinance No. 2007-01

SPECIAL EXCEPTION

Agenda

- 07-01 Mark P. Smythe requests approval of a **Special Exception** on a .49MOL-acre- lot of record zoned F-R (Farm-Residential) in the Town Center Future Land Use District for location and setup of a single-family mobile home dwelling

On or abt N side of Apostolic Ave, Hardee County 10 34 25 0000 07630 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 approval of a **Special Exception** on .49MOL acres zoned F-R in the Town Center Future Land Use District for the location and setup of a single-family mobile home dwelling 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 approval of a **Special Exception** on .49MOL acres zoned F-R in the Town Center Future Land Use District for the location and setup of a single-family mobile home dwelling based on _____.

BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, November 16, 2006, 8:35 A.M. or as soon thereafter.

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

Page Two

<i>SPECIAL EXCEPTION</i>

Agenda

07-03 Paul D./Brenda K. Sutton request approval of a **Special Exception** on 1.21MOL acres zoned F-R (Farm-Residential) in the Town Center Future Land Use District for location and setup of a single-family mobile home dwelling

On or abt S side of Kazen Rd, Hardee County 06 34 25 0500 00001 0003

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 approval of a **Special Exception** on 1.21MOL acres zoned F-R in the Town Center Future Land Use District for the location and setup of a single-family mobile home dwelling 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 approval of a **Special Exception** on 1.21MOL acres zoned F-R in the Town Center Future Land Use District for the location and setup of a single-family mobile home dwelling based on _____.

BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, November 16, 2006, 8:35 A.M. or as soon thereafter.

<i>ORDINANCE NO. 2007-03</i>

Agenda No.

07-07 Hardee County requests approval of **Ordinance No. 2007-03**, an Ordinance amending Section 6.01.00--Concurrency of the Hardee County Unified Land Development Code, as amended establishing and providing for Transportation Proportionate Fair-Share Mitigation Program

Board requested a suggested format for its MOTIONS

Based on Staff's findings, testimony received and evidence presented at the public hearing I make a MOTION to recommend **APPROVAL** of **Ordinance No. 2007-03** to the Board of County Commissioners.

Based on _____ I make a MOTION to recommend **DENIAL** of **Ordinance No. 2007-03** to the Board of County Commissioners

BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, November 16, 2006, 8:35 A.M. or as soon thereafter.

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

Page Three

OTHER BUSINESS

Next Regular P/Z Meeting, Thursday, December 07, 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.

PLANNING AND ZONING BOARD

PUBLIC HEARING

NOVEMBER 02, 2006, 6:30 P.M.

County Commissioners Board Room
Courthouse Annex, Room 102, 412 West Orange Street, Wauchula, FL

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Planning and Zoning Board

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

Staff

Nicholas Staszko, Planning/Development Director
County Manager, Lex Albritton
County Attorney Ken Evers
BJ Haney, Planner II

PLEASE SET ALL CELL PHONES
TO SILENT ANNOUNCEMENT

Chairman Call 11/02/06 Public Hearing to order

Haney Attendance
Notice of Publication for 11/02/06 Public Hearing advertised in
The Herald-Advocate 10/19 and 10/26--Affidavit of Publication on file

Chairman The purpose of this Public Hearing is to consider proposed Amendments to the Hardee County Comprehensive Plan and the Hardee County Future Land Use Map, to receive a presentation from County Staff, to receive input and comments from the Board, to receive input and comments from the general citizenry, and to offer recommendations to the Board of County Commissioners.

AMENDMENT TO COMPREHENSIVE PLAN

Agenda No.

07-04 Hardee County is proposing a text amendment to the **Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Recharge Element** of the Hardee County Comprehensive Plan to permit the siting of public supply sanitary sewer or potable water facilities to be constructed in all land use categories identified in the "Comp Plan".

Planning Director Staszko Presentation of proposed Amendment and Ordinance No. 2007-04

Chairman Questions/Comments from the Board

Chairman Questions/Comments from the General Citizenry

Chairman Request a MOTION of recommendation from the Board to the BCC:

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

PAGE TWO

Board requested a suggested format for its MOTIONS

Based on Staff's findings, the testimony received and the evidence presented at the public hearing I make a MOTION to recommend APPROVAL to the Board of County Commissioners of the amendment to the **Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Recharge Element** of the Comprehensive Plan and recommend transmittal of the Amendment contained in Ordinance No. 2007-04 to the State of Florida, Department of Community Affairs.

Based on _____ I make a MOTION to recommend DENIAL to the Board of County Commissioners of the amendment to the **Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Recharge Element** of the Comprehensive Plan.

Staszko BCC will receive a recommendation from the P/Z Board and hold its First Public Hearing on Thursday, December 07, 2006, 9:00 A.M or as soon thereafter in this room.

AMENDMENT TO COMPREHENSIVE PLAN

Agenda No.

07-05 Hardee County is proposing a text amendment to the **Land Use Element** and the **Conservation Element** of the Hardee County Comprehensive Plan to permit development of dwelling units on lots of record that are less than 20-acres in size in the Agriculture Future Land Use District located along the Peace River, Charlie Creek, Horse Creek and Payne Creek

Planning

Director Staszko Presentation of proposed Amendment and Ordinance No. 2007-05

Chairman Questions/Comments from the Board

Chairman Questions/Comments from the General Citizenry

Chairman Request a MOTION of recommendation from the Board to the BCC:

Based on Staff's findings, and the testimony received and the evidence present at the public hearing I make a MOTION to recommend APPROVAL to the Board of County Commissioners of the amendment to the **Land Use Element and Conservation Element** of the Comprehensive Plan and recommend transmittal of the Amendment contained in Ordinance 2007-05 to the State of Florida, Department of Community Affairs.

I make a MOTION to recommend DENIAL to the Board of County Commissioners of the amendment to the **Land Use Element and Conservation Element** of the Comprehensive Plan as described and explained by Staff based on _____;

Staszko BCC will receive a recommendation from the P/Z Board and hold its First Public Hearing on Thursday, December 07, 2006, 9:00 A.M or as soon thereafter in this room.

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

PAGE THREE

AMENDMENT TO FUTURE LAND USE MAP of the COMPREHENSIVE PLAN

Agenda No.

07-06 German Florida Citrus LC by and through the Authorized Representative is requesting an amendment to the Hardee County Future Land Use Map to change 582.33 acres MOL from the Agriculture Future Land Use District to Rural Center Future Land Use District

Planning

Director Staszko Presentation of proposed Amendment and Ordinance No. 2007-06

Chairman Questions/Comments from the Board

Chairman Questions/Comments from the General Citizenry

Chairman Request a MOTION of recommendation from the Board to the BCC:

Based on Staff's findings, testimony received and evidence presented at the public hearing, I make a MOTION to recommend APPROVAL to the Board of County Commissioners of the amendment to the **Future Land Use Map** of the Comprehensive Plan to change 582.33 acres MOL from the Agriculture Future Land Use District to the Rural Center Future Land Use District and recommend transmittal of the Amendment contained in Ordinance No. 2007-06 to the State of Florida, Department of Community Affairs.

Based on _____ I make a MOTION to recommend DENIAL to the Board of County Commissioners of the amendment to the **Future Land Use Map** of the Comprehensive Plan to change 582.33 acres MOL from the Agriculture Future Land Use District to the Rural Center Future Land Use District.

Staszko BCC will receive a recommendation from the P/Z Board and hold its First Public Hearing on Thursday, December 07, 2006, 9:00 A.M or as soon thereafter in this room.

Public Hearing adjourned at _____ P.M.

