

PLANNING AND ZONING BOARD

REGULAR MEETING—JUNE 07, 2007, 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 June 07, 2007, Regular Meeting to order
- Haney Notice of Publication for Regular Meeting was published in **The Herald-Advocate** on 05/17 and 05/24/07 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 Five)
- Haney
Notary Public Administration of oath to witnesses who wish to offer testimony
- Chairman Approval--Minutes of April 26, 2007 EAR Workshop
Approval--Minutes of May 03, 2007 Regular Meeting
Approval--Minutes of May 10, 2007 LDRs Workshop

TEMPORARY SPECIAL USE PERMIT

Agenda No.

07-42 Robert C./Grace P. Davis request approval of a **Temporary Special Use Permit** for the temporary location of a second dwelling in the form of a mobile home for use by the nephew to care for the elderly aunt and uncle on 1.43MOL acres zoned F-R (Farm-Residential) in the Agriculture Future Land Use District

On or abt Pringle Rd, South of SR 62, West of CR663 N 19 33 24 0000 009610 0000
Hardee County

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 second dwelling in the form of a mobile home for use by the nephew to care for the elderly aunt and uncle on 1.43MOL acres zoned Farm-Residential in the Agriculture Future Land Use District based on staff's findings, conclusion, 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 based on _____.

PLANNING AND ZONING BOARD

REGULAR MEETING—JUNE 07, 2007, 6:00 P.M.

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SITE DEVELOPMENT PLAN

Agenda No.

07-43 David S. Conerly by and through the Authorized Representative requests approval of a **Site Development Plan** for the expansion of existing Conerly Tank and Welding business on 12.50MOL acres, zoned A-1 (Agriculture) in the Agriculture Future Land Use District

On or abt Vandolah Rd, W of W Main St, Hardee County

Board requested a suggested format for its MOTIONS

I make a MOTION to **APPROVE** the request for a **Site Development Plan** for the expansion of Conerly Tank and Welding Business on 12.50MOL acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District based on staff's findings, conclusion, 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 **DENY** the request based on _____.

Amendment to an approved SITE DEVELOPMENT PLAN

Agenda No.

07-45 COCC, Inc./Center for Orangutan and Chimpanzee Conservation/Patricia Ragan by and through the Authorized Representative request an **Amendment** to an approved with conditions **Site Development Plan** to provide for existing and planned habitats, enclosures and structures for the care of orangutans and chimpanzees on 100MOL acres, zoned A-1 (Agriculture) in the Agriculture Future Land Use District

On or abt E and W sides of Maude Rd, and 25 33 26 0000 01810 0000
N and S sides of Van Simmons Rd, Hardee County 26 33 26 0000 09020 0000

Board requested a suggested format for its MOTIONS

25 33 26 0000 02520 0000
25 33 26 0000 00620 0000
25 33 26 0000 00630 0000

I make a MOTION to **APPROVE** the request for an **Amendment** to an approved with conditions **Site Development Plan** to provide for existing and planned habitats, enclosures and structures for the care of orangutans and chimpanzees on 100MOL acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District based on staff's findings, conclusion, 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 **DENY** the request based on _____.

PLANNING AND ZONING BOARD

REGULAR MEETING—JUNE 07, 2007, 6:00 P.M.

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VARIANCE and SITE DEVELOPMENT PLAN

Agenda

07-44 Johnnie L. Richardson by and through the Authorized Representative requests a recommendation for approval of a **Variance** to reduce the property line setbacks for a .41MOL-acre-lot-of-record, zoned C-2 (General Commercial) in the Town Center Future Land Use District, and requests approval of a **Site Development Plan** to convert a commercial structure to operate a convenience store

On or abt W side of Martin Luther King Jr Ave,
N of Magnolia St, Hardee County

10 34 25 0840 0000K 00001

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners for request for a **Variance** to reduce the property line setbacks for a .41MOL-acre-lot-of-record zoned C-2 (General Commercial) in the Town Center Future Land Use District determining the setbacks to be: Front: 20'; Rear: 02'; Sides: 00' based on staff's findings, conclusion, 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 based _____.

BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board pertaining to the Variance request on Thursday, June 21, 2007, 8:35 A.M. or as soon thereafter.

I make a MOTION to **APPROVE** the request for a **Site Development Plan** to convert the existing commercial structure to operate a convenience store on .41MOL acres zoned C-2 (General Commercial) in the Town Center Future Land Use District based on staff's findings, conclusion, 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 **DENY** the request based on _____.

PLANNING AND ZONING BOARD

REGULAR MEETING—JUNE 07, 2007, 6:00 P.M.

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PRELIMINARY AND FINAL SUBDIVISION PLAT

Agenda

07-46 Torrey Oaks RV/Golf Resort LLC by and through the Authorized Representative requests approval of a **Preliminary and Final Subdivision Plat** entitled **Torrey Oaks RV and Golf Resort S/D** for 19.55+/-acres F-R (Farm-Residential) in the Residential Mixed Use Future Land Use District.

On or abt N side of Bostick Rd, W of Hwy 17
Hardee County

17 33 25 0000 08150 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the **Preliminary and Final Subdivision Plat** entitled **Torrey Oaks RV and Golf Resort S/D** for 19.55+/-acres zoned F-R in the Residential Mixed Use Future Land Use District based on staff's findings, conclusion, recommended conditions, 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 based on _____.

BCC to hold a public hearing and receive recommendations from the Planning/Zoning Board on Thursday, June 21, 2007, 8:35 A.M. or as soon thereafter.

REZONE

Agenda

07-48 G&T Citrus Holdings LLC and T&G, by and through the Authorized Representative request approval of a **Rezone** of 24.14MOL acres from F-R (Farm-Residential) to C-2 (General Commercial) for the development of commercial projects consistent with the Hardee County Unified Land Development Code and Comprehensive Plan in Highway Mixed Use Future Land Use District.

On or abt W side of Hwy 17, N & W of Sterner Rd
Hardee County

15 34 25 0000 03270 0000
16 34 25 0000 09480 0000
16 34 25 0000 02100 0000
15 34 25 0000 03280 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of the **Rezone** of 24.14MOL acres from F-R (Farm-Residential) to C-2 (General Commercial) for the development of commercial projects consistent with the Hardee County Unified Land Development Code and comprehensive Plan in the Highway Mixed Use Future Land Use District 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 based on _____.

BCC to hold a public hearing and receive recommendations from the Planning/Zoning Board on Thursday, June 21, 2007, 8:35 A.M. or as soon thereafter.

PLANNING AND ZONING BOARD

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OTHER BUSINESS

Next REGULAR P/Z MEETING, Thursday, July 12, 2007, 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.

**Hardee County
PLANNING AND ZONING BOARD**

**PUBLIC HEARING
Amendment to Comprehensive Plan**

JUNE 07, 2007, 6:00 P.M.

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

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

Planning and Zoning Board

James Barncord
Don Chancey
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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 June 07, 2007 Public Hearing to order
- Haney Attendance
 Notice of Publication for 06/07/07 **Amendment to Comprehensive Plan
Public Hearing** advertised in *The Herald-Advocate* May 17 and 24, 2007--
Affidavit of Publication on file
- Haney Administration of oath to witnesses who wish to offer testimony
- Chairman The purpose of this Public Hearing is to consider a proposed Amendment to
the Hardee County Comprehensive Plan; 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 a recommendation to
the Board of County Commissioners.

AMENDMENT TO COMPREHENSIVE PLAN

- Agenda No.
07-47 Hardee County is proposing a text amendment to the Hardee County
Comprehensive Plan establishing the **Public Schools Facilities Element**
- Planning
Director Staszko Presentation of proposed Amendment and Ordinance No. 2007-16
- 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:

**Hardee County
PLANNING AND ZONING BOARD**

**PUBLIC HEARING
Amendment to Comprehensive Plan**

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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 Hardee County Comprehensive Plan establishing the **Public Schools Facilities Element** providing for severability; providing for repeal of conflicting ordinances; providing for effective date; and recommending transmittal of the Amendment contained in Ordinance No. 2007-16 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 Hardee County Comprehensive Plan establishing the **Public Schools Facilities Element**

Staszko BCC will receive a recommendation from the P/Z Board and hold a Public Hearing on Thursday, June 21, 2007, 1:00 P.M. or as soon thereafter in this room.

Public Hearing adjourned at _____ P.M.

**Hardee County
PLANNING AND ZONING BOARD**

**PUBLIC HEARING
Hardee County Unified Land Development Code**

JUNE 07, 2007, 6:00 P.M.
Hardee County Commissioners Board Room
Courthouse Annex, Room 102, 412 West Orange Street, Wauchula, FL

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

Planning and Zoning Board

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Staff

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County Manager, Lex Albritton
County Attorney Ken Evers
BJ Haney, Planner II

PLEASE SET ALL CELL PHONES
TO SILENT ANNOUNCEMENT

Chairman Call June 07, 2007 Hardee County Unified Land Development Code
Public Hearing to order

Haney Attendance
Notice of Publication for 06/07/07 **Hardee County Unified Land
Development Code Public Hearing** advertised in *The Herald-Advocate*
May 17 and 24, 2007--Affidavit of Publication on file

Haney Administration of oath to witnesses who wish to offer testimony

Chairman The purpose of this Public Hearing is to offer a recommendation of approval
of **Ordinance No. 2007-11** to the Board of County Commissioners

Planning
Director Staszko Presentation of **Ordinance No. 2007-11**

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:

Board requested a suggested format for its MOTIONS

Based on public meetings and workshops held by this Board, I make a MOTION to recommend **APPROVAL** to the Board of County Commissioners of **Ordinance No. 2007-11** An ordinance amending the Hardee county Unified Land Development Code, as amended (Ordinance No., 1996-02), providing for severability, providing for repeal of conflicting ordinances and providing for an effective date.

Based on _____ I make a MOTION to recommend **DENIAL** to the Board of County Commissioners of **Ordinance No. 2007-11**.

Staszko BCC will receive a recommendation from the P/Z Board and hold a Public Hearing on Thursday, June 21, 2007, 1:00 P.M. or as soon thereafter in this room.

Public Hearing adjourned at _____ P.M.