

# PLANNING AND ZONING BOARD

REGULAR MEETING/PUBLIC HEARING—SEPTEMBER 04, 2008, 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  
Oscar Ortiz  
Charles Parker  
Carl Saunders  
Mike S. Thompson  
Vida Tomlinson  
Max Ullrich, Vice Chairman

### *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 September 04, 2008, Regular Meeting/Public Hearing to order
- HANEY** Notice of Publication for Regular Meeting/Public Hearing was published in **The Herald-Advocate** on 08/21 and 08/28/08  
Affidavit of Publication on file
- HANEY** 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 July 10, 2008 Regular Meeting/Public Hearing  
Approval—Minutes of August 07 2008 Continued Joint Public Hearing with BCC for Mosaic Fertilizer LLC's DRI/DO and  
Minutes of August 07, 2008 Joint Public Hearing with BCC for Mosaic Fertilizer LLC's Development Agreement

## SPECIAL EXCEPTION

Agenda No.

08-30 Donald T. Davis Family Limited Partnership by and through the Authorized Representative requests approval of a **Special Exception** to construct/operate a 195 ft monopole wireless communication tower and to locate an associated equipment shelter on a 10,000+/-sq-ft area of a 159.27+/-acre parcel zoned **A-1 (Agriculture)** in the **Agriculture** Future Land Use District

On or abt South side of St Rd 66 E of Johnston Rd.  
Hardee County

16 35 27 0000 01010 0000  
(10,000+/-sq ft of this parcel)

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend to the Board of County Commissioners **APPROVAL** of the request for a **Special Exception** to construct/operate a 195 ft monopole wireless communication tower and to locate an associated equipment shelter on a 10,000+/-sq-ft area of a 159.27+/-acre parcel 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 \_\_\_\_\_.

**BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, September 25, 2008, 8:35 A.M. or as soon thereafter.**

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**SITE DEVELOPMENT PLAN**

Agenda No.

08-28 Davis Enterprises, Inc. by and through the Authorized Representative requests a **Site Development Plan** to locate a 150-worker farmworker housing complex on 40MOL acres, zoned A-1 (Agriculture) in the **Agriculture** Future Land Use District.

On or abt Crewsville Rd, E of Fish Branch Rd

26 35 26 0000 02520 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to **APPROVE** the **Site Development Plan** to construct/operate a 150-worker farmworker housing complex on a 40MOL-acre-parcel zoned A-1 in the Agriculture Future Land Use District based on staff's findings, conclusion, recommendation for **APPROVAL**, and recommended conditions with the directive that the "existing driveway" and two "CMPs" as shown on Figure 5 of the Staff Report that the Applicant has agreed not to remove shall not be removed, 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 HARDEE COUNTY UNIFIED LAND DEVELOPMENT CODE**

**—Ordinance No. 2008-16—CONTINUED FROM 07/10/08**

Agenda No.

08-23 Hardee County Board of County Commissioners by and through the Authorized Representative requests an Amendment to Table 2.29.02(B)—**Table of Land Uses** of the **Hardee County Unified Land Development Code** to permit all Commercial/Industrial Business Center-zoned land uses either by right or by approval of a Site Development Plan to be permitted by right.

Board requested a suggested format for its MOTIONS

I make a MOTION to recommend to the Board of County Commissioners **APPROVAL** of the request for an Amendment to Table 2.29.02(B)—**Table of Land Uses** of the **Hardee County Unified Land Development Code** as contained in **Ordinance No. 2008-16** to permit all C/IBC-zoned land uses either by right of by approval of a Site Development Plan to be permitted by right 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 **DENY** the Amendment to Table 2.29.02(B)—**Table of Land Uses** of the **Hardee County Unified Land Development Code** as contained in **Ordinance No. 2008-16** based on \_\_\_\_\_.

**BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, September 25, 2008, 8:35 A.M. or as soon thereafter.**

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**OTHER BUSINESS**

**Next REGULAR P/Z MEETING/PUBLIC HEARING--Thursday, October 02, 2008, 6:00 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.