

PLANNING AND ZONING BOARD

REGULAR MEETING/PUBLIC HEARING—MARCH 04, 2010, 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

Ralph Arce
Don Chancey
Roger Conley, Vice Chairman
Gene Davis
Gordon Norris
Oscar Ortiz
Charles Parker
Mike S. Thompson, Chairman
Vida Tomlinson

Staff

Lex Albritton, County Manager
Doug Knight, Interim Planning/Develop. Director
B.J. Haney, Planner II

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

- CHAIRMAN THOMPSON** Call March 04, 2010, Regular Meeting/Public Hearing to order
- CHAIRMAN** Pledge of Allegiance to the American flag
- CHAIRMAN** Call for prayer
- INTERIM PLANNING/
DEVELOPMENT
DIRECTOR KNIGHT** Notice of Publication for 03/04/10 Regular Meeting/Public Hearing was published in **The Herald-Advocate** on 02/11/10 (Affidavit of Publication is on file)
- KNIGHT** All advertisements/public notices were properly posted
- CHAIRMAN** Explain Planning and Zoning Board's General Rules of Procedure (Page Three)
- NOTARY PUBLIC** Administration of oath to those who wish to offer testimony
- CHAIRMAN** Approval--Minutes of 02/11/10 Regular Meeting/Public Hearing
Approval--Minutes of 02/18/10 EAR Workshop

AMENDMENT TO STAFF REPORT—Agenda No. 10-02

On 02/11/10 the Board approved a **Modification** to an approved **Site Development Plan** under a **Site Development Plan/Site Construction Plan** to add a 6,100-sq-ft production building to the 132.43+/- acre-site for Jolly Gardener Real Estate Holding LLC/Old Castle Lawn/Garden. Under the Utilities category of the Staff Report called for:

“Fire Protection

Fire protection system is to be provided for the production building addition as well as the original production facility. The entire production facility is to be sprinkled and will include fire alarms, flow switches and monitoring, all in accordance with the applicable NFPA requirements.”

Board requested a suggested format for its MOTIONS

I make a MOTION to **APPROVE** the request to **AMEND** the Staff Report to state “that the Applicant/ Operator shall provide fire protection in compliance with State and local regulations” based on the Staff’s recommendation and based on the testimony presented and the evidence received in the public hearing.

I make a MOTION to **DENY** the request based on _____.

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SPECIAL EXCEPTION

Agenda No.

10-07 Terry R. Chaney requests approval of a **Special Exception** to situate a single-family mobile home dwelling on a 2.60+/-acre vacant lot in the **Farm-Residential (F-R)**-zoned district and in the **Town Center** Future Land Use District.

On or abt W side of Terrell Rd., S of Polk Rd
Hardee County

32 33 25 0000 04180 0000

Board requested a suggested format for its MOTIONS

I make a MOTION to **RECOMMEND APPROVAL** of the request for **Special Exception** to situate a single-family mobile home dwelling on a 2.60+/-acre vacant lot in the **Farm-Residential (F-R)**-zoned district and in the **Town Center** Future Land Use District based on the Staff's Findings, Recommendation for Approval and Recommended Conditions, and based on the testimony presented and the evidence received in 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, March 18, 2010, 8:35 A.M. or as soon thereafter.

AMENDMENT TO HARDEE COUNTY UNIFIED LAND DEVELOPMENT CODE

Agenda No.

10-06 Hardee County Board of County Commissioners by and through the Authorized Representative requests approval of an **Amendment to the Hardee County Unified Land Development Code** under **Ordinance No. 2010-04** amending Section 2.28.00--*General Regulations for Commercial/Industrial Zoning Districts* reorganizing same; providing for regulation for restaurants; providing for amendment to open container provisions; providing for definition and procedure to determination of premise.

Board requested a suggested format for its MOTIONS

I make a MOTION to **RECOMMEND APPROVAL** of **Ordinance No. 2010-04** to the Board of County Commissioners amending Section 2.28.00—General Regulations for Commercial/Industrial Zoning Districts to reorganize same; providing for regulation for restaurants; providing for amendment to open container provision; providing for definition and procedure for determination of premises; providing for severability; providing for an effective date 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 request based on _____.

BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, March 18, 2010, 8:35 A.M. or as soon thereafter.

OTHER BUSINESS

Board to adjourn Regular Meeting and open EAR Workshop

Next REGULAR P/Z MEETING/PUBLIC HEARING
Thursday, April 01, 2010, 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.