

PLANNING AND ZONING BOARD

REGULAR MEETING/PUBLIC HEARING—SEPTEMBER 06, 2012, 6:00 P.M.

Hardee County Board of County Commissioners Board Room--412 W. Orange Street, Wauchula, Florida

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

Planning and Zoning Board

Ralph Arce
Roger Conley, Vice Chairman
John Deer
Shawna Lambert
Gordon Norris
Oscar Ortiz
Mike S. Thompson, Chairman
Mark White

Staff

Kevin Denny, AICP, Planning/Development Director
Joshua Cheney, AICP, Planner III
'BJ' Haney, Planning/Development Dept.

- CHAIRMAN THOMPSON** Call September 06, 2012, Regular Meeting/Public Hearing to order
- THOMPSON** Pledge of Allegiance to the American flag; Call for prayer
- THOMPSON** Please turn off all cell phones and pagers
or set the unit to silent announcement
- HANEY** Notice of Publication for Regular Meeting/Public Hearing
was published in **The Herald-Advocate** on 08/16/12
-----(Affidavit of Publication is on file)
- THOMPSON** Explain Planning and Zoning Board's General Rules of Procedure (Page Five)
- NOTARY PUBLIC** Administration of oath to those who wish to offer testimony
- THOMPSON** Approval—Minutes of 08/02/12 Regular Meeting/Public Hearing

Modification to MAJOR SPECIAL EXCEPTION

Agenda No.
12-18

- THOMPSON** Daniel L./Cynthia D. Barco owners/applicants request approval of a **Modification** to an approved-with-conditions **Major Special Exception** to excavate a private lake on 36.37+/-acres zoned **A-1 (Agriculture)** in the **Agriculture** Future Land Use District. The request is for a six-year extension.
- On or about the East end of Roy Moore Rd. *Parcel I.D. Nos.*
Hardee County 06 35 23 0100 00001 0001
06 35 23 0100 00001 0002
06 35 23 0100 00001 0003
- THOMPSON** The purpose of this Public Hearing is to hear the request and offer a recommendation to the Board of County Commissioners
- HANEY** Has any Board member received any oral or written communications regarding the land use item to be discussed? If so, please disclose the substance of the communication and identify the person making the communication.
- PLAN/DEVELOP
DIRECTOR DENNY** Presentation of Agenda No. 12-18 from the Planning/Development Dept.
- P/D STAFF
RECOMMENDATION** Staff recommends the Board recommend approval with conditions numbered 01.-09. to the Board of County Commissioners for the **Modification** to an approved-with-conditions **Major Special Exception** granting a six-year extension for Agenda No. 12-18 as shown in the Staff Report and in the presentation

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- THOMPSON** Applicant presentation
- THOMPSON** Questions/Comments from the Board
- THOMPSON** Questions/Comments from the public
Please come to the microphone and state your name and MAILING address for the record
- THOMPSON** Applicant response to Questions/Comments from the public
- THOMPSON** Requests a MOTION

Suggested format for Board's MOTIONS

I make a MOTION to **RECOMMEND APPROVAL** with conditions numbered 01.-09. to the Board of County Commissioners for Agenda No. 12-18 for a **Modification** to an approved-with-conditions **Major Special Exception** granting a six-year extension to excavate a private lake on 36.37+/-acres zoned **A-1 (Agriculture)** in the **Agriculture** Future Land Use District based on the Staff Report, Staff's recommendation for approval, recommended conditions, and based on the testimony presented, and the evidence received in the public hearing.

I make a MOTION to **RECOMMEND DENIAL** of Agenda No. 12-18 to the Board of County Commissioners for a **Modification** to an approved-with-conditions **Major Special Exception** granting a six-year extension to excavate a private lake on 36.37+/-acres zoned **A-1 (Agriculture)** in the **Agriculture** Future Land Use District based on _____.

BoCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, September 20, 2012, 6:05 P.M. or as soon thereafter.

AMENDMENT TO COMP PLAN FUTURE LAND USE MAP NO. 2 (Generalized Mining Overlay)—ORDINANCE NO. 2013-01

Agenda No.
12-17

- THOMPSON** Under **ORDINANCE NO. 2013-01** Mosaic Fertilizer LLC property owner, by and through the Authorized Representative requests approval of an Amendment to Map 2, Generalized Mining Overlay of the Hardee County Comprehensive Plan Future Land Use Map to add 03 parcels totaling 640 ac (into the request for mining of the 'Ona Mine') parcels being in the Agriculture Future Land Use District
- THOMPSON** The purpose of this Public Hearing is to hear the request and offer a recommendation to the Board of County Commissioners
- HANEY** Has any Board member received any oral or written communications regarding the land use item to be discussed? If so, please disclose the substance of the communication and identify the person making the communication.
- PLAN/DEVELOP
DIRECTOR DENNY** Presentation of Agenda No. 12-17 from the Planning/Development Dept.

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P/D STAFF

RECOMMENDATION

Staff recommends the Board recommend approval to the Board of County Commissioners for Amendment to Map 2, Generalized Mining Overlay of the Hardee County Comprehensive Plan Future Land Use Map to add 03 **A-1**-zoned parcels totaling 640 ac (into the request for mining of the 'Ona Mine') parcels being in the **Agriculture** Future Land Use District for Agenda No. 12-17 as shown in the Staff Report and in the presentation

THOMPSON

Applicant presentation

THOMPSON

Questions/Comments from the Board

THOMPSON

Questions/Comments from the public

Please come to the microphone and state your name and MAILING address for the record

THOMPSON

Applicant response to Questions/Comments from the public

THOMPSON

Requests a MOTION

Suggested format for Board's MOTIONS

I make a MOTION to **RECOMMEND APPROVAL** to the Board of County Commissioners for Agenda No. 12-17 for an Amendment to Map 2, Generalized Mining Overlay of the Hardee County Comprehensive Plan Future Land Use Map to add 03 **A-1**-zoned parcels totaling 640 ac (into the request for mining of the 'Ona Mine') in the **Agriculture** Future Land Use District as **ORDINANCE NO. 2013-01** based on the Staff Report, Staff's recommendation for approval, recommended conditions, and based on the testimony presented, and the evidence received in the public hearing.

I make a MOTION to **RECOMMEND DENIAL** of Agenda No. 12-17 to the Board of County Commissioners for an Amendment to Map 2, Generalized Mining Overlay of the Hardee County Comprehensive Plan Future Land Use Map to add 03 **A-1**-zoned parcels totaling 640 ac (into the request for mining of the 'Ona Mine') in the **Agriculture** Future Land Use District as **ORDINANCE NO. 2013-01** based on _____.

BoCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, September 20, 2012, 6:05 P.M. or as soon thereafter.

AMENDMENT TO COMP PLAN POLICY L8.1 of the FUTURE LAND USE ELEMENT—ORDINANCE NO. 2013-02

Agenda No.
12-19

THOMPSON

Hardee County Board of County Commissioners by and through the Authorized Representative requests approval of an Amendment to the Hardee County Comprehensive Plan, as amended modifying 'Comp Plan' Policy L8.1 of the Future Land Use Element; providing for Board of County Commissioners' discretions regarding provision of central water and wastewater systems under certain circumstances; providing for severability; providing for repeal of conflicting ordinances; providing for an effective date

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- THOMPSON** The purpose of this Public Hearing is to hear the request and offer a recommendation to the Board of County Commissioners
- PLAN/DEVELOP
DIRECTOR DENNY** Presentation of Agenda No. 12-19 from the Planning/Development Dept.
- P/D STAFF
RECOMMENDATION** Staff recommends the Board recommend approval of an Amendment to the Hardee County Comprehensive Plan, as amended modifying 'Comp Plan' Policy L8.1 of the Future Land Use Element; providing for Board of County Commissioners' discretions regarding provision of central water and wastewater systems under certain circumstances; providing for severability; providing for repeal of conflicting ordinances; providing for an effective date for Agenda No. 12-19 as shown in the Staff Report and in the presentation
- THOMPSON** Applicant presentation
- THOMPSON** Questions/Comments from the Board
- THOMPSON** Questions/Comments from the public
Please come to the microphone and state your name and MAILING address for the record
- THOMPSON** Applicant response to Questions/Comments from the public
- THOMPSON** Requests a MOTION

Suggested format for Board's MOTIONS

I make a MOTION to **RECOMMEND APPROVAL** to the Board of County Commissioners for Agenda No. 12-19 for an Amendment to the Hardee County Comprehensive Plan, as amended modifying 'Comp Plan' Policy L8.1 of the Future Land Use Element; providing for Board of County Commissioners' discretions regarding provision of central water and wastewater systems under certain circumstances; providing for severability; providing for repeal of conflicting ordinances; providing for an effective date based on the Staff Report, Staff's recommendation for approval as **ORDINANCE NO. 2013-02** and based on the testimony presented, and the evidence received in the public hearing.

I make a MOTION to **RECOMMEND DENIAL** of Agenda No. 12-19 to the Board of County Commissioners for an Amendment to the Hardee County Comprehensive Plan, as amended modifying 'Comp Plan' Policy L8.1 of the Future Land Use Element; providing for Board of County Commissioners' discretions regarding provision of central water and wastewater systems under certain circumstances; providing for severability; providing for repeal of conflicting ordinances; providing for an effective date as **ORDINANCE NO. 2013-02** based on _____.

BoCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, September 20, 2012, 6:05 P.M. or as soon thereafter.

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OTHER BUSINESS

JOINT BOCC AND P/Z PUBLIC HEARING,

Thursday, September 13, 2012, beginning at 3:00 P.M.

for Major Special Exception approval for CF's South Pasture Mine Extension, Hardee County, and to hear a request for approval of a Development Order on an application for DRI, Substantial Deviation and Master Mining and Reclamation Plan and Unit Plan

Next REGULAR P/Z MEETING/PUBLIC HEARING

Thursday, October 04, 2012, 6:00 P.M.

GENERAL RULES OF PROCEDURE

Ladies and Gentlemen,

Pertaining to Agenda No. 12-17 and 12-18 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.