

PLANNING AND ZONING BOARD
REGULAR MEETING
DECEMBER 6, 2001 - 6:30 P.M.
COUNTY COMMISSION CHAMBERS

MINUTES

Planning and Zoning Board

James Barncord, present
Don Chancey, Chairman, present
Roger Conley, present
Bill Craig, excused
Peggy Fraim, present
Dan Graham, present
Charles Nicholson, present
Fred Small, present
Vida Tomlinson, Vice-Chairman, present

Staff

Building & Zoning Director, T. Mike Cassidy, present
Kris DeLaney, Director of Planning/Development, present
County Manager, Gary Oden, absent
County Attorney, Ken Evers, absent
Planner, B. J. Haney, present
B/Z Executive Secretary Virginia Stone, present

News Media not present

Chancey called the Regular Meeting to order at 6:30 P.M., roll taken, quorum present.

Stone advised the Public Notice for the Regular Meeting was published in The Herald-Advocate on November 22 and November 29, 2001. Affidavit of Publication is on file.

Cassidy advised courtesy notices were mailed to adjoining property owners, and all advertisements were properly posted.

Chancey explained Planning and Zoning Board's General Rules of Procedure and administered oath to witnesses who planned to offer testimony.

MOTION by Tomlinson, second by Conley to approve Minutes of 11/01/01 Regular Meeting with changes as stated. Motion carried unanimously.

MOTION by Tomlinson, second by Barncord to approve Minutes of 11/27/01 Joint Meeting with BCC for the IMC Phosphates Annual Report. Motion carried unanimously.

Betty Croy, EDC Specialist, Economic Development Council, 4007 Peeples Lane, Wauchula, FL, and Lex Albritton, Hardee County Economic Development Director, 2608 Emerson Avenue, Sebring, FL, appeared before the Board to request the support of the P/Z Board for the County's application for Hardee County to be designated as an Enterprise Zone.

Albritton explained that the Strategic Plan would be taken to the Board of County Commissioners on December 21, 2001. He explained that they were not asking for any zoning changes or exceptions.

Tomlinson inquired whether it was basically data.

Albritton advised that it has to be submitted (to the State of Florida) by December 31, 2001.

Albritton further explained that this plan is based on the Champion Project.

Croy said to consider it to be a living document that continues to grow.

Albritton stated that it encompasses 17.2 miles including the parcels.

Tomlinson inquired as to the limitation.

Albritton advised that the limitation is a 20 sq. mi. area. He stated that this is a State Enterprise Zone.

Croy stated that the Council needed P/Z's comments and recommendation.

Albritton explained that the Zone would only be revisited if the limitation were increased to more than 20 sq. mi.

Conley inquired how it affects businesses already there.

Albritton explained that it doesn't affect them.

Croy explained that she needs something in writing that it is in compliance with the Comprehensive Plan.

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At this time Chancey swore Croy and Albritton in that all the information given and the evidence presented was true.

MOTION by Nicholson, second by Conley to approve the submission of the application for designating Hardee County as an Enterprise Zone base on the testimony received and the evidence presented.

Nicholson amended motion, second by Fraim. Motion carried unanimously.

Chancey advised BCC will receive a recommendation from the Planning/Zoning Board and will hold two public hearings for this application.

Chancey advised that Agenda No. 02-04 would be moved to the last item on the agenda.

Agenda No. 02-05

Chancey advised of a request from Ted L./Teddy Lee Svendsen for an Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a less than 5.0-ac parcel from the 5.0-acre parent parcel to an immediate family member (sister) for primary place of residence in A-1-zoned (Agriculture) district on or about 3546 SR 64W, Hardee County.

Each Board Member and County Staff received a copy of Application for an Exception to Policy L1.15 of the "Comp Plan" and Staff Report for review prior to the 12/06/01 meeting.

Cassidy highlighted the Staff Report including the conclusion, recommendation for approval with special conditions. Cassidy submitted the Staff Report to record as evidence, no objections presented.

Chancey asked if representation for the Svendsen were present. None present.

Chancey asked for Board comments. None received.

Chancey asked for Public Input. None received.

Chancey inquired whether the request was to divide the 5-ac to 2- 2 ½ ac. Cassidy advised that this was correct.

MOTION by Tomlinson, second by Graham to recommend approval to the Board of County Commissioners of the request for an Exception to Policy L1.15 of the "Comp Plan" to allow transfer of a less than 5.0-ac parcel from the 5.0-ac parent parcel to an immediate family member (sister) for primary place of residence in A-1-zoned district based on staff's findings, conclusion, recommendation and recommended special conditions, and based on the testimony received and the evidence presented at the public hearing. Motion carried with seven voting "yes" and Barncord voting "no".

Chancey advised BCC will receive a recommendation from the Planning/Zoning Board and will hold a public hearing on 12/13/01, 1:30 p.m.

Agenda No. 02-06

Chancey advised of a BCC-initiated request for a Rezone from F-R to C-2 to correct a scrivener's error that occurred when the Official Zoning Map was adopted on 02/15/96, on or about Town of Ona, Hardee County.

Each Board Member and County Staff received a copy of Application for Rezone from F-R to C-2 and Staff Report for review prior to the 12/06/01 meeting.

Cassidy highlighted the Staff Report including the conclusion and recommendation for approval. Cassidy submitted the Staff Report to record as evidence; no objections presented.

MOTION by Conley, second by Barncord to recommend approval to the Board of County Commissioners of the request for a Rezone from F-R to C-2 to correct a scrivener's error that occurred when the Official Zoning Map was adopted on 02/15/96 based on staff's findings, conclusion, recommendation and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

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Agenda No. 02-04 (Continued from 11/01/01)

Chancey advised that Agenda No. 02-04 was a conflict of interest and turned the chair over to Vice-Chair Tomlinson. Chancey signed Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers and is on file.

Tomlinson advised of a request from Billy/Janice Hill and Dahlia Diaz, Trustee by and through their Authorized Representative for Approval of a Preliminary Site Development Plan for the location/operation of a 14,416 sq ft one-story commercial retail store on 2.79MOL ac, zoned C-2 (General Commercial), on or about the West side of Hwy 17 just North of West REA Road, Hardee County.

Each Board Member and County Staff received a copy of Request for a Preliminary Site Development Plan and Staff Report for review prior to the 12/06/01 meeting.

Cassidy highlighted the Staff Report including the conclusion, recommendation for approval with the recommended conditions. Cassidy submitted the Staff Report to record as evidence; no objections were presented.

Don Chancey, PO Box 352, Wauchula, FL 33873, advised that presently the project is on hold but that the client wishes to go ahead with the approval for the Preliminary Site Development Plan.

Barncord inquired whether the development would create a bottleneck at REA Road.

Chancey advised that they would have to go through DOT.

Chancey explained that the Site Development Plan is very preliminary and was mainly presented for parking and landscape.

Conley inquired as to whether it is or is not approved, if the property is sold to someone would they have to submit a new Site Development Plan.

Cassidy advised that they would have to submit a new Site Development Plan for approval.

Tomlinson called for Public Input; none received.

MOTION by Nicholson, second by Fraim to approve the Preliminary Site Development Plan for the location/operation of a 14,416 sq. ft. one-story commercial retail store on 2.79MOL ac zoned C-2 (General Commercial) based on staff's findings, conclusion, recommendation and recommended conditions, and based on the testimony

received and the evidence presented at the public hearing. Motion carried unanimously.

Other Business

Tomlinson advised that an election would be held for the Chair and Vice-Chair at the January 2002 Regular Meeting.

Next Regular Planning/Zoning Meeting, Thursday, January 3, 2002, 6:00 P.M.

Ginny Stone, Executive Secretary

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