

PLANNING AND ZONING BOARD  
REGULAR MEETING  
January 06, 2005 – 6:00 P.M.  
Hardee County Board of County Commissioners Board Room  
412 W. Orange Street, Courthouse Annex, Room 102, Wauchula, Fl. 33873

**MINUTES**

**Planning and Zoning Board**

James Barncord, present  
Don Chancey, excused  
Roger Conley, Chairman, present  
Dan Graham, present  
Charles Nicholson, Vice-Chairman, present  
Carl Saunders, present  
Fred Small, excused  
Vida Tomlinson, present  
Max Ullrich, present

**Staff**

B/Z Director, T. Mike Cassidy, present  
County Manager, Lex Albritton, ABSENT  
County Attorney, Ken Evers, ABSENT  
B/Z Office Manager, B.J. Haney, present  
B/Z Executive Assistant Donna Black, present

No News Media identified

Chairman Conley called the Regular Meeting to order at 6:00 P.M. A quorum was present.

B/Z Office Manager Haney advised the Public Notice for the Regular Meeting was published in The Herald-Advocate on December 23, and December 30, 2004; Affidavit of Publication is on file.

Building/Zoning Director Cassidy advised courtesy notices were mailed to adjoining property owners and all advertisements/public notices were properly posted.

Conley explained the Planning and Zoning Board's General Rules of Procedure.

MOTION by Board Member Saunders, second by Board Member Graham to approve Minutes of Planning and Zoning Board December 02, 2004 Regular Meeting. Motion carried unanimously.

B.J. Haney, as a Notary Public, State of Florida, administered oath to Stan Pelham, Fred Grady, Park Winter.

MOTION by Board Member Tomlinson, second by Saunders to retain Roger Conley as Chairman of the Planning/Zoning Board for the ensuing year. Motion carried unanimously.

MOTION by Saunders, second by Conley to retain Charles Nicholson as Vice Chairman of the Planning/Zoning Board for the ensuing year. Motion carried unanimously.

**Agenda 05-04**

Conley advised of a request from Joseph F./Ellen E. Smith; William A./Sandra Abernathy; Cohen J./Margaret C. Herron and Geren C./Mary Jane Moegerle for a Rezone of a total of 7.16MOL acres from A-1 (Agriculture) to F-R (Farm-Residential) to correct an error in the Official Zoning Map adopted 02/15/96 on parcels located on or about CR664 and Olive Branch Rd., Hardee County.

Each Board Member and County Staff received a copy of Application for Rezone and Staff Report for review prior to the 01/06/05 meeting.

Applicants Herron and Moegerle were present, but did not address the Board.

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

Conley called public input; none received.

Board inquired and Cassidy pointed out it would seem that this is one of those things that slipped through the cracks and needs to be corrected.

MOTION by Tomlinson, second by Graham to recommend approval to the BCC for the request for a Rezone of a total of 7.16MOL acres from A-1 (Agriculture) to F-R (Farm-Residential) to correct an error in the Official Zoning Map adopted 02/15/96 based on staff's findings, conclusion, and recommendation for approval, and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

Conley advised that BCC will receive a recommendation from the Planning/Zoning Board and will hold a public hearing on 01/20/05; 8:35 A.M.; BCC Chambers, 412 West Orange Street, Courthouse Annex Room 102, Wauchula, Florida.

#### **Agenda 05-05**

Conley advised of a request from Victor/Anna Villa for a Special Exception to locate a single-family MH dwelling on two platted lots totaling 9800MOL sq ft in the Town of Limestone zoned F-R (Farm-Residential), on or about Washington St, Hardee County.

Each Board Member and County Staff received a copy of Application for Special Exception and Staff Report for review prior to the 01/06/05 meeting.

Neither the Applicant nor Authorized Representative was present.

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

Conley called for public input; none received.

MOTION by Board Member Ullrich, second by Board Member Nicholson to recommend approval to the Board of County Commissioners of the request for a Special Exception to locate a single-family MH dwelling on two platted lots totaling 9800MOL sq ft in the Town of Limestone zoned F-R (Farm-Residential) 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. Motion carried with Board Member Barncord voting NO.

Conley advised that BCC will receive a recommendation from the Planning/Zoning Board and will hold a public hearing on 01/20/05; 8:35 A.M.; BCC Chambers, 412 West Orange Street, Courthouse Annex Room 102, Wauchula, Florida.

#### **Agenda 05-06**

Conley advised of a request from McCarlton Partners, Ltd for a Special Exception to initially construct/operate a 12-bed Adult Congregate Living Facility/Transitional Facility on 5.0MOL acres zoned F-R (Farm-Residential) under Phase One, and construct/operate one four-bed ACLF/TLF under Phase Two and construct/operate one four-bed ACLT/TLF under Phase Three development, on property located on or about South Florida Ave., Hardee County.

Each Board Member and County Staff received a copy of Application for Special Exception and Staff Report for review prior to the 01/06/05 meeting.

Stan Pelham, 324 Park Dr., Wauchula, FL 33873 and Fred Grady, 1353 Myakka Rd., Sarasota, FL 34230 were present and were sworn.

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

Conley called for public input.

Board inquired and Pelham advised the project has water and sewer available from the City of Wauchula.

MOTION by Nicholson, second by Board Member Tomlinson, to recommend approval to the Board of County Commissioners of the request for a Special Exception to initially construct/operate a 12-bed Adult Congregate Living Facility/Transitional Facility on 5.0MOL acres zoned F-R (Farm-Residential) under Phase One, and construct/operate one four-bed ACLF/TLF under Phase Two and construct/operate one four-bed ACLT/TLF under Phase Three development, on property located on or about South Florida Ave., Hardee County based on staff's findings, conclusion, recommendation for approval, and recommended condition, and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

Conley advised that BCC will receive a recommendation from the Planning/Zoning Board and will hold a public hearing on 01/20/05; 8:35 A.M.; BCC Chambers, 412 West Orange Street, Courthouse Annex Room 102, Wauchula, Florida.

#### **Agenda 05-07**

Conley advised of a request from The Hardee County Industrial Development Authority, by and through its Authorized Representative for approval of a Preliminary Subdivision Plat for the Hardee County Commerce Park, on 160MOL acres zoned C/IBC (Commercial/Industrial Business Center) located on or about St Rd 62, Hardee County.

Each Board Member and County Staff received a copy of Application for Preliminary Subdivision Plat approval and Staff Report for review prior to the 01/06/05 meeting.

Park Winter, Hardee County Economic Development Director was present as Staff and was sworn.

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

Conley called for public input.

Board inquired and Winter highlighted some of the features of the Park and noted the marketing was focused toward 20-job companies. Winter noted the natural vegetation will provide buffers for noise and dust, and advised that the area around the detention pond and the area of the 100-year floodplain will be used for amenities such as exercise trails and picnic areas, and those areas will also provide a buffer from the proposed Hardee County Kindergarten through Eighth Grade public school.

Board inquired and Cassidy pointed out that development on any of the lots will require the approval of a Site Development Plan by this Board.

MOTION by Saunders, second by Barncord, to recommend approval to the Board of County Commissioners of the request for a Preliminary Subdivision Plat for Hardee County Commerce Park on 160MOL acres zoned C/IBC located on or about St Rd 62, Hardee County based on staff's findings, conclusion, recommendation for approval, and recommended condition, and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

Conley advised that BCC will receive a recommendation from the Planning/Zoning Board and will hold a public hearing on 01/20/05; 8:35 A.M.; BCC Chambers, 412 West Orange Street, Courthouse Annex Room 102, Wauchula, Florida.

Regarding the CF Industries, Inc. Annual Tour, Tomlinson inquired of the Board regarding attendance response to the Hardee County Mining Dept. Saunders, Ullrich, Graham, Conley and Barncord requested Haney RSVP for them. Nicholson advised he would not be able to attend. Tomlinson had already responded.

In other business, Saunders presented a draft of airport zoning classification for review by the Board.

With no further business to come before the board MOTION by Nicholson, second by Tomlinson to adjourn the regular meeting at 6:48 P.M. Motion carried unanimously.

Next regular Planning/Zoning Meeting scheduled for Thursday, February 03, 2005, 6:00 P.M. Hardee County Board of County Commissioners Board Room, 412 W. Orange Street, Courthouse Annex, Room 102, Wauchula, Florida 33873.

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B.J. Haney  
B/Z Office Manager  
Acting Recording Secretary