

PLANNING AND ZONING BOARD
REGULAR MEETING
JANUARY 04, 2007, 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, present
Roger Conley, Chairman, present
Charles Nicholson, Vice Chairman, present
Oscar Ortiz, excused
Carl Saunders, present
Vida Tomlinson, present
Max Ullrich, absent
Tommie Underwood, present

Staff

County Manager, Lex Albritton, absent
County Attorney, Ken Evers, absent
County Planning/Development Director
Nicholas Staszko, present
BJ Haney, Planner II, present
Machele Albritton, Executive Assistant, present

No News Media Identified

Chairman Conley called the Regular Meeting to order at 6:30 P.M. A quorum was present. A Joint Meeting for the BCC and the Planning/Zoning Board was held this date at 5:30 P.M. to receive the 2006-2007 Operating Report and Annual Review. The joint meeting ran past the allotted time.

Planner Haney advised the Public Notice for the Regular Meeting was published in The Herald-Advocate on December 21 and December 28, 2006; Affidavit of Publication will be filed upon receipt from the newspaper office.

Planning Director Staszko advised that courtesy notices were mailed to adjoining property owners and all advertisements/public notices were properly posted.

Chairman read the Planning and Zoning Board's General Rules of Procedure.

Notary Public Haney administered Oath to those wishing to offer testimony.

MOTION by Board Member Tomlinson, second by Board Member Underwood to approve Minutes of Planning and Zoning Board December 07, 2006 Regular Meeting as printed and mailed. Motion carried unanimously.

Chairman welcomed Machele Albritton, Executive Assistant to the Planning/Development Department.

Chairman called for nominations for P/Z Board Chairman. Board Member Saunders nominated Conley as Chairman and Board Member Ullrich as Vice Chairman, second by Tomlinson. Motion carried.

Chairman Conley continued the public hearing.

Agenda No. 07-10

Staszko advised of a request from Florida Sales/Rental Inc. by and through the Authorized Representative for approval of a **Site Development Plan** on 1.89+/- acres zoned C-2 (General Commercial) in the Highway Mixed Use Future Land Use District for construction and operation of a retail rental store with outside storage.

Staszko reported that although this item was advertised for public hearing, presentation is not ready for this meeting. Staszko requested the Board continue the item to the next P/Z meeting.

MOTION by Board Member Nicholson, second by Saunders to CONTINUE Agenda No. 07-10 to the February 01, 2007, 6:00 P.M. or as soon thereafter public hearing. Motion carried unanimously.

Board was advised that because of a scheduling conflict the Authorized Representative is requesting Agenda No. 07-16 be heard first. Board had no objections to amending its Agenda.

Agenda No. 07-16

Staszko advised of a request from FING II for approval of a **Special Exception** on 1.05+/- acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District for continued operation of a 12-15-bed Assisted Living Facility in an existing dwelling.

Board and County Staff were provided with a copy of Application for **Special Exception** approval containing the Staff Report including Standards of Review and Findings of Fact prior to the 01/04/07 meeting.

John W.H. Burton announced he is the Authorized Representative for FING II, 1249 Pine Court, Wauchula, FL 33873. Burton was sworn.

Staszko highlighted the staff report, including the conclusion, recommendation for approval, and recommended conditions.

Burton advised that no changes are anticipated; been operating nine to 10 years without incident; nothing new for the facility.

Staszko entered the Staff Report into the record as evidence; no objections were presented.

Chairman called for public input; none received.

Board reviewed request, and upon MOTION by Nicholson, second by Barncord the Board voted to recommend approval to the Board of County Commissioners for the request for a **Special Exception** on 1.05+/- acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District for the continued operation of a 12-15-bed Assisted Living Facility in an existing dwelling based on staff's findings, conclusion, and recommendation for approval and recommended conditions, and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

It was stated that the BCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, January 18, 2007, 8:35 A.M. or as soon thereafter.

Agenda No. 07-13

Staszko advised of a request from WL-1 LLC and Betty Ann Eason by and through the Authorized Representative for a **Rezone** of 97.36+/- acres zoned A-1 (Agriculture) and 7.36+/- acres zoned P-I (Public Institutional) to Planned Unit Development (PUD) in the Highway Mixed Use Future Land Use District for the development of single-family/duplex/townhome/condominium dwelling units in sub-neighborhoods together with 85,000MOL-sq-ft of retail commercial.

Board Members and County Staff were provided with a copy of Application for **Rezone** approval and supporting documents prior to the 01/04/07 meeting. Board Members and County Staff were also provided with a copy of the updated narrative from the Applicant and a revised Staff Report including Standards of Review and Findings of Fact prior to the 01/04/07 meeting.

Staszko highlighted the Staff Report including Standards of Review and Findings of Fact, conclusion, and recommendation for approval with conditions and acknowledgments.

Applicant's Authorized Representative Bill Straw, P.O. Box 466, Osprey, FL 34229 was present and sworn.

Straw distributed a revised Master Development Plan showing overall project layout and typical lot layouts for 4,000, 5,000 and 6,000-sq-ft lots, and typical road section. The MDP identified the planned commercial area, recreation, walking/biking paths and ponds. Straw noted the commercial area will have required landscaping.

Staszko entered the Staff Report into the record as evidence; no objections were presented.

Chairman called for public input.

Lavon Cobb, 1015 Briarwood Drive, Wauchula, FL was present and sworn. Cobb advocated the use of modular structures and encouraged the Board not to limit the developer with the placement of the garages.

Board reviewed request and added a condition that was acceptable to the Applicant, to-wit: Conditions: 13. the proposed project will allow no mobile homes, and upon MOTION by Nicholson, second by Board Member Chancey the Board voted to recommend approval to the Board of County Commissioners for the request for a **Rezoning** of 97.36+/- acres from A-1 (Agriculture) to Planned Unit Development, and 7.36+/- from P-I (Public Institutional) to Planned Unit Development in the Highway Mixed Use Future Land Use District for the development of single-family/duplex/townhome/condominium dwelling units in sub-neighborhoods together with 85,000MOL-sq-ft of retail commercial based on staff's findings, conclusion, and recommendation for approval and recommended conditions, and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

It was stated that the BCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, January 18, 2007, 8:35 A.M. or as soon thereafter.

Agenda No. 07-14

Staszko advised of a request from Aretha Denise Faulk for approval of a **Special Exception** on 1.0+/- acres zoned F-R (Farm-Residential) in the Town Center Future Land Use District for location and setup of a single-family mobile home dwelling.

Board Members and County Staff were provided with a copy of Application for **Special Exception** approval containing the Staff Report including Standards of Review and Findings of Fact prior to the 01/04/07 meeting.

The applicant nor a representative were present.

Staszko highlighted the staff report, conclusion, and recommendation for approval, and recommended conditions.

Staszko entered the Staff Report into the record as evidence; no objections were presented.

Chairman called for public input; none received.

Board reviewed request, and upon MOTION by Saunders, second by Nicholson the Board voted to recommend approval to the Board of County Commissioners for the request for a **Special Exception** on a 1.0+/-acres zoned F-R (Farm-Residential) in the Town Center Future Land Use District for location and setup of a single-family mobile home dwelling based on staff's findings, conclusion, and recommendation for approval and recommended conditions, and based on the testimony received and the evidence presented at the public hearing. Motion carried with Chancey abstaining.

It was stated that the BCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, January 18, 2007, 8:35 A.M. or as soon thereafter.

Agenda No. 07-17

Staszko advised of a request from Rojan Inc./Florida Engineered Citrus, Inc./Roy Brown by and through the Authorized Representative for approval of a **Site Development Plan** to be known as **Horseshoe Acres** for a project in the Agriculture Future Land Use District of 1,400-sq-ft single-family dwellings with two-car garages totaling 106.40+/-acres with 88.40+/-acres zoned F-R (Farm-Residential) and 18.00+/-acres zoned A-1 (Agriculture).

Board Members and County Staff were provided with a copy of Application for **Site Development Plan** approval containing the Staff Report including Standards of Review and Findings of Fact prior to the 01/04/07 meeting.

Chancey declared a conflict of interest and signed a Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers and same is on file with the original Minutes.

Authorized Representative, E. Donald Chancey, Jr., Chancey/Associates Design Group, Inc., P.O. Box 352, Wauchula, FL was present and sworn.

Staszko highlighted the staff report, conclusion, and recommendation for approval, and recommended conditions.

Staszko entered the Staff Report into the record as evidence; no objections were presented.

Chancey offered a brief overview of the proposed project.

Chairman called for public input; none received.

Board reviewed request, and upon MOTION by Saunders, second by Tomlinson the Board voted to approve the request for a **Site Development Plan** to be known as **Horseshoe Acres** for a project in the Agriculture Future Land Use District of 1,400-sq-ft single-family dwellings with two-car garages totaling 106.40+/-acres with 88.40+/-acres zoned F-R (Farm-Residential) and 18.00+/-acres zoned A-1 (Agriculture) based on staff's findings, conclusion, and recommendation for approval and recommended conditions, and based on the testimony received and the evidence presented at the public hearing. Motion carried.

Agenda No. 07-15

Staszko advised of a request from Wilt Family Ltd Partnership by and through the Authorized Representative for approval of a **Site Development Plan** on 4.29+/-acres zoned C/IBC (Commercial/Industrial Business Center) in the Highway Mixed Future Land Use District for the construction and operation of a 12,000-sq-ft complex for Milano Tile.

Board Members and County Staff were provided with a copy of Application for **Site Development Plan** approval containing the Staff Report including Standards of Review and Findings of Fact prior to the 01/04/07 meeting.

Staszko highlighted the staff report, conclusion, and recommendation for approval, and recommended conditions.

Ivan Ojeda, 312 South Lotela Avenue, Avon Park, FL 33825 was present and sworn. Ojeda announced he was representing the Applicant.

Staszko entered the Staff Report into the record as evidence; no objections were presented.

Chairman called for public input; none received.

Board reviewed request, and upon MOTION by Tomlinson, second by Underwood the Board voted to approve the request for a **Site Development Plan** on 4.29+/-acres zoned C/IBC (Commercial/Industrial Business Center) in the Highway Mixed Use Future Land Use District for the construction and operation of a 12,000-sq-ft complex for Milano Tile based on staff's findings, conclusion, and recommendation for approval and recommended conditions, and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

Tomlinson inquired and Staszko replied that the County has requested the State Legislature for \$3 million dollars to expand the County's wastewater treatment plant.

With no further business to come before by Board, upon MOTION by Underwood second by Chancey the meeting was adjourned at 7:46 P.M. Motion carried unanimously.

Next regular Planning/Zoning Meeting is scheduled for Thursday, February 01, 2007, 6:00 P.M. Hardee County Board of County Commissioners Board Room, 412 W. Orange Street, Court-house Annex, Room 102, Wauchula, Florida 33873.

B.J. Haney, Acting Recording Secretary