

PLANNING AND ZONING BOARD
REGULAR MEETING
MAY 03, 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, excused
Vida Tomlinson, present
Max Ullrich, excused
Tommie Underwood, excused

Staff

County Manager, Lex Albritton, present
County Attorney, Ken Evers, ABSENT
County Planning/Development Director
Nicholas Staszko, present
BJ Haney, Planner II, present

No News Media Identified

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

Planner Haney advised the Public Notice for the Regular Meeting was published in The Herald-Advocate on April 19, and April 26, 2007; Affidavit of Publication is on file.

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 Nicholson to approve Minutes of Planning and Zoning Board Regular Meeting of April 05, 2007 as printed and mailed. Motion carried unanimously.

MOTION by Tomlinson, second by Board Member Chancey to approve Minutes of Planning and Zoning Board EAR Workshop of April 05, 2007 as printed and mailed. Motion carried unanimously.

Board was advised that Minutes of the April 26, 2007 EAR Workshop are not ready for approval.

Agenda No. 07-40

Staszko advised of a request for approval of a **Site Development Plan** from Allyndeb Tile by and through the Authorized Representative for the construction and operation of a manufacturing plant for wholesale roof tile distribution on 4.31MOL acres, zoned C/IB (Commercial/Industrial Business Center) in the highway Mixed Use Future Land Use District.

Board and County Staff were provided with a copy of Application for **Site Development Plan** containing the Staff Report including Standards of Review and Findings of Fact prior to the 05/03/07 meeting.

Staszko highlighted the Staff Report, including the findings of fact, conclusion, and recommendation for approval and recommended conditions.

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

Applicant's Authorized Representative Steve Sloan, Pickett Engineering, P.O. Box 253, Bartow, FL 33831 was sworn.

Sloan advised that:

- we are in agreement with the conclusion and conditions;
- the landscape buffer will be vegetative;
- small amount of tile will be stored on-site;
- we expect to submit full construction plans within a couple of weeks.

Chairman called for public input; none received.

Board reviewed request, and upon MOTION by Chancey, second by Board Member Barncord voted to approve the **Site Development Plan** from Allyndeb Tile for the construction and operation of a manufacturing plant for wholesale roof tile distribution on 4.31MOL acres, zoned C/IB (Commercial/Industrial Business Center) in the highway Mixed Use Future Land Use District, as requested 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 unanimously.

Agenda No. 07-41

Staszko advised of a request for approval of an Amendment to an approved with conditions **Site Development Plan** from George H./Norma M. McNary by and through the Authorized Representative on 19.55MOL acres zoned F-R (Farm-Residential) in the Highway Mixed Use Future Land Use District.

Board and County Staff were provided with a copy of the Application for an Amendment to an approved with conditions **Site Development Plan** containing the Staff Report including Standards of Review and Findings of Fact prior to the 05/03/07 meeting.

Staszko highlighted the Staff Report for the Amendment including the findings of fact, conclusion, recommendation for approval, and recommended conditions.

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

Applicant's Authorized Representative Stephen Southwell, 105 South 6th Avenue, Wauchula, FL 33873 was sworn.

Southwell advised:

- the change in the design of the lots from perpendicular to diagonal will accommodate the larger motor coaches;
- the amendment shows the addition of tennis courts and a swimming pool.

There was inquiry about permanent screen rooms and Southwell reported that tent-like screen rooms that can be temporarily attached to the motor coaches will be allowed.

Board requested the Homeowner's Association Covenants and Restrictions be recorded and attached to the final subdivision plat when presented for approval.

Southwell advised that a draft of the document can be included with the request for preliminary subdivision plat approval, and a final document can be included with the request for final subdivision plat approval.

Chairman called for public input; none received.

Board reviewed request and upon MOTION by Tomlinson, second by Board Member Nicholson voted to approve the request for an Amendment to an approved with conditions **Site Development Plan** to change the configuration of the platted lots platted perpendicular to each street to create diagonal lots, and to change the name of the subdivision from **Wagon Wheel Adult RV Park** to **Torrey Oaks Golf and RV Resort** 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 unanimously.

Because of appointment conflicts, the Authorized Representative for Agenda No. 07-34 has requested to be heard now. Board agreed.

Agenda No. 07-34

Staszko advised of a request for recommendation of approval from FINR II Inc by and through the Authorized Representative of a **Large-Scale "Comp Plan" Future Land Use Map Amendment** to change the Future Land Use designation of 872+/-acres zoned A-1 (Agriculture) from Agriculture Future Land Use and Public Institutional Future Land Use Districts to Rural Center Future Land Use District.

Board Members and County Staff were provided with a copy of the Application for **Large-Scale Comp Plan" Future Land Use Map Amendment** approval containing the Staff Report including Standards of Review and Findings of Fact prior to the 05/03/07 meeting.

Authorized Representative Karen Mattson. AICP, Urban Planner, George F. Young, Inc. 10540 Portal Crossing, Suite 105, Bradenton, FL 34211 was sworn.

Staszko highlighted the Staff Report including the findings of fact, conclusion, and recommendation for approval.

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

Staszko advised that the County will be requesting the Applicant to acknowledge some level of connection of their project to the neighboring **Vandolah Estates** project to be able to apply the Rural Center concepts.

Mattson highlighted some of FINR's expansion projects planned over the next 20 years.

Staszko noted that the County is looking to expand its wastewater facilities . . . **Vandolah Estates** has agreed for their potable water plant to join the Rural Center concept.

Chairman called for public input; none received.

Board reviewed request, and upon MOTION by Nicholson, second by Barncord voted to recommend approval to the Board of County Commissioners the request from FINR II Inc. of a **Large-Scale "Comp Plan" Future Land Use Map Amendment** to change the Future Land Use designation of 872+/-acres zoned A-1 (Agriculture) from Agriculture Future Land Use and Public Institutional Future Land Use Districts to Rural Center Future Land Use District 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.

It was stated that the BCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, June 21, 2007, 8:35 A.M. or as soon thereafter.

Agenda No. 07-32

Staszko advised of a request for a recommendation of approval from Mosaic Fertilizer LLC by and through the Authorized Representative of a **Large-Scale "Comp Plan" Future Land Use Map Amendment** to the Generalized Mining Overlay Map--Map 2 to correct scrivener's mapping inaccuracies encompassing approximately 521 acres.

Board Members and County Staff were provided with a copy of the Application for **Large-Scale Comp Plan" Future Land Use Map Amendment** approval containing the Staff Report including Standards of Review and Findings of Fact prior to the 05/03/07 meeting.

Authorized Representative Tom Myers, Mosaic Fertilizer LLC, P.O. Box 2000, Mulberry, FL 33860 was sworn.

Staszko highlighted the Staff Report including the findings of fact, conclusion, and recommendation for approval.

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

Mike DeNeve, Permitting/Reclamation Superintendent, Mosaic Fertilizer LLC, P.O. Box 2000, Mulberry, FL 33860 was sworn advised the request is simply a map correction; not here to discuss the DRI (Development of Regional Impact) application.

Chairman called for public input.

Frank Kirkland, 3846 Fussell Rd., Bowling Green, FL 33834 was sworn and presented an overview of his concerns including a desire for greater setbacks and the elimination of wastepiles.

Board RECESSED 7:15 P.M.; RECONVENED 7:20 P.M.

Kirkland distributed some handouts to the Board and expressed concerns about the dams and the disappearance of streams; and noted the immediate threat is Map C-1; we have a worrisome situation; we want the Board to consider the issues if the dikes break considering the company will be mining as close as it can to us; worried about the dust and noise.

Don McClellan, 3992 Fussell Rd., Bowling Green, FL 33834 was sworn and advised that Peace River belongs to everyone and it is presently not was it used to be. McClellan expressed worry over the future of the river.

There was discussion about the setbacks requirements in the current mining ordinance and Hardee County Mining Coordinator, West Palmer advised the setbacks from structures is 500 ft.

Nicholson pointed out that those issues are not before the Board at this meeting; we will hear these in the future; asked Kirkland what does he had regarding the issue on tonight's agenda.

Kirkland expressed an issue with the ECT Report.

Staszko pointed out that there is a direct relation between the DRI application and the issue tonight and it is his opinion this is an opportunity for Kirkland's comments.

Bruce Conner, 3992 Fussell Rd., Bowling Green, FL 33834 was sworn and expressed concern over just giving them the 521 acres.

There was discussion regarding Map H-5.

Gary Uebelhoer, Environmental Consulting/Technology, Inc., 1480 N. Westshore Blvd, Tampa, FL _____ was sworn and pointed out there are some undisturbed areas in Sections 25, 30 and 36 and explained the legend to the map.

Uebelhouer pointed out all of the areas are simply map corrections; none will be disturbed in the setbacks area; the lands were included in the April 1991 Comprehensive Plan Map Overlay and in that plan Hardee County 2000 mining overlay the map of the South Ft. Meade Hardee County tract included all of Parcels F., G., E. and a portion of Parcel D.

Uebelhouer presented a copy of Map 2, Hardee County 200 Mining Overlay from the Hardee County Comprehensive Plan.

DeNeve advised that we are in the middle of the DRI process; we have ownership of the property and these areas were in the mining overlay before and some out got left out and now we would like to correct.

Board RECESSED, 8:30 P.M.; RECONVENED, 8:39 P.M.

Board reviewed request, and upon MOTION by Chancey, second by Tomlinson voted to recommend approval to the Board of County Commissioners of the request from Mosaic Fertilizer LLC of a **Large-Scale "Comp Plan" Future Land Use Map Amendment** to the Generalized Mining Overlay Map--Map 2 to correct scrivener's mapping inaccuracies encompassing approximately 521 acres 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 with Conley voting NO.

It was stated that the BCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, June 21, 2007, 8:35 A.M. or as soon thereafter.

Agenda No. 07-33

Staszko advised of a request for recommendation of approval from RMD Properties LLC and Walter S./Carol M. Farr by and through the Authorized Representative of a **Large-Scale "Comp Plan" Future Land Use Map Amendment** to change the Future Land Use designation of 331.60+/-acres zoned A-1 (Agriculture) from Agriculture Future Land Use District to Highway Mixed Use Future Land Use District.

Board Members and County Staff were provided with a copy of Application for **Large-Scale "Comp Plan" Future Land Use Map Amendment** containing the Staff Report including Standards of Review and Findings of Fact prior to the 05/03/07 meeting.

Authorized Representative Beth L. Evans, AICP, Envisors, 2105 Dundee Road, Winter Haven, FL 33883 was sworn.

Staszko highlighted the Staff Report, findings of fact, conclusion, and recommendation for approval.

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

Staszko brought to the Board's attention, Paragraph C.--Water and Sewer Service in the Data and Analysis Report . . . there might be a 125,000 gpd shortfall; the Applicant will need to negotiate with the Town of Zolfo Springs.

Teddy Van Bommel, K&T Development, 4470 Aspenwood Ct., _____ was sworn and highlighted the amenities of the project advising that:

we are planning a PUD right now;
plans are to push dirt in 03/08;
"Fontana" will be developed in four phases;
dwellings 1,200-2,200 sq ft in size;
manufactured/modular homes with roof pitches of 5:12 or 7:12;
no mobile homes.

Evans presented an overview of the wastewater issues and also distributed some sketches of the proposed project.

Chairman called for public input.

Jay Clark, 117 North Illinois Avenue, Wauchula, FL 33873 was sworn and presented three concerns:

- 1) want the Board to look at the density;
- 2) will request a buffer adjacent to my property;
- 3) all water that runs off of this property come to me; I want to be assured there are enough retention areas.

Board reviewed request and upon MOTION by Chancey, second by Tomlinson voted to recommend approval to the Board of County Commissioners of the request from RMD Properties and Walter S./Carol M. Farr of a **Large-Scale "Comp" Plan" Future Land Use Map Amendment** to change the Future Land Use designation of 331.60+/-acres zoned A-1 (Agriculture) from Agriculture Future Land Use District to Highway Mixed Use Future Land Use District 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.

It was stated that the BCC will hold a public hearing and receive recommendations from the Planning/Zoning Board on Thursday, June 21, 2007, 8:35 A.M. or as soon thereafter.

Board was reminded of a P/Z LDRs Public Workshop scheduled for Thursday, May 10, 2007, 6:00 P.M.

Board was advised as information of a BCC LDRs Public Workshop scheduled for Friday, May 11, 2007, 8:30 A.M.; and BCC Public Hearing scheduled for Thursday, May 17, 2006, :30 A.M. to include the receipt of the P/Z's recommendations re: "EAR" Scoping Issues.

Board was reminded of the next regular Planning/Zoning Meeting scheduled for Thursday, June 07, 2007, 6:00 P.M. Hardee County Board of County Commissioners Board Room, 412 W. Orange Street, Courthouse Annex, Room 102, Wauchula, Florida 33873.

With no further business to come before by Board, upon MOTION by Chancey, second by Nicholson the meeting was adjourned at 9:37 P.M. Motion carried unanimously.

B.J. Haney, Acting Recording Secretary