

PLANNING AND ZONING BOARD
REGULAR MEETING/PUBLIC HEARING
MARCH 06, 2008, 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
Oscar Ortiz, absent
Charles Parker, present
Carl Saunders, present
Mike S. Thompson, present
Vida Tomlinson, present
Max Ullrich, Vice Chairman, present

Staff

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

No News Media Identified

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

Board was advised the Public Notice for the Regular Meeting was published in The Herald-Advocate on February 14 and February 21, 2007 with Affidavit of Publication 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 Chancey, second by Board Member Thompson to approve Minutes of February 07, 2008 Regular Meeting as printed and mailed. Motion carried unanimously.

Haney requested the Board to accept an amendment to the Agenda and approve the Minutes of the Joint Public Hearing with the P/Z and BCC on February 28, 2008 to receive the 2006-2007 Annual Review for North Hardee Area Mine Extension (Fort Meade Mine) for Mosaic Fertilizer LLC, and to receive the 2007 Annual Report for Fort Green Southern Reserves, Fort Green/Payne Creek Extension, South Rockland, North Pasture for Mosaic Fertilizer LLC.

MOTION by Board Member Saunders, second by Chancey to approve Minutes of February 28, 2008 Joint Public Hearing with the P/Z and BCC to receive the 2006-2007 Annual Review for North Hardee Area Mine Extension (Fort Meade Mine) for Mosaic Fertilizer LLC, and to receive the 2007 Annual Report for Fort Green Southern Reserves, Fort Green/Payne Creek Extension, South Rockland, North Pasture for Mosaic Fertilizer LLC as printed and mailed. Motion carried unanimously.

Agenda No. 08-09

Staszko advised the request from Bouldin Holdings 2 Inc. by and through the Authorized Representative for approval of a **Site Development Plan** to construct/operate Phase 1 to be known as Stronghold Storage miniwarehouses on 19.95MOL acres of the 33MOL-acre-parent-parcel zoned C-2 (General Commercial) in the Highway Mixed Use Future Land Use District.

Board and County Staff were provided with a copy of the Application for **Site Development Plan** containing the Staff Report including Standards of Review and Findings of Fact prior to the 03/06/08 meeting.

Staszko highlighted the Staff Report 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.

Board Member Chancey declared a Conflict of Interest and signed a Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers, and Memo is on file with original Minutes.

Applicant's Authorized Representative Bryan Dhue, DMA Engineering, Inc., 116 S. Tennessee Avenue, Suite 201, Lakeland, FL 33801 was sworn.

Don Chancey, Chancey and Associates Design Group Inc., P.O. Box 352, Wauchula, FL 33873 was sworn.

There was considerable discussion regarding the recommended conditions in the Staff Report numbered 3. (a), (b) and (c).

Chancey distributed a conceptual plan for the 33MOL acres consisting of the mini-warehouses and office, office/retail area, hotel, restaurant, grocery store/retail center and pond.

Chairman called for public input; none received

Board reviewed request and upon MOTION by Thompson, second by Board Member Parker voted to approve the request for a **Site Development Plan** to construct/operate Phase 1 consisting of six self-storage warehouses, an office, access and parking to be known as Stronghold Storage miniwarehouses on 19.95MOL acres of the 33MOL-acre-parent-parcel zoned C-2 (General Commercial) in the Highway Mixed Use Future Land Use District based on staff's findings, conclusion, recommendation for approval, and recommended conditions:

1. Applicant shall submit revised plans clearly delineating Phase 1A and Phase 1B of the proposal;
2. Applicant shall submit revised plans clarifying the ISR and FAR based on the land area proposed for Phase 1 of the project, instead of the entirety of the site;
3. Applicant shall provide revised plans which include a separate landscape sheet and further establish the buffer requirements as follows:
 - a. along the project's northern boundary, and along the site dimension abutting the HMX land use and C-2 zoning, with the proposed chain link fencing shall be considered approved buffering;
 - b. along the remaining northern dimension up to the jog in the property proceeding to the south, the 15-foot buffer with chain link fencing shall be permitted;
 - c. along the Phase 1A and Phase 1B jog in the property line an opaque fence six-feet in height shall be installed to visually mitigate the project from adjoining/surrounding residential properties, said fence can be of wood construction,

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

Board Member Saunders was excused from the meeting.

Chancey was recognized back on the Board.

BOARD RECESSED 7:00 P.M.; RECONVENED 7:09 P.M.

Agenda No. 08-10

Staszko advised of a request from Jason L. Carlton and Jake L. Carlton by and through the Authorized Representative for approval of a **Site Development Plan** to construct/operate a business office and shop for Carlton Brothers on 20MOL acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District.

Board and County Staff were provided with a copy of the Application for **Site Development Plan** containing the Staff Report including Standards of Review and Findings of Fact prior to the 03/06/08 meeting.

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

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

Applicant Jason L. Carlton, POB 2119, Wauchula, FL 33873 was sworn.

Authorized Representative H. Elton Holland, Pickett Engineering, Inc. POB 253, Bartow, FL 33831 was sworn.

There was discussion regarding the requirement for impervious surface for the driveway from the entrance at St Rd 64 East to half way up the East/West segment of the driveway.

Chairman called for public input; none received.

Board reviewed request and upon MOTION by Board Member Ullrich, second by Chancey voted to approve the **Site Development Plan** to construct/operate a business office and shop for Carlton Brothers on 20MOL acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District based on Staff's findings, conclusion and recommendation for approval, with the condition that the impervious surface for the driveway would only be required for the driveway at St Rd 64 East and, within the right-of-way that portion of the accessway/parking lot extending to the point nearest the retention pond and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

Agenda No. 08-11

Staszko advised of a request from Earl D. Smith for a **Variance** to locate a 40'x60' storage building on an 8,250MOL-sq-ft lot zoned R-1, and requests a **Variance** to allow the property line setbacks to be Rear: 05 ft and Sides 05 ft in the Highway Mixed Use Future Land Use District.

Board and County Staff were provided with a copy of the Application for **Variations** containing the Staff Report including Standards of Review and Findings of Fact prior to the 03/06/08 meeting.

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

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

Applicant Earl D. Smith, 246Old Dixie Highway, Bowling Green, FL 33834 was sworn.

Chairman called for public input; none received.

There was discussion regarding the rear setback requested and Board concluded could accept the request for the reduction of side property line setbacks, but could not accept the requested 5-foot setback for the rear property line.

Board reviewed request and upon MOTION by Chancey, second by Parker voted to recommend the Board of County Commissioners approval of the request for **Variiances** to locate a 40'x60' storage building on an 8,250MOL-sq-ft lot zoned R-1, and to allow the property line setbacks to be Rear: 20 ft and Sides 7.5 ft to be more consistent with the neighboring properties in the Highway Mixed Use Future Land Use District based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

It was noted the BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, March 20, 2008, 8:35 A.M. or as soon thereafter.

Agenda No. 08-13

Staszko advised of a request from Torrey Oaks RV/Golf Resort by and through the Authorized Representative for a **Variance** to the setbacks for the F-R-zoned lots in the 19.55MOL-acre-**Torrey Oaks RV and Golf Resort S/D** to allow for the location of sheds permitting a rear and side setback of 5 feet; lots being located in the Residential Mixed Use Future Land Use District.

Board and County Staff were provided with a copy of the Application for **Variance** containing the Staff Report including Standards of Review and Findings of Fact prior to the 03/06/08 meeting.

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

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

Authorized Representative Doug Battey, 138 Bostick Rd., Bowling Green, FL 33834 was sworn.

Attorney Stephen Southwell, 502 West Main Street, Wauchula, FL 33873 was sworn.

Board inquired and Battey reports the largest shed would be 8'x10' in size.

Board reviewed request and upon MOTION by Chancey, second by Ullrich voted to recommend approval to the Board of County Commissioners for the request for a **Variance** to the setbacks for the F-R-zoned lots in the 19.55MOL-acre-**Torrey Oaks RV and Golf Resort S/D** to allow for the location of sheds permitting a rear and side setback of 5 feet; lots being located in the Residential Mixed Use Future Land Use District based on staff's findings, conclusion, recommendation for approval and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

It was noted the BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, March 20, 2008, 8:35 A.M. or as soon thereafter.

Board was reminded of the next regular Planning/Zoning Meeting/Public Hearing scheduled for Thursday, April 03, 2008, 6:00 P.M. and the Joint Public Hearing with the BCC on Thursday, April 17, 2008, 6:00 P.M. for the Mosaic Fertilizer LLC DRI application and request for Major Special Exception. Both meetings will be held in the Hardee County Board of County Commissioners Board Room, 412 W. Orange Street, Courthouse Annex, Room 102, Wauchula, Florida.

With no further business to come before by Board, upon MOTION by Thompson, second by Chancey the meeting/public hearing was adjourned at 8:15 P.M. Motion carried unanimously

B.J. Haney, Acting Recording Secretary