

PLANNING AND ZONING BOARD
REGULAR MEETING/PUBLIC HEARING
JUNE 05, 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, excused

Staff

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.

Board of County Commissioners Chairman Dale Johnson requested to briefly speak to the Board prior to the meeting. Johnson praised the P/Z Board for its efforts as an integral part of the County planning program, advised that the BCC has taken notice, aware that you work without pay because you care that is what makes Hardee County great.

Johnson distributed a Certificate of Appreciation to the Board members.

Board was advised the Public Notice for the Regular Meeting was published in The Herald-Advocate on May 15 and May 22, 2008 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 Tomlinson, second by Board Member Thompson to approve Minutes of May 01, 2008 Regular Meeting/Public Hearing as printed and mailed. Motion carried unanimously.

MOTION by Board Member Chancey, second by Board Member Barncord to approve Minutes of May 08, 2008 Joint Meeting/Public Hearing with the Board of County Commissioners to receive the 2007-2008 Annual Report from CF Industries Inc. and request for NOPC to Development Order from CF Industries, Inc. as printed and mailed. Motion carried unanimously.

MOTION by Tomlinson second by Board Member Saunders to approve Minutes of the April 28, 2008 Joint Meeting/Public Hearing with the Board of County Commissioners for Mosaic Fertilizer LLC's DRI and Major Special Exception as printed and mailed. Motion carried unanimously.

Agenda No. 08-25

Staszko advised of the request from Rocky D./Kimberly J. Parks for approval of a **Special Exception** to locate a single-family mobile home dwelling on 2.86+/-acres zoned F-R (Farm-residential) in the Agriculture Future Land Use District.

Board and County Staff were provided with a copy of the Application for **Special Exception** containing the Staff Report including Standards of Review and Findings of Fact prior to the 06/05/08 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.

There was discussion and Board was advised:

- the 5.0+/-acre-parcel received an approved minor subdivision plat creating three no-less-than-1.0-acre-lots;
- there is an existing structure that was used as a dwelling that has been an issue in the past; the kitchen has been removed and the septic tank lines have been disconnected.

Board inquired and was advised that Staff's research determined there are five mobile home dwellings and 221 conventionally-built dwellings within one mile radius of this parcel.

Applicants Rocky D./Kimberly J. Parks, 1175 Altman Rd., Wauchula, FL 33873 were sworn.

Rocky Parks advised:

- we own the other two lots as well;
- this dwelling is planned to be located very near the existing barn up close to Altman Rd.

Chairman called for public input; none received.

Board reviewed request and upon MOTION by Saunders, second by Tomlinson voted to recommend approval to the Board of County Commissioners of the request for a **Special Exception** to locate a single-family mobile home dwelling on 2.86+/-acres zoned F-R (Farm-Residential) in the Agriculture Future Land Use District 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. ROLL CALL VOTE: Barncord, no; Chancey, no; Parker, yes; Saunders, yes; Thompson, yes; Tomlinson, yes. The motion carried with four yays and two nays.

It was noted the BCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, June 19, 2008, 8:35 A.M. or as soon thereafter.

Agenda No. 08-24

Staszko advised of the request from Ryan C. Garza and Hardee County Industrial Development Authority by and through the Authorized Representative for approval of a Large-Scale "Comp Plan" Amendment to the Future Land Use Map changing the FLU designation of 129.81+/-acres from Residential Mixed Use to Highway Mixed Use.

Board and County Staff were provided with a copy of the Application for Large-Scale "Comp Plan" Amendment to the Future Land Use Map containing the Staff Report including Standards of Review and Findings of Fact prior to the 06/05/08 meeting.

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.

There was discussion and Staszko advised:

- there are still zoning issues that will need to be considered, e.g. Site Development Plan approval, landscaping/buffering items;
- initially Commerce Ct. will provide the ingress/egress; traffic circulation plan will be designed and implemented.

Chairman called for public input.

Gloria Adler, POB 1801, Zolfo Springs, FL 33890 was sworn and advised that she is representing some of the Osprey Lane neighbors who are concerned about buffering and property values and how this will affect the residential neighborhood.

Staszko advised that clearly Staff and this Board will be sensitive to the neighboring communities and will ensure buffering and landscaping is installed and maintained to provide a separation between the Commerce Park lands and the residences.

Board reviewed request and upon MOTION by Thompson second by Tomlinson voted to recommend approval to the Board of County Commissioners of the request for a Large-Scale "Comp Plan" Amendment to the Future Land Use Map changing the FLU designation of 129.81+/-acres from Residential Mixed Use to Highway Mixed Use 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 noted the BCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, June 19, 2008, 8:35 A.M. or as soon thereafter.

Board was reminded of the proposed Amendment to the Unified Land Development Code that is scheduled for next regular meeting; said Amendment being to consider amending the Table of Land Uses of the ULDC to permit all Commercial/Industrial Business Center-zoned land uses either by right or by approval of a Site Development Plan to be permitted by right. Board was encouraged to study the Table of Land Uses and be prepared to discuss in light of the proposed amendment.

Board was reminded the next regular Planning/Zoning Meeting/Public Hearing scheduled for Thursday, July 10, 2008, 6:00 P.M.

Regular Meetings/Public Hearings to 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 Chancey, second by Thompson the regular meeting/public hearing was adjourned at 6:55 P.M. Motion carried unanimously

B.J. Haney, Acting Recording Secretary