

PLANNING AND ZONING BOARD  
REGULAR MEETING/PUBLIC HEARING  
JANUARY 08, 2009, 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**

Ralph Arce, present  
James Barncord, present  
Roger Conley, present  
Gordon Norris, Vice Chairman present  
Oscar Ortiz, present  
Charles Parker, present  
Carl Saunders, present  
Mike S. Thompson, Chairman, present  
Vida Tomlinson, present

**Staff**

Planning/Development Director  
Nicholas Staszko, excused  
County Project Manager Doug Knight, 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 was advised the Public Notice for the Regular Meeting/Public Hearing was published in The Herald-Advocate on December 18 and December 26, 2008 with Affidavit of Publication on file.

Chairman welcomed new Board members, Gordon Norris and Ralph Arce.

Project Manager Knight advised that all advertisements/public notices were properly posted.

Chairman read the Planning and Zoning Board's General Rules of Procedure located on Page Two of the Board's Agenda.

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

MOTION by Board Member Saunders, second by Board Member Thompson to approve Minutes of November 06, 2008 Regular Meeting/Public Hearing as printed and mailed. Motion carried unanimously.

Board was reminded there were no items for a December, 2008 Agenda.

MOTION by Board Member Conley, second by Saunders to nominate Mike Thompson as Chairman. MOTION carried unanimously. Thompson accepted.

MOTION by Saunders, second by Board Member Ortiz to nominate Gordon Norris as Vice Chairman. MOTION carried unanimously. Norris accepted.

Thompson assumed the Chair and extended Thank You to Conley for his years of service as the Board's chairman.

**Agenda No. 09-03**

Chairman advised of the request from Gary D./Sophia M. Smith by and through the Authorized Representative for approval of a **Site Construction Plan** to reconfigure five parcels under a subdivision plat to result in seven Farm-Residential-zoned lots for development of a single-family dwelling subdivision to be known as **Hilltop Acres** in the Agriculture Future Land Use District.

Board and County Staff were provided with a copy of the Application for **Site Construction Plan** containing the Staff Report including Concurrency Review and Findings of Fact prior to the 01/08/09 public hearing.

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

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

Applicants' Authorized Representative Chris Lynch, Kennedy and Lynch Associates, 103 South Ridgewood, Sebring, FL 33870 was sworn.

Board Member Norris inquired and there was discussion regarding the weirs. Lynch explained that the general flow of water is from North to West/Northwest.

Board Member Arce joined the meeting at 6:20 P.M.

Chairman called for public input; none received.

Board reviewed request and upon MOTION by Board Member Tomlinson, second by Board Member Barncord voted to approve the request for approval of a **Site Construction Plan** to reconfigure five parcels under a subdivision plat to result in seven Farm-Residential-zoned lots for development of a single-family dwelling subdivision to be known as **Hilltop Acres** 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. Motion carried unanimously.

#### **Agenda No. 09-04**

Chairman advised of the request from Jerry H., Sr./Kathryn C. Melendy by and through the Authorized Representative for a recommendation of approval of a **Rezone** of 4.0+/-acres from A-1 (Agriculture) to C-2 (General Commercial) to locate/operate a business office for Coker Fuel by first temporarily-locating a mobile commercial office trailer to be used as the business office during the construction of the permanent business office structure in the Highway Mixed Use Future Land Use District.

Board and County Staff were provided with a copy of the Application for **Rezone** containing the Staff Report including Standards of Review and Findings of Fact prior to the 01/08/09 public hearing.

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

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

Applicants' Authorized Representative Russell A. Melendy, P.O. Box 817, Wauchula, FL 33873 was sworn.

Tomlinson inquired if plans are to use the two ingresses/egresses from Hwy. 17 and Melendy explained there are three.

There was discussion regarding downtown office and Melendy explained that building has been sold and plans are to begin construction on the permanent office structure at the Hwy. 17 site as soon as can.

Board inquired and Melendy pointed out that the permanent office is planned to be located south of the existing tanks, although the tanks can be relocated on the site.

There was discussion pertaining to fire safety for the existing tanks and Melendy explained that General Commercial zoning would probably not be any more restrictive than the present zoning.

Chairman called for public input; none received.

Board reviewed request and upon MOTION by Conley, second by Tomlinson voted to recommend approval to the Board of County Commissioners of the request for a **Rezone** of 4.0+/-acres from A-1 (Agriculture) to C-2 (General Commercial) to locate/operate a business office for Coker Fuel by first temporarily-locating a mobile commercial office trailer to be used as the business office during the construction of the permanent business office structure in the 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.

**BCC to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, January 22, 2009, 8:35 A.M. or as soon thereafter.**

Board was reminded of next Regular Meeting/Public Hearing scheduled for Thursday, February 05, 2009, 6:00 P.M.;

With no further business to come before by Board, upon MOTION by Conley, second by Tomlinson the regular meeting/public hearing was adjourned at 6:34 P.M. Motion carried unanimously

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B.J. Haney, Acting Recording Secretary