

PLANNING AND ZONING BOARD
REGULAR MEETING/PUBLIC HEARING

August 05, 2010, 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, excused
Don Chancey, present
Roger Conley, Vice Chairman, present
Gordon Norris, present
Oscar Ortiz, present
Monica Reas, present
Charles Parker, present
Mike S. Thompson, Chairman, present
Vida Tomlinson, present

Staff

Kevin Denny, Planning/Develop. Director
present
Lex Albritton, County Manager, present
BJ Haney, Planner II, present

No News Media identified

Chairman Thompson called the Regular Meeting to order at 6:00 P.M.; a quorum was present.

Those in attendance pledged allegiance to the American Flag followed by a prayer of guidance for the meeting by Board Member Conley.

County Manager Albritton introduced Planning/Development Director Kevin Denny.

Planner Haney advised the Public Notice for the Regular Meeting/Public Hearing was published in The Herald-Advocate on July 15, 2010 with Affidavit of Publication on file.

Haney advised that all advertisements/public notices were properly posted.

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

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

Thompson welcomed Planning/Development Director Kevin Denny.

MOTION by Board Member Conley, second by Board Member Chancey to approve Minutes of June 03, 2010 Regular Meeting/Public Hearing with the addition to paragraph six:, page 03
insertion of name of Chancey who seconded the motion.

Motion carried unanimously.

MOTION by Board Member Chancey, second by Board Member Parker to approve Minutes of June 17, 2010 Joint Public Hearing with the BCC to receive Annual Review from CF Industries, Inc. with the correction to paragraph one, page 01:
correction of the BCC Chairman's name. Motion carried unanimously.

Board's Agenda noted there were no items for a July, 2010 P/Z meeting/public hearing.

Agenda No. 10-13

Board was advised of a request from T&C Investments, Inc. by and through the Authorized Representative for a Variance to the setbacks of Peace River for the development of a single-family dwelling on 5.0+/-acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District.

Staff Report including a Summary Analysis, Staff's Findings, Conclusion and Recommendation and Condition was presented to the Board, and the balance of the Staff Report was entered into the record with no objections.

J.W. Crews, Jr., Authorized Representative, (P.O. Box 248, Wauchula, FL 33873) was sworn and advised that:

50 ft from the River would put me at 56 ft elevation;

My idea is to put a house at the highest and best spot and to get it right.

There was discussion if the Board needed to cite a specific footage from the River for the Variance request.

Board discussed the Variance from the required setbacks to the River that was granted to the parcel South of this parcel.

Chairman called for public input, none received. Public Hearing was closed.

MOTION by Chancey, second by Board Member Norris to recommend to the Board of County Commissioners approval of a Variance to the 500-ft required setback from the banks of the Peace River for the development of a single-family dwelling on 5.0+/-acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District based on staff's findings, recommendation for approval, recommended condition, and based on the testimony received and the evidence presented at the public hearing. Motion carried unanimously.

Board of County Commissioners (BCC) to hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, August 19, 2010, 6:05 P.M. or as soon thereafter.

Agenda No. 10-05

Board was advised of a request from Russell D./Stephanie R. Adams and Daniel L./Cynthia D. Barco for a recommendation for approval of a Special Exception to develop Outdoor Commercial Recreation Site/Motorsports Park on 36.37+/-acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District and request recommendation for approval of a Variance to the required 300-ft setback from neighboring residences.

Board was advised that although the application was advertised for public hearing for this date, the Applicants and Staff are not ready for presentation.

Staff requested Board to CONTINUE the Agenda Item to a date certain, Thursday, September 02, 2010, 6:00 P.M.

MOTION by Chancey, second by Norris to **CONTINUE** Agenda No. 10-05 to Thursday, September 03, 2010, 6:00 P.M. or as soon thereafter. Motion carried unanimously.

The BCC will be advised.

Agenda No. 10-14

Board was advised of a request from Amelia Smith by and through the Authorized Representative for a recommendation for approval of an amendment to an approved Planned Unit Development (PUD) entitled **Torrey Groves**. Said Amendment's project is to be entitled **Torrey Groves North**, a 92-lot subdivision on 14.72+/-acres zoned PUD in the Highway Mixed Use Future Land Use District.

Board was advised that after the application was advertised for public hearing it was determined the request is not a major modification to the approved PUD and will not require P/Z Board and BCC public hearings.

Staff requested the Board REMOVE the Agenda Item from the Agenda.

MOTION by Chancey, second by Board Member Parker to **REMOVE** Agenda No. 10-14 from the Agenda. Motion carried unanimously.

The BCC will be advised.

Thompson mentioned that the P/Z sent a letter of recommendation to the BCC for it to look at other options besides Muni-Code for the County's Unified Land Development Code (ULDC) on line. The Board wanted some thoughts from Planning/Development Director Denny.

County Manager Albritton pointed out the BCC can look at other options and although Muni-Code's services are expensive, Muni-Code's search ability is quite good. Albritton advised that to keep a 500+page document updated would be a struggle for the County's Information Technician Dept. and Planning/Development Dept.

Thompson reminded the Board there are changes to the ULDC that must be addressed (based on the recently-approved-for-transmission-to-DCA (State of Florida, Department of Community Affairs) amendments to the Comprehensive Plan). Thompson mentioned there is great interest on this Board to update the ULDC.

Planning/Development Director Denny advised that he and the County Manager have discussed some of the changes to the ULDC.

Board was reminded that the next Regular Meeting/Public Hearing is scheduled for **Thursday, September 02, 2010**, 6:00 P.M.

With no further business the Board adjourned at 6:40 P.M. upon Motion by Conley, second by Chancey. Motion carried unanimously.

B.J. Haney, Acting Recording Secretary