

PLANNING AND ZONING BOARD  
**REGULAR MEETING/PUBLIC HEARING**

January 18, 2011, 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, absent  
Don Chancey, present  
Roger Conley, present  
Gordon Norris, present  
Oscar Ortiz, present  
Monica Reas, Vice Chairperson, present  
Charles Parker, present  
Mike S. Thompson, Chairperson, present  
Vida Tomlinson, present

**Staff**

Kevin Denny, AICP, Planning/Develop. Director  
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.

The Board was advised the Public Notice for the Regular Meeting/Public Hearing was published in The Herald-Advocate on 12/30/10 with Affidavit of Publication on file, and 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.

Upon discussion, MOTION by Board Member Reas, second by Board Member Tomlinson for Mike Thompson to continue as Chairperson. MOTION carried unanimously. Thompson accepted.

Upon discussion, MOTION by Conley, second by Board Member Parker to nominate Monica Reas as Vice Chairperson. MOTION carried unanimously. Reas accepted.

Board was advised that the Minutes of the 11/04/10 Joint Public hearing with the Board of County Commissioners to receive the Annual Reports from Mosaic Fertilizer LLC are not ready, and the Board was advised there were no items for a December, 2010 Agenda.

**Agenda No. 11-01**

Board was advised of a request from Alpha/Omega Freedom Ministries Inc. by and through the Authorized Representative for approval of a **Site Development Plan/Site Construction Plan** to construct a 17-unit-one-bedroom-one-bath apartment complex including an all purpose room/kitchen/laundry facilities as an expansion of the Hannah House ministry on 2.4+/-acres zoned R-3 (Multiple-Family Residential) in the Highway Mixed Use Future Land Use District.

Board and County Staff were provided with a copy of the application containing the **Site Development Plan/Site Construction Plan**, the Staff's Report including the Staff's Findings, Conclusion, Recommendations and Recommended Conditions prior to the 01/18/11 public hearing.

Planning/Development Director presented the Staff Report including the Findings of Fact, and Minimum Site Development Requirements for off-street parking, property line setbacks, lot area/depth/width, maximum building height, unit size and maximum density units per area; the Staff Report cited the data shown on the **SDP/SCP** for those items.

Denny noted that the proposed use is more similar to a nursing home, than a typical multiple family complex as residents are not allowed to maintain vehicles on-site. Denny pointed out the parking calculation is based on the nursing home standard contained in the Hardee County ULDC. Denny stated that generally no resident vehicles would be allowed on site, however, he has learned a couple may have to be stored there.

Denny's presentation identified the utility and solid waste services to be provided and noted that the stormwater issues will be permitted by Southwest Florida Water Management District (SWFWMD).

The Staff Report was entered into the record with no objections with the amendment to Recommended Conditions No. 05 to read: No more than five vehicles owned or used by the residents will be parked on site at any one time.

Board inquired and was advised this is an expansion of the existing **Hannah House** ministry on the 2.4+/-acre parcel to the South of the existing **Hannah House** program.

There was discussion regarding firefighting equipment getting into the parcel and Board was advised the buildings are sprinkled, and firefighting equipment can get into the property and reach the Easternmost walls of the structures.

Applicant's Authorized Representative 'Bo' Conerly, Kimley-Horn and Associates, 04 West Oak St., Suite E, Arcadia, FL 34266 was sworn and advised that those changes were discussed at the Development Review Committee meeting (DRC) and changes were made on the **Site Development Plan/Site Construction Plan (SDP/SCP)**.

Responding to inquiries about the water tank, Conerly advised that in the proposed plan the water tank is shown to be onsite, the size will be coordinated by the Fire Dept. and the Building Dept.

Board inquired and was advised that the Fire Dept. is ok with the turning radius for the fire trucks; and the turning radius for the garbage truck is adequate.

There was an inquiry about the number of employees, and Applicant Lorraine Gillespie, (POB. 339, Wauchula, FL 33873) was sworn and advised there will be a maintenance person and one supervisor on site.

There was discussion regarding the number of parking spaces provided on the **SDP/SCP**.

Conerly noted that he believed all of this has been worked out . . . some visitors, very limited in nature.

Gillespie advised the program has few visitors; the participants graduate from the **Hannah House** program to the proposed apartments and the **Hannah House** ministry will still be active in their lives. Gillespie noted the **Hannah House** ministry has been operational at the Florida Avenue South site for two years and they have had probably four individuals with cars.

Chairman called for public input.

Exie Barnett, 1928 Florida Ave. South, Wauchula, FL was sworn and advised that she lives across the street from the **Hannah House** project. Barnett read a statement into the record:

First Concern:

This project poses an increased risk to our health and the safety of our already troubled aquifers;

By allowing 17 units on just a two acre parcel of land with waste handled through septic tank system and/or retention pond will only further pollute the aquifers and my source of drinking water as well as many other residents.

My well especially will be a risk since I am downstream from this proposed project; Because of tests done by the State of Florida showing fecal matter in my well water, I have gone to a water filtration system. This is, in part, because of runoff from surrounding areas; These risks must be resolved as a matter of public health before any zoning change is approved.

Second Concern:

The social nature of this project (shelter for abused women) increases risk of crime activity to this neighborhood. Abusers do stalk the victims at this type of facility.

Third Concern:

If approved, the risk of creating a downstream problem with a change of ownership, by design, creates a negative situation as this area is not conducive hotel facilities, residential apartment rentals or landowner worker living units. When precedent is set for one property owner, it will be difficult for the County to turn down requests for other multi family projects in this neighborhood.

Fourth Concern:

Once the zoning code is changed more facilities like those listed above will be built. This type of facility in such a contained area will have an adverse effect on my property value. This does not just affect me. We should make sure all residents that may be affected be notified of this project, as I spoke with several people who say they did not receive notification but certainly will be impacted by this project.

Closing:

In closing I am not here to debate the social value or morality of this project, but I strongly feel I will be adversely affected by this project. I have rights too and insist they be protected.

Barnett's written statement is on file with the Board's original Minutes.

Barnett spoke of the importance of peace and quiet in her neighborhood.

Bill Staton, POB 2246, Wauchula, FL 33873 was sworn and advised that he lives nearby and did not receive notice of this hearing. Staton pointed out he built a new house and I don't want this.

Planner Haney explained to the Board and pointed out for clarification that the Hardee County Unified Land Development Code requires the County make effort to notify adjacent property owners within a 300 ft radius of the subject property and advertise applications under a public notice in a newspaper of general circulation at least 15 days prior to the public hearing.

Denny noted that the rezoning was approved by the Board of County Commissioners in June, 2009; this public hearing tonight is not to rezone or change the code.

Thompson pointed out that he is a landowner or involved with the properties on three sides of the proposed project and has no problem with the request.

Board asked for a definition of secure access and Conerly advised it means there will be a gate and it will be controlled allowing for exit from the facility, but does not allow for just anyone to enter.

Gillispie advised that in the time we have been there, we have had no outside interference to cause problems.

MOTION by Conley, second by Board Member Tomlinson to approve the **Site Development Plan/Site Construction Plan** to construct a 17-unit-one-bedroom-one-bath apartment complex including an all purpose room/kitchen/laundry facilities as an expansion of the **Hannah House** ministry on 2.4+/-acres zoned R-3 (Multiple-Family Residential) in the Highway Mixed Use Future Land Use District based on staff's findings, recommendation for approval, recommended conditions with the amendment to Recommended Condition No. 05 to read: : No more than five vehicles owned or used by the residents will be parked on site at any one time, and based on the testimony received and the evidence presented at the public hearing. ROLL CALL VOTE: Chancey, no; Conley, yes; Norris, no; Ortiz; yes; Parker, no; Reas, yes; Tomlinson, yes. Motion carries 4-3.

BOARD RECESSED 6:35 P.M.; RECONVENED 6:40 P.M.

An add-on to the Board's agenda was a viewing of the Sunshine Law DVD and an update on the Visioning project.

Board requested not to view the DVD at tonight's meeting, in that the City of Wauchula is hosting a Sunshine Seminar, February 02; requested Planning/Development Staff to get the information and forward to each Board member.

(Before Minutes were mailed: Information on SUNSHINE LAW SEMINAR, hosted by City of Wauchula, scheduled for Tuesday, 02/01/11, 5:30 P.M., BoCC Board Room). Notices will be sent to P/Z Board.

As an add-on Planning Director Denny provided an update on the Hardee County Visioning Plan stating:

Kickoff Meeting, scheduled for 01/25/11, 6-8 p.m., Civic Center,  
Multiple advertisements in The Herald-Advocate,  
P/D Dept. sent out approximately 500 letters and flyers announcing the meeting,  
Director to discuss meeting Monday morning 01/24/11 on 106.9 'The Bull'  
radio station,  
Numerous informational signs posted at strategic locations in the County,  
Posters announcing the Kickoff Meeting posted in many local businesses,  
Additional meetings will be scheduled in February and March,  
Hoping for key words of input from the general public,  
Kelley Klepper and Marty Black, Kimley-Horn and Associates will be the  
facilitators of the meetings,  
BoCC appointed a Steering Committee, who will take the information and send  
along to the focus groups to be streamlined into the main plan.

Board Member Norris expressed a hope that the County will get something new and workable. Norris noted some years ago the County had a plan containing 32 components and only a few items were developed.

Thompson requested a copy of the list of 32 components.

Denny advised that the County has received notice of intent from DCA re: 2010-2 ER and should be receiving a response for 2010-1 within the next week.

Board was advised, of a:

- BCC and P/Z JOINT MEETING, Thursday, January 20, 2011, 6:00 P.M. to receive 2010-2011 Annual Report from CF Industries Inc.;
- KICK-OFF MEETING for Sustainable Hardee: Visioning for the Future, Tuesday, January 25, 2011, 6:00-8:00 p.m.,
- Hardee County Civic Center; and next REGULAR P/Z MEETING/PUBLIC HEARING, Thursday, February 03, 2011, 6:00 P.M.

With no further business, MOTION by Norris, second by Board Member Parker to adjourn regular meeting/public hearing at 6:50 P.M. Motion carried unanimously.

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B.J. Haney, Acting Recording Secretary