

PLANNING AND ZONING BOARD
REGULAR MEETING/PUBLIC HEARING

September 22, 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, present
Roger Conley, present
Anita Keene, excused
Gordon Norris, present
Oscar Ortiz, present
Charles Parker, present
Monica Reas, Vice Chairperson, present
Mike S. Thompson, Chairperson, present
Vida Tomlinson, present

Staff

Kevin Denny, AICP, Planning/Develop. Director
present
BJ Haney, 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 Norris.

The Board was advised the Public Notice for the Regular Meeting/Public Hearing was published in The Herald-Advocate on 08/22/11 with Affidavit of Publication on file, and that advertisements/public notices were properly posted.

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

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

MOTION by Norris, second by Board Member Reas to approve Minutes of 05/19/11 Regular Meeting/Public Hearing as printed and mailed. Motion carried unanimously.

There were no items for an 06/02/11 Agenda, an 07/07/11 Agenda and an 08/04/11 Agenda.

Agenda No. 11-04

Board was advised of a request from Hardee County Board of County Commissioners by and through the Authorized Representative requests for a recommendation for approval of **Ordinance No. 2012-01** (an ordinance: amending Article 3 of the Unified Land Development Code establishing Section 3.23.00—**Recreational Resort in A-1 zoning district in Agriculture Future Land Use District** by Special Exception; and amending Table 2.29.02(B) of the ULDC adding to *Lodging-Recreation/Conservation Recreational Resort in A-1 zoning district in Agriculture Future Land Use District* by Special Exception; and amending Table 2.29.02(C) of the ULDC establishing development and design standards for **Recreational Resort in A-1 zoning district in Agriculture Future Land Use District**; and providing for severability; providing for repeal of conflicting ordinances; and providing for effective date).

Planning/Development Director Denny:

- explained that because of schedule demands, this item is not yet ready for discussion;
- requested the Board CONTINUE the item to 10/06/11; Denny noted this proposed amendment to the Code pertains to projects like the needs of the Sherry White Ministries project (Alton Carlton Rd.) that could be likened to boy scout camps.

MOTION by Reas, second by Board Member Parker to CONTINUE Agenda No. 11-04--**Ordinance No. 2012-01** to Thursday, October 06, 2011 regular P/Z meeting/public hearing. Motion carried unanimously.

BoCC is scheduled to hear P/Z Agenda No. 11-04 on Thursday, October 06, 2011, 8:30 a.m.; at that time Staff will request a CONTINUANCE to BoCC's Thursday, October 20, 2011, 6:05 p.m. regular meeting.

Agenda No. 11-05

Board was advised of a request from the Board of County Commissioners by and through the Authorized Representative for a recommendation of approval of **Ordinance No. 2012-02** (an ordinance amending Article 3 of the ULDC establishing Section 3.24.00—**Sales/Repair of Heavy Equipment in A-1 zoning district in Mining Overlay/Agriculture Future Land Use** by Special Exception including Development and Design Standards, and establishing Development and Design Standards for **Sales/Repair of Heavy Equipment in C-2 (General Commercial) zoning district** and amending Table 2.29.02(B)—Table of Land Uses of the ULDC adding to *Non-Retail/Service, Commercial Sales/Repair of Heavy Equipment in A-1 zoning district in Mining Overlay/Agriculture Future Land Use* by Special Exception; and amending Article 9—Definitions of the ULDC establishing a definition for **Sales/Repair of Heavy Equipment**; and providing for severability; providing for repeal of conflicting ordinances; and providing for effective date).

Denny presented Agenda No. 11-05 including Staff Report containing Summary of Analysis, Findings of Fact, Conclusion and Recommendation for approval. Denny presented **Ordinance No. 2012-02** advising that the request is staff-initiated.

Denny pointed out:

- the Easton Sales/Rental project on St Rd 62 is operating without required permits;
- BoCC granted six months to present Site Development Plan (SDP), nothing filed within that timeframe;
- a SDP has been filed, and County Staff is waiting on a revised SDP (that is anticipated after the ordinance is approved);
- this project is operating across St Rd 62 from one of CF Industries Inc.'s mining areas;
- Easton Sales/Rental sells, rents/leases, repairs heavy equipment and is a good use in the mining overlay;
- proposed ordinance provides for sales/rental/leasing/repair by Special Exception (SE) in A-1-zoning, Agriculture Future Land Use District with Mining Overlay adjacent to an Arterial roadway with some design criteria to limit impacts;
- definitely want development/design standards to include the capture of hydraulic fluids;
- prefer for ingress/egress to be from a local roadway to limit number of accesses from the major roadway;
- applications for SE will be heard in two public hearings;
- acceptable for Site Development Plan to be filed concurrently with SE application.

Board inquired and Denny noted that the County will allow the use of asphalt, concrete or granite gravel known as #57 rock for impervious surfacing; asphalt millings may be considered for use on internal driveways.

Board inquired and Denny advised that State of Florida, Department of Transportation is talking with Easton now regarding the existing St-Rd-62-access. Denny noted that upon request for another plant such as this, the ingress/egress shall be required from a local roadway.

Board inquired regarding a letter dated 04/01/2010 and asked if a SDP was submitted; Denny advised no SDP was submitted . . . however, a SDP has now been submitted; upon approval the ordinance will require an approved SE for this type project in A-1-zoning district in Ag FLU district w/mining overlay. Denny noted that SE and SDP applications require an application fee.

The proposed amendment to the ULDC was initiated by the County to provide for this type of operation in A-1 zoning/Ag FLU district w/mining overlay no fee is required.

Board was advised that per Table 2.29.02(B) of the ULDC, Sales/Repair of Heavy Equipment is presently permitted upon approval of a SDP in Light Industry (I-1) and Heavy Industry (I-2) zoning districts, and permitted by SE with approved SDP in General Commercial (C-2) zoning district.

Chairman called for public input; none received.

Denny entered the Staff Report into the record; no objections presented.

MOTION by Board Member Conley, second by Reas to recommend to the Board of County Commissioners approval of **Ordinance No. 2012-02** based on the staff's findings, conclusion, recommendation for approval and based on the testimony presented and the evidence received in the public hearing.

The BoCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, October 06, 2012, 8:35 A.M. or as soon thereafter.

Board was advised Sustainable Hardee: Visioning for the Future—Quality of Life meeting is scheduled for Tuesday, September 27, 2011, 6:00-7:30 P.M. in the BoCC Board Room.

There was discussion about scheduling some workshops to discuss the provisions of the ULDC; Board determined that at its next regular meeting to discuss Article 01 and Article 02 to entertain possibilities for recommendations for amendments to be presented to the BoCC.

Denny cited some projects staff is presently working on.

Board was advised the P/Z's next Regular Meeting/Public Hearing is scheduled for Thursday, October 06, 2011, 6:00 P.M.

With no further business, upon MOTION by Conley, second by Reas, Board adjourned at 6:50 P.M.

B.J. Haney, Acting Recording Secretary