

PLANNING AND ZONING BOARD
REGULAR MEETING/PUBLIC HEARING

December 01, 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
Gordon Norris, present
Oscar Ortiz, present
Charles Parker, present
Monica Reas, Vice Chairperson, absent
Mike S. Thompson, Chairperson, present
Vida Tomlinson, present

Staff

Kevin Denny, AICP, Planning/Develop. Director
present
Joshua Cheney, AICP, Planner III, 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 with prayer by Board Member Conley.

The Board was advised that the Public Notice for the Regular Meeting/Public Hearing for Agenda No. 12-04 (Alberts) was published in The Herald-Advocate on 11/10/11 with Affidavit of Publication on file and that advertisements/public notices were properly posted.

NOTE: Agenda No. 12-02 was continued from 11/03/11 and no the Public Notice in a newspaper of general circulation was required.

Chairman read the Planning and Zoning Board's General Rules of Procedure located on Page Three of the Board's Agenda; Notary Public Haney administered Oath to those wishing to offer testimony.

MOTION by Board Member Norris, second by Board Member Parker to approve Minutes of 11/03/11 Regular Meeting/Public Hearing as printed and mailed. Motion carried unanimously.

MOTION by Conley, second by Norris to approve Minutes of 11/17/11 Public Hearing as printed and mailed. Motion carried unanimously.

Agenda No. 12-02

(Request from Sherry White Ministries, Inc. by and through the Authorized Representative for a recommendation for approval of a Special Exception and approval of a Site Development Plan for a Recreational Resort on 20.01+/-acres zoned A-1 (Agriculture) in the Agriculture Future Land Use District).

Planning Director Denny advised:

- that this use was created to give the opportunity to build boy scout camps, etc.
- at the 10/14/11 Development review Committee meeting were required to the Site Plan;
- landscaping details were not finalized until yesterday (11/30/11);
- staff concurs with what the applicant is proposing on the landscaping/buffering.

Denny requested the Board continue the agenda item to Monday, December 12, 2011, 6:00 p.m. MOTION by Norris, second by Parker to CONTINUE Agenda No. 12-02 to Monday, December 12, 2011, 6:00 P.M. Motion carried unanimously.

Stephen Southwell, 502 W. Main St., Wauchula, FL 33873 spoke as the applicant's representative and advised that the primary goal is to have this application heard by the Board of County Commissioners on December 15, 2011 (at its public hearing).

Southwell inquired if those present who want to speak be permitted to speak because they may not be able to attend at 12/12/11 P/Z meeting.

Thompson advised that although the Board could understand the situation, the P/Z Board has no information regarding this application. Thompson requested those that would like to speak to attend the 12/12/11 meeting.

Planner II Haney advised that written comments/letters speaking to the application may be submitted in the Planning/Development Dept.

Agenda No. 12-04

Board was advised of a request from Frederick L./Sharon K. Alberts for a recommendation for approval of a Special Exception to locate/situate a single-family mobile home dwelling on 9.02+/-acres zoned F-R (Farm-Residential) in the Residential Mixed Use Future Land Use District.

Cheney:

- identified the proposed project, its location, present zoning and future land use category;
- advised of the zoning and future land use category for surrounding properties.
- noted according to the documentation submitted by the applicant, the proposed dwelling is to be a three bedroom, two bath 2,240+/-sq-ft dwelling.
- pointed out there are existing mobile home dwellings and conventionally-built dwellings in the area; this dwelling planned for location a minimum of 350' from the nearest dwelling is not expected to have any adverse effect on surrounding properties.

Cheney spoke from the contents of the Staff Report and advised the granting of this Special Exception is in compliance with the Hardee County Comprehensive Plan and is not contrary to the standards set forth in Section 7.13.00 of the Hardee County Unified Land Development Code.

Cheney offered that the staff recommends approval of the Special Exception with recommended conditions, and further recommends the P/Z Board recommend approval to the Board of County Commissioners with recommended conditions.

The recommended conditions were cited as applicant shall comply with all ULDC, County ordinances and any other relevant laws and rules. Pursuant to Section 7.13.07, ULDC, **if a Special Exception permit has not been exercised within the time limits set forth in the permit, or within one year if no time limit has been specified, or if a Special Exception permit is not exercised, or is abandoned for a continuous period of one year or more, the permit shall expire automatically. Exercising shall mean securing the required permits for the dwelling.**

Cheney entered into the record the Staff Report, no objections presented.

Chairman called for public input.

Jim Stallings, 1608 Kazen Rd., Wauchula, FL 33873 was sworn and advised:

- he is a Southern neighbor to this property;
- this property has many trees.

Stallings inquired and was advised that there are no requirements in the regulations for buffering.

Staff advised that the Board could require buffering if it felt there were mitigating circumstances.

Stallings encouraged the Board to incorporate some incentives in the regulations to adopt the 2009 Florida Friendly Land Ordinances to install and maintain Florida native landscaping.

The question was posed and property owner Sharon Alberts, 204 Riverside Dr., Wauchula, FL 33873 being sworn advised that there are 12 trees in the area where the dwelling is proposed. Additionally the property owners have purchased butterfly plants to encourage butterflies we are just waiting to get on the property to start the plantings.

MOTION by Conley, second by Board Member Arce to recommend APPROVAL of the Special Exception to the Board of County Commissioners (BoCC) to allow the location/situation of a single-family mobile home dwelling on 9.02+/-acres zoned F-R (Farm-Residential) in the Residential Mixed Use Future Land Use District based on staff's findings, conclusion, recommendation for approval, recommended conditions, and based on the testimony presented and the evidence received in the public hearing. Motion carried unanimously.

The BoCC will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, December 15, 2011, 6:05 P.M. or as soon thereafter.

Board determined to continue review of Article 02 and begin review of Article 03 of the ULDC after the first of the year.

Board was advised:

- next P/Z Public Hearing is scheduled for Thursday, January 05, 2012, 6:00 P.M.
- of a Hardee Visioning Steering Committee meeting on Tuesday, December 13, 2011,
- of the Thursday, December 15, 2011, 6:00 P.M. joint public hearing with the BoCC to receive the 2011-2012 Annual Report for the South Pasture Mine from CF Industries'
- of a redistricting discussion before the BoCC on 12/15/11.

With no further business, Board adjourned at 6:31 P.M.

B.J. Haney, Acting Recording Secretary