

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

JANUARY 02, 2014, 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  
Don Chancey, present  
Roger Conley, Vice Chairman, present  
Gordon Norris, Chairman, present  
Jo'Ann' Wilson, present

**Staff**

Kevin Denny, AICP, Planning/Develop. Director  
present  
Joshua Cheney, AICP, Planner III, present  
BJ Haney, present

No News Media present

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

Norris offered a prayer, and attendees pledged allegiance to the American flag.

The Board was advised that the Public Notice for the 01/02/14 Regular Meeting/Public Hearing was published in The Herald-Advocate on 12/12/13 with Affidavit of Publication on file and that advertisements/public notices/and the properties were properly posted, and notification to property owners within 300 ft of the subject parcels were mailed.

Vice Chairman Conley called for nominations for P/Z Board Chairman and upon unanimous vote Conley was elected Chairman.

Chairman Conley called for nominations for P/Z Board Vice Chairman and upon MOTION by Board Member Wilson, second by Board Member Chancey elected Board Member Arce as P/Z Board Vice Chairman for the ensuing year. Motion carried unanimously.

Chairman explained Planning and Zoning Board's General Rules of Procedure and Notary Public Haney administered Oath to those wishing to offer testimony.

MOTION by Board Member Norris, second by Board Member Wilson to approve Minutes of 09/05/13 Regular Meeting/Public Hearing as printed and mailed. Motion carried unanimously.

Board was advised there were no items for a 10/03, 11/07 and 12/015/13 P/Z Board Regular Meeting/Public Hearing agendas.

Conley advised of a possible voting conflict stating that his company does work for the Industrial Development Authority; Conley abstained from voting, signed a Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officials with 'Memo' attached to the original Board Minutes.

**Agenda No. 14-01**

Vice Chairman Arce advised of a request from the Hardee County Industrial Development Authority (IDA) by and through the Authorized Representative for a recommendation of approval of a Rezoning to C/IBC (Commercial/Industrial Business Center) of:

85.60+/-acres from F-R (Farm-Residential) and

18.54+/-acres from R-3 (Multiple-Family Residential)

in the Highway Mixed Use Future Land Use District. (Parcels to be considered for Rezoning are situated: South of Commerce Ct., North and Northeast of Old Bradenton Rd., East of Mott Rd. and East of Osprey Ln.).

Arce noted the purpose of this Public Hearing is to hear the request, receive public input and offer a recommendation to the Board of County Commissioners.

Board and County Staff were provided with a copy of the application, including Traffic/Roadway Information, Locational Maps, Existing Functional Classification Map, 2030 Future Level of Service Map, copy of Staff Report including Summary of Analysis, Site/Parcel Summary, Findings of Fact, Consistency with the Comprehensive Plan, Concurrency Analysis, Impact Analysis and Recommendation for approval prior to the public hearing.

Planner Cheney being sworn advised:

- This is an applicant-initiated request by the Hardee County Industrial Development Authority (HCIDA) to rezone four parcels that are currently located in the F-R [(Farm-Residential)] and R-3 (Multiple-Family) zoning districts to the C/IBC zoning district;
- The parcels are located on the northern side of Old Bradenton Rd. as well as the northeastern side of Mott Rd. and they are adjacent to the **Hardee County Commerce Park**;
- All of the parcels are currently located within the County's Highway Mixed Use FLU (Future Land Use) area. This category allows for parcels to be rezoned by the BoCC to C/IBC per the Hardee County Comprehensive Plan and Table 2.29.02(A) of the Unified Land Development Code;
- This rezoning request is being done in preparation for the eventual expansion of the existing Commerce Park; according to the applicant, the 104.14+/-acres of added development area will create 18 to 22 additional commercial lots; in addition, the applicant has proposed eventually extending Commerce Ct. through to Mott Rd. as well as through to Old Bradenton Rd.;
- This application is only for the purpose of requesting that the previous identified properties all be rezoned to C/IBC; if the BoCC approves this request, it does not authorize any development or building activity on the subject parcels; approval of this ordinance will only change the zoning on the subject parcels from F-R to C/IBC and from R-3 to C/IBC which is consistent with the 'Comp' Plan and the ULDC;
- This zoning will allow for a variety of industrial, medical, office and/or commercial uses to be developed on this site in the future; there are potential compatibility issues any time non-residential and residential uses abut one another; this will be addressed at the Site Development Plan and Site Construction Plan reviews; however, the development standards in the ULDC are designed to reduce and mitigate any potential issues and all future development on this site will be required to meet these standards;
- For information purposes only: the expansion of the Commerce Park onto these parcels will require as per Section 7.07.03, ULDC--Procedure for Securing Approval of Subdivision Plans and Final Plats;
  - (A) Site Development Plan with Concurrency Review;
  - (B) Site Construction Plan;
  - (C) Final Subdivision Plat

Prior to the submittal of SDP and SCP applications for the individual lots.

Cheney entered the staff report (and his testimony) into the record; no objections presented.

Cheney advised that the Planning and Development Division, based on the staff report and data and analysis finds the request is consistent with the Hardee County Unified Land Development Code and the Hardee County Comprehensive Plan; staff recommends the P/Z Board recommend approval of Agenda No. 14-01 as **ORDINANCE NO. 2014-05**.

Chairman called for public input.

Regarding a plan for traffic, Cheney responded that currently Commerce Ct. will traffic onto St Rd 62; a traffic study will be reviewed during the Site Development Plan (SDP) and Site Construction Plan (SCP) process.

It was commented that where Commerce Ct. connects to the 'new addition (of properties)' there is a low area; Board was advised that 84 inches of new culvert has been installed so there is a connection from the Commerce Park to the 'new properties'.

There was discussion regarding the floodway and floodplain on parcel no. 07000 and it was commented that a pipe under Mott Rd. has not been analyzed yet.

The Board was advised that no decision has been made on how to phase in the large truck traffic.

Regarding how added traffic might affect existing residents, the Board was advised that there are plans to improve Mott Rd. to Old Bradenton Rd.

Concern from the Board was expressed that the proposed expansion moves (commercial and industrial land uses) into more residential properties.

David Warren, 1215 Mott Rd., Wauchula, FL being sworn advised that area gets flooded, any changes to this land is going to affect our land.

Vickie Juarez, 2362 Osprey Ln., Wauchula, FL being sworn asked if these plans are going to affect me and my property in any way.

Cheney responded . . . there could potentially be industrial, offices and medical development on C/IBC-zoned lands; the SDP and SCP must be compatible with the County's Unified Land Development Code (ULDC) regulations.

Juan Calderon, POB 2123, Wauchula, FL being sworn asked if the residents will have to change our water to County water; it was stated that if the line goes in front of your property the property will have to connect.

Hank Kuhlman 5186 Ollie Roberts Rd., Bowling Green, FL being sworn stated

- don't know why this Board is meeting here;
- if someone wanted to go from Ag to C/IBC the Commerce Park has plenty of empty lots; some kind of storage;
- anyone that comes to the Commerce Park and asks for building; they will allow the building;
- there is no consideration for noise, environmental;
- they are asking for 'anything goes' rezoning;
- given the information you have, I do not see how you can say yes or no;
- IDA is making it up as they go.

Chancey noted that the Planning and Zoning Board used to review every use that went into the IDA Park; I do not like the shell building and then come back later with a plan; suggested P/Z Board to ask the County Commissioners for the P/Z Board to hear the 'P' uses (Permitted Uses).

Planning and Development Director Denny being sworn advised that presently there are only four 'P' uses in C/IBC . . . being ag-related Manufacture of Finished Products/Repair, ag-related Wholesale Sales, Ag Sales and Rentals, and Private Clubs.

Public Comment was closed.

Arce pointed out that based on what this Board has, the applicant is within its right.

Because the P/Z Board felt the general public should have the right to public hearing MOTION by Chancey, second by Norris to direct staff to prepare a letter for the Chairman's signature to the Commissioners to ask the BoCC to rescind the minor SDP (Site Development Plan) process in the ULDC and go back to what it was two years ago. Motion carried unanimously.

Denny said we can take the issue back to the BoCC and ask it if it wants staff to re-study the 'P', 'D' (Site Development Plan), 'S' (Special Exception) and 'MSE' (Major Special Exception) uses in Table 2.29.02(B)--Table of Land Uses), ULDC.

MOTION by Chancey, second by Norris for the P/Z Board to RECOMMEND DENIAL to the Board of County Commissioners (BoCC) for Agenda No. 14-01 as **Ordinance No. 2014-05** for approval of a Rezoning to C/IBC (Commercial/Industrial Business Center) of:

85.60+/-acres from F-R (Farm-Residential) and

18.54+/-acres from R-3 (Multiple-Family Residential)

in the Highway Mixed Use Future Land Use District based on they should have had the rights to this, too many residents to the West and we are giving them an open book and the extra traffic. ROLL CALL VOTE: Wilson, yes; Norris, yes; Chancey, yes; Arce, yes. (Conley abstained).

BoCC will hold a (FIRST READING) public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, January 23, 2014, 6:05 P.M. or as soon thereafter, and the BoCC will hold a (SECOND READING) public hearing on Thursday, February 06, 2014, 8:35 A.M.

Board was advised of next REGULAR P/Z MEETING/PUBLIC HEARING, Thursday, February 06, 2014, 6:00 P.M.

With no further business, MOTION by Chancey, second by Norris to adjourn Regular Meeting at 7:12 P.M. Motion carried unanimously.

  
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B.J. Haney, Acting Recording Secretary