

PLANNING AND ZONING BOARD
REGULAR MEETING/PUBLIC HEARING--NOVEMBER 05, 2015, 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, Vice Chairman, present
Donnie Autry, present
Roger Conley, Chairman, present
Drew Schock, absent
Nick Timmerman, present
Danielle Valentim, present
Ann Wilson, absent

Staff

Todd Miller, Planning Director, present
Annie Barnes, Planner II, present
BJ Haney, Planning Dept., present

News Media; none present

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

Attendees pledged allegiance to the American flag, Board Member Autry offered a prayer.

The Board was advised that the Public Notice for the 11/05/15 Regular Meeting/Public Hearing was published in The Herald-Advocate on 10/15/15 with Affidavit of Publication on file; and that advertisements/public notices and courtesy letters to neighboring property owners were properly advertised pursuant to the provisions of the County's Unified Land Development Code (ULDC).

MOTION by Board Member Arce, second by Board Member Autry to approve Minutes of 09/03/15 Regular Meeting/Public Hearing as printed and mailed. Motion carried unanimously.

MOTION by Arce second by Autry to approve Minutes of 10/08/15 Workshop as printed and mailed. Motion carried unanimously.

Haney asked . . . has any Planning and Zoning Board member received any oral or written communications regarding the land use item to be discussed? If so, please disclose substance of the communication and identify the person making communication; none received.

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

Agenda No. 15-17

Chairman advised that:

- Stevie Ray and Amy Catherine Johnson request a Special Exception to add an Accessory Dwelling Unit (ADU) to the existing dwelling on 5.0+/-acres zoned A-1 (Agriculture) in the Agriculture Future Land Use Category.
- the parcel is situated on or about the south side of State Road 62, west of Mansfield Rd.;
- 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, and a copy of the Staff Report prior to the public hearing.

Todd Miller, Hardee County Planning/Development Director advised:

- this is an applicants-initiated request by property owners are Stevie Ray and Amy Catherine Johnson;
- the parcel is 5.00+/-acres in size, is zoned A-1 (Agriculture) in the Agriculture Future Land Use Category, and is located on the south side of St Rd 62, west of Mansfield Rd.;
- the north, south, east and west surrounding parcels are zoned A-1 (Agriculture) and are in the Agriculture Future Land Use Category;
- the request is to construct a 16'x20' addition of living area on the rear of the existing dwelling for a family member; the living area will be composed of a 10'x20' area in the existing dwelling's footprint as well as the 16'x20' addition; the 520-sq-ft space will include a kitchen, living area, bedroom, bathroom and closet;

- the addition of the ADU will add 320-sq-ft of impervious area;
- Staff reviewed the request per Section 7.13.00 and concluded the granting of a Special Exception with Concept Development Plan is consistent with the Hardee County Comprehensive Plan and is in compliance with the standards set forth in Section 2.03.00, 7.06.00 and 7.13.00 of the Hardee County Unified Land Development Code (ULDC).

Miller advised that Staff recommends **APPROVAL** of Agenda No. SE16-01 to the Planning and Zoning Board, and further recommends the Planning/Zoning Board recommend **APPROVAL** of the request with the condition that the applicants shall comply with all ULDC, County ordinances and any other relevant laws and rules, and comply with the regulations of any agency with jurisdiction. 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 ADU.

Miller entered Staff Report and his testimony into the record.

There was discussion regarding the need for an ADU if this is just an addition of living area and Miller noted that an ADU is an additional dwelling unit (consisting of living, sleeping, eating, cooking and sanitation).

NOTE: Pursuant to Section 2.03.00 of the Hardee County ULDC, an ADU shall have its own septic tank; it may share potable water well with the existing dwelling.

Joseph Smith, (3205 Co. Rd. 664, Bowling Green, FL) being sworn advised that the Department of Health handles the septic tank.

Haney advised of receipt of a notarized letter dated 10/11/15 from property owners authorizing Joseph F. Smith to speak on their behalf before the Planning/Zoning Board. (Letter is on file in the Planning/Development Dept.).

Smith noted that in today's world there is a definite need for living area for example for a father-in-law to be near family; however, it seems that requiring a zoning action with a fee is excessive.

Chairman called for public input; none received.

MOTION by Autry, second by Board Member Arce to **RECOMMEND APPROVAL** to the Board of County Commissioners of the request for a Special Exception with Concept Development Plan add an Accessory Dwelling Unit (ADU) to the existing dwelling on 5.0+/-acres zoned A-1 (Agriculture) in the Agriculture Future Land Use Category based on the Staff Report with conditions, and based on the testimony presented and the evidence received in the public hearing. Motion carried unanimously.

Chairman advised the Board of County Commissioners will hold a public hearing and receive a recommendation from the Planning/Zoning Board on Thursday, December 10, 2015 at 8:35 A.M. or as soon thereafter in this room.

With no further business the Board's Regular Meeting/Public Hearing adjourned upon MOTION by Autry, second by board Member Timmerman at 6:19 P.M. Motion carried unanimously.

These Minutes being prepared 11/10/15; there are no applications for a Thursday, December 03, 2015, 6:00 P.M. Planning/Zoning Board public hearing.


B.J. Haney, Acting Recording Secretary