



Planning and Development Department Memorandum

DATE: August 31, 2017
TO: BOARD OF COUNTY COMMISSIONERS
FROM: TODD MILLER, AICP, DIRECTOR OF PLANNING AND DEVELOPMENT
SUBJECT: BoCC 09/07/17, 8:35 A.M. Regular Meeting/Public Hearing

SECOND READING of **ORDINANCE NO. 2017-12**
amending the Mining Overlay Map--Mosaic--adding 226.8+/-acres

The Board of County Commissioners heard the Mosaic Fertilizer LLC request in an advertised public hearing on Thursday, July 20, 2017, and approved the FIRST READING of **ORDINANCE NO. 2017-12**.

The Ordinance was forwarded to State of Florida, Department of Economic Opportunity, and to date DEO's response has not been received.

However, Planning/Development staff will advise the Board at the public hearing of DEO's comments.

The referenced request has been advertised for SECOND READING for Thursday, September 07, 2017, 8:35 A.M. or as soon thereafter.

bjh

HARDEE COUNTY, FLORIDA
ORDINANCE NO. 2017-12

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AN ORDINANCE OF HARDEE COUNTY, FLORIDA

An Ordinance of the Board of County Commissioners of Hardee County, Florida, regarding Land Development, amending the adopted Hardee County Mining Overlay Map within the unincorporated area by adding a total of 226.8 +/- acres comprised of eight parcels and portions of the rights-of-way of eleven county roads; providing for a description; providing for severability, and providing for an effective date.

WHEREAS, Mosaic Fertilizer, LLC, hereinafter referred to as the "Applicant" filed an application for an amendment to the 2030 Hardee County Comprehensive Plan; and,

WHEREAS, the Planning and Development Division staff, after reviewing the Hardee County Comprehensive Plan and the Unified Land Development Code, has recommended approval of the amendment application, as described in the staff report; and,

WHEREAS, the Board of County Commissioners of Hardee County, Florida after due public notice, held a public hearing on July 20, 2017 for **Ordinance No. 2017-12** to consider the amendment application to amend the adopted Hardee County Mining Overlay Map by adding a total of 226.8 +/- acres comprised of eight parcels and the portions of eleven county rights-of-way, described as follows:

Former Davis Property

- Parcel # 13-33-25-0000-07120-0000 - 26.72 acres
- Parcel # 18-33-26-0000-03120-0000 – 75.20 acres
- Parcel # 18-33-26-0000-03200-0000 – 25.1 acres
- Parcel # 19-33-26-0000-00020-0000 – 79.7 acres

Former Pohl Property

- Parcel # 25-33-25-0000-03270-0000 – 2 acres

Former Smith Property

- Parcel # 36-33-25-0000-01260-0000 – 4 acres
- Parcel # 36-33-25-0000-01270-0000 – 3.98 acres

Former ATP Property

- Parcel # 25-33-25-0000-02120-0000 – 10 acres

Rights-of-Way

Fussell Road	McCardle Road
Gibbs Road	Dr. Banks Road
Troy Smith Road	Reynolds Road
Simtrobar Road	Boyd Cowart Road
Parker Road	Airport Road
Annette Road	

WHEREAS, pursuant to and consistent with the requirements of Section 125.66, FLORIDA STATUTES, and Chapter 163, FLORIDA STATUTES, the Board of County Commissioners of Hardee County, Florida has advertised and held public hearings as required, and with public notice having been provided to obtain public comment; and,

WHEREAS, the Board of County Commissioners of Hardee County, Florida has considered all written and oral comments received during such public hearings; and,

WHEREAS, the Board of County Commissioners of Hardee County, Florida has determined that this comprehensive plan amendment would be consistent with the Hardee County Comprehensive Plan as well as the Hardee County Unified Land Development Code.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HARDEE COUNTY, FLORIDA that:

Section 01.

The currently adopted HARDEE COUNTY MINING OVERLAY MAP is amended to add a total of 226.8 +/- acres comprised of eight parcels and portions of eleven county rights-of-way, which lands are described in this Ordinance, and depicted in Exhibit 1 attached hereto.

Section 02.

SEVERABILITY. In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 03.

EFFECTIVE DATE. This Ordinance shall be effective immediately upon adoption in accordance with law.

INTRODUCED AND PASSED ON FIRST READING in regular session, by the Board of County Commissioners of Hardee County, Florida on the 20th day of July, 2017.

PASSED AND ADOPTED ON SECOND READING in regular session, by the Board of County Commissioners of Hardee County, Florida on the 07th day of September, 2017.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
HARDEE COUNTY, FLORIDA

Colon Lambert, Chairman

Victoria L Rogers
Ex-Officio Clerk to the Board of County Commissioners

EXHIBIT A

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