Hardee County
FLORIDA

AGENDA

Planning and Zoning Board

PUBLIC HEARING/REGULAR MEETING

July 10, 2025, at 6:00 PM

COMMISSIONER CHAMBERS, 412 WEST ORANGE STREET, ROOM 102, WAUCHULA, FL 33873

BOARD MEMBERS

Chairman Cody Gullatt
Vice-Chairman Roger Conley
Kenny Futch
Glenn Bergens
Michael Burch
Daniel Cisneros
Lesley S. Bateman
School Board Member District IV Marie Dasher
School Board Member District V Mark Gilliard - Alternate
Community Development Director Todd Miller
Planner Technician Jorden Eisenstein
Notary Public Abigail Juarez

---

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE, FOLLOWED BY THE INVOCATION**

3. **APPROVAL OF THE AGENDA**

   Motion to approve the agenda for July 10, 2025 regular meeting/Public Hearing.

4. **NOTICE OF PUBLICATION**

5. **MINUTES FOR APPROVAL**

   A. Planning and Zoning Board Public Hearing Minutes for June, 5, 2025.

6. **NOTICE OF BOARD EX-PARTE COMMUNICATION**

7. **PLANNING AND ZONING BOARD GENERAL RULES OF PROCEDURE**

8. **APPOINTMENTS**

   A. **Agenda Item No. 25-37,** Johnson-Hardee Holdings, LLC, as property owner(s), is requesting approval of a Site Development Plan to construct a Natural Gas facility and an Anerobic Digestor on a total of 160.2 +/- acres in the A-1 zoning district, Agricultural Future Lande Use category.

   RECOMMENDED ACTION: Staff Recommends APPROVAL.

   B. **Agenda Item No. 25-55,** Grove at Theater Road LLC, as property owner(s), are requesting approval of a Site Development Plan to construct a forty-eight (48) unit 4.19 +/- acre apartment building project on a 12.8 +/- acre parcel located in the R-3 zoning district, Highway Mixed Use Future Land Use category.

   RECOMMENDED ACTION: Staff recommends APPROVAL.

9. **ADJOURNMENT**

AGENDA ITEM NO. 5.A

Item Cover Page

PLANNING AND ZONING BOARD AGENDA ITEM REPORT

DATE: July 10, 2025

SUBMITTED BY: Jorden Eisenstein, Community Development Department

ITEM TYPE: Minutes for Approval

AGENDA SECTION: **MINUTES FOR APPROVAL**

SUBJECT: Planning and Zoning Board Public Hearing Minutes for June, 5, 2025.

SUGGESTED ACTION:

ATTACHMENTS:
6.05.25_PZ_Meeting_Minutes.docx

DRAFT

MINUTES

Hardee County Planning and Zoning Board

PUBLIC HEARING

June 5, 2025, at 6:00 PM

COMMISSION CHAMBERS
412 W. ORANGE STREET, ROOM 102,
WAUCHULA, FL 33873

1. CALL TO ORDER

Attendee Name	Title	Status
Cody Gullatt	Chairman	**Present**
Roger Conley	Vice-Chairman	**Absent**
Daniel Cisneros	Board Member	**Present**
Kenny Futch	Board Member	**Absent**
Glenn Bergens	Board Member	**Present**
Lesley Bateman	Board Member	**Preset**
Michael Burch	Board Member	**Absent**
Jorden Eisenstein	Planning Technician	**Present**
Abigail Juarez	Administrative Assistant	**Present**

Chairman Gullatt called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF THE AGENDA: ADDITIONS, DELETIONS, AND AMENDMENTS

Chairman announced that Agenda Item No. 25-37 has been postponed until the Next regular Public Meeting on July 10, 2025 before calling for a motion to approve the Agenda.

Motion by Board Member Cisneros and second by Board Member Bergens.

Motion carried unanimously.
Ayes- Gullatt, Cisneros, Bergens and Bateman.

4. NOTICE OF PUBLICATION

Administrative Assistant Juarez announced:

- The meeting was advertised in *The Herald Advocate* on May 22,2025 and courtesy notices were mailed out to property owners within 300ft of the subject parcel.

5. MINUTES FOR APPROVAL

A. Planning and Zoning Board Meeting Minutes of 05/22/2025.

Vice-Chairman Gullatt called for a motion to approve the Planning and Zoning Meeting Minutes of 05/22/2025

Motion Board Member Bergens and second by Board Member Bateman.

Motion carried unanimously.
Ayes- Gullatt, Cisneros, Bergens and Bateman.

6. APPOINTMENTS

A. **Planning and Zoning Application No. 25-50,** from Michele and Mark Watson, as property owner's, is requesting waiver from Section 2.16.01 (E)(3) of the Hardee County Unified Land Development Code.

DRAFT

Planner Technician Jorden Eisenstein, being sworn, entered the staff report into the record.

Chairman Gullatt called for Board Members comments:

The Board had some questions.

Community Development Planning Tech, Jorden Eisenstein, and Michael Watson, as property owner, being sworn, both answered questions.

Charman Gullatt called for Public Comments:

- *Let the record show none.*

Charman Gullatt for a Motion regarding Agenda 25- 50.

Motion to DENY by Board Member Cisneros and second by Chairman Gullatt on Agenda No. 25-50.

Motion was not carried unanimously.

Motion to table Agenda No. 25-50 until the next regular Public Hearing by Chairman Gullatt and second by Board Member Bateman.

Motion was carried unanimously.
Ayes- Gullatt, Bateman, Bergens and Cisneros.

7. ADJOURNMENT

Chairman called for a motion to reschedule the July 3, 2025 regular Public Hearing to July 10, 2025.

Motion was carried unanimously.
Ayes- Gullatt, Bateman, Bergens and Cisneros.

With no further business, the meeting adjourned at 6:27 p.m.

X

Gullatt Cody, Chairman
Planning and Zoning Board

DRAFT

AGENDA ITEM NO. 8.A

Hardee County
FLORIDA

Item Cover Page

PLANNING AND ZONING BOARD AGENDA ITEM REPORT

DATE: July 10, 2025

SUBMITTED BY: Jorden Eisenstein, Community Development Department

ITEM TYPE: Appointment

AGENDA SECTION: **APPOINTMENTS**

SUBJECT: **Agenda Item No. 25-37,** Johnson-Hardee Holdings, LLC, as property owner(s), is requesting approval of a Site Development Plan to construct a Natural Gas facility and an Anerobic Digestor on a total of 160.2 +/- acres in the A-1 zoning district, Agricultural Future Lande Use category.

SUGGESTED ACTION:

RECOMMENDED ACTION: Staff Recommends APPROVAL.

ATTACHMENTS:
Staff report.pdf
Project Narrative.pdf
SDP.pdf

HARDEE COUNTY
PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT

Agenda No: ***SDP 25-37***

Request: Applicant-initiated request for a Site Development Plan to develop an anaerobic digestor to recycle and process food waste into methane gas160.21 +/- acres of land in the A-1 (Agriculture) zoning district.

Applicant/ Property Owner: Johnson-Hardee Holdings, LLC
P.O. Box 277
Wauchula, FL 33873

Authorized Representative: Andrew Wishman
Kimley-Horn
109 S. Kentucky Avenue
Lakeland, FL 33801

Location: North and South side of Locklar Road at bend in road.

Parcel Identification No.: 09-33-26-0000-03750-0000

Site Size: 160.21 +/- acres

Existing Land Use: Agriculture
Existing Zoning: Agriculture (A-1)

Surrounding Zoning: All surrounding properties are zoned A-1

Surrounding Land Use: All surrounding properties have an Agriculture Future Land Use designation.

Summary of Analysis:

The request is to develop an anaerobic digester on the portion of the property located on the north side of Locklar Road. The development will consist of 2 digesters, warehouse and office space. Food waste will be delivered to the site, and initially processed to remove any packaging or inorganic material. Microbial activity in the digesters will break down the material and produce methane gas, which will then be piped to a nearby natural gas transmission pipeline. The digesters will operate 24 hours a day, and there will be remote monitoring of functions, with deliveries and onsite management between the hours of 6 a.m. and 6 p.m.

Staff Analysis

Minimum site development requirements include as follows:

Site Development Requirement	Minimum Required	Provided
Off-Street Parking	9 spaces + 1 HC spaces	20 spaces + 1 HC spaces
Parking Stall Size	10 ft x 20 ft	10 ft x 20 ft
Lot Size	5 acres	160.21 +/-acres
Setbacks	F-50'/S-25/R-50'	F-76'/S-292'/R-433'
Signage (Free Standing)	200 sf	n/a
Landscaping/Buffering	Per Section 3.15.00	Foundational Plantings

The property will be serviced by private well and septic. Solid waste service will be provided by a licensed franchise hauler and processed by Hardee County.

Planning and Development and staff members of the Development Review Committee have reviewed the application, and have made the following findings of fact.

Findings of Fact:

- *The site of the request is located in the Agriculture (A-1) zoning district.*
- *The submitted application is for Parcel ID No.* 09-33-26-0000-03750-0000;
- *The site is located on the north side of Locklar Road (Local Road).*
- *Current (2016) traffic volumes are 123 AADT on Locklar Road.*
- *The site will be serviced by private well and septic.*
- *Best available information identifies an isolated flood zone and wetlands area on the site, comprised of a small pond.*
- *This SDP application was reviewed by the Hardee County Development Review Committee (DRC) and a meeting with the applicant's representative was conducted on April 2, 2025.*

Consistency with the Hardee County Comprehensive Plan

Staff finds the use and proposed development consistent with Policy L1.13, and the intent and purposes of the Hardee County Comprehensive Plan.

Consistency with the Hardee County Unified Land Development Code

Fire

The Fire Prevention Officer has reviewed the plans and does not have any questions or concerns.

Roads and Bridges

Access to the subject property will be to Locklar Road. The applicant is already in communication with the Hardee County Roads and Bridges Department to initiate the process for right-of-way permits for the required driveways off of Locklar Road, and enhancements to the existing bridge to be able to accommodate heavier industrial traffic.

Staff has reviewed the proposed use with regard to traffic generation utilizing the ITE Trip Generation Manual, and has determined that the proposed use will generate fewer than 150 trips per day (80 trips per day). Therefore, a Minor Traffic Impact Study was not required.

Planning

Use: The applicant has already been approved for a Special Exception to authorize the development of the property as an anaerobic digester facility.

Setbacks: Section 2.29.02(c) of the Hardee County ULDC requires front yard setbacks of 50', side yard setbacks of 25', and rear yard setbacks of 50'. The applicant has provided plans indicating all existing and proposed structures will meet the required setbacks.

Landscaping/Buffering: The applicant has developed plans indicating the provision of the required plantings around the proposed office and warehouse structures in accordance with discussions with the DRC.

Signage: No signage is being proposed.

Parking: The applicant is providing a total of twenty (21) parking spaces (12 regular parking spaces, and 1 handicap accessible parking spaces) for the office and warehouse associated with the proposed use. The parking provisions will exceed 1 space per employee and 1 accessible parking space.

Utilities/Health

The Hardee County Department of Health will require permits for any new or modified wellwater or private septic system.

Conclusion:

Pursuant to the review and analysis of the above-cited standards, Staff finds that the granting of approval of a Site Development Plan for the proposed use to be consistent with the purpose and intent of the Hardee County Unified Land Development Code and the Hardee County Comprehensive Plan.

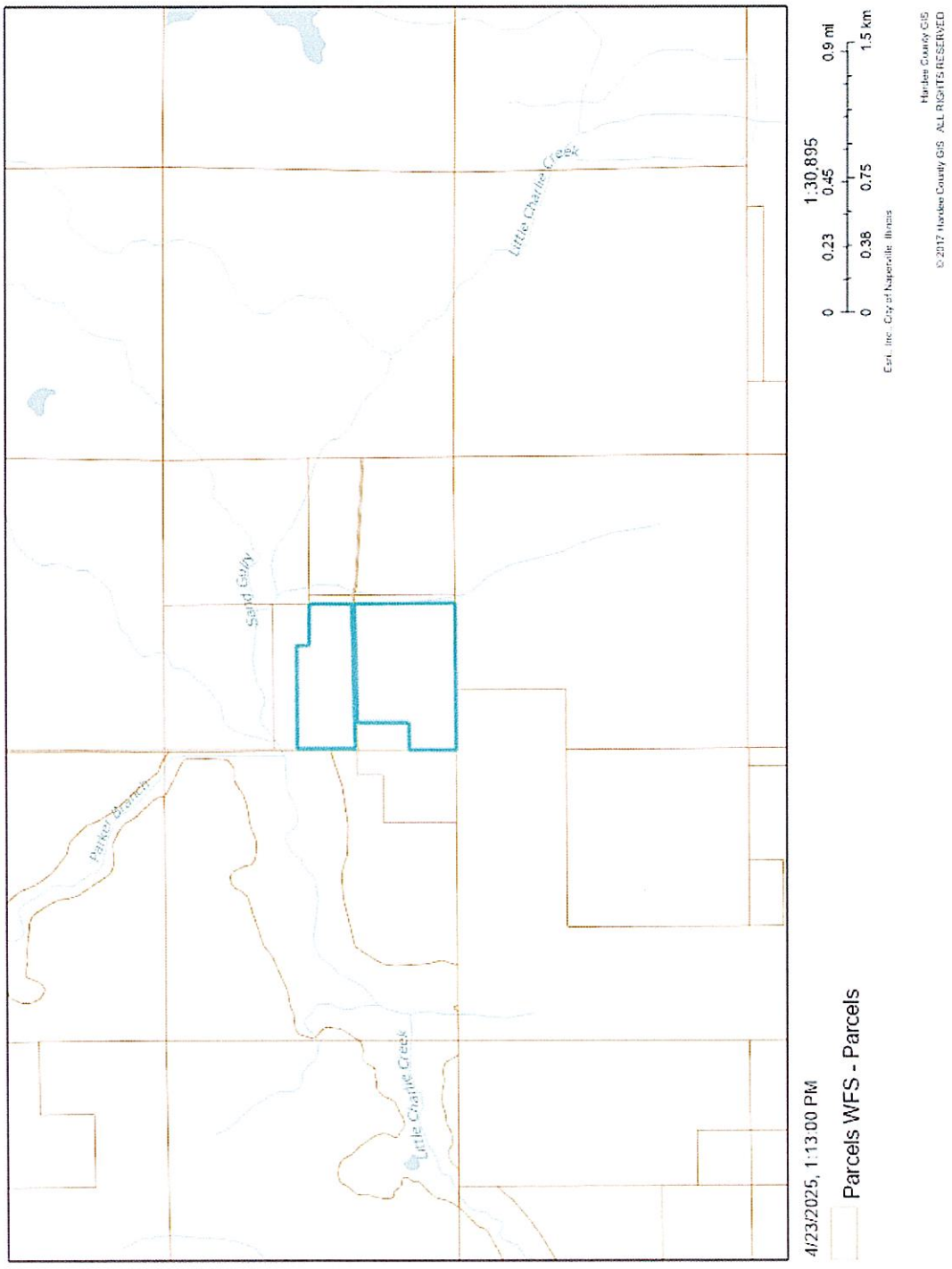
Staff recommends **APPROVAL** to the Planning/Zoning Board of a Site Development Plan for Applicant-initiated request for a Site Development Plan to develop an anaerobic digester facility

on 160.21 +/- acres of land in the A-1 (Agriculture) zoning district, subject to the following condition of approval.

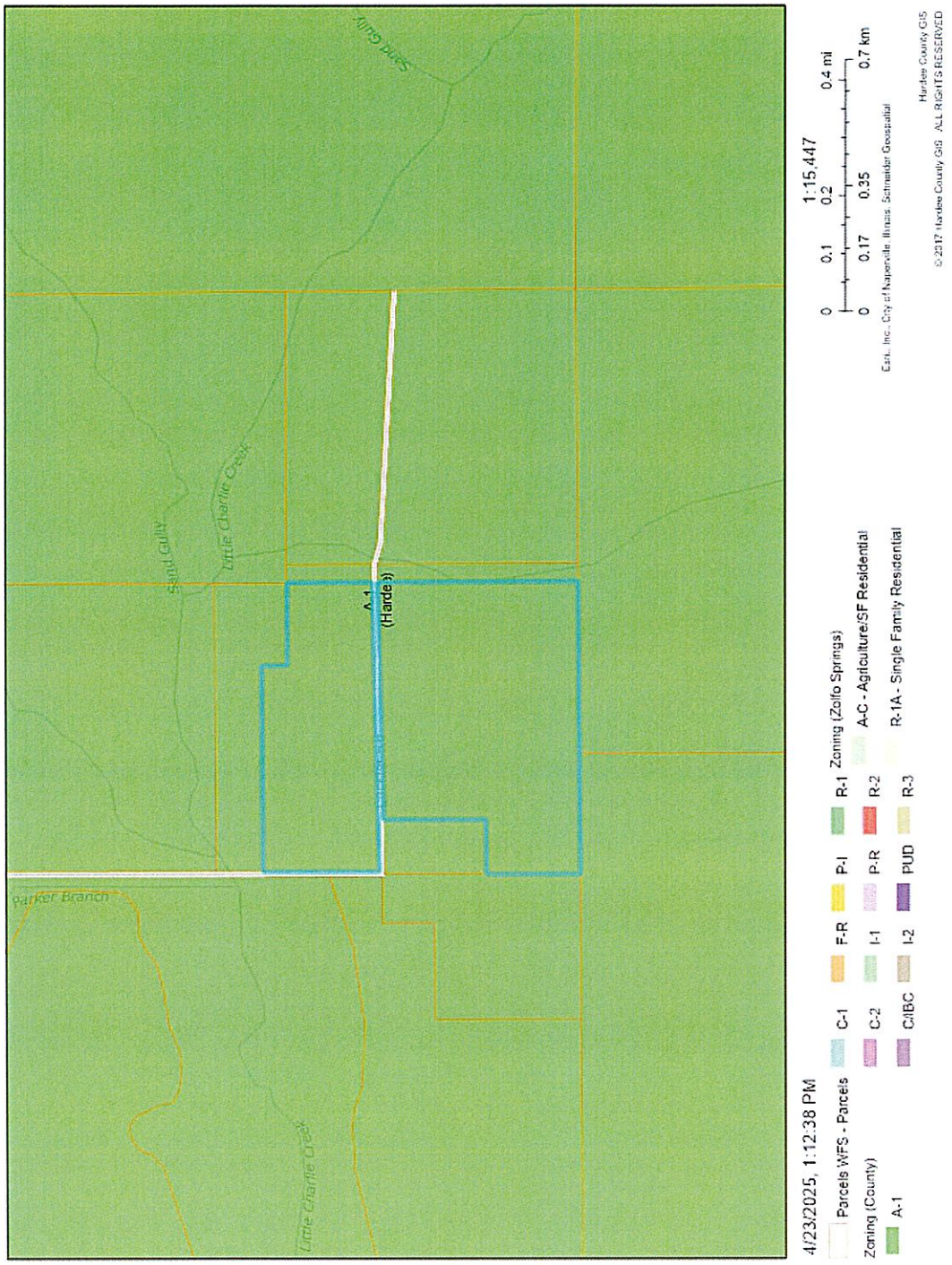
1. The Site Development Plan approval shall expire 12 months from the date of approval. The Property Owner shall be required to coordinate with all relevant agencies and departments (including the Hardee County Health Department and the Hardee County Building Department) to obtain all required permits.

Attachments: Location Map
Zoning Map
FLU Map

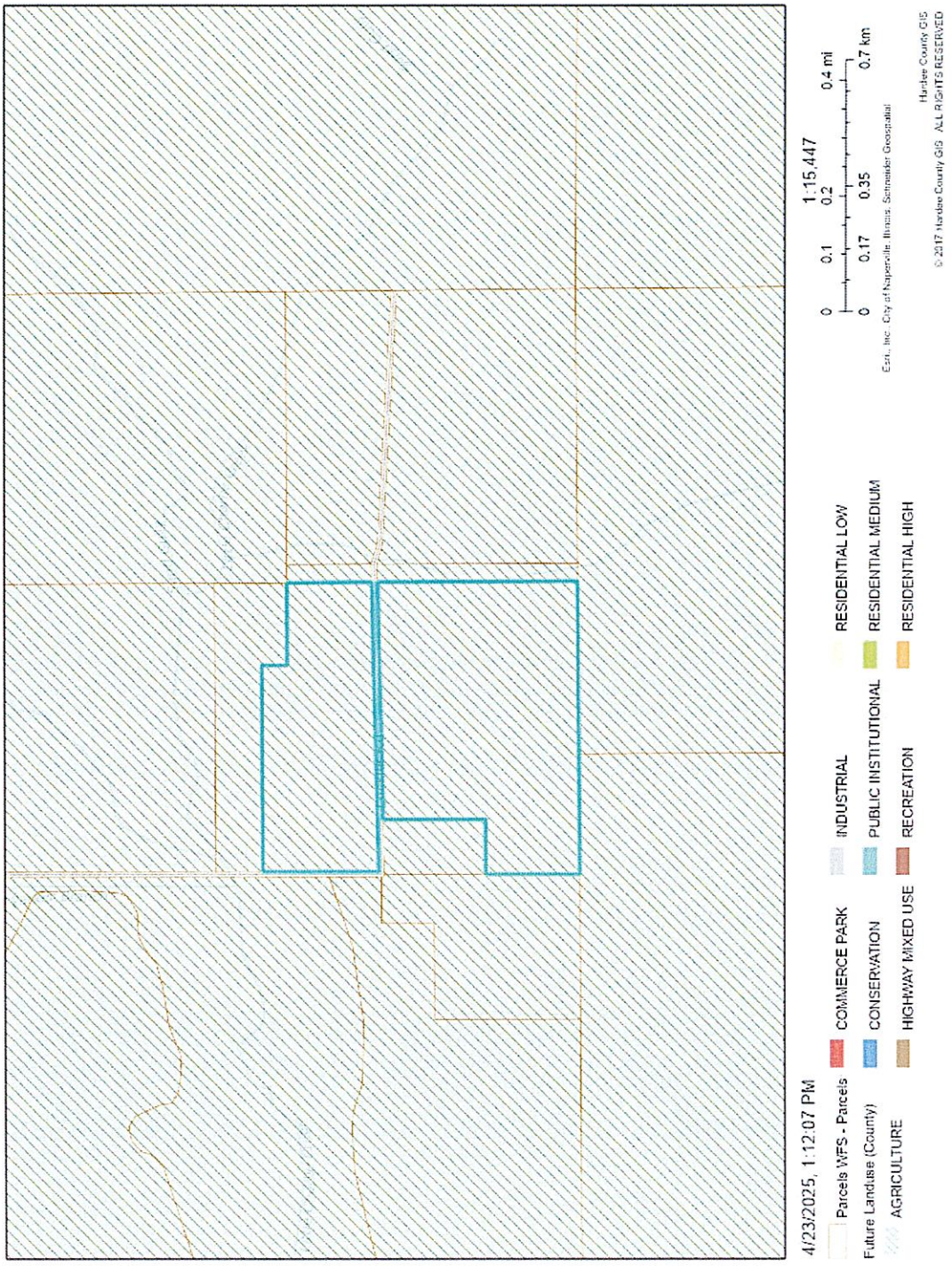
Wauchula AD 1 Location



Wauchula AD 1 Zoning



Wauchula AD 1 FLU



SITE DEVELOPMENT PLAN

PROJECT NARRATIVE

The proposed Site Development Plan is for an anerobic digester. The digester will recycle food waste and process into methane gas and a digestate which will be land applied to agriculture crops as a nutrient additive. Food waste will be brought in by truck from the surrounding region and processed to remove any packaging. The raw food material will be broken down by microbial activity to produce methane, natural gas, which will be piped to the nearby natural gas transmission pipeline. The digestate has nutrient value for crops and will be land applied, largely on the immediately surrounding agricultural operations.

The site is located in a sparsely populated area of the county surrounded by agricultural and mining activity. While the use is industrial in nature, impacts on surrounding uses will be minimal. The operation requires very few employees and traffic impacts will be de minimis. Any odor or dust impacts will be contained within the site. All setbacks and buffering requirements will be met pursuant to the ULDC as depicted on the submitted stie plan.

The project will comply in all respects to the requirement set forth in the ULDC as approved by the Special Exception which has been submitted and reviewed concurrently with the Site Development Plan. No waivers or variances have been sought in connection with the Site Development Plan.

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

Plotted By: Maldonado, Ken Sheet Set: Kha Layout: C-020 AERIAL LOCATION PLAN February 20, 2025 10:37:40am K:\LAK_Civil\046681001 - Johnson Farm Site Civil Design\CAD\PlanSheets\C-020-AERIAL LOCATION.dwg

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Always call 811 two full business days before you dig to have underground utilities located and marked.

RECEIVED
FEB 21 2025
BY: je

LEGEND
PARENT PARCEL (05-33-24-000-031-24000)
PROJECT LIMITS

GRAPHIC SCALE IN FEET
0 400 800 1600

NORTH

SHEET NUMBER C-020	WAUCHULA RENEWABLE NATURAL GAS (WRNG) FACILITY PREPARED FOR WAUCHULA AD 1, LLC HARDEE COUNTY FLORIDA	AERIAL LOCATION PLAN	KHA PROJECT 046681001 DATE FEBRUARY 2025 SCALE AS SHOWN DESIGNED BY DMW DRAWN BY KM CHECKED BY RBC

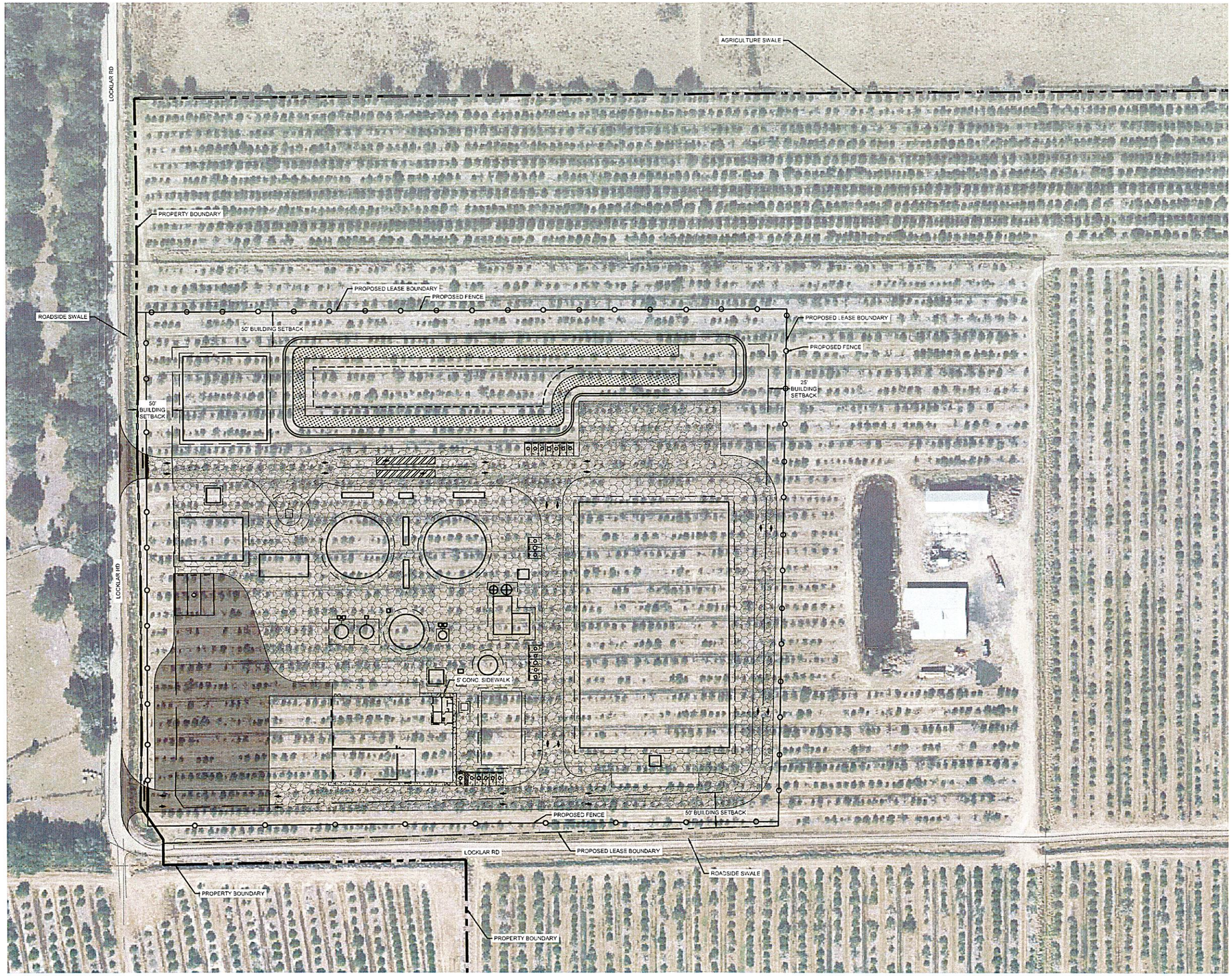
LICENSED PROFESSIONAL
ANDREW M. WISHMAN, P.E.
FLORIDA LICENSE NUMBER 91989
DATE:

Kimley»Horn
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109 SOUTH KENTUCKY AVENUE, LAKELAND FL, 33801
PHONE: 863-701-8702
WWW.KIMLEY-HORN.COM REG NO.: 35106

No.	REVISIONS	DATE	BY

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Plotted By: Wishman, Drew Sheet Set: Kho Layout: C-025 AERIAL SITE PLAN February 20, 2025 04:42:57pm K:\LAK_Civil\046681001 – Johnson Farm Site Civil Design\CAD\PlanSheets\C-025-AERIAL SITE PLAN.dwg
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NORTH

GRAPHIC SCALE IN FEET
0 35 70 140

LEGEND
PARENT PARCEL [19-32-24-0000-03750-0000]
PROJECT LIMITS

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No.	REVISIONS	DATE	BY

Kimley»Horn

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ANDREW M. WISHMAN, P.E.
FLORIDA LICENSE NUMBER
91989
DATE:

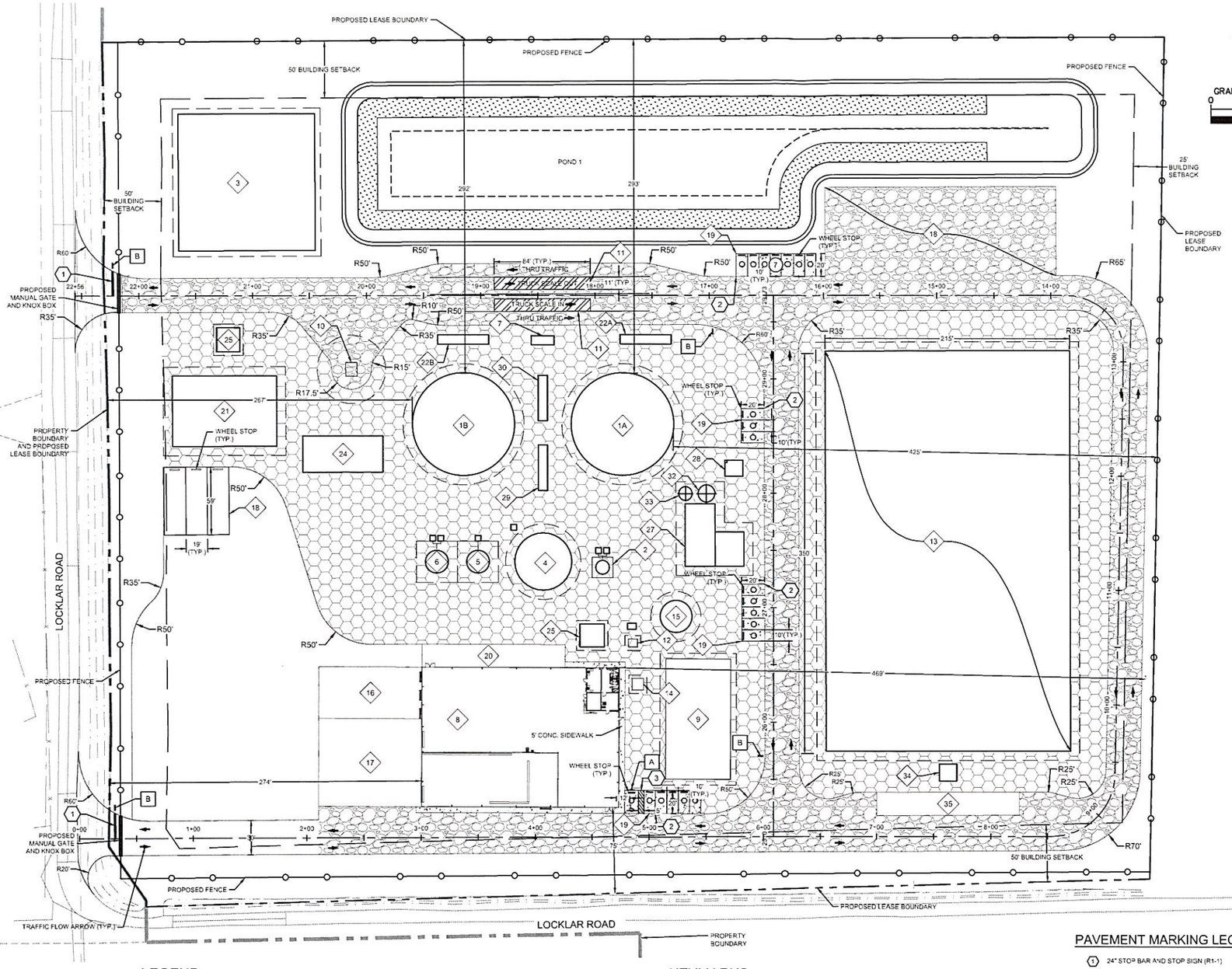
KHA PROJECT	046681001
DATE	FEBRUARY 2025
SCALE	AS SHOWN
DESIGNED BY	DMW
DRAWN BY	KM
CHECKED BY	RBC

WAUCHULA RENEWABLE NATURAL GAS (WRNG) FACILITY
PREPARED FOR
WAUCHULA AD 1, LLC
HARDEE COUNTY FLORIDA

AERIAL SITE PLAN

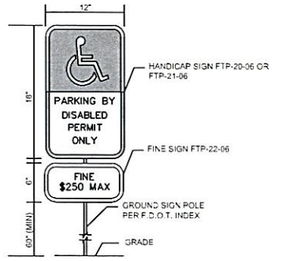
SHEET NUMBER
C-025

7.2 x 9 ?



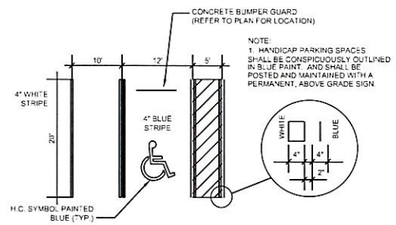
NORTH

GRAPHIC SCALE IN FEET
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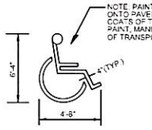
NOTES:
1. ALL LETTERS ARE 1" SERIES "C" PER MUTCD OR AS SPECIFIED IN FDOT INDEX 17355.
2. TOP PORTION OF SIGN SHALL HAVE REFLECTORIZED (ENGINEERING GRADE) BLUE BACKGROUND WITH WHITE REFLECTORIZED LEGEND AND BORDER.
3. BOTTOM PORTION OF SIGN SHALL HAVE A REFLECTORIZED (ENGINEERING GRADE) WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER.
4. FINE NOTIFICATION SIGN SHALL HAVE A REFLECTORIZED (ENGINEERING GRADE) WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER.
5. ONE (1) SIGN REQUIRED FOR EACH PARKING SPACE.
6. INSTALLATION HEIGHT OF SIGN SHALL BE IN ACCORDANCE WITH F.S. 553.5041 (6).
7. PARKING SPACE IDENTIFICATION SIGN SHALL BE IN COMPLIANCE WITH THE 2014 FLORIDA BUILDING CODE ACCESSIBILITY SECTION 502.6.1.
8. INSTALLATION OPTION - SIGN MAY BE WALL MOUNTED.

HANDICAP SIGN
N.T.S.



NOTE:
1. HANDICAP PARKING SPACES SHALL BE CONSPICUOUSLY OUTLINED IN BLUE PAINT, AND SHALL BE POSTED AND MAINTAINED WITH A PERMANENT, ABOVE GRADE SIGN

TYPICAL STANDARD/HANDICAPPED STRIPING
N.T.S.



TYPICAL SYMBOL FOR HANDICAPPED PARKING
N.T.S.

1. TOP PORTION OF FTP 25 & 26 SHALL HAVE A REFLECTIVE SYMBOL AND BORDER.
2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER.
3. FTP 25 & 26 MAY BE FABRICATED ON ONE PANEL OR TWO.
4. FTP 25 MAY BE SUBSTITUTED FOR THE FTP 26 IN AREAS WHERE SPACE IS LIMITED.
5. SIGNS ARE TO BE MOUNTED AT STANDARD HEIGHT. (7' FROM PAVEMENT TO BOTTOM OF SIGN).

SITE DATA

PARCEL ID:	09-33-26-0000-03750-0000
SITE ADDRESS:	0 LOCKLAR RD BOWLING GREEN, FL 33834
PROPERTY ACREAGE:	160.2 AC
PROJECT AREA:	15.6 AC
ZONING DISTRICT:	A-1 (AGRICULTURE)
FUTURE LAND USE:	AGRICULTURE
AGRICULTURAL CLASSIFICATION:	YES
EXISTING PROPERTY USAGE:	TREE CROPS (FLUCCS CODE: 220)
PROPOSED PROPERTY USAGE:	INDUSTRIAL (FLUCCS CODE: 150)
EXISTING BUILDING SF:	N/A
PROPOSED NEW BUILDING SF:	2*,000 SF
PROPOSED EQUIPMENT STRUCTURES:	1 PRODUCTION PLANT
EXISTING BUILDING HEIGHT:	N/A
PROPOSED BUILDING HEIGHT:*	MAXIMUM HEIGHT 55'
PROPOSED OPERATING HOURS:	ANTICIPATED HOURS OF OPERATION: 24/7
INGRESS / EGRESS:	*TRUCK TRAFFIC WILL UTILIZE THE PROPOSED ACCESS CONNECTIONS TO LOCKLAR ROAD
BUILDING SETBACKS:*	50' FRONT, 50' REAR, 25' SIDES
*TOTAL PROPOSED COND. BUILDINGS:	21,000 SF
FLOOR AREA RATIO:	FAR = 0.48 AC / 15.28 AC = 3.15%
TOTAL IMPERVIOUS	483,843 SF
IMPERVIOUS RATIO:	483,843 SF / 665,557 SF = 0.727 = 72.7%
AREA IN STORMWATER MANAGEMENT:	15.6 AC

*BUILDING HEIGHT AND SETBACKS DETERMINED BASED ON HARDEE COUNTY LDC SEC. 2.13.00

<1> & <19> ANAEROBIC DIGESTERS EXCEEDS REQUIRED BUILDING HEIGHT BY 25' (REFER TO STRUCTURE SETBACK DIMENSION THIS SHEET)

<9> ORGANICS RECEIVING AREA EXCEEDS REQUIRED BUILDING HEIGHT BY 5' (REFER TO STRUCTURE SETBACK DIMENSION THIS SHEET)

LEGEND

- PROPERTY BOUNDARY
- PROPOSED LEASE BOUNDARY
- PROJECT LIMITS
- SETBACK
- PROPOSED HEAVY DUTY ASPHALT
- PROPOSED GRAVEL ROAD
- PROPOSED GRAVEL

KEYMARKS

1A DIGESTER-1
1B DIGESTER-2
2 FERRIC DOSING TANK
3 M&R STATION
4 HYDROLYSIS TANK 2
5 HYDROLYSIS TANK 3
6 PROCESS WATER TANK
7 BOILER CONTAINER
8 ORGANICS RECEIVING AREA
9 ODOR CONTROL SYSTEM
10 FLARE
11 TRUCK SCALE
12 GENERATOR
13 DIGESTATE STORAGE TANK
14 SEPTIC HOLDING TANK
15 FIRE WATER TANK
16 LOADING RAMP (DOWN)
17 LOADING RAMP (UP)
18 TRUCK PARKING
19 CAR PARKING
20 LIQUID OFFLOADING AREA
21 BIOGAS UPGRADER
22A HEAT EXCHANGERS-1
22B HEAT EXCHANGERS-2
23 NOT USED
24 CO2 RECOVERY AREA
25A TRANSFORMER-1
25B TRANSFORMER-2
27 SOLID SEPARATOR BUILDING
28 MANURE PIT
29 CONTAINER-1
30 CONTAINER-2
31 NOT USED
32 PRESSATE HOLDING TANK
33 CLARIFIED MANURE TANK
34 LOADOUT STATION
35 DIGESTATE OFFLOADING AREA
36 NOT USED

PAVEMENT MARKING LEGEND

1. 24" STOP BAR AND STOP SIGN (R1-1)
2. 6" WIDE SOLID WHITE LINE
3. 6" WIDE SOLID DIAGONAL YELLOW STRIPING

SIGNAGE LEGEND

A HANDICAP PARKING SIGN (REFER TO SHEET C-100)
B "STOP" SIGN & POST (R1-1, W/R, 30"X30")

PARKING LEGEND

(#) AUTO PARKING COUNT

VERTICAL DATUM:
ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988, NGVD 29 = 88 +0.99'

FLOOD ZONE:
PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN FLOOD ZONE "X" AS PER F.I.R.M. MAP #12049C0205D, DATED 11/6/2013.

FOR PERMITTING PURPOSES ONLY

Always call 811 two full business days before you dig to have underground utilities located and marked.
Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn
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109 SOUTH KENTUCKY AVENUE, LAKELAND FL, 33801
PHONE: 863-701-8702
WWW.KIMLEY-HORN.COM REG NO.: 35106

LICENSED PROFESSIONAL
ANDREW M. WISHMAN, P.E.
FLORIDA LICENSE NUMBER
91989
DATE:

KHA PROJECT	046681001
DATE	FEBRUARY 2025
SCALE	AS SHOWN
DESIGNED BY	DMW
DRAWN BY	KM
CHECKED BY	RBC

SITE DEVELOPMENT PLAN

WAUCHULA RENEWABLE NATURAL GAS (WRNG) FACILITY
PREPARED FOR
WAUCHULA AD 1, LLC
HARDEE COUNTY FLORIDA

SHEET NUMBER
C-100

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.
Plotted By: Wishmon, Drew Sheet Set: Wha Layout: C-100 SITE DEVELOPMENT PLAN February 20, 2025 04:45:57pm K:\LAK_Civil\046681001 – Johnson Form Site Civil Design\CAD\PlanSheets\C-100-SITE.dwg
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AGENDA ITEM NO. 8.B

Hardee County
FLORIDA

Item Cover Page

PLANNING AND ZONING BOARD AGENDA ITEM REPORT

DATE: July 10, 2025

SUBMITTED BY: Jorden Eisenstein, Planning and Zoning Board Depart.

ITEM TYPE: Appointment

AGENDA SECTION: **APPOINTMENTS**

SUBJECT: **Agenda Item No. 25-55,** Grove at Theater Road LLC, as property owner(s), are requesting approval of a Site Development Plan to construct a forty-eight (48) unit 4.19 +/- acre apartment building project on a 12.8 +/- acre parcel located in the R-3 zoning district, Highway Mixed Use Future Land Use category.

SUGGESTED ACTION:

RECOMMENDED ACTION: Staff recommends APPROVAL.

ATTACHMENTS:

Staff report (draft).docx
Theater Road Site Development Plan - Signed 5-15-25.pdf
Theater Road_Boundary Survey_9.11.2023.pdf

Hardee County FLORIDA

Community Development Department

110 S. 9th Avenue, Wauchula, FL 33873: (863) 767-1964

Request for Site Development Plan

Agenda No:	**25-55**
Request:	Site Development Plan to develop a 48-unit apartment project on 12.8 +/- acre parcel located on the northwest corner of the intersection of Theater Road and SR-62 in unincorporated Hardee County.
Applicant/ Property Owner:	Grove at Theater Road, LLC 12629 New Brittany Blvd, Bldg 16 Ft. Myers, FL 33907
Authorized Representative:	Bryan Hunter President of Hunter Engineering, Inc. 4900 Dundee Rd Winter Haven, FL 33884
Location:	Northwest corner of the intersection of Theater Road and SR-62, Hardee County.
Parcel Identification:	20 33 25 0100 00001 000A
Site Size:	**12.8** +/-acres
Future Land Use:	R-3 (multifamily Residential)
Zoning:	HMX (Residential Mixed Use)
Surrounding Land Use/Zoning:	North: **F-R/HMX** South: **I-2/HMX** and **R-3/HMX** East: **F-R/HMX** and **C-2/HMX** West: **F-R/HMX** and **F-R/RMX**
Staff Recommendation:	Staff recommends **APPROVAL** of Application 25-55 for a Site Development Plan to develop a 48-unit apartment project on 12.8 +/- acre parcel located on the northwest corner of the intersection of Theater Road and SR-62 in unincorporated Hardee County.

Procedure

Any use involving new construction must obtain Site Development Plan approval. Therefore, the applicant has applied for this Site Development Plan for development of two (2) 24-unit apartment buildings and supporting structures.

Request & Property History

The subject properties are owned by Grove at Theater Road, LLC and are currently vacant cropland.

DRC Review

On June 3, 2025 the Hardee County Development Review Committee (DRC) met to consider the proposed Site Development Plan. At the DRC meeting, several questions and issues were provided to the representative. The representative has sufficiently answered all questions regarding the project.

Staff Analysis

Minimum site development requirements include as follows:

Site Development Requirement	Minimum Required	Provided
Off-Street Parking	82 spaces	88 spaces
Parking Stall Size	10' x 20'	10' x 20' and 12' X 40'
Lot Size	10,000 sf	4.19 +/- acres of site area
Setbacks	F-30'/S-25'/R-25'	F-980'/S-387'/R-492'
Signage (Free Standing)	150 sf maximum	Under separate Permit
Landscaping/Buffering	Per Section 5.13.05 of Hardee County ULDC	As Required

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Findings of Fact:

- *The site of the request is located in the Highway Mixed Use future land use category, and the Multi-family Residential (R-3) zoning district.*
- *The submitted application is for Parcel ID No. 20 33 25 0100 00001 000A*
- *The site is located on the northwest corner of the intersection of Theater Road (Public Road) and SR-62 (Minor Arterial).*
- *Current (2024) traffic volumes are 6000 AADT on SR 62.*
- *The site is located within a Hardee County utility service area.*
- *Best available information indicates there are no areas designated as a flood hazard area located on the referenced parcel.*
- *This SDP application was reviewed by the Hardee County Development Review Committee (DRC) and a meeting with the applicant's representative was conducted on June 3, 2025.*

Consistency with the Hardee County Comprehensive Plan

Staff finds the proposed use and development consistent with Policy L1.3, and the intent and purposes of the Hardee County Comprehensive Plan.

Consistency with the Hardee County Unified Land Development Code

Fire
The Fire Prevention Officer has reviewed the plans for compliance with the NFPA, and has provided comments to the applicant. Comments applicable at the Site Development Plan stage have been addressed. Other comments applicable to the construction phase will be addressed at the time of permitting.

Building
The buildings will require permitting by the Hardee County Building Department and compliance with the Florida Building Code, unless permitting and inspections are provided via state agencies and their consultants.

Roads and Bridges
Access to the subject property will be provided via a proposed paved drive path via Theater Road. The applicant's communications with the Road and Bridge department are ongoing and all applicable permits will be obtained before the beginning of the construction phase.

Planning

Use: The proposed use is permitted within the R-3 zoning district, per the procedural analysis above; and has been deemed to have minimal impact upon the surrounding uses and property.

Setbacks: The proposed apartment complex will meet all required building setbacks per Table 3.03.00(C) of the Hardee County ULDC, per the provided plans.

Landscaping/Buffering: The proposed use will provide interior, perimeter and buffer landscaping in accordance with Section 5.13.05 of the ULDC.

Signage: All proposed signage will be required to be permitted and must conform with the requirements of the ULDC.

Parking: The parking requirements are for 82 parking spaces, inclusive of accessible parking. The applicant has provided 88 parking spaces, and in excess-of the required accessible parking spaces. Therefore, staff finds the provision of parking sufficient to meet the needs of the use.

Utilities/Health

Will be provided water and wastewater services via Hardee County utilities.

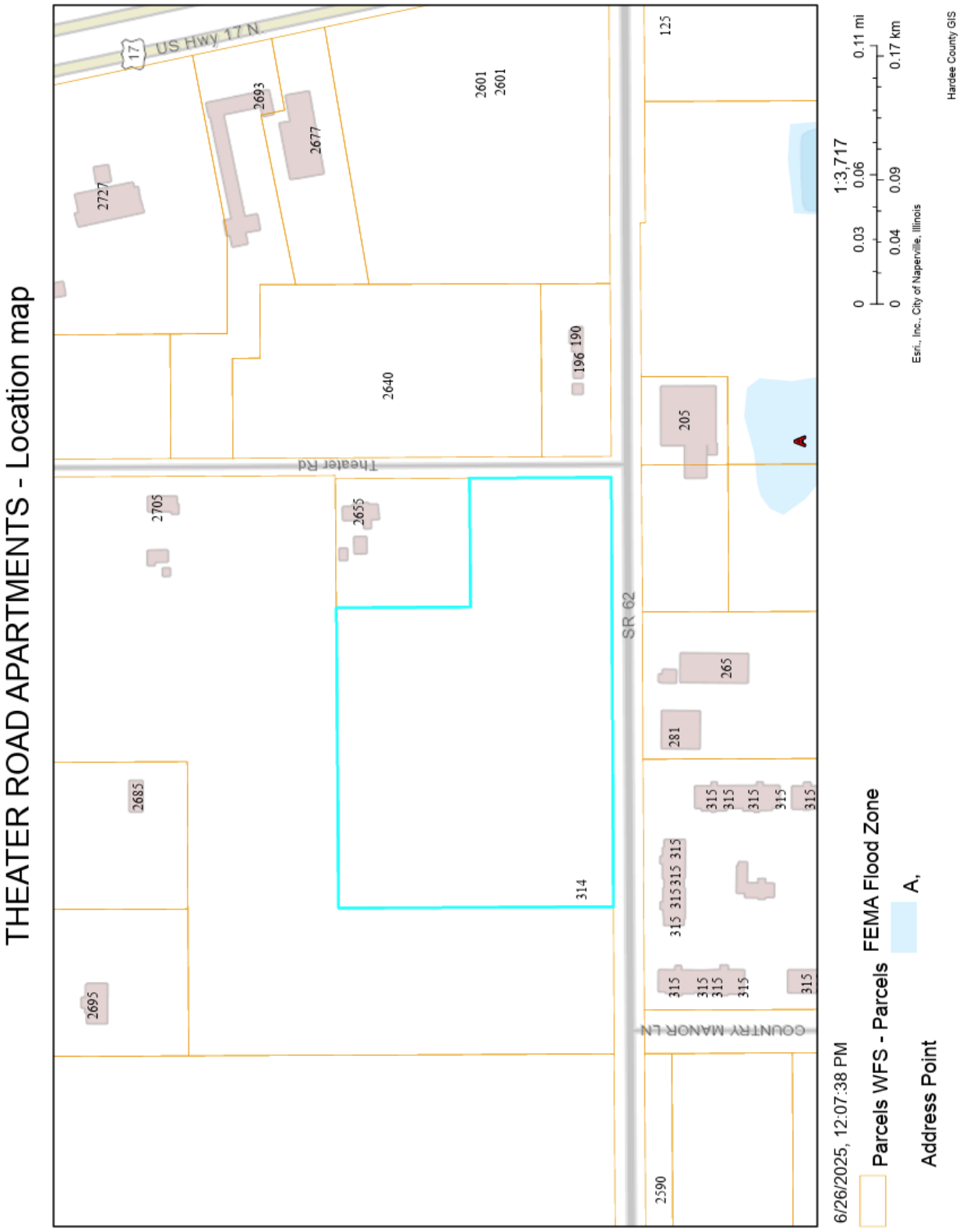
Conclusion:

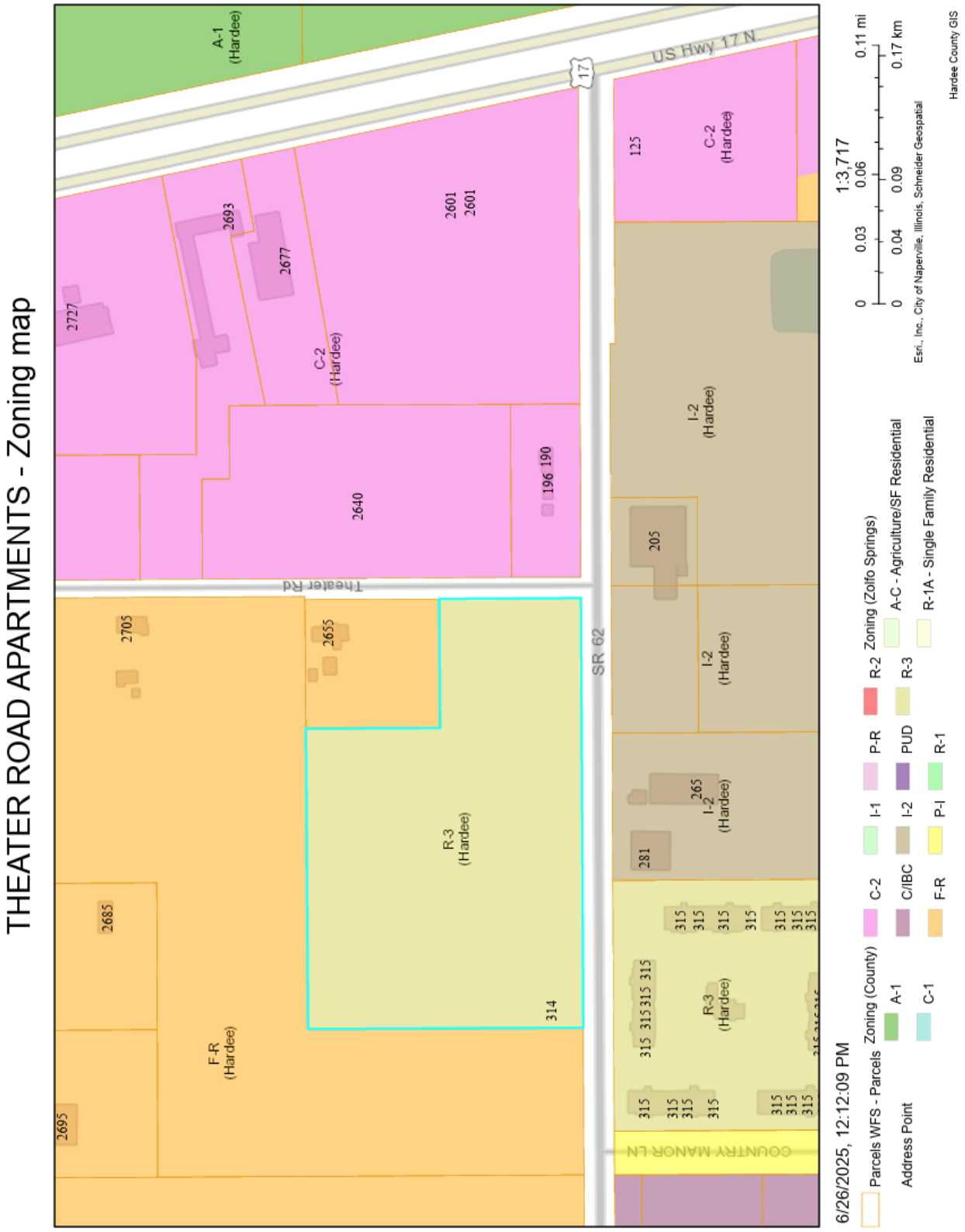
Pursuant to the review and analysis of the above-cited standards, staff finds that the granting of approval of a Site Development Plan for the proposed use to be consistent with the purpose and intent of the Hardee County Unified Land Development Code and the Hardee County Comprehensive Plan.

Recommendation:

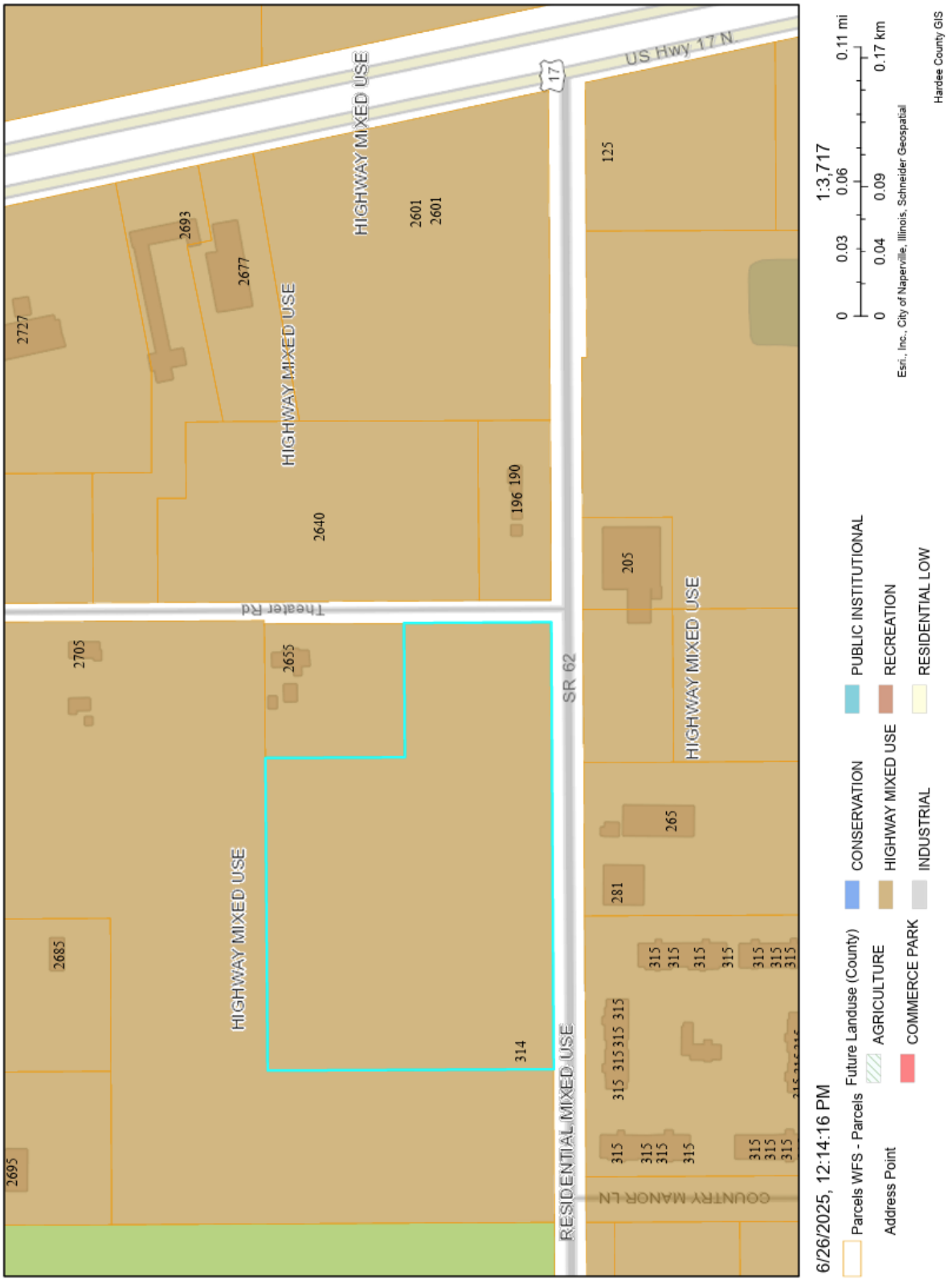
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Attachments: Location Map
Zoning Map
FLU Map
Aerial Map

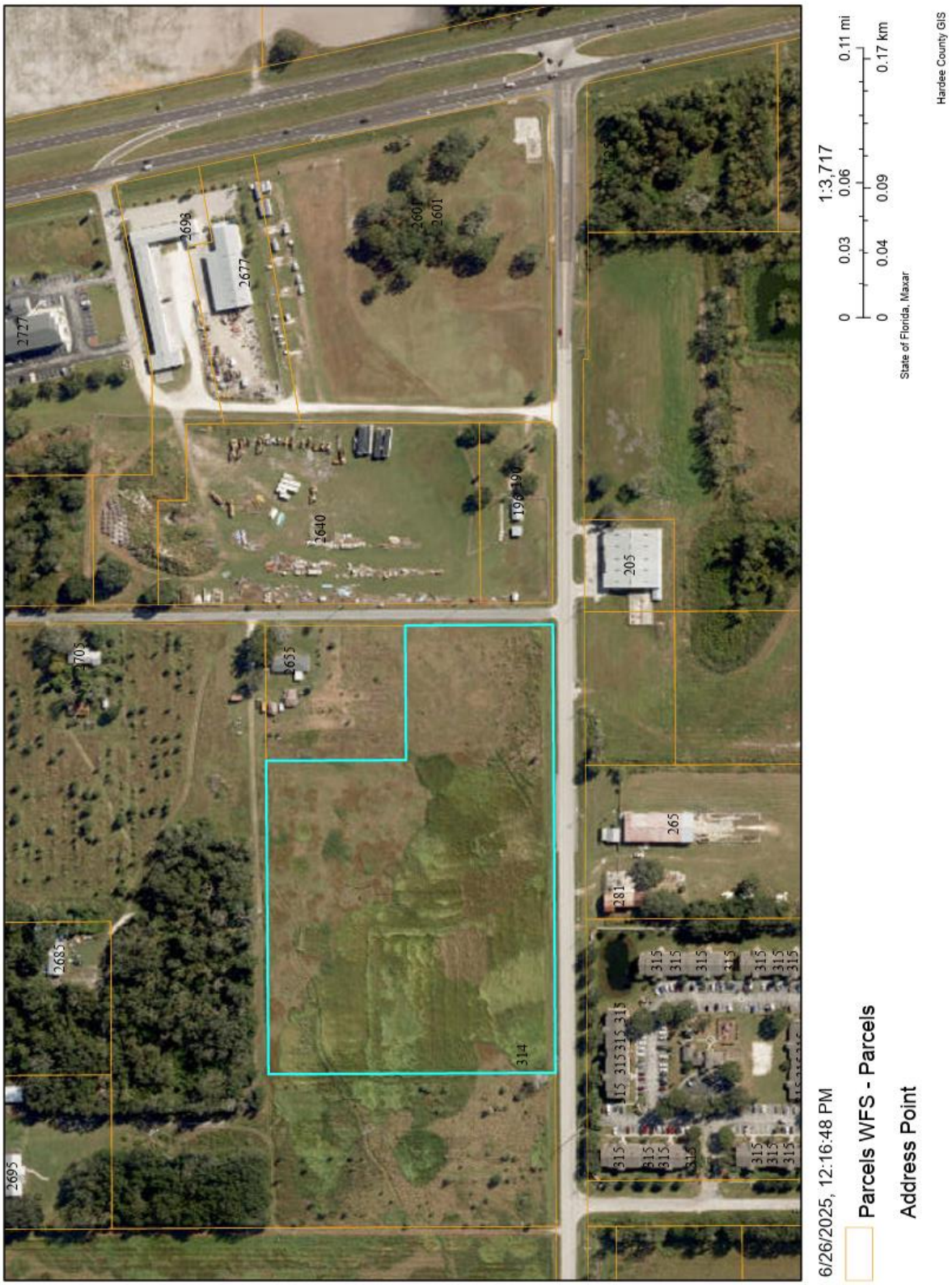

THEATER ROAD APARTMENTS - Location map
US Hwy 17 N
17
Theater Rd
SR 62
COUNTRY MANOR LN
2727
2693
2677
2601
2601
2640
196
190
2705
2655
2685
2695
314
205
A
265
281
315
315
315
315
315
315
315
315
315
315
315
315
315
2590
125
0
0.03
0.06
0.11 mi
0
0.04
0.09
0.17 km
1:3,717
Esri, Inc., City of Naperville, Illinois
Hardee County GIS
6/26/2025, 12:07:38 PM
Parcels WFS - Parcels
FEMA Flood Zone
A,
Address Point


THEATER ROAD APARTMENTS - Zoning map
A-1 (Hardee)
US Hwy 17 N.
17
2727
2693
2677
2601
2601
C-2 (Hardee)
2640
196 190
125
C-2 (Hardee)
I-2 (Hardee)
205
Theater Rd
SR 62
2705
2655
R-3 (Hardee)
I-2 (Hardee)
265
281
2685
F-R (Hardee)
314
R-3 (Hardee)
315
2695
COUNTRY MANOR LN
1:3,717
0 0.03 0.06 0.11 mi
0 0.04 0.09 0.17 km
Esri, Inc., City of Naperville, Illinois, Schneider Geospatial
Hardee County GIS
6/26/2025, 12:12:09 PM
Parcels WFS - Parcels
Address Point
Zoning (County)
A-1
C-1
C-2
C/IBC
F-R
I-1
I-2
P-I
P-R
PUD
R-1
R-2
R-3
Zoning (Zolfo Springs)
A-C - Agriculture/SF Residential
R-1A - Single Family Residential

THEATER ROAD APARTMENTS -FLU map

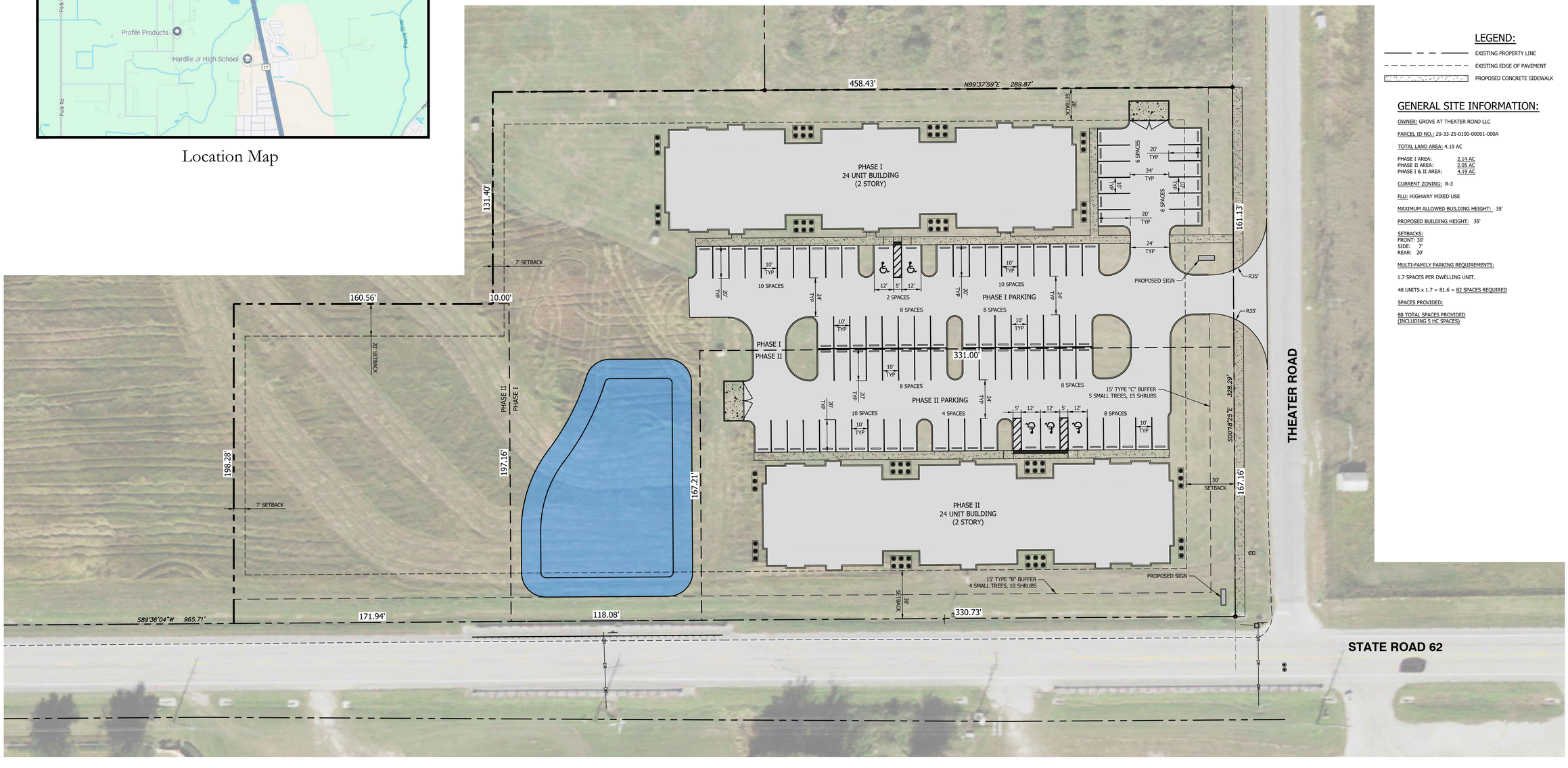


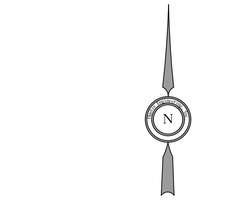
THEATER ROAD APARTMENTS -Aerial map





Location Map





SCALE: 1 inch = 30 ft.

LEGEND:

- EXISTING PROPERTY LINE
- EXISTING EDGE OF PAVEMENT
- PROPOSED CONCRETE SIDEWALK

GENERAL SITE INFORMATION:

OWNER: GROVE AT THEATER ROAD LLC

PARCEL ID NO.: 20-33-25-0100-00001-000A

TOTAL LAND AREA: 4.19 AC

PHASE I AREA: 2.14 AC
PHASE II AREA: 2.05 AC
PHASE I & II AREA: 4.19 AC

CURRENT ZONING: R-3

FLU: HIGHWAY MIXED USE

MAXIMUM ALLOWED BUILDING HEIGHT: 35'

PROPOSED BUILDING HEIGHT: 35'

SETBACKS:
FRONT: 30'
SIDE: 7'
REAR: 20'

MULTI-FAMILY PARKING REQUIREMENTS:

1.7 SPACES PER DWELLING UNIT.

48 UNITS x 1.7 = 81.6 = 82 SPACES REQUIRED

SPACES PROVIDED:

88 TOTAL SPACES PROVIDED
(INCLUDING 5 HC SPACES)

PRELIMINARY SITE DEVELOPMENT PLAN

HUNTER ENGINEERING
4900 Dundee Road
Winter Haven, FL 33884
bryanh@hunterengineeringinc.com
Telephone: 863-676-7770
Facsimile: 863-965-0181
C.A. #8394

Prepared For

GROVE AT THEATER ROAD LLC

Preliminary Site Development Plan
For
Theater Road Apartments
Polk County, Florida

Date: May 14, 2025

Project No.: XX-XXX

Not Valid Without Engineer's Seal

BRYAN A HUNTER LICENSED No. 53168 STATE OF FLORIDA PROFESSIONAL ENGINEER

This item has been digitally signed and sealed by Bryan A. Hunter using a digital signature on the date indicated. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

BRYAN A HUNTER 53168 Digitally signed by BRYAN A HUNTER Date: 2025.05.15 08:29:03 -04'00'

Bryan A. Hunter, P.E.
Reg. No.: 53168
C.A. #8394

Date

C1

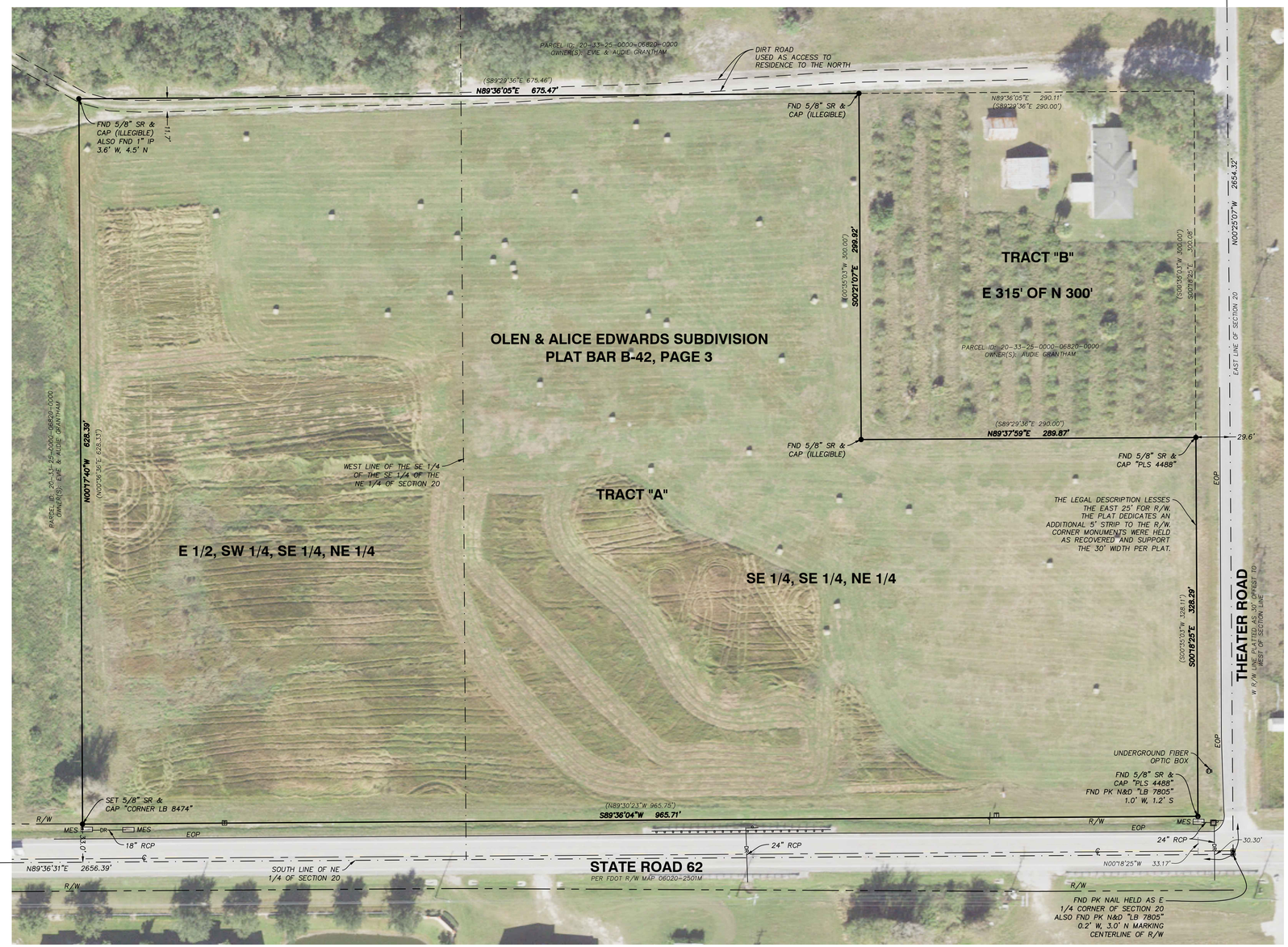
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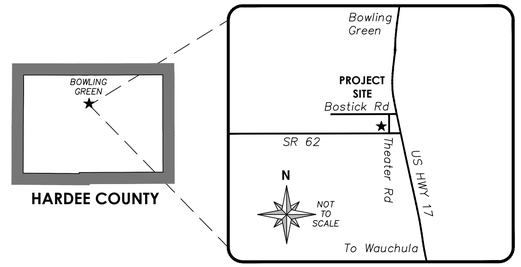
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GRAPHIC & INTENDED DISPLAY SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 feet.





LEGAL DESCRIPTION:

Tract "A" of Olsen & Alice Edwards Subdivision as per plat recorded in Plat Bar B-42, page 3, public records of Hardee County, Florida, more particularly described as follows:

The SE 1/4 of the SE 1/4 of the NE 1/4; the E 1/2 of the SW 1/4 of the SE 1/4 of the NE 1/4 of Section 20, Township 33 South, Range 25 East, lying north of the maintained right of way for State Road 63, LESS the East 315 feet of the the North 300 feet thereof, LESS the East 25 feet thereof for roadway, Hardee County, Florida.

SURVEYOR's NOTES:

1.) North and the bearings shown hereon are referenced to the West Zone of the Florida State Plane Coordinate System, North American Datum of 1983 (NAD 83) CORS 2011. The bearing of North 89°36'31" East along the south line of the Northeast 1/4 of Section 20 as shown hereon is held as a bearing reference.

2.) This survey was prepared without the benefit of a title search. Easement and/or encumbrances, if any, that may be made known by a title search are not shown hereon.

3.) The legal description shown hereon is taken from the Warranty Deed recorded in O.R.B. 696, page 438 of the public records of Hardee County, Florida.

The overall parcel as surveyed contains 11.93 acres.

4.) Underground improvements, encroachments, foundations and/or utilities were not located as a part of this survey. Above ground evidence of utilities (paint, pin flags, risers, signs, etc.), when observed, has been located as shown. No investigation was made as to how utilities may be connected below the surface.

5.) Property is located in Flood Zone "X – area determined to be outside of 0.2% annual chance floodplain" according to FEMA Flood Insurance Rate Map 12049C0177D, with an effective date of 11/6/13.

6.) When field measurements differ from plat or description courses, the plat or description dimensions are shown in parentheses ( ).

7.) Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

8.) The adjoining landowner information shown hereon is taken from the Hardee County Property Appraiser's records. Individual parcel owner information in the platted lands abutting the south boundary is not shown for clarity purposes.

9.) The imagery shown hereon was taken from the Florida Department of Transportation APlus web site and is based on photography taken in 2020. The image is shown for general reference only and may not reflect current ground conditions.

10.) A determination of jurisdictional wetlands, if any, within the subject property was not performed as a part of this survey.

11.) Due to ambiguities between the 06020-2501M right of way map for SR 62 and the corners found in the field, the platted right of way was held.

LEGEND:

FND	FOUND	MES	MITERED END SECTION
SR	STEEL ROD	EOP	EDGE OF PAVEMENT
IP	IRON PIPE	RCP	REINFORCED CONCRETE PIPE
N&D	NAIL & DISK		GUY ANCHOR
CCR	CERTIFIED CORNER RECORD		CATCH BASIN
ID.	IDENTIFYING #		FIBER OPTIC WARNING
R/W	RIGHT OF WAY		TELECOM RISER
LB	LICENSED BUSINESS		SIGN
PLS	PROFESSIONAL LAND SURVEYOR		GUARDRAIL
℄	CENTERLINE OF R/W	OR	UNDERGROUND DRAINAGE

JOHN M. CLYATT License Number 4092 STATE OF FLORIDA Professional Surveyor and Mapper

John M. Clyatt Digitally signed by John M. Clyatt

JOHN M. CLYATT, P.S.M.
FLORIDA REGISTRATION No. 4092
30 SOUTH, LLC.
FLORIDA REGISTRATION No. LB 8474

08/21/2023
SURVEY FIELD DATE

No.	DATE	APPROVED	REVISION
F.I.	8/28/23	JMC	FIRST ISSUE

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL RAISED SEAL OR THE ELECTRONIC SIGNATURE AND COMPUTER GENERATED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

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PHONE: (863) 533-1353
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30 SOUTH Surveying & Mapping

HORIZ. SCALE:	1" = 50'		
CONTOUR INTERVAL:	N/A		
FIELD BOOK(S):	000		
PAGE(S):	000	CHECKED BY:	EMP
		DRAWN BY:	NOP

DRAWING NAME: 217-BNDY.DWG

BOUNDARY SURVEY

LOCATED IN SECTION 20, TOWNSHIP 33 SOUTH, RANGE 25 EAST HARDEE COUNTY, FLORIDA
PREPARED FOR: JOHN RAYMOND

PROJECT No.	217
DRAWING No.	356

No. 1 OF 1

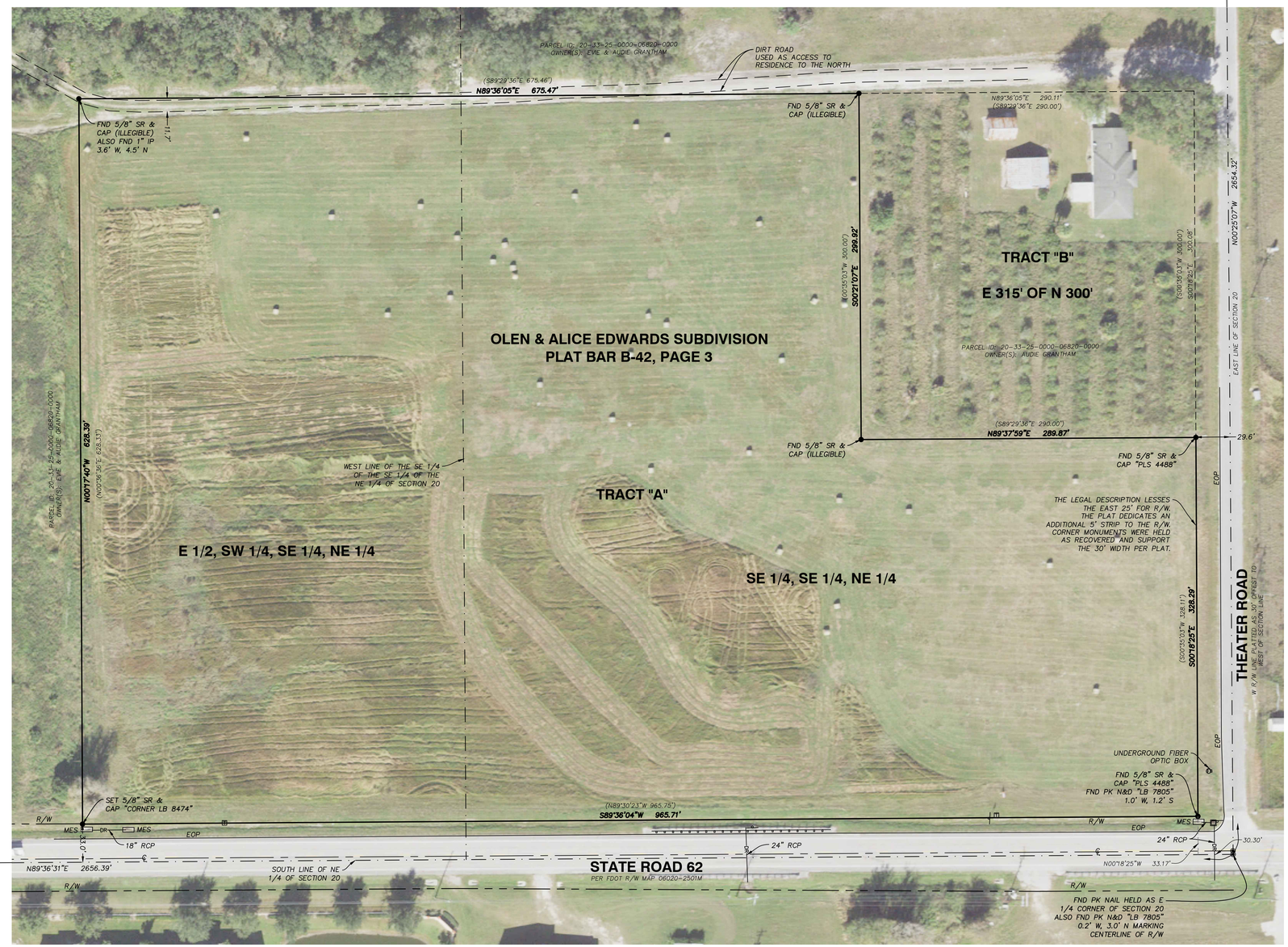
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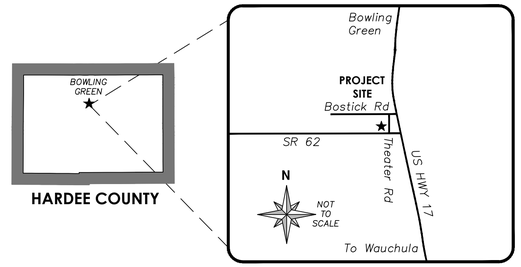
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