

**Planning Board / Board of Adjustments and Appeals**

**Regular Meeting**

**September 26, 2017**

**Minutes**

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, September 26, 2017 at 6:00 p.m. in the Okeechobee County Health Department Auditorium, 1728 NW 9th Avenue, Okeechobee, Florida.

Board members present were Joey Hoover, Ted Kelchner, and Ron Zobel. Alternate Weston Harvey was present and designated as a voting member. Board members Mitchell Hancock, Debra Sales and Rob Willson were absent. Also in attendance County Attorney John Cassels, Planning Director Bill Royce, Planner Jennifer Busbin, Planner Ty Hancock and Planning Technician Faye Huffman.

Chairman Ted Kelchner called the meeting to order at 6:04 p.m. and the Pledge of Allegiance was recited.

**Agenda Item #1. Public Comment.**

There were no comments from the public.

**Agenda Item #2. Approval of Minutes.**

Ron Zobel moved to approve the August 22, 2017 minutes as submitted by staff. Weston Harvey seconded the motion. The motion passed unanimously.

**Agenda Item #3. Petition S-2017-0758; JPS Construction, Inc., property owner; William Krause, applicant. Request for a special exception to allow for mini-warehouse rental units, specifically for boats, in a Neighborhood Commercial-2 (NC-2) zoning district. The property address is 5286 SW 16<sup>th</sup> Avenue.**

Planning Director Bill Royce presented the petition and described the surrounding area. He stated the property is currently known as Okeechobee Fishing Headquarters and is located at the intersection of SW 16<sup>th</sup> Avenue and State Road 78 West. He stated there is a mix of commercial uses in the area and stated the area includes many things relating to fishing and the lake. He stated the property has an existing business and that it is a good location for indoor boat storage. Mr. Royce stated that staff recommends that the Board of Adjustments and Appeals grant the special exception subject to several conditions that he reviewed with the Board.

**Chairman Ted Kelchner opened the public hearing.**

There were no comments.

**Weston Harvey moved to close the public hearing. Ron Zobel seconded the motion. The motion passed unanimously.**

**Joey Hoover moved to approve Petition S-2017-0758, request for a special exception to allow for mini-warehouse rental units, specifically for boats, in a Neighborhood Commercial-2 (NC-2) zoning district subject to the following conditions:**

- 1. If construction for the proposed use does not commence within 36 months of the date that the special exception is granted, and thereafter continue in good faith, the special exception shall be null and void;**
- 2. Upon commencement of the use, if the use ceases for a period of six continuous months or for 12 non-continuous months during a 24-month period, the special exception use may be reestablished only upon satisfactory demonstration to the Community Development Department that the site is in compliance with the approved site plan, with the conditions of the special exception and with other applicable regulations;**
- 3. The premises shall be maintained at all times.**

**Weston Harvey seconded the motion. The motion passed unanimously.**

**Agenda Item #4: Public Hearing, Amendment to Land Development Regulations, Okeechobee County, applicant. Proposed amendments to Article II and Article VII of the Okeechobee County Land Development Regulations to provide for medical marijuana treatment centers.**

Attorney John Cassels presented the proposed amendment to the Board and gave a brief history. He stated the Board of County Commissioners directed staff to prepare a regulation to provide for medical marijuana dispensaries. He explained the locations where medical marijuana cultivation facilities, processing facilities and dispensing facilities could be located. Mr. Royce noted that dispensaries could be located in Heavy Commercial (C-2) and both Neighborhood Commercial zoning districts.

The Board discussed various aspects of the proposed regulations. Mr. Cassels then suggested one change to the proposed amendment, to allow for cultivation and processing of medical marijuana in the Agriculture zoning district and both Industrial zoning districts. The original draft provided for cultivation only in the Agriculture district.

**Chairman Ted Kelchner opened the public hearing.**


There were no comments.

Weston Harvey moved to close the public hearing. Joey Hoover seconded the motion. The motion passed unanimously.

Joey Hoover moved to recommend that the Board of County Commissioners adopt an amendment to the land development regulations to provide for medical marijuana treatment centers, including the change suggested by Mr. Cassels that would allow cultivation components in Industrial zoning districts as well as Agriculture. Weston Harvey seconded the motion. The motion passed unanimously.

Mr. Royce reminded the Board that the November and December meeting is combined into one meeting and would be the second Tuesday of December.

There being no additional business, the meeting was adjourned at 6:41 p.m.

  
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Ted Kelchner, Chairman

10/24/17  
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Date of Approval

  
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Faye Huffman, Planning Technician

10/24/17  
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Date