

Planning Board / Board of Adjustments and Appeals

Regular Meeting

January 22, 2019

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, January 22, 2019 at 6:00 p.m. in the Okeechobee County Health Department Auditorium, 1728 NW 9th Avenue, Okeechobee, Florida.

Board members present were Frank Cunningham, Joey Hoover, and Ted Kelchner. Alternate Mack Worley, Jr. was present and designated as a voting member for the meeting. Weston Harvey, Debra Sales, and Rob Willson were absent. Also in attendance were County Attorney John Cassels, Planning Director Bill Royce, Planner Jennifer Busbin, Planner Ty Hancock and Administrative Secretary Jenna Durham.

Chairman Ted Kelchner called the meeting to order at 6:00 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.

Frank Cunningham moved to approve the December 11, 2018 minutes as submitted. Mack Worley, Jr. seconded the motion. The motion passed unanimously.

Agenda Item # 3. Public Hearing, Petition R-2019-0715, Change in Zoning. Okeechobee County, applicant. Administratively initiated petition for consideration of a change in zoning from Residential Single Family (RSF) to Residential Single Family-Estate (RSF-E) for the area described as all of Lazy Seven Ranch Acres, all of a Replat of a Portion of Tract A of Lazy Seven Ranch Acres, and all of Money Pit Acres.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the Residential Single Family (RSF) zoning district allows conventional dwellings, but does not allow mobile homes or the keeping of farm animals. He stated that the Residential Single Family-Estate (RSF-E) zoning district was created for subdivisions like the Lazy Seven Ranch Acres group, where some farm animals may be desired along with zoning regulations that only allow for conventional dwellings. He stated that the RSF-E zoning district includes a provision to allow for the keeping of horses and cows in

limited numbers. He stated that the proposed change in zoning to Residential Single Family-Estate (RSF-E) is consistent with the county's land development regulations, with the comprehensive plan, and with the surrounding area.

Mr. Royce stated that staff recommends that the Planning Board recommend that the Board of County Commissioners grant a change in zoning from Residential Single Family (RSF) to Residential Single Family-Estate (RSF-E) for all of the Lazy Seven Ranch Acres area.

Chairman Ted Kelchner opened the public hearing.

Jill Allen, property owner in Lazy Seven, addressed the board. She asked for further details on the current zoning of the subject property. She stated that if horses and cows are allowed then other livestock should be as well.

Heath Dehart, property owner in Lazy Seven, addressed the Board. He stated that he was currently against the change in zoning, but would support it if more types of domestic farm animals were permitted.

Sandra Grace, property owner in Lazy Seven, addressed the Board. She stated that she would prefer domestic farm animals be allowed, but overall she believes this is a step in the right direction. She stated that she supports the change in zoning.

Larry Davis, property owner in Lazy Seven, addressed the Board. He stated that he has concerns with the change in setbacks.

There was some discussion between Mr. Davis and the Board regarding possible alternatives, such as applying for a variance, to address the change in setbacks.

Jeff Sumner, property owner in Lazy Seven, addressed the Board. He stated that he supports the change in zoning. He stated that should the opportunity arise, a discussion regarding allowing more types of domestic farm livestock in the Residential Single Family-Estate (RSF-E) zoning district may be appropriate.

Linda Pearce, property owner in Lazy Seven, addressed the Board. She stated her concerns regarding the change in setbacks and asked for some clarification on Lazy Seven's deed restrictions.

Heath Dehart addressed the Board once more to ask about the purpose and advantages of the setbacks in the RSF-E zoning district.

Joey Hoover moved to close the public hearing. Mack Worley, Jr. seconded the motion. The motion passed unanimously.

There was some discussion in regards to initiating the process to start expanding the types of farm animals permissible in the Residential Single Family-Estate (RSF-E) zoning district.

Mack Worley, Jr. moved to recommend that the Board of County Commissioners grant Petition R-2019-0715, request for a change in zoning from existing classification of Residential Single Family (RSF) to the proposed classification Residential Single Family (RSF-E), based on the staff report and recommendation. Joey Hoover seconded the motion. The motion passed by a vote of 3 to 1 with Mack Worley, Jr., Joey Hoover, and Ted Kelchner voting for the motion and Frank Cunningham voting against the motion.

Chairman Kelchner announced that additional hearings to consider the request for a change in zoning will be held before the Board of County Commissioners on Thursday, February 14, 2019 at 5:01 p.m. and Thursday, February 28, 2019 at 9:00 a.m. in the Judge William L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida.

Mack Worley, Jr. moved to recommend that the Board of County Commissioners discuss expanding the types of farm animals permitted within the Residential Single Family-Estate (RSF-E) zoning district, and to add a special exception to the Residential Single Family-Estate (RSF-E) zoning district that allows for the replacement of existing permitted structures that have been destroyed by fire or natural disaster. Joey Hoover seconded the motion. The motion passed unanimously.

Agenda Item # 4. Farm animal regulations.

Mr. Royce stated that the County Commission has requested the Planning Board review the regulations for farm animals in Viking. He described the zoning districts within the county, explaining which ones allowed and did not allow the keeping of farm animals. He stated that there seems to be a preference for continuing to limit the number of farm animals that may be kept on parcels under 5 acres, but many believe the restriction on the types permitted should be lifted. He stated that property that is zoned Agriculture (A) and totals over 5 acres has no restrictions on the number or type of farm animals that may be kept as long as it is located in the Agriculture or Rural Activity Center future land use classifications.

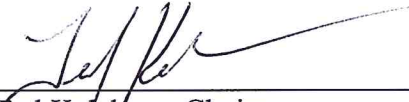
There was some discussion regarding the interest in expanding the types of farm animals permitted in certain zoning district, specifically within Residential Single Family-Estate (RSF-E). The Board members further discussed whether to consider amending the land development regulations for the entire Residential Single Family-Estate (RSF-E) zoning district or solely for the Viking Rural Activity Center.

Mack Worley, Jr. requested a workshop with the County Commission to further discuss the land development regulations pertaining to the keeping of farm animals and whether any amendments to those regulations should be developed for consideration.

There was a brief discussion regarding special exceptions.

Mack Worley, Jr. moved to request that the discussion of special exceptions be included on future agendas under “Old Business” until the Board deems it unnecessary. Frank Cunningham seconded the motion. The motion passed unanimously.

There being no additional business, the meeting was adjourned at 7:10 p.m.



Ted Kelchner, Chairman

2/26/19

Date of Approval



Jenna Durham, Administrative Secretary

2/26/19

Date