

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

## **Regular Meeting**

**February 26, 2019**

### **Minutes**

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, February 26, 2019 at 6:00 p.m. in the Okeechobee County Health Department Auditorium, 1728 NW 9th Avenue, Okeechobee, Florida.

Board members present were Weston Harvey, Joey Hoover, Ted Kelchner, and Rob Willson. Alternate Mack Worley, Jr. was present and designated as a voting member for the meeting. Frank Cunningham and Debra Sales 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.**

**Mack Worley, Jr. moved to approve the January 22, 2019 minutes as submitted. Weston Harvey seconded the motion. The motion passed unanimously.**

**Agenda Item # 3. Public Hearing, Petition S-2019-0770, Special Exception. Bassin Bobby Enterprises, Inc., property owner and applicant. Request for a special exception to allow for self-storage units, including boat storage, in a Neighborhood Commercial-2 (NC-2) and a Commercial (C) zoning district. The property address is 1270 State Road 78 W.**

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the property is approximately 7 acres in area and is on the south side of State Road 78, across the street from where a special exception was recently granted to the applicant for boat sales and repair. He stated that the subject property is to be used for boat storage, as well as general mini-storage. He stated that the subject property is located in a Resort Corridor. He stated that most of the property is zoned Neighborhood Commercial-2 (NC-2) while part of the property is zoned Commercial (C). He stated that since the

property is located in the Resort Corridor the Commercial (C) zoning district has the permitted and special exceptions uses that Neighborhood Commercial-2 (NC-2) zoning district does. He stated the subject property is on an arterial highway, near an intersection with a collector roadway, and in an area of notable commercial development, including multiple uses directly related to fishing and boating.

Mr. Royce stated that staff recommends that the Board of Adjustments and Appeals grant a special exception to allow for self-storage units, including boat storage, in a Neighborhood Commercial-2 (NC-2) and a Commercial (C) zoning district, subject to several conditions that he discussed with the Board.

Board member Joey Hoover wanted an update on the applicants other site, located on the north side of State Road 78 West.

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

Jeff Sumner, Sumner Engineering and Consulting, Inc., addressed the Board on behalf of the applicant. He stated the progress made on the site north of State Road 78 West, noting that they are working through some of the more complicated issues before submitting site plan for review.

Board member Joey Hoover asked if the project south of State Road 78 West was contingent on the success of the project to the north of State Road 78 West. Mr. Sumner stated that each project stands on its own.

There was further discussion in regards to keeping the boats on a paved surface, future phasing of the development and landscaping regulations.

**Weston Harvey moved to close the public hearing. Rob Willson seconded the motion. The motion passed unanimously.**

**Mack Worley, Jr. moved to approve petition S-2019-0770, request for a special exception to allow for self-storage units, including boat storage, in a Neighborhood Commercial-2 (NC-2) and a Commercial (C) zoning district, based on the staff report recommendation and subject to the following conditions:**

- 1. If construction for the proposed special exception 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 for the use shall be null and void;**
- 2. Upon commencement of the use, if the use ceases for a period of 6 continuous months or for 12 noncontinuous months during a 24 month period, the use may recommence only with the express finding by the Community Development Department that the use remains in compliance with county regulations, any conditions of this special exception, and the approved site plan;**

3. **Any and all previous special exceptions granted to the subject property are null and void;**
4. **The premises shall be maintained at all times.**

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

**Agenda Item # 4. Public Hearing, Petition R-2019-0717, Change in Zoning. Trees 15, LLC, property owner and applicant. Request for a change in zoning from the existing classification of Agriculture (A) to the proposed classification of Heavy Commercial (C-2). The property address is 12447 State Road 710 E.**

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the subject parcel is approximately 14.5 acres in area located in a newly expanded Commercial Activity Center on the northwest corner of the intersection of State Road 710 East and Berman Road. He stated that the property on the east side of SE 128<sup>th</sup> Avenue is zoned Commercial (C), but treated as if it were Heavy Commercial (C-2) due to its location in the Commercial Activity Center. He stated that none of that property has currently been developed. He stated the property is on a truck route at the intersection of an arterial highway, State Road 710, and SE 128<sup>th</sup> Avenue, part of the truck route. He stated that the requested change in zoning is consistent with the county's land development regulations and comprehensive plan.

Mr. Royce stated that staff recommends that the Planning Board recommend that the Board of County Commissioners grant the request for a change in zoning from Agriculture (A) to Heavy Commercial (C-2).

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

Steve Dobbs, SLD Engineering, addressed the Board to answer any questions they may have.

There was some discussion regarding landscaping and whether or not agricultural uses would still be permissible after the change in zoning has taken place.

**Mack Worley, Jr. moved to close the public hearing. Weston Harvey seconded the motion. The motion passed unanimously.**

**Weston Harvey moved to recommend that the Board of County Commissioners grant Petition R-2019-0717, request for a change in zoning from the existing classification of Agriculture (A) to the proposed classification of Heavy Commercial (C-2), based on the staff report and recommendation. Mack Worley, Jr. seconded the motion. The motion passed unanimously.**


Chairman Ted Kelchner stated that a second public hearing to consider the request for a change in zoning will be held before the Board of County Commissioners on Thursday, March 14, 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.

**Agenda Item # 5. Update on Special Exceptions**

**Mack Worley, Jr. amended his motion from the January 22, 2019 meeting, moving to request that the discussion of special exceptions be included on future agendas under “Other Business” and that a report be presented to the Board each month of the special exceptions granted within the last three years, showing what is and is not in compliance. Rob Willson seconded the motion. The motion passed by a vote of 4 to 1 with Mack Worley, Jr., Rob Willson, Joey Hoover and Ted Kelchner voting for the motion and Weston Harvey voting against the motion.**

Mr. Royce stated that the County Commission has agreed to the Planning Board’s request for a joint workshop on farm animals and requested some possible dates and times after the new Planning Board is seated in March.

There being no additional business, the meeting was adjourned at 6:36 p.m.

  
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Ted Kelchner, Chairman

3/26/2019  
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Date of Approval

  
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Jenna Durham, Administrative Secretary

3/26/19  
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Date