

Planning Board / Board of Adjustments and Appeals

Regular Meeting

May 22, 2018

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, May 22, 2018 at 6:00 p.m. in the Okeechobee County Health Department Auditorium, 1728 NW 9th Avenue, Okeechobee, Florida.

Board members present were Frank Cunningham, Weston Harvey, Joey Hoover, Ted Kelchner, and Ron Zobel. Alternate Mack Worley, Jr. was present and designated as a voting member for the meeting. 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, Planning Technician Faye Huffman, and Administrative Secretary Jenna Durham.

Chairman Ted Kelchner called the meeting to order at 6:01 p.m. and the Pledge of Allegiance was recited.

Agenda Item # 1. Election of Officers.

Joey Hoover nominated Ted Kelchner for Chairman. Ron Zobel seconded the motion. There were no additional nominations and Ted Kelchner was unanimously elected as Chairman.

Weston Harvey nominated Joey Hoover for 1st Vice Chairman. Mack Worley, Jr. seconded the motion. There were no additional nominations and Joey Hoover was unanimously elected as 1st Vice Chairman.

Joey Hoover nominated Weston Harvey as 2nd Vice Chairman. Mack Worley, Jr. seconded the motion. There were no additional nominations and Weston Harvey was unanimously elected as 2nd Vice Chairman.

Agenda Item # 2. Public Comment.

There were no comments from the public.

Agenda Item # 3. Approval of Minutes.

Mack Worley, Jr. moved to approve the February 27, 2018 minutes as submitted by staff. Joey Hoover seconded the motion. The motion passed unanimously.

Agenda Item # 4. Public Hearing, Petition M-2018-0315, Used Dwelling Unit: Marvin and Darlene Carver, property owners and applicants. Request to consider a permit application for the installation of a used dwelling unit in an Agriculture (A) zoning district. The property address is 15561 NW 30th Terrace.

Planner Ty Hancock presented the petition and described the unit and surrounding area. He stated that the applicant intends to relocate the 1985 double-wide manufactured home to 15561 NW 30th Terrace, on 5 acres in an Agriculture (A) zoning district. He stated the unit is currently located in Martin County, and an engineer's certification letter was submitted stating the unit is in good condition with no code violations. He stated that the unit met appearance and design standards and that it would be compatible with the area.

Mr. Hancock stated that the staff recommends that the Board of Adjustment and Appeals approve the installation of the used dwelling unit at 15561 NW 30th Terrace.

Planning Director Bill Royce noted that a couple of letters had been received objecting to the request and that the letters had been distributed to the Board.

Mack Worley, Jr. expressed concern about the engineer's certification, stating that the certification did not meet the county's requirement for such certifications and on that basis the permit application should be denied.

There was some additional discussion about the unit and the engineer's certification.

Chairman Ted Kelchner opened the public hearing.

There were no comments from the public.

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

Joey Hoover moved to deny Petition M-2018-0315, request to consider a permit application for the installation of a used dwelling unit in an Agriculture (A) zoning district. Mack Worley, Jr. seconded the motion. The motion passed by vote of 5 to 1 with Frank Cunningham, Joey Hoover, Ted Kelchner, Mack Worley, Jr., and Ron Zobel voting for the motion and Weston Harvey voting against the motion.

Agenda Item # 5. Public Hearing, Petition M-2018-0316, Used Dwelling Unit: Sean Scott, property owner and applicant. Request to consider a permit application for the installation of a used dwelling unit in a Residential Mixed (RM) zoning district. The property address is 32000 NE 23rd Way.

Mr. Hancock presented the petition and described the unit and surrounding area. He stated that the applicant intends to relocate the 2006 double-wide manufactured home to 32000 NE 23rd Way, a 2 acre site in a Residential Rural (RM) zoning district. He stated that the unit met the appearance and design standards and that it would be compatible with the area. He

stated that there were are no code violations associated with the property and that the pre-tie down inspection states that the unit is in very good condition.

Mr. Hancock stated that the staff recommends that the Board of Adjustment and Appeals approve the installation of the used dwelling unit at 32000 NE 23rd Way.

Chairman Ted Kelchner opened the public hearing.

There were no comments from the public.

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

Weston Harvey moved to approve Petition M-2018-0316, request to consider a permit application for the installation of a used dwelling unit in a Residential Mixed (RM) zoning district at 32000 NE 23rd Way, based on the staff report and recommendation. Joey Hoover seconded the motion. The motion passed unanimously.

Agenda Item # 6. Public Hearing, Petition S-2018-0759, Special Exception: Patrick Cote and Suzie Cote, property owners and applicants. Request for a special exception to allow for the sale, service and storage of new and used boats, boat trailers and recreational vehicles in a Neighborhood Commercial-2 (NC-2) zoning district. The property address is 1552 State Road 78 West.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the subject property is located on the south side of State Road 78 West, at the intersection of SW 16th Avenue, also known as Ferrell Road. He stated that there is a mix of commercial uses in the area, many related to boating and enjoying the lake. He stated that the subject property is in the Resort Corridor future land use classification, and is in a neighborhood commercial node within that classification. He stated that it would be compatible with the area and consistent with the county's land development regulations and comprehensive plan.

Mr. Royce stated that staff recommends that the Board of Adjustments and Appeals grant the special exceptions to allow for the sale, service and storage of new and used boats and for the sale, service and storage of recreational vehicles in a Neighborhood Commercial-2 (NC-2) zoning district, subject to several conditions that he discussed with the Board.

Chairman Ted Kelchner opened the public hearing.

There were no comments from the public.

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

Mack Worley, Jr. moved to approve Petition S-2017-0759, request for special exceptions to allow for the sale, service and storage of new and used boats, boat trailers and recreational vehicles in a Neighborhood Commercial-2 (NC-2) zoning district, based on the staff report and recommendation and subject to the following conditions:

- 1. If at least one of the proposed uses does not commence within 36 months of the date that the special exceptions are granted, the special exceptions shall be null and void;**
- 2. Upon commencement of a use, if any use ceases for a period of 6 continuous months or for 12 noncontinuous months during a 24-month period, that part of the special exception authorizing that use shall be null and void;**
- 3. Any and all previous special exceptions granted to the subject property are null and void;**
- 4. Storage of recreational vehicles and boats awaiting repair shall be screened from view by the casual observer;**
- 5. In accordance with county regulations, all service and repair activities may be performed only inside a building;**
- 6. No item of any type that is not operable and in good shape may be displayed outdoors or otherwise be available for sale on the premises, and no salvage activities of any type shall occur on the premises including in association with repair, maintenance or storage activities;**
- 7. Any recreational vehicle, boat or boat trailer that is intended to be available for sale shall be kept on a paved surface;**
- 8. The premises shall be maintained at all times; and**
- 9. Landscaping is required on the property and must meet county requirements as if it is a new development.**

Joey Hoover seconded the motion. The motion passed unanimously.

Agenda Item # 7. Public Hearing, Petition R-2018-0710, Change in Zoning: Berman Ranch, Inc., 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 is located at the southeast corner of the intersection of SE 40th Avenue and State Road 710.

Mr. Royce presented the petition and described the surrounding area. He stated that the subject property is around 2.5 acres in area located at the southeast corner of the intersection of State Road 710 and SE 40th Avenue. He noted that the applicant is also requesting to

rezone adjoining property to the south in a different petition. Mr. Royce stated that the property is on an arterial highway and in the Commercial Corridor, making it a reasonable location for commercial development. He stated that the proposed change in zoning is compatible with the surrounding area and 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.

There were no comments from the public.

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

Mack Worley, Jr. moved to recommend that the Board of County Commissioners grant Petition R-2018-0710, 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. Frank Cunningham 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 would be held before the Board of County Commissioners on Tuesday, June 5, 2018 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 # 8, Public Hearing, Petition R-2018-0711, Change in Zoning: Berman Ranch, Inc., property owner and applicant. Request for a change in zoning from the existing classification of Agriculture (A) to the proposed classification of Residential Single Family (RSF). The property is located on the east side of SE 40th Avenue, between State Road 710 and the CSX Salry railroad tracks.

Mr. Royce presented the petition and described the surrounding area. He stated the subject property is around 12.9 acres in area, and is located along the east side of SE 40th Avenue from south of State Road 710 to the CSX Salry railroad tracks. He noted the subdivision to the west is zoned RSF and is developed with single family residences. He stated that the proposed change in zoning is compatible with the surrounding area and 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 approve the request for a change in zoning from Agriculture (A) to Residential Single Family (RSF).

Chairman Ted Kelchner opened the public hearing.

Jeff Sumner, representing the applicant, addressed the board. Joey Hoover asked if the lot owners would access the subdivision directly off of Everglades Blvd. Jeff stated they would.

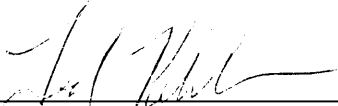
There were no further comments.

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

Mack Worley, Jr. moved to recommend that the Board of County Commissioners grant Petition R-2018-0711, request for a change in zoning from the existing classification of Agriculture (A) to the proposed classification of Residential Single Family (RSF), based on the staff report and recommendation. Weston Harvey 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 would be held before the Board of County Commissioners on Tuesday, June 5, 2018 at 9:00 a.m. in the Judge William L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida.

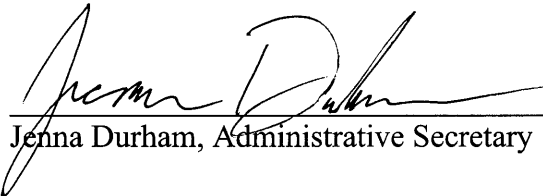
There being no additional business, the meeting was adjourned at 6:29 p.m.



Ted Kelchner, Chairman

6-26-18

Date of Approval



Jenna Durham, Administrative Secretary

6-26-18

Date