

Planning Board / Board of Adjustments and Appeals

Regular Meeting

September 25, 2018

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, September 25, 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, Joey Hoover, Ted Kelchner, and Rob Willson. Alternate Mack Worley, Jr. was present and designated as a voting member for the meeting. Weston Harvey and Debra Sales were absent. Also in attendance were County Attorney John Cassels, Planning Director Bill Royce, Planner Jennifer Busbin, and Administrative Secretary Jenna Durham.

Chairman Ted Kelchner called the meeting to order at 6:02 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.

Joey Hoover moved to approve the August 28, 2018 minutes as submitted. Frank Cunningham seconded the motion. The motion passed unanimously.

Agenda Item # 3. Public Hearing, Petition R-2018-0713, Change in Zoning. Bassin Bobby Enterprises, Inc, property owner and applicant. Request for a change in zoning from the existing classification of Residential Mobile Home (RMH) to the proposed classification of Neighborhood Commercial-2 (NC-2). The property address is 1253 State Road 78 West.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated the applicant owns a 5.9 acre parcel zoned Neighborhood Commercial-2 (NC-2) on the north side of State Road 78 West, and that the applicant has acquired approximately 6 more acres adjoining to the north, zoned Residential Mobile Home (RMH). He stated that the applicant wanted to establish a fishing and boating related business and that he was applying to rezone the new 6 acres to Neighborhood Commercial-2, then get a special exception for the entire 11.8-acre parcel for the business. Mr. Royce stated the subject property is partially in the Resort Corridor future land use classification and is in an area of existing recreation-oriented commercial uses. He stated the requested change in zoning is

consistent with surrounding and nearby properties, 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 Residential Mobile Home (RMH) to Neighborhood Commercial-2 (NC-2).

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.

There was some discussion between Board member Rob Willson and Mr. Royce regarding the necessity of the rezone.

Frank Cunningham moved to recommend that the Board of County Commissioners grant Petition R-2018-0713, request for a change in zoning from Residential Mobile Home (RMH) to Neighborhood Commercial-2 (NC-2), based on the staff report and recommendation. Joey Hoover seconded the motion. The motion passed by a vote of 4 to 1 with Frank Cunningham, Joey Hoover, Ted Kelchner, and Mack Worley, Jr. voting for the motion and Rob Willson voting against the motion.

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, October 11, 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 # 4. Public Hearing, Petition S-2018-0765, Special Exception. Bassin Bobby Enterprises, Inc., property owner and applicant. Request for a special exception to allow for a service station, repair and service garage, boat sales lot, and indoor and outdoor boat storage in a Neighborhood Commercial-2 (NC-2) zoning district. The property address is 1253 State Road 78 West.

Mr. Royce presented the petition and described the surrounding area. He stated the petition was a request for a special exception in associated with the request for a change in zoning from the previous petition. He stated the subject property is about 11.8 acres in area and is located on the north side of State Road 78 West, just to the east of SW 16th Avenue and the Okeechobee Fishing Headquarters. He stated the subject property is on an arterial highway, in the Resort Corridor and in a neighborhood commercial node. He stated that there is a mix of commercial uses in the area, many relating to boating, fishing and enjoying the lake. He stated that the proposed use is consistent with the area, and is 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 a special exception for a service station, boat sales, repair and service, and boat storage in a Neighborhood Commercial-2 (NC-2) zoning district, subject to several conditions that he discussed with the Board.

Chairman Ted Kelchner asked for comments from the Board.

There was some discussion between Mr. Royce and the Board Members regarding the conceptual site plan and unity of title.

Chairman Ted Kelchner opened the public hearing.

Jeff Sumner, Sumner Engineering Consulting, addressed the Board on behalf of the applicant. He stated that unity of title for the two parcels had taken place. He further stated that the conceptual site plan had been refined since its original submission and will continue to be refined.

There was discussion between Mr. Sumner and the Board regarding the conceptual site plan, water retention versus water detention, and on-site wetland mitigation.

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

Joey Hoover moved to approve petition S-2018-0765, request for a special exception to allow for a service station, boat sales, repair and service, and boat storage in a Neighborhood Commercial-2 (NC-2) zoning district, based on the staff report recommendation and subject to the following conditions:

- 1. If any of the proposed special exception uses do not commence within 36 months of the date that the special exception is granted, the special exception for that use shall be null and void;**
- 2. Upon commencement of a use, if that 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. Boat service and repair activities, including temporary storage of boats or boat motors in need of service or repair, shall be shielded from view by the casual observer;**

5. **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;**
6. **Any boats/boat trailers and the like that are intended to be available for sale shall be kept on a paved surface; and**
7. **The premises shall be maintained at all times.**

Frank Cunningham seconded the motion. The motion passed unanimously.

Agenda Item #5. Public Hearing, Petition S-2018-0766, Special Exception. Janet Joles (Estate), property owner; Sun Camper Liquidators, LLC, applicant. Request for a special exception to allow the sale and storage of recreational vehicles and boats in a Commercial (C) zoning district. The property address is 235 US Highway 441 SE.

Mr. Royce stated that the subject property is approximately 4.76 acres in area, and is located on US Highway 441 SE. He stated the subject property is within the Commercial Corridor and that there is a mix of commercial uses in the area. He stated that the applicant would like to establish a business for the sale and storage of recreational vehicles and boats and that the property has hosted similar uses over the years. He stated 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 request for a special exception to allow the sale and storage of recreational vehicles and boats in a Commercial (C) zoning district, subject to several conditions that he discussed with the Board.

Chairman Ted Kelchner opened the public hearing.

Richard Tate, Sun Camp Liquidators, addressed the Board on behalf of the applicant. There was discussion between Mr. Tate and the Board regarding the future plans for this site. They also discussed a similar special exception that was previously granted to the applicant, at a different location, and status of its site work.


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

Mack Worley, Jr. moved to table petition S-2018-0766, until the next scheduled meeting on October 23, 2018. Rob Willson seconded the motion. The motion passed unanimously.

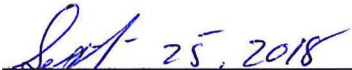
Agenda Item # 6. Other Business

There was a lengthy discussion between the Board and staff about better enforcing special exceptions and reporting to the Board on the status of special exceptions that have been granted.

There being no additional business, the meeting was adjourned at 7:14 p.m.



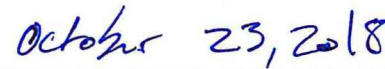
Ted Kelchner, Chairman



Date of Approval



Jenna Durham, Administrative Secretary



Date