

Planning Board / Board of Adjustments and Appeals

Regular Meeting

October 23, 2018

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, October 23, 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 and Ted Kelchner. Alternate Mack Worley, Jr. was present and designated as a voting member for the meeting. Joey Hoover, 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 6:02 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.

Weston Harvey moved to approve the September 25, 2018 minutes as submitted. Frank Cunningham seconded the motion. The motion passed unanimously.

Agenda Item # 3. 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. This is a continuation of a public hearing that began on September 25, 2018.

Planning Director Bill Royce stated when the petition was originally heard at the September 25, 2018 meeting that the Board tabled the petition to allow the applicant time to present a site plan and verify that there were not any violations on a similar special exception that was recently granted to the applicant at a different location in the county.

Mr. Royce then presented the petition and described the surrounding area. He 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 asked for comments from the Board.

There was some discussion regarding progress on the other site, known as the Jones Equipment property. Mr. Royce stated that there had been some violations for some renovations without getting the proper building permits. He stated that there are recreational vehicles on the site but that the business is not yet open for business so that isn't a violation.

Chairman Ted Kelchner opened the public hearing.

Cody Danks, Sun Camp Liquidators, addressed the Board on behalf of the applicant. Mr. Danks stated that they just had the real estate closing for the Jones property earlier that day. He stated that he already has an engineer working to create a site plan and now that he owns the property, the site work will progress.

He stated that they are not able to do any site work on the subject property because they do not yet own it. He further stated that the real estate closing is contingent on the outcome of the request for special exception. He requested to keep the rear structure on the property and bring it up to Florida Building Code, rather than removing it.

There was some discussion between the Board members and Mr. Danks regarding the upkeep of the Jones property and bringing the rear structure on the subject property into compliance with the building code.

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

Mack Worley, Jr. moved to approve petition S-2018-0766, request for a special exception to allow the sale and storage of recreational vehicles and boats in a Commercial (C) zoning district, based on the staff report recommendation and subject to the following conditions, with a change to Condition 7 and the addition of Conditions 9 and 10:

1. **If any of the proposed uses do not commence within 36 months of the date the special exception is granted, the special exception for that use shall be null and void;**
2. **Once operational, if any of the uses then cease for 6 continuous months or for 12 non-continuous months during a 24 month period, the special exception for that use shall be null and void;**
3. **Any and all previous special exceptions granted to the subject property are null and void;**
4. **Landscaping comparable to a right-of-way buffer strip shall be installed in the front portion of the property;**
5. **Any recreational vehicle or boat that is intended to be available for sale shall be kept on a paved surface;**
6. **Indoor and outdoor storage of fully operable recreational vehicles and boats is permissible, but 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;**
7. **The rear structure shall be removed from the property or brought into compliance with current Florida Building Code;**
8. **The premises shall be maintained at all times;**
9. **The applicant shall provide a site plan to be approved by the Board; and**
10. **All conditions must be met prior to the requested use opening for business.**

Frank Cunningham seconded the motion. The motion passed unanimously.

Agenda Item # 4. Public Hearing, Petition M-2018-0318, Used Dwelling Unit. Ronald and Esther Burnette, property owners and applicants. Request to consider a permit application for the installation of a used dwelling unit in an Residential Mixed (RM) zoning district. The property address is 3026 SE 39th Avenue.

Mr. Royce presented the petition and described the surrounding area. He stated the applicant is requesting to relocate a 1999 double-wide manufactured home to 3026 SE 39th Avenue, located in Treasure Island. He stated that the roof does not meet the overhang requirement, but the unit is consistent with the neighborhood. He stated that there were no code violations associated with the property and that the pre-tie down inspection states that the unit is in good condition.

Mr. Royce stated that staff recommends that the Board of Adjustment and Appeals approve the installation of the used dwelling unit at 3026 SE 39th Avenue.

Chairman Ted Kelchner opened the public hearing.

Joan Roden, a nearby property owner, addressed the Board. She asked for clarification on the conditions a unit must meet and the process it must go through in order to be moved in Okeechobee County.

There were no further questions from the public.


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

Frank Cunningham moved to approve petition M-2018-0318, request to consider a permit application for the installation of a used dwelling unit in an Residential Mixed (RM) zoning district. Weston Harvey seconded the motion. The motion passed by a vote of 3 to 1 with Frank Cunningham, Weston Harvey, and Ted Kelchner voting for the motion and Mack Worley, Jr. voting against the motion.

Mr. Royce presented a report on special exceptions to the Board. There was some discussion about enforcement of special exceptions.

Mr. Royce reminded the Board that there is no meeting in November and the next meeting will be on December 11, 2018 at 6:00 p.m.

There being no additional business, the meeting was adjourned at 6:50 p.m.



Ted Kelchner, Chairman

12/11/18

Date of Approval



Jenna Durham, Administrative Secretary

12/11/18

Date