

Planning Board / Board of Adjustments and Appeals

Regular Meeting

May 28, 2019

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, May 28, 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, Lawrence Fipps, Joey Hoover, and Ted Kelchner. Alternate Brian Trimble also was present. Matthew Buxton, Weston Harvey and Paul Howell 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.

Lawrence Fipps moved to approve the April 30, 2019 minutes as submitted. Frank Cunningham seconded the motion. The motion passed unanimously.

Agenda Item #3. Public Hearing, Petition R-2019-0716; Admiral Dales, LLC, property owner and applicant. Request for a change in zoning from the existing classification of Residential Mixed (RM) to the proposed classification of Residential General (RG). The property address is 3201 SE 33rd Terrace. This petition is associated with Petition S-2019-0771, request for a special exception for an increase in density to 12 units per acre.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the Residential General (RG) zoning district has a total density of 5 units per acre, but by special exception a higher density of up to 12 units per acre can be requested. He stated that the property is part of Admiral Dales RV park. He stated that Admiral Dale's bar has been removed. He stated that the subject property currently houses a total of nine units and that the applicant is wanting to build a triplex. He stated that the property is surrounded by mobile home and RV parks to the west, single family lots to the east, and mainly single family lots with an occasional duplex

to the north. He stated that Angler's Villa is nearby and explained that it was a similar situation to this petition. He stated that the change in zoning would make the existing multi-family structures conforming and that it would allow for the construction of a triplex on the property, bringing the density of the property to 12 units. He stated that the area is primarily zoned Residential Mixed (RM), but the uses are diverse. He stated that the change in zoning would not be inconsistent or incompatible with the surrounding area and that it was a reasonable request.

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 Mixed (RM) to Residential General (RG).

There was some discussion regarding concerns of possible crowding in the area and the status of the sewer system.

Chairman Ted Kelchner opened the public hearing.

There were no comments from the public.

Frank Cunningham made a motion to close the public hearing. Lawrence Fipps seconded the motion. The motion passed unanimously.

Frank Cunningham moved to recommend that the Board of County Commissioners grant Petition R-2019-0716, request for a change in zoning from existing classification of Residential Mixed (RM) to the proposed classification Residential General (RG), based on the staff report and recommendation. Lawrence Fipps seconded the motion. The motion passed unanimously.

Agenda Item #4. Public Hearing, Petition S-2019-0771; Admiral Dales LLC, property owner and applicant. Request for a special exception to allow for single family attached or multi family dwellings at a density of 12 units per acre in a Residential General (RG) zoning district. The property address is 3201 SE 33rd Terrace. This petition is associated with Petition R-2019-0716, request for a change in zoning from Residential Mixed (RM) to Residential General (RG).

Mr. Royce presented the petition and described the surrounding area. He stated that there are two structures currently on the property, housing a total of 9 rental units. He stated that the request is for a special exception to allow a density of 12 units per acre, which would then allow for the addition of up to 3 units. He stated that the applicant's plan is to construct one structure, a triplex, which would go where Admiral Dale's Bar previously was. He stated the land use in the area is a bit mixed, even though it's primarily zoned Residential Mixed (RM). He stated that the property is surrounded by mobile home and RV parks to the west, single family lots to the east, and mainly single family lots with an occasional duplex and Angler's Villa to the north. He stated that the requested increase in density is reasonable and consistent with the area.

Mr. Royce stated that staff recommends that the Board of Adjustments and Appeals approve a Final Administrative Order granting a special exception to allow for a density of 12 units per acre in a Residential General (RG) zoning district, subject to several conditions he discussed with the Board.

Chairman Ted Kelchner opened the public hearing.

Phillip Berger addressed the Board on behalf of the applicant. He stated that the 9 units have survived many hurricanes since the 1950s and that they are working on clearing out more of the old RVs on the property.

Frank Cunningham made a motion to close the public hearing. Lawrence Fipps seconded the motion. The motion passed unanimously.

Robert Hesse, nearby property owner, addressed the Board to get clarification on a few questions he had.

Joey Hoover made a motion to reopen the public hearing. Lawrence Fipps seconded the motion. The motion passed unanimously.

There was further discussion with Mr. Hesse and among the Board members.

Joey Hoover made a motion to close the public hearing. Frank Cunningham seconded the motion. The motion passed unanimously.

Joey Hoover moved to approve the Final Administrative Order for petition S-2019-0771, granting a special exception to allow for a density of 12 units per acre in a Residential General (RG) zoning district, based on the staff report and recommendation and subject to the following conditions:

- 1. Granting of the requested special exception is contingent on granting of the request for a change in zoning to Residential General (RG) by the Board of County Commissioners;**
- 2. Any and all previous special exceptions granted to the subject property are null and void;**
- 3. Landscaping comparable to a right-of-way buffer strip shall be installed on the east side of the property; and**
- 4. The premises shall be maintained at all times.**

Frank Cunningham seconded the motion. The motion passed unanimously.

Agenda Item # 5. Public Hearing; Petition S-2019-0775; Stratecore, LLC, property owner and applicant. Request to consider a special exception to allow for a building trades contractor use with yard on premises for storage of equipment and materials in a Commercial (C) zoning district. The property is located at 4039 Highway 441 SE.

Mr. Royce presented the petition and described the surrounding area. He stated the property housed an auction house for years and that it has been vacant for a number of years since then. He stated that the special exception for a contractor yard on premises allows for some outdoor storage. He stated that while a special exception isn't needed for fleet vehicles, it is needed for outdoor storage of other materials or equipment. He stated that the applicant does not anticipate a great need for the outdoor storage, but would like to keep their options open while relocating their electrical contracting business to the subject property. He stated that the subject property is in the Commercial Corridor. He stated that there is a wide range of commercial uses in the area such as mobile home and RV parks, boat sales, tire shops, and convenience stores. He stated that the requested use is reasonable for the area, and consistent with county land development regulations and comprehensive plan.

Mr. Royce stated that staff recommends that the Board of Adjustments and Appeals approve a Final Administrative Order granting a special exception to allow for a building trades contractor use with yard on premises for storage of equipment and materials in a Commercial (C) zoning district, subject to several conditions he discussed with the board.

Chairman Ted Kelchner opened the public hearing.

Steve Dobbs addressed the Board on behalf of the applicant. He stated that the applicant primarily plans on parking their equipment in the storage yard in between jobs.

There was brief discussion regarding possible renovations for the structure on the subject property.

Joey Hoover made a motion to close the public hearing. Frank Cunningham seconded the motion. The motion passed unanimously.

Joey Hoover moved to approve the Final Administrative Order for petition S-2019-0775, granting a special exception to allow for a building trades contractor use with yard on premises for storage of equipment and materials in a Commercial (C) zoning district, based on the staff report and recommendation and subject to the following conditions:

- 1. If the proposed use does not commence within 24 months of the date that the special exception is granted, the special exception shall be null and void;**
- 2. Upon commencement of the proposed use, if the use ceases for a period of 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 special exceptions previously granted to the property immediately shall become null and void;
4. Landscaping comparable to a right-of-way buffer strip shall be installed on the south and east property lines where the property abuts street rights-of-way;
5. Any outdoor storage of other than properly licensed vehicles shall be limited to the rear 100 feet of the property and shall be screened from view, such as by a privacy fence or landscaping or a combination;
6. The outdoor storage is accessory to the electrical contracting business and shall be limited to materials or equipment associated with the business. The special exception does not authorize general outdoor storage, rental outdoor storage, or storage for recreational vehicles, mobile homes, inoperable motor vehicles and the like; and
7. The premises will be maintained at all times.

Lawrence Fipps seconded the motion. The motion passed unanimously.

Agenda Item # 6. Update on Special Exceptions

The Board discussed a report showing the status of special exceptions granted between 2014 and 2015. There was a brief discussion regarding the enforcement of special exceptions.

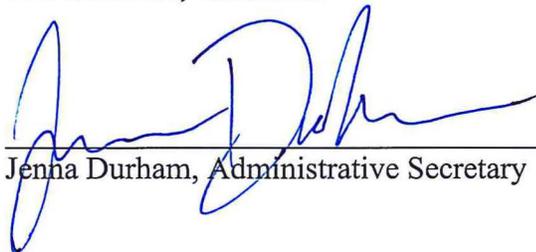
There being no additional business, the meeting was adjourned at 6:31 p.m.



 Ted Kelchner, Chairman

6/25/19

 Date of Approval



 Jenna Durham, Administrative Secretary

6/25/19

 Date