

Planning Board / Board of Adjustments and Appeals

Regular Meeting

June 27, 2023

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, June 27, 2023 at 6:00 p.m. in the Okeechobee County Health Department Auditorium, 1728 NW 9th Avenue, Okeechobee, Florida.

Board members present were Joey Hoover, Charles Murphy, Samantha Saucedo, and Ann Vu. Alternate Jeff Davis was also present and was designated as a voting member. Matthew Buxton, Robbie Chartier, and Billy McCullers were absent. Also in attendance were Planning Director Bill Royce, Planner Ty Hancock and Administrative Assistant Jenna Durham.

Chairman Joey Hoover called the meeting to order at 6:01 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.

Charles Murphy moved to approve the May 23, 2023 minutes as submitted. Samantha Saucedo seconded the motion. The motion passed unanimously.

Agenda Item #3, Public Hearing, Petition S-2023-0806, Special Exception. Debra and Wayne Moesching and Michael and Joyce Costopoulos, and 2605 Hwy 441 S Holdings, LLC, property owners; 2605 Hwy 441 S Holdings, LLC, applicant. Request for a Special Exception to allow for a drive-thru restaurant in a Heavy Commercial (C-2) and Commercial (C) zoning district. The property address is 2605 US Highway 441 South.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that applicant rezoned the west portion of the property to Heavy Commercial (C-2) a couple months back. He stated that since the east portion of the property is in the Commercial Corridor, it's current zoning of Commercial (C) is treated as Heavy Commercial (C-2). He stated that the subject property is a little over 2 acres in area, and is across from Home Depot. He stated that the applicant wishes to develop the property with a fast food restaurant, car wash and a oil change facility. He stated that the car wash and oil change facility do not require a special exception, but the drive thru

restaurant does. He stated that the subject property is surrounded by heavy commercial uses. He stated that the applicant has met with FDOT and will be realigning the existing entrance to accommodate access to the different uses. He stated that the proposed use is consistent with the area, and the county's 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 drive-thru restaurant in a Heavy Commercial (C-2) and Commercial (C) zoning district, subject to several conditions he reviewed with the Board.

Chairman Joey Hoover opened the public hearing.

Jennifer Busbin, Newlines Engineering, addressed the Board on behalf of the applicant to answer any questions the Board may have.

Ann Vu moved to close the public hearing. Samantha Saucedo seconded the motion. The motion passed unanimously.

There was brief discussion among the Board regarding ingress and egress on US Highway 441 South.

Ann Vu moved to approve the Final Administrative Order for petition S-2023-0806, granting a special exception to allow for a drive-thru restaurant in a Heavy Commercial (C-2) and Commercial (C) zoning district, subject to the following conditions:

- 1. If construction for the proposed 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 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 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 immediately shall be null and void;**
- 4. Opaque screening at least 6 feet in height shall be installed and maintained along the west property line;**
- 5. Splitting the property into separate parcels to accommodate the drive-through restaurant on the north portion and other permissible uses on the south portion shall not void this special exception;**

6. If the property is later divided, the required opaque screening along the entire west property line shall remain and shall continue to be properly maintained; and
7. The premises shall be maintained at all times.

Jeff Davis seconded the motion. The motion passed unanimously.

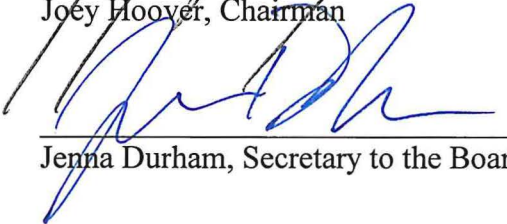
There being no additional business, the meeting was adjourned at 6:14 p.m.



Joey Hoover, Chairman

7-25-23

Date of Approval



Jenna Durham, Secretary to the Board

7/25/2023

Date