

Planning Board / Board of Adjustments and Appeals

Regular Meeting

July 26, 2022

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, July 26, 2022 at 6:00 p.m. in the Okeechobee County Health Department Auditorium, 1728 NW 9th Avenue, Okeechobee, Florida.

Board members present were Matthew Buxton, Adam Cohen, Robbie Chartier, Joey Hoover, Lynn Murray, Samantha Saucedo, and Ann Vu. Also in attendance were County Attorney Garrett Olsen, Planning Director Bill Royce, Planner Jennifer Busbin, Planner Ty Hancock and Administrative Secretary Jenna Durham.

Chairman Joey Hoover 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.

Matthew Buxton moved to close the public comment. Ann Vu seconded the motion. The motion passed unanimously.

Agenda Item # 2, Approval of Minutes.

Matthew Buxton moved to approve the June 28, 2022 minutes as submitted. Ann Vu seconded the motion. The motion passed unanimously.

Agenda Item #3, Public Hearing, Petition R-2022-0746, Change in Zoning. Ronald Sellers, property owner; Fitnessexperts, LLC, applicant. Request for a change in zoning from the existing classifications of Neighborhood Commercial-2 (NC-2) and Agriculture (A) to the proposed classification of Light Industrial (I-1). The property address is 7248 State Road 70 East.

Planning Director Bill Royce presented the petition and described the surrounding area. Mr. Royce stated that the subject property is the north 10 acres of a larger 23 acre parcel, that was rezoned to Neighborhood Commercial-2 (NC-2) some years ago. He stated that the property is in a Rural Activity Center on State Road 70. He stated that the Rural Activity Center allows for commercial,

industrial, agricultural, residential, and recreational uses. He stated that the applicant wishes to develop a storage facility on the parcel, which will require Light Industrial (I-1) zoning. He stated that the requested change in zoning is consistent with the Rural Activity Center future land use classification and 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 Board of County Commissioners grant the request for a change in zoning from Neighborhood Commercial-2 (NC-2) to Light Industrial (I-1).

Chairman Joey Hoover opened the public hearing.

Steve Dobbs, addressed the Board on behalf of the applicant to answer any questions the Board may have.

There was some discussion regarding the access to the subject property.

Matthew Buxton moved to close the public hearing. Adam Cohen seconded the motion. The motion passed unanimously.

Matthew Buxton moved to recommend that the Board of County Commissioners grant petition R-2022-0746, request for a change in zoning from the existing classifications of Neighborhood Commercial-2 (NC-2) and Agriculture (A) to the proposed classification of Light Industrial (I-1), based on the staff report and recommendation. Adam Cohen seconded the motion. The motion passed unanimously.

Chairman Joey Hoover 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, August 11, 2022 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 R-2022-0747, Change in Zoning. Ronald Sellers, property owner; Fitnessexperts, LLC, applicant. Request for a change in zoning from the existing classification of Neighborhood Commercial-2 (NC-2) to the proposed classification of Agriculture (A). The property address is 7312 NE 11th Lane.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the subject property is the south 13 acres of the larger 23 acre parcel described in the last petition. He stated that the subject property is also in a Rural Activity Center. He stated that the property does not have direct frontage on the access road, but the applicant did not want to develop the whole 23 acre parcel as Light Industrial (I-1). He stated that the applicant wishes to build a house to live on the remaining 13 acres, but the parcel has to be zoned appropriately in order to do so. He stated that there is conforming Agriculture (A) zoning in the area, the parcel is located in the Rural Activity Center, and while staff typically does not recommend rezoning a parcel back to

Agriculture (A) after it has been zoned to something else, it's difficult to find the Agriculture (A) zoning district inconsistent with the area or desired uses. He stated that the requested change is consistent with the county's land development regulations and comprehensive plan.

Mr. Royce stated staff recommends that the Planning Board recommend that Board of County Commissioners grant the request for a change in zoning from Neighborhood Commercial-2 (NC-2) to Agriculture (A).

There was much discussion between the Board and Mr. Royce regarding access to the parcel, the concern of rezoning the parcel back to Agriculture (A), and other possible zoning districts that are compatible with the future land use and comply with the desired uses of the applicant.

Chairman Joey Hoover opened the public hearing.

Steve Dobbs, addressed the Board on behalf of the applicant to address some of the Board's concerns.

Matthew Buxton moved to close the public hearing. Robbie Chartier seconded the motion. The motion passed unanimously.

Robbie Chariter moved to recommend that the Board of County Commissioners deny petition R-2022-0747, for a change in zoning from Neighborhood Commercial-2 (NC-2) to Agriculture (A). Ann Vu seconded the motion. The motion passed unanimously.

Chairman Joey Hoover 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, August 11, 2022 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 #5, Public Hearing, Petition R-2022-0749, Change in Zoning. Okeechobee County, applicant. Administratively initiated petition for consideration of a change in zoning from Agriculture (A) to Residential Single Family (RSF). The lots are located along NW 39th Avenue, north of NW 36th Street.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that this is the first of three administrative rezoning petitions that are county initiated. He stated that all of the affected property owners have been notified by letter of the requested change and hearing dates. He stated that the subject property is in Basswood, on NW 39th Avenue. He stated that the north half of the street is zoned Residential Single Family (RSF). He stated that the south half of the street, that technically isn't part of the Basswood subdivision, is zoned Agriculture (A). He stated that the thought behind the rezone is to make the lots more consistent with the residential lots of Basswood. He stated that the only difference the change in zoning would make for the subject property is that the Agriculture (A) zoning district allows manufactured homes while the Residential Single Family (RSF) zoning district does not.

Mr. Royce stated staff recommends that the Planning Board recommend that the Board of County Commissioners grant the proposal for a change in zoning from Agriculture (A) to Residential Single Family (RSF).

Chairman Joey Hoover opened the public hearing.

There were no comments from the public.

Matthew Buxton moved to close the public hearing. Ann Vu seconded the motion. The motion passed unanimously.

Matthew Buxton moved to recommend that the Board of County Commissioners grant petition R-2022-0749, for a change in zoning from the Agriculture (A) to Residential Single Family (RSF), based on the staff report and recommendation. Robbie Chartier seconded the motion. The motion passed unanimously.

Chairman Joey Hoover stated that additional public hearings to consider the request for a change in zoning will be held before the Board of County Commissioners on Thursday, August 11, 2022 at 9:00 a.m. and on Thursday, August 25, 2022 in the Judge William L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida.

Agenda Item #6, Public Hearing, Petition R-2022-0750, Change in Zoning. Okeechobee County, applicant. Administratively initiated petition for consideration of a change in zoning from Commercial (C) to Residential Single Family (RSF). The lots are located along NW 35th Drive.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the subject property for this petition is also in Basswood. He stated that in Basswood there are a number of small lots along US Highway 98, and a row of lots that back up the highway lots on NW 35th Drive, all of which are zoned Commercial (C). He stated that there have been a few commercial developments on the lots, as well as a couple that have been rezoned to Residential General (RG) for multi-family uses. He stated that the Commission has discussed making the lots residential to take away the risk of commercial uses intruding into the residential portion of Basswood. He stated that changing the zoning to Residential Single Family (RSF) will allow single family conventional homes, which is consistent with the rest of Basswood.

Mr. Royce stated that staff recommends that the Planning Board recommend that the Board of County Commissioners grant the proposal for a change in zoning from Commercial (C) to Residential Single Family (RSF).

Chairman Joey Hoover opened the hearing.

There were no comments from the public.

Matthew Buxton moved to close the hearing. Robbie Chartier seconded the motion. The motion passed unanimously.

Matthew Buxton moved to recommend that the Board of County Commissioners grant petition R-2022-0750, for a change in zoning from Commercial (C) to Residential Single Family (RSF), based on the staff report and recommendation. Robbie Chartier seconded the motion. The motion passed unanimously.

Chairman Joey Hoover stated that additional public hearings to consider the request for a change in zoning will be held before the Board of County Commissioners on Thursday, August 11, 2022 at 9:00 a.m. and on Thursday, August 25, 2022 in the Judge William L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida.

Agenda Item # 7, Public Hearing, Petition R-2022-0751, Change in Zoning. Okeechobee County, applicant. Administratively initiated petition for consideration of a change in zoning from Agriculture (A) to Residential Single Family (RSF). The lots are located along NW 138th Street.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the subject property is a series of lots along NW 138th Street, along the north side of the golf course and a part of Northwood Section One subdivision. He stated that most of the lots along NW 138th street have been developed over the years. He stated that during the boom some of the subdivision was going to be replatted and was rezoned to Residential Single Family (RSF), leading to the east half being zoned Residential Single Family (RSF) while the west half stayed Agriculture (A). He stated that due to the small size of the lots, farm animals are not an issue. He stated that a manufactured home has gone in recently on one of the lots, prompting the concern for the administrative rezone. He stated that the manufactured home would become nonconforming if the change in zoning is granted. He stated that Residential Single Family (RSF) is an appropriate zoning for the area and more accurately reflects what appears to have been the original intent of the subdivision.

Mr. Royce stated that staff recommends that the Planning Board recommend that the Board of County Commissioners grant the proposal for a change in zoning for the 23 lots in Northwood Section One subdivision from Agriculture (A) to Residential Single Family (RSF).

There was some discussion regarding modular homes and if they were allowed in the Residential Single Family (RSF) zoning.

Chairman Joey Hoover opened the hearing.


There were no comments from the public.

Matthew Buxton moved to close the hearing. Ann Vu seconded the motion. The motion passed unanimously.

Matthew Buxton moved to recommend that the Board of County Commissioners grant petition R-2022-0751, for a change in zoning from Agriculture (A) to Residential Single Family (RSF), based on the staff report and recommendation. Matthew Buxton seconded the motion. The motion passed unanimously.

Chairman Joey Hoover stated that additional public hearings to consider the request for a change in zoning will be held before the Board of County Commissioners on Thursday, August 11, 2022 at 9:00 a.m. and on Thursday, August 25, 2022 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 6:46 p.m.



Joey Hoover, Chairman

10-25-22

Date of Approval



Jenna Durham, Secretary to the Board

10/25/2022

Date