

Planning Board / Board of Adjustments and Appeals

Regular Meeting

March 22, 2022

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, March 22, 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, Robbie Chartier, Adam Cohen, Joey Hoover, Lynn Murray, Samantha Saucedo, and Ann Vu. Also in attendance were County Attorney Wade Vose, 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.

Planning Director Bill Royce stated that there is new equipment in auditorium and that the meetings will be video recorded in the future but not live-streamed.

Agenda Item # 2, Approval of Minutes.

Matthew Buxton moved to approve the January 25, 2022 minutes as submitted. Ann Vu seconded the motion. The motion passed unanimously.

Agenda Item # 3, Public Hearing, Petition R-2022-0739, Change in Zoning. Basilisio Ruiz, property owner and applicant. Request for a change in zoning from the existing classification of Commercial (C) to the proposed classification of Residential General (RG). The property address is 1438 NW 36th Street.

Planning Director Bill Royce presented the petition and described the surrounding area. Mr. Royce stated that the property is about an acre in area on the south side on NW 36th Street, between Whispering Pines and Basswood. He stated that the property is currently zoned Commercial (C) and surrounded by a salvage yard and mobile home park. He stated that the property is currently vacant. He stated that the applicant plans to develop migrant housing, which is consistent with some of the surrounding uses. He stated that multi-family housing makes sense in the area. He stated that

the proposed change in zoning is consistent with the area, with the county's land development regulations and with the adopted 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 Commercial (C) to Residential General (RG).

Chairman Joey Hoover opened the public hearing.

Tiffany Denton addressed the Board on behalf of the applicant to answer any questions they may have.

There was some brief discussion between the Board and Mr. Royce regarding the migrant housing and the permissible density of the 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-2022-0739, request for a change in zoning from the existing classification of Commercial (C) to the proposed classification of Residential General (RG), 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, April 14, 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-2022-0740, Change in Zoning. David Feltenberger, property owner and applicant. Request for a change in zoning from the existing classification of Residential Mobile Home (RMH) to the proposed classification of Heavy Commercial (C-2). The property address is 1661 State Road 70 West.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the property is about half an acre on the north side of State Road 70 West, in front of King's Trailer Park. He stated that the property previously had a gas station on site, but is currently vacant. He stated the property is in the Commercial Corridor Mixed Use future land use classification. He stated that the requested change in zoning is consistent with county land development regulations and the comprehensive plan, and would result in a zoning district that is consistent and compatible with the surrounding area.

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 Heavy Commercial (C-2).

Chairman Joey Hoover opened the public hearing.

David Feltenberger, applicant, addressed the Board to answer any questions they may have.

Lisa Feltenberger addressed the Board to state that the adjacent parcels are both commercial uses, and that this change in zoning should not further affect the nearby property owners.

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-2022-0740, request for a change in zoning from the existing classification of Residential Mobile Home (RMH) to the proposed classification of Heavy Commercial (C-2). Robbie Chartier 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, April 14, 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-2022-0741, Change in Zoning. R & L Farms, LLC, property owner and applicant. Request for a change in zoning from the existing classification of Agricultural (A) to the proposed classification of Heavy Commercial (C-2). The property address is 4647 Highway 441 North.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the subject property is about 60 acres in area and is on the west side of US Highway 441, just past Cemetery Road. He stated that a few years back there was a comprehensive plan amendment to extend the Commercial Corridor to include this property. He stated that the requested change in zoning will create an extension of the commercial district in this area and complements the existing development pattern. He stated that the property is currently vacant. He stated that the proposed change is consistent with the county's land development regulations and adopted comprehensive plan.

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

Chairman Joey Hoover opened the public hearing.

There were no comments from the public.

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-2022-0741, request for a change in zoning from the existing classification of Agricultural (A) to the proposed classification of Heavy Commercial (C-2). 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, April 14, 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 #6, Public Hearing, Petition R-2022-0742, Change in Zoning. Michael and Lori Bandi, property owners and applicants. Request for a change in zoning from the existing classification of Residential Single Family (RSF) to the proposed classification of Residential Single Family-Estate (RSF-E). The property is located on NW 106th Street, immediately west of N Center Avenue.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the subject property is a 5 acre lot in Okeechobee Little Farms, across the street from Orange Blossom Estates. He stated that part of Little Farms has a mixed zoning consisting of Residential Mixed (RM), Light Industrial (I-1), Commercial(C), and Residential Single Family- Estate (RSF-E). He stated that the difference between Residential Single Family (RSF) and Residential Single Family- Estate (RSF-E) is that RSF-E has a provision for horses and cows where RSF doesn't. He stated that the proposed zoning is consistent with the county's land development regulations and comprehensive plan, and is consistent with the general area.

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 Single Family (RSF) to Residential Single Family-Estate (RSF-E).

Chairman Joey Hoover opened the public hearing.

There were no comments from the public.

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

Matthew Buxton moved to recommend that the Board of County Commissioners grant petition R-2022-0742, request for a change in zoning from the existing classification of

Residential Single Family (RSF) to the proposed classification of Residential Single Family-Estate (RSF-E). 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, April 14, 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 L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida.

Agenda Item # 7, Public Hearing, Petition R-2022-0743, Change in Zoning. RinseWorks, Inc., property owner and applicant. Request for a change in zoning from the existing classifications of Commercial (C) and Residential Mixed (RM) to the proposed classification of Light Industrial (I-1). The property address is 345 NE 110th Street.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the property is a 5 acre parcel located in Okeechobee Little Farms. He stated that while the subject property is surrounded by Residential Mixed (RM), Light Industrial (I-1), Commercial (C), and Residential Single Family (RSF), most of the properties along US Highway 441 North are zoned Commercial (C) including a part of the subject property. He stated that the applicant is wanting to place a small industrial facility on the property. He stated that the Light Industrial (I-1) zoning district has to be an indoor use, and that it is not possible to apply for a special exception for an outdoor use within the zoning district when it is located in a Rural Activity Center. He stated that the requested change in zoning is consistent with county regulations and with the comprehensive plan, and would result in a zoning district that is consistent and compatible with the surrounding area.

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 Commercial (C) and Residential Mixed (RM) to Light Industrial (I-1).

Chairman Joey Hoover opened the public hearing.

Glenn Ayers addressed the Board on behalf of the applicant. He stated that they have manufactured specialty plumbing parts for over 20 years and described their plans moving forward pending the rezone's approval. He stated that they are looking forward to bringing their business to Okeechobee.

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

Matthew Buxton moved to recommend that the Board of County Commissioners grant petition R-2022-0743, request for a change in zoning from the existing classifications of Commercial (C) and Residential Mixed (RM) to the proposed classification of Light Industrial (I-1). 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, April 14, 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. L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida.

Agenda Item #8, Public Hearing, Comprehensive Plan Amendment. Proposed EAR-based amendment to the Okeechobee County Comprehensive Plan creating a new Property Rights Element.

Mr. Royce stated that there was a State law that passed last year requiring every state and city within Florida to adopt a property rights element. He stated the proposed amendment submitted for consideration is specifically what the State law requires. He stated that the goal for the element is to respect judicially acknowledged and constitutionally protected private property rights, along with an objective to ensure that private property rights are considered in local decision making and a policy that has several components that Mr. Royce discussed with the Board.

Mr. Royce stated that staff recommends that the Planning Board recommend that the Board of County Commissioners approve the proposed amendment to the Okeechobee County Comprehensive Plan.

Chairman Joey Hoover opened the public hearing.

There were no comments from the public.

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

Chairman Joey Hoover stated that there would be public hearings scheduled before the Board of County Commissioners.

County Attorney Wade Vose gave an orientation on the rules, regulations, duties, and functions of an appointed Board member, including discussions of the sunshine law and public records.

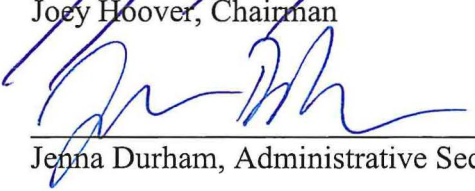
There being no additional business, the meeting was adjourned at 7:26 p.m.



Joey Hoover, Chairman



Date of Approval



Jenna Durham, Administrative Secretary



Date