

Planning Board / Board of Adjustments and Appeals

Regular Meeting

July 25, 2023

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, July 25, 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, Matthew Buxton, Billy McCullers, and Charles Murphy. Alternate Jeff Davis was also present and was designated as a voting member. Ann Vu, Robbie Chartier, and Samantha Saucedo were absent. Also in attendance were County Attorney Garrett Olsen, Planning Director Bill Royce, Planner Ty Hancock and Administrative Assistant 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 public comment. Jeff Davis seconded the motion. The motion passed unanimously.

Agenda Item # 2. Approval of Minutes.

Matthew Buxton moved to approve the June 27, 2023 minutes as submitted. Jeff Davis seconded the motion. The motion passed unanimously.

Agenda Item #3, Public Hearing, Petition R-2023-0758, Change in Zoning. Frank DeCarlo Revocable Trust, property owner; Frank DeCarlo, applicant. Request for a change in zoning from the existing classification of Agriculture (A) to the proposed classification of Heavy Industrial (I-2). The property address is 5198 State Road 710 E.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the property is about 100 acres in area on State Road 710, between Nubbin Slough and SE 59th Boulevard. He stated that the subject property is next to another almost 100 acre parcel that was recently rezoned to Heavy Industrial (I-2). He stated that the subject property is currently vacant

and in the Industrial Overlay Future Land Use classification, which covers about 1,000 acres on either side of State Road 710. He stated that the property is located between railroad tracks and an arterial highway. He stated that for industrial overlays that there is a limit on 10 percent of the overlay that can be developed with industrial uses. He stated that this rezone will exceed the 10 percent, but the developed area does not consist of the full 100 acres and that the Board of County Commissioners will be discussing the Industrial Overlay and the percentage of land that can be zoned Industrial within the overlay. He stated that the requested rezone is consistent with Okeechobee County's Land Development Regulations and Comprehensive plan.

Director Bill 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 Agriculture (A) to Heavy Industrial (I-2).

Chairman Joey Hoover opened the public hearing.

There were no comments from the public.

Matthew Buxton moved to close the public hearing. Jeff Davis seconded the motion. The motion passed unanimously.

Matthew Buxton moved to recommend that the Board of County Commissioners grant petition R-2023-0758, request for a change in zoning from Agriculture (A) to Heavy Industrial (I-2), based on staff report and recommendation. Billy McCullers 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 10, 2023 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-2023-0759, Change in Zoning. OBE Business Center, LLC, property owner and applicant. Request for a change in zoning from the existing classifications of Residential Mobile Home (RMH) and Commercial (C) to the proposed classification of Neighborhood Commercial-2 (NC-2). The property is located at 30398 US Highway 441 North.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the property is 2 acres in area and is located on the corner of US Highway 441 North and NE 304th Street. He stated that the west half of the property is zoned Commercial (C) and the east half is zoned Residential Mobile Home (RMH). He stated that the applicant is looking to develop a retail strip plaza, and they need the whole parcel to allow commercial uses. He stated the property is on an arterial highway and in the Rural Activity Center future land use classification that allows Neighborhood Commercial-2 (NC-2) zoning. He stated that the requested rezone for Neighborhood

Commercial-2 (NC-2) is compatible with the area and consistent with the county's comprehensive plan and land development regulations.

Director Bill Royce stated that staff recommends that the Planning Board recommend that Board of County Commissioners grant the request for a change in zoning from Commercial (C) and Residential Mobile Home (RMH) to Neighborhood Commercial-2 (NC-2).

Chairman Joey Hoover opened the public hearing.

There were no comments from the public.

Matthew Buxton moved to close the public hearing. Jeff Davis seconded the motion. The motion passed unanimously.

Matthew Buxton moved to recommend that the Board of County Commissioners grant petition R-2023-0759, request for a change in zoning from Commercial (C) and Residential Mobile Home (RMH) to Neighborhood Commercial-2 (NC-2), based on staff report and recommendation. Charles Murphy 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 10, 2023 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 L-2023-0002, Change in Zoning. Cow Creek Cattle, LLC and R&L Farms, LLC, property owners; Reuven Rogatinski and Jonathan Einhorn, applicants. Request for a change in zoning from the existing classifications of Agriculture (A), Residential Single Family (RSF) and Heavy Commercial (C-2) to the proposed classification of Planned Development - Zomani (PD). The property extends northward for approximately one-half mile from the north side of Whispering Pines, Whispering Pines Heights and Basswood Estates, and extends from US Highway 441 N westward for approximately 3 miles to US Highway 98 N. The total land area is approximately 1,006 acres.

Planning Director Bill Royce presented the petition and described the surrounding area. He stated that the property is about 1,000 acres in area, stretching from US Highway 441 North to US Highway 98 N at a half mile in distance north to south and 3 miles west to east. He stated that the Planned Development (PD) district is a zoning district that allows for a mix of uses that are developed more cohesively, rather than having distinct zoning boundaries. He stated that with a Planned Development you start with a Conceptual Master Plan that will show the basic layout and concept of the development, as well as list the primary uses. He stated that the Planned Development is the first step of a multi-step process. He stated that if the Planned Development is approved, the applicant would then proceed with a phasing schedule, refining the master plan, and submitting site plans, which will come back to the Planning Board. He stated that the specific

request is for a Planned Development on 1,000 acres consisting of 4,500 single family and multifamily residences, several houses of worship in town centers that will also include schools and neighborhood commercial uses, a larger town center in the east portion, heavier commercial uses near US Highway 441 N, and a resort area along US Highway 98 that will include hotels, over 200 villas and various supporting amenities. He noted that the Planned Development would consist of 3 times the amount of dwelling units as Basswood Estates Subdivision and Whispering Pines Heights combined. He stated that the applicant will be working with Okeechobee Utility Authority for water and sewer, and the Florida Department of Transportation on determining and mitigating transformation impacts. He stated that the applicant will be constructing a road located to the south of the property for the general public to use that connects US Highway 441 North and US Highway 98 N, accompanied by screening. He reiterated that this is the first step in a long process.

Chairman Joey Hoover opened the public hearing.

Steve Dobbs, Steven L. Dobbs Engineering, addressed the Board on behalf of the applicant to provide a little further information on the project regarding plans of Community Development Tax District (CDD), Commercial uses to serve the public, communications with FDOT, and Okeechobee Utility Authority extending utilities to surrounding areas.

Brenda Soto, nearby property owner, addressed the Board. She requested clarification on any possible impacts the development may have on her adjoining property.

Jonathan Beam, nearby property owner, addressed the Board. He stated concerns regarding the impact the development's traffic will have on US Highway 441.

Felipe Soto, nearby property owner, addressed the Board. He stated concerns of road access and expressed opposition to the project.

Sarah Soto, nearby property owner, addressed the Board. She stated concerns regarding the impact construction would have on her adjoining property, water runoff, and concerns of the county lacking resources to accommodate the influx of people it would bring to the county.

Jonathan Beam, nearby property owner, addressed the Board. He asked about the maximum density of the development, and what exactly would be brought before the County Commission for approval.

Matthew Buxton moved to close the public hearing. Billy McCullers seconded the motion. The motion passed unanimously.

Matthew Buxton moved to recommend that the Board of County Commissioners grant Petition L-2023-0002, request for a change in zoning from Agriculture (A), Residential Single Family (RSF) and Heavy Commercial (C-2) to Planned Development (PD) as specified in the accompanying ordinance establishing the Zomani Planned Development district, based on the staff report and recommendation.

The motion died due to a lack of a second.

There was discussion among the Board members, Mr. Royce, and County Attorney Garrett Olsen regarding the options for a motion, the possibility of a development agreement, and possible provisions within the development agreement.

Billy McCullers moved to recommend that the Board of County Commissioners deny Petition L-2023-0002, request for a change in zoning from Agriculture (A), Residential Single Family (RSF) and Heavy Commercial (C-2) to Planned Development (PD) as specified in the accompanying ordinance establishing the Zomani Planned Development district, because of insufficient information. Jeff Davis seconded the motion. The motion passed by a vote of 3 to 2 with Billy McCullers, Jeff Davis, and Joey Hoover voting for the motion, and Matthew Buxton and Charles Murphy voting against the motion.

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 at in the Judge William L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida. Mr. Royce mentioned that the date of the second public hearing before the Board of County Commisisoners had not been determined yet, but would likely be the first meeting in September. Mr. Royce noted that there will be a legal ad and notices sent to surrounding property owners about the second public hearing.

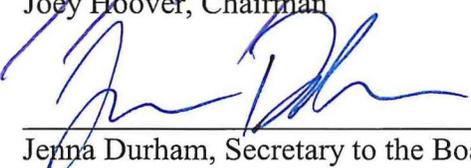
There being no additional business, the meeting was adjourned at 7:06 p.m.



Joey Hoover, Chairman

8-22-23

Date of Approval



Jenna Durham, Secretary to the Board

8/22/2023

Date