



**CITY OF OKEECHOBEE, FLORIDA
PLANNING BOARD & WORKSHOP MEETING
JULY 16, 2020
SUMMARY OF BOARD ACTION**

I. CALL TO ORDER

Chairperson Hoover called the regular meeting of the Planning Board for the City of Okeechobee to order on Thursday, July 16, 2020, at 6:22 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and extended by Executive Order No. 20-150 effective June 23, 2020, the meeting was conducted utilizing communications media technology (CMT) as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and other digital comments are recorded and retained as a permanent record.

A. The Pledge of Allegiance was led by Chairperson Hoover.

II. ATTENDANCE

Planning Board Secretary Burnette called the roll. Chairperson Dawn Hoover, Vice Chairperson Doug McCoy, Board Members Phil Baughman, Karyne Brass, Rick Chartier, Felix Granados and Mac Jonassaint were present. Alternate Board Members Joe Papasso and Jim Shaw were present.

CITY STAFF: City Attorney John Fumero, City Planning Consultant Ben Smith, General Services Secretary Yesica Montoya, and Executive Assistant Robin Brock were present.

III. AGENDA

- A.** Chairperson Hoover asked whether there were any agenda items to be added, deferred, or withdrawn. There were none.
- B.** A motion was made by Board Member Baughman to adopt the agenda as presented; seconded by Board Member Brass.

Chairperson Hoover, Vice Chairperson McCoy, Board Members Baughman, Brass, Chartier, Granados and Jonassaint voted: Aye. Nays: None. Motion Carried.

IV. MINUTES

- A.** A motion was made by Board Member Brass to dispense with the reading and approve the May 21, 2020 Regular Meeting minutes; seconded by Board Member Chartier.

Chairperson Hoover, Vice Chairperson McCoy, Board Members Baughman, Brass, Chartier, Granados and Jonassaint voted: Aye. Nays: None. Motion Carried.

V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:25 P.M.

- A.** Chairperson Hoover yielded the floor to City Planning Consultant Ben Smith of LaRue Planning and Management Services who briefly reviewed the Planning Staff Report for Abandonment of Right-of-Way Petition No. 20-001-AC-SC, which requests to vacate the 20-foot wide by 512.5-foot long East to West alleyway lying between Lots 1 through 10 and Lots 17 through 26, of Block 39, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public of Records of Okeechobee County, and a 70-foot wide by 512.5-foot long portion of Northwest 10th Street, formally known as Sixteenth Avenue, lying between Lots 1 through 10, Block 39 and Lots 17 through 26, Block 28, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public of Records of Okeechobee County. He stated recently the vacant portion of Block 39 contiguous to the subject rights-of-way was approved for a Future Land Use Map Amendment (FLUM) to Multi-Family Residential (MF) and a Rezoning change to Residential Multiple Family (RMF). Should this request be approved, the Applicant intends to join the vacant portion of Block 28 to the North and construct a multifamily residential project.

V. PUBLIC HEARING ITEM CONTINUED

With those recent FLUM and Zoning approvals and the property to the North being designated as MF Residential on the FLUM and RMF on the zoning map, it seems appropriate to place the same designation on the vacated property. This designation is also necessary if the Applicant is to complete the stated goal of developing a multi-family residential project at this site. The Petition was reviewed by the Technical Review Committee at their meeting on June 18, 2020 and a motion was made to recommend approval.

Planning Staff is recommending **approval** based on the following responses to the required findings. The alleyway is not the sole means of access to any property. The property owner of the parcel to the North of the Northwest 10th Street right-of-way, Fosler LLC, has provided consent and the Applicant owns the Southern half. The proposed right-of-way areas to be vacated have not been improved to facilitate vehicular travel. Turning over maintenance responsibility to the Applicant and adding property to the City's tax rolls will be a benefit to the City. Finally, the Applicant has received authorization from all necessary utility entities.

1. Mr. Steven Dobbs, with SLD Engineering, who represents the Applicant, Mr. Omar Abuaita, and Mr. Randy Simler, Co-Owner of Fosler LLC and property owner to the North of the subject Northwest 10th Street Right-of-Way, were present for questions. Mr. Dobbs pointed out the Northwest 10th Street right-of-way was actually 100 feet wide per the survey instead of 70 feet. Board Member Brass stated she has no issues with the project though voiced a concern with "giving away" these rights-of-way instead of having a policy in place to assign some sort of worth to them. She commented she knows the Hamrick Trust is paid but does one pay the City. Mr. Simler stated he has paid quite a bit of money for the property and plans to join them together whether the properties get developed or not. Property taxes will still have to be paid either way.
2. Chairperson Hoover opened the floor for public comment. There were none. The Petition was advertised in the local newspaper, two signs were posted on the subject property and courtesy notices were mailed to nine surrounding property owners.
3. No disclosures of Ex-Parte were offered.
4. A motion was offered by Member Baughman to recommend **approval** to the City Council for Abandonment of Right-of-Way Petition 20-001-AC-SC requesting to vacate an unimproved portion of Northwest 10th Street, formally known as Sixteenth Avenue, running East to West and lying South of Lots 17 to 26 of Block 28, and North of Lots 1 to 10 of Block 39, approximately 70-feet by 512.5-feet, OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public of Records of Okeechobee County; and vacate the East to West alleyway in Block 39; seconded by Member Jonassaint.
 - a) The Board offered no further discussion.
 - b) **Chairperson Hoover, Vice Chairperson McCoy, Board Members Baughman, Brass, Chartier, Granados and Jonassaint, voted: Aye. Nays: None. Motion Carried.** The recommendation will be forwarded to the City Council for consideration at a Public Hearing, tentatively September 1, 2020, 6:00 P.M.

CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 6:38 P. M.

VI. CHAIRPERSON HOOVER RECESSED THE REGULAR MEETING AND CONVENED THE WORKSHOP AT 6:38 P.M.

- A. City Planning Consultant Mr. Smith briefly reviewed the Staff Report for the Workshop regarding Rezoning of Holding Properties. The City's FLUM and Zoning maps have several existing types of conflicts. Properties with zoning designations that are inconsistent with the Future Land Use (FLU) designation; properties with existing land uses that are inconsistent with map designations; and lastly, properties zoned Holding.

VI. WORKSHOP ITEM CONTINUED

This Workshop is to discuss City initiated rezoning of properties currently zoned Holding. Several years ago, the Holding district regulations were removed from the land development code. It was intended at that time that most properties zoned Holding would be rezoned to one of the single-family residential zoning districts or to the Rural Heritage district. The Rural Heritage district was conceived in order to provide an appropriate zoning district to continue to be used for agricultural purposes. The City's Comprehensive Plan was also amended at that time to allow limited agriculture in the appropriate FLU categories to address existing lands in the City where agricultural activities have been and continue to be active. Since there are no longer any Holding district regulations provided in the code that would regulate development of properties zoned Holding, the Holding designation is no longer supported by the City's land development code. At this time, if any property owner of land zoned Holding is seeking to develop that property, a rezoning must be performed first.

At the November 21, 2019 Workshop Meeting, staff received directions from the Planning Board to proceed with recommendations for City initiated rezoning of the Holding properties. Currently 55 parcels of land within the City are zoned Holding. A few are developed, though most are undeveloped or used for agricultural purposes. Most of the Holding properties are designated as Single Family Residential (SF) on the FLUM, though there are two with Commercial designations and one with Mixed Use Residential. Mr. Smith provided FLUM and Zoning sub maps to the Board depicting eight separate areas of the City. Properties within those sub maps are labeled with map ID numbers. He explained several tasks would need to be considered. Separate applications and staff reports for each map ID; contacting each property owner; advertising; surveys which either would need to be provided by the property owner or the City; and should the map changes allow for an increased intensity of the use, then the effects to public facilities, utilities and services will need to be accessed.

A lengthy discussion followed centered around whether to create an actual zoning district for Holding, to how it was initially introduced and why the maps were created with this zoning designation if no regulations remained, to what transpired in past years when some of these Holding properties were rezoned.

The consensus of the Board was to have the City Attorney and the City Planner get together and do some further research. To determine if there is a way to approach this task without surveys, if applicable, to gather more information on the cost involved, and a more detailed approach to be able to make decisions on how to proceed.

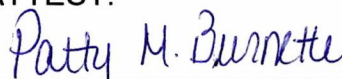
CHAIRPERSON HOOVER ADJOURNED THE WORKSHOP AND RECONVENED THE REGULAR MEETING AT 7:14 P.M.

- VII.** There be no further items on the agenda, Chairperson Hoover adjourned the meeting at 7:14 P.M.



Dawn T. Hoover, Chairperson

ATTEST:



Patty M. Burnette, Secretary

Please take notice and be advised that when a person decides to appeal any decision made by the Planning Board/Board of Adjustment and Appeals with respect to any matter considered at this proceeding, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. General Services' media are for the sole purpose of backup for official records.