



**CITY OF OKEECHOBEE, FLORIDA
PLANNING BOARD MEETING
APRIL 20, 2023
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, April 20, 2023, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast (SE) Third Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Mr. Noel Chandler; followed by the Pledge of Allegiance.

II. ATTENDANCE

Roll was taken by Board Secretary Patty Burnette. Chairperson Dawn Hoover, Board Members Phil Baughman, Karyne Brass, Rick Chartier, Mac Jonassaint and Alternate Board Members Jon Folbrecht and Jim Shaw were present. Vice Chairperson Doug McCoy, and Board Member Carl Berlin, Jr., were absent with consent. Chairperson Hoover moved Alternate Board Members Folbrecht and Shaw to voting position.

III. AGENDA

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Member Jonassaint, seconded by Member Brass to approve the agenda as presented. **Motion Carried Unanimously.**
- C. There were no comment cards submitted for public participation.

IV. MINUTES

- A. Motion by Member Brass, seconded by Member Jonassaint to dispense with the reading and approve the February 16, 2023, Regular Meeting minutes and the March 16, 2023, Workshop Meeting minutes. **Motion Carried Unanimously.**

V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:03 P.M.

- A. Land Development Regulation (LDR) Text Amendment Application No. 23-001-TA proposes to amend Chapters 14 and 90 of the City's Code of Ordinances to allow and regulate the operation of Mobile Food Dispensing Vehicles (MFDVs).
 - 1. City Planning Consultant Mr. Ben Smith of Morris-Depew Associates, Inc. gave a brief overview for those not in attendance at the March 16, 2023, Workshop Meeting. He then reviewed a proposed ordinance which included classifications of different MFDVs, regulations for operating on private property, operating by right in the Industrial (IND) Zoning District, possible Special Exception and Temporary Use Permit processes in other zoning districts, operating in the public rights-of-way, general operating standards, and enforcement.
 - 2. Justin and Dmitri Bellamy, 1116 20th Street, Octavio and Joie Montiel, 8600 Southwest (SW) 9th Street, Tommy and Jennifer Harden, 81 SW 21st Terrace, Briana Leske, 10200 Northeast (NE) 12th Street, and James Crowley, 307 Northwest (NW) 3rd Street, all of Okeechobee, Florida, spoke regarding MFDVs currently not being allowed to operate on properties without owners written permission, as they would lose their licenses otherwise; that MFDVs must pay taxes, insurance, and have repeated inspections that are costly. MFDVs owners would like to operate on a Peddlers Permit or similar to such in the City of Okeechobee and have minimal restrictions.
 - 3. There were no Ex-Parte disclosures offered.
 - 4. After a lengthy discussion among the Board and direction to the Planner to review some other local jurisdiction's ordinances, a motion was made by Member Folbrecht, seconded by Member Chartier, to continue LDR Text Amendment Application No. 23-001-TA as presented in [Exhibit 1] to the May 18, 2023, meeting. **Motion Carried Unanimously.**

QUASI-JUDICIAL ITEM

- B. Rezoning Petition No. 23-001-R, requests to rezone 0.36± unplatted acres from Holding (H) to IND, located contiguous to the West-side of the East City Limits Boundary Line, North of the railroad tracks, and South of NE 12th Avenue for the proposed use of outdoor storage.

QUASI-JUDICIAL PUBLIC HEARING ITEM B CONTINUED

1. Notary Public Patty Burnette administered an oath to Ms. Rene Griffith, In-house Attorney and Registered Agent, on behalf of the Property Owner, Be A Man Buy Land, LLC, 4260 SE Federal Highway, Stuart, FL, and Mr. Ben Smith, Morris-Depew Associates, Inc., 2914 Cleveland Avenue, Fort Myers, FL, who responded affirmatively.
2. City Planning Consultant Smith briefly reviewed the Planning Staff Report finding the requested rezoning from H to IND for the subject property to be consistent with the City's Comprehensive Plan, reasonably compatible with adjacent uses, and consistent with the pattern of land use, therefore recommending approval.
3. Ms. Rene Griffith, Registered Agent, on behalf of the Property Owner, Be a Man Buy Land, LLC, was present and available for questions. Member Brass asked for clarification of what the outdoor storage use would be. Ms. Griffith commented they had chosen open storage to market the property.
4. No Ex-Parte disclosures were offered.
5. Motion by Member Chartier, seconded by Member Folbrecht to recommend approval to the City Council for Rezoning Petition No. 23-001-R as presented in [Exhibit 2, which includes the findings as required for granting Petitions per Code Section 70-340; and the Planning Consultant's analysis of the findings and recommendation for approval]. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for May 16, 2023, and June 20, 2023.

CHAIRPERSON HOOVER CLOSED THE PULIC HEARING AT 8:18 P.M.

VI. CITY ADMINISTRATOR UPDATE

No updates provided at this time.

VII. Chairperson Hoover adjourned the meeting at 8:18 P.M.

Submitted by:

Patty M. Burnette

Patty M. Burnette, Secretary

Please take notice and be advised that when a person decides to appeal any decision made by the Planning Board 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.