



# PUBLIC MEETING NOTICE

## BOARD OF ADJUSTMENT

**NOTICE IS HEREBY GIVEN** that a **QUASI-JUDICIAL PUBLIC HEARING** will be held by the City of Okeechobee Board of Adjustment (BOA) on **December 15, 2022, 6 PM**, or as soon thereafter as possible at City Hall, 55 SE 3<sup>rd</sup> AVE, Rm 200, Okeechobee, FL.

**The public is invited to attend and be heard on all matters.** Copies of the agenda will be available at the meeting, or prior to the meeting and may be viewed and/or downloaded from <https://www.cityofokeechobee.com/AgendaMinutes-BoardofAdjustment.html>.

The following **Application(s)/Petition(s)** will be considered during this meeting, which can be inspected in their entirety at <https://www.cityofokeechobee.com/public-notice.html> or in the General Services Office at the address above, during normal business hours, Monday-Friday, 8:00 AM to 4:30 PM, excluding holidays:

**No. 22-003-SE:** Deferred from the BOA November 17, 2022, Meeting, Special Exception Use Petition, submitted by Kyle Lotze, agent for CitySwitch II-A, LLC, on behalf of property owner, CSX Transportation INC. Requesting to waive the minimum separation from off-site uses, reference Code of Ordinances, Section 90-603(c); and to waive the separation distances between communication towers, reference Code of Ordinances, Section 90-603(d); for a wireless telecommunication facility as provided in the Code of Ordinances, Section 90-603(e). The property is located at 1117 NW 9<sup>th</sup> Street. Legal Description: **50'x50' Tower Compound Area (As-Surveyed): A PORTION OF THE CSX TRANSPORTATION, INC. TRACT DESCRIBED IN BOOK 745, PAGE 850 AS RECORDED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT FOR OKEECHOBEE COUNTY, FLORIDA, LYING IN THE NORTHWEST QUARTER, SECTION 16, TOWNSHIP 37 SOUTH, RANGE 35 EAST, SAID OKEECHOBEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A CAPPED REBAR, STAMPED DEHAYES PSM 5178, FOUND MARKING THE NORTHWEST CORNER OF SAID TRACT, HAVING FLORIDA EAST STATE PLANE COORDINATES: N:1060999.896; THENCE RUN S 14° 33'54" FOR A DISTANCE OF 119.78 FEET TO A SET 5/8" REBAR AND THE POINT OF BEGINNING; THENCE RUN N 89°52'26" E FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE RUN S 00°07'34" E FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE R S 89°52'26" W FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE RUN N 00°07'34" W FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. SAID TOWER COMPOUND AREA CONTAINS 2,500.00 SQUARE FEET OR 0.06 ACRES, MORE OR LESS; together with 30' WIDE ACCESS AND UTILITY CORRIDOR (AS-SURVEYED): A PORTION OF THE CSX TRANSPORTATION, INC. TRACT DESCRIBED IN BOOK 745, PAGE 850 AS RECORDED IN THE OFFICE OF CLERK OF CIRCUIT COURT FOR OKEECHOBEE COUNTY, FLORIDA LYING IN THE NORTHWEST QUARTER, SECTION 16, TOWNSHIP 37 SOUTH, RANGE 35 EAST, SAID OKEECHOBEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A CAPPED REBAR, STAMPED DEHAYES PSM 5178, FOUND MARKING THE NORTHWEST CORNER OF SAID TRACT, HAVING FLORIDA EAST STATE PLANE COORDINATES: N:1060999.896, E: 706535.719; THENCE RUN S 14°33'54" E FOR A DISTANCE OF 119.78 FEET TO A 5/8" SET REBAR; THENCE RUN N 89°52'26" E FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; OF AN ACCESS & UTILITY CORRIDOR BEING 30 FEET IN WIDTH AND LYING 15 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; THENCE RUN N 00°00'00" WEST FOR A DISTANCE OF 56.21 FEET TO A POINT; THE BEGINNING OF AN ARC TO THE RIGHT HAVING A RADIUS OF 309.45 FEET, HAVING A CHORD BEARING AND DISTANCE OF 05°56'55" E FOR A DISTANCE OF 64.14 FEET; THENCE RUN ALONG SAID ARC FOR 64.26 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF NW 9<sup>TH</sup> STREET, A VARIABLE PUBLIC RIGHT-OF-WAY AND THE POINT OF ENDING. SAID EASEMENT CONTAINS 3,613.93 SQUARE FEET OR 0.08 ACRES, MORE OR LESS.**

**BE ADVISED** that should you intend to show any document, picture, video, or items to the **BOA** in support or opposition to any item on the agenda, a copy of the document, picture, video, or item must be provided to the Board Secretary for the City's records. **ANY PERSON DECIDING TO APPEAL** any decision made by the **BOA** with respect to any matter considered at this meeting will need to ensure a verbatim record of the proceeding is made and the record includes the testimony and evidence upon which the appeal will be based. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in this proceeding should contact the General Services Office in person or call 863-763-9824, Hearing Impaired: Florida Relay 7-1-1 no later than four business days prior to proceeding.

**ONE OR MORE CITY OF OKEECHOBEE COUNCIL MEMBERS MAY BE IN ATTENDANCE AT THIS MEETING. THIS NOTICE IS POSTED TO MEET STATE PUBLIC NOTICE REQUIREMENTS AND SUNSHINE LAWS.**