



CITY OF OKEECHOBEE
BOARD OF ADJUSTMENT MEETING
55 SOUTHEAST THIRD AVENUE, OKEECHOBEE, FL 34974
MARCH 18, 2021
LIST OF EXHIBITS

Draft Minutes	Summary of Board Action January 21, 2021
Exhibit 1	Variance Petition No. 21-001-V
Exhibit 2	Special Exception Petition No. 21-003-SE



**CITY OF OKEECHOBEE, FLORIDA
BOARD OF ADJUSTMENT MEETING
JANUARY 21, 2021
DRAFT SUMMARY OF BOARD ACTION**

I. CALL TO ORDER

Chairperson Hoover called the regular meeting of the Board of Adjustment for the City of Okeechobee to order on Thursday, January 21, 2021, at 6:03 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida, followed by the Pledge of Allegiance.

II. ATTENDANCE

Roll was taken by Board Secretary Patty Burnette. Chairperson Hoover, Board Members Karyne Brass, Rick Chartier, Felix Granados, and Mac Jonassaint were present. Alternate Board Members Joe Papasso and Jim Shaw were present. Vice Chairperson Doug McCoy and Board Member Phil Baughman were absent without consent. Chairperson Hoover moved Alternate Board Members Papasso and Shaw to voting positions.

III. AGENDA

- A.** There were no items added, deferred, or withdrawn from the agenda.
- B.** Motion by Board Member Chartier, seconded by Board Member Brass to approve the agenda as presented. **Motion Carried Unanimously.**

IV. ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

- A.** Chairperson Hoover opened the floor to receive nominations for Chairperson.
- B.** Motion by Board Member Chartier, seconded by Board Member Brass to appoint Dawn Hoover to serve a two-year term beginning January 21, 2021. **Motion Carried Unanimously.**
- C.** Chairperson Hoover opened the floor to receive nominations for Vice Chairperson.
- D.** Motion by Board Member Brass, seconded by Board Member Jonassaint to appoint Doug McCoy to serve a two-year term beginning January 21, 2021. **Motion Carried Unanimously.**

V. MINUTES

- A.** Motion by Board Member Brass, seconded by Board Member Granados to dispense with the reading and approve the October 15, 2020, Board of Adjustment Regular Meeting minutes. **Motion Carried Unanimously.**

VI. CHAIRPERSON HOOVER OPENED THE QUASI-JUDICIAL PUBLIC HEARING AT 6:06 P.M.

- A.** Special Exception Petition No. 21-001-SE.
 - 1.** Notary Public Patty Burnette administered an oath to Mr. Daniel Meara, 905 Southwest 3rd Avenue, Okeechobee, Florida, who responded affirmatively.
 - 2.** City Planning Consultant Mr. Ben Smith of LaRue Planning and Management Services, reviewed the Planning Staff Report recommending approval.
 - 3.** No comments were offered on behalf of the Property Owner.
 - 4.** No public comments were offered.
 - 5.** No Ex-Parte disclosures were offered.
 - 6.** Motion by Board Member Brass, seconded by Board Member Granados to approve Special Exception Petition No. 21-001-SE, which requests to allow a proposed use of one dwelling unit per commercial building in a Heavy Commercial Zoning District, (Ref. Code Sec. 90-283 (17)) located at 605 NE Park Street. **Motion Carried Unanimously.**
- B.** Special Exception Petition No. 21-002-SE.
 - 1.** Notary Public Patty Burnette administered an oath to Mr. Steven Dobbs, 209 Northeast 2nd Street, Okeechobee, Florida, and Mr. Frank Wesley Williamson III, 9000 Northeast 12th Drive, Okeechobee, Florida, all responded affirmatively.

QUASI-JUDICIAL PUBLIC HEARING ITEM VI. B. CONTINUED:

2. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
3. Mr. Williamson commented there were no current plans to use the existing building.
4. No public comments were offered.
5. No Ex-Parte disclosures were offered.
6. Motion by Board Member Chartier, seconded by Board Member Jonassaint to approve Special Exception Petition No. 21-002-SE, which requests to allow a proposed use of a car wash in a Heavy Commercial Zoning District, (Ref. Code Sec. 90-283 (2)) located at 1600 South Parrott Avenue with the following conditions: the Special Exception approval shall be limited to the southern half of the subject parcel containing 1.03± acres, Lots 4 through 6 and 10 through 12 of Block 29, FIRST ADDITION TO SOUTH OKEECHOBEE, as recorded in Plat Book 1, Page 17, Public Records of Okeechobee County, Florida; and a site plan, meeting all application zoning codes, building codes and other design requirements, must be approved by the City's Technical Review Committee. **Motion Carried Unanimously.**

CHAIRPERSON HOOVER CLOSED THE QUASI-JUDICIAL PUBLIC HEARING AT 6:25 P.M.

VII. Chairperson Hoover adjourned the meeting at 6:25 P.M.

Submitted by:

Patty M. Burnette, Secretary

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

City of Okeechobee General Services Department 55 S.E. 3rd Avenue, Room 101 Okeechobee, Florida 34974-2903 Phone: (863) 763-3372, ext. 9820 Fax: (863) 763-1686		Date: 12-17-20 Fee Paid: 500.00 Receipt No. 54206 1 st Hearing: 2-18-21 3-18-21 Publication Dates: 2/3/21 & 2/10/21 Notices Mailed: 2-3-21		Petition No. 81-001-V Jurisdiction: BOA 2 nd Hearing: N/A	
Rezone, Special Exception and Variance APPLICANT INFORMATION					
1	Name of property owner(s): Aaron Kinty				
2	Owner mailing address: 2341 SE 27th St Okeechobee 34974				
3	Name of applicant(s) if other than owner				
4	Applicant mailing address: N/A				
	E-mail address: Kintyaa@msn.com				
5	Name of contact person (state relationship): Aaron Kinty - owner				
6	Contact person daytime phone(s): 863-607-3898				
PROPERTY INFORMATION					
7	Property address/directions to property: 611 SE 6th Ave Okeechobee, FL 34974				
8	Describe current use of property: SWMH				
9	Describe improvements on property (number/type buildings, dwelling units, occupied or vacant, etc.) 1974 SWMH, 1 carport, 2 sheds.				
	Source of potable water: OUA Method of sewage disposal: OUA				
10	Approx. acreage: .22 Is property in a platted subdivision? NO				
11	Is there a use on the property that is or was in violation of a city or county ordinance? If so, describe: Yes, property too narrow. Mobile Home - should have site built house				
12	Is a pending sale of the property subject to this application being granted? NO				
13	Describe uses on adjoining property to the North: North: SFR East: Taylor Creek South: Park West: Road, Central Park Subdiv.				
14	Existing zoning: SFR RSF1 Future Land Use classification: SF				
15	Have there been any prior rezoning, special exception, variance, or site plan approvals on the property? () No (X) Yes. If yes provide date, petition number and nature of approval. 17-004-V, 12-21-17 approved				
16	Request is for: () Rezone () Special Exception (X) Variance				
17	Parcel Identification Number: 2-22-37-35-0A00-00016-0000				

REQUIRED ATTACHMENTS

✓ 18	Applicant's statement of interest in property: <i>Owner - Fee Simple</i>
✓ 19	Non-refundable application fee: Rezoning: \$850 plus \$30/acre; Special Exception: \$500 plus \$30/acre; Variance: \$500 Note: Resolution No. 98-11 Schedule of Land Development Regulation Fees and Charges B When the cost for advertising publishing and mailing notices of public hearings exceeds the established fee, or when a professional consultant is hired to advise the city on the application, the applicant shall pay the actual costs.
✓ 20	Last recorded warranty deed: <i>1995 - 2012 Quit Claim</i>
✓ 21	Notarized letter of consent from property owner (if applicant is different from property owner)
✓ 22	Three (3) CERTIFIED BOUNDARY surveys of the property (one no larger than 11x17; scale not less than one inch to 20 feet; North point) containing: a. Date of survey, surveyor's name, address and phone number ✓ b. Legal description of property pertaining to the application ✓ c. Computation of total acreage to nearest tenth of an acre ✓ d. Location sketch of subject property, and surrounding area within one-half mile radius
✓ 23	List of surrounding property owners with addresses and location sketch of the subject property. See the Information Request Form from the Okeechobee Property Appraiser's Office (attached)
✓ 24	Affidavit attesting to completeness and correctness of the list (attached)
✓ 25	Completed specific application and checklist sheet for each request checked in line 15 <i>17-004-V</i>

12-21-17 Approved

Confirmation of Information Accuracy

I hereby certify that the information in this application is correct. The information included in this application is for use by the City of Okeechobee in processing my request. False or misleading information may be punishable by a fine of up to \$500.00 and imprisonment of up to 30 days and may result in the denial of this application.

Signature

A A K J

Printed Name

Aaron A. Kinty

Date

12/14/20

For questions relating to this application packet, call General Services Dept. at (863)-763-3372, Ext. 9820

ADDITIONAL INFORMATION REQUIRED FOR A VARIANCE	
A	Describe the Variance sought: Reduce Setback of South Property line to 5'.
B	Describe the physical characteristics of the property that make the variance necessary: The lot is 40' wide. Reducing setback on the property line adjoining the park would allow for the construction of a 24' wide house.
C	Did you or a previous owner of the property cause or contribute to the characteristic necessitating the variance: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, explain:
D	What specifically is the minimum variance necessary and explain why a lesser variance is not adequate. A 24' wide structure is adequate for a SFR. A lesser width would not allow enough internal width and make new construction untenable.
E	Attach a site plan showing the buildings, structures and other improvements or characteristics of the site and the location of the specific variance(s) sought.
F	Responses addressing the standards and required findings for the granting of a variance as described below Attach additional sheets as necessary.

STANDARDS FOR GRANTING A VARIANCE

[(Sec. 70-374(b), LDR page CD70:20)]

Applicants are required by Sec. 70-374(b) to address the following issues in his/her presentation before the Board of Adjustment. Staff strongly recommends that the Applicant include, in his/her application, materials that address each of these issues in order to allow Staff and the Board of Adjustment sufficient time to adequately consider the Applicant's request.

1. Demonstrate that the variance is needed to overcome a hardship caused by the unique physical conditions of the site [and not merely for economic reasons or the convenience of the applicant].

In order to allow for the construction of a 24' wide residence, the 5' setback would allow that dimension. The other setback would remain unchanged and the property adjoining the south line is a public park and would be completely unaffected.

2. Specify the minimum variance required including height, lot area, size of structure, size of yard, setback, buffer or open space. [Applicant should explain why the requested variance is the minimum necessary to overcome the hardship.]

Allow for a 5' setback along south property line.

**FINDINGS REQUIRED FOR GRANTING A
VARIANCE [Sec. 70-374(c), pages CD70:20 & 21 in the
LDRs]**

It is the Applicant's responsibility to convince the Board of Adjustment that approval of the proposed variance is justified. Specifically, the Applicant should provide in his/her application and presentation sufficient explanation and documentation to convince the Board of Adjustment to find that:

1. Special conditions and circumstances exist which are peculiar to the land or structure involved, and are not applicable to other land or structures in the same zoning district.

Because the lot is narrow and long; the reduction to a 5' setback along the south property line would allow the new residence to be a acceptable 24' in width.

2. The special conditions and circumstances do not result from actions of the applicant.

The lot was sold as is to my Grandparents in 1976.

3. Literal interpretation and enforcement of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning districts under the terms of the Land Development Code, and would work unnecessary and undue hardship on the applicant.

This property has been my childhood home site and the desired home site of my family for years. To purchase another suitable property is not economically viable - even if another property is available - which it is not.

4. The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land or structure.

Modern housing layouts less than 24' in width do not allow an adequate layout and will be architecturally undesirable but will adversely affect value.

5. Granting the variance request will not confer on the applicant any special privilege(s) that is (are) denied by the Land Development Code to other land or structures in the same zoning district.

There are narrow lots in abundance in the vicinity.
This will only serve to improve the area in general.

6. Granting the variance will be compatible with the intent and purpose of the Land Development Code, and the variance will not be injurious to the neighborhood or detrimental to the public welfare.

This will serve to increase quality housing stock, replace an aging MH and architecturally enhance the area.

The City staff will, in the Staff Report, address the request and evaluate it and the Applicant's submission in light of the above standards and required findings and offer a recommendation for approval or denial.

NOTE: AN APPROVAL OF A VARIANCE EXPIRES IF A BUILDING PERMIT APPLICATION HAS NOT BEEN SUBMITTED WITHIN TWO YEARS OF THE APPROVAL [Sec. 70-348(4)]

FILE NUM 2012006273
 OR BK 00716 PG 1064
 SHARON ROBERTSON, CLERK OF CIRCUIT COURT
 OKEECHOBEE COUNTY, FLORIDA
 RECORDED 06/21/2012 02:51:08 PM
 AMT 10.00
 RECORDING FEES \$18.50
 DEED DOC \$0.70
 RECORDED BY M Pinon
 Pgs 1064 - 1065; (2pgs)

Prepared by and return to:
 Patricia A. Ragon

Clear Title & Legal Services
 3128 Hwy 441 South
 Okeechobee, FL 34974
 863-824-6776

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 11th day of May, 2012 between Dennis Lee Murphy whose post office address is 609 SE 6th Avenue, Okeechobee, FL 34974, grantor, and Aaron A. Kinty whose post office address is 2341 SE 27 ST., OKEECHOBEE FL 34974, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Okeechobee County, Florida to-wit:

Tract #1, Beginning 354.3 feet North of Southwest corner of Government Lot 6, of Section 22, Township 37 South, Range 35 East; thence run North along the West boundary of said Government Lot 6, a distance of 40 feet to a point; thence at right angles and perpendicular to said West boundary of Government Lot 6, run Easterly to Taylor Creek; thence in a Southerly direction along Taylor Creek to a point opposite the point of beginning; thence Westerly to the Point of Beginning. Less and except the West 30 feet thereof which was conveyed to the City of Okeechobee as a Street.

Parcel Identification Number: 2-22-37-35-0A00-00016-0000

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence and homestead address is: 609 SE 6th Street, Okeechobee, FL 34974.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Kynthia C. Cress
Witness Name: Kynthia Cress

Patricia A. Ragon
Witness Name: Patricia A. Ragon

Dennis Lee Murphy (Seal)
Dennis Lee Murphy

State of Florida
County of Okeechobee

The foregoing instrument was acknowledged before me this 11th day of May, 2012 by Dennis Lee Murphy, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

Patricia A. Ragon
Notary Public

Printed Name: Patricia A. Ragon

My Commission Expires: _____



PATRICIA A. RAGON
MY COMMISSION # DD 897105
EXPIRES: June 29, 2013
Bonded Thru Budget Notary Services

Prepared by and return to:
Kevin H. Hendrickson, Esquire
210 Orange Avenue
Fort Pierce, FL 34950

Property Appraiser's Parcel
Identification Number:
R2-22-37-35-0A00-00016-0000

Documentary Stamps paid in the amount of
\$.70

Pue Clark Oc 12-495
Clerk of Circuit Court date

WARRANTY DEED

THIS WARRANTY DEED, made the 30 day of November, 1995, by **GEORGE H. MURPHY** and **ANN H. MURPHY**, husband and wife with no minor children, hereinafter called the **GRANTORS** to **GEORGE H. MURPHY** and **ANN H. MURPHY**, whose post office address is 611 S.E. 6th Avenue, Okeechobee, FL 34974, hereinafter called the **GRANTEES**, a life estate without liability for waste, with full power and authority in Grantees to sell, convey, mortgage, lease or otherwise dispose of the property described below in fee simple, without joinder by the remainderman, with or without consideration, and to retain any and all proceeds derived thereby. Upon the death of the surviving life tenant, the remainder to **DENNIS LEE MURPHY**, per stirpes.

WITNESSETH: That the Grantors, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in the Town of Okeechobee, County of Okeechobee and State of Florida bounded and described as follows:

Tract #1-Beginning 354.3 feet North of Southwest corner of Government Lot 6 of Section 22, Township 37 South, Range 35 East; thence run North along the West boundary of said Government Lot 6, a distance of 40 feet to a point; thence at right angles and perpendicular to said West boundary of Government Lot 6, run Easterly to Taylor Creek; thence in a Southerly direction along Taylor Creek to a point opposite the point of beginning; thence Westerly to the point of beginning. Less and except the West 30 feet thereof which was conveyed to the City of Okeechobee as a Street.

Subject to reservations of the State of Florida contained in that certain Deed dated May 3, 1921 and recorded May 11, 1921 in Deed Book 4, Page 127, public records of Okeechobee County, Florida, and SUBJECT to reservations of the Estate of W.A. Roebuck, Deceased, contained in that certain deed dated August 8, 1956, and recorded August 27, 1956 in Official Record Book 10, Page 417, public records of Okeechobee County, Florida, AND

SUBJECT to right of way for North Shore Levee and Taylor Creek Improvement and perpetual easement of the United States of America for deposit of spoil bank; and further subject to all restrictions, covenants and conditions.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantors hereby covenant with said Grantee that the Grantors are lawfully seized of said land in fee simple; that the

Grantors have good right and lawful authority to sell and convey said land and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered
in the presence of:

[Signature]
Witness Signature
Kevin Hendrickson
Witness Printed Name

George H. Murphy
George H. Murphy

Charlene Moses
Witness Signature
Charlene Moses
Witness Printed Name

[Signature]
Witness Signature
Kevin Hendrickson
Witness Printed Name

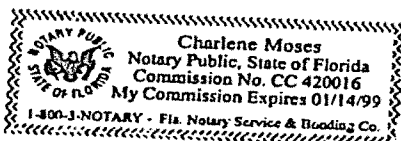
Ann H. Murphy
Ann H. Murphy

Charlene Moses
Witness Signature
Charlene Moses
Witness Printed Name

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY on this day before me, an officer duly qualified to take acknowledgments, personally appeared GEORGE H. MURPHY and ANN H. MURPHY personally known to me, to be the persons described in and who executed the foregoing instrument and acknowledged before me that GEORGE H. MURPHY and ANN H. MURPHY executed the same.

WITNESS my hand and official seal in the County and State last aforesaid Nov. 30, 1995.



Charlene Moses
Signature of Notary Public-State of Florida

Charlene Moses
Printed Notary Name
My Commission Expires:

N.B. This deed has been prepared at the Grantors' request without examination or legal opinion of title.

FILED FOR RECORD
OKEECHOBEE CO. FL.
95 DEC -4 PM 2:39
SHARON ROBERTSON
CLERK OF CIRCUIT COURT

277750

LEGAL DESCRIPTION:

BEGINNING 354.3 FEET NORTH OF SOUTHWEST CORNER OF GOVERNMENT LOT 6, OF SECTION 22, TOWNSHIP 37 SOUTH, RANGE 35 EAST; THENCE RUN NORTH ALONG THE WEST BOUNDARY OF SAID GOVERNMENT LOT 6, A DISTANCE OF 40 FEET TO A POINT; THENCE AT RIGHT ANGLES AND PERPENDICULAR TO SAID WEST BOUNDARY OF GOVERNMENT LOT 6, RUN EASTERLY TO TAYLOR CREEK; THENCE IN A SOUTHERLY DIRECTION ALONG TAYLOR CREEK TO A POINT OPPOSITE THE POINT OF BEGINNING; THENCE WESTERLY TO THE POINT OF BEGINNING. LESS AND EXCEPT THE WEST 30 FEET THEREOF WHICH WAS CONVEYED TO THE CITY OF OKEECHOBEE AS A STREET.

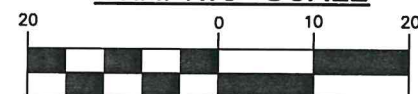
BOUNDARY SURVEY & SITE PLAN

SECTION 22
TOWNSHIP 37 SOUTH
RANGE 35 EAST

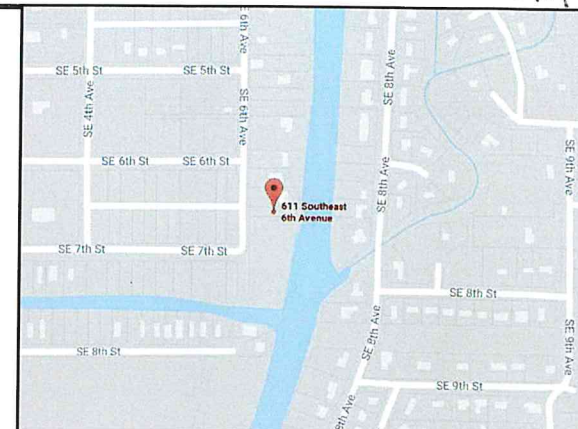
PARCEL ID # 2-22-37-35-0A00-00016-0000

PARCEL ID # 2-22-37-35-0A00-00017-0000
O.R.B. 531, PG. 306

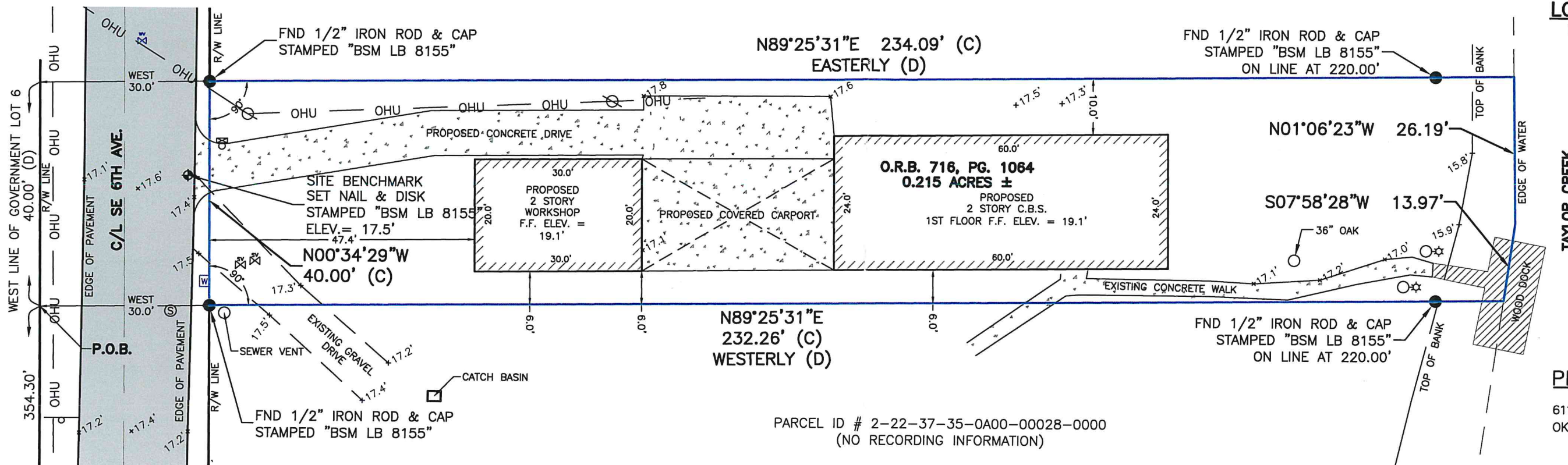
GRAPHIC SCALE



(IN FEET)
1 INCH = 20 FT.
(INTENDED DISPLAY SCALE)



LOCATION MAP:
NOT TO SCALE



PROPERTY ADDRESS:

611 SE 6TH AVE
OKEECHOBEE, FL 34974

SURVEYOR'S NOTES:

1. THIS IS A BOUNDARY SURVEY, AS DEFINED IN CHAPTER 5J-17.050(10)(A)-(K) OF THE FLORIDA ADMINISTRATIVE CODE.
2. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS SURVEY IS NOT VALID.
3. THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE PARTIES LISTED HEREIN AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. LIKEWISE, ANY REUSE OF THIS SURVEY FOR ANY PURPOSE OTHER THAN WHICH WAS ORIGINALLY INTENDED, WITHOUT THE WRITTEN PERMISSION OF THE UNDERSIGNED SURVEYOR & MAPPER, WILL BE DONE SO AT THE RISK OF THE REUSING PARTY AND WITHOUT ANY LIABILITY TO THE UNDERSIGNED SURVEYOR & MAPPER.
4. LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS.
5. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
6. UNDERGROUND IMPROVEMENTS, IF ANY, WERE NOT LOCATED EXCEPT AS SHOWN.

7. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
8. BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH, AND ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. THE BEARING BASE FOR THIS SURVEY IS THE EAST RIGHT OF WAY LINE OF SE 6TH AVENUE, SAID LINE BEARS N 00°34'29" W AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
9. THIS SURVEY DOES NOT HAVE THE BENEFIT OF A CURRENT TITLE COMMITMENT, OPINION, OR ABSTRACT. DURING THE COURSE OF THE SURVEY SOME SEARCHES OF THE PUBLIC RECORDS WERE MADE, BUT THESE SEARCHES WERE NOT EXHAUSTIVE AND SHOULD NOT BE CONSIDERED A SUBSTITUTE FOR A PROPER TITLE COMMITMENT, OPINION, OR ABSTRACT OBTAINED FROM A TITLE AGENCY OR OTHER TITLE PROFESSIONAL.
10. ADJOINING PROPERTY INFORMATION WAS OBTAINED FROM OKEECHOBEE COUNTY'S PROPERTY APPRAISER.
11. SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE X PER FEMA MAP NUMBER 12093C, PANEL NUMBER 0480, WITH AN EFFECTIVE DATE OF 07/16/15.

LEGEND:

- (C) = CALCULATED
- (D) = DEED
- P.O.B. = POINT OF BEGINNING
- C.B.S. = CONCRETE BLOCK STRUCTURE
- ⊗ = SEWER VALVE
- ⊕ = WATER VALVE
- ⊙ = WATER METER
- ⊘ = UTILITY POLE
- ⊙ = MAILBOX
- O.R.B. = OFFICIAL RECORDS BOOK
- PG. = PAGE
- ELEV. = ELEVATION
- F.F. = FINISH FLOOR
- C/L = CENTERLINE
- R/W = RIGHT OF WAY
- ⊙ = SANITARY MANHOLE
- ⊙ = LIGHT POLE

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050(10)(A)-(K) FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

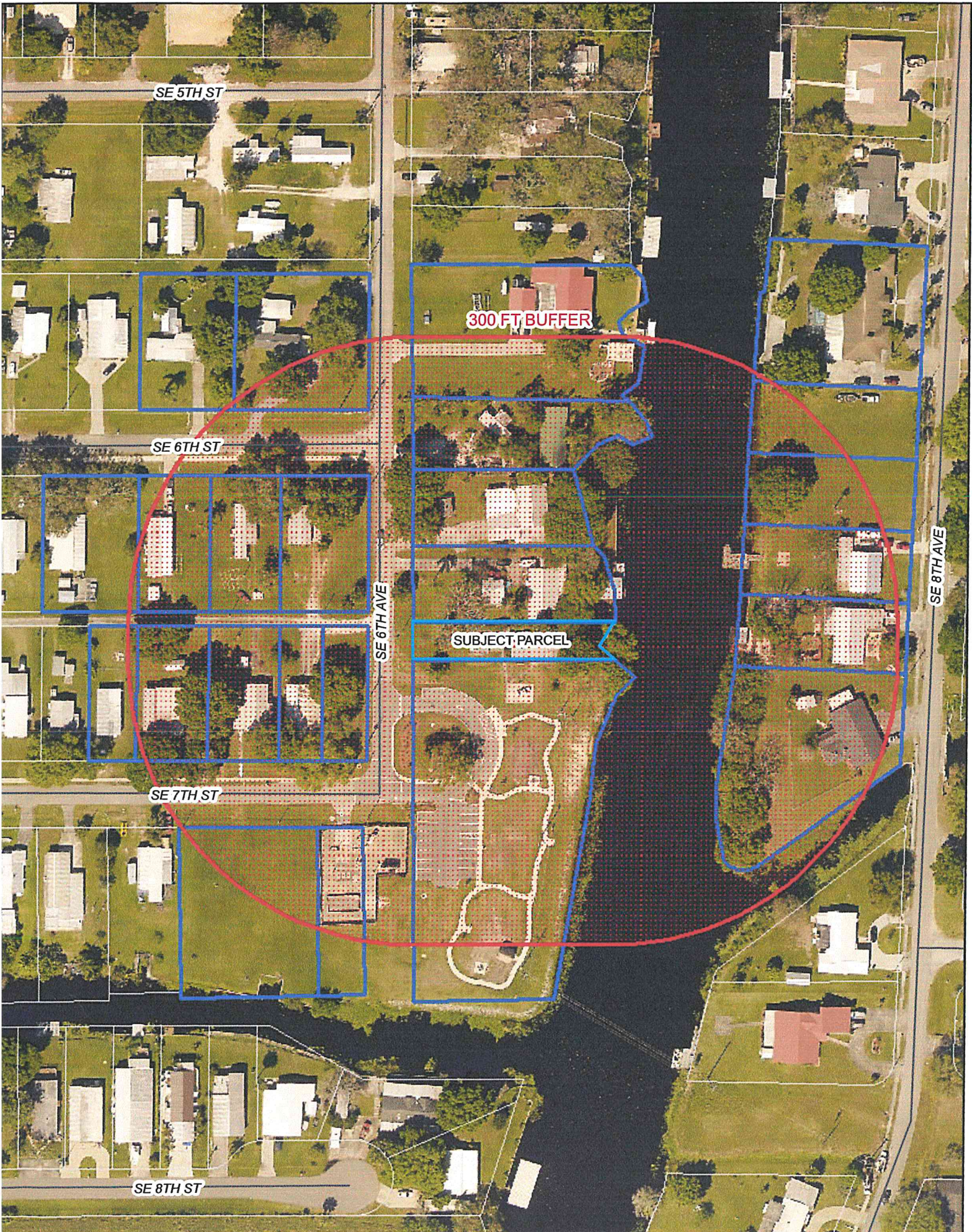
FOR THE BENEFIT OF THE FOLLOWING PARTIES ONLY:

1) AARON K...
SIGNED: RICHARD E. BARNES, III
DATE: 11/3/20
RICHARD E. BARNES, III, PROFESSIONAL SURVEYOR AND MAPPER # 7074

FIELD WORK DATE	10/13/17
REVISION DATE	12/17/19
SHEET	1 OF 1
DRAWN BY:	REB
CHECKED BY:	REB
JOB #:	17-132

BSM & ASSOCIATES
LAND SURVEYING SERVICES
80 SE 31st Lane, Okeechobee, FL 34974
ricky.barnes@bsmsurvey.com
863.484.8324 LB 8155

PARCEL NUMBER	OWNER	ADDRESS	CITY	STATE	ZIP
2-22-37-35-0A00-00017-0000	WORLEY JILL A	609 SE 6TH AVE	OKEECHOBEE	FL	34974
2-22-37-35-0A00-00019-0000	BELL ANN S	607 SE 6 AVE	OKEECHOBEE	FL	34974-4485
2-22-37-35-0A00-00020-0000	DAVIS DONNA L	3708 REDWOOD DR	LAND O LAKES	FL	34639-5513
2-22-37-35-0A00-00023-0000	KING JOHANNA	601 SE 6TH AVE	OKEECHOBEE	FL	34974
2-22-37-35-0A00-00028-0000	CITY OF OKEECHOBEE	55 SE 3RD AVENUE	OKEECHOBEE	FL	34974-2903
3-22-37-35-0030-000E0-0200	BODEY REBECCA	501 SE 6TH ST	OKEECHOBEE	FL	34972
3-22-37-35-0030-000E0-0220	HAGAN DONALD C II	503 SE 6TH STREET	OKEECHOBEE	FL	34974-4475
3-22-37-35-0030-000J0-0020	GRAY JELENA DENISE	114 CHILDRESS RD	LUCEDALE	MS	39452-3720
3-22-37-35-0030-000J0-0030	WORLEY RAY O	609 SE 6TH AVE	OKEECHOBEE	FL	34974
3-22-37-35-0030-000J0-0050	GREENLEE GEORGE L	11868 N 33RD ST	ELWOOD	IN	46036
3-22-37-35-0030-000J0-0060	CLAY MARTHA ANN	412 SE 6TH ST	OKEECHOBEE	FL	34974
3-22-37-35-0030-000J0-0190	SHEPPARD GOLDIE M	RR 1 BOX 399	DELBARTON	WV	25670
3-22-37-35-0030-000J0-0200	STEVENS MELVIN	7410 US HIGHWAY 60 E	MOREHEAD	KY	40351-7871
3-22-37-35-0030-000J0-0220	STEVENS MELVIN B	7410 US HIGHWAY 60 E	MOREHEAD	KY	40351-7871
3-22-37-35-0030-000J0-0230	KINTY AARON A	2341 SE 27TH ST	OKEECHOBEE	FL	34974
3-22-37-35-0030-000J0-0240	CITY OF OKEECHOBEE	55 SE 3RD AVENUE	OKEECHOBEE	FL	34974-2903
3-22-37-35-0030-000K0-0010	OKEECHOBEE UTILITY AUTHORITY	100 SW 5TH AVENUE	OKEECHOBEE	FL	34974-4221
3-22-37-35-0030-000K0-0020	WELLS JAMES C	200 WELLS LANE	FOREST HILLS	KY	40351
3-22-37-35-0270-00060-0160	FADLEY JEFFREY A	510 SE 8TH AVE	OKEECHOBEE	FL	34974-4522
3-22-37-35-0270-00060-0190	EDWARDS DAVID	608 SE 8TH AVE	OKEECHOBEE	FL	34974-4524
3-22-37-35-0270-00060-0200	EDWARDS DAVID	608 SE 8TH AVE	OKEECHOBEE	FL	34974-4524
3-22-37-35-0270-00060-0210	COALE DONALD CHARLES	612 SE 8TH AVE	OKEECHOBEE	FL	34974-4524
3-22-37-35-0280-00060-0220	MULLINS YVONNE	614 SE 8TH AVENUE	OKEECHOBEE	FL	34974-4524
3-22-37-35-0270-00060-0180	FADLEY JEFFREY A	510 SE 8TH AVE	OKEECHOBEE	FL	34974-4522



THIS MAP HAS BEEN COMPILED FROM THE MOST AUTHENTIC INFORMATION AVAILABLE AND THE OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE DOES NOT ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED HEREON

OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE



**Affidavit Attesting to the Completeness and Accuracy
of the List of Surrounding Property Owners**

I hereby certify under the penalty of law or the revocation of the requested approval sought that to the best of my knowledge and belief, the attached list constitutes the complete and accurate list of the property owners, addresses, and parcel identification numbers of all parcels and tracts within three hundred (300) feet not including intervening streets, alleys, or waterways, of the perimeter of the lands which are subjects of, or are contiguous to but held under the same ownership as, the lands subject to the application for a change in land use or zoning, said list constituting a portion of that application. This affidavit is made based upon an inspection of the tax rolls of the Property Appraiser of Okeechobee County as of January, 4th 2021 and the Assertions made to me by members of that Office that the information reviewed constitutes the most recent information available to that office. I therefore attest to this 4th day of

January, 2021.

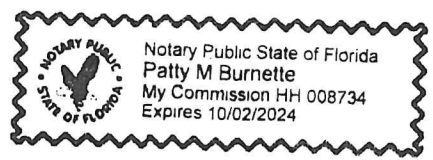
[Signature]
Signature of Applicant

1/4/21
Date

Aaron Kinty
Name of Applicant (printed or typed)

STATE OF FLORIDA
COUNTY OF Okeechobee

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 4th day of January, 2021, by Aaron Arthur Kinty, who is personally known to me or produced Florida Drivers License as identification.



Patty M. Burnette
Notary Public Signature

Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

2020 Certified Values

updated: 12/17/2020

Parcel: (<<) **2-22-37-35-0A00-00016-0000 (33012)** (>>)

Aerial Viewer Pictometry Google Maps

☒ 2020 ☐ 2019 ☐ 2018 ☐ 2017 ☐ 2015 ☐ Sales**Owner & Property Info**

Result: 4 of 6

Owner	KINTY AARON A 2341 SE 27TH ST OKEECHOBEE, FL 34974		
Site	611 SE 6TH AVE, OKEECHOBEE		
Description*	UNPLATTED LANDS OF THE CITY TRACT #1, BEGINNING 354.3 FEET NORTH OF SOUTHWEST CORNER OF GOVERNMENT LOT 6, OF SECTION 22, TOWNSHIP 37 SOUTH, RANGE 35 EAST; THENCE RUN NORTH ALONG THE WEST BOUNDARY OF SAID GOVERNMENT LOT 6, A DISTANCE OF 40 FEET TO A POINT; ...more>>>		
Area	0.22 AC	S/T/R	22-37-35
Use Code**	MOBILE HOME (0200)	Tax District	50

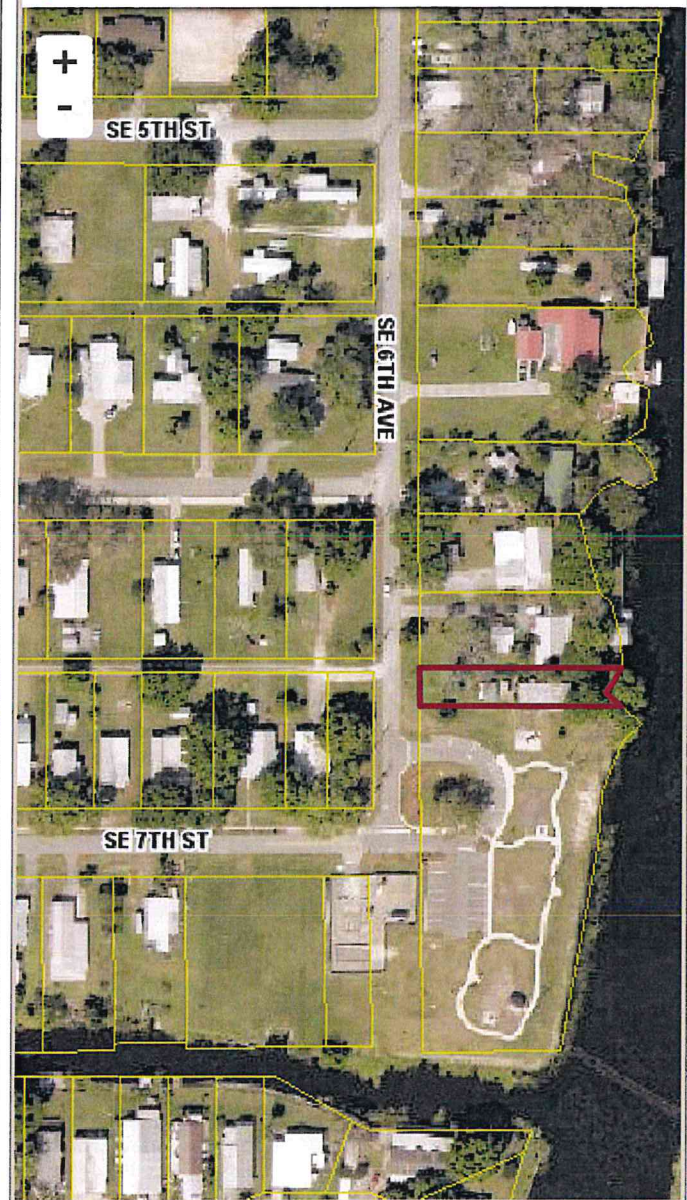
*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.

**The Use Code is a Dept. of Revenue code. Please contact Okeechobee County Planning & Development at 863-763-5548 for zoning info.

Property & Assessment Values

2019 Certified Values		2020 Certified Values	
Mkt Land	\$12,556	Mkt Land	\$17,400
Ag Land	\$0	Ag Land	\$0
Building	\$15,348	Building	\$16,201
XFOB	\$4,788	XFOB	\$4,982
Just	\$32,692	Just	\$38,583
Class	\$0	Class	\$0
Appraised	\$32,692	Appraised	\$38,583
SOH Cap [?]	\$0	SOH/10% Cap [?]	\$60
Assessed	\$32,692	Assessed	\$38,583
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$32,692 city:\$32,692 other:\$32,692 school:\$32,692	Total Taxable	county:\$35,961 city:\$35,961 other:\$35,961 school:\$38,583

Note: Property ownership changes can cause the Assessed value of the property to reset to full Market value, which could result in higher property taxes.

**▼ Sales History**

Sale Date	Sale Price	Book/Page	Deed	V/I	Quality (Codes)	RCode
5/11/2012	\$100	0716/1064	QC	I	U	11
11/30/1995	\$0	0372/1330	WD	I	U	
6/26/1976	\$1,000	0185/0429	WD	V	Q	
6/1/1976	\$1,000	0185/0387	WD	V	Q	

▼ Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
Sketch	MH LC (0803)	1974	840	1284	\$16,201

*Bldg Desc determinations are used by the Property Appraisers office solely for the purpose of determining a property's Just Value for ad valorem tax purposes and should not be used for any other purpose.

▼ Extra Features & Out Buildings (Codes)



Staff Report

Variance Request

Prepared for: The City of Okeechobee

Applicant: Aaron Kinty

Petition No.: 21-001-V

Address: 611 SE 6th Ave

Description: Side Setback Reduction for SFR

General Information

Owner/Applicant	Aaron Kinty
Owner/Applicant Address	2341 SE 27 th Street Okeechobee, FL 34974
Site Address	611 SE 6 th Avenue
Parcel Identification	2-22-37-35-0A00-00016-0000
Owner Phone Number	863.697.3898
Owner Email Address	kintyaa@msn.com

For the legal description of the project or other information regarding this application, please refer to the application submittal package which is available by request at City Hall and is posted on the City's website prior to the advertised public meeting at <https://www.cityofokeechobee.com/agendas.html>

Future Land Use, Zoning and Existing Use

	Existing	Proposed
Future Land Use	Single Family	Single Family
Zoning District	Residential Single Family	Residential Single Family
Use of Property	Residential (Mobile Home)	Residential (Site Built Single Family Residence)
Acreage	0.22 acre	0.22 acre

Description of Request

The Applicant is requesting a variance for relief from City Code Section 90-105(b)(1) which requires a 10 foot side setback for single family residences in the RSF-1 zoning district. The request is to allow a south side setback of 5 feet.

The subject property is only 40 feet wide and approximately 9,365 square feet. Though it does not meet the minimum lot width of 75 feet and the minimum lot area of 10,000 square feet required for single family dwellings in the RSF-1 district, the right to construct a single family dwelling is guaranteed by Section 90-32(a) which states:

A lot in a residential zoning district which is nonconforming because of insufficient area, which has at least 4,000 square feet and 40 feet frontage, and was in separate ownership on the date of enactment of these regulations, may be used to build a single-family dwelling.

Property appraiser sales records indicate that this lot has been in existence since at least 1976. Due to the narrowness of the property, the applicant has stated they are requesting this variance to enable the construction of a 24 foot wide single family residence. Due to the 10 foot side setback requirement for single family homes in the RSF-1 district, if this variance is denied, the applicant would only be allowed a 20 foot wide structure. In their application, they claim that this limitation would make new construction untenable.

Future Land Use, Zoning, and Existing Use on Surrounding Properties

North	Future Land Use	Single Family Residential
	Zoning District	Residential Single Family
	Existing Use	Single Family Residences
East	Future Land Use	Taylor Creek
	Zoning District	Taylor Creek
	Existing Use	Taylor Creek
South	Future Land Use	Single Family Residential
	Zoning District	Public Facilities
	Existing Use	Municipal Park
West	Future Land Use	Single Family Residential
	Zoning District	Residential Mobile Home
	Existing Use	Vacant municipally owned lot, Mobile homes

Consistency with Required Standards and Findings

Section 70-374(b) Standards for Granting a Variance:

According to Section 70-374(b), applicants are required to address the following issues in their variance application. The Applicant's responses are repeated below in Times Roman typeface exactly as provided. Staff has made no attempt to correct typos, grammar, or clarify the Applicant's comments. Staff comments are shown in this Arial typeface.

1. *Demonstrate that the variance is needed to overcome a hardship caused by the unique physical conditions of the site (and not merely for economic reasons or the convenience of the applicant).*

Applicant Comment: In order to allow for the construction of a 24' wide residence, the 5'

setback would allow that dimension. The other setback would remain unchanged and the property adjoining the south line is a public park and would be completely unaffected.

Staff Comment: Using the property appraiser site and the City zoning map, staff searched for other narrow lots in the RSF-1 district. Staff was only able to locate three other lots narrower than 50 feet: one of which was 47 feet wide, one 43 feet wide, and one 20 feet wide. Clearly, the narrowness of this property is a fairly unique condition that should be considered a hardship to development.

2. *Specify the minimum variance required including height, lot area, size of structure, size of yard, setback, buffer or open space. (Applicant should explain why the requested variance is the minimum necessary to overcome the hardship.)*

Applicant Comment: Allow for a 5' setback along south property line.

Staff Comment: The plans provided by the applicant depict a 24 foot wide structure and actually, a 6 foot setback on the south side, not a 5 foot setback. However, granting the applicant's request for a 5 foot setback will provide the applicant and builder with some flexibility at time of building permit submittal. Additionally, a 25 foot wide single family dwelling is still fairly narrow by modern construction practices. We agree that a 5 foot variance is appropriate in this circumstance.

Section 70-374(c) Findings Required for Granting a Variance:

This section states the Board of Adjustment must find that the following six conditions exist. The Applicant's responses are presented below in Times Roman typeface, followed by Staff Comments in Arial typeface. Staff has made no attempt to correct typos, grammar, or clarify the Applicant's comments.

1. *Special conditions and circumstances exist which are peculiar to the land or structure involved, and are not applicable to other land or structures in the same zoning district.*

Applicant Comment: Because the lot is narrow and long, the reduction to a 5' setback along the south property line would allow the new residence to be a acceptable 24' in width.

Staff Comment: Staff finds the 40 foot wide lot width to be a peculiar circumstance among properties in the RSF-1 zoning district.

2. *The special conditions and circumstances do not result from actions of the applicant.*

Applicant Comment: The lot was sold as is to my grandparents in 1976.

Staff Comment: This lot has been in existence since 1976 and was created prior to ownership by the applicant.

3. *Literal interpretation and enforcement of the Land Development Code would deprive the*

applicant of rights commonly enjoyed by other properties in the same zoning districts under the terms of the Land Development Code, and would work unnecessary and undue hardship on the applicant.

Applicant Comment: This property has been my childhood home site and the desired homesite of my family for years. To purchase another suitable property is not economically viable – even if another property is available- which it is not.

Staff Comment: Most of the RSF-1 lots are at least 50 feet wide, which would allow for at least a 30 foot wide single family residence, considering the 10 foot required side setbacks. Without a variance, the applicant would only be able to construct a 20 foot wide residence.

4. *The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land or structure.*

Applicant Comment: Modern housing layouts less than 24' in width do not allow an adequate layout and will be architecturally undesirable but will adversely affect value.

Staff Comment: We agree.

5. *Granting the variance request will not confer on the applicant any special privilege(s) that is (are) denied by the Land Development Code to other land or structures in the same zoning district.*

Applicant Comment: There are narrow lots in abundance in the vicinity. This will only serve to improve the area in general

Staff Comment: Granting approval of this variance request will only confer the ability to build a structure with a maximum width of 25 feet, which is not a special privilege in the RSF-1 district.

6. *Granting the variance will be compatible with the intent and purpose of the Land Development Code, and the variance will not be injurious to the neighborhood or detrimental to the public welfare.*

Applicant Comment: This will serve to increase quality housing stock, replace an aging MH and architecturally enhance the area.

Staff Comment: Code Section 66-5 provides several purpose and intent statements for the land development code including the encouragement of the most appropriate use of land and development of an economically stable and healthful community. These statements are consistent with allowing the applicant to construct a 25 foot wide structure instead of a 20 foot wide structure.

Though it is not ideal to reduce the setback adjacent to the city park, it should not be injurious to the neighborhood or detrimental to the public welfare.

Recommendation

Based upon the foregoing information and comments, staff finds that the required standards and findings are satisfactorily met and recommends approval of the requested variance from Section 90-105(b)(1) to allow a 5 foot south side setback where 10 feet is otherwise required; with the condition that the applicant obtain all applicable permits and approvals prior to commencement of construction.

Submitted by:

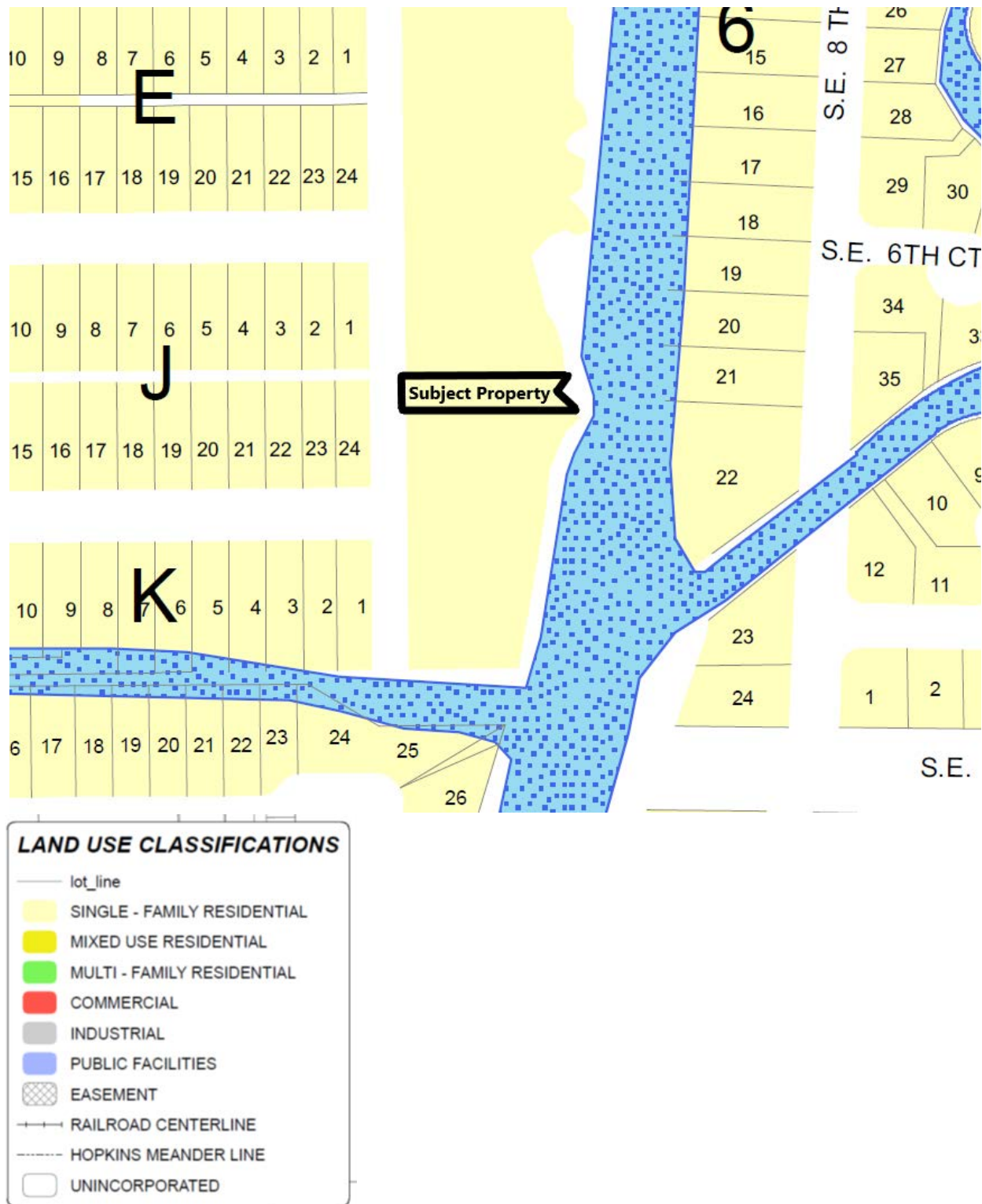


Ben Smith, AICP
Planning Consultant
January 15, 2021

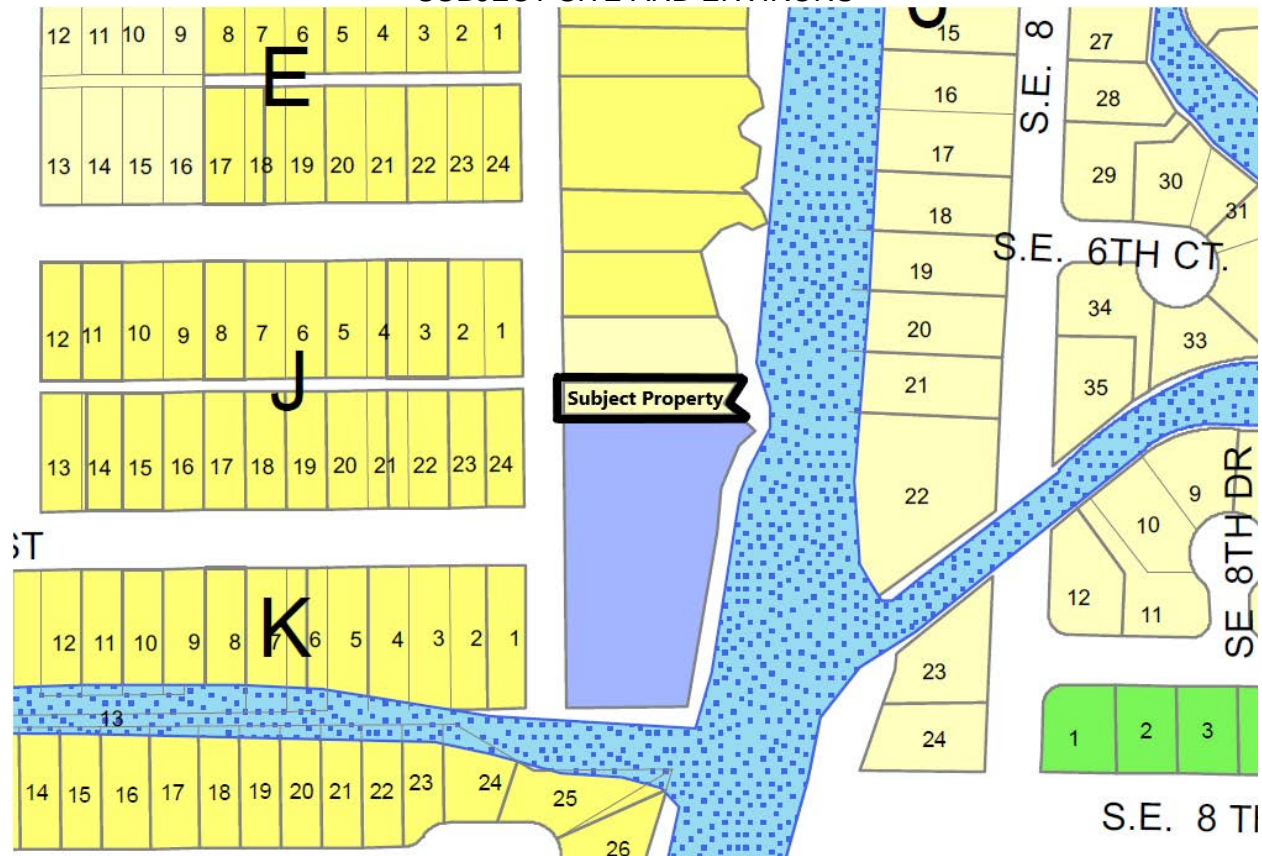
Board of Adjustment Hearing: March 18, 2021

Attachments: Future Land Use Map
Zoning Map
Aerial Photograph Showing Existing Land Uses

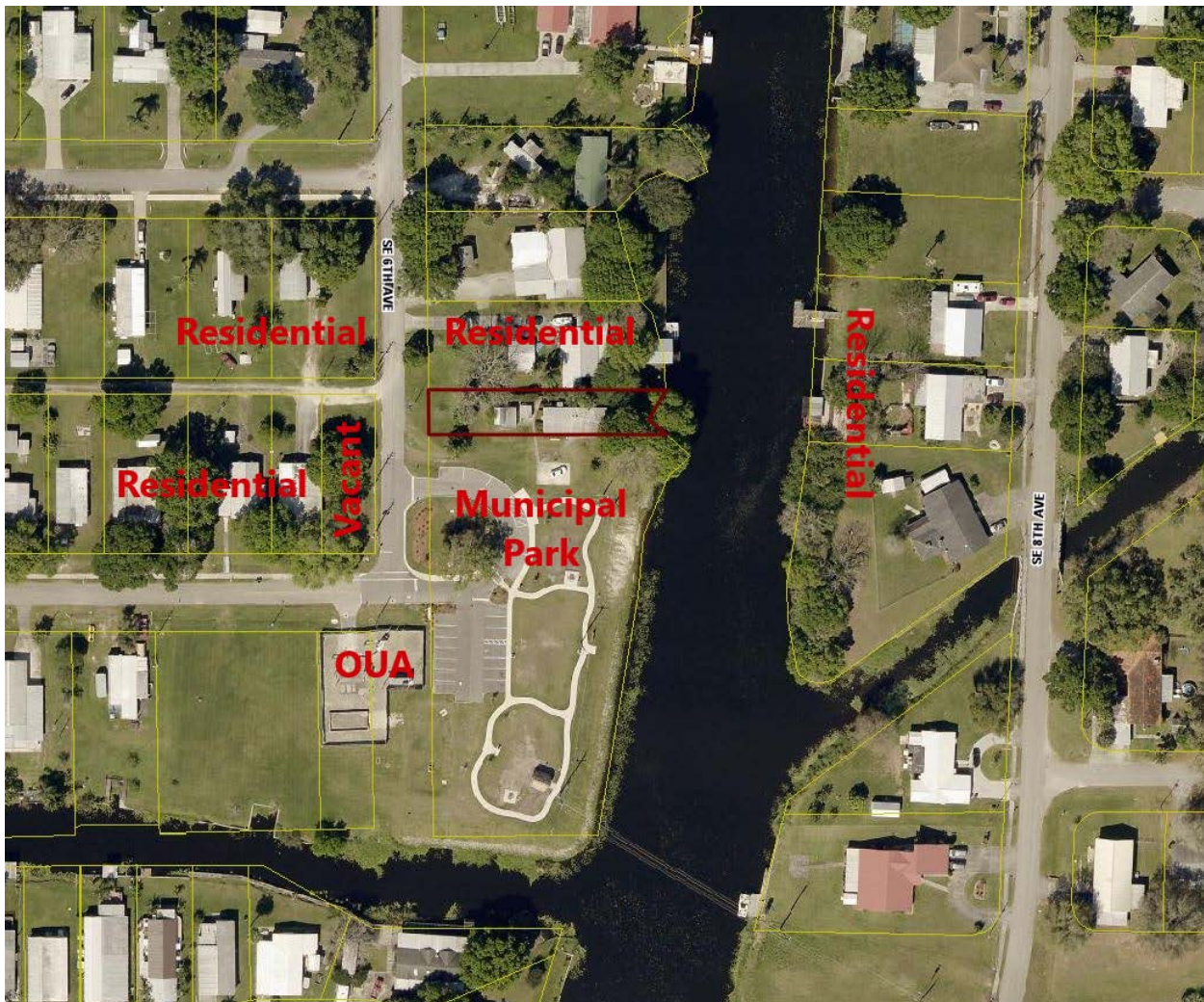
FUTURE LAND USE MAP
SUBJECT SITE AND ENVIRONS



ZONING MAP
SUBJECT SITE AND ENVIRONS



**AERIAL PHOTOGRAPH
SHOWING EXISTING LAND USES**



City of Okeechobee General Services Department 55 S.E. 3rd Avenue, Room 101 Okeechobee, Florida 34974-2903 Phone: (863) 763-3372, ext. 9820 Fax: (863) 763-1686		Date: 1-29-21 Fee Paid: 500.00 OK No. 1629 1 st Hearing: 3-18-21 Publication Dates: Notices Mailed: 3-3-21		Petition No. 21-003-SE Jurisdiction: BOA 2 nd Hearing: N/A	
Rezone, Special Exception and Variance					
APPLICANT INFORMATION					
1	Name of property owner(s): Kenneth R. Splete				
2	Owner mailing address: PO Box 2478 Okeechobee, FL 34973				
3	Name of applicant(s) if other than owner George Banville / Earnest Electrical Contractors				
4	Applicant mailing address: PO Box 2144 Okeechobee, FL 34973				
	E-mail address: eec11c.okee@gmail.com				
5	Name of contact person (state relationship): George Banville (applicant)				
6	Contact person daytime phone(s): (863) 261-0816 (863) 801-3274				
PROPERTY INFORMATION					
7	Property address/directions to property: 108 SE 5th ave Okeechobee, FL 34974				
8	Describe current use of property: Storage / Vacant				
9	Describe improvements on property (number/type buildings, dwelling units, occupied or vacant, etc.) 4 metal carport w/ concrete slab; 1-shed; 1-mobile home (vacant office space)				
	Source of potable water: City CUA Method of sewage disposal: City CUA				
10	Approx. acreage: 452 Is property in a platted subdivision? no YES				
11	Is there a use on the property that is or was in violation of a city or county ordinance? If so, describe: No, temporary permission during app. process				
12	Is a pending sale of the property subject to this application being granted? yes				
13	Describe uses on adjoining property to the North: North: Storage Units East: FPL Substation/Werdy's South: Iglesia Nueva Acha de las (church) West: American Legion				
14	Existing zoning: Heavy Commercial Future Land Use classification: COMMERCIAL Heavy Commercial w/ Outdoor storage/ Bldg Trades				
15	Have there been any prior rezoning, special exception, variance, or site plan approvals on the property? () No (X) Yes. If yes provide date, petition number and nature of approval. Building Trades 13-002-SE / Kassella (ensure date) 2-21-13 approved				
16	Request is for: () Rezone (X) Special Exception () Variance				
17	Parcel Identification Number: 3-21-37-35-0020-02530-0010				

REQUIRED ATTACHMENTS

18	Applicant's statement of interest in property: Electrical Contractor Pending Sales Contract
19	Non-refundable application fee: Rezoning: \$850 plus \$30/acre; Special Exception: \$500 plus \$30/acre; Variance: \$500 Note: Resolution No. 98-11 Schedule of Land Development Regulation Fees and Charges B When the cost for advertising publishing and mailing notices of public hearings exceeds the established fee, or when a professional consultant is hired to advise the city on the application, the applicant shall pay the actual costs.
20	Last recorded warranty deed:
21	Notarized letter of consent from property owner (if applicant is different from property owner)
22	Three (3) CERTIFIED BOUNDARY surveys of the property (one no larger than 11x17; scale not less than one inch to 20 feet; North point) containing: a. Date of survey, surveyor's name, address and phone number b. Legal description of property pertaining to the application c. Computation of total acreage to nearest tenth of an acre d. Location sketch of subject property, and surrounding area within one-half mile radius
23	List of surrounding property owners with addresses and location sketch of the subject property. See the Information Request Form from the Okeechobee Property Appraiser's Office (attached)
24	Affidavit attesting to completeness and correctness of the list (attached)
25	Completed specific application and checklist sheet for each request checked in line 15

Confirmation of Information Accuracy

I hereby certify that the information in this application is correct. The information included in this application is for use by the City of Okeechobee in processing my request. False or misleading information may be punishable by a fine of up to \$500.00 and imprisonment of up to 30 days and may result in the denial of this application.

Signature

Printed Name

Date



George Banville

1/28/20

For questions relating to this application packet, call General Services Dept. at (863)-763-3372, Ext. 9820

No. 15

Special Exceptions

13-002-SE Kenneth R. Spite 2-21-13 Approved Building Tracks Contractor

01-002-SE Willard Mays 2-27-01 Approved Outdoor Vehicle Sales Lot

ADDITIONAL INFORMATION REQUIRED FOR A SPECIAL EXCEPTION	
A	Describe the Special Exception sought: Ref. Sec. 90-283(5) Outdoor Storage; building trades contractor
B	Are there similar uses in the area? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If yes, briefly describe them: 201 SE 6th ave - Ft. Drum Corp 314 SW 2nd st - Daniels Plumbing 406 SW 2nd st - Creech Construction 405 SW 2nd st - American Well Drilling 106 SE 5th St - Gator Security 204 SE 10th ave - Domers
C	If a business, briefly describe the nature of the business, number of employees, hours of operation, and any activities to be conducted outside of a building: Electrical Contracting; 9 employees; Monday - Friday 8-4:30, occasionally Saturday; main activity conducted outside will be morning meeting (7:45-8:15)
D	Attach a Traffic Impact Study prepared by a professional transportation planner or transportation engineer, if the special exception or proposed use will generate 100 or more peak hour vehicle trip ends using the trip generation factors for the most similar use as contained in the Institute of Transportation Engineers most recent edition of <u>Trip Generation</u> . The TIA must identify the number of net new external trips, pass-bay calculations, internal capture calculations, a.m. and p.m. peak hour trips, and level of service on all adjacent roadway links with and without the project.
E	Responses addressing the standards and required findings for a special exception as described below. Attach additional sheets as necessary.

STANDARDS FOR GRANTING A SPECIAL EXCEPTION [Sec. 70-373(b), LDR page CD70:19]

Applicants are required by Sec. 70-373(b) to address the following issues in his/her presentation before the Board of Adjustment. Staff strongly recommends that the Applicant include, in his/her application, materials that address each of these issues in order to allow Staff and the Board of Adjustment sufficient time to adequately consider the Applicant's request.

1. Demonstrate that the proposed location and site are appropriate for the use. **There are two entrances which allows for a one-way direction to avoid backing into SE 5th ave. Office building which will accommodate coordinating and daily duties of business. Enclosed carports to keep material/tools/etc. from the view of general public.**
2. Demonstrate how the site and proposed buildings have been designed so they are compatible with the adjacent uses and the neighborhood, or explain why no specific design efforts are needed. **Buildings are placed to where they are significantly set back from the road. Property is surrounded by chain link fence to help conceal and contain.**
3. Demonstrate any landscaping techniques to visually screen the use from adjacent uses; or explain why no visual screening is necessary. **Palm trees on east property line help visually screen area from passing by traffic which is main line of sight**
4. Demonstrate what is proposed to reduce the impact of any potential hazards, problems or public nuisance generated by the use; or explain how the nature of the use creates no such potential problems. **Eventually plan to add wooden fence where feasible to conceal property from west side (American Legion). Also a hedge or more plants on East side (SE 5th ave).**
5. Demonstrate how the utilities and other service requirements of the use can be met. **There is already electric service to the office and a few other building which will aid us in lighting and power requirements. There is also city water and sewer which will serve our workers and any guest/visitor needing so.**
6. Demonstrate how the impact of traffic generated will be handled, off site and on site. **Very rarely do we have customers at our office, most of our transactions/interactions occur on the jobsites and through email and post office. Intend to only**

go east off of SE 5th ave. We will use SE 3rd st for travel purposes if at all possible.

FINDINGS REQUIRED FOR GRANTING A SPECIAL EXCEPTION [Sec. 70-373(c), LDR pages 19 & 20]

It is the Applicant's responsibility to convince the Board of Adjustment that approval of the proposed special exception is justified. Specifically, the Applicant should provide in his/her application and presentation sufficient explanation and documentation to convince the Board of Adjustment to find that:

1. The use is not contrary to the Comprehensive Plan requirements. *True/Yes*
2. The use is specifically authorized as a special exception use in the zoning district. *True/Yes*
3. The use will not have an adverse effect on the public interest. *True/Yes*
4. The use is appropriate for the proposed location, is reasonably compatible with adjacent uses and is not detrimental to urbanizing land use patterns. *True/Yes*
5. The use will not adversely affect property values or living conditions, nor be a deterrent to the development of adjacent property. *True/Yes*
6. The use may be required to be screened from surrounding uses to reduce the impact of any nuisance or hazard to adjacent uses. *I don't believe so*
7. The use will not create a density pattern that will overburden public facilities such as schools, streets, and utility services. *True/Yes*
8. The use will not create traffic congestion, flooding or drainage problems, or otherwise affect public safety. *Yes. will not*

The City staff will, in the Staff Report, address the request and evaluate it and the Applicant's submission in light of the above standards and required findings and offer a recommendation for approval or denial.

NOTE: AN APPROVAL OF A SPECIAL EXCEPTION EXPIRES IF A BUILDING PERMIT APPLICATION HAS NOT BEEN SUBMITTED WITHIN TWO YEARS OF THE APPROVAL [Sec. 70-348(4)]

OK. 10. - -
X. 455.00

Parcel ID Number: 3-21-37-35-0020-02530-0010

Prepared by and return to:
GINGER DURHAM
Okee-Tantie Title Company, Inc.
105 NW 6th Street
Okeechobee, Florida 34972
FILE NO. 32351

140.20
FILE NUM 2013000200
OR BK 00724 PG 0796
SHARON ROBERTSON, CLERK OF CIRCUIT COURT
OKEECHOBEE COUNTY, FLORIDA
RECORDED 01/04/2013 01:10:27 PM
AMT 65,000.00
RECORDING FEES \$18.50
DEED DOC \$455.00
RECORDED BY M Pinon
Pgs 0796 - 797; (2pgs)

Warranty Deed

This Indenture, Executed this January 3, 2013 A.D. Between

JANET MAYS, AN UNREMARIED WIDOW AND SURVIVING SPOUSE OF WILLARD MAYS, DECEASED,

whose address is 2679 SE 18TH AVE, OKEECHOBEE, FL 34974, hereinafter called the grantor, to

KENNETH R. SPLETE, A SINGLE MAN,

whose post office address is: P.O. BOX 2478, OKEECHOBEE, FL 34973, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Okeechobee County, Florida, viz:

Legal Description as Exhibit "A"

Parcel ID Number: 3-21-37-35-0020-02530-0010

Subject to covenants, restrictions, easements of record and taxes for the current year.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2012.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

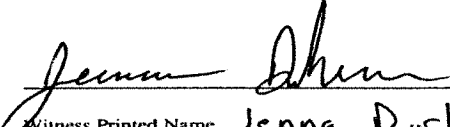
Signed, sealed and delivered in our presence:



Witness Printed Name **Stephen E. Burk**




JANET MAYS (Seal)
Address: 2679 SE 18TH AVE, OKEECHOBEE, FL 34974



Witness Printed Name **Jenna Durham**

State of Florida
County of Okeechobee

The foregoing instrument was acknowledged before me this January 3, 2013, by JANET MAYS, AN UNREMARIED WIDOW AND SURVIVING SPOUSE OF WILLARD MAYS, DECEASED, who is/are personally known to me or who has produced a drivers license as identification.



Notary Public
Print Name: **Stephen E. Burk**
My Commission Expires _____

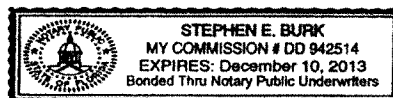


Exhibit "A"

FIRST ADDITION TO THE CITY OF OKEECHOBEE BEGINNING AT THE SE CORNER OF LOT 8 OF BLOCK 253, TOWN OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 4, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, AND RUN NORTH ALONG THE EAST BOUNDARY OF SAID LOT 8 EXTENDED ACROSS RIGHT-OF-WAY OF FLORIDA EAST COAST RAILWAY TO THE SE CORNER OF LOT 1, OF SAID BLOCK 253; THENCE RUN NORTH ALONG THE EAST BOUNDARY OF SAID LOT 1, EXTENDED ACROSS THE RIGHT-OF-WAY OF FLORIDA EAST COAST RAILWAY TO THE SOUTH BOUNDARY LINE OF SOUTH PARK STREET; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SOUTH PARK STREET, 100 FEET; THENCE RUN SOUTH TO THE NW CORNER OF LOT 7 OF SAID BLOCK 253; THENCE RUN SOUTH ALONG THE WEST BOUNDARY OF SAID LOT 7 TO THE SOUTHWEST CORNER THEREOF; THENCE RUN EAST ALONG THE SOUTH BOUNDARY LINE OF LOTS 7 AND 8 OF SAID BLOCK 253, 100 FEET TO THE POINT OF BEGINNING. BEING A PART OF LOT 1, ALL OF LOT 7 AND 8 OF BLOCK 253. AND PARTS OF RIGHT-OF-WAY OF FLORIDA EAST COAST RAILWAY, NOW ABANDONED. LESS AND EXCEPT THE FOLLOWING: A PORTION OF LOTS 7 AND 8 BLOCK 253 AND A PORTION OF THE NOW ABANDONED FLORIDA EAST COAST RAILROAD RIGHT-OF-WAY. ALL PER THE PLAT OF THE TOWN OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 4 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID LOT 8, THENCE NORTH 00° 00'00" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SE 5TH AVENUE (70' IN WIDTH), A DISTANCE OF 100.00 FEET; THENCE NORTH 89° 36'35" WEST A DISTANCE OF 99.92 FEET TO THE WEST LINE OF AFORESAID LOT 7; THENCE SOUTH 00° 04'42" WEST ALONG SAID WEST LINE OF LOT 7, A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7, BEING MARKED BY A CONCRETE MONUMENT FOUND; THENCE SOUTH 89° 36'36" EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF S.E. 2ND STREET(70' IN WIDTH) A DISTANCE OF 100.05 FEET TO THE AFORESAID SOUTHEAST CORNER OF LOT 8 AND THE POINT OF BEGINNING

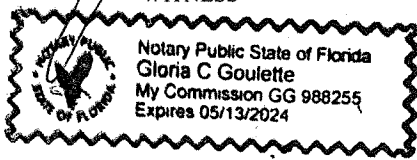
File Number: 32351

Legal Description with Non Homestead
Closer's Choice

#21

CITY OF OKEECHOBEE
55 SE 3RD AVENUE
OKEECHOBEE, FL 34974
TELE: 863-763-3372 FAX: 863-763-1686

LAND USE POWER OF ATTORNEY

Name of Property Owners: <u>Kenneth R Splete</u>						
Mailing Address: <u>P.O. Box 2478 Okeechobee FL</u>						
Home Telephone: <u>561 632 3298</u>	Work: <u></u>	Cell: <u></u>				
Property Address: <u>108 SE 5th ave, Okeechobee FL 34974</u>						
Parcel ID Number: <u>3-21-37-35-0026-02530-0010</u>						
Name of Applicant: <u>George Bannille / Earnest Electrical Contractors</u>						
Home Telephone: <u>863 261 0816</u>	Work: <u></u>	Cell: <u>863 801 3294</u>				
<p>The undersigned, being the record title owner(s) of the real property described above, do hereby grant unto the applicant stated above the full right and power of attorney to make application to the City of Okeechobee to change the land use of said property. This land use change may include rezoning of the property, the granting of special exception or variances, and appeals of decisions of the Planning Department. It is understood that conditions, limitations and restrictions may be place upon the use or operation of the property. Misstatements upon application or in any hearing may result in the termination of any special exception or variance and a proceeding to rezone the property to the original classification. This power of attorney may be terminated only by a written and notarized statement of such termination effective upon receipt by the Planning Department.</p>						
<p>IN WITNESS WHEREOF THE UNDERSIGNED HAVE SET THEIR HAND AND SEALS THIS DAY OF <u>Jan 26</u>, 20<u>21</u>.</p> <table border="0"><tr><td><u>Kenneth R Splete</u> OWNER</td><td><u>Gloria C Goulette</u> WITNESS</td></tr><tr><td><u></u> OWNER</td><td><u></u> WITNESS</td></tr></table> <p>STATE OF FLORIDA COUNTY OF <u>Okeechobee</u></p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"></div> <p>The foregoing instrument was acknowledged before me by means of <u>physical</u> presence or <u>online</u> notarization, this <u>28th</u> day of <u>January</u>, 20<u>21</u>, by <u>George Bannille</u>, (Name of Person) who is <u>personally known to me or produced</u> as identification.</p> <p><u>Gloria C Goulette</u> NOTARY PUBLIC SIGNATURE</p>			<u>Kenneth R Splete</u> OWNER	<u>Gloria C Goulette</u> WITNESS	<u></u> OWNER	<u></u> WITNESS
<u>Kenneth R Splete</u> OWNER	<u>Gloria C Goulette</u> WITNESS					
<u></u> OWNER	<u></u> WITNESS					

BOUNDARY SURVEY PREPARED FOR KENNETH SPLETE

DESCRIPTION:

A PORTION OF OF LOTS 1 AND 7 IN BLOCK 253 AND A PORTION OF THE NOW ABANDONED FLORIDA EAST COAST RAILROAD RIGHT-OF-WAY, ALL PER THE OKEECHOBEE COMPANY PLAT OF BLOCKS 252, 253 AND 254, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 4, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF LOT 8, OF SAID BLOCK 253; THENCE NORTH 00°00'00" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SE 5TH AVENUE (70' IN WIDTH), A DISTANCE OF 100.00 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK (O.R.B.) 445, PAGE 1931, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°00'00" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 200.32 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF NOW ABANDONED SOUTH PARK STREET (70' IN WIDTH); THENCE NORTH 89°58'45" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 99.98 FEET; THENCE SOUTH 00°00'14" WEST, A DISTANCE OF 200.37 FEET TO THE SOUTHEAST CORNER OF SAID O.R.B. 445, PAGE 1931; THENCE NORTH 89°59'34" EAST ALONG THE NORTH BOUNDARY LINE OF SAID O.R.B. 445, PAGE 1931, A DISTANCE OF 99.99 FEET TO THE POINT OF BEGINNING.

PROJECT SPECIFIC NOTES:

- 1) THE DESCRIPTION SHOWN HEREON WAS PREPARED BY SURVEYOR.
- 2) UNLESS SHOWN OTHERWISE, ALL DIMENSIONS ARE CALCULATED(C) AND MEASURED(M).
- 3) SITE ADDRESS: 108 SE 5TH AVENUE.
- 4) PARCEL ID: 3-21-37-35-0020-02530-0010.
- 5) F.I.R.M. ZONE: ZONE UNDETERMINED, PARCEL LIES WITHIN THE OKEECHOBEE CITY LIMITS.
- 6) THIS SURVEY IS NOT INTENDED TO DEPICT JURISDICTIONAL AREAS OR OTHER AREAS OF LOCAL CONCERN.
- 7) SURVEYOR WAS NOT PROVIDED WITH ANY TITLE INFORMATION FOR THIS PARCEL. SURVEYOR ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF EASEMENT DIMENSIONS SHOWN HEREON, IF ANY. THERE MAY BE OTHER EASEMENTS OR RESTRICTIONS THAT EFFECT THIS PARCEL.
- 8) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 9) DATE OF LAST FIELD SURVEY: 04/22/2020.

STANDARD NOTES: No search of the public records for determination of ownership or restrictions affecting the lands shown was performed by the surveyor. The survey depicted here is prepared exclusively for those parties noted. No responsibility or liability is assumed by the surveyor for use by others not specifically named. Not valid without the signature and embossed seal of Florida licensed surveyor and mapper #4506. There are no visible above ground encroachments except as shown. No attempt was made to locate underground improvements and/or encroachments (if any) as part of this survey. This survey was prepared in accordance with and conforms to the standards of practice for professional surveyors and mappers as outlined in Chapter 5J-17, Florida Administrative Code.

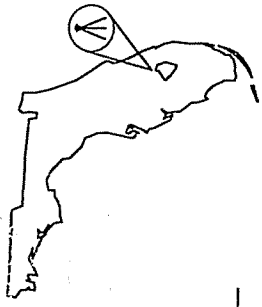
PREPARED FOR THE EXCLUSIVE USE OF:
KENNETH SPLETE

DESCRIPTION REFERENCE: PROVIDED BY CLIENT OR CLIENT'S REPRESENTATIVE
BEARING REFERENCE: W. R/W LINE SE 5TH AVE IS TAKEN TO BEAR N00°00'00"W

TRADEWINDS SURVEYING GROUP, LLC.

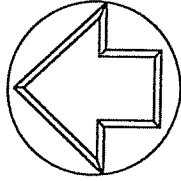
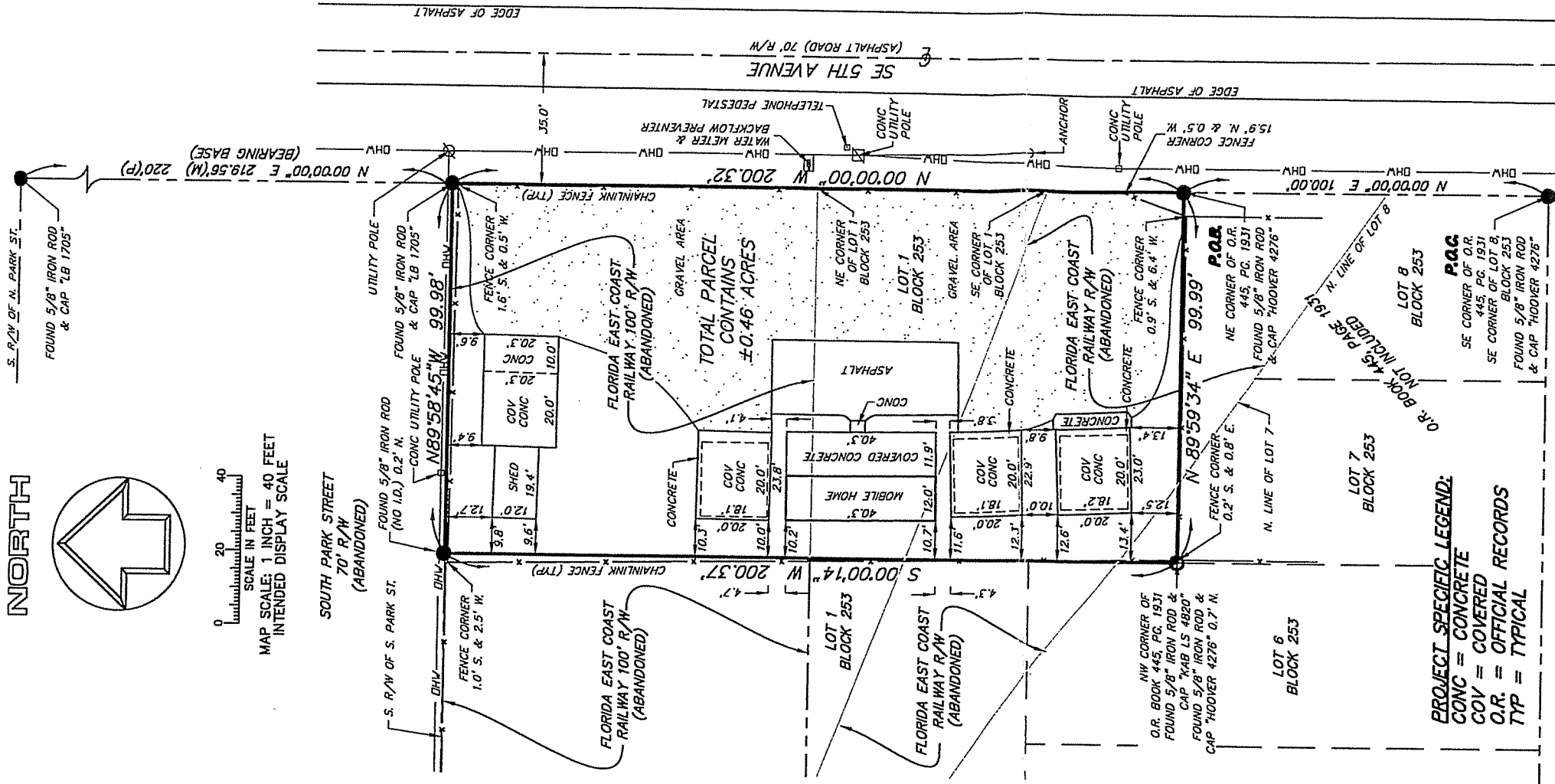
200 S.W. 3rd Avenue
Okeechobee, FL. 34974
Tel: (863) 763-2887
Fax: (863) 763-4342

John J. Rice, P.S.M. (LS 4506) LB 8360



LEGEND
● - Set Iron Rod and Cap "LB 8360"
■ - Found CM
○ - Found Iron Rod (and Cap)
◎ - Found Pipe (and Cap)

ABBREVIATIONS
B=Baseline; BM=Benchmark; C=Centerline; D=Deed; Δ=Delta or Central Angle; E=East; Concrete Monument; CONC=Concrete; E/P=Edge of Pavement; ESMT=Easement; F.I.R.M.=Florida Insurance Rate Map; FND=Found; IP=Iron Pipe; IR&C=Iron Rod (and ID Cap); L=(Arc) Length; M=Measured; MH=Manhole; N=North; NLY=North; NGVD=National Geodetic Vertical (Datum) of 1929; NTS=Not to Scale; OHW=Overhead Wires; R=Property Line; P=Plat; PC=Point of Curvature; PCC=Point of Beginning; POC=Point of Commencement; Permanent Control Point; POB=Point of Beginning; PRM=Permanent Reference Monument; PT=Point of Tangency; PU&D=Public Utility and Drainage; R=Radius; R/W=Right-of-Way; S=South; SLY=Southerly; T=Tangent; TEL=Telephone Splice or Switch Box; W=West; WLY=Westerly; UTIL=Utility(ies); X=Spot Elevation based on indicated Datum.



SCALE IN FEET
MAP SCALE: 1 INCH = 40 FEET
INTENDED DISPLAY SCALE

DESCRIPTION

BOUNDARY SURVEY

DATE

BY

CK

04/29/20

JJR

JJR

283/49-57

283/49-57

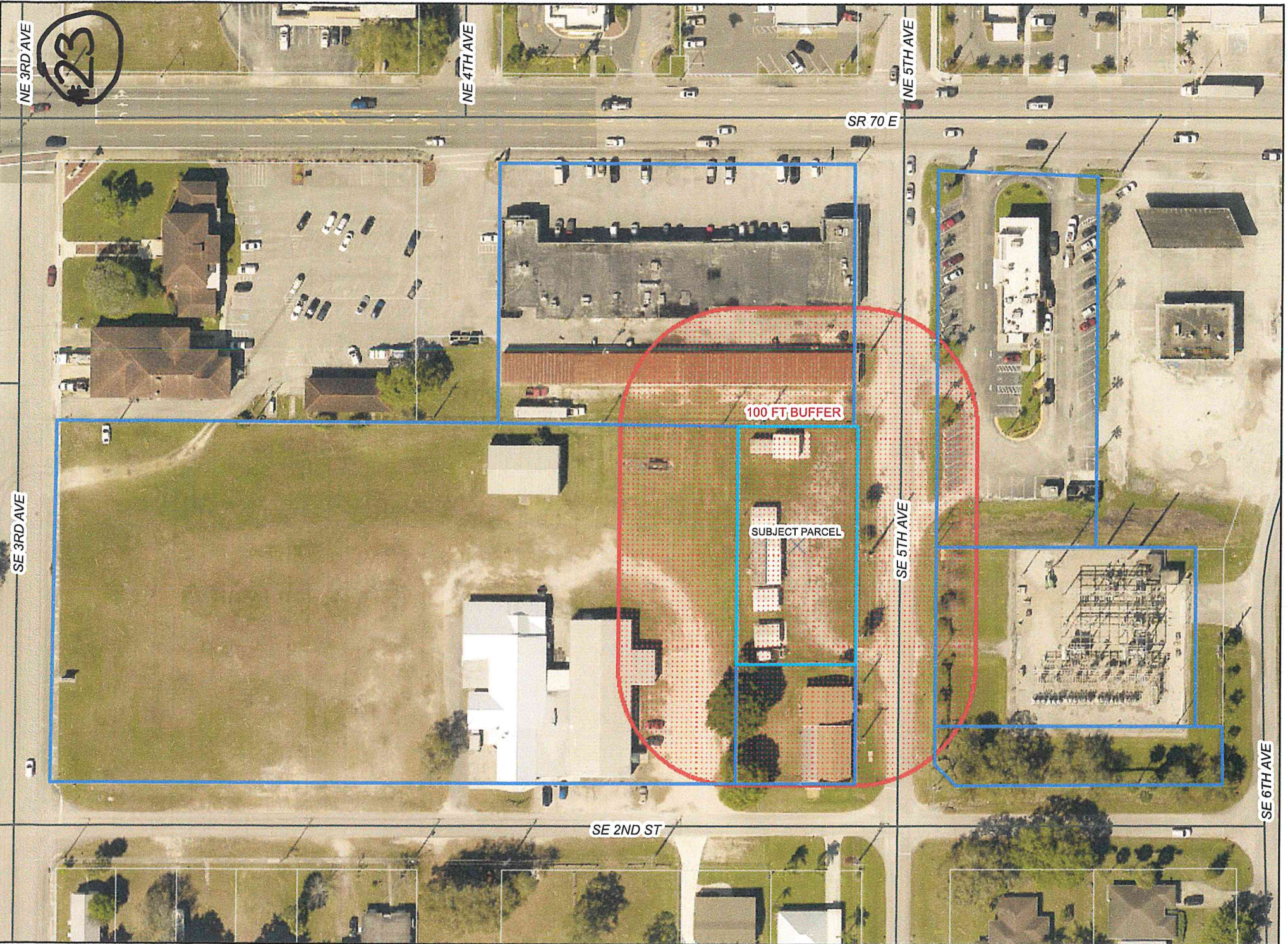
SCALE: 1" = 40'

20-155

20-155

23
#

PARCEL NUMBER	OWNER	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP
3-15-37-35-0010-01510-0110	GLADES PARTS COMPANY INC	PO BOX 2260		BELLE GLADE	FL	33430-3433
3-15-37-35-0010-01710-0080	CITY OF OKEECHOBEE	55 SE 3RD AVENUE		OKEECHOBEE	FL	34974-2903
3-15-37-35-0010-01710-0100	WAFH OF OKEECHOBEE INC	1403 NW AVENUE A		BELLE GLADE	FL	33430-2865
3-15-37-35-0010-01710-010A	CITY OF OKEECHOBEE	55 SE 3RD AVENUE		OKEECHOBEE	FL	34974-2903
3-15-37-35-0010-01710-0110	APEC/MACDILL LLC	%KARL LOEFFLER	P O BOX 35	DUNEDIN	FL	34697-0035
3-15-37-35-0010-01710-0120	FORTEX HOLDINGS LLC	12212 WILD IRIS WAY #111		ORLANDO	FL	32837-7628
3-21-37-35-0020-02520-00P0	FLORIDA POWER & LIGHT CO	ATTN PROPERTY TAX-PSX/JB	700 UNIVERSE BLVD	JUNO BEACH	FL	33408
3-21-37-35-0020-02520-00Q0	HAMRICK SARAH REGINA REV TR	BOX 837		OKEECHOBEE	FL	34973-0837
3-21-37-35-0020-02520-00S0	FLORIDA POWER & LIGHT COMPANY	PROPERTY TAX - PSX/JB	700 UNIVERSE BLVD	JUNO BEACH	FL	33408
3-21-37-35-0020-02530-0020	AMERICAN LEGION POST 64	501 SE 2ND STREET		OKEECHOBEE	FL	34974
3-21-37-35-0020-02530-0070	IGLESIA NUEVA ANCLA DE	PO BOX 2311		OKEECHOBEE	FL	34973-2311
3-21-37-35-0020-02540-0010	NORMAN CHARLES K	414 SE 2ND STREET		OKEECHOBEE	FL	34974
3-21-37-35-0020-02540-0030	WILLIAMS ROBERT A	PO BOX 604		OKEECHOBEE	FL	34973-0604
3-21-37-35-0020-02540-0040	AMERICAN LEGION POST 64	501 SE 2ND ST		OKEECHOBEE	FL	34974
3-22-37-35-0010-00000-0010	ANITA'S RENTAL PROPERTIES INC	701 NE 3RD ST		OKEECHOBEE	FL	34972-4576
3-22-37-35-0010-00000-0050	COLEMAN DAVID SR	211 SE 5TH AVE		OKEECHOBEE	FL	34974-4403
3-22-37-35-0010-00000-0060	LONGORIA GONZALO	205 SE 5TH AVE		OKEECHOBEE	FL	34974



THIS MAP HAS BEEN COMPILED FROM THE MOST AUTHENTIC INFORMATION AVAILABLE AND THE OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE DOES NOT ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED HEREON



#24

Affidavit Attesting to the Completeness and Accuracy of the List of Surrounding Property Owners

I hereby certify under the penalty of law or the revocation of the requested approval sought that to the best of my knowledge and belief, the attached list constitutes the complete and accurate list of the property owners, addresses, and parcel identification numbers of all parcels and tracts within three hundred (300) feet not including intervening streets, alleys, or waterways, of the perimeter of the lands which are subjects of, or are contiguous to but held under the same ownership as, the lands subject to the application for a change in land use or zoning, said list constituting a portion of that application. This affidavit is made based upon an inspection of the tax rolls of the Property Appraiser of Okeechobee County as of January 21, 2021 and the Assertions made to me by members of that Office that the information reviewed constitutes the most recent information available to that office. I therefore attest to this 28th day of

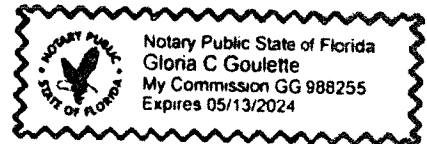
January, 2021.

[Signature]
Signature of Applicant

1/28/20
Date

George Banville
Name of Applicant (printed or typed)

STATE OF FLORIDA
COUNTY OF Okeechobee



The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 28th day of January, 2021, by George Banville who is personally known to me or produced [Signature] as identification.

[Signature]
Notary Public Signature

#23+24



SE 5th Ave

Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

2020 Certified Values

updated: 1/28/2021

Parcel: << **3-21-37-35-0020-02530-0010 (34752)** >>**Owner & Property Info**

Result: 4 of 4

Owner	SPLETE KENNETH R P O BOX 2478 OKEECHOBEE, FL 34973-2478		
Site	108 SE 5TH AVE, OKEECHOBEE		
Description*	1ST ADDITION TO CITY OF OKEECHOBEE BEGINNING AT THE SE CORNER OF LOT 8 OF BLOCK 253, TOWN OF OKEECHOBEE, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 4, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, AND RUN NORTH ALONG THE EAST BOUNDARY OF SAID ...more>>>		
Area	0.452 AC	S/T/R	21-37-35
Use Code**	VEH SALE/REPAIR (2700)	Tax District	50

*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.

**The Use Code is a Dept. of Revenue code. Please contact Okeechobee County Planning & Development at 863-763-5548 for zoning info.

Property & Assessment Values

2019 Certified Values		2020 Certified Values	
Mkt Land	\$50,379	Mkt Land	\$50,380
Ag Land	\$0	Ag Land	\$0
Building	\$28,558	Building	\$28,560
XFOB	\$18,441	XFOB	\$19,132
Just	\$97,378	Just	\$98,072
Class	\$0	Class	\$0
Appraised	\$97,378	Appraised	\$98,072
SOH Cap [?]	\$0	SOH/10% Cap [?]	\$0
Assessed	\$97,378	Assessed	\$98,072
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$97,378 city:\$97,378 other:\$97,378 school:\$97,378	Total Taxable	county:\$98,072 city:\$98,072 other:\$98,072 school:\$98,072

Note: Property ownership changes can cause the Assessed value of the property to reset to full Market value, which could result in higher property taxes.

Aerial Viewer Pictometry Google Maps

☒ 2020 ☐ 2019 ☐ 2018 ☐ 2017 ☐ 2015 ☐ Sales
**▼ Sales History**

Sale Date	Sale Price	Book/Page	Deed	V/I	Qualification (Codes)	RCode
1/3/2013	\$65,000	0724/0796	WD	I	Q	01
3/1/1972	\$0	0143/0201	N/A	V	Q	

▼ Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
Sketch	MH OFFICE (4903)	2001	480	960	\$28,560

*Bldg Desc determinations are used by the Property Appraisers office solely for the purpose of determining a property's Just Value for ad valorem tax purposes and should not be used for any other purpose.

▼ Extra Features & Out Buildings (Codes)

Code	Description	Year Blt	Value	Units	Dims	Condition (% Good)
------	-------------	----------	-------	-------	------	--------------------

OFA	OPN FLR MTL	2001	\$2,534.00	360.00	18 x 20	PD (80%)
OFA	OPN FLR MTL	2001	\$2,816.00	400.00	20 x 20	PD (80%)
AFA W4	MTL FLR MTL	1990	\$1,793.00	240.00	20 x 12	PD (50%)
CONC B	COM SLB WLK	2001	\$442.00	200.00	10 x 20	PD (85%)
AFA W2	MTL FLR MTL	2006	\$2,839.00	300.00	15 x 20	PD (85%)
ASPH 2	COM SLB WLK	2008	\$2,480.00	1000.00	50 x 20	PD (80%)
CONC I	BUMPERS	2008	\$12.00	1.00	0 x 0	PD (80%)
OFA	OPN FLR MTL	2006	\$2,851.00	360.00	20 x 18	PD (90%)
AFA N3	MTL FLR MTL	2006	\$772.00	60.00	5 x 18	PD (85%)
FENC 2	5'C/LINK	2009	\$2,593.00	305.00	0 x 0	PD (85%)

▼ **Land Breakdown**

Code	Description	Units	Adjustments	Eff Rate	Land Value
067EP3	SIDE STREET (MKT)	199.920 FF (0.452 AC)	1.0000/.7200 1.0000/ /	\$252 /FF	\$50,380

Search Result: 4 of 4

© Okeechobee County Property Appraiser | Mickey L. Bandi, CFA | Okeechobee, Florida | 863-763-4422

by: GrizzlyLogic.com



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company

EARNEST ELECTRICAL CONTRACTORS LLC

Filing Information

Document Number L17000164599
FEI/EIN Number 32-0539088
Date Filed 08/02/2017
State FL
Status ACTIVE
Last Event LC AMENDMENT
Event Date Filed 09/23/2020
Event Effective Date NONE

Principal Address

108 Se 5th ave
OKEECHOBEE, FL 34974

Changed: 02/01/2021

Mailing Address

PO BOX 2144
OKEECHOBEE, FL 34973

Changed: 02/01/2021

Registered Agent Name & Address

Banville, George Vincent
814 Se 37 th terrace
OKEECHOBEE, FL 34974

Name Changed: 03/20/2020

Address Changed: 02/01/2021

Authorized Person(s) Detail

Name & Address

Title MGR

BANVILLE, GEORGE V
108 Se 5th ave
OKEECHOBEE, FL 34974

Annual Reports

Report Year	Filed Date
2020	01/27/2020
2020	03/20/2020
2021	02/01/2021

Document Images

02/01/2021 -- ANNUAL REPORT	View image in PDF format
09/23/2020 -- LC Amendment	View image in PDF format
03/30/2020 -- LC Amendment	View image in PDF format
03/20/2020 -- AMENDED ANNUAL REPORT	View image in PDF format
01/27/2020 -- ANNUAL REPORT	View image in PDF format
10/24/2019 -- AMENDED ANNUAL REPORT	View image in PDF format
04/02/2019 -- ANNUAL REPORT	View image in PDF format
04/01/2018 -- ANNUAL REPORT	View image in PDF format
08/02/2017 -- Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations



Staff Report

Special Exception Request

Prepared for: The City of Okeechobee

*Applicant: George Banville
Earnest Electrical Contractors*

Petition No.: 21-003-SE

Address: 108 SE 5th Ave

Description: outdoor storage; building trades contractor

General Information

Owner	Kenneth R. Splete
Applicant	George Banville Earnest Electrical Contractors
Applicant Address	PO Box 2144 Okeechobee, FL 34973
Site Address	108 SE 5 th Avenue
Parcel Identification	3-21-37-35-0020-02530-0010
Applicant Phone Number	863.261.0816 863.801.3274
Applicant Email Address	eecllc.okee@gmail.com
For the legal description of the project or other information regarding this application, please refer to the application submittal package which is available by request at City Hall and is posted on the City's website prior to the advertised public meeting at https://www.cityofokeechobee.com/agendas.html	

Future Land Use, Zoning and Existing Use

	Existing	Proposed
Future Land Use	Commercial	Commercial
Zoning	Heavy Commercial	Heavy Commercial
Use of Property	Storage / Vacant	Outdoor Storage; Building Trades Contractor
Acreage	0.452 acre	0.452 acre

Description of Request

The matter for consideration by the City of Okeechobee Board of Adjustment is a Special Exception request for outdoor storage; building trades contractor. The applicant is an electrical contractor with a pending sales contract for the property. According to the application, the electrical contracting operation involves 9 employees with hours of operation from 8:00am to 4:30pm, Mondays through Fridays, and occasionally on Saturdays. Materials and equipment, including work vehicles, a trencher and an excavator would be stored on site. The applicant has also stated that outside on-site activities will mainly be limited to morning meetings conducted from 7:15am to 8:15am.

The property is designated Commercial on the Future Land Use Map (FLUM) and zoned CHV, Heavy Commercial. City Code Section 90-283(5) lists "outdoor sales and storage, building trades contractor" as a special exception use in the CHV district.

The property is approximately 0.46 acres, has full perimeter chain link fencing and contains several structures including a 480 square foot mobile home and 4 free standing metal canopy

structures on concrete slabs. The mobile home will continue to be used as an office by the applicant. There are currently no paved parking facilities, landscape buffers or drainage improvements.

There were previous special exception uses approved for this property in 2001 and 2013:

- 13-002-SE, Kenneth R. Splete, 2-21-2013, Building Trades Contractor
- 01-002-SE, Willard Mays, 2-27-2001, Outdoor Vehicle Sales Lot

Future Land Use, Zoning, and Existing Use on Surrounding Properties

North	Future Land Use	Commercial
	Zoning	Heavy Commercial
	Existing Use	Strip commercial and storage units
East	Future Land Use	Single Family Residential
	Zoning	Heavy Commercial
	Existing Use	FPL Substation and Wendys
South	Future Land Use	Commercial
	Zoning	Heavy Commercial and Residential Single Family
	Existing Use	Church
West	Future Land Use	Commercial
	Zoning	Residential Multiple Family
	Existing Use	American Legion

Consistency with Land Development Regulations

Section 70-373(b) requires that the Applicant address the following standards for granting a Special Exception during their presentation to the Board of Adjustment. The Applicant has submitted, as part of the submission, brief statements and information addressing these standards. These are repeated below in Times Roman typeface exactly as provided by the Applicant. Staff has made no attempt to correct typos, grammar, or clarify the Applicant's comments. Staff comments follow and are shown in Arial typeface.

(1) *Demonstrate that the proposed location and site are appropriate for the use.*

Applicant Response: There are two entrances which allows for a one-way direction to avoid backing into SE 5th Ave. Office building which will accommodate coordinating and daily duties of business. Enclosed carports to keep material/tools/etc. from the view of general public.

STAFF COMMENTS: The location of this property is near to both SR-70 and US-441, which should provide quick access to these highways for work vehicles and limit their travel on local roadways considerably. The property has 200 feet of frontage on SE 5th Ave, with one

existing driveway/gate on that roadway. The other driveway/gate is located on the north property line and relies on access through another property. It is not clear whether that access is provided through an easement, but if that access were ever to be discontinued, there is ample room for an additional driveway to be added on SE 5th Ave. The applicant has not stated any plans for new structures on the property and plans to use the existing mobile home for an office and the metal canopy structures for equipment storage.

- (2) *Demonstrate how the site and proposed buildings have been designed so they are compatible with the adjacent uses and the neighborhood, or explain why no specific design efforts are needed.*

Applicant Response: Buildings are placed to where they are significantly set back from the road. Property is surrounded by chain link fence to help conceal and contain.

STAFF COMMENTS: The applicant is not proposing any new site development at this time, though there are several existing structures on site, as described above. The existing site is nonconforming to parking design standards, landscape standards and drainage standards; and the existing modular office unit would not be permitted as a new permanent structure under the current standards. The property is located amid a variety of uses including Wendy's, an FPL substation, a church, an American Legion post, mini storage units and strip commercial. The vehicle parking, equipment storage and office uses should not generate a significant level of noise or other nuisances for the adjacent uses. However, the lack of screening for the equipment storage should be addressed. It is also within the Board's purview to require paved parking or any other improvements deemed necessary for this use and compatibility with the neighborhood.

- (3) *Demonstrate any landscaping techniques to visually screen the use from adjacent uses; or explain why no visual screening is necessary.*

Applicant Response: Palm trees on east property line help visually screen area from passing by traffic which is main line of sight.

STAFF COMMENTS: There are several palm trees that appear to be located in the public right-of-way along the frontage of the subject property on SE 5th Ave. If the site were to be landscaped according to the current code, at least 6 trees and 19 shrubs would be required along the frontage, 1 tree and 2 shrubs would be required along the south property line, 1 tree and 4 shrubs would be required along the west property line, and 1 tree and 2 shrubs would be required along the north property line. Due to the proposed equipment storage, it would be prudent to require at least this amount of landscaping to create some screening and improve the aesthetics of the site.

- (4) *Demonstrate what is proposed to reduce the impacts of any potential hazards, problems or public nuisance generated by the use or explain how the nature of the use creates no such potential problems.*

Applicant Response: Eventually plan to add wooden fence where feasible to conceal property from west side (American Legion). Also a hedge or more plants on East side (SE 5th Ave).

STAFF COMMENTS: Adding a more opaque fencing or a dense hedge around the perimeter of the property would be helpful in screening the equipment storage from the church, American Legion and passersby on SE 5th Ave.

- (5) *Demonstrate how the utilities and other service requirements of the use can be met.*

Applicant Response: There is already electric service to the office and a few outer building which will aid us in lighting and power requirements. There is also city water and sewer which will service our workers and any guest/visitor needing so.

STAFF COMMENTS: Agreed.

- (6) *Demonstrate how the impact of traffic generation will be handled off site and on-site.*

Applicant Response: Very rarely do we have customers at our office, most of our transactions/interactions occur on the jobsites and through email and post office. Intend to only go east off of SE 5th Ave. We will use SE 3rd St for travel purposes if at all possible.

STAFF COMMENTS: This use should not generate a significant amount of traffic and there appears to be adequate space for vehicle maneuvering on site.

When reaching a conclusion on a Special Exception request, the Board of Adjustment shall consider and show in its record the following findings as set forth in Section 70-373(c)(1)-(8). The required findings are listed below followed by the Applicant's statements in Times Roman typeface exactly as provided by the Applicant. Staff has made no attempt to correct typos, grammar, or clarify the Applicant's comments. Staff comments follow and are shown in Arial typeface.

- (1) *The use is not contrary to the Comprehensive Plan requirements.*

Applicant Response: True / Yes

STAFF COMMENTS: We agree there are no policies in the Comprehensive Plan that prohibit this use.

- (2) *The use is specifically authorized as a special exception use in the zoning district.*

Applicant Response: True / Yes

STAFF COMMENTS: City Code Section 90-283(5) lists "outdoor sales and storage, building trades contractor" as a special exception use in the CHV district.

- (3) *The use will not have an adverse effect on the public interest.*

Applicant Response: True / Yes

STAFF COMMENTS: The greater public interest is served by encouragement of local businesses which provide quality contracting services to the community and contribute to the local economy. However, properties which do not uphold the community aesthetic and maintain design standards can have an adverse effect on the public interest. If this special use exception is to be approved, the Board should consider whether any conditions should be placed on that approval regarding the buffering of equipment storage or coming into compliance with the current parking facility design standards.

- (4) *The use is appropriate for the proposed location, is reasonably compatible with adjacent uses and is not detrimental to urbanizing land use patterns.*

Applicant Response: True / Yes

STAFF COMMENTS: The applicant has stated that the on-site activities will be limited to parking, equipment storage, employee meetings and office activities. The main compatibility concern should be the aesthetics of the site and the equipment storage. With so many different types of surrounding uses, there is no prevailing land use pattern that would be disrupted by this use.

- (5) *The use will not adversely affect property values or living conditions, nor be a deterrent to the development of adjacent property.*

Applicant Response: True / Yes

STAFF COMMENTS: If the potential for negative aesthetics can be mitigated, the proposed use should not adversely affect property values or living conditions, nor be a deterrent to the development of adjacent property.

- (6) *The use may be required to be screened from surrounding uses to reduce the impact of any nuisance or hazard to adjacent uses.*

Applicant Response: I don't believe so

STAFF COMMENTS: We recommend that the Board consider requiring screening as a condition of approval. At the very least, the current minimum landscape buffer requirements should be met. However, additional shrubs or a solid fence could also be required if the Board deems it necessary.

- (7) *The use will not create a density pattern that will overburden public facilities such as schools, streets, and utility services.*

Applicant Response: True / Yes

STAFF COMMENTS: The proposed use is not residential and will have no effect on density or schools. The existing roadway and utility capacity should not be significantly affected by this use either.

- 8) *The use will not create traffic congestion, flooding or drainage problems, or otherwise affect public safety.*

Applicant Response: Yes will not

STAFF COMMENTS: The applicant is not proposing any new site development and the site does not currently have any drainage or water retention/detention features. Therefore, the use will not create any flooding or drainage problems; and any flooding or drainage problems which already exist will not be addressed unless the Board mandates compliance with drainage standards as a condition of approval. This use should not affect public safety.

Recommendation

Based on the foregoing analysis, the requested special use exception is consistent with the City's Comprehensive Plan, reasonably compatible with adjacent uses, and consistent with the urbanizing pattern of the area. Staff recommends **approval** of this request to allow an electrical contracting business at 108 SE 5th Ave in the CHV zoning district. However, if the Board does approve this request it should also consider requiring screening and/or whether paved parking facilities should be required. The following are examples of screening requirements that could be made as a condition of approval:

1. Meeting the minimum landscape buffer requirements as required by current code:
 - a. 6 trees and 19 shrubs along the frontage on SE 5th Ave
 - b. 1 tree and 2 shrubs along the south property line
 - c. 1 tree and 4 shrubs along the west property line
 - d. 1 tree and 2 shrubs along the north property line
2. Providing a hedged perimeter landscape buffer, possibly to include shrubs spaced 5 foot on center and specifying that the shrubs be a species known for creating a robust hedge. *Clusia* and *cocoplum* are two examples of native species with moderate growth rates which produce dense foliage.
3. Replacement of the existing chain link fence with a wood or pvc fence around the perimeter, not to exceed the maximum code heights of five feet in front of the front building line or a height of eight feet elsewhere.

Submitted by:



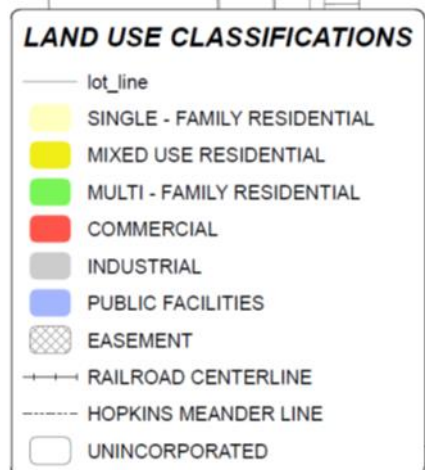
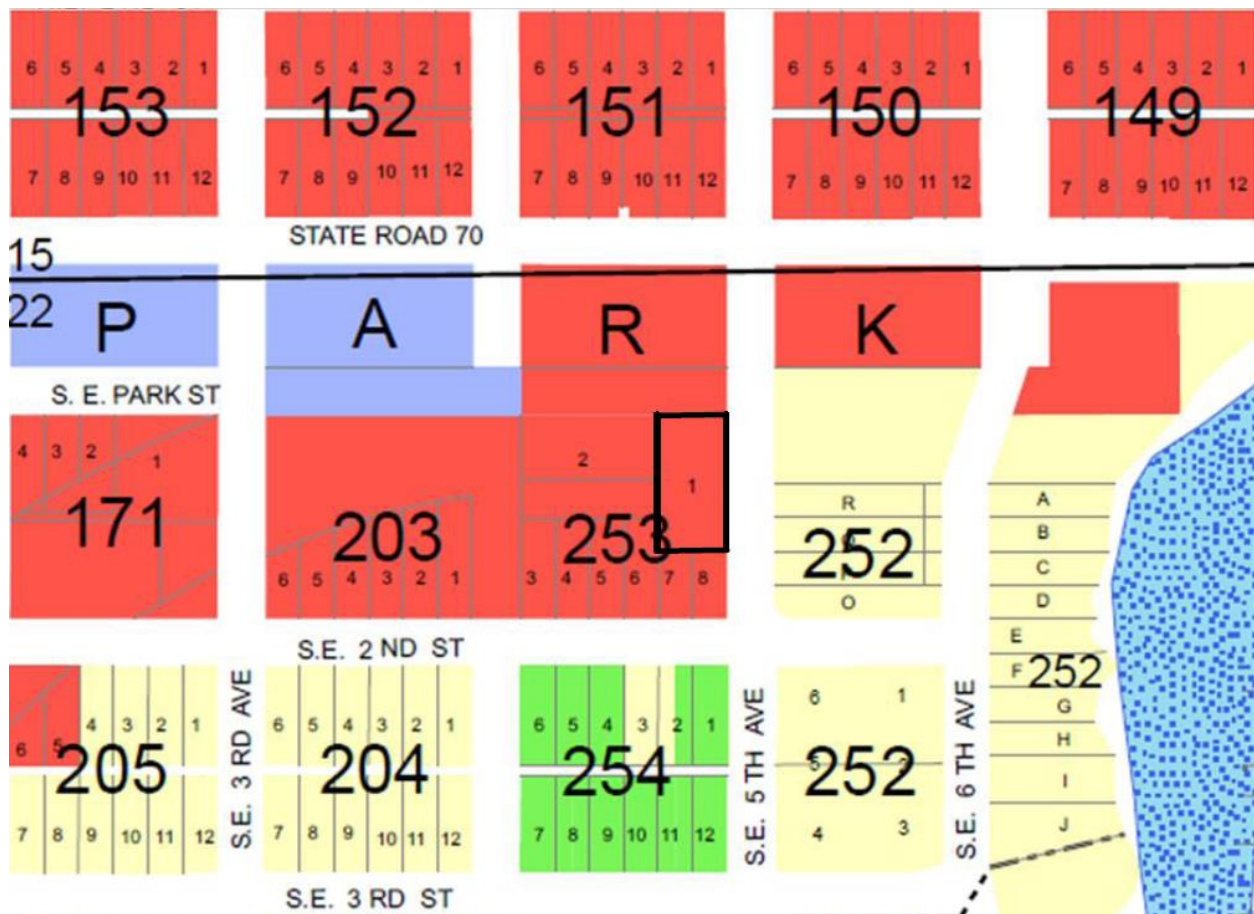
Ben Smith, AICP
Sr. Planner

February 22, 2021

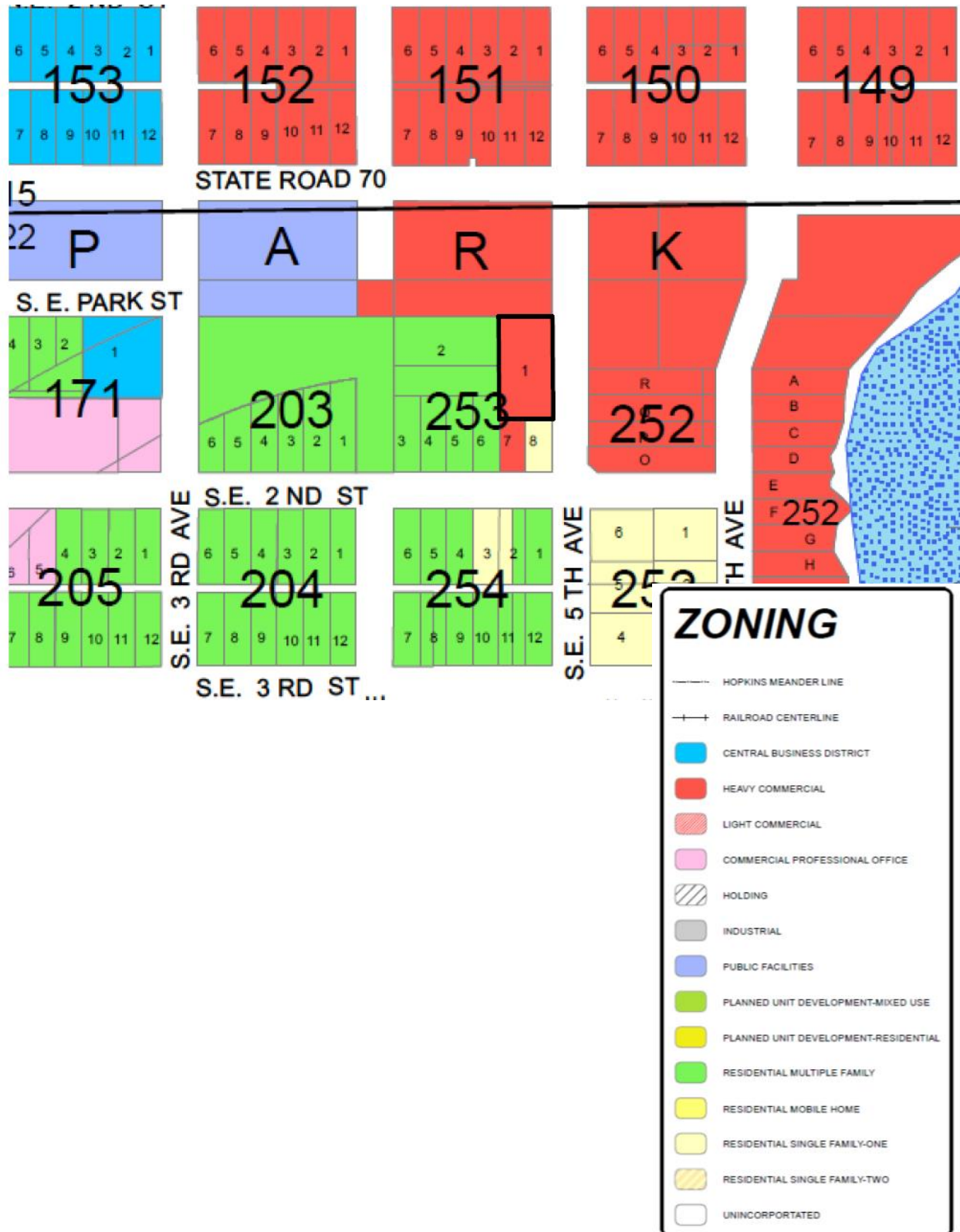
Board of Adjustment Hearing: March 18, 2021

Attachments: Future Land Use Map
Zoning Map
Aerial Photograph Showing Existing Land Uses

**FUTURE LAND USE
SUBJECT SITE AND ENVIRONS**



ZONING SUBJECT SITE AND ENVIRONS



**AERIAL
SUBJECT SITE AND ENVIRONS**

