



CITY OF OKEECHOBEE
BOARD OF ADJUSTMENT MEETING
55 SOUTHEAST THIRD AVENUE, OKEECHOBEE, FL 34974
MAY 19, 2022
LIST OF EXHIBITS

Draft Minutes

Summary of Board Action November 18, 2021

Staff Report/Exhibit 1

Special Exception Petition No. 22-001-SE



**CITY OF OKEECHOBEE, FLORIDA
BOARD OF ADJUSTMENT MEETING
NOVEMBER 18, 2021
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, November 18, 2021, at 6:10 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida.

II. ATTENDANCE

Roll was taken by Board Secretary Patty Burnette. Chairperson Dawn Hoover, Vice Chairperson Doug McCoy, Board Members Phil Baughman, Karyne Brass, Rick Chartier, Mac Jonassaint, Joe Papasso and Alternate Board Member Jim Shaw were present. Alternate Board Member David McAuley was absent.

III. AGENDA AND PUBLIC COMMENTS

- A. There were no items added, deferred, or withdrawn from the agenda.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

IV. MINUTES

- A. Motion by Board Member Chartier, seconded by Board Member Papasso, to dispense with the reading and approve the October 21, 2021, Board of Adjustment Regular Meeting minutes. **Motion Carried Unanimously.**

V. CHAIRPERSON HOOVER OPENED THE QUASI-JUDICIAL PUBLIC HEARING AT 6:11 P.M.

- A. Special Exception Petition No. 21-007-SE requests to allow outdoor sales and storage in the Heavy Commercial Zoning District, (Ref. Code Sec. 90-283(5)) located at 204 NW 13th Street for the proposed use of a storage facility.
 - 1. No oath for testimony was administered.
 - 2. City Planning Consultant Mr. Jim LaRue with LaRue Planning and Management Services briefly reviewed the Planning Staff Report recommending approval with conditions.
 - 3. Mr. Muhammad Nooruddin, Registered Agent of the Property Owner, NASSA Management Group, LLC was present (arrived at 6:15 P.M.) and available for questions. Board Members discussed whether there was a need for lighting and whether buffering/fencing was necessary.
 - 4. No public comments were offered. For the record there were 15 surrounding property owner notices mailed, signage was posted on the subject parcel and the Petition was advertised in the local newspaper.
 - 5. No Ex-Parte disclosures were offered.
 - 6. Motion by Board Member Brass, seconded by Board Member Jonassaint to approve Special Exception Petition No. 21-007-SE as presented in [Exhibit 1 which includes the standards and findings as required for granting petitions per Code Section 70-373; and the Planning Consultant's analysis of the findings] with the following special conditions: a detailed site plan be submitted to staff providing type of landscape buffer and location, precise location and height of fence, layout of paved parking/drive aisles, and drainage areas; Rezoning Petition No. 21-006-R is approved by the City Council, and landscape buffering is provided to the South and West. **Motion Carried Unanimously.**

CHAIRPERSON HOOVER CLOSED THE QUASI-JUDICIAL PUBLIC HEARING AT 6:26 P.M.

VI. Chairperson Hoover adjourned the meeting at 6:26 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.

22-001-SE

Special Exception Staff Report



Applicant | Jason Ferrell/Dowling R. Watford Rev Trust

Address | 800 NW Park Street/ NW 9th Ave



Prepared for The City of Okeechobee

General Information

Owner: Jason Ferrell/Dowling R. Watford Rev Trust

Applicant: Jason Ferrell

Primary Contact: Jason Ferrell 863-634-7737 or Eaglebayjason@gmail.com

Site Address: NW 9TH AVE, 800 NW Park ST.

Parcel Identification: 3-15-37-35-0010-01620-0010, 3-15-37-35-0010-01620-0110

Note: For the legal description of the project or other information relating 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 of Subject Property(s)

Parcel #1: 3-15-37-35-0010-01620-0010	Existing	Proposed
Future Land Use	Commercial	No Change
Zoning	Heavy Commercial	No Change
Use of Property	Vacant	Outdoor storage and sale of carports, sheds and farm equipment.
Acreage	0.977	No Change

Parcel #2: 2-15-37-35-0010-01620-0110	Existing	Proposed
Future Land Use	Commercial	No Change
Zoning	Heavy Commercial	No Change
Use of Property	Vehicle rental/sales	Outdoor storage and sale of carports, sheds and farm equipment. Vehicle rental/sales
Acreage	0.325	No Change

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

	Future Land Use	Zoning	Existing Use
North	Public Facilities	Public Use	Okeechobee County public works facility
East	Commercial	Industrial	Vacant railway
South	Commercial	Heavy Commercial	SR-70, Farmers Market, Auto-Parts Retail
West	Commercial	Heavy Commercial	Trailer Sales, Retail, Office

Description of Request and Existing Conditions

The request for consideration by the City of Okeechobee Board of Adjustment is a Special Exception for outdoor sales and storage. The request involves two abutting parcels. The southern parcel is approximately 0.325 acres with frontage on SR-70 and NW 8th Ave. The northern parcel is approximately 1 acre with frontage on NW 8th Ave, NW 2nd St, and NW 9th Ave. The two parcels have not previously been used together and are separately owned. The southern parcel was previously approved for a special exception for outdoor vehicle sales (16-001-SE) with that approval still in effect. The owner of the southern parcel is the applicant for this current request and has stated the desired goal of utilizing both parcels for outdoor display and sales of carports, sheds, and farm equipment; using the northern parcel for display, the southern parcel for parking, and also to continue the existing vehicle sales use in operation on the southern parcel. This request is consistent with the definition of *outdoor sales and storage* as provided in City LDC Section 66-1 as follows:

Outdoor sales and storage means an establishment for the sale or storage of new and used goods, including building and farm equipment and materials, and mobile homes.

Both properties are designated Commercial on the Future Land Use Map and zoned Heavy Commercial (CHV). Okeechobee Code Section 90-283(5) specifically lists outdoor sales and storage as a special exception use in the Heavy Commercial (CHV) District.

The northern parcel is vacant with no existing structures or noticeable improvements. The southern parcel on SR-70 is currently developed with two nonconforming structures, an unstriped parking area, and outdoor display area. The application mentions the presence of only one existing 1,000 square foot structure, though aeriels and the submitted site plan indicate the presence of two existing structures. The property appraiser provides areas for these structures of 1,826 square feet and 900 square feet.

The site plan submitted with this application proposes one improvement of the vacant parcel. Post/bollard locations are depicted around the entire perimeter with gaps for access points on NW 9th Ave, NW 8th Ave, and the alley that runs between the two subject parcels. The associated notation reads:

SECURITY BARRIER WILL BE POSTS AT NO MORE THAN 6 LINEAR FEET BETWEEN UPRIGHTS, STEEL OR WOODEN MAX HEIGHT 48 INCHES.

The applicant has stated that gates will also be added to the proposed access points. Though the City's code does not specifically address the placement of bollards in the required setback areas, these features provide security similar to fencing and may be considered a form of fencing. As such they are permitted in conformance with City LDC Section 90-369.

As described by the applicant, parking and loading for the operations will be provided on the southern parcel. Though Section 90-512 does not provide a specific parking standard for outdoor sales and storage, subsection 6 allows for the most similar parking standard to be applied to any use that is not specifically listed. Staff finds that automobile sales are the most similar listed use, which requires 1 parking space per 400 square feet of floor area, plus 1 parking space per 1,500 square feet of outdoor area used for sales or display. The site plan does not depict a designated display area though it may be safe to assume that approximately 30,000 square feet (after subtraction of the required buffers) of the northern parcel will be utilized for display of goods. As such, the required parking for the proposed use on the northern parcel calculates to 20 parking spaces. The combined floor area of the two existing structures on the southern parcel (2,726 sf) requires approximately 7 spaces. The submittal does not include a parking plan and the site does not contain 27 striped parking spaces. However, it may not be reasonable to expect that the proposed operations of the site will require 27 parking space, even during peak periods. The applicant's submittal also does not include traffic analysis, though the trip generation rates for these types of uses, as provided by the Institute of Transportation Engineers, do not indicate that high levels of vehicle trips should be expected (less than 4 vehicle trips generated during peak pm period); which further supports lower parking needs.

Section 90-513 provides loading space standards based on floor area and this site does not contain a sufficient amount of floor area to warrant a loading space per the strict reading of the code. However, it will be a practical necessity to accommodate deliveries of goods by large trucks and trailers. As such, the applicant has identified an area on the southern parcel that should accommodate the temporary parking and unloading of large trucks and trailers. See attached Exhibits A and B.

No landscape plan has been submitted at this time. However, the city's landscape standards generally only require landscape improvements at time of 'development' and in conjunction with new parking/vehicular use areas. Since the applicant is not proposing any significant development of either parcel at this time, landscaping improvements will only be required if the Board determines that screening is necessary for the proposed use and/or if new parking facilities will be required to support the proposed use.

Consistency with LDC Section 70-373

City LDC Section 70-373(b) requires that applicants for special exception requests must address the following standards. The applicant has submitted responses to each standard, which are provided unedited below. Staff comments are also provided in response to the standards and the applicant's responses.

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

Applicant Response: Surrounding land is utilizing same use

Staff Comments: The subject parcels are located within the Heavy Commercial zoning district, surrounded by commercial uses along SR-70, one of the City's main commercial corridors. Parcels with existing outdoor sales and display uses are located in the vicinity of the subject parcels. The location isn't directly adjacent to any residential uses or districts, though residential is present to the northwest. Staff agrees that the subject site and location is appropriate for the use.

(2) Demonstrate how the site and proposed buildings have been designed so they are compatible with the adjacent uses and the neighborhood.

Applicant Response: No specific design needed only used for office space.

Staff Comments: Other than security bollards and gates, the applicant is not proposing any new buildings, structures, or other improvements at this time.

(3) Demonstrate any landscaping techniques to visually screen the use from adjacent uses.

Applicant Response: No visual screening. Property to be used for display.

Staff Comments: The applicant is not proposing any landscaping or other screening at this time. Per Section 90-454, "outdoor storage uses permitted in nonresidential districts, comprising goods and materials, shall be screened from adjacent residential zoning districts by a fence or landscaping at least five feet high." Though it is within the purview of the Board to consider whether the applicant's proposed operations will require screening to maintain aesthetics, it should be noted that since neither of these parcels are directly adjacent to residential districts, no screening is specifically required per the code. Additionally, the City's code relies on development of a property as the trigger for requiring conformance with the landscape code; and the applicant is not proposing any new buildings or parking facilities which would require site plan approval. However, if the Board determines that additional parking facilities are required in order to accommodate the proposed use, then landscaping which complies with Section 90-533 should also be required.

- (4) *Demonstrate what is proposed to reduce the impact of any potential hazards, problems or public nuisance generated by the use.*

Applicant Response: Follows the utilization of the area. No potential problems.

Staff Comments: For outdoor sales and storage, the most common type of nuisances would be deterioration of aesthetics and overflow parking. Staff finds that the proposed operations should not necessarily create hazards, problems, or nuisances, provided that operations are limited to those that have been described by the applicant in the submitted application and through verbal statements. It will be necessary to prohibit display in the required setback areas, per Section 90-454, which states that, “goods shall not be stored in required yards.”

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

Applicant Response: N/A

Staff Comments: Utility and service requirements should not be affected by approval or denial of this request. It is not expected that the use will generate significant additional demand for utilities and services. No further development of the subject property is proposed as part of this special exception request.

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

Applicant Response: N/A

Staff Comments: No traffic analysis has been provided, though staff has determined that the traffic generation for the proposed use is very low. The site is located with frontage on SR-70, with access to the parking area via SR-70 and NW 8TH Avenue. The site has ample space for internal circulation and the southern parcel should accommodate large truck deliveries via NW 8th Ave during non-business hours when the street parking on NW 8th Ave is unused.

City LDC Section 70-373(c) provides a list of findings that the Board of Adjustment must address in its determination to approve the request, deny the request, or approve the request with conditions. The applicant has submitted responses to each finding, which are provided un-edited below. Staff comments are also provided in response to the findings and the applicant’s responses.

- (1) *The use is not contrary to comprehensive plan requirements.*

Applicant Response: No

Staff Comments: The Okeechobee Comprehensive Plan does not contain any policies which would prohibit the requested use. Retail and related commercial activities are listed as permissible uses within the Commercial Future Land Use Category, in which the project is located. The proposed use is consistent with of the Commercial Future Land Use Category, as defined within the Comprehensive Plan.

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

Applicant Response: Yes.

Staff Comments: City Code Section 90-283(5), which is referenced by the applicant within the submittal package, lists “outdoor sales and storage, building trades contractor” as an allowed special exception use.

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

Applicant Response: No.

Staff Comments: Staff find that the requested use will provide additional consumer options to the public and the use will not have an adverse effect on the public interest, as long as the aesthetics are maintained.

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

Applicant Response: No.

Staff Comments: As mentioned above, the requested use is not dissimilar to other uses in the vicinity and other uses located along the SR-70 commercial corridor. Staff finds no indication that the use will be detrimental to urbanizing land use patterns.

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

Applicant Response: No.

Staff Comments: The property to the north, south, and west of the project area are already developed and the vacant parcel to the east is zoned Industrial, which would not be negatively impacted by the requested use. There are no residential uses directly adjacent to the subject parcels. As long as aesthetics are maintained, there is no indication that the requested use will adversely affect property values or living conditions, nor be a deterrent to the improvement or development of adjacent properties.

- (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: No.

Staff Comments: Staff finds that without any significant development of the property proposed, the land development code does not specifically require any screenings. However, if the Board finds that the proposed use and operation of the site will require screening, then it may be required as a condition of the special exception approval. The applicant has proposed a perimeter of security uprights with a maximum height of 48-inches, described as “steel or wooden” with “no more than 6 feet between posts”. The security uprights serve a similar purpose as fencing and staff suggests that these posts be allowed and regulated as fencing according to Section 90-639. The applicant has verbally indicated that gates are also proposed on the northern parcel on each right-of-way frontage.

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

Applicant Response: No.

Staff Comments: As a non-residential use, the subject project area is not expected to generate school aged children. The proposed use is not expected to generate significantly higher demand on transportation facilities or utility services.

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

Applicant Response: No.

Staff Comments: As mentioned previously, approval of this request will not create traffic congestion. No development is proposed which should affect flooding or drainage on the site. Staff finds that there is no indication that the request will affect public safety.

Recommendation

Based on the materials and statements provided by the applicant and staff's analysis of this special exception request, we recommend approval subject to the following conditions:

1. Goods and materials shall not be stored in required yards. The required yard setbacks for the northern parcel are: 20 feet from west property line, 15 feet from north property line, 15 feet from east property line, and 10 feet from south property line. The required yard setbacks for the southern parcel are: 20 feet from south property line, 15 feet from east property line, 10 feet from north property line, and 8 feet from east property line.
2. Deliveries shall be conducted during non-business hours and delivery vehicles shall park in the loading area identified in attached Exhibit A.
3. Structures on display shall be installed to meet all requirements of the Florida Building Code and shall be permitted by the Okeechobee Building Department.

Submitted by:



Ben Smith, AICP

Director of Planning

May 11, 2022

Okeechobee Board of Adjustment Hearing: May 19, 2022

Supplemental Exhibits



Exhibit A: Loading Area (Provided by applicant)



Exhibit B: Loading Area (Provided by applicant)



Exhibit C: Zoning Map



Exhibit D: Future Land Use Map

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: <u>4-4-22</u>	Petition No. <u>22-001-SE</u>
		Fee Paid: <u>Receipt No. 58752</u>	Jurisdiction: <u>BOA</u>
		1 st Hearing: <u>5-19-22</u>	2 nd Hearing: <u>N/A</u>
		Publication Dates:	
		Notices Mailed: <u>5/4/22</u>	
Rezone, Special Exception and Variance			
APPLICANT INFORMATION			
1	Name of property owner(s): <u>Jason Ferrell / Dowling Watford Rev Tr</u>		
2	Owner mailing address: <u>900 St Rd 78 W Okeechobee FL</u>		
3	Name of applicant(s) if other than owner <u>Jason Ferrell / Dowling Watford Rev Tr</u>		
4	Applicant mailing address: <u>900 St Rd 78 W Okeechobee 2006 NE 16th Ct</u>		
	E-mail address: <u>Eaglebayjason@gmail.com</u>		
5	Name of contact person (state relationship): <u>863-634-7737 Jason Ferrell</u>		
6	Contact person daytime phone(s): <u>863-634-7737</u>		
PROPERTY INFORMATION			
7	Property address/directions to property: <u>800 NW Park St</u> / <u>NW 9th Ave</u> <u>lots 11+12 Block 162</u> / <u>lots 1-6 Block 162</u>		
8	Describe current use of property: <u>Used car lot / vacant</u>		
9	Describe improvements on property (number/type buildings, dwelling units, occupied or vacant, etc.) <u>1000 sq ft building / No change utilizing existing</u> Source of potable water: <u>DWA</u> Method of sewage disposal: <u>DWA</u>		
10	Approx. acreage: <u>11+12 = .325 / .977</u> Is property in a platted subdivision? <u>YES</u>		
11	Is there a use on the property that is or was in violation of a city or county ordinance? If so, describe: <u>NO</u>		
12	Is a pending sale of the property subject to this application being granted? <u>NO</u>		
13	Describe uses on adjoining property to the North: North: <u>Vacant land / country Rd Dept.</u> East: <u>Vacant lot / vacant lot</u> South: <u>Hwy 70 / Farmers Market - Used car lot</u> West: <u>Elis Trailer sales / commercial building</u>		
14	Existing zoning: <u>CHV</u> Future Land Use classification: <u>Commercial</u>		
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. <u>Special Exception 16-001-SE Jan. 21, 2016 Approved for outdoor vehicle sales</u>		
16	Request is for: () Rezone (X) Special Exception () Variance		
17	Parcel Identification Number: <u>3-15-37-35-0010-01620-0010</u> <u>3-15-37-35-0010-01620-0110</u>		

REQUIRED ATTACHMENTS

✓ 18	Applicant's statement of interest in property: <u>Owner/leasee</u>
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: <u>8/23/2013</u> <u>7/7/05</u>
✓ 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

 JASON FERRELL 4-11-22

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

ADDITIONAL INFORMATION REQUIRED FOR A SPECIAL EXCEPTION	
A	Describe the Special Exception sought: <div style="display: flex; justify-content: space-between;"> <div> Display Outdoor Sales + Storage </div> <div> Ref. Sec. 90-283 (5) Outdoor Sales and Storage, building trades contractor </div> </div>
B	Are there similar uses in the area? No <input type="checkbox"/> <input checked="" type="checkbox"/> Yes If yes, briefly describe them: <div style="margin-left: 100px;"> eli's trailer sales most bussiness in this area utilize outdoor sale </div>
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: <div style="margin-left: 20px;"> Outdoor display of carports + sheds 1 employee 9-5 Mon-Sat for Both Parcels </div>
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.
Surrounding land is utilizing same use
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.
No specific design needed only used for office space
3. Demonstrate any landscaping techniques to visually screen the use from adjacent uses; or explain why no visual screening is necessary.
No visual screening. Property to be used for display
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.
Follows the utilization of the area.
No potential problems
5. Demonstrate how the utilities and other service requirements of the use can be met.
N/A
6. Demonstrate how the impact of traffic generated will be handled, off site and on site.
N/A

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.
NO
2. The use is specifically authorized as a special exception use in the zoning district.
YES
3. The use will not have an adverse effect on the public interest.
NO
4. The use is appropriate for the proposed location, is reasonably compatible with adjacent uses and is not detrimental to urbanizing land use patterns.
NO
5. The use will not adversely affect property values or living conditions, nor be a deterrent to the development of adjacent property.
NO
6. The use may be required to be screened from surrounding uses to reduce the impact of any nuisance or hazard to adjacent uses.
NO
7. The use will not create a density pattern that will overburden public facilities such as schools, streets, and utility services.
NO
8. The use will not create traffic congestion, flooding or drainage problems, or otherwise affect public safety.
NO

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)]

Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

2021 Certified Values

updated: 3/31/2022

Parcel: (<<) **3-15-37-35-0010-01620-0110 (34012)** (>>)**Owner & Property Info**

Owner	FERRELL JASON 900 SR 78 W OKEECHOBEE, FL 34974		
Site	800 NW PARK ST OKEECHOBEE		
Description*	CITY OF OKEECHOBEE LOTS 11 & 12 BLOCK 162		
Area	0.325 AC	S/T/R	15-37-35
Use Code**	STORES/1 STORY (1100)	Tax District	50

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

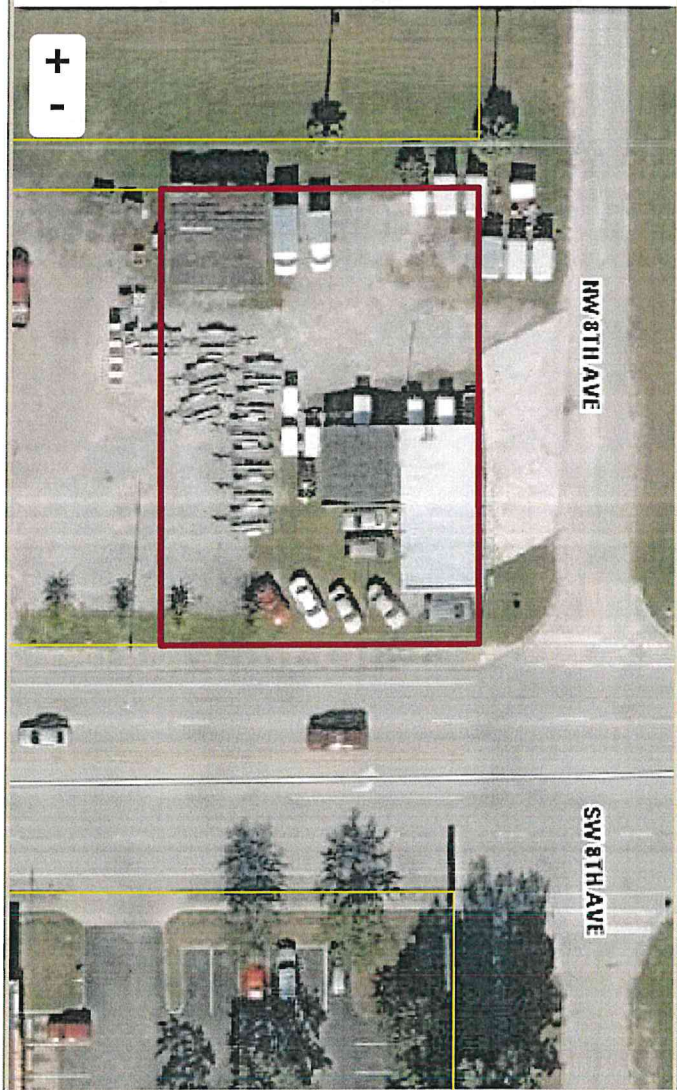
**The Use Code is a Dept. of Revenue code. Please contact Okeechobee County Planning & Development at 863-763-5548 for zoning info.

Property & Assessment Values

2020 Certified Values		2021 Certified Values	
Mkt Land	\$74,820	Mkt Land	\$74,820
Ag Land	\$0	Ag Land	\$0
Building	\$20,681	Building	\$21,219
XFOB	\$5,615	XFOB	\$5,615
Just	\$101,116	Just	\$101,654
Class	\$0	Class	\$0
Appraised	\$101,116	Appraised	\$101,654
SOH/10% Cap [?]	\$0	SOH/10% Cap [?]	\$0
Assessed	\$101,116	Assessed	\$101,654
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$101,116 city:\$101,116 other:\$101,116 school:\$101,116	Total Taxable	county:\$101,654 city:\$101,654 other:\$101,654 school:\$101,654

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

☒ 2021 ☐ 2020 ☐ 2019 ☐ 2018 ☐ 2017 ☐ Sales
**▼ Sales History**

Sale Date	Sale Price	Book/Page	Deed	V/I	Qualification (Codes)	RCode
8/23/2013	\$87,500	0735/1038	WD	I	Q	01
12/4/2010	\$0	0695/1208	WD	V	U	11
11/24/2010	\$0	0695/1206	WD	V	U	11
12/16/1997	\$0	0399/1333	WD	I	U	03
12/9/1997	\$0	0399/0378	WD	I	U	02 (Multi-Parcel Sale) - show
8/1/1985	\$0	0217/1506	WD	I	U	03
3/1/1985	\$0	0269/0585	CT	I	U	03
2/1/1974	\$28,000	0155/0867	WD	I	Q	

▼ Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
Sketch	STORE LC (4101)	1950	1250	1826	\$21,219

*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.

#20

FILE NUM 2013008840
OR BK 735 PG 1038
SHARON ROBERTSON, CLERK OF CIRCUIT COURT
OKEECHOBEE COUNTY, FLORIDA
RECORDED 08/27/2013 02:14:42 PM
AMT \$87,500.00
RECORDING FEES \$18.50
DEED DOC \$612.50
RECORDED BY M Pinon
Pgs 1038 - 1039; (2 pgs)

Parcel ID Number: 3-15-37-35-0010-01620-0110
Sylvia E. Burk
Prepared by and Return to:
Okee-Tantie Title Company, Inc.
105 N. W. 6th Street
Okeechobee, Florida 34972

FILE NO. 32670

Warranty Deed

This Indenture, Executed this August 23, 2013 A.D. Between

GHAZALA MATIN ABDULLAH,

whose address is 1012 STATE ST NW, ATLANTA, GA 30318, hereinafter called the grantor, to

JASON FERRELL, A MARRIED MAN,

whose post office address is: ~~1000 STATE STREET~~, OKEECHOBEE, FL 34974, hereinafter called the grantee:
900 State Rd 78 West

(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:

LAND DESCRIBED ON EXHIBIT "A" ATTACHED.

THE CAPTION PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR.

Parcel ID Number: 3-15-37-35-0010-01620-0110

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

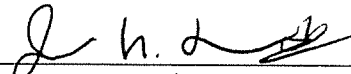
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

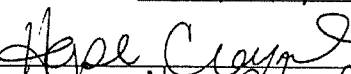
To Have and to Hold, the same in fee simple forever.

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.

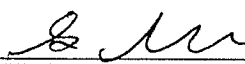
Signed, sealed and delivered in our presence:

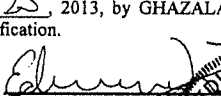
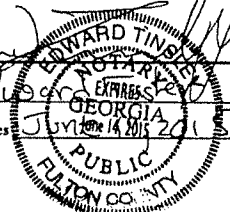

Witness Printed Name Vick R. Frank #


Witness Printed Name Hope Crawford

State of GEORGIA
County of Fulton

The foregoing instrument was acknowledged before me this August 23, 2013, by GHAZALA MATIN ABDULLAH, who is/are personally known to me or who has produced a drivers license as identification.

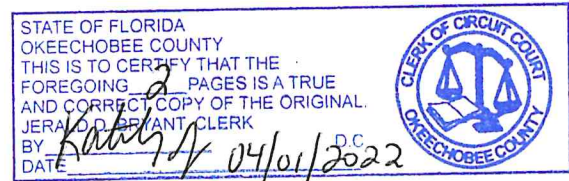

GHAZALA MATIN ABDULLAH (Seal)
Address: 1012 STATE ST NW, ATLANTA, GA 30318


Notary Public
Print Name: Edward Tinsley
My Commission Expires June 14 2015


DEED Okeechobee
Closers' Choice

Exhibit "A"

LOTS 11 AND 12 BLOCK 162, OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN
PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.(ss/jd'13)



File Number: 32670

Legal Description with Non Homestead
Closer's Choice

Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

2021 Certified Values

updated: 3/31/2022

Parcel: << **3-15-37-35-0010-01620-0010 (34010)** >>

Aerial Viewer Pictometry Google Maps

Owner & Property Info

Result: 1 of 1

Owner	WATFORD DOWLING R REV TRUST WATFORD MARTHA B REV TRUST 2706 NE 6TH CT OKEECHOBEE, FL 34972		
Site	NW 9TH AVE OKEECHOBEE		
Description*	CITY OF OKEECHOBEE LOTS 1 TO 6 INC BLOCK 162		
Area	0.977 AC	S/T/R	15-37-35
Use Code**	VACANT COMMERCIAL (1000)	Tax District	50

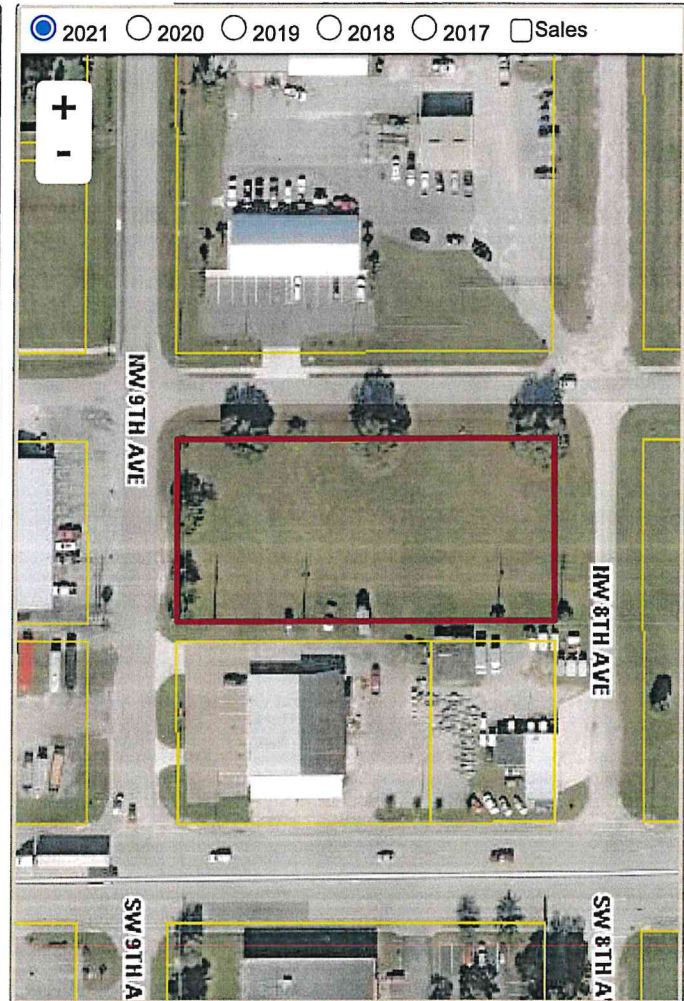
*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.

**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

2020 Certified Values		2021 Certified Values	
Mkt Land	\$182,700	Mkt Land	\$182,700
Ag Land	\$0	Ag Land	\$0
Building	\$0	Building	\$0
XFOB	\$0	XFOB	\$0
Just	\$182,700	Just	\$182,700
Class	\$0	Class	\$0
Appraised	\$182,700	Appraised	\$182,700
SOH/10% Cap [?]	\$391	SOH/10% Cap [?]	\$0
Assessed	\$182,700	Assessed	\$182,700
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$182,309 city:\$182,309 other:\$182,309 school:\$182,700	Total Taxable	county:\$182,700 city:\$182,700 other:\$182,700 school:\$182,700

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	Qualification (Codes)	RCode
7/7/2005	\$0	0569/0702	WD	V	U	03
7/7/2005	\$0	0569/0697	WD	V	U	03

▼ Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
NONE					

▼ Extra Features & Out Buildings (Codes)

Code	Description	Year Blt	Value	Units	Dims	Condition (% Good)
NONE						

▼ Land Breakdown

Code	Description	Units	Adjustments	Eff Rate	Land Value
067WP6	SIDE STREET (MKT)	300.000 FF (0.977 AC)	1.0000/.8700 1.0000/1	\$609 /FF	\$182,700

Doc. 50
Rec. 47.00



#80

FILE NUM 2005015070
OR BK 00569 PG 0702
SHARON ROBERTSON, CLERK OF CIRCUIT COURT
OKEECHOBEE COUNTY, FL
RECORDED 07/07/2005 04:04:27 PM
RECORDING FEES 44.00
DEED DOC 0.70
RECORDED BY M Anuez

This Instrument Prepared By
And Return to:
TOM W. CONELY, III
Post Office Drawer 1367
Okeechobee, Florida 34973

Property Appraiser's Parcel ID#:

3-15-37-35-0010-00680-0010
3-15-37-35-0010-00680-0140
3-15-37-35-0010-00810-0010
3-15-37-35-0010-00810-0070
3-15-37-35-0010-00820-0030
3-15-37-35-0010-00840-0010
3-15-37-35-0010-00840-0030
3-15-37-35-0010-00980-0010
3-15-37-35-0010-00980-0070
3-15-37-35-0010-01010-0010
3-15-37-35-0010-01010-0070
3-15-37-35-0010-01140-0010
3-15-37-35-0010-01140-0070
3-15-37-35-0010-01150-0010
3-15-37-35-0010-01150-0050
3-15-37-35-0010-01410-0080
3-15-37-35-0010-01620-0010
3-15-37-35-0010-01740-0070
3-21-37-35-0020-02470-0210
3-21-37-35-0020-02470-0300
3-21-37-35-0020-02470-0310
2-21-37-35-0A00-00031-0000
1-18-38-35-0A00-00005-0000
1-11-36-36-0A00-00006-0000
1-28-37-35-0A00-00053-A000

This instrument is prepared from information provided by the parties. Marketability of Title is not guaranteed nor accuracy of the description, as title was not examined.

WARRANTY DEED

THIS WARRANTY DEED made the 7th day of July, 2005, by D. R. WATFORD, SR. a/k/a D. R. WATFORD, a/k/a DOWLING R. WATFORD SR., a/k/a DOWLING R. WATFORD, and MARTHA B. WATFORD, his wife, hereinafter called the grantor to MARTHA B. WATFORD, as Trustee of THE MARTHA B. WATFORD REVOCABLE TRUST U/A DATED APRIL 12, 2005, whose postoffice address is P. O. Box 518, Okeechobee, Florida 34973, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" shall include all 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 \$1.00 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:

AN UNDIVIDED ONE-HALF (½) INTEREST IN:

Lots 1 thru 26, inclusive, Block 68; Lots 1 thru 12, inclusive, Block 81; Lots 3 thru 6, inclusive, Block 82; Lots 1 thru 5, inclusive, Block 84; Lots 1 thru 12, inclusive, Block 98; Lots 1 thru 12, inclusive, Block 101; Lots 1 thru 12, inclusive, Block 114; Lots 1, 5, 6 and 7, Block 115; Lot 8, LESS North 20 feet, and Lot 9, Block 141; **Lots 1 thru 6, inclusive, Block 162;** Lots 7, 8, and 9, Block 174, OKEECHOBEE, according to the plat thereof recorded in Plat Book 5, page 5, public records of Okeechobee County, Florida.

AND:

AN UNDIVIDED ONE-HALF (½) INTEREST IN:

Lots 21, 22, 23 and 24, Block 247, FIRST ADDITION TO OKEECHOBEE, according to the plat thereof recorded in Plat Book 5, page 6, public records of Okeechobee County, Florida.

ALSO: Unsurveyed Triangular Lot in E½ of Block 247 and Unsurveyed Triangular Lot in W½ of Block 247, FIRST ADDITION TO OKEECHOBEE, according to the plat thereof recorded in Plat Book 5, page 6, public records of Okeechobee County, Florida.

ALSO: From the NE Corner of Government Lot 5, Section 21, Township 37 South, Range 35 East, run thence West along North boundary line of said Government Lot 5, 896.9 feet to an intersection with Hopkins Meander Line; thence Southwesterly along meander line 6 feet for a P.O.B.; thence South paralleling the East boundary line of Government Lot 5, 505.8 feet; thence West 291 feet to an intersection with said Hopkins Meander Line; thence Northeasterly along meander line 583.6 feet to P.O.B. Being a part of Government Lot 5, Section 21, Township 37 South, Range 35 East.

LESS AND EXCEPT:

A portion of the unnumbered triangular lot in the W½ of Block 247, FIRST ADDITION TO OKEECHOBEE, according to the plat thereof recorded in Plat Book 5, page 6, public records of Okeechobee County, Florida, being more particularly described as follows:

Beginning at the Northwest Corner of Lot 1 of plat of SHERMAN HEIGHTS, according to the plat thereof recorded in Plat Book 3, page 21, public records of Okeechobee County, Florida, bear West to the intersection of the East Right-of-Way Line of Southwest 7th Avenue, a distance of 93.27 feet; thence bear South 00°18'17" West along the said East Right-of-Way Line of Southwest 7th Avenue to the point of a curvature of a curve to the left, a distance of 100.09 feet, said curve having a radius of 25.00 feet and a long chord bearing South 41°45'57" East a distance of 33.50 feet; thence along arc of said curve to the Southwest Corner of aforesaid Lot 1 of SHERMAN HEIGHTS, a distance of 36.71 feet; thence bear North 29°45'00" East a distance of 144.07 feet to the POINT OF BEGINNING.

AND:

AN UNDIVIDED ONE-FOURTH (¼) INTEREST IN:

That part of Lot 33 Eagle Bay Survey lying between the present State Highway and the East line of Eagle Bay Sub-Drainage District Main Canal.

ALSO: Beginning at the intersection of the North boundary line of Lot 33 of Eagle Bay Survey, with the West boundary line of Eagle Bay Sub-Drainage District Main Canal, thence run in a Southwesterly direction along the West line of said Main Canal for a distance of 1414 feet, more or less, to the South boundary line of Lot 34 projected Westward; thence West along said South boundary line projected a distance of 660 feet to a point; thence in a Northeasterly direction parallel with the West line of aforesaid Main Canal for a distance of 1414 feet, more or less, to the North boundary line of said Lot 33; thence East along the North boundary line of said Lot 33 for a distance of 660 feet to the point of beginning. (Comprising a part of Lots 33, and 35 of said Eagle Bay Survey). All according to the plat of Eagle Bay Survey of Section 7 and parts of Sections 5, 6, 8, 17, 18 and 19, Township 38 South, Range 35 East. Lying in and comprising a part of Section 18, Township 38 South, Range 35 East.

AND:

AN UNDIVIDED ONE-HALF (½) INTEREST IN:

Lot 1, Block A, OAK GROVE ADDITION TO CITY OF OKEECHOBEE, according to the plat thereof recorded in Plat Book 2, page 86, public records of Okeechobee County, Florida.

AND:

AN UNDIVIDED ONE-FOURTH ($\frac{1}{4}$) INTEREST IN:

The West one-half ($W\frac{1}{2}$) of the Southeast one-quarter ($SE\frac{1}{4}$) of Section 11, Township 36 South, Range 36 East, LESS the North 50 feet thereof for road purposes.

AND:

AN UNDIVIDED ONE-HALF ($\frac{1}{2}$) INTEREST IN:

Being a parcel of land lying in Section 28, Township 37 South, Range 35 East, Okeechobee County, Florida, and lying in and comprising a portion of that certain parcel of land as recorded in Official Records Book 458, page 1181 (O.R. 458/1181) of the public records of Okeechobee County, Florida, and being more particularly described as follows:

Commence at the Southeast Corner of Section 28, Township 37 South, Range 35 East; thence South $89^{\circ}29'06''$ West along the Southerly boundary line of said Section 28, a distance of 407.35 feet to the point of intersection of said Southerly boundary line with the center line of State Road 15 (U.S. Hwy. 441); thence North $00^{\circ}04'00''$ West along the said center line, a distance of 577.38 feet to a point; thence South $89^{\circ}56'34''$ West a distance of 50 feet to a point lying on the Westerly right-of-way line of said State Road 15 (U.S. Hwy. 441), said point being also the Southeast Corner of said OR 458/1181 and the POINT OF BEGINNING; thence continue South $89^{\circ}56'34''$ West along the Southerly boundary line of said OR 458/1181 a distance of 426.27 feet to a point lying 200.00 feet East of the Southwest Corner of said OR 458/1181; thence North $00^{\circ}00'24''$ West along a line that is 200.00 feet East of and parallel with the Westerly boundary line of said OR 458/1181, for a distance of 167.54 feet to a point; thence North $89^{\circ}54'10''$ East for a distance of 426.10 feet to a point lying on the aforesaid Westerly right-of-way line of State Road 15 (US Hwy. 441), and lying also on the Easterly boundary line of said OR 458/1181; thence South $00^{\circ}40'00''$ East along said right-of-way line, and along said Easterly boundary line a distance of 167.83 feet to the POINT OF BEGINNING. Said lands situate, lying and being in Okeechobee County, Florida.

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

TO HAVE AND TO HOLD the said property in fee simple upon the trusts and for the uses and purposes herein and in said trust agreement set forth.

The Trustee shall have, without court order or approval, the power and discretion to do all such acts, undertake all such proceedings and exercise all such rights and privileges in the management of the trust estate as if the sole owner thereof, including, without limiting the generality of the terms hereof, all duties, powers and responsibilities granted to Trustees under Chapters 737 and 738, Florida Statutes, as presently constituted and as they may be amended from time to time.

Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said property shall be as Trustee of an express trust and not individually and the Trustee shall have no obligation whatsoever with respect to any contract, obligation or indebtedness except only so far as the trust property in the actual possession of the Trustee shall be applicable for the payment and discharge thereof; and it shall be expressly understood that any representations, warranties, covenants, undertakings and agreements hereinafter made on part of the Trustee, wholly in form purporting to the representations, warranties, covenants, undertakings and agreements of said Trustee, are nevertheless made and intended not as personal representations, warranties, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally, but are made and intended for the purpose of binding only the trust property specifically described herein; and that no personal liability or personal responsibility is

assumed by nor shall at any time be asserted or enforceable against the Trustee individually on account of any instrument executed by or on account of any representation, warranty, covenant, undertaking or agreement of the said Trustee, either expressly or implied, all such personal liability, if any, being expressly waived and released and all persons and corporations whomsoever and whatsoever shall be waived and released and all persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing of record of this Deed.

In no case shall any party dealing with said Trustee in relation to said property, or to whom said property or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, be obligated to see to the application of any purchase money, rent, or money borrowed or advanced on said property, or be obligated to see that the terms of this trust have been complied with, or be obligated to inquire into the necessity or expediency of any act of said Trustee, or be obligated or privileged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said Trustee in relation to said property shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of delivery thereof the trust created by this Indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Indenture and in aid of the trust agreement or in some amendment thereof; and binding upon all beneficiaries thereunder, (c) that the Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument, and (d) if the conveyance is made by a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

The interest of each beneficiary under the trust agreement hereunder and of all persons claiming under them or any of them shall be only in the possession, earnings, avails and proceeds arising from the sale or other disposition of said property, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable in or to said real estate as such, but only an interest in the possession, earnings, avails and proceeds thereof as aforesaid.

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, 2004.

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:

Betty Jean Larnier
Witness's Signature

Witness's name typed or printed

David M. Larnier
Witness's Signature

Witness's name typed or printed

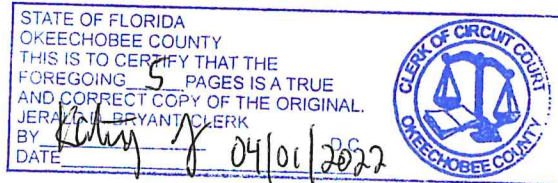
D.R. Watford, Sr. (SEAL)
D.R. Watford, Sr., a/k/a D.R. Watford
a/k/a Dowling R. Watford
a/k/a Dowling R. Watford, Sr.
P.O. Box 518
Okeechobee, FL 34973

Martha B. Watford (SEAL)
Martha B. Watford
P. O. Box 518
Okeechobee, FL 34973

STATE OF FLORIDA
COUNTY OF OKEECHOBEE

The foregoing instrument was acknowledged before me this 7th day of July, 2005,
by D.R. WATFORD, SR., a/k/a D. R. WATFORD, a/k/a DOWLING R. WATFORD, SR.,
a/k/a DOWLING R. WATFORD, and MARTHA B. WATFORD, his wife, who are
personally known to me.

Betty Jean Lanier
Notary Public



Last Will and Testament

of

DOWLING R. WATFORD

STATE OF FLORIDA
COUNTY OF OKEECHOBEE

I, DOWLING R. WATFORD, being of sound and disposing memory, and having Social Security Number 261-10-4689, hereby declare that I am a resident of the State of Florida, and make this my Last Will and Testament, hereby revoking and annulling all other wills and codicils heretofore made by me.

ARTICLE I.

I direct that my body be buried in a Christian-like manner suitable to the circumstances of my life.

ARTICLE II.

I hereby direct that all my just debts and funeral expenses be paid as soon after my death as may be reasonably convenient, provided however, that my Personal Representative shall not be required to pay any obligation in advance of its maturity.

I further direct that all estate, succession, or other death taxes, duties, charges, or assessments imposed on or in relation to any property by reason of my death, whether passing under this Will or otherwise, shall be paid by my Personal Representative out of the


D.R.W.

assets of my estate without proration or any charge therefor against any person who receives such property under the terms of this Will or otherwise.

ARTICLE III.

As permitted by Section 732.515 of the Florida Probate Code, I may or may not leave a written statement or list indicating to whom I wish to give certain items of tangible personal property that have sentimental value to me. If the list exists at the time of my death, it will be signed and dated by me and kept with this, my Last Will and Testament. In the event that I leave no such written statement or list, then all of my tangible personal property shall become a part of the residue of my estate and shall pass under the residuary clause contained herein, unless otherwise provided herein.

ARTICLE IV.

Except for the property I may dispose of in accordance with Article III, I give all of my property, real, personal or mixed, wherever situate to my beloved spouse, MARTHA B. WATFORD, in fee simple and absolutely, if she survives me.

ARTICLE V.

If my beloved spouse predeceases me, then except for the property I may dispose of in accordance with Article III, I give all my property, real, personal or mixed of whatsoever kind and wherever situate, to the then serving Trustee of THE DOWLING R. WATFORD REVOCABLE TRUST, created prior to the execution of this will, as that Trust may be amended from time to time, to be added to the principal of that trust, and held, administered and distributed in accordance with all of its terms, conditions and limitations. If the devise to that trust is ineffective for any reason, I give all my residual estate to my Personal Representative, as Trustee, upon the same terms

Cornely & Cornely, P.A., Okeechobee, Florida


D.R.W.

and conditions set forth in THE DOWLING R. WATFORD REVOCABLE TRUST as of this date, those terms being specifically incorporated by reference.

ARTICLE VI.

In the event that my beloved spouse and I die under circumstances in which it cannot be determined who died first, then it shall be presumed that I survived my spouse, and this Will and the dispositions thereunder shall be construed on that presumption.

ARTICLE VII.

I hereby nominate, constitute and appoint my beloved spouse, MARTHA B. WATFORD as Personal Representative of my estate. In the event that my beloved spouse predeceases me, or in the event she fails to qualify or refuses to serve as Personal Representative of my estate, then I nominate, constitute and appoint my son, DOWLING R. WATFORD, JR., as Personal Representative of my estate. If both my beloved spouse and my son, DOWLING R. WATFORD, JR., predecease me, or in the event they fail to qualify or refuse to serve as Personal Representative of my estate, then I nominate, constitute and appoint my granddaughter, DANI MICHELENA, as Personal Representative of my estate.

I direct that my Personal Representative and her successor shall not be required to furnish any bond or other security for the faithful performance of duties as Personal Representative in any jurisdiction whatsoever, and if any bond is required, no surety shall be furnished thereon.

ARTICLE VIII.

My Personal Representative shall be governed by the provisions of Sections 733.612 and 732.402 and Chapter 738, Florida Statutes, that are not in conflict with this will, and shall have all additional powers and protection granted by statutes to personal


D.R.W.

representatives and to trustees at the time of application that are not in conflict with this will. In addition and not in limitation of any common-law or statutory authority, for the purpose of

- A. obtaining funds for payment of taxes of any kind, claims and the cost of administration,
- B. paying bequests and making distributions,
- C. managing estate property, and
- D. any other proper purpose,

my Personal Representative, without application to any court, may acquire, retain, invest, reinvest, exchange, lease, sell, borrow, mortgage, pledge, transfer and convey real and personal property in such manner and on such terms without limit as to time as he or she may deem advisable, even for terms beyond the expected administration of my estate. No purchaser or lender shall be held liable to see to the propriety of the transaction nor to the application of the proceeds.

ARTICLE IX.



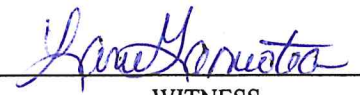

In drawing this, My Last Will and Testament, I have kept in mind all of my relatives, whether by blood or marriage, and have given only to those whom I have wished to give, and have not forgotten anyone.

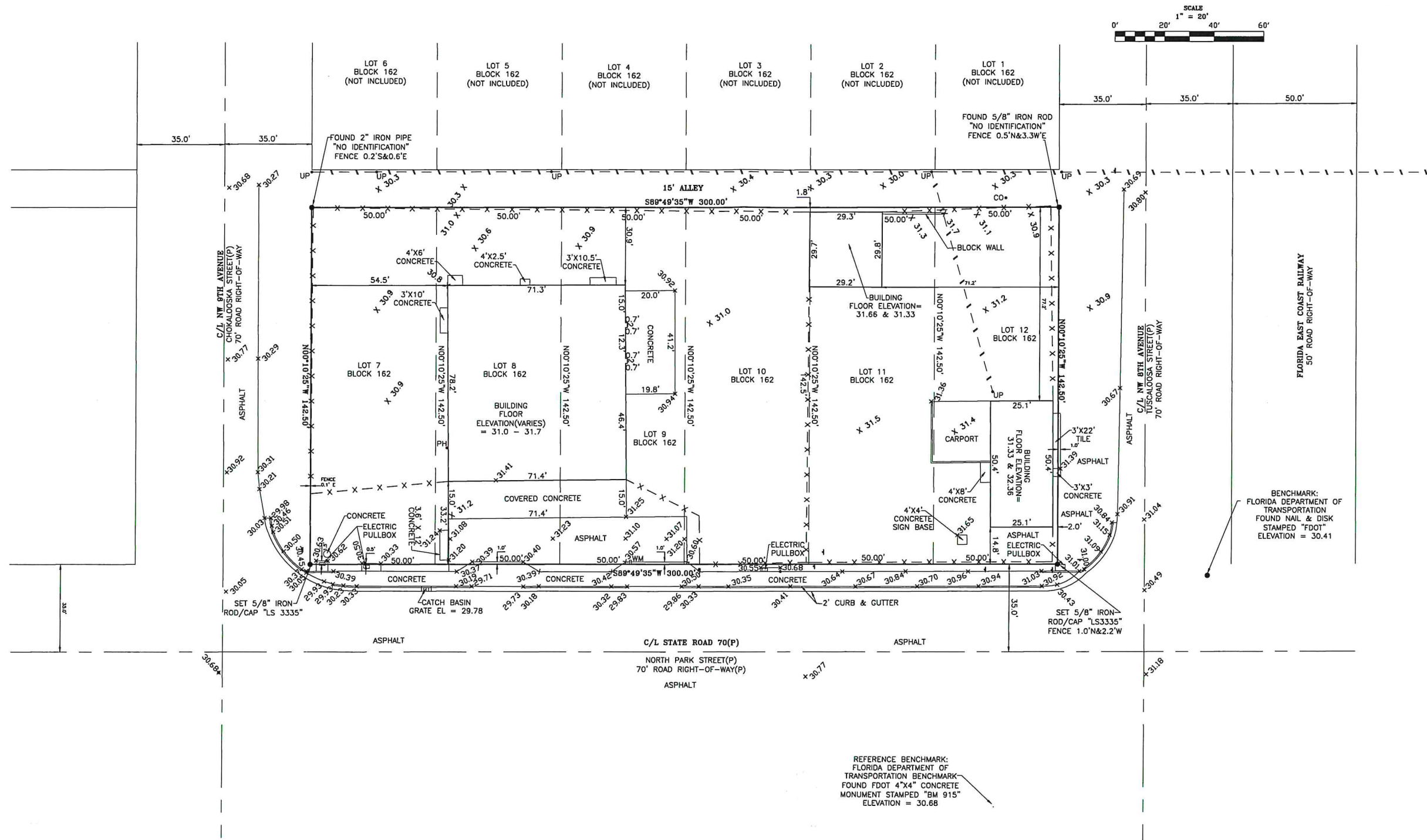
IN WITNESS WHEREOF, I have hereunto set my hand and seal at Okeechobee, Florida, this April 12, 2005.


DOWLING R. WATEORD


D.R.W.

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: Dawling Watford Rev Tr		
Mailing Address: 2706 NE 6th Ct Okeechobee FL 34972		
Home Telephone:	Work:	Cell: 863-610-2333
Property Address: NW 9th Ave Okeechobee FL 34972		
Parcel ID Number: 3-15-37-35-0010-01620-0010		
Name of Applicant: Jason Ferrell		
Home Telephone:	Work:	Cell: 863-634-7737
<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>		
IN WITNESS WHEREOF THE UNDERSIGNED HAVE SET THEIR HAND AND SEALS THIS <u>7</u>		
DAY OF <u>Apr</u> 20 <u>22</u>  OWNER <u>Dawling R. Watford, Jr.</u> OWNER		 WITNESS  WITNESS
STATE OF FLORIDA COUNTY OF <u>Okeechobee</u>		
The foregoing instrument was acknowledged before me by means of <input checked="" type="checkbox"/> physical presence or <input type="checkbox"/> online notarization, this <u>7</u> day of <u>April</u> , 20 <u>22</u> , by <u>Dawling R. Watford</u> (Name of Person) who is <u>personally known to me</u> or produced _____ as identification.		
		<u>Patricia K. Trinnal</u> NOTARY PUBLIC SIGNATURE



DESCRIPTION:

LOTS 7, 8, 9, 10, 11 AND 12, BLOCK 162, OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

MAP OF BOUNDARY SURVEY

SURVEY REPORT

CERTIFIED TO:

JASON FERRELL

REVISIONS:

BY: REVISIONS:

BY: MIXON LAND SURVEYING, INC.

LEGEND:

UP = WOOD UTILITY POLE
 ↓ = GUY ANCHOR
 — = OVERHEAD UTILITY
 —X— = FENCELINE
 TV = CABLE RISER

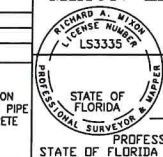
FH = FIRE HYDRANT
 PH = PHONE
 SS = SEWER SERVICE
 WM = WATER METER
 W = WELL
 WV = WATER VALVE

(PR) = PRO-RATED
 (D) = DEED
 (P) = PLAT
 (M) = MEASURED
 (C) = CALCULATED
 ELEV. = ELEVATION

POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 ORB = OFFICIAL RECORD BOOK
 R = RADIUS
 L = ARC LENGTH
 Δ = DELTA ANGLE
 C/L = CENTERLINE

R/W = RIGHT OF WAY
 D.E. = DRAINAGE EASEMENT
 U.E. = UTILITY EASEMENT
 E. = EXISTING ELEVATION
 P. = PROPOSED ELEVATION
 S. = STREET SIGN

EOW = EDGE OF WATER
 CB = CATCH BASIN
 MES = MITERED END SECTION
 CMP = CORRUGATED METAL PIPE
 RCP = REINFORCED CONCRETE
 PIPE = SEWER MANHOLE
 DMH = DRAINAGE MANHOLE



RICHARD A. MIXON
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA CERTIFICATE NO. 3335

DATE: 2022.04.11
 15:05:02 -0400
 SURVEY DATE: 09/07/2013
 SHEET 1 OF 1

FOR SPECIAL EXCEPTION PURPOSES ONLY
 THIS WILL INCLUDE LOTS 11 AND 12 BLOCK 162

PARCEL NUMBER	OWNER	ADDRESS 1
2-16-37-35-0A00-00007-0000	AJP LAND COMPANY	7050 SW 86TH AVENUE
2-16-37-35-0A00-00008-0000	PERRETTA JOSEPH	510 SW PORT ST LUCIE BLVD
2-16-37-35-0A00-00009-0000	HAMRICK SARAH REGINA REV TR	PO BOX 837
2-21-37-35-0A00-00003-B000	NEWCOMER MARY ANN	PO BOX 1537
2-21-37-35-0A00-00006-C000	HAVEN OF REST INC	32801 US HIGHWAY 441 N LOT 244
2-21-37-35-0A00-00053-0000	SALRY RR	C/O CSX CORP
3-15-37-35-0010-01300-0070	OKEECHOBEE COUNTY	ROAD & BRIDGE
3-15-37-35-0010-01320-0010	CASTANEDA RUBEN	PO BOX 101
3-15-37-35-0010-01320-0020	SMITH MARLENA M	905 NW 3RD ST
3-15-37-35-0010-01320-0220	16330B78 TRUST	C/O R SIMOES TRUSTEE
3-15-37-35-0010-01320-0240	16330B70 TRUST	C/O R SIMOES TRUSTEE
3-15-37-35-0010-01320-0250	MORA JUAN LUIS MONJARAS	907 NE 31ST TER
3-15-37-35-0010-01340-0010	AJP LAND COMPANY	7050 SW 86TH AVE
3-15-37-35-0010-01610-0010	RIEDEL FAMILY LLC	1676 NE 54TH TRAIL
3-15-37-35-0010-01610-0020	RIEDEL FAMILY LLC	1676 NE 54TH TRAIL
3-15-37-35-0010-01610-0030	RIEDEL FAMILY LLC	1676 NE 54TH TRAIL
3-15-37-35-0010-01610-0050	PERRETTA JOSEPH	510 SW PORT ST LUCIE BLVD
3-15-37-35-0010-01610-005A	5H LLC	2473 SW 24TH AVENUE
3-15-37-35-0010-01620-0070	FERRELL JASON	900 SR 78 W
3-15-37-35-0010-01630-0010	KARLA & DEBRA HOLDINGS LLC	PO BOX 1565
3-15-37-35-0010-01630-0030	KARLA & DEBRA HOLDINGS LLC	PO BOX 1565
3-15-37-35-0010-01630-0050	ELI'S TRAILER SALES LLC	907 NW PARK ST
3-15-37-35-0010-01630-0220	DURRANCE CLYDE ROLAND II &	2155 SW 32ND ST
3-15-37-35-0010-01630-0240	ELI'S WESTERN WEAR INC	907 WN PARK STREET
3-15-37-35-0010-01980-0010	LOUIS ARRIGHI LIMITED PARTNERS	20 SUMMITT LN
3-15-37-35-0010-01990-0030	ELI'S WESTERN WEAR INC	907 NW PARK ST
3-15-37-35-0010-02010-0010	ROM IVAN I & NANCY JOINT REV T	145 CERISE CT
3-15-37-35-0010-02010-0030	BYRD JIMMY L SR	PO BOX 2344

ADDRESS 2	CITY	STATE	ZIP
	MIAMI	FL	33143
	PORT ST LUCIE	FL	34953
	OKEECHOBEE	FL	34973-0837
	OKEECHOBEE	FL	34973-1537
	OKEECHOBEE	FL	34972-0296
500 WATER ST J910	JACKSONVILLE	FL	33202
			00000
	OKEECHOBEE	FL	34973-0101
	OKEECHOBEE	FL	34972
601 HERITAGE DR STE 440	JUPITER	FL	33458-2777
601 HERITAGE DR STE 440	JUPITER	FL	33458-2777
	OKEECHOBEE	FL	34972-3413
	MIAMI	FL	33143
	OKEECHOBEE	FL	34972
	OKEECHOBEE	FL	34972
	OKEECHOBEE	FL	34972
	PORT ST LUCIE	FL	34953
	OKEECHOBEE	FL	34974
	OKEECHOBEE	FL	34974
	OKEECHOBEE	FL	34973
	OKEECHOBEE	FL	34973
	OKEECHOBEE	FL	34972-4117
	OKEECHOBEE	FL	34974
	OKEECHOBEE	FL	34972
	NOVATO	CA	94945
	OKEECHOBEE	FL	34972-4117
	DAYTONA BEACH	FL	32124
	OKEECHOBEE	FL	34973-2344

NW 3RD ST

100 FT BUFFER

NW 2ND ST

SUBJECT PARCELS

NW 9TH AVE

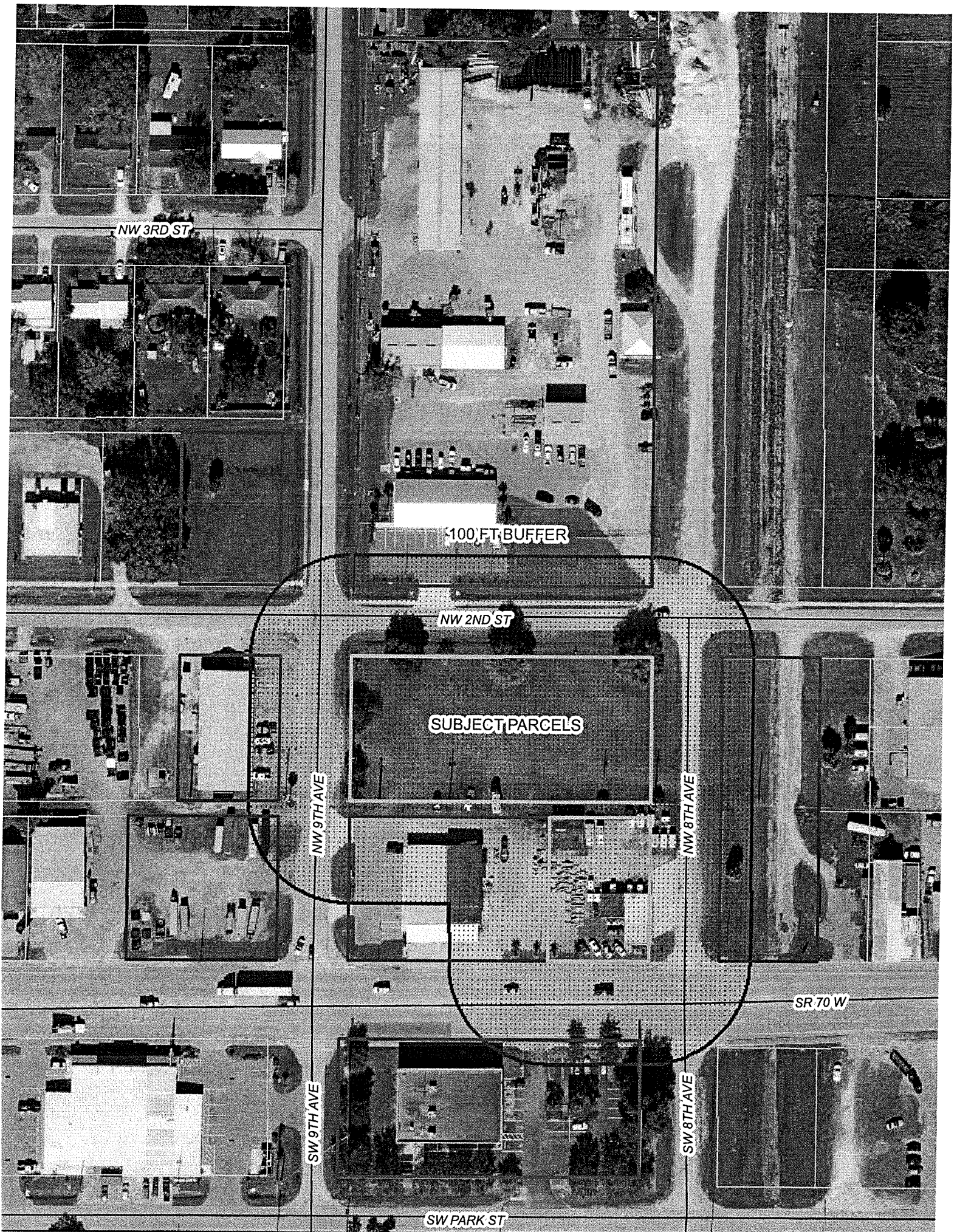
NW 8TH AVE

SR 70 W

SW 9TH AVE

SW 8TH AVE

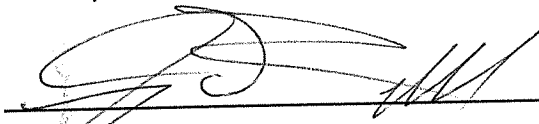
SW PARK ST



**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 April 4, 2022 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

April, 2022.

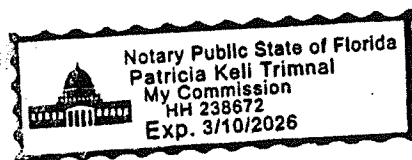

Signature of Applicant

4/4/22
Date

Jason Ferrell
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 4 day of April, 2022, by Jason Ferrell, who is personally known to me or produced _____ as identification.




Notary Public Signature

