



**CITY OF OKEECHOBEE**  
**CITY COUNCIL**  
**MARCH 15, 2022**  
**LIST OF EXHIBITS**

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Draft Minutes	March 1, 2022
Warrant Register	February 2022
Exhibit 1	Ordinance No. 1249, Rezoning
Exhibit 2	Ordinance No. 1245, Rezoning
Exhibit 3	Ordinance No. 1246, Rezoning
Exhibit 4	Ordinance No. 1231, Alleyway Closing
Exhibit 5	Ordinance No. 1232, Alleyway Closing
Exhibit 6	Ordinance No. 1250, Capital Improvements 5-Year Schedule
Exhibit 7	Resolution No. 2022-02, Florida Boating Improvement Grant



**CITY OF OKEECHOBEE, FLORIDA**  
**MARCH 1, 2022, REGULAR CITY COUNCIL MEETING**  
**DRAFT MEETING MINUTES**

**I. CALL TO ORDER**

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on March 1, 2022, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Pastor Don Hanna of First United Methodist Church, followed by the Pledge of Allegiance led by Council Member Keefe.

**II. ATTENDANCE**

Roll was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Noel A. Chandler, Monica M. Clark, Robert "Bob" Jarriel, and Robert "Bobby" M. Keefe, Jr.

**III. AGENDA AND PUBLIC COMMENTS**

A. There were no additions, deferrals, or withdrawals from the agenda. There was a request with no objections to move item "D" at the beginning of New Business items.

B. Motion and second by Council Members Keefe and Jarriel to approve the agenda as presented.  
**Motion Carried Unanimously.**

C. No comment cards were submitted for public participation for issues not on the agenda.

**IV. PRESENTATIONS AND PROCLAMTIONS**

A. Police Sergeant Cesar Romero, accompanied by his wife, children, and several members of the Police Department, was recognized by Mayor Watford and Police Chief Donald Hagan for his years of service. He was presented with an engraved crystal mantel clock and framed certificate, which read "**In recognition of your 15 years of service, hard work, and dedication to the City, its citizens and your fellow employees from March 17, 2007, through March 17, 2022.**"

**V. CONSENT AGENDA**

Motion and second by Council Members Keefe and Clark to:

A. [Dispense with the reading and] approve the Minutes for the January 24, 2022, Town Hall Meeting, February 1, 2022, and February 15, 2022, Regular Meetings, [as presented].  
**Motion Carried Unanimously.**

**VI. NEW BUSINESS**

D. Motion and second by Council Members Chandler and Clark to approve a recommendation from the Technical Review Committee to deviate from the standards listed in Section 78-36 of the City's Land Development Regulations regarding the requirements for installation of sidewalks pertaining to the Budget Home, LLC triplex project located at Northeast 3rd Avenue and 5th Street [as presented in Exhibit 1 and postponed from the February 15 meeting]. Mr. Jimenez of Budget Home was present and responded to various questions from the Council. **Motion Carried.**

A. Mr. Jim LaRue, Ms. Gloria Pellito, and Mr. Bob Franke from LaRue Planning and Management Services, Inc. presented their qualifications as submitted to the Request For Qualifications (RFQ) No. ADM 01-32-11-21, Planning Services. They have served as the City's planning consultant for many years and aware of Okeechobee's future planning challenges, and only serve local governments. Mayor Watford inquired about a new theory of zoning and what that meant. Mr. LaRue replied with the term Form Based Zoning, which is regulating land development to a specific urban form. The 11-slide powerpoint presentation has been incorporated into the official minutes. No official action was requested, item was for information only.

B. Mr. Bill Morris, President, Mr. Ben Smith, Director of Planning, and Ms. Cindy Leal, Principal Planner of Morris Depew Associates, Inc. presented their qualifications as submitted to the RFQ No. ADM-01-32-11-21, Planning Services. Their company offers full-service consulting which includes planning, engineering, landscape architecture, and surveying. Mr. Smith was previously the City's Planning Consultant when he was employed with LaRue Planning and Management Services. The 22-slide powerpoint presentation has been incorporated into the official minute file. No official action was requested, item was for information only.

C. Administrator Ritter provided an update following his meeting with Public Works Director David Allen, representatives from Okeechobee Main Street and the City's landscape architects, Calvin, Giordano & Associates, Inc., and Mr. Terry Burroughs regarding the Flagler Park Master Plan. A budget of \$300,000.00 or less per block has been established for better planning. The timeline provided at the February 15, 2022 meeting remains the same. No official action was requested.

**VI. NEW BUSINESS CONTINUED**

E. Motion and second by Council Members Jarriel and Keefe to approve the revised Education Reimbursement Agreement [as presented in exhibit 2]. **Motion Carried Unanimously.**

**VII. CITY ATTORNEY**

- In addition to reviewing the revised Education Reimbursement contracts, he provided an addendum to adequately address the new E-verify requirements in current contracts.

**VIII. ADMINISTRATOR UPDATE**

- The Charter amendments will be discussed soon.
- Verbal monthly reports from a representative of each Department will be on the next agenda.
- The presentation made by Ms. Magi Cable regarding the Primitive Baptist Church property has been sent to the City's grant coordinator to research possibilities.
- A Joint Workshop with the Planning Board will possibly be held on April 21<sup>st</sup>.
- As of March 1<sup>st</sup>, any delinquent Business Tax Receipts will be charged a late fee of \$250.00, there are approximately 130 that are delinquent.

**IX. COUNCIL COMMENTS**

Council Member Chandler:

- Shocked at the per park budget of \$300,000.00.

Council Member Jarriel:

- Confirmed with Administrator Ritter that the City's Appropriation requests were still in the proposed Legislative Budget.
- Recently the City received negative publicity via social media, but he is thankful for all the volunteers and businesses that do so much for the City. It is good to see restaurants finally getting great business again.
- Reminded everyone that the Speckled Perch parade is in two weeks, he enjoys participating in it.

**X. ADJOURN**, Mayor Watford adjourned the meeting at 7:25 P.M.

Submitted By:

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Lane Gamiotea, CMC, City Clerk

Please take notice and be advised that when a person decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, s/he 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. City Clerk media are for the sole purpose of backup for official records of the Clerk.



Okeechobee, FL

# Check Report

By Check Number

Date Range: 02/01/2022 - 02/28/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: CapVeh Fund-Capital Vehicle Fund Truist Checking</b>						
2239	Tyler Technologies	02/11/2022	Regular	0.00	262.50	1903
City Electric Suppl	City Electric Supply Co.	02/28/2022	Regular	0.00	2,138.74	1904
1491	Home Depot Credit Services	02/28/2022	Regular	0.00	55.87	1905
2239	Tyler Technologies	02/28/2022	Regular	0.00	357.00	1906
1934	Verizon Wireless	02/28/2022	Regular	0.00	806.91	1907

**Bank Code CapVeh Fund Summary**

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	7	5	0.00	3,621.02
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>7</b>	<b>5</b>	<b>0.00</b>	<b>3,621.02</b>

## Check Report

Date Range: 02/01/2022 - 02/28/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: GenFund-General Fund Checking-Truist Checking</b>						
City Of Okeechobee P	City Of Okeechobee Payroll Account	02/02/2022	EFT	0.00	807.38	55
City Of Okeechobee P	City Of Okeechobee Payroll Account	02/09/2022	EFT	0.00	95,319.30	56
City Of Okeechobee P	City Of Okeechobee Payroll Account	02/10/2022	EFT	0.00	807.70	57
1644	PRM - Health Insurance	02/10/2022	EFT	0.00	53,908.86	58
1770	PRM - Life, LTD & STD	02/10/2022	EFT	0.00	1,441.51	59
1770	PRM - Life, LTD & STD	02/10/2022	EFT	0.00	2,498.00	60
1645	PRM - Vision & Dental	02/10/2022	EFT	0.00	2,084.74	61
Florida Public Utili	Florida Public Utilities	02/01/2022	EFT	0.00	-145.79	62
Florida Public Utili	Florida Public Utilities	02/01/2022	EFT	0.00	145.79	62
City Of Okeechobee P	City Of Okeechobee Payroll Account	02/28/2022	EFT	0.00	98,824.72	63
Florida Public Utili	Florida Public Utilities	02/28/2022	EFT	0.00	84.47	64
Florida Public Utili	Florida Public Utilities	02/28/2022	EFT	0.00	-84.47	64
AdvanceAuto	Advance Auto Parts	02/11/2022	Regular	0.00	493.91	44237
13	American Family Life Assurance Co.	02/11/2022	Regular	0.00	687.00	44238
Apex Pest Control, I	Apex Pest Control, Inc.	02/11/2022	Regular	0.00	60.00	44239
BOA- 0752 fka 9846 F	Bank of America - 0752 fka 9846 FD	02/11/2022	Regular	0.00	163.44	44240
BOA- 2709 fka 0257 a	Bank of America - 2709 fka 0257 Admin	02/11/2022	Regular	0.00	665.43	44241
BOA- 9928 fka 2303 P	Bank of America - 9928 fka 2303 PW	02/11/2022	Regular	0.00	1,170.17	44242
C&C Industrial Enter	C&C Industrial Enterprise. LLC	02/11/2022	Regular	0.00	148.66	44243
CAS Governmental Ser	CAS Governmental Services, LLC	02/11/2022	Regular	0.00	2,989.83	44244
CenturyLink-LD	CenturyLink	02/11/2022	Regular	0.00	16.58	44245
CIT Technology Finan	First-Citizens Bank & Trust Co	02/11/2022	Regular	0.00	289.42	44246
CIT Technology Finan	First-Citizens Bank & Trust Co	02/11/2022	Regular	0.00	75.63	44247
CIT Technology Finan	First-Citizens Bank & Trust Co	02/11/2022	Regular	0.00	227.58	44248
City of Okeechobee - 883	City of Okeechobee - CH Coffee Fund - Ca	02/11/2022	Regular	0.00	70.00	44249
City of Okeechobee - 883	City of Okeechobee - PD Coffee Fund - Ca	02/11/2022	Regular	0.00	760.00	44250
Comcast	Comcast	02/11/2022	Regular	0.00	59.50	44251
Communications Inter	Communications International, Inc.	02/11/2022	Regular	0.00	1,990.10	44252
Custom Graphics & Si	Custom Graphics & Signs, Inc.	02/11/2022	Regular	0.00	53.50	44253
Everglades Farm Equi	Everglades Farm Equip. Co., Inc.	02/11/2022	Regular	0.00	163.00	44254
Fitness Factory	Fitness Factory	02/11/2022	Regular	0.00	240.00	44255
Gary's Lock & Safe	Gary's Lock & Safe	02/11/2022	Regular	0.00	625.00	44256
Gilbert Oil Company, 89	Gilbert Oil Company, Inc.	02/11/2022	Regular	0.00	113.34	44257
89	ICS Computers Inc.	02/11/2022	Regular	0.00	2,579.00	44258
90	IMS	02/11/2022	Regular	0.00	584.37	44259
1105	Indian River Crime Laboratory	02/11/2022	Regular	0.00	8,940.00	44260
431	LaRue Planning & Mngmnt Services, Inc.	02/11/2022	Regular	0.00	3,500.00	44261
1071	LegalShield	02/11/2022	Regular	0.00	14.95	44262
117	Liberty National Life Ins. Co.	02/11/2022	Regular	0.00	179.28	44263
2253	MacVicar Consulting, Inc.	02/11/2022	Regular	0.00	250.00	44264
2212	Nason Yeager Gerson Harris & Fumero P.A.	02/11/2022	Regular	0.00	9,400.00	44265
2057	Okeechobee Army Surplus	02/11/2022	Regular	0.00	159.80	44266
141	Okeechobee Auxiliary Police, Inc.	02/11/2022	Regular	0.00	300.00	44267
325	Okeechobee County - BOCC	02/11/2022	Regular	0.00	350.00	44268
143	Okeechobee Discount Drug	02/11/2022	Regular	0.00	275.64	44269
222	Okeechobee News c/o Independent Newspaper	02/11/2022	Regular	0.00	1,595.46	44270
2043	O'Reilly Auto Parts	02/11/2022	Regular	0.00	7.31	44271
554	Scott's Quality Cleaning	02/11/2022	Regular	0.00	1,721.66	44272
596	State of Florida Disbursement Unit	02/11/2022	Regular	0.00	255.98	44273
1908	Supplyline	02/11/2022	Regular	0.00	231.89	44274
1460	Tire Zone of Okeechobee, Inc.	02/11/2022	Regular	0.00	1,341.97	44275
1544	UniFirst Corp	02/11/2022	Regular	0.00	400.68	44276
1939	United Way	02/11/2022	Regular	0.00	36.00	44277
810	Vantage Transfer Agents - 457	02/11/2022	Regular	0.00	536.78	44278
810	Vantage Transfer Agents - 457	02/11/2022	Regular	0.00	2,490.00	44279
1934	Verizon Wireless	02/11/2022	Regular	0.00	447.74	44280
197	W & W Lumber Company of Okeechobee	02/11/2022	Regular	0.00	101.86	44281
538	Waste Management Inc. of Florida	02/11/2022	Regular	0.00	32,891.04	44282
1980	WEX Bank	02/11/2022	Regular	0.00	4,943.35	44283
204	William Saum	02/11/2022	Regular	0.00	1,402.63	44284

## Check Report

Date Range: 02/01/2022 - 02/28/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
AdvanceAuto	Advance Auto Parts	02/28/2022	Regular	0.00	49.33	44285
American Drilling Se	American Drilling Services, Inc.	02/28/2022	Regular	0.00	45.00	44286
13	American Family Life Assurance Co.	02/28/2022	Regular	0.00	435.56	44287
C&C Industrial Enter	C&C Industrial Enterprise. LLC	02/28/2022	Regular	0.00	45.05	44288
Celeste Watford Tax	Celeste Watford Tax Collector	02/28/2022	Regular	0.00	618.35	44289
Central Sheds	Central Sheds & Trailers	02/28/2022	Regular	0.00	586.00	44290
CenturyLink-Fiber	Century Link	02/28/2022	Regular	0.00	1,826.54	44291
City Electric Suppl	City Electric Supply Co.	02/28/2022	Regular	0.00	217.10	44292
Comcast	Comcast	02/28/2022	Regular	0.00	191.30	44293
Dawn Hoover	Dawn Hoover	02/28/2022	Regular	0.00	50.00	44294
Eli's Western Wear I	Eli's Western Wear Inc.	02/28/2022	Regular	0.00	125.00	44295
Federal Eastern Inte	Federal Eastern International, Inc.	02/28/2022	Regular	0.00	306.36	44296
CIT Technology Finan	First-Citizens Bank & Trust Co	02/28/2022	Regular	0.00	85.44	44297
CIT Technology Finan	First-Citizens Bank & Trust Co	02/28/2022	Regular	0.00	172.13	44298
CIT Technology Finan	First-Citizens Bank & Trust Co	02/28/2022	Regular	0.00	53.61	44299
Florida Power & Ligh	Florida Power & Light Company	02/28/2022	Regular	0.00	2,886.31	44300
GALLS, LLC	GALLS, LLC	02/28/2022	Regular	0.00	131.04	44301
Glades Air Condition	Glades Air Conditioning	02/28/2022	Regular	0.00	98.00	44302
1824	Harris Corporation	02/28/2022	Regular	0.00	738.00	44303
1892	Highland Pest Control	02/28/2022	Regular	0.00	35.00	44304
1491	Home Depot Credit Services	02/28/2022	Regular	0.00	1,149.43	44305
89	ICS Computers Inc.	02/28/2022	Regular	0.00	239.85	44306
1866	JC Newell Const. Inspect. Services, Inc.	02/28/2022	Regular	0.00	5,200.00	44307
2220	Joseph Papasso	02/28/2022	Regular	0.00	35.00	44308
1532	Karyne Brass	02/28/2022	Regular	0.00	35.00	44309
2033	KW Tree Service	02/28/2022	Regular	0.00	2,000.00	44310
594	KYOCERA Document Solutions Southeast	02/28/2022	Regular	0.00	1,492.94	44311
1071	LegalShield	02/28/2022	Regular	0.00	14.95	44312
117	Liberty National Life Ins. Co.	02/28/2022	Regular	0.00	179.28	44313
1895	Mac L Jonassaint	02/28/2022	Regular	0.00	35.00	44314
2212	Nason Yeager Gerson Harris & Fumero P.A.	02/28/2022	Regular	0.00	9,400.00	44315
2057	Okeechobee Army Surplus	02/28/2022	Regular	0.00	137.85	44316
OUA	Okeechobee Utility Authority	02/28/2022	Regular	0.00	1,156.71	44317
2043	O'Reilly Auto Parts	02/28/2022	Regular	0.00	28.49	44318
1564	Philip Baughman	02/28/2022	Regular	0.00	35.00	44319
1914	Quadient Leasing USA Inc.	02/28/2022	Regular	0.00	943.20	44320
2165	Richard Chartier	02/28/2022	Regular	0.00	35.00	44321
1574	Salem Trust Company	02/28/2022	Regular	0.00	9,923.60	44322
1574	Salem Trust Company	02/28/2022	Regular	0.00	12,447.89	44323
554	Scott's Quality Cleaning	02/28/2022	Regular	0.00	1,721.66	44324
2183	Select Shred	02/28/2022	Regular	0.00	30.00	44325
1688	Sprint	02/28/2022	Regular	0.00	117.55	44326
1474	St. Lucie Battery & Tire	02/28/2022	Regular	0.00	677.26	44327
596	State of Florida Disbursement Unit	02/28/2022	Regular	0.00	255.98	44328
350	Superior Water Works, Inc.	02/28/2022	Regular	0.00	75.00	44329
1908	Supplyline	02/28/2022	Regular	0.00	31.90	44330
1813	Thompson Reuters	02/28/2022	Regular	0.00	95.76	44331
1906	Thread Works Embroidery, LLC	02/28/2022	Regular	0.00	176.00	44332
1893	Tradewinds Surveying Group	02/28/2022	Regular	0.00	1,500.00	44333
2080	Treasure Coast Medical Associates	02/28/2022	Regular	0.00	2,737.50	44334
1544	UniFirst Corp	02/28/2022	Regular	0.00	372.53	44335
1939	United Way	02/28/2022	Regular	0.00	36.00	44336
197	W & W Lumber Company of Okeechobee	02/28/2022	Regular	0.00	283.19	44337
743	Walmart/Capital One	02/28/2022	Regular	0.00	98.98	44338

Check Report

Date Range: 02/01/2022 - 02/28/2022

<b>Vendor Number</b>	<b>Vendor Name</b>	<b>Payment Date</b>	<b>Payment Type</b>	<b>Discount Amount</b>	<b>Payment Amount</b>	<b>Number</b>
Florida Public Utili	Florida Public Utilities	02/28/2022	Regular	0.00	84.47	44339

Bank Code GenFund Summary

<b>Payment Type</b>	<b>Payable Count</b>	<b>Payment Count</b>	<b>Discount</b>	<b>Payment</b>
Regular Checks	144	103	0.00	147,477.57
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	10	12	0.00	255,692.21
	<b>154</b>	<b>115</b>	<b>0.00</b>	<b>403,169.78</b>

Check Report

Date Range: 02/01/2022 - 02/28/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: PubFac Fund-Public Facility Fund-Truist Checking</b>						
BOA- 9928 fka 2303 P	Bank of America - 9928 fka 2303 PW	02/11/2022	Regular	0.00	114.99	3452
Custom Graphics & Si	Custom Graphics & Signs, Inc.	02/11/2022	Regular	0.00	192.00	3453
Diamond R Fertilizer	Diamond R Fertilizer Co., Inc.	02/11/2022	Regular	0.00	1,501.95	3454
1981	JMC Landscaping Services, Inc.	02/11/2022	Regular	0.00	3,849.58	3455
2094	USA Services of Florida, Inc.	02/11/2022	Regular	0.00	4,532.00	3456
Diamond R Fertilizer	Diamond R Fertilizer Co., Inc.	02/28/2022	Regular	0.00	79.65	3457
Econo Signs, LLC	Econo Signs, LLC	02/28/2022	Regular	0.00	989.34	3458
Florida Power & Ligh	Florida Power & Light Company	02/28/2022	Regular	0.00	5,268.38	3459
1491	Home Depot Credit Services	02/28/2022	Regular	0.00	231.86	3460
1155	Safety Products Inc.	02/28/2022	Regular	0.00	711.25	3461
1550	Taylor Rental - Okeechobee	02/28/2022	Regular	0.00	95.00	3462
Unlimited Turf	Unlimited Turf	02/28/2022	Regular	0.00	612.00	3463
197	W & W Lumber Company of Okeechobee	02/28/2022	Regular	0.00	88.57	3464
1173	Walpole Feed & Supply	02/28/2022	Regular	0.00	1,380.00	3465

Bank Code PubFac Fund Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	19	14	0.00	19,646.57
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>19</b>	<b>14</b>	<b>0.00</b>	<b>19,646.57</b>



### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	170	122	0.00	170,745.16
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	10	12	0.00	255,692.21
	<b>180</b>	<b>134</b>	<b>0.00</b>	<b>426,437.37</b>

### Fund Summary

Fund	Name	Period	Amount
001	GENERAL FUND	2/2022	403,169.78
301	PUBLIC FACILITY FUND	2/2022	19,646.57
304	CAPITAL PROJECTS FUND	2/2022	3,621.02
			<b>426,437.37</b>

## ORDINANCE NO. 1249

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OKEECHOBEE BY REZONING CERTAIN TRACTS OF LAND MORE PARTICULARLY DESCRIBED HEREIN, FROM HEAVY COMMERCIAL TO RESIDENTIAL MULTIPLE FAMILY, PETITION NO. 22-001-R; AMENDING THE ZONING MAP ACCORDINGLY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Okeechobee, Florida has adopted Ordinance No. 402 in which a revised Official Zoning Map was adopted for said City; and

**WHEREAS**, the City of Okeechobee has received and reviewed Zoning District Boundary Change Petition No. 22-001-R, submitted by Frank Mitch Stephens, Registered Agent of the property owner Glenwood Park, LLC, pursuant to the Land Development Regulations of the City of Okeechobee for the purpose of rezoning certain tracts of land consisting of 3.995 acres from Heavy Commercial to Residential Multiple Family; and

**WHEREAS**, said Petition was reviewed by the City's Planning Consultant who determined, based on initial findings and review, that such Petition is consistent with the Comprehensive Plan; and

**WHEREAS**, said Petition being reviewed by the City's Planning Board at a duly advertised Public Hearing held on January 20, 2022, determined that such Petition is consistent with the Comprehensive Plan; and

**WHEREAS**, the City Council agreed with the recommendation of the Planning Board and hereby finds such rezoning petition to be consistent with the City's Comprehensive Plan and deems it in the best interest of the inhabitants of said City to amend aforesaid revised Zoning Map as hereinafter set forth.

**NOW, THEREFORE**, be it ordained before the City Council of the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City:

### **SECTION 1: LEGAL DESCRIPTION.**

The following described land consisting of approximately 3.995 acres, as the subject property, located in the City of Okeechobee, to-wit:

LOTS 1 THROUGH 12 INCLUSIVELY, OF BLOCK 110, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, ST. LUCIE COUNTY, FLORIDA PUBLIC RECORDS. A COPY OF SAID PLAT IS RECORDED IN PLAT BOOK 1, PAGE 10 AND PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; together with

LOTS 1 THROUGH 12 INCLUSELY OF BLOCK 121, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

### **SECTION 2: ZONING MAP AMENDMENT.**

That the aforesaid Revised Zoning Map of the City of Okeechobee be amended to reflect the subject property to be changed from Heavy Commercial to Residential Multiple Family.

**SECTION 3: CONFLICT.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4: SEVERABILITY.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 5: EFFECTIVE DATE.**

This Ordinance shall become effective thirty-one (31) days after its adoption if the associated Comprehensive Plan Amendment, No. 22-001-SSA, is adopted and not timely challenged. If the Comprehensive Plan is timely challenged, this ordinance shall become effective on the date the State Land Planning Agency, or the Administration Commission enters a final order determining the Comprehensive Plan Amendment to be in compliance.

**INTRODUCED** for First Reading and set for Final Public Hearing on this **15<sup>th</sup>** day of **February 2022.**

\_\_\_\_\_  
Dowling R. Watford Jr., Mayor

ATTEST:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after Second and Final Public Hearing this **15<sup>th</sup>** day of **March 2022.**

\_\_\_\_\_  
Dowling R. Watford Jr., Mayor

ATTEST:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

\_\_\_\_\_  
John J. Fumero, City Attorney



## **Staff Report**

### **Rezoning Request**

*Prepared for: The City of Okeechobee*

*Applicant: Mitch Stephens*

*Address: All Parcels in Blocks 110 and 121  
between NE 2nd Ave and NE 3rd Ave  
and between NE 3rd St and NE 5th St*

*Petition No.: 22-001-R*

*Request: Zoning Change from Heavy Commercial  
to Residential Multiple Family*



1375 Jackson Street # 206 Fort Myers, FL 33901

### General Information

Owner/Applicant	Glenwood Park, LLC 17705 Middlebrook Way Boca Raton, FL 33496 <a href="mailto:mitchstephens@gmail.com">mitchstephens@gmail.com</a> 919.201.9913
Site Address	All parcels in Block 110 and Block 121 Between NE 2nd Ave and NE 3rd Ave and Between NE 3rd Street and NE 5th Street
Parcel Identification	3-15-37-35-0010-01210-0060; 3-15-37-35-0010-01210-0040 3-15-37-35-0010-01210-0030; 3-15-37-35-0010-01210-0010 3-15-37-35-0010-01210-0070; 3-15-37-35-0010-01210-0090 3-15-37-35-0010-01210-0100; 3-15-37-35-0010-01210-0120 3-15-37-35-0010-01100-0010
Contact Person	Steven L. Dobbs 863.634.0194 <a href="mailto:sdobbs@stevedobbsengineering.com">sdobbs@stevedobbsengineering.com</a>

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>

### Request

The matter before the Local Planning Agency and City Council is a request to rezone 3.995 acres of land located on Blocks 110 and Block 121 from Heavy Commercial to Residential Multiple Family. The applicant has submitted a concurrent request for a Future Land Use Map amendment to change the property from Commercial to Multi-Family Residential.

The applicant is proposing to the fullest density allowed to construct multi-family apartments for rent. The density allowed for multi-family development in this zoning district is 10 dwelling units per acre. Provisions of affordable housing would allow 11 dwelling units per acre

### Future Land Use, Zoning and Existing Use

	Existing	Proposed
Future Land Use	Commercial	Multi-Family Residential
Zoning	Heavy Commercial	Residential Multiple Family
Use of Property	Vacant	Multi-Family rental apartments
Acreage	3.995 acres	3.995 acres

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

<b>North</b>	Future Land Use	Multi-Family Residential
	Zoning	Light Commercial and Residential Multiple Family
	Existing Use	Duplexes
<b>East</b>	Future Land Use	Single Family Residential and Commercial
	Zoning	Residential Single Family and Commercial Professional Office
	Existing Use	Vacant and House of Worship
<b>South</b>	Future Land Use	Multi-Family Residential and Commercial
	Zoning	Residential Multiple Family and Heavy Commercial
	Existing Use	Offices
<b>West</b>	Future Land Use	Commercial
	Zoning	Heavy Commercial
	Existing Use	House of Worship and Funeral Home

**Analysis**

Section 70-340 of the Land Development Regulations requires that the reviewing body find that an application for rezoning meets each of the following conditions. The Applicant has provided brief comments to each of the required findings. 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 Owner’s comments. Staff comments are shown in this Arial typeface.

**1. *The proposed rezoning is not contrary to Comprehensive Plan requirements.***

Owner Response: “The proposed request in not contrary to the Comprehensive Plan requirements. The 3.995 acres sites are currently zoned Heavy Commercial, and the surrounding properties are zoned Light Commercial, Residential Multiple Family, and Residential Single Family One making the zoning change compatible by acting as a buffer from Commercial to Residential Single Family One further to the east.”

Staff Comment: The proposed request is consistent and not contrary to the Comprehensive Plan requirements. The rezoning will provide a buffer between commercial properties to the west and single family residential development to the east.

**2. *The proposed use being applied for is specifically authorized under the zoning district in the Land Development Regulations.***

Owner Response: “The proposed development of apartments on Residential Multiple Family zoned land is specifically authorized under the proposed zoning district in the Land Development Regulations.”

Staff Comment: Section 90-192(3) specifically lists multiple-family dwellings as a permitted use within the RMF zoning district.

**3. *The proposed use will not have an adverse effect on the public interest.***

Owner Response: “The proposed zoning change should have a positive impact on the public interest to develop land that has access to all utilities and roads which will increase land value and development potential as a commercial use.”

Staff Comment: The applicant’s proposal to provide housing within the City’s commercial corridor should provide increased support for the commercial uses along the corridor and throughout the Community. Additionally, development of this vacant land will increase the City’s tax base, which also has a positive effect on the public interest.

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

Owner Response: “The proposed use is appropriate for the location and will complement the buffer from intensive Commercial zoning to the west to Residential Single Family One to the East.”

Staff Comment: We agree that multi-family residential in this location provides a good transitional buffer between the existing commercial uses along the corridor and the church and predominantly single family residential neighborhood to the east.

**5. *The proposed use will not adversely affect property values or living conditions, or be a deterrent to the improvement or development of adjacent property.***

Owner Response: “The proposed use should positively impact property values, living conditions and be an improvement to the adjacent property, and development of previously undeveloped land.”

Staff Comment: The development of these currently vacant parcels should have a positive impact on surrounding property values. Living conditions should only be improved by the addition of new housing which meets current building and zoning codes. Development and redevelopment of adjacent property will also be more likely with this opportunity to provide goods and services to the additional residents. Additionally, the increased setbacks that apply to commercial properties abutting residential will not be applicable, as the subject property is completely bounded by street rights-of-way and is not considered abutting to any other property.

**6. *The proposed use can be suitably buffered from surrounding uses, so as to reduce the impact of any nuisance or hazard to the neighborhood.***

Owner Response: “The proposed use can be suitably buffered from surrounding unlike uses to the west. The parcel is bounded to the south by NE 3<sup>rd</sup> Street, to the east by NE 3<sup>rd</sup> Avenue, to the north by NE 5<sup>th</sup> Street, and to the west by NE 2<sup>nd</sup> Avenue ROW.”

Staff Comment: All current code requirements will be enforced at time of site plan approval; including setbacks and landscape buffering.

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

Owner Response: “The use will not create density patterns that would overburden any public facilities. The potential development impacts will be accounted for within the existing available amenities and is a buffer from the existing Commercial zoning.”

Staff Comment: The applicant has sufficiently demonstrated that public facilities will not be overburdened by an apartment development at this location.

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

Owner Response: “The proposed use will not impact traffic congestion as existing streets provide adequate capacity for the additional traffic. There are City ditches surrounding the property, but the best location to drain is in the southeast portion of the site, which flow down NE 4<sup>th</sup> Street to Taylor Creek. This project will not adversely affect public safety.”

Staff Comment: The traffic statement provided by the applicant indicates that multi-family development at the maximum allowable density is expected to generate approximately 140 daily vehicle trips, with 14 of those trips occurring during the PM peak hour. This is not a significant increase in vehicle trips for this location, which is in close proximity to US-441 and SR-70. All applicable drainage requirements will be enforced at time of site plan approval.

**9. *The proposed use has not been inordinately burdened by unnecessary restrictions.***

Owner Response: “The proposed use has not been inordinately burdened by unnecessary restrictions.

Staff Comment: There are no unnecessary restrictions found in this zoning district that would burden this residential use.



## Recommendation

Based on the foregoing analysis, we find the rezoning from Heavy Commercial to Residential Multiple Family is reasonably compatible with adjacent uses, and consistent with the urbanizing pattern of the area. It allows a reasonable transition from commercial zoning to single family development. We find this rezoning to be consistent with the City's Comprehensive Plan; and therefore recommend **Approval** of this rezoning.

Submitted by:



James G LaRue, AICP  
President

January 10, 2022

Planning Board Public Hearing: January 20, 2022

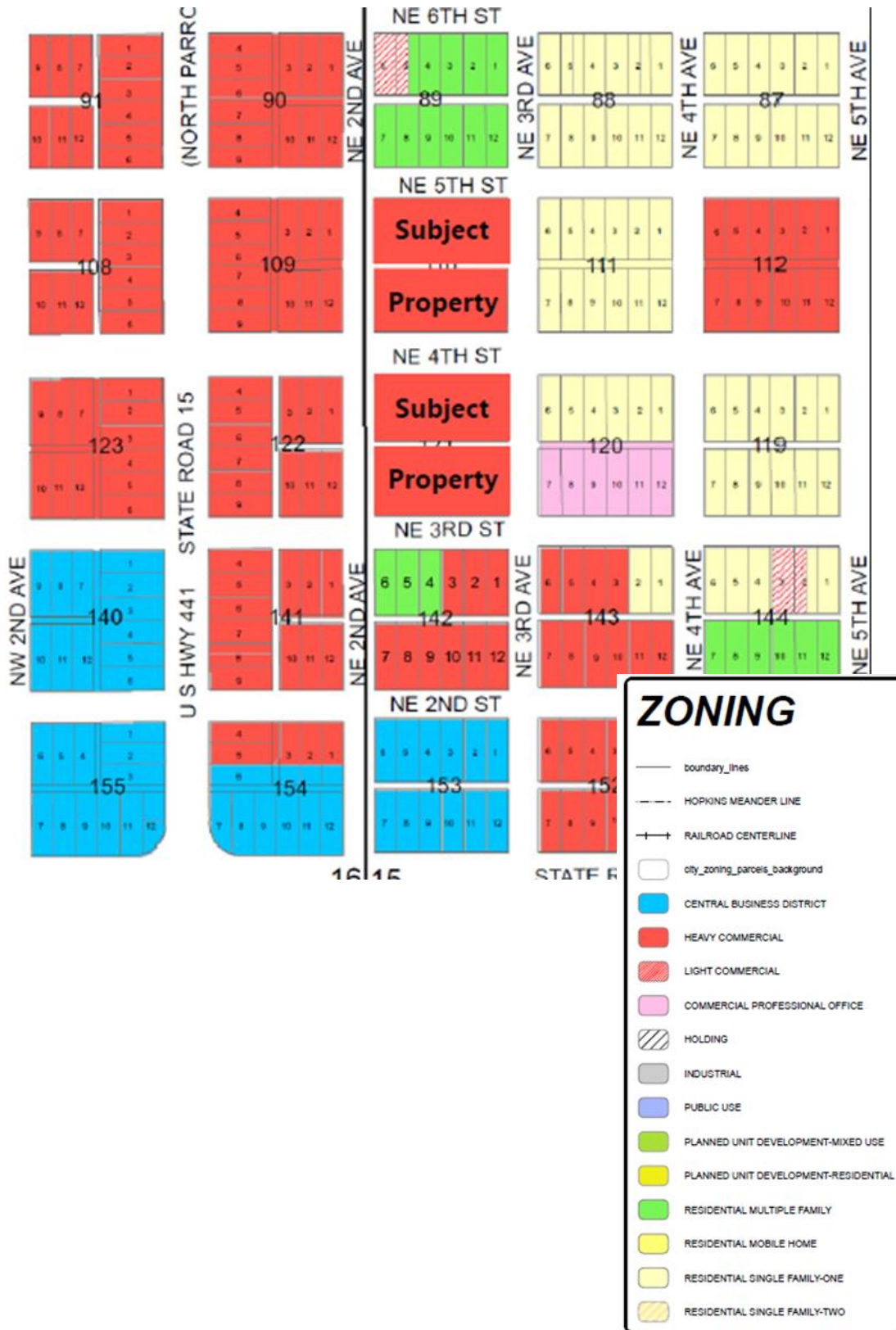
City Council Public Hearing: (tentative) February 15, 2022 and March 15, 2022

Attachments: Future Land Use, Subject Site & Environs  
Zoning, Subject Site & Environs  
Aerial, Subject Site & Environs

### FUTURE LAND USE SUBJECT SITE AND ENVIRONS



### ZONING SUBJECT SITE AND ENVIRONS



**AERIAL  
SUBJECT SITE AND ENVIRONS**



## VI. PUBLIC HEARING CONTINUED

- A. Continued. Pastor Chad Keathley submitted a written comment to be read into the record. Mayor Watford read the following "I am the present pastor of the Okeechobee Church of God located at 301 NE 4<sup>th</sup> Avenue. I would like to express my support for the proposed building plan on the adjacent property of our church. I have spoken to Mr. Stephens and have shared details of the proposed project with our governing board of elders. While we are very understanding of possible concerns from nearby residents, we welcome the opportunity to have additional families within walking distance of our property. Rental options are very limited in Okeechobee, and we have experienced that firsthand from new attendees and new staff who are still searching for permanent living accommodations. The plan that Mr. Stephens has shared with me seems to be something that will be very beneficial to our church and our community."

Mr. Stephens of 17705 Middlebrook Way, Boca Raton, disbursed a revised potential site plan and responded to various questions from the Council. **Motion Carried Four to One.**

### MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:54 P.M.

## VII. NEW BUSINESS

- A. Motion and second by Council Members Jarriel and Clark to read by title only, proposed Ordinance No. 1249, regarding Petition No. 22-001-R, rezoning Blocks 110 and 121, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Okeechobee County public records, 3.9+/- acres from Heavy Commercial (CHV) to Residential Multiple Family (RMF), submitted by property owner F. Mitch Stephens/Glenwood Park, LLC, located between NE 2<sup>nd</sup> to 3<sup>rd</sup> Avenue's and NE 3<sup>rd</sup> to 5<sup>th</sup> Street's, for the proposed use of a multi-family structure [as presented in Exhibit 3]. **Motion Carried Unanimously.**

Attorney Fumero read proposed Ordinance No. 1249 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OKEECHOBEE BY REZONING CERTAIN TRACTS OF LAND MORE PARTICULARLY DESCRIBED HEREIN, FROM CHV TO RMF, PETITION NO. 22-001-R; AMENDING THE ZONING MAP ACCORDINGLY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."

Motion and second by Council Members Keefe and Jarriel to approve the first reading of proposed Ordinance No. 1249 and set March 15, 2022, as the Final Public Hearing. Following Planner LaRue's review of the Planning Staff Report, Mayor Watford opened the floor for public comment. It was noted for the record that Pastor Keathley's written comments as provided in the previous item were restated for this ordinance. **Motion Carried Unanimously.**

- B. Motion and second by Council Members Jarriel and Clark to read by title only, proposed Ordinance No. 1250, updating the Capital Improvements Five Year Schedule within the Comprehensive Plan [as presented in Exhibit 4]. **Motion Carried Unanimously.**

Attorney Fumero read proposed Ordinance No. 1250 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CITY'S COMPREHENSIVE PLAN AS MANDATED BY FLORIDA STATUTES SECTION 163.3177(3)(b); PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."

Motion and second by Council Members Clark, and Jarriel to approve the first reading of proposed Ordinance No. 1250 and set March 15, 2022, as the Final Public Hearing. **Motion Carried Unanimously.**

- C. Administrator Ritter provided an update on the services provided by the City's Landscape Architect, Calvin, Giordano & Associates, Inc. regarding the schedule for the remaining deliverables for The Flagler Park Master Plan. The City received the property surveys, a comprehensive tree assessment and survey, and the topography surveys. On February 21<sup>st</sup>, the architect will meet with City Staff and Okeechobee Main Street representatives to coordinate and clarify designs for the remainder of the Master Plan. The schedule of items that will be due to the City is as follows: March 25<sup>th</sup>, revisions for Park 7, Butterfly Square; March 31<sup>st</sup>, Conceptual Planting Plan for the curb extension along the South side of South Park Street from SW 6<sup>th</sup> to SE 2<sup>nd</sup> Avenue's; April 29<sup>th</sup>, Park 5, Settlers Square; May 27<sup>th</sup>, Park 4, Seminole Square; June 24<sup>th</sup>, Park 3, Speckled Perch Square; July 29<sup>th</sup>, Park 2, Veteran's Memorial Square; August 26<sup>th</sup>, Park 1, City Hall Plaza. That will bring them to the end of their contract. No official action was required.

- D. Following discussion, a Motion and second by Council Members Clark and Jarriel to postpone to the March 1, 2022, meeting the request to approve a recommendation from the Technical Review Committee to deviate from the standards listed in Section 78-36 of the City's Land Development Regulations regarding the requirements for installation of sidewalks pertaining to the Budget Home, LLC, triplex project located at NE 3<sup>rd</sup> Avenue and 5<sup>th</sup> Street [as presented in Exhibit 5]. **Motion Carried Unanimously.**

**VII. NEW BUSINESS CONTINUED**

- E. Mayor Watford yielded the floor to Ms. Magi Cable of the Okeechobee Historical Society to present potential uses of Primitive Baptist Church property [located at 1003 SW 3<sup>rd</sup> Avenue, legal: Lots 9 through 12 of Block 8, SOUTH OKEECHOBEE, Plat Book 1, Page 12, Okeechobee County public records]. The Historical Society would like to partner with the City to utilize at least one of the two buildings as a museum to feature Mr. Gordie Peer, Mr. Pete Clemons, and other local family's historical artifacts as well as feature historical information about the churches in Okeechobee. A copy of a power point that provided local church establishments, including the Primitive Baptist Church in 1919, and current photographs of the property and inside the buildings, is incorporated within the official minute file. The Council thanked Ms. Cable for her presentation. No official action was taken at this time.
- F. Police Chief Hagan and Finance Director India Riedel provided for informational purposes recent developments related to the Florida Statewide Law Enforcement Radio System. After the 2004 and 2005 hurricane seasons, the state-wide system was mandated for all agencies and hospitals to participate in by 2008. At that time, there were grants/state appropriations to assist with the initial purchases. The new system will be required to be implemented as of 2023. To date, there are no grants/state appropriations available for the City to apply to cover or off-set the costs for a new console and radios. However, they are hopeful this will change. Senator Ben Albritton of District 26 has recently been a champion on this issue and understands the financial hardship these costs will have on rural agencies. There are many things going on behind the scenes and equipment available to purchase now, which are not budgeted items. Staff will continue to monitor the situation and weigh options on equipment purchases; this issue will be a costly item in the upcoming Fiscal Year budget.

**VIII. CITY ATTORNEY**

- Working on the draft ordinance to adopt the Charter, will send the template to be reviewed soon.
- There are several preemption bills moving through the current Legislative process that are troubling, he will continue to monitor them closely.
- Continues to draft a quasi-judicial ordinance to adopt a policy for land use and rezoning issues. The City currently has a Resolution that needs to modernize the procedures.

**IX. ADMINISTRATOR UPDATE**

- Working with the Central Florida Regional Planning Council to assist/moderate the Council-Planning Board Joint Workshop to review the FLU and Zoning Maps inconsistencies and the best methods to address the properties.
- The two companies who submitted to the Planning Services Request For Qualifications will be making presentations to the Council at the March 1<sup>st</sup> meeting. From there, a contract will need to be negotiated for Council approval.
- As part of the public outreach recommended by the CCRAC regarding the proposed Charter, he will be highlighting the proposed changes on the local radio station, WOKC, once a month starting in March to provide information.
- Chief Smith has sold another fire truck and 4 pallets of equipment on gov deals.
- The City's two appropriation bills are still in place at this time.

**X. COUNCIL COMMENTS**

Council Member Chandler:

- Suggested that instead of replacing the two large oak trees located on the front lawn of City Hall that were recently removed, to install different landscaping closer to the building. With the trees gone, you can now see the actual architecture of the building.

Council Member Jarriel:

- Asked that monthly Department Head reports begin again.
- Suggested that the Mayor and Council ride on the vintage fire truck in the next parade.

Council Member Keefe:

- Inquired to when the Council-Planning Board Joint Workshop would be held. No date has been set to allow for the City to enter into a contract for Planning Services.
- Agreed with Council Member Chandler's idea.

**XI. ADJOURN**, Mayor Watford adjourned the meeting at 8:02 P.M.

Submitted By:

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Lane Gamiotea, CMC, City Clerk

Please take notice and be advised that when a person decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, s/he 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. City Clerk media are for the sole purpose of backup for official records of the Clerk.

**V. PUBLIC HEARING ITEM B CONTINUED**

4. No Ex-Parte disclosures were offered.
5. Motion by Board Member Baughman, seconded by Board Member Papasso to recommend approval to the City Council for Comprehensive Plan Small Scale FLUM Application No. 22-001-SSA, as presented in [Exhibit 2, which includes the findings as required for granting applications per Code Section 70-340; and the Planning Consultant's analysis of the findings and recommendation for approval.] The recommendation will be forwarded to the City Council for consideration at a Public Hearing tentatively scheduled for February 15, 2022. **Motion Carried Unanimously.**

**QUASI-JUDICIAL ITEM**

- C. Rezoning Petition No. 22-001-R from Heavy Commercial (CHV) to Residential Multiple Family (RMF) 3.995± acres, located in the two blocks between Northeast 3<sup>rd</sup> to 5<sup>th</sup> Streets and Northeast 2<sup>nd</sup> to 3<sup>rd</sup> Avenues for the proposed construction of multi-family apartments.**
1. No oath for testimony was administered.
  2. City Planning Consultant LaRue reviewed the Planning Staff Report finding the requested rezoning from CHV to RMF reasonably compatible with adjacent uses, consistent with the urbanizing pattern of the area and consistent with the City's Comprehensive Plan, therefore recommending approval.
  3. Mr. Dobbs and Mr. Stephens, Registered Agent of Glenwood Park LLC, were present. There were no questions from the Board.
  4. No public comments were offered.
  5. No Ex-Parte disclosures were offered.
  6. Motion by Board Member Chartier, seconded by Board Member Papasso to recommend approval to the City Council for Rezoning Petition No. 22-001-R as presented in [Exhibit 3, which includes the findings as required for granting Petitions per Code Section 70-340; and the Planning Consultant's analysis of the findings and recommendation for approval]. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for February 15, 2022, and March 15, 2022.

**CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 6:37 P.M.**

- VI.** Chairperson Hoover adjourned the meeting at 6:37 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 Planning Board with respect to any matter considered at this proceeding, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. General Services' media are for the sole purpose of backup for official records.

<b>City of Okeechobee</b> <b>General Services Department</b> <b>55 S.E. 3<sup>rd</sup> Avenue, Room 101</b> <b>Okeechobee, Florida 34974-2903</b> <b>Phone: (863) 763-3372, ext. 9820</b> <b>Fax: (863) 763-1686</b>	Date: 12/6/21	Petition No. 22-001-R
	Fee Paid: 969.85	Jurisdiction: PB+CC
	1 <sup>st</sup> Hearing: 1-20-22	2 <sup>nd</sup> Hearing: 2-15-22 & 3-15-22
	Publication Dates: PB: 1/5 + 1/2 CC: 3/2 Ord#1249	
	Notices Mailed: 1-5-22	

**Rezone, Special Exception and Variance**  
**APPLICANT INFORMATION**

1	Name of property owner(s): Glenwood Park, LLC
2	Owner mailing address: 17705 Middlebrook Way, Boca Raton, FL 33496
3	Name of applicant(s) if other than owner
4	Applicant mailing address:
	E-mail address: mitchstephens@gmail.com
5	Name of contact person (state relationship): Steven L. Dobbs - Consultant
6	Contact person daytime phone(s): 863-634-0194

**PROPERTY INFORMATION**

7	Property address/directions to property: From SR 70 and 441, head north on 441, turn right at NE 3rd Street, the project will be on the left after NE 2nd Avenue
8	Describe current use of property: Vacant
9	Describe improvements on property (number/type buildings, dwelling units, occupied or vacant, etc.) Vacant  Source of potable water: OUA      Method of sewage disposal: OUA
10	Approx. acreage: 3.995 Acres      Is property in a platted subdivision? 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
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: Single Family      East: Vacant South: Vacant      West: Commercial
14	Existing zoning: Heavy Commercial      Future Land Use classification: Commercial
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.
16	Request is for: (X) Rezone ( ) Special Exception ( ) Variance
17	Parcel Identification Number: 3-15-37-35-0010-01100-0010, 3-15-37-35-0010-01210-0060, 3-15-37-35-0010-01210-0040, 3-15-37-35-0010-01210-0030, 3-15-37-35-0010-01210-0010, 3-15-37-35-0010-01210-0070, 3-15-37-35-0010-01210-0090, 3-15-37-35-0010-01210-0100, and 3-15-37-35-0010-01210-0120



**REQUIRED ATTACHMENTS**

✓ 18	Applicant's statement of interest in property: Owner
✓ 19	Non-refundable application fee: Rezoning: \$850 plus \$30/acre; Special Exception: \$500 plus \$30/acre; Variance: \$500 <b>Note: Resolution No. 98-11 Schedule of Land Development Regulation Fees and Charges B</b> <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.</b>
✓ 20	Last recorded warranty deed: May 28, 2021
3unbiz ✓ 21	Notarized letter of consent from property owner (if applicant is different from property owner)
✓ 22	Three (3) <b>CERTIFIED BOUNDARY</b> 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

Mitch Stephens

Printed Name

Mitch Stephens

Date

12/6/2021

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



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

## Detail by Entity Name

Florida Limited Liability Company

**GLENWOOD PARK, LLC**

### Filing Information

**Document Number** L21000242266  
**FEI/EIN Number** NONE  
**Date Filed** 05/24/2021  
**State** FL  
**Status** ACTIVE

### Principal Address

17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

### Mailing Address

17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

### Registered Agent Name & Address

**STEPHENS, FRANK M**  
17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

STEPHENS, FRANK M  
17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

Title MGR

2021 QUALIFIED FUND, LLC  
17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

### Annual Reports

**No Annual Reports Filed**

<b>ADDITIONAL INFORMATION REQUIRED FOR A REZONING</b>	
<b>A</b>	Current zoning classification: Heavy Commercial      Requested zoning classification Residential Multiple Family
<b>B</b>	Describe the desired permitted use and intended nature of activities and development of the property? The client is proposing to construct to the fullest density allowed multifamily apartments for rent.
<b>C</b>	Is a Special Exception necessary for your intended use? ( <input checked="" type="checkbox"/> ) No    ( <input type="checkbox"/> ) Yes    If yes, briefly describe:
<b>D</b>	Is a Variance necessary for your intended use? ( <input checked="" type="checkbox"/> ) No    ( <input type="checkbox"/> ) Yes    If yes, briefly describe:
<b>E</b>	Attach a Traffic Impact Study prepared by a professional transportation planner or transportation engineer, if the rezoning 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.
<b>F</b>	Responses addressing the required findings for granting a rezoning or change in Land Development Regulations as described below. Attach additional sheets as necessary.

**FINDINGS REQUIRED FOR GRANTING A REZONING  
OR CHANGE IN LAND DEVELOPMENT  
REGULATIONS (Sec. 70-340, LDR page CD70:16)**

It is the Applicant's responsibility to convince the Planning Board/LPA and City Council that approval of the proposed rezoning is justified. Specifically, the Applicant should provide in his/her application and presentation sufficient explanation and documentation to convince the reviewing bodies to find that:

1. The proposed rezoning is not contrary to Comprehensive Plan requirements.
  
2. The proposed use being applied for is specifically authorized under the zoning district in the Land Development Regulations.
  
3. The proposed use will not have an adverse effect on the public interest.
  
4. The proposed use is appropriate for the location proposed, is reasonably compatible with adjacent land uses, and is not contrary or detrimental to urbanizing land use patterns.
  
5. The proposed use will not adversely affect property values or living conditions or be a deterrent to the improvement or development of adjacent property.

Findings required for rezoning or change in land development regulations (cont.)

6. The proposed use can be suitably buffered from surrounding uses, so as to reduce the impact of any nuisance or hazard to the neighborhood
7. The proposed use will not create a density pattern that would overburden public facilities such as schools, streets, and utility services
8. The proposed use will not create traffic congestion, flooding or drainage problems, or otherwise affect public safety.
9. The proposed use has not been inordinately burdened by unnecessary restrictions.

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

## **Glenwood Park**

### **Responses to Standards for Considering Changes in Zoning**

**1. The proposed change is not contrary to the Comprehensive Plan Requirements;**

The proposed request is not contrary to the Comprehensive plan requirements. The 3.995 acres site is currently zoned Heavy Commercial, and the surrounding properties are zoned Light Commercial, Commercial, Residential Multiple Family, and Residential Single Family One making the zoning change compatible by acting as a buffer from Commercial to Residential Single Family One further to the east.

**2. The proposed use being applied for is specifically authorized under the zoning district in the Land Development Regulations;**

The proposed development of apartments on Residential Multiple Family zoned land is specifically authorized under the proposed zoning district in the Land Development Regulations.

**3. The proposed use will not have an adverse effect on the public interest;**

The proposed zoning change should have a positive impact on the public interest to develop land that has access to all utilities and roads which will increase land value and development potential as a residential use.

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

The proposed use is appropriate for the location and will complement the buffer from intensive Commercial zoning to the west to Residential Single Family One to the east.

**5. The proposed use will not adversely affect property values or living conditions, or be a detriment to the improvement or development of adjacent property;**

The proposed use should positively impact property values, living conditions and be an improvement to the adjacent property, and development of previously undeveloped land.

- 6. The proposed use can be suitably buffered from surrounding uses, so as to reduce the impact of any nuisance or hazard to the neighborhood;**

The proposed use can be suitably buffered from surrounding unlike uses to the west. The parcel is bounded to the south by NE 3<sup>rd</sup> Street, to the east by NE 3<sup>rd</sup> Avenue, to the north by NE 5<sup>th</sup> Street, and to the west by NE 2<sup>nd</sup> Avenue ROW.

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

The use will not create density patterns that would overburden any public facilities. The potential development impacts will be accounted for within the existing available amenities and is a buffer from the existing Commercial zoning.

- 8. The proposed use will create traffic congestion, flooding, or drainage problems, or otherwise affect public safety;**

The proposed use will not impact traffic congestion as existing streets provide adequate capacity for the additional traffic. There are City ditches surrounding the property, but the best location to drain is in the southeast portion of the site, which flow down NE 4<sup>th</sup> Street to Taylor Creek. This project will not adversely affect public safety.

- 9. The proposed use has not been inordinately burdened by unnecessary restrictions;**

The proposed use has not been inordinately burdened by unnecessary restrictions.

## **Glenwood Village**

### **(Description of requested land use change and reason for request)**

Mr. Mitch Stephens owns ten parcels in the northeast section of the City that are Block 110 and block 121 of the City of Okeechobee, it is 3.995 acres of land between NE 2<sup>nd</sup> and 3<sup>rd</sup> Avenue and between NE 3<sup>rd</sup> and 5<sup>th</sup> Streets, Mr. Stephens is proposing a change of zoning on the subject property. This property is located in Section 15, Township 37S, and Range 35E, with the property's parcel IDs 3-15-37-35-0010-01100-0010, 3-15-37-35-0010-01210-0060, 3-15-37-35-0010-01210-0040, 3-15-37-35-0010-01210-0030, 3-15-37-35-0010-01210-0010, 3-15-37-35-0010-01210-0070, 3-15-37-35-0010-01210-0090, 3-15-37-35-0010-01210-0100, and 3-15-37-35-0010-01210-0120. It is currently located in the City of Okeechobee with a current zoning of Heavy Commercial.

The primary intent of rezoning these parcels is to amend the zoning classification to Residential Multiple Family. The proposed zoning is compatible with adjacent lands at this location surrounded by Residential Single Family One, Light Commercial, Commercial, other Residential Multiple Family zoned lands.

This application requests the city to grant a change in zoning on these parcels from the existing Heavy Commercial to Residential Multiple Family. The property can be accessed off any of the streets listed above.

Mr. Stephens requests that the Planning Board recommend to the City Council to grant the requested zoning amendment of these parcels to Residential Multiple Family.



Official Records File#2021006747 Page(s):3  
Jerald D Bryant, Clerk of the Circuit Court & Comptroller  
Okeechobee, FL Recorded 5/28/2021 4:17 PM  
Fees: RECORDING \$27.00 D DOCTAX PD \$1,190.00

Parcel ID Number: 3-15-37-35-0010-01210-0060

Prepared by and return to:  
COLTEN ENDICOTT  
Okee-Tantie Title Company, Inc.  
105 NW 6th Street  
Okeechobee, Florida 34972  
FILE NO. 38827

## Warranty Deed

This Indenture, Executed this May 27, 2021 A.D. Between

**SHAUN C. PENROD and DESIREE A. PENROD, HUSBAND and WIFE,**

whose address is 210 NE 3RD AVE, Okeechobee, Florida 34972, hereinafter called the grantor, to

**GLENWOOD PARK, LLC., A FLORIDA LIMITED LIABILITY COMPANY,**

whose post office address is: 17705 MIDDLEBROOK WAY, Boca Raton, Florida 33496, 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: 3-15-37-35-0010-01210-0060

**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, 2020.



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:

[Signature]  
Witness Printed Name COLTEN ENDICOTT

[Signature] (Seal)  
**SHAUN C. PENROD**  
Address: 210 NE 3RD AVE, Okeechobee, Florida 34972

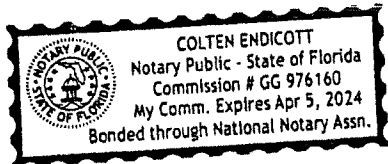
[Signature]  
Witness Printed Name Maira Crespim

[Signature] (Seal)  
**DESIREE A. PENROD**  
Address: 210 NE 3RD AVE, Okeechobee, Florida 34972

State of Florida  
County of Okeechobee

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this May 27, 2021, by SHAUN C. PENROD and DESIREE A. PENROD, HUSBAND and WIFE, who produced a drivers license as identification.

[Signature]  
Notary Public  
Print Name: COLTEN ENDICOTT  
My Commission Expires APRIL 5, 2024



**Exhibit "A"**

LOTS 1 TO 12, INCLUSIVELY, BLOCK 121, CITY OF OKEECHOBEE, PLAT BOOK 5, PAGE 5,  
OKEECHOBEE COUNTY, FLORIDA(da/ '04/21)

**File Number: 38827**

Legal Description with Non Homestead  
Closer's Choice



Prepared by and return to:  
Patricia A. Ragon

Clear Title & Legal Services  
202 NW 5th Street  
Okeechobee, FL 34972  
863-824-6776  
File Number: 3926-21

[Space Above This Line For Recording Data]

## Corrected Warranty Deed

**This Warranty Deed** made this 20th day of July, 2021 between JKST Holdings, LLC, a Florida limited liability company whose post office address is P.O. Box 873, Port Salerno, FL 34992, grantor, and Glenwood Park, LLC, a Florida limited liability company whose post office address is 17705 Middlebrook Way, Boca Raton, FL 33496, 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 of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Okeechobee County, Florida to-wit:

**LOTS 1 THROUGH 12, BLOCK 110, INCLUSIVE, OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. A COPY OF SAID PLAT IS RECORDED IN PLAT BOOK 1, PAGE 10 AND ALSO RECORDED IN PLAT BOOK 5, PAGE 5, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.**

**Parcel Identification Number: 3-15-37-35-0010-01100-0010**

Subject to; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

**This deed is being re-recorded to correct the legal description to add Block 110, to the deed recorded on 6/4/2021 Official Records File #2021006946, Public Records of Okeechobee County, Florida.**


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

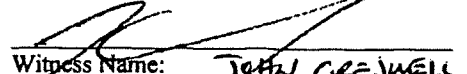
**To Have and to Hold**, the same in fee simple forever.

**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, 2020**.

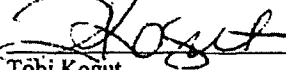
**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

  
Witness Name: SHAWN KOGUT

  
Witness Name: JOHN CREJWELL

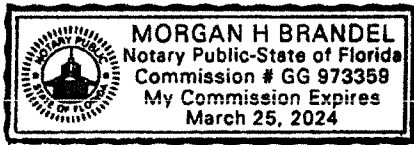
JKST HOLDINGS, LLC, Florida Limited Liability Company


By:   
Tobi Kogut

State of Florida  
County of Okeechobee

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 21 day of July 2021 by Tobi Kogut of JKST HOLDINGS, LLC, Florida Limited Liability Company, on behalf of the corporation. He/she  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]



  
Notary Public

Printed Name: Morgan Brandel

My Commission Expires: 3/25/24

# BOUNDARY SURVEY

LOCATED IN SECTION 15; TOWNSHIP 37 SOUTH; RANGE 35 EAST

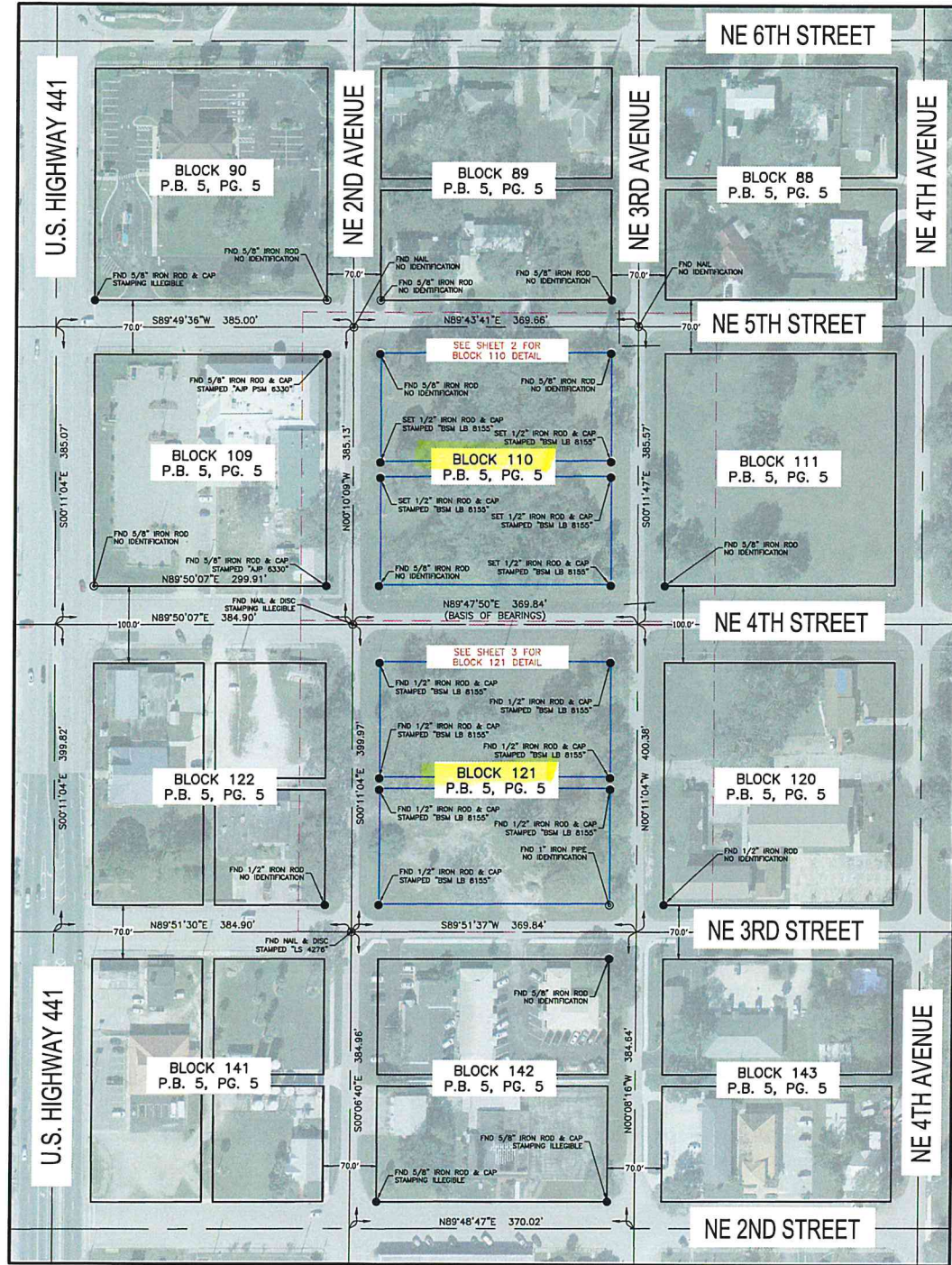
**BOUNDARY RESOLUTION**  
(1 INCH = 100 FEET)

\*SEE SHEETS 2 AND 3 FOR TREE LOCATIONS\*



**BSM & ASSOCIATES**  
LAND SURVEYING SERVICES  
80 SE 31st Lane, Okeechobee, FL 34974  
info@bsmsurvey.com  
888.484.8324

#22



POINT ID	TREE SIZE	TREE TYPE
217	26"	OAK
218	14"	PINE
219	16"	CABBAGE PALM
220	16"	CABBAGE PALM
221	10"	PINE
222	10"	PINE
223	14"	PINE
224	18"	OAK
225	14"	OAK
226	18"	OAK
227	12"	OAK
228	18"	OAK
229	14"	OAK
230	14"	OAK
231	14"	OAK
232	14"	UNK
233	10"	OAK
234	12"	OAK
235	16"	PINE
236	12"	OAK
237	10"	OAK
238	36"	OAK
239	16"	OAK
240	18"	OAK
241	24"	OAK
242	18"	OAK
243	22"	OAK
244	16"	PINE
245	18"	OAK
246	24"	PINE
247	24"	OAK
248	32"	OAK
249	20"	OAK
250	22"	PINE
251	18"	OAK
252	16"	OAK
253	22"	PINE
254	12"	CABBAGE PALM
255	18"	OAK
256	12"	OAK

POINT ID	TREE SIZE	TREE TYPE
257	16"	CABBAGE PALM
258	18"	PINE
259	48"	OAK
260	30"	UNK
261	16"	CABBAGE PALM
262	16"	MAPLE
263	24"	OAK
264	16"	MAPLE
265	12"	MAPLE
266	14"	CABBAGE PALM
267	14"	OAK
268	10"	OAK
269	14"	OAK
270	14"	OAK
271	20"	OAK
272	16"	OAK
273	24"	OAK
274	12"	OAK
275	32"	OAK
276	20"	OAK
277	14"	OAK
278	12"	OAK
279	16"	OAK
280	12"	OAK
281	16"	PINE
282	14"	OAK
283	18"	OAK
284	12"	CABBAGE PALM
285	12"	OAK
286	14"	OAK
287	10"	UNK
288	18"	OAK
289	20"	OAK
290	10"	OAK
291	14"	OAK
292	12"	OAK
293	16"	OAK
294	16"	OAK
295	16"	OAK
296	10"	OAK

POINT ID	TREE SIZE	TREE TYPE
297	10"	OAK
298	32"	OAK
299	24"	OAK
300	36"	OAK
301	12"	OAK
302	14"	OAK
303	12"	OAK
304	12"	OAK
305	20"	OAK
306	16"	OAK
307	18"	OAK
308	16"	OAK
309	16"	OAK
310	12"	PINE
311	12"	CABBAGE PALM
312	14"	CABBAGE PALM
313	14"	OAK
314	14"	CABBAGE PALM
315	10"	OAK
316	16"	PINE
317	12"	OAK
318	16"	OAK
319	12"	OAK
320	20"	OAK
321	12"	OAK
322	14"	OAK
323	12"	OAK
324	18"	OAK
325	14"	OAK
326	12"	CABBAGE PALM
327	14"	OAK
328	12"	OAK
329	14"	OAK
330	24"	OAK
331	36"	OAK
332	14"	CABBAGE PALM
333	22"	OAK
334	22"	OAK
335	12"	CABBAGE PALM
336	24"	OAK

POINT ID	TREE SIZE	TREE TYPE
337	16"	OAK
338	12"	CABBAGE PALM
339	18"	OAK
340	14"	UNK
341	22"	OAK
342	16"	OAK
343	16"	OAK
344	22"	OAK
345	10"	OAK
346	10"	OAK
347	16"	OAK
348	24"	OAK
349	14"	CABBAGE PALM
350	14"	CABBAGE PALM
351	10"	CABBAGE PALM
352	14"	CABBAGE PALM
353	12"	CABBAGE PALM
354	12"	CABBAGE PALM
355	12"	CABBAGE PALM
356	12"	CABBAGE PALM
357	14"	PINE
358	14"	CABBAGE PALM
359	34"	OAK
360	42"	OAK
361	12"	CABBAGE PALM
362	14"	CABBAGE PALM
363	18"	OAK
364	36"	OAK
365	36"	OAK
366	14"	PINE
367	24"	OAK
368	16"	OAK
369	20"	OAK
370	10"	OAK
371	30"	PINE
372	14"	OAK
373	12"	OAK
374	20"	PINE
375	12"	CABBAGE PALM
376	16"	PINE

POINT ID	TREE SIZE	TREE TYPE
377	20"	PINE
378	26"	OAK
379	22"	PINE
380	24"	OAK
381	32"	OAK
382	18"	CABBAGE PALM
383	28"	OAK
384	24"	OAK
385	14"	CABBAGE PALM
386	16"	OAK
387	14"	UNK
388	12"	UNK
389	16"	OAK
390	12"	UNK
391	12"	UNK
392	16"	OAK
393	14"	CABBAGE PALM
394	36"	OAK
395	14"	OAK
396	60"	OAK
397	24"	OAK
398	12"	CABBAGE PALM
399	36"	OAK
400	18"	OAK
401	36"	OAK
402	14"	CABBAGE PALM
403	32"	UNK
404	36"	UNK

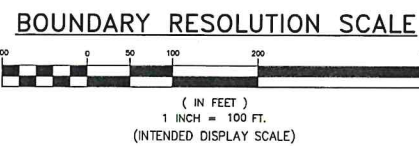
**LEGEND:**

- C/L CENTERLINE
- R/W RIGHT-OF-WAY
- ID IDENTIFICATION
- FND FOUND
- OHU OVERHEAD UTILITY LINE
- P.B. PLAT BOOK
- PG. PAGE
- O.R.B. OFFICIAL RECORD BOOK
- O.R.F. OFFICIAL RECORD FILE
- UTILITY POLE
- TELEPHONE PEDESTAL
- WATER METER
- WATER VALVE
- SEWER SANITARY MANHOLE
- SINGLE SUPPORT SIGN
- CATCH BASIN

**LEGAL DESCRIPTION:**

LOT 1 THROUGH 12, INCLUSIVELY, BLOCK 110, CITY OF OKEECHOBEE, PLAT BOOK 5, PAGE 5, OKEECHOBEE COUNTY, FLORIDA.

LOT 1 THROUGH 12, INCLUSIVELY, BLOCK 121, CITY OF OKEECHOBEE, PLAT BOOK 5, PAGE 5, OKEECHOBEE COUNTY, FLORIDA.



**SURVEYOR'S NOTES:**

1. THE SURVEY DATE IS MARCH 18, 2021.
2. THIS IS A BOUNDARY SURVEY, AS DEFINED IN CHAPTER 5J-17.050(11) OF THE FLORIDA ADMINISTRATIVE CODE.
3. THIS SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. 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.
5. 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 CENTERLINE OF NORTHEAST 4TH STREET BETWEEN BLOCKS 110 AND 121, SAID LINE BEARS N 89°47'50" E AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
6. 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.
7. THE LEGAL DESCRIPTION OF THE LAND CONTAINED IN THIS BOUNDARY SURVEY IS BASED ON THE DESCRIPTION RECORDED IN OFFICIAL RECORDS BOOK 786, PAGE 1593, AND OFFICIAL RECORDS BOOK 816, PAGE 970 AS RECORDED IN THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.
8. THIS SURVEY DELINEATES THE LOCATIONS OF THE LEGAL DESCRIPTIONS ON THE GROUND, BUT DOES NOT DETERMINE OWNERSHIP OR PROPERTY RIGHTS.
9. ADJOINING PROPERTY INFORMATION WAS OBTAINED FROM OKEECHOBEE COUNTY PROPERTY APPRAISER OFFICE AND PER PLAT.
10. AERIAL IMAGERY SHOWN HEREON WAS OBTAINED FROM THE LAND BOUNDARY INFORMATION SYSTEM (LABINS) DATED 2018 AND IS SHOWN FOR INFORMATIONAL PURPOSES ONLY.
11. SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE X PER FEMA MAP NUMBER 12093C, PANEL NUMBER 0485C, WITH AN EFFECTIVE DATE OF 07/16/15.

**CERTIFICATION:**

I HEREBY CERTIFY THAT THE ATTACHED SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

FOR THE BENEFIT OF THE FOLLOWING PARTIES ONLY:

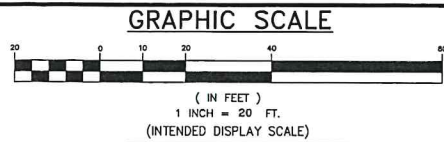
1) WISH STEPHENS  
2) STEVE DOBBS ENGINEERING LLC

FOR THE FIRM:  
BSM & ASSOCIATES, INC.  
STATE OF FLORIDA

Professional Seal of Richard E. Barnes III, Professional Surveyor and Mapper, State of Florida License No. 7074

DATE: 2/7/21

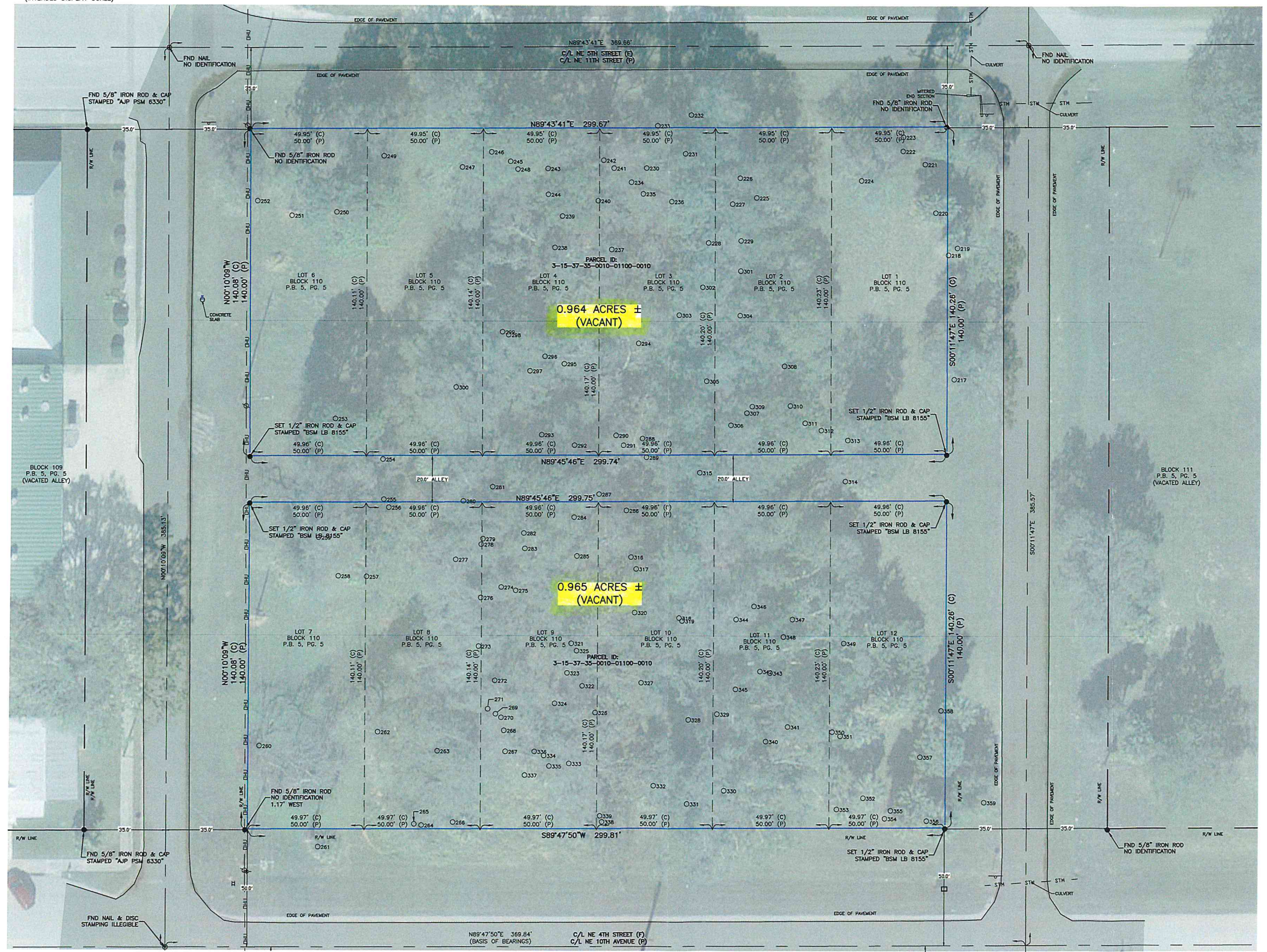
BOUNDARY SURVEY  
 NE 4TH STREET  
 OKEECHOBEE, FLORIDA 34972



# BOUNDARY SURVEY

LOCATED IN SECTION 15; TOWNSHIP 37 SOUTH; RANGE 35 EAST

**BSM & ASSOCIATES**  
LAND SURVEYING SERVICES  
80 SE 31st Lane, Okeechobee, FL 34974  
ricky.barnes@bsmsurvey.com  
888.464.8324  
LB 8155

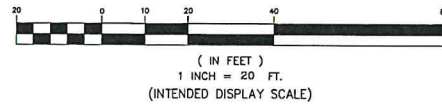


\*MATCH CENTERLINE OF 4TH AVENUE TO SHEET 3\*

CAD	2:\My Drive\BSM & ASSOCIATES, INC.\2021\21-109 BND 309 NE 4TH ST & PENROD BLOCK TO SOUTH\DRAWING\21-109 SURVEY.dwg	DATE	03/18/21	DATE	
REF	2:\My Drive\BSM & ASSOCIATES, INC.\2013\11-109 BND 309 NE 4TH ST & PENROD BLOCK TO SOUTH\DRAWING\21-109 SURVEY.dwg	FB/PG.	BSM #9/20	DATE	03/18/21
FLD	HW, DF	CKD	REB	SHEET	2 OF 3
OFF	BHM			DATE	DWG 21-109 SURVEY
				REVISIONS:	BY:

BOUNDARY SURVEY  
NE 4TH STREET  
OKEECHOBEE, FLORIDA 34972

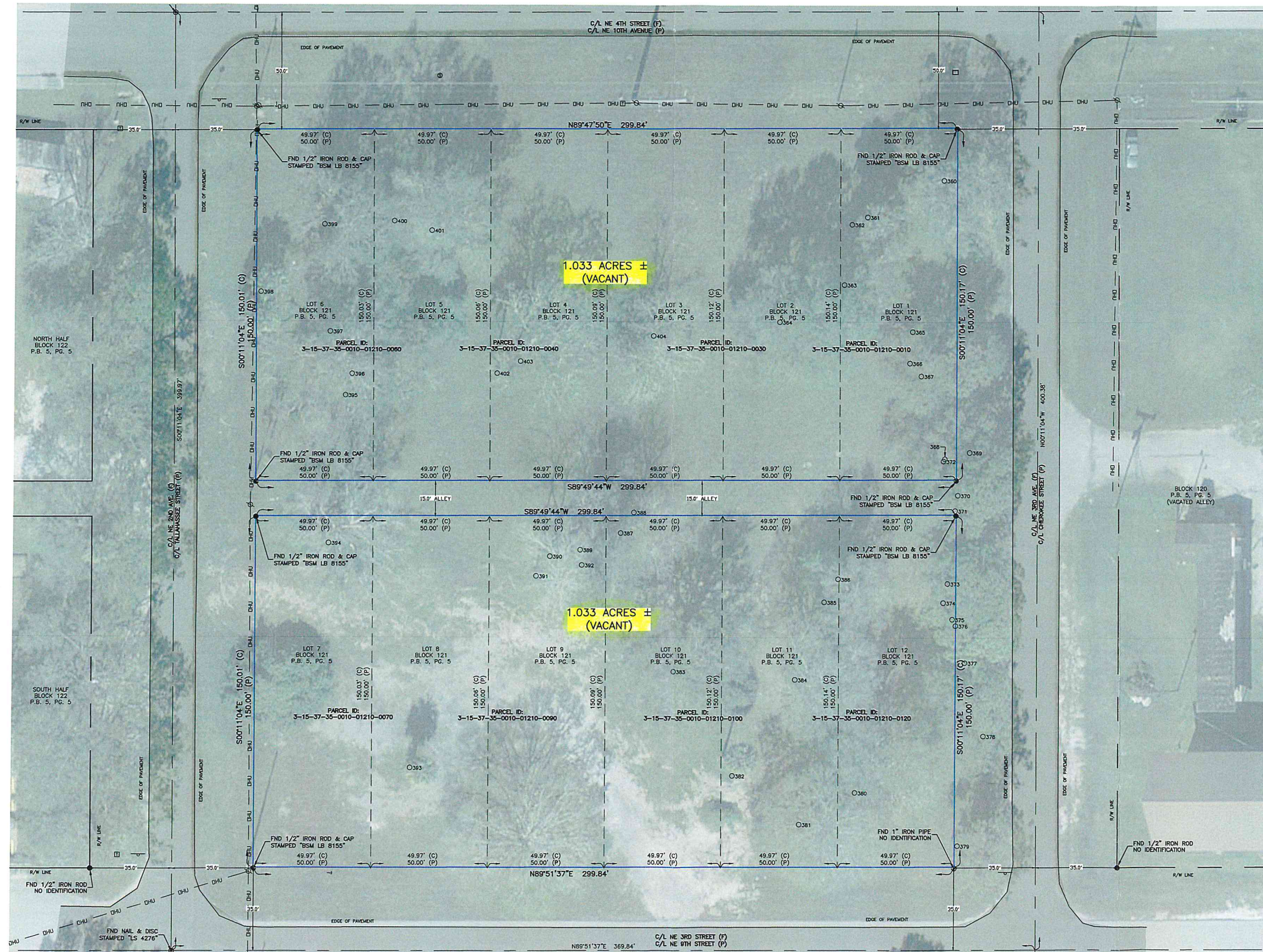
**GRAPHIC SCALE**



**BOUNDARY SURVEY**

LOCATED IN SECTION 15; TOWNSHIP 37 SOUTH; RANGE 35 EAST

\*MATCH CENTERLINE OF 4TH AVENUE TO SHEET 2\*

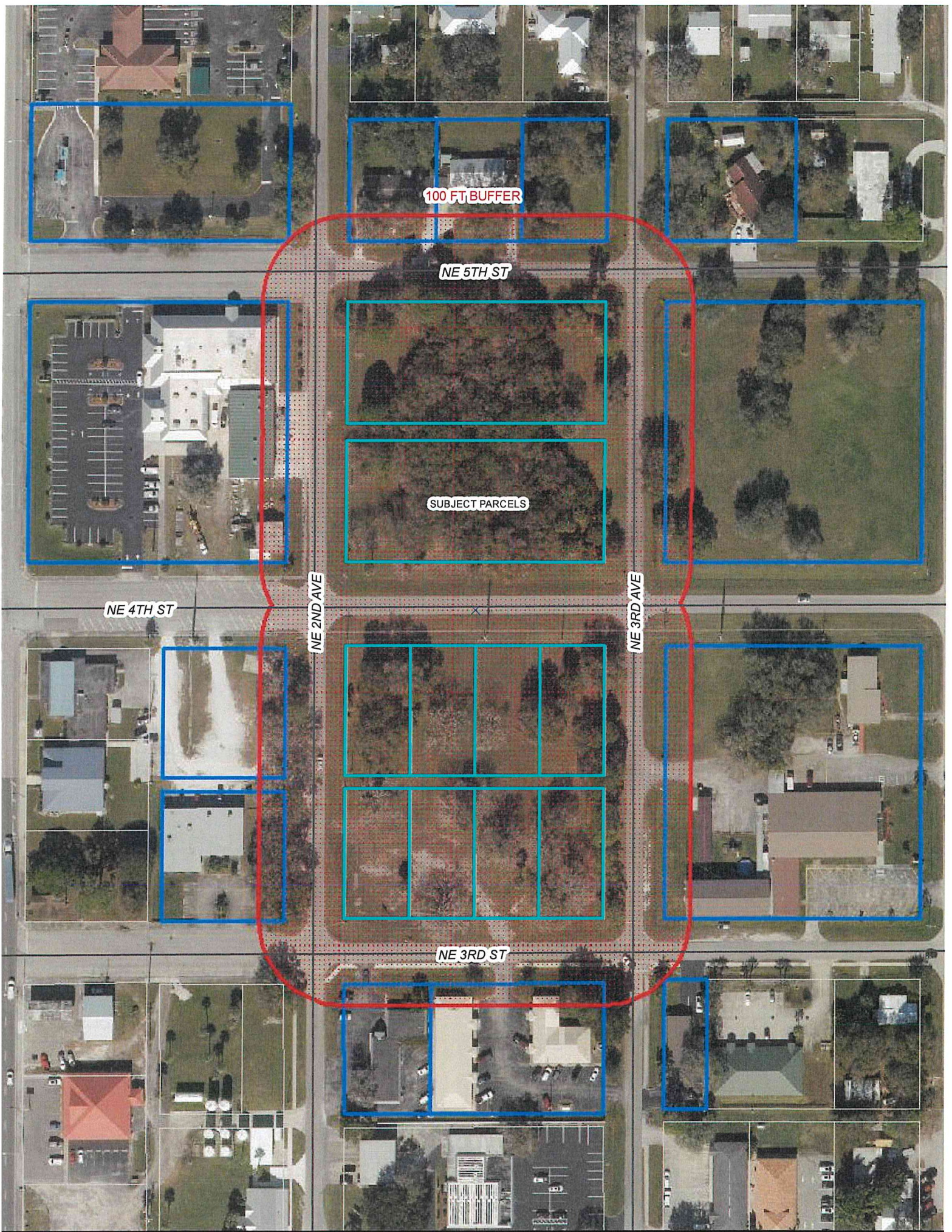


CAD	Z:\My Drive\BSM & ASSOCIATES, INC.\2021\21-109 BND 309 NE 4TH ST & PENROD BLOCK TO SOUTH\DRAWING\21-109 SURVEY.dwg	SHEET 3 OF 3	DATE:	BY:
REF	Z:\My Drive\BSM & ASSOCIATES, INC.\2013\11-109 BND 309 NE 4TH ST & PENROD BLOCK TO SOUTH\DRAWING\21-109 SURVEY.dwg			
FLD	FB/PG. BSM #5/20		DATE 03/18/21	REVISIONS:
OFF	BHM		DWG 21-109 SURVEY	
CKD	REB			

BOUNDARY SURVEY  
NE 4TH STREET  
OKEECHOBEE, FLORIDA 34972

PARCEL NUMBER	OWNER	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP
3-15-37-35-0010-00880-0040	WILLIAMSON JOHN	1200 NE 96TH ST		OKEECHOBEE	FL	34972-0505
3-15-37-35-0010-00880-0060	MITCHELL RONALD	1105 SW 4TH ST		OKEECHOBEE	FL	34974
3-15-37-35-0010-00880-0070	ENTRY MARIE	500 NE 3RD AVE		OKEECHOBEE	FL	34972
3-15-37-35-0010-00880-0100	SKYLINE RENOVATION SERVICES LLC	C/O CHRISTINE SAMMY	5276 JOG LN	DELRAY BEACH	FL	33484-6650
3-15-37-35-0010-00890-0010	LMXN HOLDINGS LLC	1306 SW 2ND AVE		OKEECHOBEE	FL	34974-3910
3-15-37-35-0010-00890-0040	LMXN HOLDINGS LLC	1306 SW 2ND AVE		OKEECHOBEE	FL	34974-5224
3-15-37-35-0010-00890-0060	COLT PENNY M	1601 SW 35TH CIR		OKEECHOBEE	FL	34974
3-15-37-35-0010-00890-0070	VILLEDA BAUDILIO	201 NE 5TH ST		OKEECHOBEE	FL	34972-2605
3-15-37-35-0010-00890-0090	II PARTNERS INC	P O BOX 2293		OKEECHOBEE	FL	34973-2293
3-15-37-35-0010-00890-0110	LMXN HOLDINGS LLC	1306 SW 2ND AVE		OKEECHOBEE	FL	34974-3910
3-15-37-35-0010-00900-0010	TAMAL PROPERTIES LLC	13516 MACHIAVELLI WAY		PALM BEACH GARDENS	FL	33418
3-15-37-35-0010-00900-0070	TAMAL PROPERTIES LLC	13516 MACHIAVELLI WAY		PALM BEACH GARDENS	FL	33418
3-15-37-35-0010-01090-0010	LAKE REAL ESTATE HOLDINGS LLC	400 N PARROTT AVE		OKEECHOBEE	FL	34972
3-15-37-35-0010-01110-0010	CHURCH OF GOD	301 NE 4TH AVE		OKEECHOBEE	FL	34972
3-15-37-35-0010-01200-0010	CHURCH OF GOD	301 NE 4TH AVE		OKEECHOBEE	FL	34972
3-15-37-35-0010-01220-0010	OKEECHOBEE PRESBYTERIAN	312 N PARROTT AVE		OKEECHOBEE	FL	34972-2933
3-15-37-35-0010-01220-0040	OKEECHOBEE PRESBYTERIAN CHURCH	312 N PARROTT AVE		OKEECHOBEE	FL	34972
3-15-37-35-0010-01220-0060	OKEECHOBEE PRESBYTERIAN CHURCH	312 N PARROTT AVE		OKEECHOBEE	FL	34972
3-15-37-35-0010-01220-0080	GREENBERGER JANIS	P O BOX 1092		OKEECHOBEE	FL	34973-1092
3-15-37-35-0010-01220-0100	SENIORS R ABLE INC	PO BOX 759		OKEECHOBEE	FL	34973-0759
3-15-37-35-0010-01410-0010	KRB REALTY LLC	269 NW 9TH ST		OKEECHOBEE	FL	34972-2115
3-15-37-35-0010-01410-0020	WALPOLE INC	P O BOX 1177		OKEECHOBEE	FL	34973-1177
3-15-37-35-0010-01410-0040	KIRCHMAN OIL COMPANY	P O BOX 1625		BELLE GLADE	FL	33430-6625
3-15-37-35-0010-01410-0060	WILLIAMS HAYNES E REV TRUST	206 N PARROTT AVE		OKEECHOBEE	FL	34972
3-15-37-35-0010-01410-0100	WALPOLE INC	P O BOX 1177		OKEECHOBEE	FL	34973-1177
3-15-37-35-0010-01420-0010	MARK J TENNISWOOD DMD PA	208 NE 3RD ST		OKEECHOBEE	FL	34972-2947
3-15-37-35-0010-01420-0050	SLOAN & RILEY HOLDINGS LLC	202 NE 3RD ST		OKEECHOBEE	FL	34972-2947
3-15-37-35-0010-01420-0070	205 OKEECHOBEE LLC	205 NE 2ND ST		OKEECHOBEE	FL	34972-2974
3-15-37-35-0010-01430-0010	HORNER WANDA	211 NE 4TH AVE		OKEECHOBEE	FL	34972
3-15-37-35-0010-01430-0030	THERAPY CENTER OF OKEECHOBEE I	637 SE 74TH AVE		OKEECHOBEE	FL	34974
3-15-37-35-0010-01430-0060	PENROD CONSTRUCTION COMPANY	P O BOX 3166		OKEECHOBEE	FL	34973-3166
3-15-37-35-0010-01430-0070	GRETCHEN ROBERTSON INVESTMENT	309 NE 2ND ST		OKEECHOBEE	FL	34972-2976
3-15-37-35-0010-01430-0090	GRETCHEN ROBERTSON INVESTMENT	309 NE 2ND ST		OKEECHOBEE	FL	34972





100 FT BUFFER

NE 5TH ST

SUBJECT PARCELS

NE 4TH ST

NE 2ND AVE

NE 3RD AVE

NE 3RD 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 December 6, 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 6<sup>th</sup> day of

December, 2021.

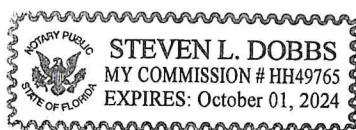
Mitch Stephens  
Signature of Applicant

12/6/2021  
Date

Mitch Stephens  
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 6<sup>th</sup> day of December, 20 21, by Mitch Stephens, who is personally known to me or produced \_\_\_\_\_ as identification.



Steven L. Dobbs  
Notary Public Signature

Mitch Stephens, Glenwood Park, LLC  
Information for No. 15 of Rezoning Application

**Comprehensive Plan Amendment**

Petition Application No.	1st Hearing Date	Hearing Board	Approved or Denied	2nd Hearing Date	Hearing Board	Approved or Denied	3rd Hearing Date	Hearing Board	Approved or Denied
21-002-SSA	5/20/2021	Planning Brd	A	7/6/2021	City Council	D			
21-003-SSA	5/20/2021	Planning Brd	A	7/6/2021	City Council	D			

**Rezoning Petition**

Petition Application No.	1st Hearing Date	Hearing Board	Approved or Denied	2nd Hearing Date	Hearing Board	Approved or Denied	3rd Hearing Date	Hearing Board	Approved or Denied
21-002-R	5/20/2021	Planning Brd	A	7/6/2021	City Council	D	8/3/2021	City Council	
21-003-R	5/20/2021	Planning Brd	A	7/6/2021	City Council	D	8/3/2021	City Council	
21-005-R	9/16/2021	Planning Brd	A	10/19/2021	City Council	A	11/16/2021	City Council	A

**Alley Abandonment**

Petition Application No.	1st Hearing Date	Hearing Board	Approved or Denied	2nd Hearing Date	Hearing Board	Approved or Denied	3rd & 4th Hearing Dt	Hearing Board	Approved or Denied
21-001-AC	5/20/2021	TRC	A	7/15/2021	Planning Brd	A	8/3 & 9/7/21	City Council	*
21-002-AC	5/20/2021	TRC	A	7/15/2021	Planning Brd	A	8/3 & 9/7/21	City Council	*

**\* Being Continued until after Rezoning Petition No. 21-005-R is completely finished**

## ORDINANCE NO. 1245

AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OKEECHOBEE BY REZONING CERTAIN TRACTS OF LAND MORE PARTICULARLY DESCRIBED HEREIN, FROM HOLDING AND RESIDENTIAL MOBILE HOME (RMH) TO HEAVY COMMERCIAL (CHV) AND RESIDENTIAL MULTIPLE FAMILY (RMF), PETITION NO. 22-002-R; AMENDING THE ZONING MAP ACCORDINGLY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Okeechobee, Florida has adopted Ordinance No. 402 in which a revised Official Zoning Map was adopted for said City; and

**WHEREAS**, Blue Springs Holdings LLC has heretofore filed Petition No. 22-002-R, pursuant to the Land Development Regulations of the City of Okeechobee for the purpose of rezoning certain tracts of land totaling approximately 54.8 acres, from Holding (53.1+/- acres) and RMH (1.7+/- acres) to CHV (16.8+/- acres) and RMF (38.0+/-); and

**WHEREAS**, said petition was reviewed by the City's Planning Consultant who determined, based on initial findings and review, that such petition is consistent with the Comprehensive Plan; and

**WHEREAS**, said petition being reviewed by the City's Planning Board at a duly advertised Public Hearing held on February 17, 2022, determined that such petition is consistent with the Comprehensive Plan; and

**WHEREAS**, the City Council agreed with the recommendation of the Planning Board and hereby finds such rezoning petition to be consistent with the City's Comprehensive Plan and deems it in the best interest of the inhabitants of said City to amend aforesaid revised Zoning Map as hereinafter set forth.

**NOW, THEREFORE**, be it ordained before the City Council of the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City; that:

### **SECTION 1: LEGAL DESCRIPTION.**

The following described land consisting of approximately 54.8 acres, as the total subject property, located in the City of Okeechobee, to-wit:

PARCEL: (P1) THE SW 1/4 OF THE NE 1/4 AND N 1/2 OF THE NW 1/4 OF THE SE 1/4 SOUTH OF THE SAL RAILROAD RIGHT-OF-WAY; SW 1/4 OF THE NW 1/4 OF THE SE 1/4; THE SE 1/4 OF THE NW 1/4 OF THE SE 1/4; NORTH 1/2 OF THE NE 1/4 OF THE SW 1/4; AND THE S 1/2 OF THE NE 1/4 OF THE SW 1/4 LYING EAST OF TAYLOR CREEK; FRACTIONAL NW 1/4 EAST OF TAYLOR CREEK AND SOUTH OF THE SAL RAILROAD; AND ALL THAT PORTION OF LAND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE NW 1/4, SOUTH OF THE SAL RAILROAD IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, THAT LIES EAST OF TAYLOR CREEK IMPROVED CHANNEL AS RECORDED IN PLAT BOOK 3, PAGE 29, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA;

LESS AND EXCEPT THE FOLLOWING PARCEL: (L&E1) A PORTION OF THE SE 1/4 AND A PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE 1/4 CORNER ON THE SOUTH LINE OF SAID SECTION 15, BEAR N 00°10'04" E ALONG THE 1/4 SECTION LINE A DISTANCE OF 1399.41 FEET TO THE POINT OF BEGINNING. THENCE BEAR N 89°25'18" E ALONG A LINE 80.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE N 1/2 OF THE S 1/2 OF SAID SECTION 15, A DISTANCE OF 673.21 FEET TO THE EAST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 15; THENCE BEAR N 00°11'25" W ALONG THE AFORESAID EAST LINE A DISTANCE OF 450.00 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 873.03 FEET; THENCE BEAR S 00°10'04" E A DISTANCE OF 83.36 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 119.60 FEET TO THE EASTERLY SHORE LINE OF TAYLOR CREEK; THENCE BEAR THE FOLLOWING COURSES IN A SOUTHERLY DIRECTION ALONG THE EASTERLY SHORE LINE OF TAYLOR CREEK AS FOLLOWS:

S 36°59'52" E A DISTANCE OF 70.15 FEET;  
S 26°01'09" E A DISTANCE OF 49.01 FEET;  
S 20°22'54" E A DISTANCE OF 24.40 FEET;

S 09°48'57" E A DISTANCE OF 23.52 FEET;  
S 02°45'22" E A DISTANCE OF 49.28 FEET;  
S 0°20'24" E A DISTANCE OF 49.34 FEET;  
S 02°34'03" W A DISTANCE OF 76.66 FEET;  
S 00°53'25" W A DISTANCE OF 44.65 FEET;  
THENCE BEAR N 89°25'18" E A DISTANCE OF 245.92 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT THE FOLLOWING PARCEL: (L&E2) A PARCEL OF LAND LYING IN THE NW 1/4 OF THE SE 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE SE 1/4 OF SECTION 15, THENCE PROCEED S 89°21'13" W ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S 89°21'13" W ALONG SAID SOUTH LINE A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°20'48" W ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID PARALLEL LINE, RUN N 89°21'13" E A DISTANCE OF 208.70 FEET; THENCE RUN S 00°20'48" E ALONG A LINE PARALLEL WITH AND 70.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) THE AFORESAID EAST LINE OF THE NW 1/4 OF THE SE 1/4 OF SECTION 15, A DISTANCE OF 208.70 FEET TO THE POINT OF BEGINNING.

**SECTION 2: ZONING MAP AMENDMENT.**

That the aforesaid Revised Zoning Map of the City of Okeechobee be amended to reflect the subject property to be changed as follows:

Legal Description for subject property to be rezoned from Holding and RMH to RMF:

**PROPOSED PARCEL 1 (RESIDENTIAL MULTIPLE FAMILY TRACT, AS SHOWN ON SHEET 2) A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, THENCE NORTH 00°14'15" WEST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 15, A DISTANCE OF 1319.48 FEET TO SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 AND THE POINT OF BEGINNING;**

**THENCE SOUTH 89°21'12" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 250.69 FEET TO THE EAST RIGHT-OF-WAY OF TAYLOR CREEK'S IMPROVED CHANNEL AS RECORDED IN PLAT BOOK 3, PAGE 29, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; THENCE NORTH 03°39'44" EAST ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 80.23 FEET TO THE SOUTHWEST CORNER OF RIVER RUN RESORT PLAT, SAID PLAT BEING RECORDED IN PLAT BOOK 6 AT PAGE 33, OF SAID PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA;**

**THE FOLLOWING SIX COURSES ARE ALONG THE RIVER RUN RESORT BOUNDARY:**

- 1) THENCE NORTH 89°21'12" EAST, A DISTANCE OF 245.23 FEET TO SAID WEST LINE OF THE EAST HALF OF SECTION 15;**
- 2) THENCE NORTH 89°20'32" EAST, A DISTANCE OF 673.22 FEET;**
- 3) THENCE NORTH 00°15'42" WEST, A DISTANCE OF 465.85 FEET;**
- 4) THENCE SOUTH 89°21'31" WEST, A DISTANCE OF 872.67 FEET;**
- 5) THENCE SOUTH 00°6'50" EAST, A DISTANCE OF 79.38 FEET;**
- 6) THENCE SOUTH 89°8'01" WEST, A DISTANCE OF 136.19 FEET TO SAID EAST RIGHT-OF-WAY OF TAYLOR CREEK'S IMPROVED CHANNEL; THENCE NORTH 3°55'09" WEST ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 1201.62 FEET TO THE BEGINNING OF A CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 323.00 FEET AND A DEGREE OF CURVATURE OF 34°35'11"; THENCE ALONG SAID CURVE AND SAID EAST RIGHT-OF-WAY, AN ARC DISTANCE OF 194.98 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SALRY RAILROAD; THENCE NORTH 89°48'55" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 320.00 FEET; THENCE SOUTH 00°11'05" EAST, A DISTANCE OF 163.66 FEET; THENCE SOUTH 3°55'09" EAST, A DISTANCE OF 172.40 FEET; THENCE NORTH 89°48'55" EAST, A DISTANCE OF 475.52 FEET TO THE BEGINNING OF A CURVE**

CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 2334.92 FEET AND A DEGREE OF CURVATURE OF 40°23'01"; THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 1645.72 FEET; THENCE SOUTH 00°17'10" EAST, A DISTANCE OF 518.50 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 696 AT PAGE 1998 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; THENCE SOUTH 89.20'32" WEST ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 208.70 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE SOUTH 00°17'10" EAST ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 208.70 FEET TO THE SOUTHWEST CORNER OF SAID LANDS AND THE SOUTH LINE OF NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH 89°20'32" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1067.80 FEET TO THE POINT OF BEGINNING.

**SAID LANDS LYING IN OKEECHOBEE COUNTY, FLORIDA AND COMPRISING 38.016 ACRES MORE OR LESS.**

The above 38.0+/- acres includes the following 1.7+/- acres to be rezone from RMH to RMF: **A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, THENCE NORTH 00°14'15" WEST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 15, A DISTANCE OF 1319.48 FEET TO SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 AND THE POINT OF BEGINNING;**

**THENCE SOUTH 89°21'12" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 250.69 FEET TO THE EAST RIGHT-OF-WAY OF TAYLOR CREEK'S IMPROVED CHANNEL AS RECORDED IN PLAT BOOK 3, PAGE 29, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA;**

**THENCE NORTH 03°39'44" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 80.23 FEET TO THE SOUTHWEST CORNER OF RIVER RUN RESORT PLAT, SAID PLAT BEING RECORDED IN PLAT BOOK 6 AT PAGE 33, OF SAID PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA;**

**THENCE NORTH 89°21'12" EAST ALONG THE SOUTH LINE OF SAID RIVER RUN RESORT PLAT, A DISTANCE OF 245.23 FEET TO SAID WEST LINE OF THE EAST HALF OF SECTION 15;**

**THENCE NORTH 89°20'32" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 673.22 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST CORNER OF SAID RIVER RUN RESORT PLAT;**

**THENCE SOUTH 00°15'42" EAST ALONG SAID EAST LINE, A DISTANCE OF 80.00 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15;**

**THENCE SOUTH 89°20'32" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 673.25 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS LYING IN OKEECHOBEE COUNTY, FLORIDA AND COMPRISING 1.692 ACRES MORE OR LESS**

Legal Description for subject property to be rezoned from Holding and CHV: **PROPOSED PARCEL 2 (COMMERCIAL TRACT, AS SHOWN ON SHEET 2) A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, THENCE NORTH 00°14'15" WEST ALONG THE WEST LINE OF THE EAST HALF OF SAID**

SECTION 15, A DISTANCE OF 1319.48 FEET TO SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE NORTH 89°20'32" EAST ALONG THE SOUTH LINE OF NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 1276.49 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 89°20'32" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 70.00 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°17'10" WEST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1055.05 FEET TO THE SOUTH RIGHT-OF-WAY OF SALRY RAILROAD AND THE BEGINNING OF A NON-TANGENT CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 2634.92 FEET, A DEGREE OF CURVATURE OF 35°54'16", A CHORD BEARING OF NORTH 71°43'57" WEST, AND A CHORD DISTANCE OF 1667.98 FEET; THENCE ALONG SAID CURVE AND SAID SOUTH RIGHT-OF-WAY, AN ARC DISTANCE OF 1697.16 FEET; THENCE SOUTH 89°48'55" WEST ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 581.03 FEET; THENCE SOUTH 00°11'05" EAST, A DISTANCE OF 163.66 FEET; THENCE SOUTH 3°55'09" EAST, A DISTANCE OF 172.40 FEET; THENCE NORTH 89°48'55" EAST, A DISTANCE OF 475.52 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 2334.92 FEET AND A DEGREE OF CURVATURE OF 40°23'01"; THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 1645.72 FEET; THENCE SOUTH 00°17'10" EAST, A DISTANCE OF 727.21 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 696 AT PAGE 1998 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA AND TO THE POINT OF BEGINNING.

SAID LANDS LYING IN OKEECHOBEE COUNTY, FLORIDA AND COMPRISING 16.777 ACRES MORE OR LESS.

**SECTION 3: CONFLICT.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4: SEVERABILITY.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 5: EFFECTIVE DATE.**

This Ordinance shall become effective immediately after its adoption at the second and final City Council public hearing.

**INTRODUCED** for First Reading and set for Final Public Hearing on this **15th** day of **March 2022**.

\_\_\_\_\_  
Dowling R. Watford Jr., Mayor

ATTEST:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after Second and Final Public Hearing this **5th** day of **April 2022**.

\_\_\_\_\_  
Dowling R. Watford Jr., Mayor

ATTEST:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

\_\_\_\_\_  
John J. Fumero, City Attorney



## **Staff Report**

### **Rezoning Request**

*Prepared for:*        *The City of Okeechobee*

*Applicant:*         *Blue Spring Holdings, LLC*

*Address:*            *NE 9<sup>th</sup> Avenue*

*Petition No.:*        *22-002-R*

*Request:*            *Change from Holding and Residential  
Mobile Home to Heavy Commercial and  
to Residential Multiple Family*





## General Information

Applicant /Owner	Blue Spring Holdings, LLC
Applicant Address	10860 SW 25 <sup>th</sup> Street Davie, FL 33324
Applicant Email Address	gad4545@gmail.com
Site Address	NE 9 <sup>th</sup> Avenue
Parcel Identification	2-15-37-35-0A00-00003-0000
Contact Person	Steven L. Dobbs - Consultant
Contact Phone Number	863.824.7644
Contact Email Address	sdobbs@stevedobbsengineering.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 <a href="https://www.cityofkeechobee.com/agendas.html">https://www.cityofkeechobee.com/agendas.html</a>	

## Request

The matter before the Local Planning Agency and City Council is a request to rezone a 54.793 acre parcel. The parcel is currently zoned Holding (53.101 acres) and Residential Mobile Home (1.692 acres). The applicant's request is to change 16.8 acres to Heavy Commercial (CHV) and to change the remaining 38 acres to Residential Multiple Family (RMF). The applicant has stated plans to construct a storage facility on the commercial portion and multifamily residential on the remaining area.

The City Council, in November 2021, approved a Future Land Use Map amendment to change 16.8 acres to Commercial and the remaining 38 acres to Multifamily Residential.

## Future Land Use, Zoning and Existing Use

	Existing	Proposed
Future Land Use	Commercial and Multi-Family Residential	Commercial and Multi-Family Residential
Zoning	Holding and Residential Mobile Home	Heavy Commercial and Residential Multiple Family
Use of Property	Vacant	Multifamily Housing and Storage Facility
Acreage	54.8 acres	54.8 acres

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

<b>North</b>	Future Land Use	Industrial
	Zoning	Industrial
	Existing Use	Vacant
<b>East</b>	Future Land Use	Okeechobee County Urban Residential Mixed Use
	Zoning	Okeechobee County Residential Mixed
	Existing Use	Residential, Commercial and Vacant
<b>South</b>	Future Land Use	Single Family Residential and Commercial
	Zoning	Residential Mobile Home and Heavy Commercial
	Existing Use	Mobile Homes and Vacant
<b>West</b>	Future Land Use	Industrial and Single Family Residential
	Zoning	Industrial and Residential Single Family
	Existing Use	Residential and Vacant

**Analysis**

Section 70-340 of the Land Development Regulations requires that the reviewing body find that an application for rezoning meets each of the following conditions. The Applicant has provided brief comments to each of the required findings. 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 are shown in this Arial typeface.

1. *The proposed rezoning is not contrary to Comprehensive Plan requirements.*

Applicant Response: “The proposed request is not contrary to the Comprehensive plan requirements and is currently zoned Holding and Residential Mobile Home, the surrounding properties are zoned Residential Mobile Home, Residential Single Family, Heavy Commercial and Industrial.”

Staff Comment: The City Council found the concurrent Plan Amendment, to change 16.8 acres from Single Family Residential to Commercial and the remaining 38 acres from Single Family Residential to Multi Family Residential, to be consistent with the City’s Comprehensive Plan. Through the site plan approval process, it will be necessary to ensure that if more intensive uses than the contemplated warehouse uses are initiated then progressive traffic improvements must be required. Such measures would prevent the exceeding of the current adopted level of service for State Road 70.

2. *The proposed use being applied for is specifically authorized under the zoning district in the Land Development Regulations.”*

Applicant Response: “The proposed Household Storage Facility on Heavy Commercial zoned land (requiring a special exception) and a Multi-Family community on land zoned Residential Multiple

Family is specifically authorized under the proposed zoning district in the Land Development Regulations.”

**Staff Comment:** City LDC Section 90-192 specifically lists multiple-family dwellings as a permitted use in the RMF district. City LDC Section 90-283 specifically lists enclosed warehouse and storage as a special exception use in the CHV district. If this rezoning is approved, the applicant will also need to request and be approved for a special use exception in order to move forward with stated plans.

3. *The proposed use will not have an adverse effect on the public interest.*

**Applicant Response:** “The proposed land use change would be a logical extension of River Run resort and should have a positive impact on the public interest to develop land that has access to all utilities and roads and bring the land value up as a developed parcel instead of undeveloped. Multi-Family residences will provide workforce, affordable housing in a master planned community that should benefit the public interest, while the Household Storage component serves to meet the needs of the community and local residents.”

**Staff Comment:** Staff agrees that multifamily housing is needed within the City and that providing it in this location creates a good transition between disparate surrounding land uses (industrial, commercial, residential). The storage use is also an appropriate use for the proposed location

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

**Applicant Response:** “The proposed rezoning to Heavy Commercial and Residential Multiple Family will allow appropriate uses and is compatible with the surrounding land use patterns and should not create a detriment to the future growth of this area.”

**Staff Comment:** The compatibility concern for potential traffic generation that could cause negative impact to the surrounding neighborhood must be addressed at the site plan approval stage.

5. *The proposed use will not adversely affect property values or living conditions, or be a deterrent to the improvement or development of adjacent property.*

**Applicant Response:** “The proposed uses should positively impact property values, living conditions and be an improvement to the adjacent property and develop previously undeveloped land.”

**Staff Comment:** If the intensity of the commercial use is limited and if a new roadway is constructed on the unimproved public right-of-way of NE 13<sup>th</sup> Ave from SR-70 to the subject property, there should not be any adverse effect on property values, living conditions, or development potential of adjacent property.

6. *The proposed use can be suitably buffered from surrounding uses, so as to reduce the impact of any nuisance or hazard to the neighborhood.*

**Applicant Response:** “The proposed use can be suitably buffered from surrounding uses to the east, west, southeast, and north. Adequate setbacks and landscape buffers will reduce any negative influence of multi-family residences, while the storage facility is sited along the northern edge adjacent to existing railroad tracks and away from existing surrounding uses.”

Staff Comment: The main concern for buffering will be to protect the existing residential manufactured home subdivision which is surrounded by the subject property, and there is no reason to doubt that suitable buffering can be provided at time of site plan review.

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

Applicant Response: “The proposed uses and impacts to services should not overburden public facilities and will be addressed in project review. Adequate public services and utilities exist for the proposed multi-family community and storage facility. Recreational improvements and amenities are proposed within the planned community to offset the impacts to local public facilities. School impacts from future school aged children will be addressed appropriately. The potential development impacts will be within the scope of local review and conditions of approval for the proposed project.”

Staff Comment: The applicant has provided letters from the appropriate service providers of water, wastewater disposal, and public schools which state that there is adequate capacity to accommodate the potential development that could be built if the requested map changes are approved.

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

Applicant Response: “The proposed use will not impact traffic congestion as this parcel was previously planned to access through River Run Resort along NE 8th Avenue, and when including a secondary access along the currently undeveloped NE 13th Avenue ROW, this should provide adequate access to this project. A separate access ROW to the storage facility is proposed along the eastern property line. There is an existing ditch to the south of this project that drains directly to Taylor Creek that discharges directly into the Rim Canal adjacent to Lake Okeechobee. 5 acres of on-site water management lakes will provide adequate storage for all impervious areas within the development. This project will not adversely affect public safety.”

Staff Comment: The applicant should not expect to route traffic through River Run Resort via NE 8<sup>th</sup> Ave. The traffic analysis report submitted by the applicant finds that if the property develops to its maximum potential, including both the proposed commercial and multifamily area, the projected maximum trips generated will require connection to, or construction of, a two-lane collector or arterial roadway to connect to the City/regional roadway network. This will require construction of a roadway along the currently unimproved right-of-way of NE 13th St from SR-70 to the subject parcel. However, this will be determined at time of site plan approval. Drainage of the site will also be addressed at time of site plan review. The close proximity to Taylor Creek provides ample opportunity to improve the stormwater management at the site.

9. *The proposed use has not been inordinately burdened by unnecessary restrictions.*

Applicant Response: “The proposed use has not been inordinately burdened by unnecessary restrictions.”

Staff Comment: The proposed use does not appear to be burdened by unnecessary restrictions.

### Recommendation

Based on the City Council approval of the corresponding Future Land Use Map amendment and based on the foregoing analysis, we find the requested rezoning to be consistent with the City's Comprehensive Plan. Implementation of traffic improvements at the site plan approval phase will hopefully mitigate potential negative impacts if intensive commercial uses are developed. Therefore, we recommend **approval** of the Applicant's rezoning request.

Submitted by:



James G LaRue, AICP  
President

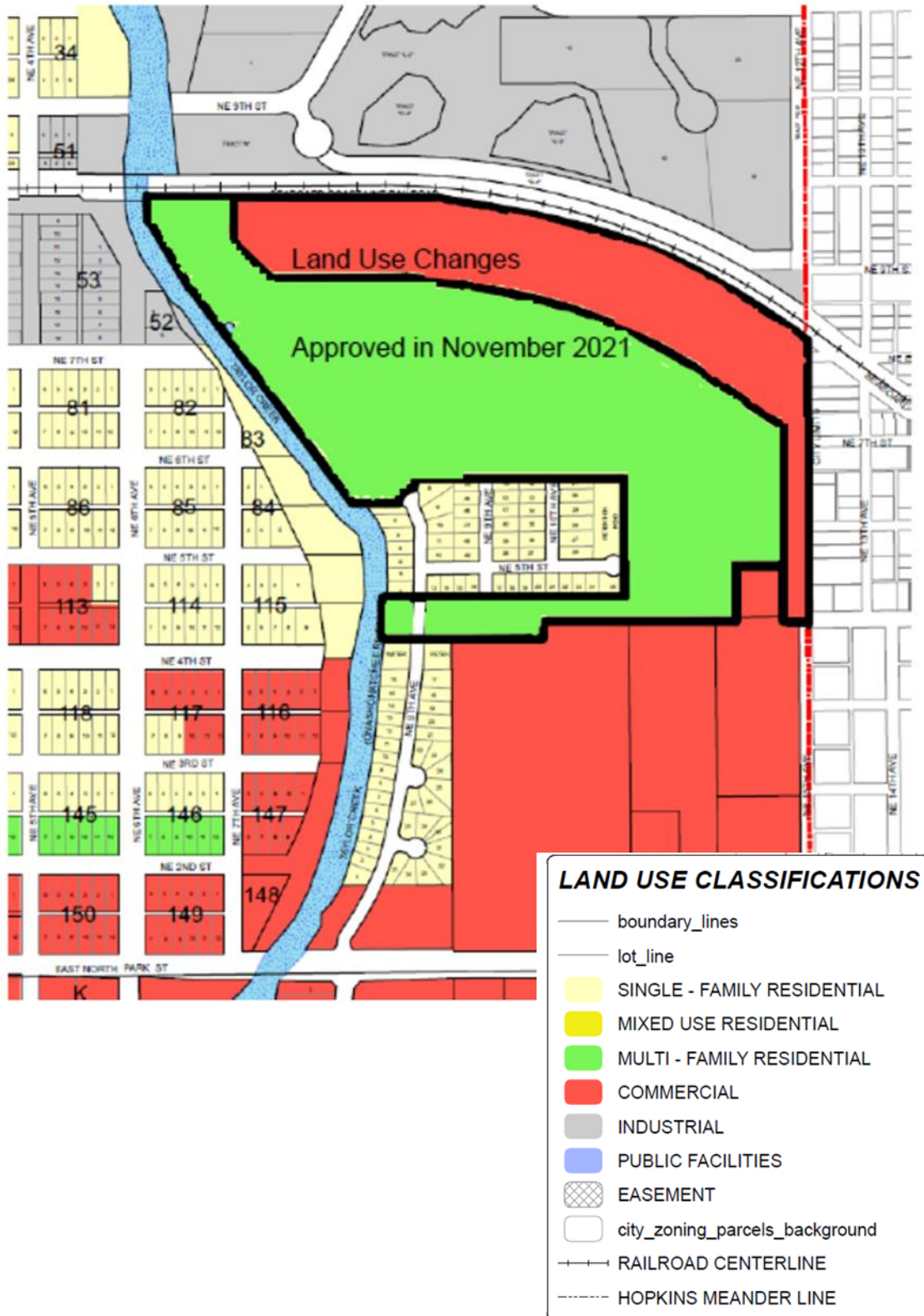
February 7, 2022

Planning Board Public Hearing: February 17, 2022

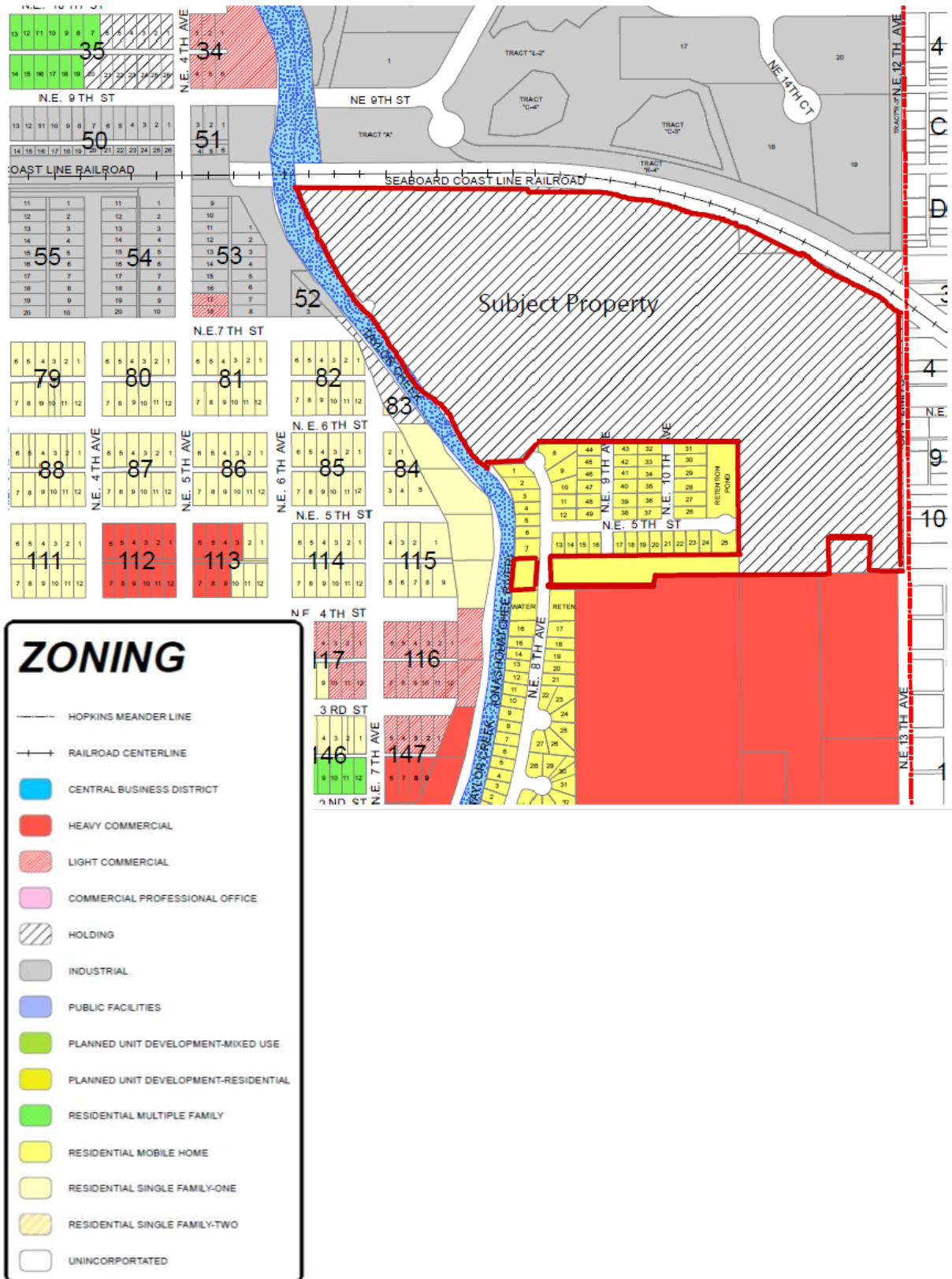
City Council Public Hearing: (tentative) March 15, 2022 and April 5, 2022

Attachments: Future Land Use, Subject Site & Environs  
Zoning, Subject Site & Environs  
Proposed Zoning Change  
Aerial, Subject Site & Environs

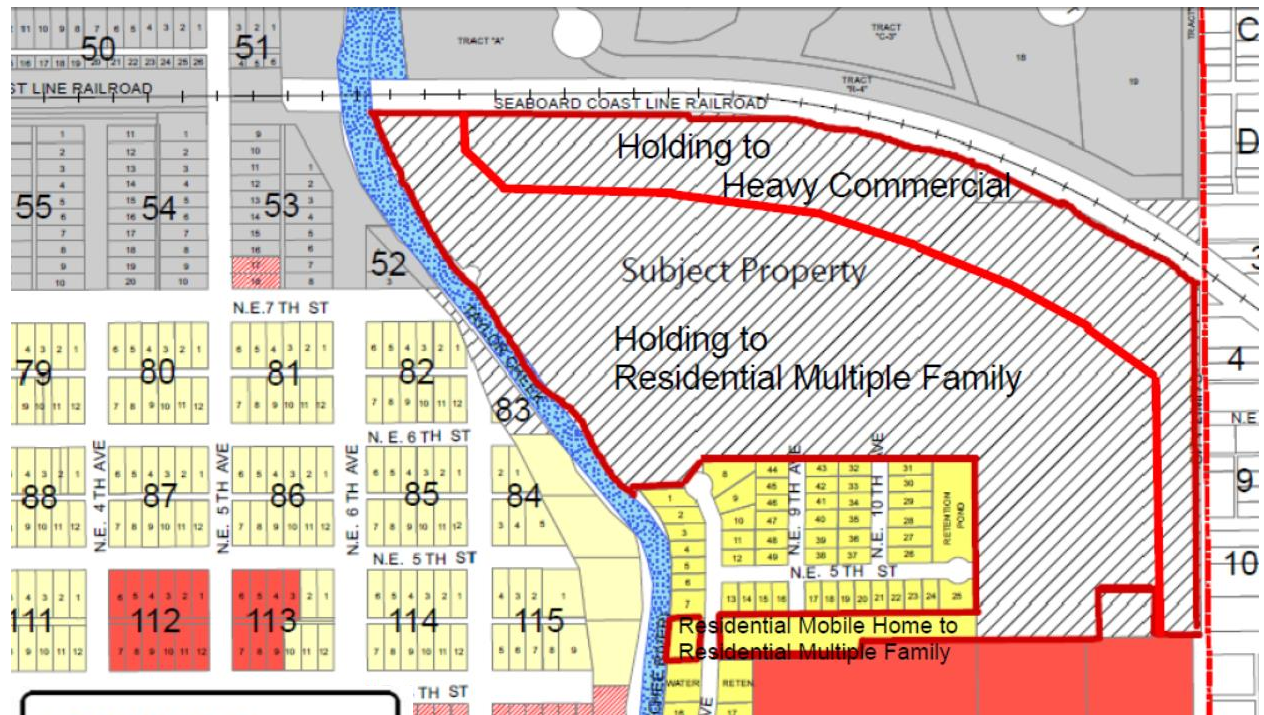
### FUTURE LAND USE SUBJECT SITE AND ENVIRONS



## ZONING SUBJECT SITE AND ENVIRONS



**PROPOSED ZONING CHANGE**



**ZONING**

- HOPKINS MEANDER LINE
- +— RAILROAD CENTERLINE
- CENTRAL BUSINESS DISTRICT
- HEAVY COMMERCIAL
- LIGHT COMMERCIAL
- COMMERCIAL PROFESSIONAL OFFICE
- HOLDING
- INDUSTRIAL
- PUBLIC FACILITIES
- PLANNED UNIT DEVELOPMENT-MIXED USE
- PLANNED UNIT DEVELOPMENT-RESIDENTIAL
- RESIDENTIAL MULTIPLE FAMILY
- RESIDENTIAL MOBILE HOME
- RESIDENTIAL SINGLE FAMILY-ONE
- RESIDENTIAL SINGLE FAMILY-TWO
- UNINCORPORATED



### AERIAL SUBJECT SITE AND ENVIRONS





**CITY OF OKEECHOBEE, FLORIDA**  
**PLANNING BOARD**  
**FEBRUARY 17, 2022**  
**SUMMARY OF BOARD ACTION**

**I. CALL TO ORDER**

Chairperson Hoover called the regular meeting of the Planning Board for the City of Okeechobee to order on Thursday, February 17, 2022, at 6:00 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 Dawn Hoover, Board Members Phil Baughman, Karyne Brass, Rick Chartier, Mac Jonassaint and Joe Papasso, were present. Vice Chairperson Doug McCoy and Alternate Board Members David McAuley and Jim Shaw were absent.

**III. AGENDA**

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Board Member Brass, seconded by Board Member Jonassaint 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 Baughman, seconded by Board Member Jonassaint to dispense with the reading and approve the January 20, 2022, Planning Board Meeting minutes. **Motion Carried Unanimously.**

**V. CHAIRPERSON HOOVER OPENED THE QUASI-JUDICIAL PUBLIC HEARING AT 6:03 P.M.**

- A. Rezoning Petition No. 22-002-R, requests to rezone 53.1± acres from Holding (H) and 1.7± acres from Residential Mobile Home (RMH) to 16.8± acres Heavy Commercial (CHV) and 38.0± acres Residential Multiple Family (RMF). The proposed use is a multi-family residential community and household storage facility.
  - 1. Notary Public Patty Burnette administered an oath to Mr. Jim LaRue, LaRue Planning and Management, 1375 Jackson Street, Suite 206, Fort Myers, Florida, Mr. Michael Nave, 909 Northeast 5<sup>th</sup> Street, Okeechobee, Florida, and Mr. Robert Brandenburg, 303 Northeast 8<sup>th</sup> Avenue, Okeechobee, Florida, who responded affirmatively.
  - 2. City Planning Consultant LaRue reviewed the Planning Staff Report finding the requested rezoning from H and RMH to CHV and RMF consistent with the City's Comprehensive Plan, thereby recommending **Approval.**
  - 3. Mr. Steven Dobbs, Consultant for Mr. Gad Reggev, Registered Agent for the Property Owner, Blue Spring Holdings, LLC, was unable to attend.
  - 4. Public comments were offered against the proposed requested change by Mr. Nave and Mr. Brandenburg. Three emails were received and read into the record by Chairperson Hoover from Mr. Travis Chambers, Adron Fence Co., 1132 Northeast 12<sup>th</sup> Street, Mrs. Debra Sams, 508 Northeast 8<sup>th</sup> Avenue, and Mr. Terry Mastaler, 401 Northeast 8<sup>th</sup> Avenue, in which all expressed concerns against the proposed requested change [the emails have been incorporated into the official minute file]. 89 surrounding property owner notices were mailed, signage was posted on the subject parcel and the Petition was advertised in the local newspaper.
  - 5. Board Members Baughman and Papasso disclosed they had spoken to Mr. Dobbs.
  - 6. Motion by Board Member Jonassaint, seconded by Board Member Papasso to recommend to the City Council approval of Rezoning Petition No. 22-002-R as presented in [Exhibit 1, which includes the findings as required for granting Petitions per Code Section 70-340; and the Planning Consultant's analysis of the findings and recommendation for approval]. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for March 15, 2022, and April 5, 2022.

<b>City of Okeechobee</b> <b>General Services Department</b> <b>55 S.E. 3<sup>rd</sup> Avenue, Room 101</b> <b>Okeechobee, Florida 34974-2903</b> <b>Phone: (863) 763-3372, ext. 9820</b> <b>Fax: (863) 763-1686</b>	Date: <u>1-3-2022</u>	Petition No. <u>22-002-R</u>
	Fee Paid:	Jurisdiction: <u>PB+CC</u>
	1 <sup>st</sup> Hearing: <u>2-17-22</u>	2 <sup>nd</sup> Hearing: <u>3-15-22 &amp; 4-5-22</u>
	Publication Dates: <u>PB 2/28, 2/9</u>	<u>FPH 3/23</u>
	Notices Mailed: <u>2-2-22</u>	

**Rezone, Special Exception and Variance**  
**APPLICANT INFORMATION**

1	Name of property owner(s): <u>Blue Spring Holdings, LLC</u>
2	Owner mailing address: <u>10860 SW 25th Street, Davie, FL 33324</u>
3	Name of applicant(s) if other than owner
4	Applicant mailing address:
	E-mail address: <u>gad4545@gmail.com</u>
5	Name of contact person (state relationship): <u>Steven L. Dobbs - Consultant</u> <i>sdobbs@stvedobbsengineering.com</i>
6	Contact person daytime phone(s): <u>863-824-7644</u>

**PROPERTY INFORMATION**

7	Property address/directions to property: <u>500 block of NE 9th Avenue, Okeechobee FL 34972:</u> from the intersection of SR70 and NE 8th Avenue, headed north, proceed to the end of the cul de sac and the property is north of that cul de sac.
8	Describe current use of property: <u>Agricultural</u>
9	Describe improvements on property (number/type buildings, dwelling units, occupied or vacant, etc.) <u>Vacant</u>  Source of potable water: <u>OUA</u> Method of sewage disposal: <u>OUA</u>
10	Approx. acreage: <u>54.793</u> Is property in a platted subdivision? <u>No</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>There was a code violation for cleared vegetation, but that has been resolved.</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>Industrial</u> East: <u>Single Family Residential</u> South: <u>Commercial/Trailer Park</u> West: <u>Single Family</u>
14	Existing zoning: <u>53.101 ac Holding/ 1.692 ac Residential</u> Future Land Use classification: <u>16.777 ac Commercial/ 38.016 ac Multi-Family Residential</u>
15	Have there been any prior rezoning, special exception, variance, or site plan approvals on the property? ( <u>  </u> ) No ( <u>  X  </u> ) Yes. If yes provide date, petition number and nature of approval. <u>2021-001-R - 10/21/2021 - Planning Board</u>
16	Request is for: ( <u>  X  </u> ) Rezone      ( <u>  </u> ) Special Exception      ( <u>  </u> ) Variance
17	Parcel Identification Number: <u>2-15-37-35-0A00-00003-0000</u>

Revised

REQUIRED ATTACHMENTS	
18	Applicant's statement of interest in property: Owner
19	Non-refundable application fee: Rezoning: \$850 plus \$30/acre; Special Exception: \$500 plus \$30/acre; Variance: \$500 <b>Note: Resolution No. 98-11 Schedule of Land Development Regulation Fees and Charges B</b> <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.</b>
20	Last recorded warranty deed: 10/29/2019 - Blue Spring & 10/2/2020 - Small Triangle 8-31-20
21	Notarized letter of consent from property owner (if applicant is different from property owner)
22	Three (3) <b>CERTIFIED BOUNDARY</b> 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 Gad Reggev Date 1-3-2022

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

a revised copy was sent in.

Using this page because of signature.

REQUIRED ATTACHMENTS	
✓ 18	Applicant's statement of interest in property: Owner
19	Non-refundable application fee: Rezoning: \$850 plus \$30/acre; Special E Variance: \$500 <b>Note: Resolution No. 98-11 Schedule of Land Development Regulation Fees and Charges B</b> <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.</b>
✓ 20	Last recorded warranty deed: 10/29/2019 + 8-31-20
mbiz ✓ 21	Notarized letter of consent from property owner (if applicant is different from property owner)
22	Three (3) <b>CERTIFIED BOUNDARY</b> 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

Gad Reggev

Date

1-3-2022

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



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

## Detail by Entity Name

Florida Limited Liability Company  
BLUE SPRING HOLDINGS LLC

### Filing Information

<b>Document Number</b>	L16000070519
<b>FEI/EIN Number</b>	N/A
<b>Date Filed</b>	04/08/2016
<b>Effective Date</b>	04/08/2016
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

10860 SW 25 ST  
DAVIE, FL 33324

### Mailing Address

10860 SW 25 ST  
DAVIE, FL 33324

### Registered Agent Name & Address

CAPETOWN LLC  
10860 25 ST  
DAVIE, FL 33324

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

CAPETOWN LLC  
10860 SW 25 ST  
DAVIE, FL 33324

### Annual Reports

<b>Report Year</b>	<b>Filed Date</b>
2019	04/02/2019
2020	02/26/2020
2021	02/11/2021

### Document Images



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

## Detail by Entity Name

Florida Limited Liability Company  
CAPE TOWN LLC

### Filing Information

Document Number	L12000020182
FEI/EIN Number	45-4674655
Date Filed	02/10/2012
Effective Date	02/09/2012
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	02/20/2012
Event Effective Date	NONE

### Principal Address

10860 SW 25 STREET  
DAVIE, FL 33324

### Mailing Address

10860 SW 25 STREET  
DAVIE, FL 33324

### Registered Agent Name & Address

REGGEV, GAD  
10860 SW 25 STREET  
DAVIE, FL 33324

Name Changed: 04/21/2013

Address Changed: 04/21/2013

### Authorized Person(s) Detail

#### **Name & Address**

Title MGRM

REGGEV, ROY  
10860 SW 25 STREET  
DAVIE, FL 33324

Title mgr

Revised

ADDITIONAL INFORMATION REQUIRED FOR A REZONING	
A	Current zoning classification: Holding/Residential Mobile Home Requested zoning classification Residential Multiple Family/ Heavy Commercial
B	Describe the desired permitted use and intended nature of activities and development of the property? Residential Multiple Family development with a commercial mini-storage unit to act as a buffer to the railroad and transition from the southeast from commercial to residential.
C	Is a Special Exception necessary for your intended use? ( ) No (X) Yes If yes, briefly describe: The Mini-Storage units will require a special exception.
D	Is a Variance necessary for your intended use? (X) No ( ) Yes If yes, briefly describe:
E	Attach a Traffic Impact Study prepared by a professional transportation planner or transportation engineer, if the rezoning 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.
F	Responses addressing the required findings for granting a rezoning or change in Land Development Regulations as described below. Attach additional sheets as necessary.

**FINDINGS REQUIRED FOR GRANTING A REZONING  
OR CHANGE IN LAND DEVELOPMENT  
REGULATIONS (Sec. 70-340, LDR page CD70:16)**

It is the Applicant's responsibility to convince the Planning Board/LPA and City Council that approval of the proposed rezoning is justified. Specifically, the Applicant should provide in his/her application and presentation sufficient explanation and documentation to convince the reviewing bodies to find that:

1. The proposed rezoning is not contrary to Comprehensive Plan requirements.
  
2. The proposed use being applied for is specifically authorized under the zoning district in the Land Development Regulations.
  
3. The proposed use will not have an adverse effect on the public interest.
  
4. The proposed use is appropriate for the location proposed, is reasonably compatible with adjacent land uses, and is not contrary or detrimental to urbanizing land use patterns.
  
5. The proposed use will not adversely affect property values or living conditions or be a deterrent to the improvement or development of adjacent property.



## **Blue Spring Holdings, LLC**

### **Responses to Standards for Considering Changes in Zoning**

**1. The proposed change is not contrary to the Comprehensive Plan Requirements;**

The proposed request is not contrary to the Comprehensive plan requirements and is currently zoned Holding and Residential Mobile Home, the surrounding properties are zoned Residential Mobile Home, Residential Single Family, Heavy Commercial and Industrial.

**2. The proposed use being applied for is specifically authorized under the zoning district in the Land Development Regulations;**

The proposed Household Storage Facility on Heavy Commercial zoned land (requiring a special exception) and a Multi-Family community on land zoned Residential Multiple Family is specifically authorized under the proposed zoning district in the Land Development Regulations.

**3. The proposed use will not have an adverse effect on the public interest;**

The proposed land use change would be a logical extension of River Run resort and should have a positive impact on the public interest to develop land that has access to all utilities and roads and bring the land value up as a developed parcel instead of undeveloped. Multi-Family residences will provide workforce, affordable housing in a master planned community that should benefit the public interest, while the Household Storage component serves to meet the needs of the community and local residents.

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

The proposed rezoning to Heavy Commercial and Residential Multiple Family will allow appropriate uses and is compatible with the surrounding land use patterns and should not create a detriment to the future growth of this area.

**5. The proposed use will not adversely affect property values or living conditions, or be a detriment to the improvement or development of adjacent property;**

The proposed uses should positively impact property values, living conditions and be an improvement to the adjacent property and develop previously undeveloped land.

**6. The proposed use can be suitably buffered from surrounding uses, so as to reduce the impact of any nuisance or hazard to the neighborhood;**

The proposed use can be suitably buffered from surrounding uses to the east, west, southeast, and north. Adequate setbacks and landscape buffers will reduce any negative influence of multi-family residences, while the storage facility is sited along the northern edge adjacent to existing railroad tracks and away from existing surrounding uses.

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

The proposed uses and impacts to services should not overburden public facilities and will be addressed in project review. Adequate public services and utilities exist for the proposed multi-family community and storage facility. Recreational improvements and amenities are proposed within the planned community to offset the impacts to local public facilities. School impacts from future school aged children will be addressed appropriately. The potential development impacts will be within the scope of local review and conditions of approval for the proposed project.

**8. The proposed use will create traffic congestion, flooding, or drainage problems, or otherwise affect public safety;**

The proposed use will not impact traffic congestion as this parcel was previously planned to access through River Run Resort along NE 8<sup>th</sup> Avenue, and when including a secondary access along the currently undeveloped NE 13<sup>th</sup> Avenue ROW, this should provide adequate access to this project. A separate access ROW to the storage facility is proposed along the eastern property line. There is an existing ditch to the south of this project that drains directly to Taylor Creek that discharges directly into the Rim Canal adjacent to Lake Okeechobee. 5 acres of on-site water management lakes will provide adequate storage for all impervious areas within the development. This project will not adversely affect public safety.

**9. The proposed use has not been inordinately burdened by unnecessary restrictions;**

The proposed use has not been inordinately burdened by unnecessary restrictions.

## **Blue Spring Holdings, LLC**

### **(Description of requested land use change and reason for request)**

Blue Spring Holdings, LLC, has purchase this parcel that is approximately 54.793 acres located in Section 15, Township 37S, and Range 35E. The property's parcel ID is 2-15-37-35-0A00-00003-0000. It is currently located in the City of Okeechobee with a current zoning of Holding and Residential Mobile Home.

The primary intent of rezoning this parcel is to change the existing zoning of 53.101 acres of Holding and 1.692 Acres of Residential Mobile Home to 16.777 acres to Heavy Commercial and 38.016 acres to Residential Multiple Family. The proposed zoning is generally consistent with adjacent lands at this location surrounded by a Residential Mobile Home subdivision to the southwest, single-family homes to the east and west and heavy commercial to the southeast and industrial to the north. This dual use zoning will allow a multi-family residential community and household storage facility to complement the existing pattern of uses.

This application is for the city to grant a zoning on this parcel from the existing zoning of Holding/Residential Mobile Home to 16.777 acres of Heavy Commercial and 38.016 acres of Residential Multiple Family. There is currently once access off NE 8<sup>th</sup> Avenue through River Run Resort and a proposed second access off NE 13<sup>th</sup> Avenue, a currently undeveloped City ROW or to the east off undeveloped ROWs on NE 5<sup>th</sup> or 6<sup>th</sup> Streets.

Blue Spring Holdings, LLC requests that the Planning Board recommend to the City Council to grant the request to rezone this parcel of land to Heavy Commercial and Residential Multiple Family.



Record and Return to:  
Matthew B. Wealcatch, Esq.  
4000 Hollywood Blvd., Suite #725-S  
Hollywood, FL 33021

This instrument prepared by:  
Matthew B. Wealcatch, Esq.  
4000 Hollywood Blvd., Suite #725-S  
Hollywood, FL 33021

Property Appraisers Parcel  
Identification (Folio) Number(s):  
No. 2-15-37-35-0A00-00002-A000

**WARRANTY DEED**

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, and all pronouns and any variations thereof shall be deemed to refer to the masculine, feminine, neuter, singular or plural wherever the context so admits or requires.)

THIS INDENTURE, made this 31 day of August, 2020, BETWEEN, Robert Lee Dennis, Individually, a single man and Personal Representative of the Estate of Freida Wise-Dennis formerly known as Freida Wise, Daniel L. Brumley, a married man, Angela Jewett, a married woman, and Rebecca Brumley Hampton, a married woman, whose post office address is 1590 SW 28 ST., OKEECHOBEE, FL 34974 (collectively party of the first part and/or Grantor), to BLUE SPRING HOLDINGS LLC, a Florida limited liability company, whose post office address is 10860 SW 25 ST., DAVIE, FL 33324 (party of the second part).

WITNESSETH, That the said party of the first part, in consideration of the sum of Ten and 00/100 Dollars (\$10.00), to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, its heirs, successors, and assigns forever, the following described land, situate, and being in the County of Broward, State of Florida, to-wit:

The West 1/2 of the SE 1/4 of the SW 1/4 of the NE 1/4, lying South of the railroad, Section 15, Township 37 South, Range 35 West, Okeechobee County, Florida, Less that portion thereof previously sold to Fred and Carol Walker.

SUBJECT TO:

1. Taxes for the year 2020 and subsequent years, not yet due and payable.
2. Easements, Dedications, Limitations, etc. of record, and zoning ordinances, without, however, reimposing the same.

\*\* Grantors hereby warrant that at the time of this conveyance, the subject property is not the Grantors' 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. Grantors' residence and homestead address are:

Robert Lee Dennis: 1590 SW 28th Street, Okeechobee, Florida 34974

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set its hand and seal the day and year first above written.

[WITNESSES, SIGNATURES AND NOTARY ACKNOWLEDGMENTS ON FOLLOWING PAGES]

Signed, sealed and delivered  
in the presence of:

Julia Spotts  
Print Name: Julia Spotts  
Witness #1

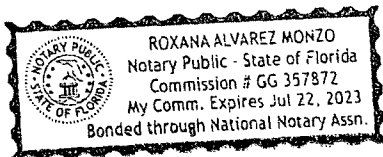
By: Robert Lee Dennis  
Print Name: **Robert Lee Dennis, Individually  
and as Personal Representative of the Estate of  
Freida Wise-Dennis formerly known as Freida  
Wise**

Amberlee Crimmins  
Print Name: Amberlee Crimmins  
Witness #2

STATE OF FLORIDA

COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 2 day of Sept, 2020 by **Robert Lee Dennis, Individually and as Personal Representative of the Estate of Freida Wise-Dennis formerly known as Freida Wise**.



[Signature]  
NOTARY PUBLIC, State of Florida  
Print Name: Roxana Alvarez  
My Commission Expires: July 22 2023

\_\_\_\_ Personally Known OR X Produced Identification  
Type of Identification Produced: FL Driver License  
D520-772-41-015-0

Signed, sealed and delivered  
in the presence of:

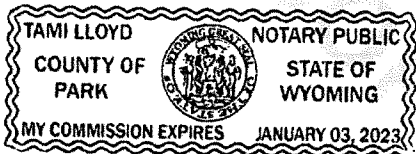
Natalie Giacometto  
Print Name: Natalie Giacometto  
Witness #1

Celena Shaffer  
Print Name: Celena Shaffer  
Witness #2

Daniel L. Brumley  
By: DANIEL L. BRUMLEY  
Print Name: **Daniel L. Brumley**

STATE OF WY  
COUNTY OF Park

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 21 day of Aug, 2020 by **Daniel L. Brumley**.



Tami Lloyd  
NOTARY PUBLIC, State of WY  
Print Name: Tami Lloyd  
My Commission Expires: 1/3/23

\_\_\_\_ Personally Known OR  Produced Identification  
Type of Identification Produced: WY DL 109348-144

Signed, sealed and delivered  
in the presence of:

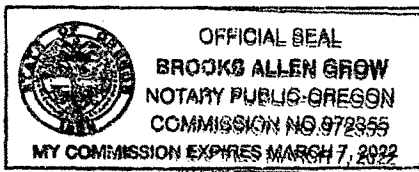
*Crystal Eide*  
Print Name: Crystal Eide  
Witness #1

*Susan D Cory*  
Print Name: Susan D Cory  
Witness #2

By: *Angela Jewett*  
Print Name: Angela Jewett

STATE OF Oregon  
COUNTY OF Clackamas

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 02 day of September, 2020 by Angela Jewett.



*Brooks Allen Grow*  
NOTARY PUBLIC, State of Oregon  
Print Name: Brooks Allen Grow  
My Commission Expires: March 7, 2022

Personally Known OR  Produced Identification  
Type of Identification Produced: Oregon Driver's License

Signed, sealed and delivered  
in the presence of:

[Signature]  
Print Name: Barce R. Abernethy Jr  
Witness #1

[Signature]  
Print Name: Jane L. Brock  
Witness #2

By: [Signature]  
Print Name: Rebecca Brumley Hampton

STATE OF Florida

COUNTY OF St. Lucie

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 26<sup>th</sup> day of August, 2020 by **Rebecca Brumley Hampton**.

[Signature]  
NOTARY PUBLIC, State of \_\_\_\_\_  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

\_\_\_\_ Personally Known OR  Produced Identification  
Type of Identification Produced: driver's license







This Instrument Prepared By:  
TOM W. CONELY, III  
CONELY & CONELY, P.A.  
Post Office Drawer 1367  
Okeechobee, FL 34973-1367

Property Appraiser's Parcel ID#:  
2-15-37-35-0A00-00003-0000

### PERSONAL REPRESENTATIVE'S DEED

**THIS INDENTURE**, made and entered into this 28<sup>th</sup> day of October, 2019, between CONSUELO PATRICIA ORDONEZ TURRIAGO, as the duly qualified and acting Personal Representative of the Estate of JAVIER E. ORDONEZ, deceased, First Party, and BLUE SPRINGS HOLDING, LLC, a Florida limited liability company, whose address is 10860 SW 25th Street, Davie, FL 33324, Second Party.

**WITNESSETH:** That the said First Party, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations to her in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does hereby grant, convey, bargain, and sell to the said Second Party and its successors and assigns forever, all right, title and interest of the First Party in that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Okeechobee County, Florida, to-wit:

THE SW 1/4 OF THE NE 1/4 AND N 1/2 OF THE NW 1/4 OF THE SE 1/4 SOUTH OF THE SAL RAILROAD RIGHT-OF-WAY; SW 1/4 OF THE NW 1/4 OF THE SE 1/4; THE SE 1/4 OF THE NW 1/4 OF THE SE 1/4; NORTH 1/2 OF THE NE 1/4 OF THE SW 1/4; AND THE S 1/2 OF THE NE 1/4 OF THE SW 1/4 LYING EAST OF TAYLOR CREEK; FRACTIONAL NW 1/4 EAST OF TAYLOR CREEK AND SOUTH OF THE SAL RAILROAD; AND ALL THAT PORTION OF LAND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE NW 1/4, SOUTH OF THE SAL RAILROAD IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, THAT LIES EAST OF TAYLOR CREEK IMPROVED CHANNEL AS RECORDED IN PLAT BOOK 3, PAGE 29, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA;

LESS AND EXCEPT THE FOLLOWING PARCEL:

A PORTION OF THE SE 1/4 AND A PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/4 CORNER ON THE SOUTH LINE OF SAID SECTION 15, BEAR N 00°10'04" E ALONG THE 1/4 SECTION LINE A DISTANCE OF 1399.41 FEET TO THE POINT OF BEGINNING. THENCE BEAR N 89°25'18" E ALONG A LINE 80.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE N 1/2 OF THE S 1/2

OF SAID SECTION 15, A DISTANCE OF 673.21 FEET TO THE EAST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 15; THENCE BEAR N 00°11'25" W ALONG THE AFORESAID EAST LINE A DISTANCE OF 450.00 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 873.03 FEET; THENCE BEAR S 00°10'04" E A DISTANCE OF 83.36 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 119.60 FEET TO THE EASTERLY SHORE LINE OF TAYLOR CREEK; THENCE BEAR THE FOLLOWING COURSES IN A SOUTHERLY DIRECTION ALONG THE EASTERLY SHORE LINE OF TAYLOR CREEK AS FOLLOWS: S 36°59'52" E A DISTANCE OF 70.15 FEET; S 26°01'09"E A DISTANCE OF 49.01 FEET; S 20°22'54" E A DISTANCE OF 24.40 FEET; S 09°48'57" E A DISTANCE OF 23.52 FEET; S 02°45'22" E A DISTANCE OF 49.28 FEET; S 0°20'24" E A DISTANCE OF 49.34 FEET; S 02°34'03" W A DISTANCE OF 76.66 FEET; S 00°53'25" W A DISTANCE OF 44.65 FEET; THENCE BEAR N 89°25'18" E A DISTANCE OF 245.92 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT THE FOLLOWING PARCEL:

A PARCEL OF LAND LYING IN THE NW 1/4 OF THE SE 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE SE 1/4 OF SECTION 15, THENCE PROCEED S 89°21'13" W ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S 89°21'13" W ALONG SAID SOUTH LINE A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°20'48" W ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID PARALLEL LINE, RUN N 89°21'13" E A DISTANCE OF 208.70 FEET; THENCE RUN S 00°20'48" E ALONG A LINE PARALLEL WITH AND 70.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) THE AFORESAID EAST LINE OF THE NW 1/4 OF THE SE 1/4 OF SECTION 15, A DISTANCE OF 208.70 FEET TO THE POINT OF BEGINNING,

**TOGETHER** with all and singular the tenements, hereditaments and appurtenances belonging to or in any way appertaining to that real property, subject to all restrictions, reservations and easements of record, if any, and ad valorem taxes for the current year.

**TO HAVE AND TO HOLD**, the premises herein granted unto Second Party, the heirs or successors and assigns of Second Party forever

First Party warrants and covenants that:

1. First Party has not done or suffered anything whereby the premises have been incumbered in any way whatsoever, except as aforesaid, and


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2. The real property described herein was not the homestead of the decedent; that the decedent resided at 20020 NW 80th Drive, Okeechobee, FL 34972 (Parcel No. 1-12-36-33-0010-00000-0110) when he died.

**THIS DEED** is executed and delivered pursuant to authority vested in said Personal Representative by virtue of the Order Authorizing Sale of Real Property, filed in that certain Probate Proceeding in the Circuit Court for Okeechobee County, Florida, entitled "In Re: Estate of JAVIER EDUARDO ORDONEZ GARAY, a/k/a JAVIER E. ORDONEZ, deceased, and being Probate No. 2016-CP-51 in the files of said Court.

**IN WITNESS WHEREOF**, the said First Party as personal representative of the estate of the decedent, has hereunto set her hand and seal the day and year first above written.

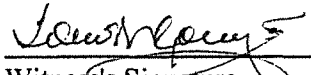
Signed, sealed and delivered in the presence of:



CONSUELO PATRICIA ORDONEZ  
TURRIAGO  
Calle 41 #21-34  
Bogata, Columbia



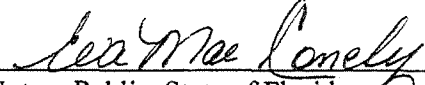
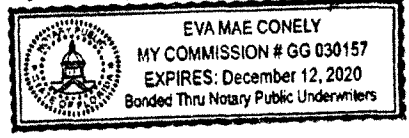
Witness's Signature  
EVA MAE CONELY  
Witness's name printed



Witness's Signature  
TOM W. CONELY, III  
Witness's name printed

**STATE OF FLORIDA  
COUNTY OF OKEECHOBEE**

The foregoing instrument was acknowledged before me on October 28, 2019, by CONSUELO PATRICIA ORDONEZ TURRIAGO, as personal representative of the estate of JAVIER EDUARDO ORDONEZ GARAY, a/k/a JAVIER E. ORDONEZ, deceased, who has produced a passport as proof of identity.

  
Notary Public, State of Florida



**This Instrument Prepared By:**  
Tom W. Conely, III  
Conely & Conely, P.A.  
Post Office Drawer 1367  
Okeechobee, Florida 34973-1367

Property Appraiser's Property ID#  
2-15-37-35-0A00-00003-0000

IN THE CIRCUIT COURT FOR  
OKEECHOBEE COUNTY,  
FLORIDA.

PROBATE DIVISION

CASE NO. 2016-CP-51

In re:  
Estate of  
JAVIER EDUARDO ORDONEZ GARAY,  
a/k/a JAVIER E. ORDONEZ,  
Deceased.

---

**PERSONAL REPRESENTATIVE'S RELEASE  
OF REAL PROPERTY**

The undersigned, CONSUELO PATRICIA ORDONEZ TURRIAGO, whose address is Calle 41 #21-34, Bogata, Columbia, as personal representative of the estate of JAVIER EDUARDO ORDONEZ GARAY, a/k/a JAVIER E. ORDONEZ, deceased, hereby acknowledges that title to the real property located in Okeechobee County, Florida, owned by the decedent at the time of death, described as follows:

THE SW 1/4 OF THE NE 1/4 AND N 1/2 OF THE NW 1/4 OF THE SE 1/4 SOUTH OF THE SAL RAILROAD RIGHT-OF-WAY; SW 1/4 OF THE NW 1/4 OF THE SE 1/4; THE SE 1/4 OF THE NW 1/4 OF THE SE 1/4; NORTH 1/2 OF THE NE 1/4 OF THE SW 1/4; AND THE S 1/2 OF THE NE 1/4 OF THE SW 1/4 LYING EAST OF TAYLOR CREEK; FRACTIONAL NW 1/4 EAST OF TAYLOR CREEK AND SOUTH OF THE SAL RAILROAD; AND ALL THAT PORTION OF LAND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE NW 1/4, SOUTH OF THE SAL RAILROAD IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, THAT LIES EAST OF TAYLOR CREEK IMPROVED CHANNEL AS RECORDED IN PLAT BOOK 3, PAGE 29, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA;

LESS AND EXCEPT THE FOLLOWING PARCEL:

A PORTION OF THE SE 1/4 AND A PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/4 CORNER ON THE SOUTH LINE OF SAID SECTION 15, BEAR N 00°10'04" E ALONG THE 1/4 SECTION LINE A DISTANCE OF 1399.41 FEET TO THE POINT OF BEGINNING. THENCE BEAR N 89°25'18" E ALONG A LINE 80.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE N 1/2 OF THE S 1/2 OF SAID SECTION 15, A DISTANCE OF 673.21 FEET TO THE EAST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 15; THENCE BEAR N 00°11'25" W ALONG THE AFORESAID EAST LINE A DISTANCE OF 450.00 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 873.03 FEET; THENCE BEAR S 00°10'04" E A DISTANCE OF 83.36 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 119.60 FEET TO THE EASTERLY SHORE LINE OF TAYLOR CREEK; THENCE BEAR THE FOLLOWING COURSES IN A SOUTHERLY DIRECTION ALONG THE EASTERLY SHORE LINE OF TAYLOR CREEK AS FOLLOWS: S 36°59'52" E A DISTANCE OF 70.15 FEET; S 26°01'09" E A DISTANCE OF 49.01 FEET; S 20°22'54" E A DISTANCE OF 24.40 FEET; S 09°48'57" E A DISTANCE OF 23.52 FEET; S 02°45'22" E A DISTANCE OF 49.28 FEET; S 0°20'24" E A DISTANCE OF 49.34 FEET; S 02°34'03" W A DISTANCE OF 76.66 FEET; S 00°53'25" W A DISTANCE OF 44.65 FEET; THENCE BEAR N 89°25'18" E A DISTANCE OF 245.92 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT THE FOLLOWING PARCEL:

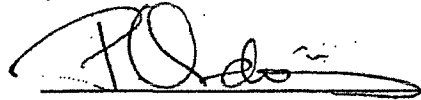
A PARCEL OF LAND LYING IN THE NW 1/4 OF THE SE 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE SE 1/4 OF SECTION 15, THENCE PROCEED S 89°21'13" W ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S 89°21'13" W ALONG SAID SOUTH LINE A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°20'48" W ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID PARALLEL LINE, RUN N 89°21'13" E A DISTANCE OF 208.70 FEET; THENCE RUN S 00°20'48" E ALONG A LINE PARALLEL WITH AND 70.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) THE AFORESAID EAST LINE OF THE NW 1/4 OF THE SE 1/4 OF SECTION 15, A DISTANCE OF 208.70 FEET TO THE POINT OF BEGINNING,

Property Appraiser's Parcel Identification Number 2-15-37-35-0A00-00003-0000 (the "Property"), has been sold, transferred and conveyed by the Personal Representative to Blue Springs Holdings, LLC, a Florida limited liability company, the personal representative hereby releases the Property from all rights and powers of the personal representative and acknowledges that the Property is vested in Blue Springs Holdings, LLC, free of all rights of the personal representative.

IN WITNESS WHEREOF, the undersigned, as personal representative of the estate of decedent has executed this instrument on October 28, 2019.

Executed in the presence of:



CONSUELO PATRICIA ORDONEZ  
TURRIAGO

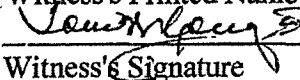
Personal Representative of the Estate of  
JAVIER EDUARDO ORDONEZ GARAY,  
a/k/a JAVIER E. ORDONEZ, deceased  
Calle 41 #21-34, Bogota Columbia



Witness's Signature

EVA MAE CONELY

Witness's Printed Name



Witness's Signature

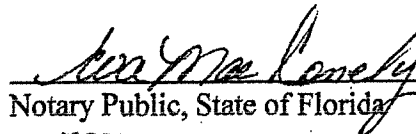
TOM W. CONELY, III

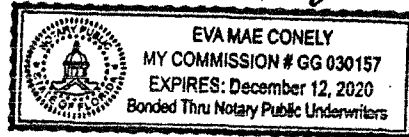
Witness's Printed Name

STATE OF FLORIDA

COUNTY OF OKEECHOBEE

The foregoing instrument was acknowledged before me on October 28, 2019, by CONSUELO PATRICIA ORDONEZ TURRIAGO, as personal representative of the estate of JAVIER EDUARDO ORDONEZ GARAY, a/k/a JAVIER E. ORDONEZ, deceased, who has produced a passport as proof of identity.

  
Notary Public, State of Florida



#82

# PROPOSED ZONING LEGAL DESCRIPTION EXHIBIT

LOCATED IN SECTION 15; TOWNSHIP 37 SOUTH; RANGE 35 EAST

## SECTION BREAKDOWN & PARENT PARCEL:

SECTION 15; TOWNSHIP 37 SOUTH; RANGE 35 EAST

(SCALE: 1 INCH = 500 FEET)

### PROPOSED ZONING LEGAL DESCRIPTIONS:

#### PROPOSED PARCEL 1 (RESIDENTIAL TRACT, AS SHOWN ON SHEET 2 BY THE FOLLOWING HATCH)

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, THENCE NORTH 00°14'15" WEST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 15, A DISTANCE OF 1319.48 FEET TO SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 AND THE POINT OF BEGINNING; THENCE SOUTH 89°21'12" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 250.69 FEET TO THE EAST RIGHT-OF-WAY OF TAYLOR CREEK'S IMPROVED CHANNEL AS RECORDED IN PLAT BOOK 3, PAGE 29, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; THENCE NORTH 03°39'44" EAST ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 80.23 FEET TO THE SOUTHWEST CORNER OF RIVER RUN RESORT PLAT, SAID PLAT BEING RECORDED IN PLAT BOOK 6 AT PAGE 33, OF SAID PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA;

THE FOLLOWING SIX COURSES ARE ALONG THE RIVER RUN RESORT BOUNDARY:

- 1) THENCE NORTH 89°21'12" EAST, A DISTANCE OF 245.23 FEET TO SAID WEST LINE OF THE EAST HALF OF SECTION 15;
- 2) THENCE NORTH 89°20'32" EAST, A DISTANCE OF 673.22 FEET;
- 3) THENCE NORTH 00°15'42" WEST, A DISTANCE OF 465.85 FEET;
- 4) THENCE SOUTH 89°21'31" WEST, A DISTANCE OF 872.67 FEET;
- 5) THENCE SOUTH 00°16'50" EAST, A DISTANCE OF 79.38 FEET;
- 6) THENCE SOUTH 89°18'01" WEST, A DISTANCE OF 136.19 FEET TO SAID EAST RIGHT-OF-WAY OF TAYLOR CREEK'S IMPROVED CHANNEL;

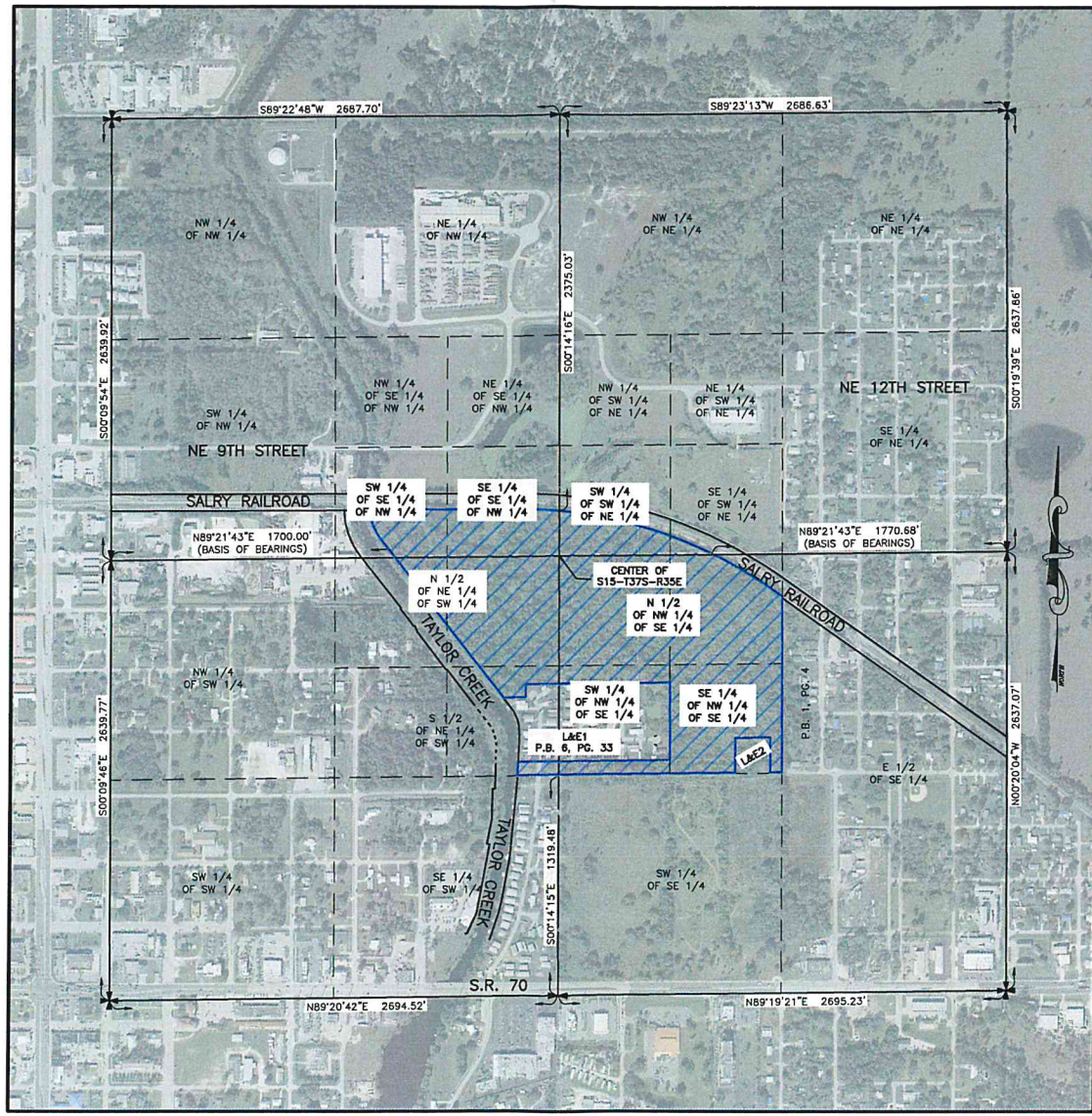
THENCE NORTH 37°55'09" WEST ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 1201.62 FEET TO THE BEGINNING OF A CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 323.00 FEET AND A DEGREE OF CURVATURE OF 34°35'11"; THENCE ALONG SAID CURVE AND SAID EAST RIGHT-OF-WAY, AN ARC DISTANCE OF 194.98 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SALRY RAILROAD; THENCE NORTH 89°48'55" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 320.00 FEET; THENCE SOUTH 00°11'05" EAST, A DISTANCE OF 163.66 FEET; THENCE SOUTH 37°55'09" EAST, A DISTANCE OF 172.40 FEET; THENCE NORTH 89°48'55" EAST, A DISTANCE OF 475.52 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 2334.92 FEET AND A DEGREE OF CURVATURE OF 40°23'01"; THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 1645.72 FEET; THENCE SOUTH 00°17'10" EAST, A DISTANCE OF 518.50 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 696 AT PAGE 1998 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; THENCE SOUTH 89°20'32" WEST ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 208.70 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE SOUTH 00°17'10" EAST ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 208.70 FEET TO THE SOUTHWEST CORNER OF SAID LANDS AND THE SOUTH LINE OF NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH 89°20'32" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1067.80 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN OKEECHOBEE COUNTY, FLORIDA AND COMPRISING 38.016 ACRES MORE OR LESS.

#### PROPOSED PARCEL 2 (COMMERCIAL TRACT, AS SHOWN ON SHEET 2 BY THE FOLLOWING HATCH)

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, THENCE NORTH 00°14'15" WEST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 15, A DISTANCE OF 1319.48 FEET TO SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE NORTH 89°20'32" EAST ALONG THE SOUTH LINE OF NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 1276.49 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 89°20'32" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 70.00 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°17'10" WEST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1055.05 FEET TO THE SOUTH RIGHT-OF-WAY OF SALRY RAILROAD AND THE BEGINNING OF A NON-TANGENT CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 2634.92 FEET, A DEGREE OF CURVATURE OF 36°54'16", A CHORD BEARING OF NORTH 71°43'57" WEST, AND A CHORD DISTANCE OF 1697.16 FEET; THENCE ALONG SAID CURVE AND SAID SOUTH RIGHT-OF-WAY, AN ARC DISTANCE OF 1697.16 FEET; THENCE SOUTH 89°48'55" WEST ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 581.03 FEET; THENCE SOUTH 00°11'05" EAST, A DISTANCE OF 163.66 FEET; THENCE SOUTH 37°55'09" EAST, A DISTANCE OF 172.40 FEET; THENCE NORTH 89°48'55" EAST, A DISTANCE OF 475.52 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 2334.92 FEET AND A DEGREE OF CURVATURE OF 40°23'01"; THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 1645.72 FEET; THENCE SOUTH 00°17'10" EAST, A DISTANCE OF 727.21 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 696 AT PAGE 1998 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA AND TO THE POINT OF BEGINNING. SAID LANDS LYING IN OKEECHOBEE COUNTY, FLORIDA AND COMPRISING 16.777 ACRES MORE OR LESS.



### PARENT PARCEL LEGAL DESCRIPTION:

#### PARCEL: (P1)

THE SW 1/4 OF THE NE 1/4 AND N 1/2 OF THE NW 1/4 OF THE SE 1/4 SOUTH OF THE SAL RAILROAD RIGHT-OF-WAY; SW 1/4 OF THE NW 1/4 OF THE SE 1/4; THE SE 1/4 OF THE NW 1/4 OF THE SE 1/4; NORTH 1/2 OF THE NE 1/4 OF THE SW 1/4; AND THE S 1/2 OF THE NE 1/4 OF THE SW 1/4 LYING EAST OF TAYLOR CREEK; FRACTIONAL NW 1/4 EAST OF TAYLOR CREEK AND SOUTH OF THE SAL RAILROAD; AND ALL THAT PORTION OF LAND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE NW 1/4, SOUTH OF THE SAL RAILROAD IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, THAT LIES EAST OF TAYLOR CREEK IMPROVED CHANNEL AS RECORDED IN PLAT BOOK 3, PAGE 29, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA;

#### TOGETHER WITH: (P2)

THE WEST 1/2 OF THE SE 1/4 OF THE SW 1/4 OF THE NE 1/4, LYING SOUTH OF THE RAILROAD, SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 WEST, OKEECHOBEE COUNTY, FLORIDA,

#### LESS AND EXCEPT THE FOLLOWING PARCEL: (L&E1)

A PORTION OF THE SE 1/4 AND A PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/4 CORNER ON THE SOUTH LINE OF SAID SECTION 15, BEAR N 00°10'04" E ALONG THE 1/4 SECTION LINE A DISTANCE OF 1399.41 FEET TO THE POINT OF BEGINNING. THENCE BEAR N 89°25'18" E ALONG A LINE 80.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE N 1/2 OF THE S 1/2 OF SAID SECTION 15, A DISTANCE OF 673.21 FEET TO THE EAST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 15; THENCE BEAR N 00°11'25" W ALONG THE AFORESAID EAST LINE A DISTANCE OF 450.00 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 873.03 FEET; THENCE BEAR S 00°10'04" E A DISTANCE OF 83.36 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 119.60 FEET TO THE EASTERLY SHORE LINE OF TAYLOR CREEK; THENCE BEAR THE FOLLOWING COURSES IN A SOUTHERLY DIRECTION ALONG THE EASTERLY SHORE LINE OF TAYLOR CREEK AS FOLLOWS: S 36°59'52" E A DISTANCE OF 70.15 FEET; S 26°01'09" E A DISTANCE OF 49.01 FEET; S 20°22'54" E A DISTANCE OF 24.40 FEET; S 09°48'57" E A DISTANCE OF 23.52 FEET; S 02°45'22" E A DISTANCE OF 49.28 FEET; S 0°20'24" E A DISTANCE OF 49.34 FEET; S 02°34'03" W A DISTANCE OF 76.66 FEET; S 00°53'25" W A DISTANCE OF 44.65 FEET; THENCE BEAR N 89°25'18" E A DISTANCE OF 245.92 FEET TO THE POINT OF BEGINNING.

#### AND LESS AND EXCEPT THE FOLLOWING PARCEL: (L&E2)

A PARCEL OF LAND LYING IN THE NW 1/4 OF THE SE 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE SE 1/4 OF SECTION 15, THENCE PROCEED S 89°21'13" W ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S 89°21'13" W ALONG SAID SOUTH LINE A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°20'48" W ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID PARALLEL LINE, RUN N 89°21'13" E A DISTANCE OF 208.70 FEET; THENCE RUN S 00°20'48" E ALONG A LINE PARALLEL WITH AND 70.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) THE AFORESAID EAST LINE OF THE NW 1/4 OF THE SE 1/4 OF SECTION 15, A DISTANCE OF 208.70 FEET TO THE POINT OF BEGINNING.

### SURVEYOR'S NOTES:

1. THE LEGAL DESCRIPTION EXHIBIT IS DATED IS SEPTEMBER 1, 2021.
2. 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 NORTH LINE OF SOUTH HALF OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, SAID LINE BEARS N 89°21'43" E AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
3. THE PARENT PARCEL LEGAL DESCRIPTION OF THE LAND CONTAINED IN THIS EXHIBIT IS BASED ON A TITLE COMMITMENT COMPLETED BY AMERICAN LAND TITLE ASSOCIATION, COMMITMENT NUMBER FL19168978, DATED SEPTEMBER 03, 2019. PROPOSED LEGAL DESCRIPTIONS WERE PREPARED BY BSM & ASSOCIATES, INC.
4. ADJOINING PROPERTY INFORMATION WAS OBTAINED FROM OKEECHOBEE COUNTY PROPERTY APPRAISER OFFICE AND PER PLAT.
5. AERIAL IMAGERY SHOWN HEREON WAS OBTAINED FROM THE LAND BOUNDARY INFORMATION SYSTEM (LABINS) DATED 2018 AND IS SHOWN FOR INFORMATIONAL PURPOSES ONLY.

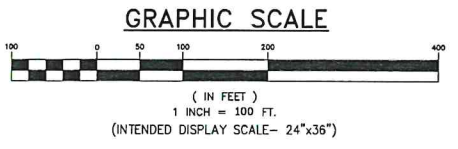
### LEGEND:

- C/L CENTERLINE
- R/W RIGHT-OF-WAY
- O.R.B. OFFICIAL RECORD BOOK
- PG. PAGE
- O.R.F. OFFICIAL RECORD FILE
- P.B. PLAT BOOK
- S.R. STATE ROAD
- W/ WITH
- (C) CALCULATED
- (F) FIELD
- (P) PLAT
- (D) DEED
- L&E1 LESS & EXCEPT 1
- L&E2 LESS & EXCEPT 2
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P1 PARCEL 1
- R RADIUS
- Δ DELTA
- L LENGTH
- S SECTION
- T TOWNSHIP
- R RANGE
- P.P.1 PROPOSED PARCEL 1
- P.P.2 PROPOSED PARCEL 2



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

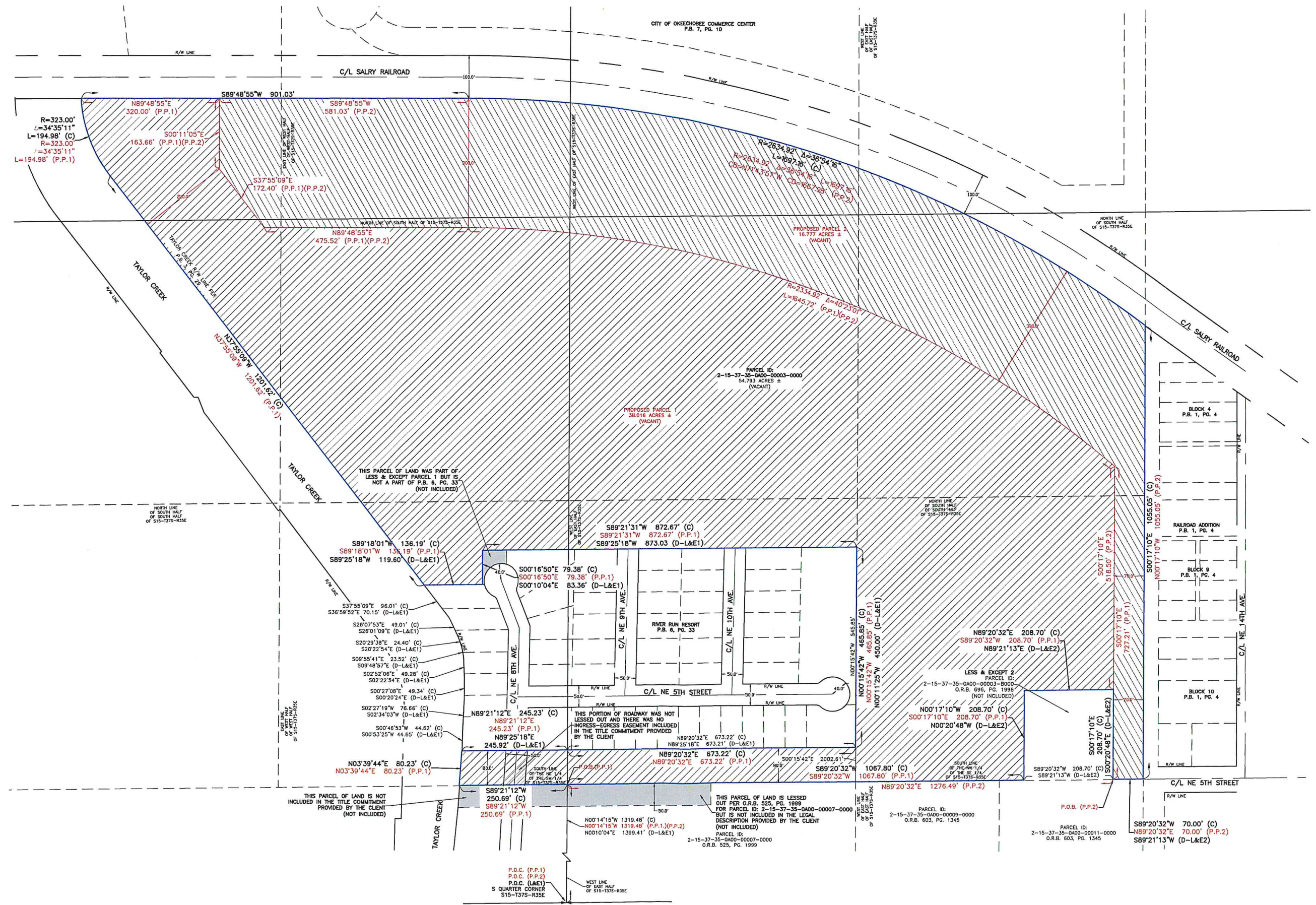
BY:	
REVISIONS:	
DATE:	04/20/20
DWG NO.:	097 LEGAL - ZONING
SHEET:	1 OF 2
CAD:	E:\w\Drawings & Associates\102020-097 NE 9TH AVE. (51 ACRES TAYLOR CREEK)\DRAWING\20-097 LEGAL - ZONING.dwg 24X36 COVER Jun 11, 2022
REF:	E:\w\Drawings & Associates\102020-097 NE 9TH AVE. (51 ACRES TAYLOR CREEK)\DRAWING\20-097 LEGAL - ZONING.dwg
FLD:	HW, DF
OFF:	BHM
CMD:	REB
LEGAL DESCRIPTION EXHIBIT NE 9TH AVENUE OKEECHOBEE, FLORIDA 34972	



# PROPOSED ZONING LEGAL DESCRIPTION EXHIBIT

LOCATED IN SECTION 15; TOWNSHIP 37 SOUTH; RANGE 35 EAST

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



NO.	DATE	BY	REVISIONS
1	08/16/21	BHM	UPDATE SURVEY TO REMOVE ADDITIONAL PARCEL ID
2	02/04/21	REB III	UPDATE BOUNDARY SURVEY TO INCLUDE NEW PARCEL

NO.	DATE	BY	REVISIONS
1	04/14/20	BHM	DATE
2	DWG 20-097 LEGAL-	ZONING	ZONING

NO.	DATE	BY	REVISIONS
1	04/14/20	BHM	DATE
2	DWG 20-097 LEGAL-	ZONING	ZONING

NO.	DATE	BY	REVISIONS
1	04/14/20	BHM	DATE
2	DWG 20-097 LEGAL-	ZONING	ZONING

NO.	DATE	BY	REVISIONS
1	04/14/20	BHM	DATE
2	DWG 20-097 LEGAL-	ZONING	ZONING

NO.	DATE	BY	REVISIONS
1	04/14/20	BHM	DATE
2	DWG 20-097 LEGAL-	ZONING	ZONING



# EXISTING ZONING LEGAL DESCRIPTION EXHIBIT

LOCATED IN SECTION 15; TOWNSHIP 37 SOUTH; RANGE 35 EAST

## SECTION BREAKDOWN & PARENT PARCEL:

SECTION 15; TOWNSHIP 37 SOUTH; RANGE 35 EAST

(SCALE: 1 INCH = 500 FEET)

### EXISTING MOBILE HOME ZONING LEGAL DESCRIPTION

(ZONING—MOBILE HOME, AS SHOWN ON SHEET 2 BY THE FOLLOWING HATCH)

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, THENCE NORTH 00°14'15" WEST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 15, A DISTANCE OF 1319.48 FEET TO SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 AND THE POINT OF BEGINNING; THENCE SOUTH 89°21'12" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 250.69 FEET TO THE EAST RIGHT-OF-WAY OF TAYLOR CREEK'S IMPROVED CHANNEL AS RECORDED IN PLAT BOOK 3, PAGE 29, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; THENCE NORTH 03°39'44" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 80.23 FEET TO THE SOUTHWEST CORNER OF RIVER RUN RESORT PLAT, SAID PLAT BEING RECORDED IN PLAT BOOK 6 AT PAGE 33, OF SAID PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; THENCE NORTH 89°21'12" EAST ALONG THE SOUTH LINE OF SAID RIVER RUN RESORT PLAT, A DISTANCE OF 245.23 FEET TO SAID WEST LINE OF THE EAST HALF OF SECTION 15; THENCE NORTH 89°20'32" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 673.22 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST CORNER OF SAID RIVER RUN RESORT PLAT; THENCE SOUTH 00°15'42" EAST ALONG SAID EAST LINE, A DISTANCE OF 80.00 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15; THENCE SOUTH 89°20'32" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 673.25 FEET TO THE POINT OF BEGINNING.

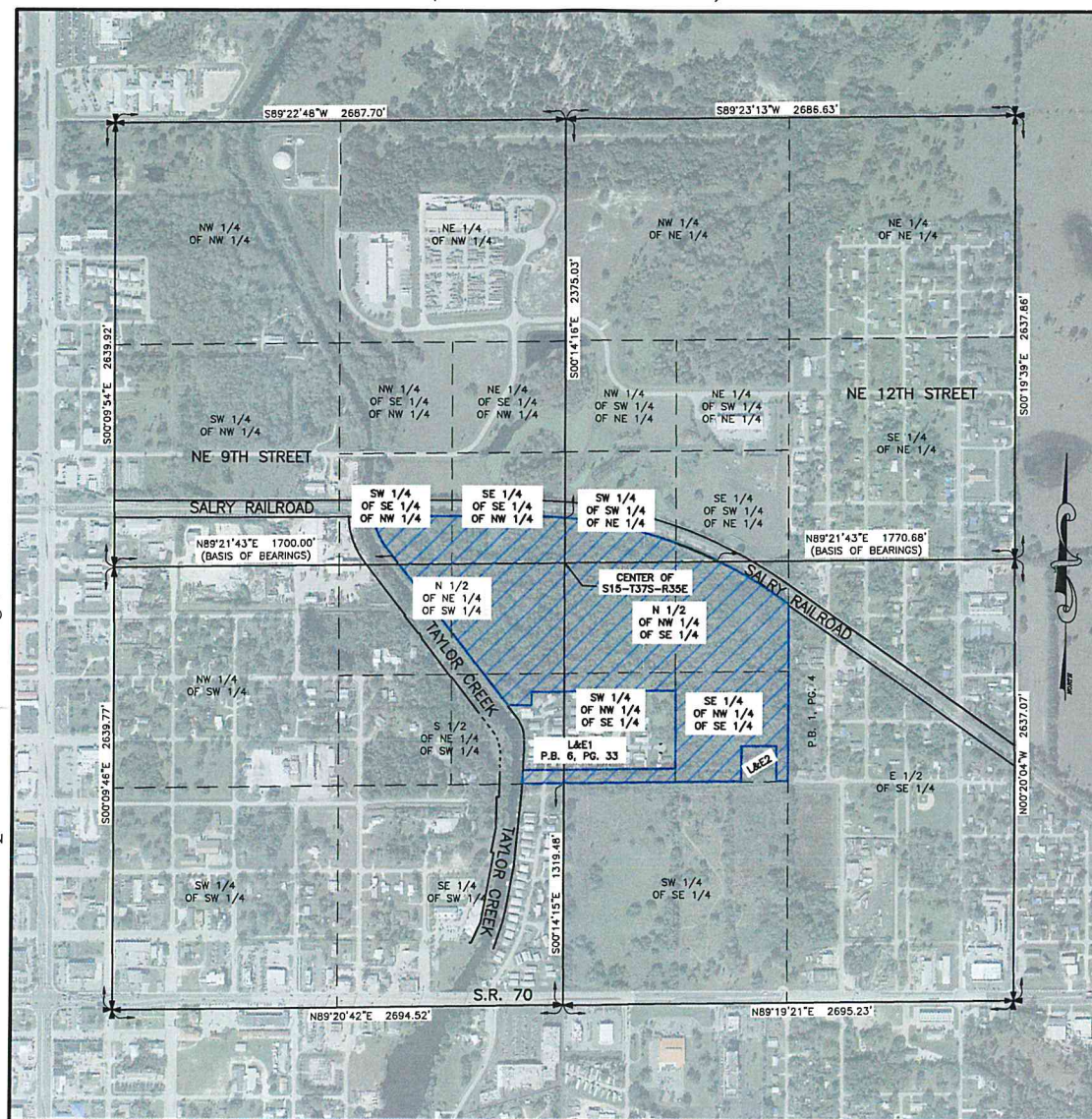
SAID LANDS LYING IN OKEECHOBEE COUNTY, FLORIDA AND COMPRISING 1.692 ACRES MORE OR LESS.

### EXISTING HOLDING ZONING LEGAL DESCRIPTION

(ZONING—HOLDING, AS SHOWN ON SHEET 2 BY THE FOLLOWING HATCH)

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, THENCE NORTH 00°14'15" WEST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 15, A DISTANCE OF 1319.48 FEET TO SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE NORTH 89°20'32" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE POINT OF BEGINNING; THENCE NORTH 00°15'42" WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 545.85 FEET TO THE NORTHEAST CORNER OF RIVER RUN RESORT PLAT, SAID PLAT BEING RECORDED IN PLAT BOOK 6 AT PAGE 33, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; THE FOLLOWING THREE (3) COURSES ARE ALONG SAID RIVER RUN RESORT PLAT BOUNDARY: 1) THENCE SOUTH 89°21'31" WEST, A DISTANCE OF 672.67 FEET; 2) THENCE SOUTH 00°16'50" EAST, A DISTANCE OF 79.36 FEET; 3) THENCE SOUTH 89°18'01" WEST, A DISTANCE OF 136.19 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF TAYLOR CREEK'S IMPROVED CHANNEL; THENCE NORTH 37°55'09" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1201.62 FEET TO THE BEGINNING OF A CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 323.00 FEET AND A DEGREE OF CURVATURE OF 34°35'11"; THENCE ALONG SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY LINE, AN ARC DISTANCE OF 194.98 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SALRY RAILROAD; THENCE NORTH 89°48'55" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 901.02 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 2634.92 FEET AND A DEGREE OF CURVATURE OF 36°54'16"; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE AND SAID CURVE, AN ARC DISTANCE OF 1697.17 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH 00°17'10" EAST ALONG SAID EAST LINE, A DISTANCE OF 1055.05 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH 89°20'32" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 70.00 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 696 AT PAGE 1998 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; THENCE NORTH 00°17'10" WEST ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 208.70 FEET TO THE NORTHEAST OF SAID LANDS; THENCE SOUTH 89°20'32" WEST ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 208.70 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE SOUTH 00°17'10" EAST ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 208.70 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15; THENCE SOUTH 89°20'32" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 394.55 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN OKEECHOBEE COUNTY, FLORIDA AND COMPRISING 53.101 ACRES MORE OR LESS.



### PARENT PARCEL LEGAL DESCRIPTION:

PARCEL: (P1)

THE SW 1/4 OF THE NE 1/4 AND N 1/2 OF THE NW 1/4 OF THE SE 1/4 SOUTH OF THE SAL RAILROAD RIGHT-OF-WAY; SW 1/4 OF THE NW 1/4 OF THE SE 1/4; THE SE 1/4 OF THE NW 1/4 OF THE SE 1/4; NORTH 1/2 OF THE NE 1/4 OF THE SW 1/4; AND THE S 1/2 OF THE NE 1/4 OF THE SW 1/4 LYING EAST OF TAYLOR CREEK; FRACTIONAL NW 1/4 EAST OF TAYLOR CREEK AND SOUTH OF THE SAL RAILROAD; AND ALL THAT PORTION OF LAND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE NW 1/4, SOUTH OF THE SAL RAILROAD IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, THAT LIES EAST OF TAYLOR CREEK IMPROVED CHANNEL AS RECORDED IN PLAT BOOK 3, PAGE 29, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA;

TOGETHER WITH: (P2)

THE WEST 1/2 OF THE SE 1/4 OF THE SW 1/4 OF THE NE 1/4, LYING SOUTH OF THE RAILROAD, SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 WEST, OKEECHOBEE COUNTY, FLORIDA,

LESS AND EXCEPT THE FOLLOWING PARCEL: (L&E1)

A PORTION OF THE SE 1/4 AND A PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE 1/4 CORNER ON THE SOUTH LINE OF SAID SECTION 15, BEAR N 00°10'04" E ALONG THE 1/4 SECTION LINE A DISTANCE OF 1399.41 FEET TO THE POINT OF BEGINNING, THENCE BEAR N 89°25'18" E ALONG A LINE 80.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE N 1/2 OF THE S 1/2 OF SAID SECTION 15, A DISTANCE OF 673.21 FEET TO THE EAST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 15; THENCE BEAR N 00°11'25" W ALONG THE AFORESAID EAST LINE A DISTANCE OF 450.00 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 873.03 FEET; THENCE BEAR S 00°10'04" E A DISTANCE OF 83.36 FEET; THENCE BEAR S 89°25'18" W A DISTANCE OF 119.60 FEET TO THE EASTERLY SHORE LINE OF TAYLOR CREEK; THENCE BEAR THE FOLLOWING COURSES IN A SOUTHERLY DIRECTION ALONG THE EASTERLY SHORE LINE OF TAYLOR CREEK AS FOLLOWS: S 36°59'52" E A DISTANCE OF 70.15 FEET; S 26°01'09" E A DISTANCE OF 49.01 FEET; S 20°22'54" E A DISTANCE OF 24.40 FEET; S 09°48'57" E A DISTANCE OF 23.52 FEET; S 02°45'22" E A DISTANCE OF 49.28 FEET; S 0°20'24" E A DISTANCE OF 49.34 FEET; S 02°34'03" W A DISTANCE OF 76.66 FEET; S 00°53'25" W A DISTANCE OF 44.65 FEET; THENCE BEAR N 89°25'18" E A DISTANCE OF 245.92 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT THE FOLLOWING PARCEL: (L&E2)

A PARCEL OF LAND LYING IN THE NW 1/4 OF THE SE 1/4 OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE SE 1/4 OF SECTION 15, THENCE PROCEED S 89°21'13" W ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE S 89°21'13" W ALONG SAID SOUTH LINE A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°20'48" W ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 A DISTANCE OF 208.70 FEET; THENCE DEPARTING SAID PARALLEL LINE, RUN N 89°21'13" E A DISTANCE OF 208.70 FEET; THENCE RUN S 00°20'48" E ALONG A LINE PARALLEL WITH AND 70.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) THE AFORESAID EAST LINE OF THE NW 1/4 OF THE SE 1/4 OF SECTION 15, A DISTANCE OF 208.70 FEET TO THE POINT OF BEGINNING.

### SURVEYOR'S NOTES:

1. THE LEGAL DESCRIPTION EXHIBIT IS DATED IS SEPTEMBER 1, 2021.
2. 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 NORTH LINE OF SOUTH HALF OF SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, SAID LINE BEARS N 89°21'43" E AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
3. THE PARENT PARCEL LEGAL DESCRIPTION OF THE LAND CONTAINED IN THIS EXHIBIT IS BASED ON A TITLE COMMITMENT COMPLETED BY AMERICAN LAND TITLE ASSOCIATION, COMMITMENT NUMBER FL19168978, DATED SEPTEMBER 03, 2019. PROPOSED LEGAL DESCRIPTIONS WERE PREPARED BY BSM & ASSOCIATES, INC.
4. ADJOINING PROPERTY INFORMATION WAS OBTAINED FROM OKEECHOBEE COUNTY PROPERTY APPRAISER OFFICE AND PER PLAT.
5. AERIAL IMAGERY SHOWN HEREON WAS OBTAINED FROM THE LAND BOUNDARY INFORMATION SYSTEM (LABINS) DATED 2018 AND IS SHOWN FOR INFORMATIONAL PURPOSES ONLY.

### LEGEND:

C/L	CENTERLINE
R/W	RIGHT-OF-WAY
O.R.B.	OFFICIAL RECORD BOOK
PG.	PAGE
O.R.F.	OFFICIAL RECORD FILE
P.B.	PLAT BOOK
S.R.	STATE ROAD
W/	WITH
(C)	CALCULATED
(F)	FIELD
(P)	PLAT
(D)	DEED
L&E1	LESS & EXCEPT 1
L&E2	LESS & EXCEPT 2
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P1	PARCEL 1
R	RADIUS
Δ	DELTA
L	LENGTH
S	SECTION
T	TOWNSHIP
R	RANGE
P.P.1	PROPOSED PARCEL 1
P.P.2	PROPOSED PARCEL 2
M.H.	MOBILE HOME



CAD	1\W\014\B&A ASSOCIATES, INC\2020\20-097 NE 9TH AVE. (51 ACRES TAYLOR CREEK)\DRAWING\20-097 LEGAL - ZONING HOLDING.dwg	DATE	04/20/20	BY:	
REF	1\W\014\B&A ASSOCIATES, INC\2020\20-097 NE 9TH AVE. (51 ACRES TAYLOR CREEK)\DRAWING\20-097 LEGAL - ZONING HOLDING.dwg	DATE	04/20/20	REVISIONS:	
FILED	HW, DF	DATE	04/20/20	DWG	20-097 LEGAL - ZONING HOLDING
OFF	BHM	SHEET	1 OF 2		
CHKD	REB				

ZONING LEGAL DESCRIPTION EXHIBIT  
NE 9TH AVENUE  
OKEECHOBEE, FLORIDA 34972

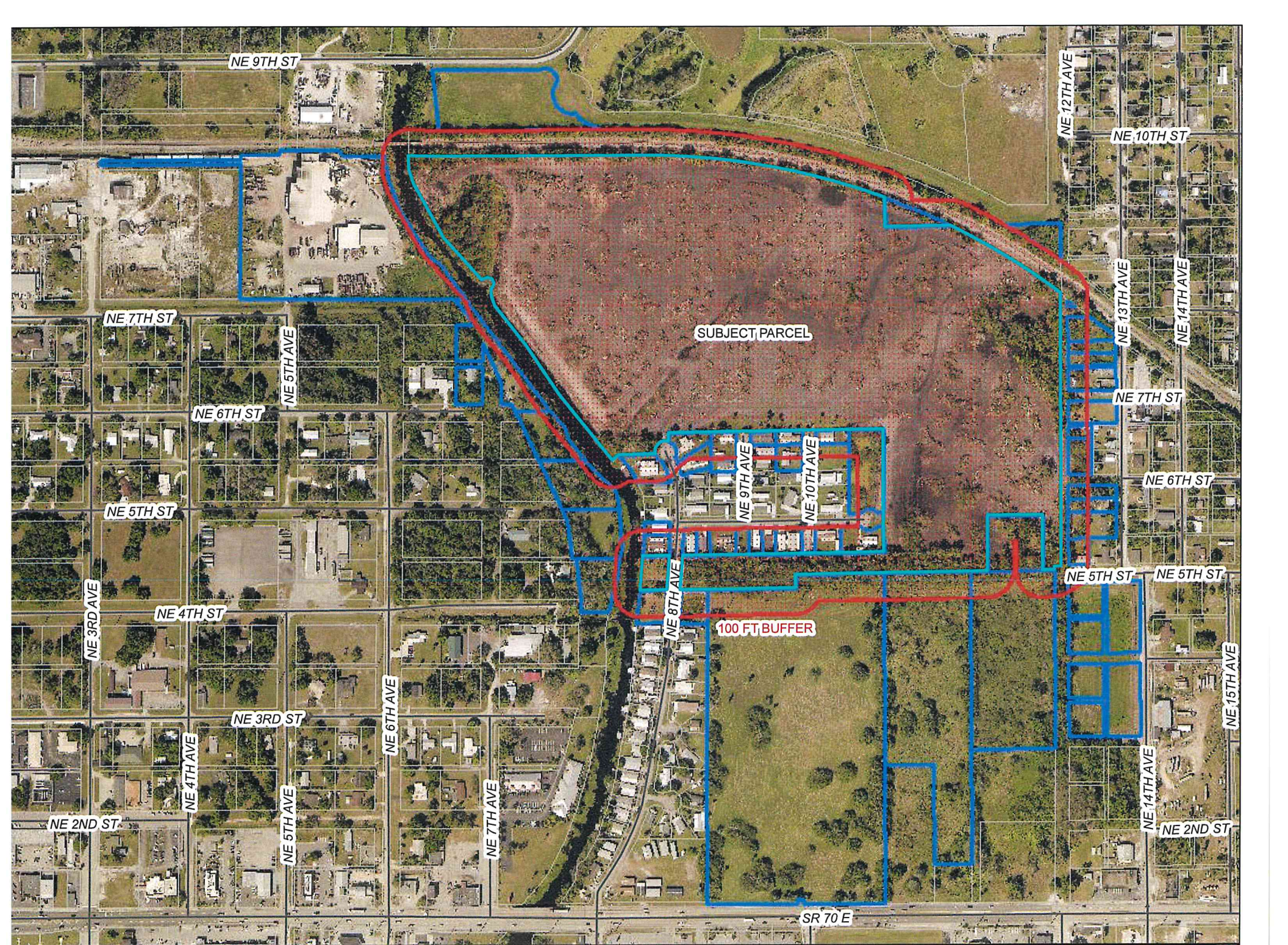


PARCEL NUMBER	OWNER	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP
1-15-37-35-0030-00040-0010	OKEECHOBEE COUNTY	304 NW 2ND STREET		OKEECHOBEE	FL	34972
1-15-37-35-0040-00020-0010	NEAL VINELLE J	PO BOX 921		OKEECHOBEE	FL	34973-0921
1-15-37-35-0040-00020-0060	BRADY LASHONDA DINSE	29060 SW 160TH AVE		HOMESTEAD	FL	33033-2330
1-15-37-35-0040-00020-0090	SINGH RITA	133-43 128TH STREET		SOUTH OZONE PARK	NY	11420
1-15-37-35-0040-00020-0110	GARLAND JAMES	14997 BRAHMA RD		POLK CITY	FL	33868
1-15-37-35-0040-00020-0120	GARLAND JAMES	14997 BRAHMA RD		POLK CITY	FL	33868
1-15-37-35-0040-00030-0010	BYRD DEMOND	609 NW 15TH ST		OKEECHOBEE	FL	34972-4358
1-15-37-35-0040-00030-0050	LOUIS TODD M	2002 SHERMAN AVE		PALATKA	FL	32177-5839
1-15-37-35-0040-00030-0060	GIVENS ARNETTA	1996 NICKLAUS DRIVE		TALLAHASSEE	FL	32301
1-15-37-35-0040-00030-0070	COPE WILLIE FRED	1178 GREAT GLEN WAY		LAWRENCEVILLE	GA	30045-9103
1-15-37-35-0040-00030-0080	OKEECHOBEE COUNTY	VACANT NE 13TH AVE		OKEECHOBEE	FL	34972
1-15-37-35-0040-00040-0010	ARROYO-SANCHEZ PEDRO L	511 NW 20TH LN		OKEECHOBEE	FL	34972-4300
1-15-37-35-0040-00040-0030	KEARNEY THOMAS	2111 NW 28TH AVE		FT. LAUDERDALE	FL	33311
1-15-37-35-0040-00040-0040	NEAL EDDIE JAMES JR	1224 NE 16TH AVENUE		OKEECHOBEE	FL	34972
1-15-37-35-0040-00040-0050	NEAL EDDIE JAMES JR	1224 NE 16TH AVENUE		OKEECHOBEE	FL	34972
1-15-37-35-0040-00050-0020	CESG LLC	636 NE 101ST ST		MIAMI SHORES	FL	33138-2427
1-15-37-35-0040-00050-0040	OKEECHOBEE COUNTY	304 NW SECOND STREET ROOM 106		OKEECHOBEE	FL	34972
1-15-37-35-0040-00050-0050	WHITE TODDRICK J	2002 SHERMAN AVE		PALATKA	FL	32177-5839
1-15-37-35-0040-00050-0060	WHITE TODDRICK J	2002 SHERMAN AVE		PALATKA	FL	32177-5839
1-15-37-35-0040-00080-0020	NEAL EDDIE JAMES JR	1224 NE 16TH AVENUE		OKEECHOBEE	FL	34972
1-15-37-35-0040-00080-0090	LOUIS TODD M	2002 SHERMAN AVE		PALATKA	FL	32177-5839
1-15-37-35-0040-00080-0120	THOMAS JOAN COLTON	PO BOX 3338		LAKELAND	FL	33802-3338
1-15-37-35-0040-00090-0060	AITKEN BYRON S	3706 GREENWOOD AVE		WEST PALM BEACH	FL	33407
1-15-37-35-0040-00090-0070	JMTL ENTERPRISES LLC	3775 US 1 SOUTH		ST AUGUSTINE	FL	32086-7100
1-15-37-35-0040-00090-0080	MCQUEEN MABLE (ESTATE)	PO BOX 3048		OKEECHOBEE	FL	34973
1-15-37-35-0040-00090-0100	WELLS ANGELO R	954 SE 38TH AVE		OKEECHOBEE	FL	34974
1-15-37-35-0040-00100-0010	JOHNSON JOHNNY	10345 SW 149TH TERR		MIAMI	FL	33716
1-15-37-35-0040-00100-0020	ALLEN LYNNELL (ESTATE)	531 NE 13TH AVENUE		OKEECHOBEE	FL	34972
1-15-37-35-0040-00100-0030	WHITE JOHN JR	519 NE 13TH AVE		OKEECHOBEE	FL	34972-3171
1-15-37-35-0040-00100-0050	HOWARD ELLIS GROUP LLC	5181 NW 81ST AVE		LAUDERHILL	FL	33351
1-15-37-35-0040-00100-0060	BARRETT ELVIS ALONSO	208 NE 17TH AVE		OKEECHOBEE	FL	34972
1-15-37-35-0040-00110-0020	JOHNSON CANDACE	480 NE 13TH AVE		OKEECHOBEE	FL	34972
1-15-37-35-0040-00110-0060	RILEY JULIUS LAROSE JR	6559 BROOKSHIRE ST		FAYETTEVILLE	NC	28314-5115
1-15-37-35-0040-00110-0090	HOUZE VANESSA	1290 NE 11TH ST		OKEECHOBEE	FL	34972-3035
1-15-37-35-0070-0000D-0200	ARDLEY LAMAR	1641 BLUE JAY CIR		WESTON	FL	33327-2009
1-15-37-35-0070-0000D-0230	BE A MAN BUY LAND LLC	4260 SE FEDERAL HWY		STUART	FL	34997-4937
1-15-37-35-0070-0000D-0240	ARDLEY LAMAR	1641 BLUE JAY CIR		WESTON	FL	33327-2009
2-15-37-35-0A00-00003-0000	BLUE SPRING HOLDINGS LLC	10860 SW 25TH ST		DAVIE	FL	33324-5606
2-15-37-35-0A00-00003-A000	BE A MAN BUY LAND LLC	4260 SE FEDERAL HWY		STUART	FL	34997-4937
2-15-37-35-0A00-00003-B000	BUTLER SYLVESTER	1873 NE 3RD STREET		OKEECHOBEE	FL	34972
2-15-37-35-0A00-00007-0000	RACETRAC PETROLEUM INC	200 GALLERIA PKWY SE STE 900		ATLANTA	GA	30339-5945

2-15-37-35-0A00-00009-0000	GRIGSBY WILLIAM R JR	10282 PAYNE RD	SEBRING	FL	33875-9457
2-15-37-35-0A00-00011-0000	GRIGSBY WILLIAM R JR	10282 PAYNE RD	SEBRING	FL	33875-9457
3-15-37-35-0010-00010-001A	ANITA'S RENTAL PROPERTIES INC	701 NE 3RD ST	OKEECHOBEE	FL	34972-4576
3-15-37-35-0010-00010-001D	LIGHTSEY RICK A	502 NE 6TH AVE	OKEECHOBEE	FL	34972
3-15-37-35-0010-00010-001F	GRIFFIS CHARLES J	701 NE 4TH ST	OKEECHOBEE	FL	34972
3-15-37-35-0010-00010-001I	ANITA'S RENTAL PROPERTIES INC	701 NE 3RD ST	OKEECHOBEE	FL	34972-4576
3-15-37-35-0010-00010-001J	ANITA'S RENTAL PROPERTIES INC	701 NE 3RD ST	OKEECHOBEE	FL	34972-4576
3-15-37-35-0010-00010-001L	MASON WILLIAM H	1032 SW 20TH AVE	OKEECHOBEE	FL	34974
3-15-37-35-0010-00510-0010	IVANS PROPERTIES LLC	542 NW 36TH TER	OKEECHOBEE	FL	34972-2202
3-15-37-35-0010-00530-0010	DIAMOND R FERTILIZER CO INC	4100 GLADES ROAD	FT PIERCE	FL	34981
3-15-37-35-0010-00820-0030	WATFORD DOWLING R REV TRUST	2706 NE 6TH CT	OKEECHOBEE	FL	34972
3-15-37-35-0010-00820-0070	LAROSE JACQUES S	605 NE 6TH ST	OKEECHOBEE	FL	34972-2671
3-15-37-35-0010-00820-0110	ROBINSON DAWN	649 NE 6TH ST	OKEECHOBEE	FL	34972-2671
3-15-37-35-0010-00840-0010	WATFORD MARTHA B	2706 NE 6TH CT	OKEECHOBEE	FL	34972-3354
3-15-37-35-0010-00840-0030	WATFORD MARTHA B	2706 NE 6TH CT	OKEECHOBEE	FL	34972-3354
3-15-37-35-0010-01150-0010	WATFORD MARTHA B	2706 NE 6TH CT	OKEECHOBEE	FL	34972-3354
3-15-37-35-0010-01150-0080	GRIFFIS CHARLES J	701 NE 4TH ST	OKEECHOBEE	FL	34972
3-15-37-35-0010-01160-0010	LIGHTSEY RICK A	502 NE 6TH AVE	OKEECHOBEE	FL	34972
3-15-37-35-0020-00000-00A0	CITY OF OKEECHOBEE	55 SE 3RD AVENUE	OKEECHOBEE	FL	34974-2903
3-15-37-35-0020-00000-0180	TRC INVESTMENTS LLC	1132 NE 12TH ST	OKEECHOBEE	FL	34972
3-15-37-35-0020-00000-0190	TRC INVESTMENTS LLC	1132 NE 12TH ST	OKEECHOBEE	FL	34972
3-15-37-35-0020-00000-0C30	CITY OF OKEECHOBEE	55 SE 3RD AVENUE	OKEECHOBEE	FL	34974-2903
3-15-37-35-0020-00000-0C40	CITY OF OKEECHOBEE	55 SE 3RD AVENUE	OKEECHOBEE	FL	34974-2903
3-15-37-35-0020-00000-0L20	CITY OF OKEECHOBEE	55 SE 3RD AVENUE	OKEECHOBEE	FL	34974-2903
3-15-37-35-021A-00000-00E0	RIVER RUN RESORT HOA	UNKNOWN			
3-15-37-35-021A-00000-00W0	RIVER RUN RESORT HOA	UNKNOWN			
3-15-37-35-021A-00000-0130	VENTIMIGLIA SALVATORE	222 SE PARADISE PL	STUART	FL	34997-7320
3-15-37-35-021A-00000-0140	BARRETT ELVIS A	208 NE 17TH AVE	OKEECHOBEE	FL	34972
3-15-37-35-021A-00000-0150	WALDRON BETTY M	301 NE 8TH AVE	OKEECHOBEE	FL	34972-4513
3-15-37-35-021A-00000-0160	BRANDENBURG ROBERT A	303 NE 8TH AVE	OKEECHOBEE	FL	34972-4513
3-15-37-35-021A-00000-0170	MINTON FREDDIE L	302 NE 8TH AVENUE	OKEECHOBEE	FL	34972
3-15-37-35-021A-00000-0180	ARRIAGA FERMIN	2302 SW 3RD AVE	OKEECHOBEE	FL	34974
3-15-37-35-021A-00000-0190	DICKERHOOF PEDIE DUKE	212 NE 8TH AVE	OKEECHOBEE	FL	34972-4504
3-15-37-35-021B-00000-0010	OLMSTED NEIL I	501 NE 8TH AVE	OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0030	FORLIFER RICHARD G	407 NE 8TH AVENUE	OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0040	FORLIFER RICHARD G	407 NE 8TH AVE	OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0050	HELMS ROSEMARY A	BOX 54	SAINT GEORGE	KS	66535
3-15-37-35-021B-00000-0060	MASTALER TERRELL	401 NE 8TH AVE	OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0070	MOSHIER ROBERT R	309 NE 8TH AVE	OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0080	LALLY MICHAEL D	6650 3RD PL SW	VERO BEACH	FL	32968-3179
3-15-37-35-021B-00000-0090	SAMS BILLY JOE	17435 BRINKERHOFF LN	OKEECHOBEE	FL	34974-8525
3-15-37-35-021B-00000-00A0	RIVER RUN RESORT HOA	UNKNOWN			

3-15-37-35-021B-00000-0100	CANCINO MARIA D	408 NE 8TH AVE		OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0110	MURPHY ANTHONY	406 NE 8TH AVE		OKEECHOBEE	FL	34972-4509
3-15-37-35-021B-00000-0120	MERRY CHARLIE T JR	404 NE 8TH AVE		OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0130	CANCINO MARIA ELENA	310 NE 8TH AVE		OKEECHOBEE	FL	34972-4514
3-15-37-35-021B-00000-0140	PHILLIPS RACHELLE D	112 WINDING HOLLOW CV		GEORGETOWN	TX	78628
3-15-37-35-021B-00000-0150	THOMAS TIMOTHY LEE	809 NE 5TH STREET		OKEECHOBEE	FL	34974
3-15-37-35-021B-00000-0170	BOOTH JUDY ANN	903 NE 5TH ST		OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0180	LAKESIDE FARMS LLC	19537 LAKE RD		ROCKY RIVER	OH	44116-1858
3-15-37-35-021B-00000-0190	NAVE MICHAEL	2304 NORTHGATE BLVD		AUBURN	IN	46706-1015
3-15-37-35-021B-00000-0210	NEAL LAVON BOWMAN	1001 NE 5TH STREET		OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0220	HOUSER LARRY D	2190 SE 25TH DR		OKEECHOBEE	FL	34974-6475
3-15-37-35-021B-00000-0240	GORBY JAMES L	1009 NE 5TH STREET		OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0260	SCHOONMAKER DENNIS D	P O BOX 2141		OKEECHOBEE	FL	34973
3-15-37-35-021B-00000-0280	MURRAY KENNETH	502 NE 10TH AVENUE		OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0290	VERANO TAMMY L	PO BOX 2056		OKEECHOBEE	FL	34973-2056
3-15-37-35-021B-00000-0300	VERANO TAMMY L	PO BOX 2056		OKEECHOBEE	FL	34973-2056
3-15-37-35-021B-00000-0310	HARRIS DOROTHY	508 NE 10TH AVE		OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0320	BAULDIE PRISCILLA T	507 NE 10TH AVE		OKEECHOBEE	FL	34972-4516
3-15-37-35-021B-00000-0330	SEGARRA JEFFREY D	503 NE 10TH AVE		OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0350	VIEYRA-ROSALES REBECA ARANA	501 NE 10TH AVE		OKEECHOBEE	FL	34972-4516
3-15-37-35-021B-00000-0360	MILLER PATRICIA A	509 NE 10TH AVE		OKEECHOBEE	FL	34972-4523
3-15-37-35-021B-00000-0380	JOHNSON TONY R	486 TEAYS LN		HURRICANE	WV	25526
3-15-37-35-021B-00000-0400	WATSON ALEXIS, MINOR	C/O VICKI DOLCE, CUSTODIAN	2761 NW 63RD TER	OKEECHOBEE	FL	34972-9741
3-15-37-35-021B-00000-0410	GARCIA OFELIA	500 NW 17TH ST		OKEECHOBEE	FL	34972
3-15-37-35-021B-00000-0420	GRINAGE MARY CHELIA	1437 CHOBEE ST		OKEECHOBEE	FL	34974-0239
3-15-37-35-021B-00000-0430	LYNCH PAUL F III	506 NE 9TH AVE		OKEECHOBEE	FL	34972-4511
3-15-37-35-021B-00000-0440	CARTER MICHAEL	507 NE 9TH AVE		OKEECHOBEE	FL	34972-4511
3-15-37-35-021B-00000-0460	WHITE BRANDI ANN	503 NE 9TH AVE		OKEECHOBEE	FL	34972-4511
3-15-37-35-021B-00000-0470	WHITE TROY D	7866 US HIGHWAY 441 SE		OKEECHOBEE	FL	34974-9537
3-15-37-35-021B-00000-0480	JOHNSON RICKIE G	33137 CERCELIA RD		DADE CITY	FL	33523
3-15-37-35-021B-00000-0490	MURDORF MABEL SILLS	891 NE 5TH ST		OKEECHOBEE	FL	34972-4519

2  
 3-15-37-35-021B-00000-0190  
 3-15-37-35-021B-00000-0210  
 3-15-37-35-021B-00000-0220  
 3-15-37-35-021B-00000-0240  
 3-15-37-35-021B-00000-0260  
 3-15-37-35-021B-00000-0280  
 3-15-37-35-021B-00000-0290  
 3-15-37-35-021B-00000-0300  
 3-15-37-35-021B-00000-0310  
 3-15-37-35-021B-00000-0320  
 3-15-37-35-021B-00000-0330  
 3-15-37-35-021B-00000-0350  
 3-15-37-35-021B-00000-0360  
 3-15-37-35-021B-00000-0380  
 3-15-37-35-021B-00000-0400  
 3-15-37-35-021B-00000-0410  
 3-15-37-35-021B-00000-0420  
 3-15-37-35-021B-00000-0430  
 3-15-37-35-021B-00000-0440  
 3-15-37-35-021B-00000-0460  
 3-15-37-35-021B-00000-0470  
 3-15-37-35-021B-00000-0480  
 3-15-37-35-021B-00000-0490



SUBJECT PARCEL

100 FT BUFFER

NE 9TH ST

NE 12TH AVE

NE 10TH ST

NE 7TH ST

NE 5TH AVE

NE 6TH ST

SUBJECT PARCEL

NE 13TH AVE

NE 14TH AVE

NE 7TH ST

NE 9TH AVE

NE 10TH AVE

NE 6TH ST

NE 5TH ST

NE 5TH ST

NE 5TH ST

NE 4TH ST

NE 8TH AVE

100 FT BUFFER

NE 3RD AVE

NE 15TH AVE

NE 3RD ST

NE 6TH AVE

NE 14TH AVE

NE 2ND ST

NE 4TH AVE

NE 5TH AVE

NE 7TH AVE

NE 2ND ST

SR 70 E

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



Petition No. 22-002-R

### 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 December 8, 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 3rd day of January, 2022.

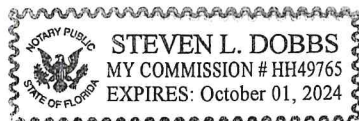
[Signature]  
Signature of Applicant

1-3-2022  
Date

Gad Reggev  
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 3rd day of January, 2022, by Gad Reggev, who is personally known to me or produced \_\_\_\_\_ as identification.



[Signature]  
Notary Public Signature





## ORDINANCE NO. 1246

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OKEECHOBEE BY REZONING CERTAIN TRACTS OF LAND MORE PARTICULARLY DESCRIBED HEREIN, FROM RESIDENTIAL MULTIPLE FAMILY (RMF) TO HEAVY COMMERCIAL (CHV), PETITION NO. 21-006-R; AMENDING THE ZONING MAP ACCORDINGLY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Okeechobee, Florida has adopted Ordinance No. 402 in which a revised Official Zoning Map was adopted for said City; and

**WHEREAS**, the City of Okeechobee has received and reviewed Zoning District Boundary Change Petition No. 21-006-R, submitted by Muhammad Nooruddin, pursuant to the Land Development Regulations of the City of Okeechobee for the purpose of rezoning certain tracts of land consisting of 0.402 acres from RMF to CHV; and

**WHEREAS**, said petition was reviewed by the City's Planning Consultant who determined, based on initial findings and review, that such petition is consistent with the Comprehensive Plan; and

**WHEREAS**, said petition being reviewed by the City's Planning Board at a duly advertised Public Hearing held on November 18, 2021, determined that such petition is consistent with the Comprehensive Plan; and

**WHEREAS**, the City Council agreed with the recommendation of the Planning Board and hereby finds such rezoning petition to be consistent with the City's Comprehensive Plan and deems it in the best interest of the inhabitants of said City to amend aforesaid revised Zoning Map as hereinafter set forth.

**NOW, THEREFORE**, be it ordained before the City Council of the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City; that:

### **SECTION 1: LEGAL DESCRIPTION.**

The following described land consisting of approximately 0.402 acres, as the subject property, located in the City of Okeechobee, to-wit:

**LOTS 23 AND 24, OF BLOCK 3, OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.**

### **SECTION 2: ZONING MAP AMENDMENT.**

That the aforesaid Revised Zoning Map of the City of Okeechobee be amended to reflect the subject property to be changed from RMF to CHV.

### **SECTION 3: CONFLICT.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4: SEVERABILITY.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 5: EFFECTIVE DATE.**

This Ordinance shall become effective immediately after its adoption at the second and final City Council Public Hearing.

**INTRODUCED** for First Reading and set for Final Public Hearing on this **15<sup>th</sup>** day of **March 2022**.

\_\_\_\_\_  
Dowling R. Watford Jr., Mayor

ATTEST:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after Second and Final Public Hearing this **5<sup>th</sup>** day of **April 2022**.

\_\_\_\_\_  
Dowling R. Watford Jr., Mayor

ATTEST:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

\_\_\_\_\_  
John J. Fumero, City Attorney



## **Staff Report (Revised)**

### **Rezoning Request**

*Prepared for: The City of Okeechobee*

*Applicant: Muhammad Nooruddin*

*Address: 204 NW 13<sup>th</sup> Street*

*Petition No.: 21-006-R*

*Request: Change from RMF to CHV*



1375 Jackson Street # 206 Fort Myers, FL 33901

**General Information**

Owner/Applicant	Muhammad Nooruddin 7993 Steeplechase Ct Port St Lucie, FL 34986
Contact Information	<a href="mailto:Nooruddin64@gmail.com">Nooruddin64@gmail.com</a> 863.801.1925
Site Address	204 NW 13 <sup>th</sup> Street
Parcel Identification	3-15-37-35-0010-00030-0230
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 <a href="https://www.cityofokeechobee.com/agendas.html">https://www.cityofokeechobee.com/agendas.html</a>	

**Request**

The matter before the Local Planning Agency and City Council is an application to rezone 0.402 acres of land located on NE 13th Street. The property is designated Commercial on the Future Land Use Map and currently zoned Residential Multiple Family. The applicant is requesting a zoning change to Heavy Commercial.

The Applicant has also submitted a concurrent request for a Special Exception for a storage facility at this property.

**Future Land Use, Zoning and Existing Use**

	Existing	Proposed
Future Land Use	Commercial	Commercial
Zoning	Residential Multiple Family	Heavy Commercial
Use of Property	Vacant lot	Storage Facility
Acreage	0.402 acres	0.402 acres

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

<b>North</b>	Future Land Use	Commercial
	Zoning	Commercial Professional Office
	Existing Use	Water Retention
<b>East</b>	Future Land Use	Commercial
	Zoning	Heavy Commercial
	Existing Use	Storage Facility
<b>South</b>	Future Land Use	Commercial
	Zoning	Heavy Commercial
	Existing Use	Automotive Shop
<b>West</b>	Future Land Use	Single Family Residential
	Zoning	Residential Multiple Family
	Existing Use	Single Family Home

**Analysis**

Section 70-340 of the Land Development Regulations requires that the reviewing body find that an application for rezoning meets each of the following conditions. Though the City is the Applicant for this request, the Owner of the subject property has provided some comments to each of the required findings. These are repeated below in Times Roman typeface exactly as provided by the Owner. Staff has made no attempt to correct typos, grammar, or clarify the Owner’s comments. Staff comments are shown in this Arial typeface.

**1. *The proposed rezoning is not contrary to Comprehensive Plan requirements.***

Applicant Response: Part of the Future Land Use Heavy Commercial Proposal by the City map.

Staff Comment: This parcel is already designated Commercial on the City’s Future Land Use Map, which is a component of the City’s Comprehensive Plan. The current zoning of RMF is inconsistent with the Commercial Future Land Use. Rezoning to a commercial zoning district will increase the consistency with the Comprehensive Plan.

**2. *The proposed use being applied for is specifically authorized under the zoning district in the Land Development Regulations.***

Applicant Response: Yes

Staff Comment: The Applicant has a concurrent pending request for a special use exception

to allow construction of a storage facility. Storage is listed as a special exception use in the CHV district.

**3. *The proposed use will not have an adverse effect on the public interest.***

Applicant Response: No effect to the public.

Staff Comment: Facilitating commercial development of this vacant property will slightly increase the tax base for the City, which is a public benefit. Commercial development (likely a storage facility) at this location is unlikely to result in any adverse effects on the public interest.

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

Applicant Response: Consistent w/ neighboring storage facility.

Staff Comment: The subject property is about 240 feet from the US-441 right-of-way with an adjacent storage facility to the east, automotive repair to the south, and a water retention site to the north. Due to those factors, this is an appropriate location for storage and for commercial in general; and is consistent with the prevailing land use patterns. The main compatibility concern is the single family residential to the west. Fortunately, the code requires landscape buffering and increased setbacks for commercial structures adjacent to residential districts.

**5. *The proposed use will not adversely affect property values or living conditions, or be a deterrent to the improvement or development of adjacent property.***

Applicant Response: Will not affect property value.

Staff Comment: Except for the water retention parcel to the north, the adjacent properties are already developed. It is unlikely that development of this property will affect property values or living conditions.

**6. *The proposed use can be suitably buffered from surrounding uses, so as to reduce the impact of any nuisance or hazard to the neighborhood.***

Applicant Response: Properly fenced and locked.

Staff Comment: If the site is secure, maintained, and not open during all hours, there are not many nuisances typically associated with storage facilities. Nevertheless, buffering will be required at time of site plan approval.

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

Applicant Response: No impact on public facilities.

Staff Comment: Commercial development has no impact on school capacity. Storage has very little impact on utilities. A facility of this size should not generate enough vehicle trips to significantly impact roadway capacity.

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

Applicant Response: No

Staff Comment: Any existing flooding or drainage issues should be improved through the site development process.

9. *The proposed use has not been inordinately burdened by unnecessary restrictions.*

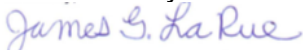
Applicant Response: No impact on restrictions

Staff Comment: The proposed has not been inordinately burdened.

## Recommendation

Based on the foregoing analysis, we find the rezoning from Residential Multiple Family to Heavy Commercial reasonably compatible with adjacent uses and consistent with the urbanizing pattern of the area. We find this rezoning to be consistent with the City's Comprehensive Plan; and therefore recommend **Approval** of this rezoning.

Submitted by:



James G LaRue, AICP  
President

February 14, 2022

Planning Board Public Hearing: November 18, 2021

City Council Public Hearing: (tentative) March 15, 2022, and April 5, 2022

Attachments: Future Land Use, Subject Site & Environs  
Zoning, Subject Site & Environs  
Aerial, Subject Site & Environs

### FUTURE LAND USE SUBJECT SITE AND ENVIRONS



**LAND USE CLASSIFICATIONS**

- +—+— RAILROAD CENTERLINE
- HOPKINS MEANDER LINE
- +—+— RAILROAD CENTERLINE
- fl\_u\_boundary\_lines
- lot\_line
- fl\_u\_background\_parcels
- SINGLE - FAMILY RESIDENTIAL
- MIXED USE RESIDENTIAL
- MULTI - FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITIES



### ZONING SUBJECT SITE AND ENVIRONS



### AERIAL SUBJECT SITE AND ENVIRONS



FEB 14 2022

Revised Copy, rec'd 2-14 2022

Revised Petition

<b>City of Okeechobee</b> <b>General Services Department</b> <b>55 S.E. 3<sup>rd</sup> Avenue, Room 101</b> <b>Okeechobee, Florida 34974-2903</b> <b>Phone: (863) 763-3372, ext. 9820</b> <b>Fax: (863) 763-1686</b>		Date:	Petition No. <u>21-006-R</u>
		Fee Paid:	Jurisdiction: <u>PB &amp; CC</u>
		1 <sup>st</sup> Hearing: <u>PB 11-18-21</u>	2 <sup>nd</sup> Hearing: <u>3-15-22 &amp; 4-5-22</u>
		Publication Dates: <u>11-3-21</u>	<u>3-23</u>
		Notices Mailed: <u>11-3-21</u>	
<b>Rezone, Special Exception and Variance</b>			
<b>APPLICANT INFORMATION</b>			
1	Name of property owner(s): <u>NW</u> <del>NASSA MANAGEMENT GROUP LLC</del> Muhammad Nooruddin		
2	Owner mailing address: <u>7993 Steeplechase ct, Port Saint Lucie, FI 34986.</u>		
3	Name of applicant(s) if other than owner <u>NA.</u>		
4	Applicant mailing address:		
	E-mail address: <u>Nooruddin64@gmail.com.</u>		
5	Name of contact person (state relationship): <u>Muhammad Nooruddin</u>		
6	Contact person daytime phone(s): <u>863-801-1925</u>		
<b>PROPERTY INFORMATION</b>			
7	Property address/directions to property: <u>441 N. to NW 13 Street make a left , property on left 204 NW 13th Street , okeechbee, FI 34972..</u>		
8	Describe current use of property: <u>Vacant lot</u> <del>RE</del>		
9	Describe improvements on property (number/type buildings, dwelling units, occupied or vacant, etc. <u>No dwelling on the property is planned. Will utilize for the storage purposes</u>		
	Source of potable water: <u>City.</u> Method of sewage disposal: <u>NA</u>		
10	Approx. acreage: <u>.402</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>County's water retention</u> East: <u>Storage facility..</u> South: <u>Heavy commercial automotive shop.</u> West: <u>Single-family home</u>		
14	Existing zoning: <u>RMF</u> <del>E</del> Future Land Use classification: <u>heavy commercial</u>		
15	Have there been any prior rezoning, special exception, variance, or site plan approvals on the property? ( <u>X</u> ) No ( ) Yes. If yes provide date, petition number and nature of approval.		
16	Request is for: ( ) Rezone ( <u>X</u> ) Special Exception ( ) Variance		
17	Parcel Identification Number: <u>31-15-37-35-0010-00030-0230</u>		



Residential Multiple Family

ADDITIONAL INFORMATION REQUIRED FOR A REZONING	
A	Current zoning classification: <i>Multi family</i> Requested zoning classification <i>Heavy Commercial</i>
B	Describe the desired permitted use and intended nature of activities and development of the property? <i>Storage Facility</i>
C	Is a Special Exception necessary for your intended use? ( ) No ( <input checked="" type="checkbox"/> ) Yes If yes, briefly describe: <i>Current use is zoned as multifamily Residence. Future use is zoned Heavy Commercial.</i>
D	Is a Variance necessary for your intended use? ( <input checked="" type="checkbox"/> ) No ( ) Yes If yes, briefly describe:
E	Attach a Traffic Impact Study prepared by a professional transportation planner or transportation engineer, if the rezoning 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. <i>N/A</i>
F	Responses addressing the required findings for granting a rezoning or change in Land Development Regulations as described below. Attach additional sheets as necessary.

**FINDINGS REQUIRED FOR GRANTING A REZONING  
OR CHANGE IN LAND DEVELOPMENT  
REGULATIONS (Sec. 70-340, LDR page CD70:16)**

It is the Applicant's responsibility to convince the Planning Board/LPA and City Council that approval of the proposed rezoning is justified. Specifically, the Applicant should provide in his/her application and presentation sufficient explanation and documentation to convince the reviewing bodies to find that:

- The proposed rezoning is not contrary to Comprehensive Plan requirements.  
*Part of the Future Land use Heavy Commercial Proposal by the City Map.*
- The proposed use being applied for is specifically authorized under the zoning district in the Land Development Regulations. *Yes*
- The proposed use will not have an adverse effect on the public interest.  
*No Effect to the Public.*
- The proposed use is appropriate for the location proposed, is reasonably compatible with adjacent land uses, and is not contrary or detrimental to urbanizing land use patterns. *Consistent w/ Neighboring Storage facility.*
- The proposed use will not adversely affect property values or living conditions or be a deterrent to the improvement or development of adjacent property.  
*Will Not affect Property Value.*

Findings required for rezoning or change in land development regulations (cont.)

6. The proposed use can be suitably buffered from surrounding uses, so as to reduce the impact of any nuisance or hazard to the neighborhood *Properly fenced and locked.*
  
7. The proposed use will not create a density pattern that would overburden public facilities such as schools, streets, and utility services *No Impact on public Facilities.*
  
8. The proposed use will not create traffic congestion, flooding or drainage problems, or otherwise affect public safety.  
*No*
  
9. The proposed use has not been inordinately burdened by unnecessary restrictions.  
*No Impact on Restrictions*

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

Prepared by and return to:  
Patricia A. Ragon

Clear Title & Legal Services, Inc.  
202 NW 5th Street  
Okeechobee, FL 34972  
863-824-6776

#21-006-R

New Deed rec'd on  
2-10-2022.

[Space Above This Line For Recording Data]

## Quit Claim Deed

**This Quit Claim Deed** made this 20th day of January, 2022 between Nassa Management Group LLC, a Florida Limited Liability Company whose post office address is 7993 Steeplechase Ct., Port Saint Lucie, FL 34986, grantor, and Muhammad Nooruddin, a married man whose post office address is 7993 Steeplechase Ct., Port Saint Lucie, FL, 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:

**Lots 23 and 24, Block 3, CITY OF OKEECHOBEE, according to the Plat thereof recorded in Plat Book 5, Page 5, Public Records of Okeechobee County, Florida.**

**Parcel Identification Number: 3-15-37-35-0010-00030-0230**

**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:

Tanya Lowe  
Witness Name: Tanya Lowe  
Vanessa Aquilar  
Witness Name: Vanessa Aquilar

Nassa Management Group LLC, a Florida Limited Liability Company

By: [Signature]  
Muhammad Nooruddin, Managing Member

By: [Signature]  
Shanhaz Nooruddin, Managing Member

State of Florida  
County of Okeechobee

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 2<sup>nd</sup> day of January, 2022 by Muhammed Nooruddin and Shanhaz Nooruddin of Nassa Management Group LLC, a Florida Limited Liability Company, on behalf of the corporation. They  are personally known to me or  have produced a driver's license as identification.

[Notary Seal]

[Signature]  
Notary Public



Taylor P. Woods  
Notary Public  
State of Florida  
Comm# HH089076  
Expires 5/23/2025

Printed Name: Taylor P. Woods  
My Commission Expires: 5.23.25



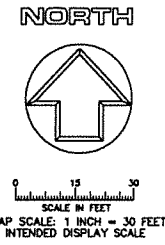
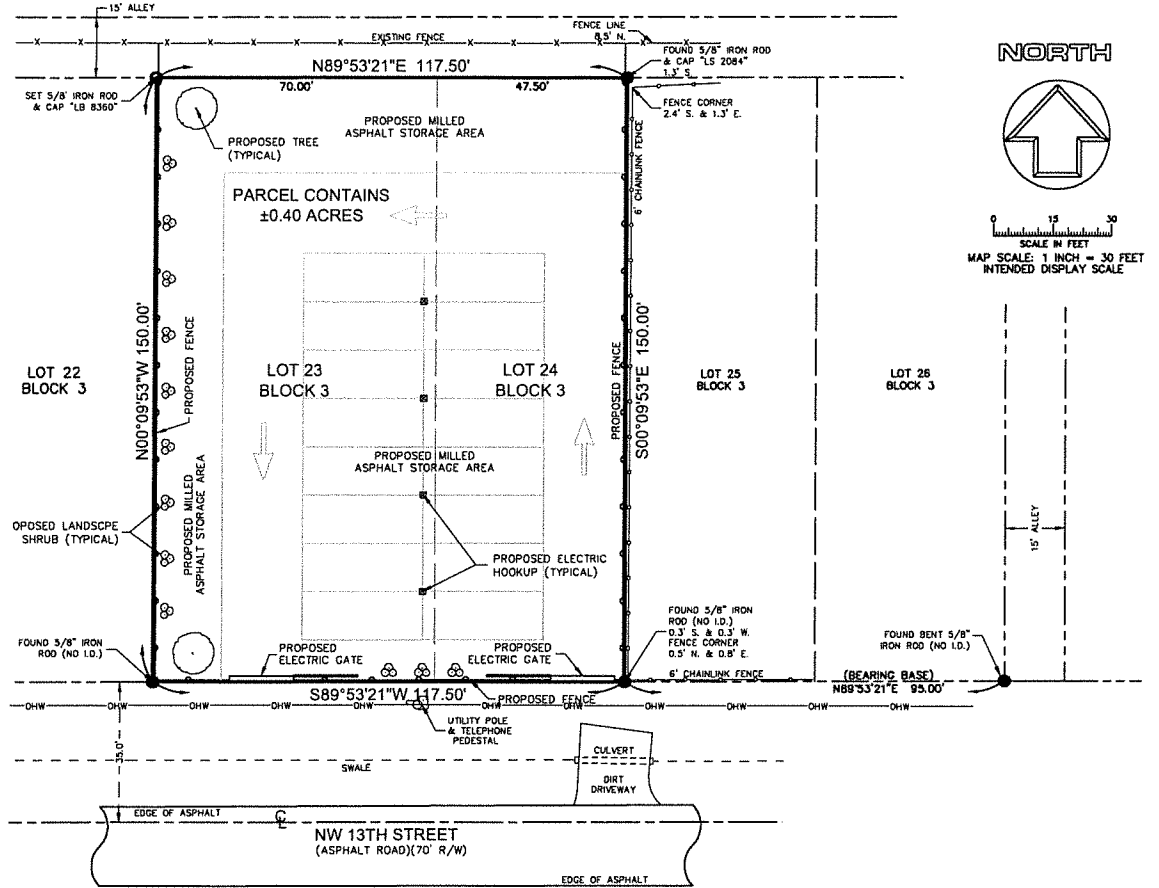
#21-006-R

New Survey recd  
on 2-11-2022

# BOUNDARY SURVEY PREPARED FOR MUHAMMAD NOORUDDIN

**DESCRIPTION:**

LOTS 23 AND 24, BLOCK 3, OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK, PAGE 5, PI OKEECHOBEE COUNTY, FLORIDA.



**PROJECT SPECIFIC NOTES:**

- 1) UNLESS SHOWN OTHERWISE, ALL DIMENSIONS ARE PLAT(P) AND MEASURED(M).
- 2) SITE ADDRESS: 204 NW 13TH ST
- 3) PARCEL ID: 3-15-37-35-0010-00030-0230
- 4) F.I.R.M. ZONE: "X", MAP NO. 12093C0415C, DATED 07/16/15.
- 5) THIS SURVEY IS NOT INTENDED TO DEPICT JURISDICTIONAL AREAS OR OTHER AREAS OF LOCAL CONCERN.
- 6) 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, THERE MAY BE OTHER EASEMENTS OR RESTRICTIONS THAT EFFECT THIS PARCEL.
- 7) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.
- 8) 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) THE DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT OR THE CLIENT'S REPRESENTATIVE.
- 10) DATE OF LAST FIELD SURVEY: 08/03/20.

**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:  MUHAMMAD NOORUDDIN	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">DESCRIPTION</th> <th style="text-align: left;">DWG. DATE</th> <th style="text-align: left;">BY</th> <th style="text-align: left;">CK</th> </tr> </thead> <tbody> <tr> <td>BOUNDARY SURVEY</td> <td>09/22/20</td> <td>AL</td> <td>JJR</td> </tr> <tr> <td>ADD PROPOSED IMPROVEMENTS</td> <td>12/30/21</td> <td>WC</td> <td>JJR</td> </tr> </tbody> </table>	DESCRIPTION	DWG. DATE	BY	CK	BOUNDARY SURVEY	09/22/20	AL	JJR	ADD PROPOSED IMPROVEMENTS	12/30/21	WC	JJR	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: left;">DESCRIPTION REFERENCE: O. R. BOOK 599, PG. 1232</td> <td style="text-align: left;">360/49</td> <td style="text-align: left;">SCALE: 1" = 30'</td> </tr> <tr> <td style="text-align: left;">BEARING REFERENCE: NORTH R/W LINE NW 13TH STREET TAKEN TO BEAR S89°3'21"W</td> <td style="text-align: left;">FILE: 20-341</td> <td style="text-align: left;">JOB NO: 20-341</td> </tr> </table>	DESCRIPTION REFERENCE: O. R. BOOK 599, PG. 1232	360/49	SCALE: 1" = 30'	BEARING REFERENCE: NORTH R/W LINE NW 13TH STREET TAKEN TO BEAR S89°3'21"W	FILE: 20-341	JOB NO: 20-341
DESCRIPTION	DWG. DATE	BY	CK																	
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**TRADEWINDS SURVEYING GROUP, LLC.**

200 SW 3rd Avenue  
Okeechobee, FL. 34974  
Tel: (863) 763-2867  
Fax: (863) 763-4342

John V. 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; C=Calculated; CATV=Cable TV; CM=Concrete Monument; CONC=Concrete; D=Deed; Δ=Delta or Central Angle; E=East; ELY=Eastern; E/P=Edge of Pavement; ESM=Easement; F.I.R.M.=Flood Insurance Rate Map; FG=Found; IR=Iron Pipe; IR&(C)=Iron Rod (and ID Cap); L=(Arc) Length; M=Measured; MH=Manhole; N=North; NLY=Northerly; NGVD(N)=National Geodetic Vertical (Datum) of 1929; NTS=Not to Scale; OHW=Overhead Wires; P=Property Line; P=Point; PC=Point of Curvature; PCC=Point of Compound Curvature; PCB=Permanent Control Point; POB=Point of Beginning; POC=Point of Commencement; PRC=Point of Reverse Curvature; PRM=Permanent Reference Monument; PI=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.

PARCEL NUMBER	OWNER	ADDRESS
1-09-37-35-0020-00740-0010	OKEECHOBEE HOSPITAL INC	ONE PARK PLAZA
3-15-37-35-0010-00030-0010	STATE OF FLORIDA D.O.T.	PO BOX 1249
3-15-37-35-0010-00030-0040	C & J INVESTMENT ENTERPRISES	2550 SE 27TH AVE
3-15-37-35-0010-00030-0070	STATE OF FLORIDA D.O.T.	PO BOX 1249
3-15-37-35-0010-00030-007A	STATE OF FLORIDA D.O.T.	PO BOX 1249
3-15-37-35-0010-00030-0170	HERNANDEZ RICARDO	201 NW 13TH STREET
3-15-37-35-0010-00030-0180	HERNANDEZ RICARDO	201 NW 13TH ST
3-15-37-35-0010-00030-0210	ROBERTSON HERBERT L	PO BOX 1382
3-15-37-35-0010-00030-0250	C & J INVESTMENT ENTERPRISES	2550 SE 27TH AVE
3-15-37-35-0010-00030-0260	C & J INVESTMENT ENTERPRISES	2550 SE 27TH AVE
3-15-37-35-0010-00140-0010	1201 N PARROTT AVE CCV LLC	1206 42ND ST STE 2
3-15-37-35-0010-00140-0070	NEWSUM IVOR L	3100 NW 4TH TERRACE #1
3-15-37-35-0010-00140-0110	HERNANDEZ RICARDO	201 NW 13TH STREET
3-15-37-35-0010-00140-0130	GUSTAFSON FRANK M	207 NW 13TH STREET
3-15-37-35-0010-00140-0140	MILLS CRYSTAL A	209 NW 13TH ST
3-15-37-35-0010-00140-0160	REYNOSO-LOPEZ MOISES G	5853 NW 30TH ST
3-15-37-35-0010-00140-0190	WIGGINS WAYNE J	210 NW 12TH ST
3-15-37-35-0010-00140-0200	NUNEZ ANITA	PO BOX 461
3-15-37-35-0010-00140-0220	CHAVEZ TERESA L	202 NW 12TH ST
3-15-37-35-0010-00140-0230	CHAVEZ ELBIA	112 NW 12TH STREET
3-15-37-35-0010-00140-0240	1201 N PARROTT AVE CCV LLC	1206 42ND ST STE 2
3-15-37-35-0010-00140-0250	1201 N PARROTT AVE CCV LLC	1206 42ND ST STE 2
3-15-37-35-0010-00140-0260	1201 N PARROTT AVE CCV LLC	1206 42ND ST STE 2

- 600ft

Okeechobee County

CITY	STATE	ZIP
NASHVILLE	TN	37203-6527
BARTOW	FL	33831
OKEECHOBEE	FL	34974-6446
BARTOW	FL	33831
BARTOW	FL	33831
OKEECHOBEE	FL	34972
OKEECHOBEE	FL	34972
OKEECHOBEE	FL	34973
OKEECHOBEE	FL	34974-6446
OKEECHOBEE	FL	34974
BROOKLYN	NY	11219-1353
POMPANO BEACH	FL	33064
OKEECHOBEE	FL	34972
OKEECHOBEE	FL	34972-1902
OKEECHOBEE	FL	34972-1902
OKEECHOBEE	FL	34972-8865
OKEECHOBEE	FL	34972
OKEECHOBEE	FL	34973-0461
OKEECHOBEE	FL	34972-2172
OKEECHOBEE	FL	34972
BROOKLYN	NY	11219-1353
BROOKLYN	NY	11219-1353
BROOKLYN	NY	11219-1353

100 FT BUFFER

SUBJECT PARCEL

NW 13TH ST

Petition No. 21-006-R

### 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 September 11, 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 14 day of September, 2021.

[Signature]  
Signature of Applicant

9/14/21  
Date

MUHAMMAD NURUDDIN  
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 14 day of September, 2021, by Muhammad Nuruddin, who is personally known to me or produced \_\_\_\_\_ as identification.

[Signature]  
Notary Public Signature  
**ROBIN BROCK**  
MY COMMISSION # GG 287198  
EXPIRES: December 27, 2022  
Bonded Thru Notary Public Underwriters

Reason for rezoning and special exception applications

Parcel ID 3-15 -37-30 5-0 010-0 0030-0230

The prospective land use of this property is heavy commercial, and the current zoning is residential multifamily (RMF). This property is directly across the street from Auto car shop and next to an existing storage facility. As a result, it will blend in with the surrounding companies and properly.

We intend to have open storage for RVs, boats, and vehicles, as well as maybe under the covered shed. We intend to install an electric outlet for boats and RVs. Okeechobee is in desperate need of a low-cost facility with an outlet to keep boats and RVs in working order. The facility will be surrounded by a protective fence with code entry to get in and out for security reasons. For security, the facility will be encircled by protective fence with code entry to get in and out. For monitoring, a surveillance camera will be installed.

The operation will be carried out remotely or via the internet. At the location, there will be no employee.

I feel the planned project will be a positive addition to Okeechobee and a decent use of the vacant land.

Muhammad Nooruddin

Owner

Site Address: 204 NW 13<sup>th</sup> Street, Okeechobee, Fl 34972

# Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

**2021 Preliminary Certified**

updated: 9/16/2021

Parcel: << **3-15-37-35-0010-00030-0230 (33203)** >>

Aerial Viewer Pictometry Google Maps

## Owner & Property Info

Result: 1 of 1

Owner	NASSA MANAGEMENT GROUP LLC 7993 STEEPLECHASE COURT PORT ST LUCIE, FL 34986		
Site	204 NW 13TH ST, OKEECHOBEE		
Description*	CITY OF OKEECHOBEE LOTS 23 & 24 BLOCK 3		
Area	0.402 AC	S/T/R	15-37-35
Use Code**	VACANT (0000)	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 Preliminary Certified	
Mkt Land	\$18,824	Mkt Land	\$18,824
Ag Land	\$0	Ag Land	\$0
Building	\$0	Building	\$0
XFOB	\$0	XFOB	\$0
Just	\$18,824	Just	\$18,824
Class	\$0	Class	\$0
Appraised	\$18,824	Appraised	\$18,824
SOH/10% Cap [?]	\$0	SOH/10% Cap [?]	\$0
Assessed	\$18,824	Assessed	\$18,824
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$18,824 city:\$18,824 other:\$18,824 school:\$18,824	Total Taxable	county:\$18,824 city:\$18,824 other:\$18,824 school:\$18,824

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
5/11/2006	\$50,000	0599/1232	WD	V	U	03
9/1/1984	\$14,000	0299/0205	AG	I	Q	

## 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
067NPE	NO SIDE N RR (MKT)	117.500 FF (0.402 AC)	1.0000/.8900 1.0000/ /	\$160 /FF	\$18,824

Search Result: 1 of 1



**CITY OF OKEECHOBEE, FLORIDA**  
**DECEMBER 21, 2021, REGULAR CITY COUNCIL MEETING**  
**OFFICIAL MEETING MINUTES**

**I. CALL TO ORDER**

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on December 21, 2021, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Pastor Don Hannan of the First United Methodist Church, followed by the Pledge of Allegiance led by Council Member Clark.

**II. ATTENDANCE**

Roll was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Noel Chandler, Monica Clark, Bob Jarriel, and Bobby Keefe.

**III. AGENDA AND PUBLIC COMMENTS**

A. Mayor Watford asked whether there were any agenda items to be added, deferred, or withdrawn. New Business Item A, to read by title only proposed Ordinance No. 1246 regarding Petition No. 21-006-R was withdrawn.

B. Motion by Council Member Keefe, seconded by Council Member Jarriel to approve the agenda as amended. **Motion Carried Unanimously.**

C. There were no comment cards submitted for public participation for issues not on the agenda.

**IV. CONSENT AGENDA**

Motion by Council Member Keefe, seconded by Council Member Clark to:

A. [Dispense with the reading and] approve the Minutes for the November 4, 2021, Citizen Charter Review Advisory Committee and City Council Workshop, and the December 7, 2021, Regular Meeting;

B. Approve the Warrant Register for November 2021 [in the amounts, General Fund: \$616,157.74; Public Facilities Improvement Fund: \$15,054.35; and Capital Improvement Projects Fund \$42,125.58 as presented]; **Motion Carried Unanimously.**

**V. NEW BUSINESS**

A. Motion to read by title only, and set January 18, 2022, as the final public hearing date for proposed Ordinance No. 1246, regarding Rezoning Petition No. 21-006-R submitted by Muhammad Nooruddin, registered agent for NASSA Management Group, LLC (property owner), to rezone from Residential Multiple Family to Heavy Commercial, Lots 23-24 of Block 3, OKEECHOBEE, Plat Book 5, Page 5 Okeechobee County public records, located at 204 Northwest 13<sup>th</sup> Street, the proposed use is a storage facility [as presented in Exhibit 1]. Item withdrawn from the agenda and will be resubmitted pending ownership issue being resolved.

B. A revised Exhibit 2 was distributed at the meeting. Motion by Council Member Jarriel, seconded by Council Member Clark to read by title only, proposed Ordinance No. 1247 regarding demolition of blighted structures; amending the City Code of Ordinances at Chapter 30, Article II Nuisance [as presented in Revised Exhibit 2]. **Motion Carried Unanimously.**

Attorney Fumero read proposed Ordinance No. 1247 as follows: **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA RELATING TO THE DEMOLITION OF BLIGHTED STRUCTURES; AMENDING THE CITY CODE OF ORDINANCES AT CHAPTER 30, ARTICLE II “NUISANCE” BY SPECIFICALLY AMENDING SECTION 30-31 “DEFINITIONS”; SPECIFICALLY AMENDING SECTION 30-43 “PUBLIC NUISANCES”; SPECIFICALLY AMENDING SECTION 30-74 “RESERVED”; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.”**

Motion by Council Member Jarriel, seconded by Council Member Clark to approve the first reading of proposed Ordinance No. 1247 and set January 18, 2022, as a final public hearing date. **Motion Carried Unanimously.**

C. Council Member Keefe moved to approve a leave of absence without pay for a Public Works Maintenance Operator [E.G. Whidden] from December 20, 2021 through January 2, 2022 [as presented in Exhibit 3]; seconded by Council Member Jarriel. **Motion Carried Unanimously.**





**CITY OF OKEECHOBEE, FLORIDA**  
**PLANNING BOARD**  
**NOVEMBER 18, 2021**  
**SUMMARY OF BOARD ACTION**

**I. CALL TO ORDER**

Chairperson Hoover called the regular and workshop meeting of the Planning Board for the City of Okeechobee to order on Thursday, November 18, 2021, at 6:02 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida. Invocation and Pledge of Allegiance was led by Board Member Phil Baughman.

**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**

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Board Member Brass, seconded by Vice Chairperson McCoy 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 Papasso, seconded by Board Member Baughman to dispense with the reading and approve the October 21, 2021, Regular Meeting and Workshop minutes. **Motion Carried Unanimously.**

**V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING FOR QUASI-JUDICIAL ITEM AT 6:04 P.M.**

- A. Rezoning Petition No. 21-006-R from Residential Multiple Family to Heavy Commercial on 0.402± acres located at 204 NW 13th Street, Lots 23 and 24 of Block 3, CITY OF OKEECHOBEE, PB 5, PG 5, Public Records of Okeechobee County, for the proposed use of a storage facility.
  - 1. No oath for testimony was administered.
  - 2. City Planning Consultant Mr. Jim LaRue of LaRue Planning and Management Services reviewed the Planning Staff Report and finds the rezoning is reasonably compatible with adjacent uses, consistent with the urbanizing pattern of the area, and consistent with the City's Comprehensive Plan, therefore recommending Approval.
  - 3. Mr. Muhammad Nooruddin, Registered Agent of the Property Owner, NASSA Management Group, LLC was not present.
  - 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 Baughman, seconded by Board Member Papasso to recommend to the City Council approval of Rezoning Petition No. 21-006-R as presented in [Exhibit 1, which includes the findings as required for granting Petitions per Code Section 70-340; and the Planning Consultant's analysis of the findings and recommendation for approval]. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for December 21, 2021, and January 18, 2022.

**CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 6:08 P.M.**

- VI.** Chairperson Hoover adjourned the meeting at 6:08 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 Planning Board with respect to any matter considered at this proceeding, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. General Services' media are for the sole purpose of backup for official records.

**ORDINANCE NO. 1231**

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 110, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (PETITION NO. 21-001-AC); RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Okeechobee General Services Department received Abandonment of Right-of-Way Petition No. 21-001-AC submitted by John Creswell, Agent on behalf of the property owner, JKST Holding, LLC, for the closing of a certain rights-of-way as described in this Ordinance; and

**WHEREAS**, the City of Okeechobee Technical Review Committee reviewed and discussed Petition No. 21-001-AC at a duly advertised public meeting held on May 20, 2021; and

**WHEREAS**, Petition No. 21-001-AC was reviewed and discussed by the City of Okeechobee Planning Board at a duly advertised Public Hearing held on July 15, 2021, and determined such Petition to be consistent with the Comprehensive Plan; and

**WHEREAS**, the City Council reviewed Petition No. 21-001-AC and finds it to be consistent with the Comprehensive Plan, is not the sole access to any property, is in the best interest of the citizens, provides a benefit to the City of Okeechobee; and

**WHEREAS**, this Ordinance addresses the request to reserve a perpetual, non-exclusive utility easement on a portion of the abandoned alleyway and the special condition request regarding relocation and/or repairs by the property owner; and

**WHEREAS**, the granting of the Petition will serve a legitimate public interest and is a proper exercise of the municipal authority of the City of Okeechobee as a discretionary function.

**NOW, THEREFORE**, it is ordained before the City Council for the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City:

**SECTION 1:** The unimproved, dedicated right-of-way described hereafter and as shown on Exhibit A, is hereby closed, vacated, and abandoned by the City of Okeechobee, Florida to-wit:

**THAT PORTION OF THE EAST TO WEST ALLEYWAY, 20-FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 6 AND LOTS 7 THROUGH 12 OF BLOCK 110, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, AS RECORDED IN THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.**

**SECTION 2:** The City of Okeechobee, Florida acknowledges and addresses the special conditions requested by the utility companies and included within Petition No. 21-001-AC:

**Reserving unto itself, its successors and assigns, a perpetual, non-exclusive a utility easement for the West 10-feet of the subject alleyway adjacent to Northeast 2<sup>nd</sup> Avenue, as requested by Florida, Power, and Light Company.**

**The applicant agrees to CenturyLink's request to bear all costs of relocation and repair of any of their facilities and equipment that are found and/or damaged in the abandoned alleyway.**

**SECTION 3:** The City Clerk shall cause a certified copy of the Ordinance to be recorded in the public records of Okeechobee County, Florida.

**SECTION 4:** Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5:** Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 6:** Effective Date. This Ordinance shall be set for Final Public Hearing the 15<sup>th</sup> day of March 2022, and shall take effect upon its adoption by the City Council and recorded in the public records of the Clerk of Circuit Court, Okeechobee County, Florida.

**INTRODUCED** for First Reading and set for Final Public Hearing on this 3<sup>rd</sup> day of August 2021.

\_\_\_\_\_  
Dowling Watford, Mayor

ATTEST:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after being postponed on January 18, 2022, to hold the Second Reading and Final Public Hearing on this 15<sup>th</sup> day of March 2022.

\_\_\_\_\_  
Dowling Watford, Mayor

ATTEST:

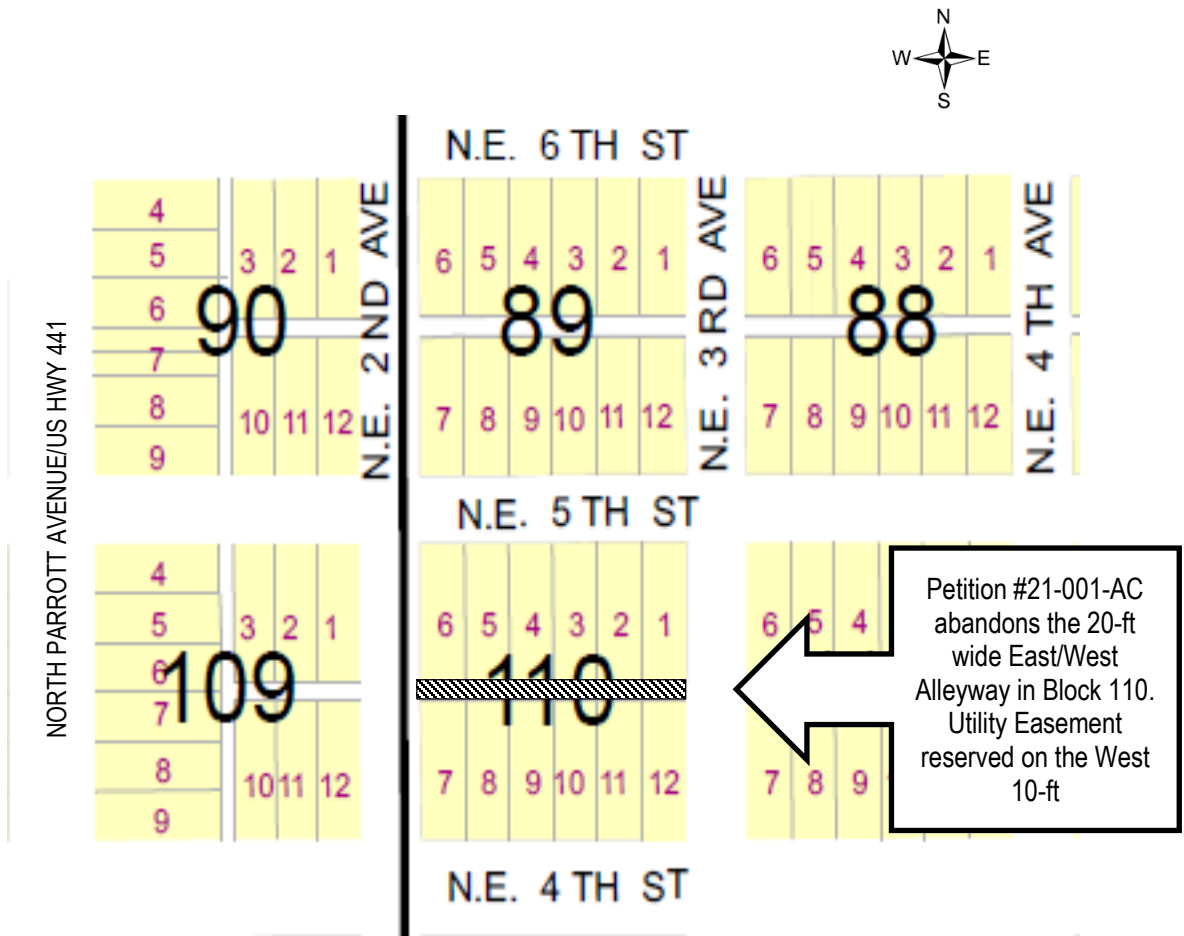
\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

\_\_\_\_\_  
John J. Fumero, City Attorney

# ORDINANCE NO. 1231 - EXHIBIT A

The following excerpt is from the City of Okeechobee Subdivision Map to identify the portion of alley to be abandoned as requested by Petition No. 21-001-AC, the subject property is recorded in Plat Book 5, Page 5, Okeechobee County Public Records.





**CITY OF OKEECHOBEE, FLORIDA**  
**JANUARY 18, 2022, REGULAR CITY COUNCIL MEETING**  
**DRAFT MEETING MINUTES**

**I. CALL TO ORDER**

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on January 18, 2022, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Mayor Watford, followed by the Pledge of Allegiance led by Council Member Keefe.

**II. ATTENDANCE**

Roll was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Noel A. Chandler, Monica M. Clark, Robert "Bob" Jarriel, and Robert "Bobby" Keefe, Jr.

**III. AGENDA AND PUBLIC COMMENTS**

A. Mayor Watford asked whether there were any agenda items to be added, deferred, or withdrawn. New Business Item "C," was added.

B. Motion by Council Member Keefe, seconded by Council Member Clark to approve the agenda as amended.  
**Motion Carried Unanimously.**

C. No comment cards were submitted for public participation for issues not on the agenda.

**IV. PRESENTATIONS AND PROCLAMTIONS**

A. Police Officer Brandon Greisemer, accompanied by his wife and daughter, was recognized by Mayor Watford and Police Chief Donald Hagan for his years of service. He was presented with a Cross Pen featuring his name engraved and a framed certificate, which read **"In recognition of your five years of service, hard work, and dedication to the City, its citizens and your fellow employees from January 4, 2017, through January 4, 2022."**

**V. CONSENT AGENDA**

Motion and second by Council Members Jarriel and Clark to:

A. [Dispensed with the reading and] approve the meeting minutes for December 21, 2021 [as presented].

B. Approve the Warrant Register for December 2021 [in the amounts: General Fund, \$517,107.37; Public Facilities Improvement Fund, \$14,196.40; and Capital Improvement Projects Fund, \$13,361.72, as presented]. **Motion Carried Unanimously.**

**VI. MAYOR WATFORD OPENED THE PUBLIC HEARING AT 6:09 P.M.**

A. Motion and second by Council Members Clark and Keefe to read by title only, proposed Ordinance No.1231, closing the alleyway in Block 110, CITY OF OKEECHOBEE, Abandonment of Right-of-Way Petition No. 21-001-AC [as presented in Exhibit 1]. **Motion Carried Unanimously.**

City Attorney John Fumero read proposed Ordinance No.1231 by title only as follows: **"AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 110, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA PETITION NO. 21-001-AC; RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."**

City staff advised that due to a recent submittal for a Future Land Use Map Amendment and Zoning Petition, the final adoption for this proposed ordinance needs to be postponed. Motion and second by Council Members Keefe and Jarriel to postpone the adoption of proposed Ordinance No. 1231 to March 15, 2022.

Mr. Mitch Stephen of 17775 Middle Brooke Way, Boca Raton, who is the property owner and applicant addressed the Council explaining the Federal Program for Economic Opportunity Zones of which this property is located within and his proposed development for an apartment complex. **Motion Carried Unanimously.**

VI. PUBLIC HEARING CONTINUED

- A. CONTINUED: Summary of Impact Statement Findings: the required employer contribution amount for firefighters for Fiscal Year ending September 20, 2022, decreased by \$22,686.00; the Unfunded Actuarial Accrued Liability for Firefighters increased by \$268,575.00; the Funded Ratio of the System decreased from 122.7 to 114.8 percent]. **Motion Carried Unanimously.**

MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:11 P.M.

VII. NEW BUSINESS

- A. Motion by Council Member Clark, seconded by Council Member Chandler to read by title only, proposed Ordinance No. 1231, Right-of-Way Abandonment Petition No. 21-001-AC submitted by JKST Holdings, LLC, to close the East to West alley in Block 110, CITY OF OKEECHOBEE, Plat Book 5, Page 5 Okeechobee County public records [as presented in Exhibit 2]. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1231 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 110, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (PETITION NO. 21-001-AC); RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."

Council Member Chandler moved to approve the first reading of proposed Ordinance No. 1231 and set September 7, 2021, as a final public hearing date; seconded by Council Member Clark.

City Planning Consultant Ben Smith provided the Staff Report combined with the recommendation to approve the request from both the Technical Review Committee and the Planning Board. However, this Petition and the one addressed in Item B, Ordinance No. 1232 were already in progress when the City Council denied adopting Ordinance No.'s 1225, 1226, 1227, and 1228 which would have reclassified the property within Blocks 110 and 121 as Multi-Family Residential on the Future Land Use Map and rezoned them to Residential Multiple Family. The objective was to vacate the alleyways once the land use and zoning was completed, to provide a better design rather than splitting the two blocks in half. Mr. Steve Dobbs addressed the Council on behalf of the applicant, requesting the final public hearing be continued until after the Council considers Item F on tonight's agenda.

Motion by Council Member Keefe, seconded by Council Clark to lay New Business Items A and B on the table until Item F is considered. **Motion Carried Unanimously.**

- F. The Council agreed to consider Item F at this time, which was to discuss the process for the property owners of Block 110 [located in the 200 block along Northeast 4<sup>th</sup> Street] and Block 121 [located in the 200 block along Northeast 3<sup>rd</sup> Street] to resubmit a Comprehensive Plan Small Scale Future Land Use Map Amendment Application and Rezoning Petition.

Mr. Steve Dobbs and Mr. Phil Berger presented their case on behalf of the new property owner, Mr. Frank Stephens for the City to administratively correct the Future Land Use and/or the Zoning maps for these two blocks to be consistent as required to develop them. Mr. Stephens also addressed the Council explaining his intentions to develop these blocks, which are located one block East of North Parrott Avenue.

VII. **NEW BUSINESS CONTINUED.**

F. **CONTINUED:** His original development was for apartments, but since that was rejected he is requesting the Lots be rezoned to Heavy Commercial (CHV) [from Light Commercial on Block 110 and from Residential Single Family-One on Block 121, the Future Land Use is already Commercial]. Planner Smith and Attorney Fumero advised that the City Council cannot administratively redesignate the Future Land Use nor Rezone property due to Florida Statutes requiring a specific process based on who is requesting the change. However, there could be a City initiated rezoning with the City assuming all costs, meaning the fee to process the petition would not be paid by the applicant.

Motion by Council Member Keefe, seconded by Council Member Chandler to task Staff with the initiation of a rezoning to CHV for Blocks 110 and 121, CITY OF OKEECHOBEE, as recorded in Plat Book 5, Page 5, Okeechobee County public records. **Motion Carried Unanimously.**

A. The Council then went back to readdress item A. Motion and second by Council Members Keefe and Clark to remove New Business Items A and B from the table. **Motion Carried Unanimously.** Based on the action taken on Item F, the public hearing for proposed Ordinance No. 1231 cannot be set for September 7, 2021, and will need to be held after the final adoption of the City initiated rezoning petition.

Council Member Keefe moved to amend the motion on floor, approving the first reading of proposed Ordinance No. 1231 and set September 7, 2021, as a final public hearing date to postpone the final public hearing date to be held after the rezoning final public hearing date for Blocks 110 and 121; seconded by Council Member Clark. **Motion To Amend Carried Unanimously.** There being no further discussion, **Motion As Amended Carried Unanimously.**

B. Motion by Council Member Chandler, seconded by Council Member Keefe to read by title only, proposed Ordinance No. 1232, Right-of-Way Abandonment Petition No. 21-002-AC submitted by Shaun and Desiree Penrod, to close the East to West alley in Block 121, CITY OF OKEECHOBEE, Plat Book 5, Page 5 Okeechobee County public records [as presented in Exhibit 3]. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1232 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 121, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (PETITION NO. 21-002-AC); RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."

Council Member Keefe moved to approve the first reading of proposed Ordinance No. 1232 and set the final public hearing date to be after the rezoning final public hearing date for Blocks 110 and 121; seconded by Council Member Chandler. **Motion Carried Unanimously.**

C. Council Member Chandler moved to approve a proposal [No. P 4142] with Craig A. Smith and Associates to provide professional engineering services [in the amount of \$14,300.00] for a modification to the South Florida Water Management District Permit for the City Commerce Center; seconded by Council Member Keefe [as presented in Exhibit 4]. **Motion Carried Unanimously.**

D. Mrs. Bobbi Poole submitted a request to discuss shower facilities for the homeless. Due to her absence this item was not discussed.



CITY OF OKEECHOBEE, FLORIDA  
**PLANNING BOARD MEETING**  
**JULY 15, 2021**  
**SUMMARY OF BOARD ACTION**

#21-001-AC  
**FILE COPY**

- I. **CALL TO ORDER**  
 Chairperson Hoover called the regular Planning Board meeting for the City of Okeechobee to order on Thursday, July 15, 2021, at 6:02 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 Dawn Hoover, Board Members Phil Baughman, Karyne Brass, Rick Chartier, and Mac Jonassaint were present. Alternate Board Members Joe Papasso and Jim Shaw were present. Vice Chairperson Doug McCoy and Board Member Felix Granados were absent without consent. Chairperson Hoover moved Alternate Board Members Papasso and Shaw to voting position.
- III. **AGENDA**  
 A. New Business Item A. was added.  
 B. Motion by Member Chartier, seconded by Member Baughman to approve the agenda as amended. **Motion Carried Unanimously.**
- IV. **MINUTES**  
 A. Motion by Member Brass, seconded by Alternate Board Member Papasso to dispense with the reading and approve the May 20, 2021, Regular Meeting and Workshop minutes. **Motion Carried Unanimously.**
- V. **CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:06 P.M.**  
 A. **Abandonment of Right-of-Way Petition No. 21-001-AC, requests to vacate the 20-foot wide by 299.75-foot long East to West alleyway lying between Lots 1 through 6 and 7 through 12 of Block 110, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Public Records of Okeechobee County.**  
 1. City Planning Consultant Mr. Ben Smith of LaRue Planning and Management Services reviewed the Planning Staff Report recommending approval.  
 2. Mr. Steven Dobbs was present on behalf of the Property Owner, JKST Holdings, LLC, and commented even though the Rezoning request to change the zoning from Light Commercial to Residential Multiple Family (RMF) was denied by the City Council, (Petition No. 21-002-R), his client still wished to proceed with the abandonment request. He further commented his client was going to petition the City Council to administratively rezone the parcel to Heavy Commercial (CHV).  
 3. There were no public comments offered.  
 4. There were no Ex-Parte disclosures offered.  
 5. Motion by Member Baughman, seconded by Member Jonassaint to recommend to the City Council approval of Abandonment of Right-of-Way Petition No. 21-001-AC as presented in [Exhibit 1, which includes the findings as required for granting a vacation of rights-of-way petitions per Code Section 78-33; Planning Consultant's analysis of the findings and recommendation for approval; and the Technical Review Committee's (TRC) recommendation to approve] with the following conditions: after abandonment the property will reflect the current Future Land Use (FLU) and Zoning Map designations; Florida Power and Light (FPL) is requiring a 10-foot easement be provided for the full 20-foot width of the subject right-of-way on the West side, adjacent to Northeast 2<sup>nd</sup> Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas. **Motion Carried.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for August 3, 2021, and September 7, 2021.





#21-001-AC

FILE COPY

**CITY OF OKEECHOBEE, FLORIDA**  
**TECHNICAL REVIEW COMMITTEE MEETING**  
**MAY 20, 2021**

**SUMMARY OF COMMITTEE ACTION**

**I. CALL TO ORDER**

Chairperson Montes De Oca called the regular meeting of the Technical Review Committee (TRC) for the City of Okeechobee to order on Thursday, May 20, 2021, at 10:00 A.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida, followed by the Pledge of Allegiance led by Assistant Police Chief Hagan.

**II. ATTENDANCE**

The following TRC Members were present: City Administrator Marcos Montes De Oca and Building Official Jeffery Newell. Members absent: Fire Chief Herb Smith (Lieutenant Adam Crum was present in his place), Police Chief Bob Peterson (Assistant Police Chief Donald Hagan was present in his place), and Public Works Director David Allen (Public Works Operations Supervisor Marvin Roberts was present in his place). City Planning Consultant Ben Smith, Okeechobee Utility Authority (OUA) Executive Director John Hayford (entered the Chambers at 10:04), Committee Secretary Patty Burnette and General Services Secretary Yesica Montoya were present. City Attorney John Fumero, Okeechobee County Environmental Health Director Victor Faconti and the Okeechobee County School Board representative were absent.

**III. AGENDA**

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Building Official Newell, seconded by Assistant Police Chief Hagan to approve the agenda as presented. **Motion Carried Unanimously.**

**IV. MINUTES**

- A. Motion by Building Official Newell, seconded by Assistant Police Chief Hagan to dispense with the reading and approve the October 15, 2020, Regular Meeting minutes. **Motion Carried Unanimously.**

**V. NEW BUSINESS**

**A. Abandonment of Right-of-Way Petition No. 21-001-AC.**

- 1. City Planning Consultant Mr. Ben Smith of LaRue Planning and Management Services reviewed the Planning Staff Report recommending approval.
- 2. No City Staff comments were received.
- 3. The property owner or agent were not in attendance.
- 4. No public comments were offered.
- 5. Chairperson Montes De Oca disclosed he had spoken with Mr. Steven Dobbs, the Applicant's agent, regarding the proposed project.
- 6. Motion by Building Official Newell, seconded by Operations Supervisor Roberts to recommend approval to the Planning Board for Abandonment of Right-of-Way Petition No. 21-001-AC, which requests to vacate the 20-foot wide by 299.75-foot long East to West alleyway lying between Lots 1 through 6 and 7 through 12 of Block 110, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public Records of Okeechobee County with the following conditions: Florida Power & Light (FPL) is requiring a 10-foot easement be provided for the full 20-foot width of the subject right-of-way on the West side, adjacent to Northeast 2<sup>nd</sup> Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas. **Motion Carried Unanimously.**

**B. Abandonment of Right-of-way Petition No. 21-002-AC.**

- 1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
- 2. No City Staff comments were received.
- 3. The property owner or agent were not in attendance.
- 4. No public comments were offered.



Revised Version w/  
Rescheduled Meeting  
Dates.

## **Staff Report**

### **Right-of-Way Abandonment**

*Prepared for:*        *The City of Okeechobee*  
*Applicant:*            *JKST Holdings LLC*  
*Address:*              *309 NE 4<sup>th</sup> Street*  
*Petition No.:*         *21-001-AC*

**LaRue**  
**planning**

1375 Jackson Street # 206 Fort Myers, FL 33901

**Request**

The matter before the TRC is an application to abandon the alley that runs through Block 110 at 309 NE 4<sup>th</sup> Street. The alley is 20 feet wide by 299.75 feet long, totaling 5,995 square feet (0.138 acres). The block is owned by a single land owner that plans to sell the entirety of the property to a potential developer with plans to build apartments at this site if the concurrent future land use map amendment and rezoning requests are also approved.

**General Information**

Applicant	JKST Holdings LLC PO Box 873 Port Salerno, FL 34992
Site Address	The alley between the north and south sections of Block 110 at 309 NE 4 <sup>th</sup> St
Contact Person	John Creswell
Contact Phone Number	863.467.1111
Contact E-mail Address	shaun@gdcflorida.com

**Legal Description of Subject Property**

A STRIP OF LAND, 20.00 FEET IN WIDTH, BEING A PORTION OF BLOCK 110 OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, LOCATED IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 7 OF SAID BLOCK 110, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF THE ALLEY OF SAID BLOCK 110, THENCE NORTH 00°10'09" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF NORTHEAST 2ND AVENUE, A DISTANCE OF 20.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 110 ALLEY; THENCE NORTH 89°45'09"EAST ALONG THE NORTH LINE OF SAID BLOCK 110 ALLEY, A DISTANCE OF 299.74 FEET TO THE WEST RIGHT RIGHT-OF-WAY LINE OF NORTHEAST 3RD AVENUE AND THE NORTHEAST CORNER OF SAID BLOCK 110 ALLEY; THENCE SOUTH 00°11'47" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 110 ALLEY; THENCE SOUTH 89°45'46" WEST ALONG THE SOUTH LINE OF SAID BLOCK 110 ALLEY, A DISTANCE OF 299.75 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN OKEECHOBEE COUNTY, FLORIDA CONTAINING 0.138 ACRES MORE OR LESS.

**Characteristics of the Subject Property**

	Existing	Proposed
Future Land Use	Commercial	Multi-Family Residential
Zoning	Light Commercial	Residential Multiple Family
Use of Property	Vacant	Multi-Family rental apartments
Acreage	0.138 acres	0.138 acres

**Description of the Subject Site and Surrounding Area**

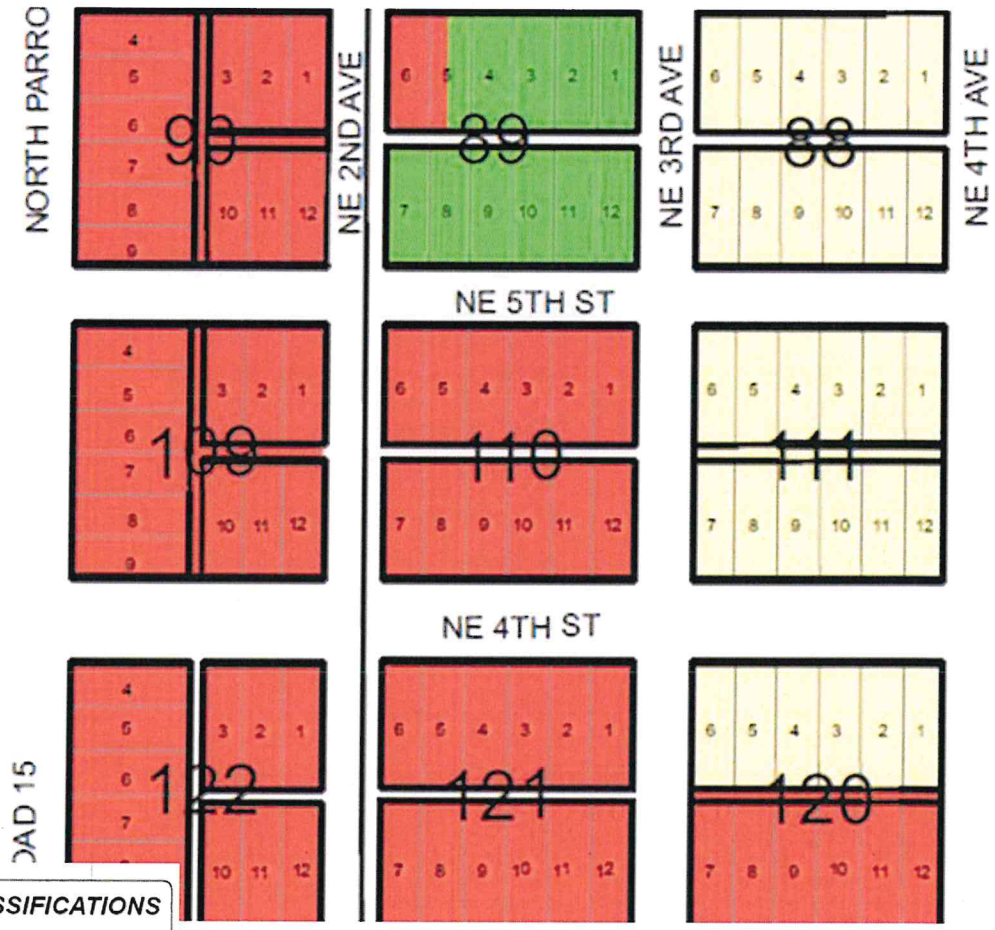
**AERIAL**

The subject of the abandonment/vacation is outlined in **Red** on the aerial photograph from the Property Appraiser's office below. The Applicant owns both sections of the surrounding property.



### FUTURE LAND USE

The subject of the abandonment/vacation, is the land between the north and south sections of Block 110, as shown on this excerpt from the City's Future Land Use Map. If the City grants the Applicant's concurrent request to change the future land use designation from Commercial to Multifamily Residential, then it also seems appropriate to approve the vacation of this alley and designate that land as Multifamily Residential on the Future Land Use Map.



**LAND USE CLASSIFICATIONS**

- +--- RAILROAD CENTERLINE
- HOPKINS MEANDER LINE
- +--- RAILROAD CENTERLINE
- fl\_u\_boundary\_lines
- lot\_line
- fl\_u\_background\_parcel
- SINGLE - FAMILY RESIDENTIAL
- MIXED USE RESIDENTIAL
- MULTI - FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITIES

**ZONING**

The subject of the abandonment/vacation, is the land between the north and south sections of Block 110, as shown on this excerpt from the City's Zoning Map. If the City grants the Applicant's concurrent request to rezone from Light Commercial to Residential Multiple Family, then it also seems appropriate to approve the vacation of this alley and designate that land as Residential Multiple Family on the Zoning Map.



**ZONING**

- boundary lines
- - - HOPKING MEANDER LINE
- + + + RAILROAD CENTERLINE
- city\_zoning\_parcels\_background
- CENTRAL BUSINESS DISTRICT
- HEAVY COMMERCIAL
- LIGHT COMMERCIAL
- COMMERCIAL PROFESSIONAL OFFICE
- HOLDING
- INDUSTRIAL
- PUBLIC USE
- PLANNED UNIT DEVELOPMENT-MIXED USE
- PLANNED UNIT DEVELOPMENT-RESIDENTIAL
- RESIDENTIAL MULTIPLE FAMILY
- RESIDENTIAL MOBILE HOME
- RESIDENTIAL SINGLE FAMILY-ONE
- RESIDENTIAL SINGLE FAMILY-TWO

### **Consistency with Sec. 78-33, Vacation of Rights-of-Way**

Sec. 78.33 states that applications to vacate an alley or public right-of-way may be approved upon a finding by the City Council that the following requirements have been met. The Applicant's responses are provided in Times Roman typeface and are repeated below exactly as provided by the Applicant. Staff has made no attempt to correct typos, grammar, or clarify the Applicant's comments. Staff Comments are in Arial typeface.

**1. *Proposed vacation is consistent with the Comprehensive Plan.***

**Applicant Comment:** "The requested alley is currently not used for access or utilities, there is no mention of alleys in the City's Comprehensive Plan, the LDR's mention alleys in Section 86-142, which states alley may be allowed in residential districts, also in Section 70-335, which states notice of abandonment required, otherwise they are other referenced, but not concerning vacancies."

**Staff Comment:** There is nothing in the City's Comprehensive Plan concerning abandonments or vacations of rights-of-way.

**2. *Right-of-way to be vacated is not the sole access to any property, and the remaining access is not an easement***

**Applicant Comment:** "The alley is not sole access to any property and a remaining land will not require an easement."

**Staff Comment:** The applicant owns all of the surrounding property. No other properties require this alley for access. If the abandonment is approved, FP&L is requiring that a 10 foot easement be provided for the full 20 foot width of the subject ROW on the West side, adjacent to NE 2<sup>nd</sup> Avenue.

**3. *Proposed vacation is in the public interest and provides a benefit to the City.***

**Applicant Comment:** "The proposed vacation of the alley is within a block that will become a multifamily project, which the City is in need of, so this vacation will allow the existing ROW and alley's square footage to add density to this project so more housing can be added and return the property to the tax rolls."

**Staff Comment:** The proposed right-of-way area to be vacated has not been improved to facilitate vehicular traffic. Turning over maintenance responsibility to the Applicant and adding this property to the City tax rolls will be a benefit to the City. If the concurrently requested map changes are approved and the property is developed according to the Applicant's stated plans, additional taxes will be collected by the City.

4. *Proposed vacation would not jeopardize the location of any utility.*

**Applicant Comment:** "There are currently no utilities in the requested abandonments."

**Staff Comment:** The Applicant has provided signed authorizations from all necessary utility entities including:

- Florida Power & Light (with the above mentioned required easement)
- Century Link (with the condition that the Applicant will bear the cost of relocation and repair of any facilities that are found and/or damaged in the vacated areas)
- Comcast
- Okeechobee Utility Authority
- Florida Public Utilities

## Recommendation

Based on the foregoing information and analysis, we believe, from a planning perspective, that if the applicant agrees to the requested conditions made by FP&L and Century Link, the requested right-of-way vacation/abandonment can be considered consistent with the requirements of Sec. 78-33. Staff recommends **approval** of this request.

Submitted by:



Benjamin L. Smith, AICP  
Sr. Planner

LaRue Planning  
May 11, 2021

TRC Meeting: May 20, 2021

PB/BOA Meeting: July 15, 2021

City Council 1<sup>st</sup> Reading: (tentative) August 3, 2021

City Council 2<sup>nd</sup> Reading and Public Hearing: (tentative) September 7, 2021\*

\* Postponed until Rezoning matter resolved, see 8/13/2021 Council Minutes. JH





**CITY OF OKEECHOBEE**  
**General Services Department**  
**55 Southeast 3<sup>rd</sup> Street**  
**Okeechobee, Florida 34974**  
**863-763-3372 X 9820**  
**Fax: 863-763-1686**

**ABANDONMENT OF RIGHT-OF-WAY PETITION**

**PETITION NO.** 21-001-AC

<b>Application fee (non-refundable)</b> <b>\$600.00</b>  Note: (Resolution No. 98-11) Schedule of Land Development Regulation Fees and Charges 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.	Date Fee Paid: <u>4-14-21</u>	Receipt No: <u>543954</u> <u>54396</u>
	TRC Meeting: <u>5-20-21</u>	Publication Date: Letters Mailed:
	PB/BOA Meeting: <u>6-17-21</u> <u>7-15-21</u>	Publication Dates: Letters Mailed: <u>6-2-21</u> <u>6-30-21</u>
	City Council 1 <sup>st</sup> Reading: <u>7-6-21</u>	CMR Letter E-mailed:
	City Council Public Hearing: <u>2-20-21</u> <u>8-2-21</u> <u>9-17-21</u>	Publication Date: <u>7/9/21</u> <u>8/5/21</u>

**Right-of-way Definition:** Land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress or egress, or other purpose by the public, certain designated individuals, or governing bodies. [F.S. Ch. 177 § 177.031(16)]. Easements for roads and related purposes shall be considered as right-of-way.

*See Page 1a*

**Legal Description of the Right-of-Way to be Abandoned:**  
 A STRIP OF LAND, 20.00 FEET IN WIDTH, BEING A PORTION OF BLOCK 110 OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, LOCATED IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 7 OF SAID BLOCK 110, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF THE ALLEY OF SAID BLOCK 110, THENCE NORTH 00°10'09" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF NORTHEAST 2ND AVENUE, A DISTANCE OF 20.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 110 ALLEY; THENCE NORTH 89°45'09" EAST ALONG THE NORTH LINE OF SAID BLOCK 110 ALLEY, A DISTANCE OF 299.74 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 3RD AVENUE AND THE NORTHEAST CORNER OF SAID BLOCK 110 ALLEY; THENCE SOUTH 00°11'47" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 110 ALLEY; THENCE SOUTH 89°45'46" WEST ALONG THE SOUTH LINE OF SAID BLOCK 110 ALLEY, A DISTANCE OF 299.75 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN OKEECHOBEE COUNTY, FLORIDA CONTAINING 0.138 ACRES MORE OR LESS.

**Note:** Upon abandonment of a right-of-way in the City of Okeechobee or First Addition of City of Okeechobee Subdivision's, there may be a Fee Simple Interest from the Hamrick Trust. For more information contact Gil Culbreth, 3550 US Hwy 441 South, Okeechobee, Florida 34974, 863-763-3154.

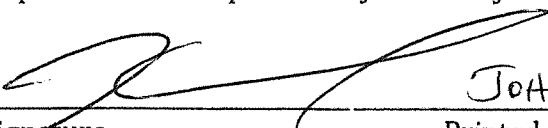
**Purpose of the Right-of-Way Abandonment:**  
 The alley is being abandoned because there is a single land owner around this alley and they are planning to sell the land to someone who wants to build multifamily units and this will eliminate the rear setback on each lot and allow a unity of title for the whole block.

## **ABANDONMENT OF ORIGHT-OF-WAY PETITION # 21-001-AC NOTES & INFORMATION FOR CLARIFICATION:**

1. The Planning Board meeting originally scheduled, noticed, and advertised for 6/17/2021, was canceled due to covid and city hall being closed. The meeting was rescheduled for 7/15/2021. This caused the signs posted on the property and notices to surrounding property owners to be revised and completed twice.
2. By request of the Project Engineer, Steve Dobbs, the first reading of Ordinance No. 1231 by the City Council was approved on 8/3/2021 and the public hearing was postponed until the rezoning matter could be finalized.
3. The rezoning matter was finalized on 11/16/2021, by Ordinance No. 1243.
4. On 11/29/2021 Clerk Gamiotea emailed the Steve Dobbs to verify that his client was ready to move forward with the final public hearing. On 12/3/2021, Mr. Dobbs advised that his client was in conversations with City Planner Jim LaRue, if those discussions were favorable, then his client would be ready to move forward with the alley closings. On 12/22/2021, Mr. Dobbs and Mr. F. Mitch Stephens advised Clerk Gamiotea to move forward with advertising the final public hearing to close the alley.
5. Block 110 was sold by JKST Holding, LLC to Frank Mitch Stephens of Glenwood Park, LLC, see warranty deed dated 5/28/2021, and corrected warranty deed dated 7/20/2021. Copies of the deeds and active sunbiz corporate information are all on file. Mr. Stephens is who paid the application fees.

✓	Name of property owner(s): JKST Holdings LLC
	Owner(s) mailing address: PO Box 873, Port Salerno, FL 34992-0873
	Owner(s) e-mail address: shaun@gdcflorida.com
	Owner(s) daytime phone(s): 863-467-1111 Fax:

✓	<b>Required Attachments</b>
✓	Copy of recorded deed of petitioner as well as any other property owner whose property is contiguous to the right-of-way.
<del>N/A</del>	Letters of Consent or Objection. (If more than one property owner is involved and they are <b>not</b> signing the petition). <b>SEE NOTE BELOW FOR ADDITIONAL INSTRUCTIONS</b>
✓	Location map of subject property and surrounding area within 100' (See Information Request Form attached) and dimensions of right-of-way.
✓	List of all property owners within 300' of subject property (See Information Request Form attached)
✓	Site Plan of property after abandonment. (No larger than 11x 17)
✓	Utility Companies Authorization Form. (See attached)
✓	Supplementary supporting information: Copy of recorded Plat of the Subdivision where right-of-way exists no larger than 11x17. (Can be obtained from the County Clerk's Office, Court House)
	<b>PLEASE NOTE:</b> <i>If there are other property owners that are contiguous to the subject right-of-way, a notarized letter must be attached with the following information: date, their name(s), what property they own, and whether they object to or consent to the right-of-way abandonment. (See attached sample letter)</i>

✓	<b>Confirmation of Information Accuracy</b>
I hereby certify that the information contained in and/or attached with this petition is correct. The information included in this petition 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 summary denial of this petition.	
 Signature	JOAN CRESWELL Printed Name
	3/31/2021 Date

#21-001-AC

**Detail by Entity Name**

Florida Limited Liability Company  
JKST HOLDINGS, LLC

Filing Information

**Document Number** L16000189762  
**FEI/EIN Number** 81-4132181  
**Date Filed** 10/13/2016  
**State** FL  
**Status** ACTIVE

Principal Address

4459 SE KUBIN AVENUE  
STUART, FL 34997

Mailing Address

P.O. BOX 873  
PORT SALERNO, FL 34992

Registered Agent Name & Address

CRESWELL, JOHN H  
4459 SE KUBIN AVENUE  
STUART, FL 34997

Authorized Person(s) Detail**Name & Address**

Title AMBR

CRESWELL, JOHN H  
4459 SE KUBIN AVENUE  
STUART, FL 34997

Title AMBR

CRESWELL, KATHLEEN B  
4459 SE KUBIN AVENUE  
STUART, FL 34997

Title AMBR

KOGUT, SHAUN M  
308 SW 2ND STREET  
OKEECHOBEE, FL 34974

Title AMBR

CROSS, TOBI L  
2533 SE 34TH LANE  
OKEECHOBEE, FL 34974

Annual Reports

Report Year	Filed Date
2019	01/30/2019
2020	01/15/2020
2021	02/09/2021

Document Images

<a href="#">02/09/2021 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/15/2020 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/30/2019 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/16/2018 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/09/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">10/13/2016 -- Florida Limited Liability</a>	<a href="#">View image in PDF format</a>



FILE NUM 2017001893  
 OR BK 786 PG 1593  
 SHARON ROBERTSON, CLERK & COMPTROLLER  
 OKEECHOBEE COUNTY, FLORIDA  
 RECORDED 02/28/2017 02:07:39 PM  
 AMT \$90,000.00  
 RECORDING FEES \$10.00  
 DEED DOC \$630.00  
 RECORDED BY S Creech  
 Pg 1593; (1 pg)

Prepared by and return to:  
 JOHN D. CASSELS, JR.  
 Partner  
 CASSELS & MCCALL  
 400 NW 2nd Street  
 Okeechobee, FL 34972  
 863-763-3131  
 File No.: 17-6358

Parcel Identification No. 3-15-37-35-0010-01100-0010

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#21001-AC

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 28 day of February, 2017 Between

C.P. CO., LLC, a Florida limited liability company whose post office address is PO BOX 14049, Fort Pierce, FL 34979 of the County of Saint Lucie, State of Florida, grantor, and

JKST HOLDINGS, LLC, a Florida limited liability company whose post office address is PO BOX 873, Stuart, FL 34997 of the County of Martin, State of Florida, grantee,

Sold 5/28/2021  
 to  
 Glenwood Park  
 LLC, F.M. Stephens

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Okeechobee County Florida, to-wit:

LOTS 1 TO 12, BLOCK 110 OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

Plat Book 5  
 Page 5

Subject to restrictions, reservations and easements of record, if any.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

✓ Alan R. Pohl  
 Witness Name: Alan R. Pohl  
 ✓ Rosa Gonzalez  
 Witness Name: Rosa Gonzalez

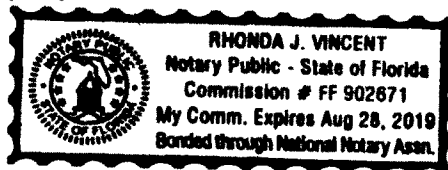
C.P. CO., LLC  
 By: George Pantuso  
 GEORGE PANTUSO, Authorized Member

State of Florida  
 County of St. Lucie

The foregoing instrument was acknowledged before me this 28th day of February, 2017 by GEORGE PANTUSO, Managing Member of C.P. CO., LLC, on behalf of the limited liability company. He/she  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]

✓ Rhonda J. Vincent  
 Notary Public Rhonda J. Vincent





Department of State / Division of Corporations / Search Records / Search by Entity Name /

### Detail by Entity Name

#21-001-AC  
FILE COPY

Florida Limited Liability Company  
GLENWOOD PARK, LLC

Filing Information

<b>Document Number</b>	L21000242266
<b>FEI/EIN Number</b>	NONE
<b>Date Filed</b>	05/24/2021
<b>State</b>	FL
<b>Status</b>	ACTIVE

Principal Address

17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

Mailing Address

17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

Registered Agent Name & Address

STEPHENS, FRANK M  
17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

Authorized Person(s) Detail

**Name & Address**

Title MGR

STEPHENS, FRANK M  
17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

Title MGR

2021 QUALIFIED FUND, LLC  
17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

Annual Reports

**No Annual Reports Filed**



Jerald D Bryant, Clerk of the Circuit Court & Comptroller  
 Okeechobee, FL Recorded 7/23/2021 8:42 AM  
 Fees: RECORDING \$18.50 D DOCTAX PD \$0.70

#21-001-AC

**FILE COPY**

Block 110  
 Sold from  
 JKST Holdings  
 to  
 Glenwood Park LLC  
 Corrected Deed  
 dated 5/28/2021  
 on file in Clerk's  
 Office

Prepared by and return to:  
 Patricia A. Ragon

Clear Title & Legal Services  
 202 NW 5th Street  
 Okeechobee, FL 34972  
 863-824-6776  
 File Number: 3926-21

[Space Above This Line For Recording Data]

## Corrected Warranty Deed

**This Warranty Deed** made this 20th day of July, 2021 between JKST Holdings, LLC, a Florida limited liability company whose post office address is P.O. Box 873, Port Salerno, FL 34992, grantor, and Glenwood Park, LLC, a Florida limited liability company whose post office address is 17705 Middlebrook Way, Boca Raton, FL 33496, 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 of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Okeechobee County, Florida to-wit:

**LOTS 1 THROUGH 12, BLOCK 110, INCLUSIVE, OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. A COPY OF SAID PLAT IS RECORDED IN PLAT BOOK 1, PAGE 10 AND ALSO RECORDED IN PLAT BOOK 5, PAGE 5, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.**

**Parcel Identification Number: 3-15-37-35-0010-01100-0010**

**Subject to; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.**

**This deed is being re-recorded to correct the legal description to add Block 110, to the deed recorded on 6/4/2021 Official Records File #2021006946, Public Records of Okeechobee County, Florida.**


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

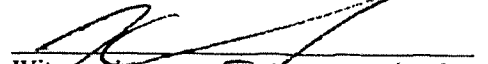
**To Have and to Hold**, the same in fee simple forever.

**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, 2020**.


**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:

  
Witness Name: SUSAN KOGUT

  
Witness Name: JOHN CRESWELL

JKST HOLDINGS, LLC, Florida Limited Liability Company


By:   
Tobi Kogut

State of Florida  
County of Okeechobee

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 21 day of July 2021 by Tobi Kogut of JKST HOLDINGS, LLC, Florida Limited Liability Company, on behalf of the corporation. He/she  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]



  
Notary Public

Printed Name: Morgan Brandel

My Commission Expires: 3/25/24



#21-001-AC

CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION  
Utility Companies Authorization Form

Instructions:

Applicant: Deliver the petition and this form to the following Utility Companies for their comments. It must be signed and dated with a contact number for each person.

Utility Companies: If an easement is needed, provide a complete legal description for it. The City Attorney will address it as a nonexclusive perpetual easement within the Ordinance. If there is going to be a relocated easement, provide legal of where it's to be relocated to. The City Attorney will address this in the Ordinance by denoting the relocated easement is in an attached exhibit to the Ordinance. Additionally, the effective date will be upon the City's receipt of the recorded relocated easement between the owner and utility company and provided on the utility company's form.

Florida Power & Light	FPL requires a 10' easement on the West end of the 20' alley in Block 110 adjacent to
863-467-3708	NE 2nd Avenue, if abandoned.
Donna Padgett	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

Embarq d/b/a Century Link	See attached letter, dated 3/30/2021
863-452-3185	Signed by D. Kennedy
Kenneth R. Lutz	Easement Required. <i>JK</i>
ken.lutz@centurylink.com	
Nre.easement@centurylink.com	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

Comcast Cable	
863-763-2824	
107 NW 7 <sup>th</sup> Avenue	
Rick_Johnson@cable.comcast.com	

*Rick Johnson* Rick Johnson Construction Coordinator 561-402-4513 3-26-21  
Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

Okeechobee Utility Authority	
John Hayford	
863-763-9460	
100 SW 5 <sup>th</sup> Avenue	

*[Signature]* John Hayford, Executive Director 863-763-9460 x 109 4/1/2021  
Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

Florida Public Utilities	
Ivan Gibbs	
561-723-3459	
igibbs@chpk.com	

*[Signature]* Ivan Gibbs Engineering Technician 561-723-3459 4-6-2021  
Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

**\*REQUIRED ONLY FOR CITY OF OKEECHOBEE & FIRST ADDITION TO CITY OF OKEECHOBEE SUBDIVISIONS**

Hamrick Estate	THE HAMRICK TRUST HAS A FEE INTEREST IN THE
Gil Culbreth, Co-Trustee	ALLEY IN BLOCK 110, CITY OF OKEECHOBEE
863-763-3154	

*[Signature]* H.G. Culbreth, Jr. 863-610-0265 4-2-2021  
Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

3/30/2021



JKST Holdings, LLC  
c/o Jessica Crews  
Abney Building & Consulting, Inc.  
201 NE 2<sup>nd</sup> Street  
Okeechobee, FL 34972

No Reservations/No Objection

**SUBJECT:** Vacate 20' Alley, Block 110, City of Okeechobee. According to the plat recorded in Plat Book 1, Page 5 of the Public Records of Okeechobee County.

To Whom It May Concern:

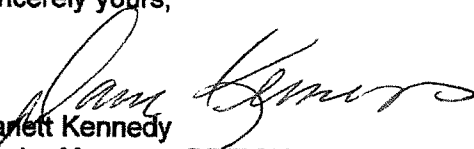
Embarq Florida, Inc., d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you have any questions, please contact Bill Paul at 727-449-3544 / [william.d.paul@centurylink.com](mailto:william.d.paul@centurylink.com)

Sincerely yours,

  
Darlett Kennedy  
Senior Manager, DF/ROW  
CenturyLink  
P836105



**PLEASE COMPLETE THE FOLLOWING**

**FINDINGS REQUIRED FOR GRANTING A VACATION OF RIGHTS-OF-WAYS  
(Sec. 78-33, page CD78:4 in the LDR's)**

It is the Petitioner's responsibility to convince the Technical Review Committee, Planning Board/BOA and City Council that approval of the proposed vacation is justified. Specifically, the Petitioner should provide in his/her application and presentation sufficient explanation and documentation to convince the reviewing body to find that:

<b>1. Proposed vacation is consistent with the Comprehensive Plan:</b>
The requested alley is currently not used for access or utilities, there is no mention of alleys in the City's Comprehensive plan, the LDR's mention alleys in Section 86-142, which states alley may be allowed in residential districts, also in Section 70-335, which states notice of abandonment required, otherwise they are other referenced, but not concerning vacancies.

<b>2. Right-of-way to be vacated is not the sole access to any property, and the remaining access is not an easement:</b>
The alley is not sole access to any property and a remaining land will not require an easement.

<b>3. Proposed vacation is in the public interest and provides a benefit to the City:</b>
The proposed vacation of the alley is within a block that will become a multifamily project, which the City is in need of, so this vacation will allow the existing ROW and alley's square footage to add density to this project so more housing can be added and return the property to the tax rolls.

<b>4. Proposed vacation would not jeopardize the location of any utility.</b>
There are currently no utilities in the requested abandonments.

The City Staff will, in the Staff Report, address the request and evaluate it and the Petitioner's submission in light of the above criteria and offer a recommendation for *approval or denial*.



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

**PARCEL: 3-15-37-35-0010-01100-0010 (33778) | VACANT (0000) | 1.928 AC**  
 CITY OF OKEECHOBEE (PLAT BOOK 1 PAGE 10 AND PLAT BOOK 5 PAGE 5) LOTS 1 TO 12 INC BLOCK 110

**JKST HOLDINGS LLC**  
 Owner: PO BOX 873  
 PORT SALERNO, FL 34992-0873  
 Site: 309 NE 4TH ST, OKEECHOBEE  
 Sales: 2/28/2017 \$90,000 V (Q)  
 Info: 12/18/2014 \$27,100 V (U)  
 1/1/2009 \$28,600 V (U)

**2020 Certified Values**

Mkt Lnd	\$167,040	Appraised	\$167,040
Ag Lnd	\$0	Assessed	\$167,040
Bldg	\$0	Exempt	\$0
XFOB	\$0	Total	county:\$167,040
Just	\$167,040	Taxable	city:\$167,040
			other:\$167,040
			school:\$167,040

**NOTES:**



This information, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

**SKETCH AND LEGAL DESCRIPTION**  
**(THIS IS NOT A SURVEY)**  
**20.0' ABANDONED ALLEY**

NOT VALID WITHOUT SHEET 2 OF 2

**LEGAL DESCRIPTION:**


A STRIP OF LAND, 20.00 FEET IN WIDTH, BEING A PORTION OF BLOCK 110 OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, LOCATED IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

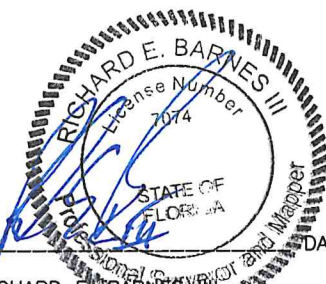
**BEGIN** AT THE NORTHWEST CORNER OF LOT 7 OF SAID BLOCK 110, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF THE ALLEY OF SAID BLOCK 110, THENCE NORTH 00°10'09" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF NORTHEAST 2ND AVENUE, A DISTANCE OF 20.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 110 ALLEY; THENCE NORTH 89°45'09" EAST ALONG THE NORTH LINE OF SAID BLOCK 110 ALLEY, A DISTANCE OF 299.74 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 3RD AVENUE AND THE NORTHEAST CORNER OF SAID BLOCK 110 ALLEY; THENCE SOUTH 00°11'47" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 110 ALLEY; THENCE SOUTH 89°45'46" WEST ALONG THE SOUTH LINE OF SAID BLOCK 110 ALLEY, A DISTANCE OF 299.75 FEET TO THE **POINT OF BEGINNING**.

SAID LAND LYING IN OKEECHOBEE COUNTY, FLORIDA CONTAINING 0.138 ACRES MORE OR LESS.

**SURVEYOR'S NOTES:**

1. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER. THIS INSTRUMENT MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT THE CONSENT OF THE SIGNING SURVEYOR.
2. LANDS DESCRIBED HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR OWNERSHIP, EASEMENTS, RIGHTS-OF-WAY OR OTHER INSTRUMENTS THAT MAY APPEAR IN THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.
3. THE DESCRIPTION CONTAINED HEREIN AND THE ATTACHED SKETCH DOES NOT REPRESENT A FIELD BOUNDARY SURVEY.

SIGNED:  DATE: 3/29/21



RICHARD E. BARNES III  
PROFESSIONAL SURVEYOR AND MAPPER NO. 7074  
STATE OF FLORIDA



**BSM & ASSOCIATES**  
LAND SURVEYING SERVICES

80 SE 31st Lane, Okeechobee, FL 34974  
ricky.barnes@bsmsurvey.com  
863.484.8324 LB 8155

**SKETCH AND LEGAL DESCRIPTION**  
**(THIS IS NOT A SURVEY)**  
**20.0' ABANDONED ALLEY**  
**OKEECHOBEE COUNTY, FLORIDA**

SCALE: N/A	PROJECT NO: 21-109	REVISION:
DATE: 03/26/21	CAD FILE: 21-109	SHEET: 1 OF 2



**SKETCH AND LEGAL  
DESCRIPTION  
(THIS IS NOT A SURVEY)  
20.0' ABANDONED ALLEY**

EXHIBIT "A"

NOT VALID WITHOUT SHEET 2 OF 2

**LEGAL DESCRIPTION:**

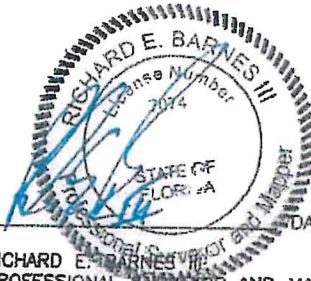
A STRIP OF LAND, 20.00 FEET IN WIDTH, BEING A PORTION OF BLOCK 110 OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, LOCATED IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGIN** AT THE NORTHWEST CORNER OF LOT 7 OF SAID BLOCK 110, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF THE ALLEY OF SAID BLOCK 110, THENCE NORTH 00°10'09" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF NORTHEAST 2ND AVENUE, A DISTANCE OF 20.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 110 ALLEY; THENCE NORTH 89°45'09" EAST ALONG THE NORTH LINE OF SAID BLOCK 110 ALLEY, A DISTANCE OF 299.74 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 3RD AVENUE AND THE NORTHEAST CORNER OF SAID BLOCK 110 ALLEY; THENCE SOUTH 00°11'47" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 110 ALLEY; THENCE SOUTH 89°45'46" WEST ALONG THE SOUTH LINE OF SAID BLOCK 110 ALLEY, A DISTANCE OF 299.75 FEET TO THE **POINT OF BEGINNING**.

SAID LAND LYING IN OKEECHOBEE COUNTY, FLORIDA CONTAINING 0.138 ACRES MORE OR LESS.

**SURVEYOR'S NOTES:**

1. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER. THIS INSTRUMENT MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT THE CONSENT OF THE SIGNING SURVEYOR.
2. LANDS DESCRIBED HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR OWNERSHIP, EASEMENTS, RIGHTS-OF-WAY OR OTHER INSTRUMENTS THAT MAY APPEAR IN THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.
3. THE DESCRIPTION CONTAINED HEREIN AND THE ATTACHED SKETCH DOES NOT REPRESENT A FIELD BOUNDARY SURVEY.


  
 SIGNED: *[Signature]* DATE: *3/24/21*  
 RICHARD E. BARNES III  
 PROFESSIONAL SURVEYOR AND MAPPER NO. 7074  
 STATE OF FLORIDA

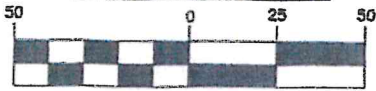


**BSM & ASSOCIATES**  
 LAND SURVEYING SERVICES  
 30 58 31st Lane, Okeechobee, FL 34974  
 ricky.barnes@bsmsurvey.com  
 863.494.8324 LS 8155

<b>SKETCH AND LEGAL DESCRIPTION (THIS IS NOT A SURVEY) 20.0' ABANDONED ALLEY OKEECHOBEE COUNTY, FLORIDA</b>	SCALE: N/A	PROJECT NO: 21-109	REVISION:
	DATE: 03/26/21	CAD FILE: 21-109	SHEET: 1 OF 2



**GRAPHIC SCALE**



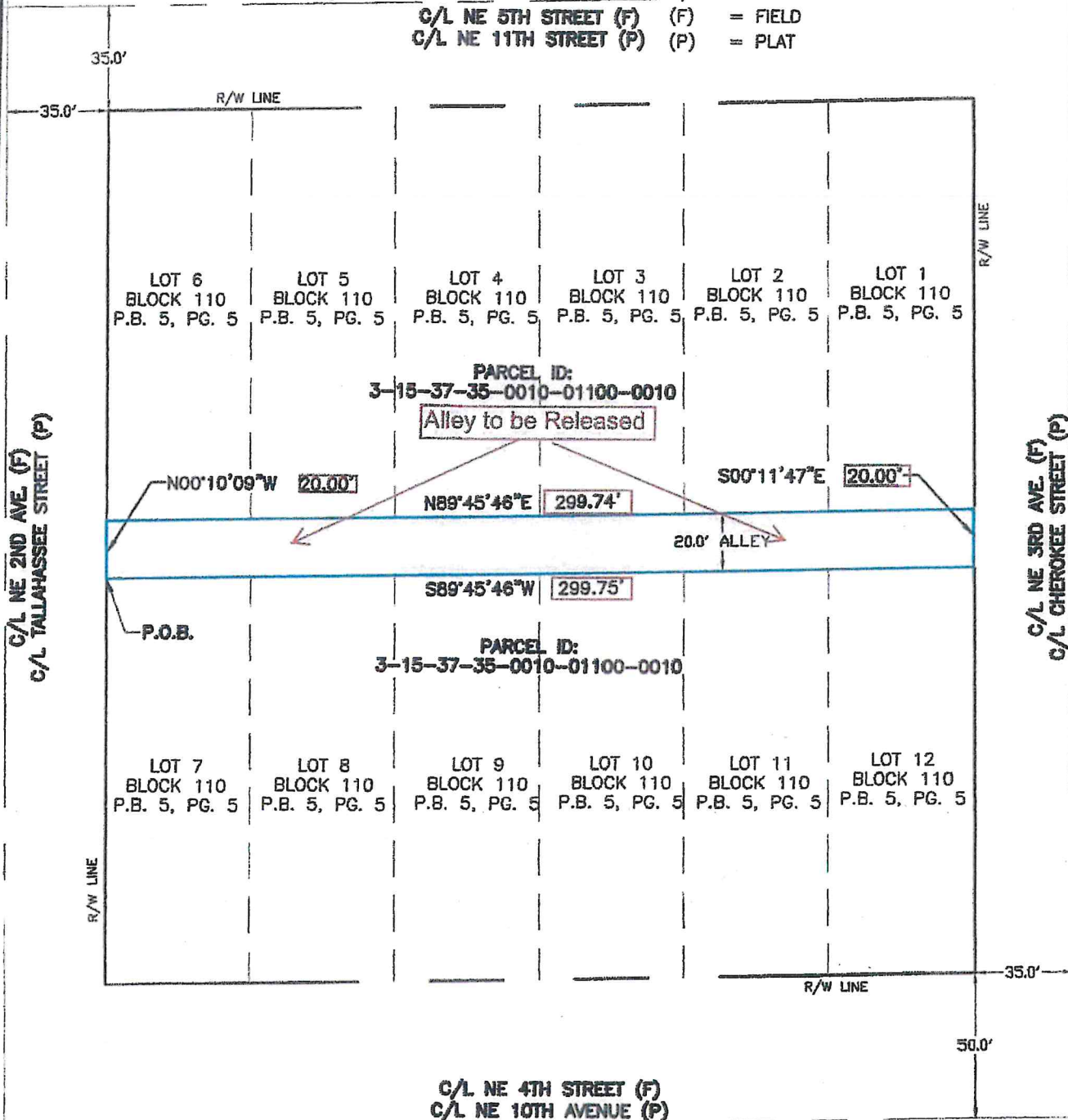
( IN FEET )

1 INCH = 50 FT.

(INTENDED DISPLAY SCALE)

**LEGEND:**

- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- P.B. = PLAT BOOK
- PG. = PAGE
- O.R.B. = OFFICIAL RECORDS BOOK
- R/W = RIGHT OF WAY
- C/L = CENTERLINE
- (F) = FIELD
- (P) = PLAT



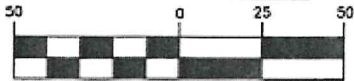
**BSM**  
 & ASSOCIATES  
 LAND SURVEYING SERVICES  
 80 SE 31st Lane, Okechobee, FL 34974  
 ricky.barnes@bsmsurvey.com  
 883.484.8324    L3 8155

NOT VALID WITHOUT SHEET 1 OF 2

**SKETCH AND LEGAL DESCRIPTION**  
 (THIS IS NOT A SURVEY)  
 20.0' ABANDONED ALLEY  
 OKECHOBEE COUNTY, FLORIDA

SCALE: 1" = 50'	PROJECT NO: 21-109	REVISION:
DATE: 03/26/21	CAD FILE: 21-109	SHEET: 2 OF 2

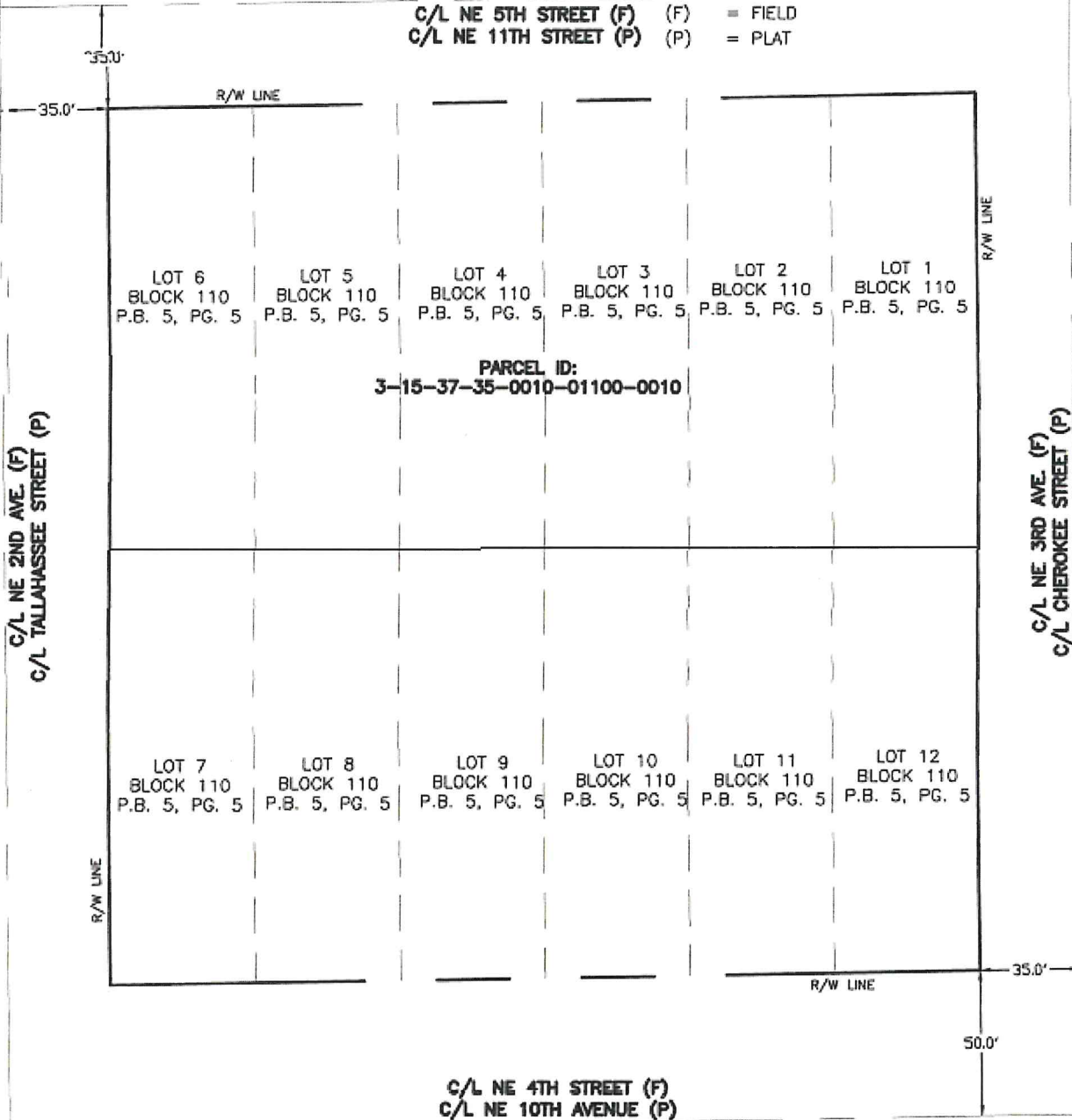
**GRAPHIC SCALE**



( IN FEET )  
1 INCH = 50 FT.  
(INTENDED DISPLAY SCALE)

**LEGEND:**

- P.O.B. = POINT OF BEGINNING
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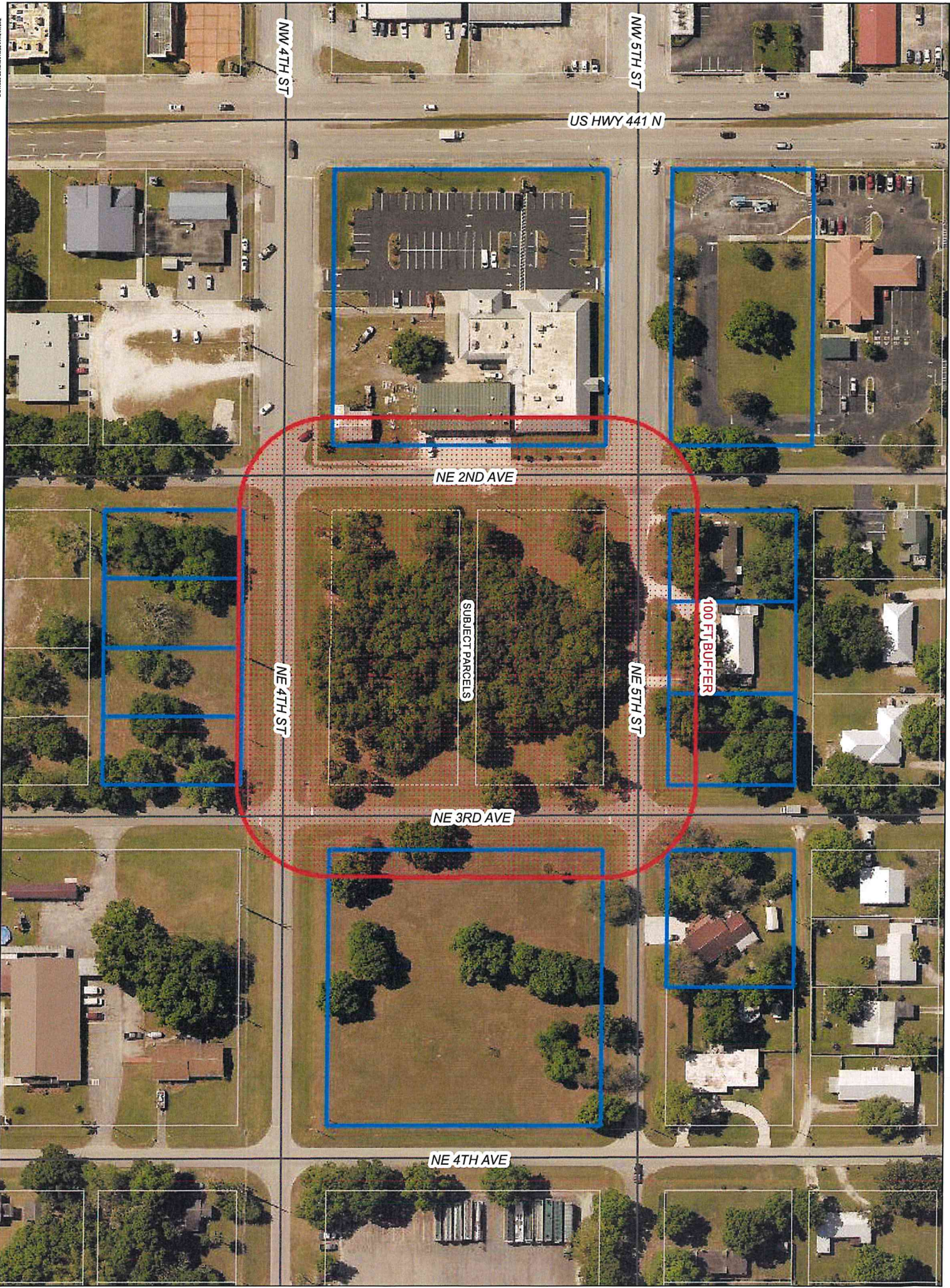
**Site Plan of Property After Abandonment**

**(THIS IS NOT A SURVEY)**  
20.0' ABANDONED ALLEY  
OKEECHOBEE COUNTY, FLORIDA

DATE:  
03/26/21

2023 AVALAR ESTABLISHED FROM THE  
THE DISTRICT COURT OF OKEECHOBEE COUNTY  
FOR THE YEAR 2023. THE DISTRICT COURT OF OKEECHOBEE COUNTY  
FOR THE YEAR 2023. THE DISTRICT COURT OF OKEECHOBEE COUNTY

OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE



NW 4TH ST

NW 5TH ST

US HWY 441 N

NE 2ND AVE

SUBJECT PARCELS

100 FT BUFFER

NE 4TH ST

NE 5TH ST

NE 3RD AVE

NE 4TH AVE

JKST Surrounding Owners within 300 Feet

	PARCEL NUMBER	OWNER	ADDRESS	CITTE	STATE	ZIP
1.	3-15-37-35-0010-01110-0010	CHURCH OF GOD	301 NE 4TH AVE	OKEECHOBEE	FL	34972
	3-15-37-35-0010-01200-0010	CHURCH OF GOD <i>Same</i>	301 NE 4TH AVE	OKEECHOBEE	FL	34972
2.	3-15-37-35-0010-00890-0060	COLT PENNY M	1601 SW 35TH CIR	OKEECHOBEE	FL	34974
3.	3-15-37-35-0010-00880-0070	ENTRY MARIE	500 NE 3RD AVE	OKEECHOBEE	FL	34972
4.	3-15-37-35-0010-00890-0090	II PARTNERS INC	P O BOX 2293	OKEECHOBEE	FL	34973-2293
5.	3-15-37-35-0010-01090-0010	LAKE REAL ESTATE HOLDINGS LLC	400 N PARROTT AVE	OKEECHOBEE	FL	34972
6.	3-15-37-35-0010-00890-0010	LMXN HOLDINGS LLC	1887 SW 8TH ST	OKEECHOBEE	FL	34974-3910
	3-15-37-35-0010-00890-0040	LMXN HOLDINGS LLC <i>Same</i>	1887 SW 8TH ST	OKEECHOBEE	FL	34974-3910
	3-15-37-35-0010-00890-0110	LMXN HOLDINGS LLC <i>Same</i>	1887 SW 8TH ST	OKEECHOBEE	FL	34974-3910
7.	3-15-37-35-0010-00880-0060	MITCHELL RONALD	1105 SW 4TH ST	OKEECHOBEE	FL	34974
8.	3-15-37-35-0010-01220-0010	OKEECHOBEE PRESBYTERIAN <i>Same</i>	312 N PARROTT AVE	OKEECHOBEE	FL	34972-2933
	3-15-37-35-0010-01220-0040	OKEECHOBEE PRESBYTERIAN CHURCH	312 N PARROTT AVE	OKEECHOBEE	FL	34972
9.	3-15-37-35-0010-01210-0010	PENROD SHAUN C	2437 SW 33RD CIR	OKEECHOBEE	FL	34974-5723
	3-15-37-35-0010-01210-0030	PENROD SHAUN C <i>Same</i>	2437 SW 33RD CIR	OKEECHOBEE	FL	34974-5723
	3-15-37-35-0010-01210-0040	PENROD SHAUN C <i>Same</i>	2437 SW 33RD CIR	OKEECHOBEE	FL	34974-5723
	3-15-37-35-0010-01210-0060	PENROD SHAUN C <i>Same</i>	2437 SW 33RD CIR	OKEECHOBEE	FL	34974-5723
	3-15-37-35-0010-01210-0070	PENROD SHAUN C <i>Same</i>	2437 SW 33RD CIR	OKEECHOBEE	FL	34974-5723
	3-15-37-35-0010-01210-0090	PENROD SHAUN C <i>Same</i>	2437 SW 33RD CIR	OKEECHOBEE	FL	34974-5723
	3-15-37-35-0010-01210-0100	PENROD SHAUN C <i>Same</i>	2437 SW 33RD CIR	OKEECHOBEE	FL	34974-5723
	3-15-37-35-0010-01210-0120	PENROD SHAUN C <i>Same</i>	2437 SW 33RD CIR	OKEECHOBEE	FL	34974-5723
10.	3-15-37-35-0010-01220-0100	SENIORS R ABLE INC	PO BOX 759	OKEECHOBEE	FL	34973-0759
11.	3-15-37-35-0010-00880-0100	SKYLINE RENOVATION SERVICES LLC	5276 JOG LN	DELRAY BEACH	FL	33484-6650
12.	3-15-37-35-0010-00900-0010	TAMAL PROPERTIES LLC	152 PORGEE ROCK PL	JUPITER	FL	33458-1634
	3-15-37-35-0010-00900-0070	TAMAL PROPERTIES LLC <i>Same</i>	152 PORGEE ROCK PL	JUPITER	FL	33458-1634
13.	3-15-37-35-0010-00890-0070	VILLEDIA BAUDILIO	201 NE 5TH ST	OKEECHOBEE	FL	34972-2605
14.	3-15-37-35-0010-00880-0040	WILLIAMSON JOHN	1200 NE 96TH ST	OKEECHOBEE	FL	34972-0505

If notice is mailed  
 to surrounding  
 owners

#21-001-AC  
**FILE COPY**

#21-001-AC  
FILE COPY



City of Okeechobee

55 SE Third Avenue  
Okeechobee, FL

Tele: 863-763-3372 Ext. 9824  
Fax: 863-763-1686

Dear Property Owner:

June 30, 2021

The Planning Board will be considering Abandonment of Right-of-Way Petition No. 21-001-AC which requests to abandon the Alleyway lying East to West between Lots 1 to 6 and 7 to 12 of Block 110, CITY OF OKEECHOBEE, PB 5/PG 5, Public Records, Okeechobee County, at a Public Hearing, held at City Hall, RM 200 on **Thursday, July 15, 2021, 6 PM**, or as soon thereafter as possible. You are receiving this courtesy notice as a property owner within 300-FT of the location. You are invited to attend and be heard in person, or you may submit your questions, comments or objections by 3 PM the day of the meeting by email: [pburnette@cityofokeechobee.com](mailto:pburnette@cityofokeechobee.com), or call the number above. The Planning Board will make recommendations concerning the petition to the City Council for consideration, at a Final Public Hearing tentatively on September 7, 2021, 6:00 PM.

The Petition file, agenda and up to date information about this meeting can be viewed online at [cityofokeechobee.com/AgendaMinutes-PlanningBoard.html](http://cityofokeechobee.com/AgendaMinutes-PlanningBoard.html) or at City Hall, Rm 100 during normal office hours or contact my office to have a copy emailed.

Respectfully,  
Patty Burnette, General Services Coordinator



City of Okeechobee

55 SE Third Avenue  
Okeechobee, FL

Tele: 863-763-3372 Ext. 9824  
Fax: 863-763-1686

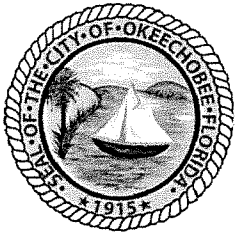
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June 30, 2021

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Respectfully,  
Patty Burnette, General Services Coordinator



**CITY OF OKEECHOBEE**

55 SE THIRD AVENUE  
OKEECHOBEE, FL 34974  
Tele: 863-763-3372 Fax: 863-763-1686

#Z1-001-AC  
**FILE COPY**

**CERTIFICATION FOR POSTING NOTICE OF PUBLIC HEARING  
FOR REZONING/SPECIAL EXCEPTION/VARIANCE PETITION(S)**

Instructions:

1. Must be posted on the subject property.
2. Must be posted prominently.
3. Must be visible from the most traveled street adjacent to the subject property.
4. There is no specific height or size requirement, provided that the sign can be easily seen by cars or pedestrians that pass by the subject property.
5. Must be posted beginning 15 days prior to the first Public Hearing and remain posted continuously during this time. When a second Public Hearing is required before the City Council, it must remain posted until the final Public Hearing has been conducted.
6. Must be removed within 7 days after the final Public Hearing.

Petition Number(s): 21-001-AC Date of 1<sup>st</sup> Public Hearing: July 15, 2021

Address of subject property (or Legal if no address): Lying between lots 1 through 6 and 7 through 12 of Block 110, Okeechobee, FL

I, David Allen, hereby certify that I posted the "Notice of Public Hearing" sign in accordance with the above instructions on June 30, 2021, and will remove sign on 9-7-21.

Signature: [Handwritten Signature]

Date: 6-30-21

STATE OF FLORIDA  
COUNTY OF OKEECHOBEE

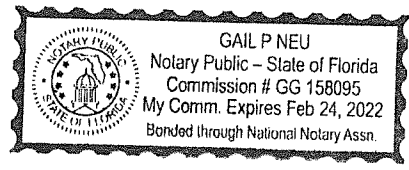
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 30 day of June, 2021, by David Allen, who is personally  
(Name of person)

known to me or produced \_\_\_\_\_ as identification.

[Handwritten Signature]  
NOTARY PUBLIC SIGNATURE  
STATE OF FLORIDA

Gail P. Neu  
Commissioned Notary Name

SEAL:



# NOTICE OF PUBLIC HEARING

## RIGHT OF WAY ABANDONMENT PETITION No. 21-001-AC

DATE: JULY 15, 2021, 6 PM, AT CITY HALL

PURPOSE: TO ABANDON THE ALLEYWAY LYING EAST TO WEST  
BETWEEN LOTS 1 TO 6 AND 7 TO 12 OF BLOCK 110,  
AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC  
RECORDS OF OKEECHOBEE COUNTY.

APPLICANT: JOHN CRESWELL

PROPERTY OWNER: JKST HOLDINGS, LLC

FURTHER INFORMATION CONTACT: **General Services Dept,**  
**863-763-3372, Ext 9824 55 SE 3<sup>rd</sup> Ave, Okeechobee, FL 34974**

FILE COPY  
#21-001-AC

**ORDINANCE NO. 1232**

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 121, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (PETITION NO. 21-002-AC); RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Okeechobee General Services Department received Abandonment of Right-of-Way Petition No. 21-002-AC submitted by the property owner Shaun and Desiree Penrod, for the closing of a certain rights-of-way as described in this Ordinance; and

**WHEREAS**, the City of Okeechobee Technical Review Committee reviewed and discussed Petition No. 21-002-AC at a duly advertised public meeting held on May 20, 2021; and

**WHEREAS**, Petition No. 21-001-AC was reviewed and discussed by the City of Okeechobee Planning Board at a duly advertised Public Hearing held on July 15, 2021, and determined such Petition to be consistent with the Comprehensive Plan; and

**WHEREAS**, the City Council reviewed Petition No. 21-001-AC and finds it to be consistent with the Comprehensive Plan, is not the sole access to any property, is in the best interest of the citizens, provides a benefit to the City of Okeechobee; and

**WHEREAS**, this Ordinance addresses the request to reserve a perpetual, non-exclusive utility easement on a portion of the abandoned alleyway and the special condition request regarding relocation and/or repairs by the property owner; and

**WHEREAS**, the granting of the Petition will serve a legitimate public interest and is a proper exercise of the municipal authority of the City of Okeechobee as a discretionary function.

**NOW, THEREFORE**, it is ordained before the City Council for the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City:

**SECTION 1:** The unimproved, dedicated right-of-way described hereafter and as shown on Exhibit A, is hereby closed, vacated, and abandoned by the City of Okeechobee, Florida to-wit:

**THAT PORTION OF THE EAST TO WEST ALLEYWAY, 15-FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 6 AND LOTS 7 THROUGH 12 OF BLOCK 121, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, AS RECORDED IN THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.**



**SECTION 2:** The City of Okeechobee, Florida acknowledges and addresses the special conditions requested by the utility companies and included within Petition No. 21-002-AC:

**Reserving unto itself, its successors and assigns, a perpetual, non-exclusive a utility easement for the West 10-feet of the subject alleyway adjacent to Northeast 2<sup>nd</sup> Avenue, as requested by Florida, Power, and Light Company.**

**The applicant agrees to CenturyLink's request to bear all costs of relocation and repair of any of their facilities and equipment that are found and/or damaged in the abandoned alleyway.**

**SECTION 3:** The City Clerk shall cause a certified copy of the Ordinance to be recorded in the public records of Okeechobee County, Florida.

**SECTION 4:** Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5:** Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 6:** Effective Date. This Ordinance shall be set for Final Public Hearing the 15<sup>th</sup> day of March 2022, and shall take effect upon its adoption by the City Council and recorded in the public records of the Clerk of Circuit Court, Okeechobee County, Florida.

**INTRODUCED** for First Reading and set for Final Public Hearing on this 3<sup>rd</sup> day of August 2021.

\_\_\_\_\_  
Dowling Watford, Mayor

ATTEST:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after being postponed on January 15, 2022, to hold the Second Reading and Final Public Hearing on this 15<sup>th</sup> day of March 2022.

\_\_\_\_\_  
Dowling Watford, Mayor

ATTEST:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

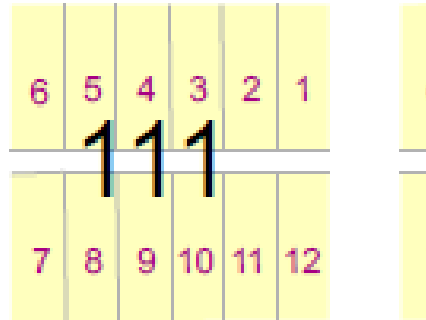
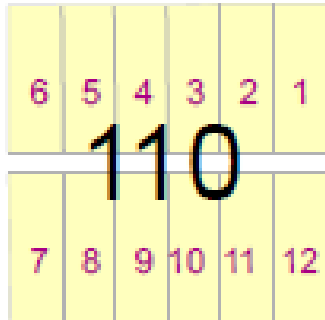
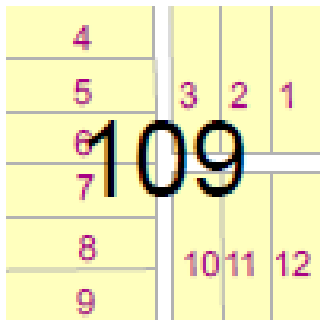
\_\_\_\_\_  
John J. Fumero, City Attorney

# ORDINANCE NO. 1232 - EXHIBIT A

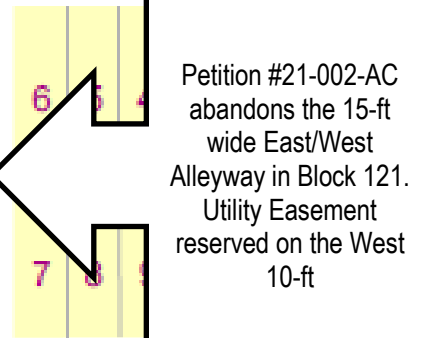
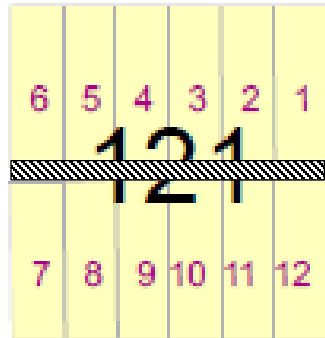
The following excerpt is from the City of Okeechobee Subdivision Map to identify the portion of alley to be abandoned as requested by Petition No. 21-002-AC, the subject property is recorded in Plat Book 5, Page 5, Okeechobee County Public Records.



NORTH PARROTT AVENUE/US HWY 441

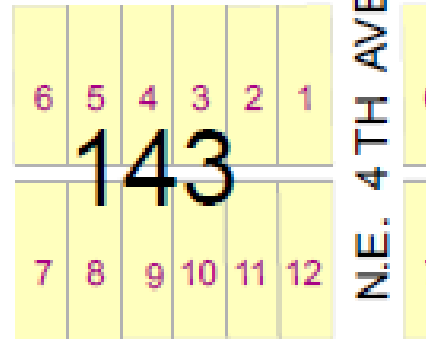
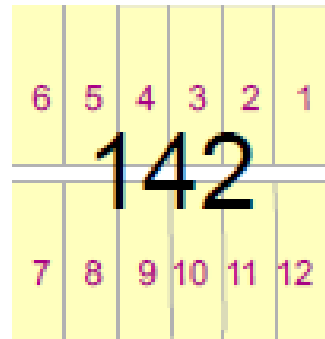
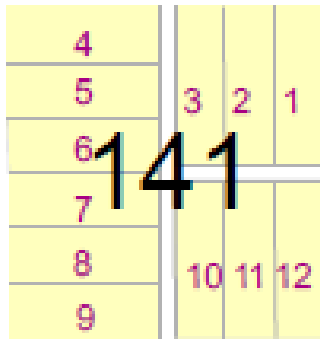


N.E. 4 TH ST



Petition #21-002-AC abandons the 15-ft wide East/West Alleyway in Block 121. Utility Easement reserved on the West 10-ft

N.E. 3 RD ST



N.E. 2ND AVE

N.E. 3 RD AVE

N.E. 4 TH AVE

N.E. 2 ND ST

**VI. PUBLIC HEARING CONTINUED**

- B.** Motion and second by Council Members Keefe and Clark to read by title only, proposed Ordinance No. 1232, closing the alleyway in Block 121, CITY OF OKEECHOBEE, Abandonment of Right-of-Way Petition No. 21-002-AC [as presented in Exhibit 2]. **Motion Carried Unanimously.**

Attorney Fumero read proposed Ordinance No.1232 by title only as follows: **“AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 121, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA PETITION NO. 21-002-AC; RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.”**

City staff advised that due to a recent submittal for a Future Land Use Map Amendment and Zoning Petition, the final adoption for this proposed ordinance needs to be postponed. Motion and second by Council Members Jarriel and Clark to postpone the adoption of proposed Ordinance No. 1232 to March 15, 2022. **Motion Carried Unanimously.**

- C.** Motion and second by Council Members Clark and Jarriel to read by title only, proposed Ordinance No. 1247, amending the Code of Ordinances Chapter 30, Nuisances, to provide Code Enforcement procedures regarding demolition of blighted and dangerous structures [as presented in Exhibit 3]. **Motion Carried Unanimously.**

Attorney Fumero read proposed Ordinance No.1247 as follows: **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA RELATING TO THE DEMOLITION OF BLIGHTED STRUCTURES; AMENDING THE CITY CODE OF ORDINANCES AT CHAPTER 30, ARTICLE II “NUISANCE” BY SPECIFICALLY AMENDING SECTION 30-31 “DEFINITIONS”; SPECIFICALLY AMENDING SECTION 30-43 “PUBLIC NUISANCES”; SPECIFICALLY AMENDING SECTION 30-74 “RESERVED”; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.”**

Motion and second by Council Members Clark and Keefe to adopt proposed Ordinance No. 1247. **Motion Carried Unanimously.**

**MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:19 P.M.**

**VII. NEW BUISNESS**

- A.** Mr. John Creasman, Okeechobee Utility Authority (OUA) Board Chairperson, presented a recap of the October 2021 update, which featured their three major Southwest Service Area (SWSA) projects and the Southwest (SW) 5<sup>th</sup> Avenue Septic to Sewer Project. SWSA Project 1 consists of a Master Pump Station, Master Force Main, and SE-2 Diversion Force Main. The expected total cost of \$6,186,939.00 is fully funded by the Florida Department of Environmental Protection (FDEP) Appropriations. SWSA Project 2 includes two master vacuum stations and a collection system and could provide approximately 700 new connections. The expected total costs, including engineering and construction is \$10,830,783.00 with \$612,756.00 for the Oak Lake Estates portion. This project is partially funded by FDEP Appropriations with the remainder to be funded from a United States Department of Agriculture loan. Construction is to begin tentatively by December 2022. SWSA Project 3 consists of the Okee-Tantie Force Main, and the State Road 78 service corridor to the Master Pump Station to provide approximately 600 new connections. The expected cost is \$8,575,000.00 and is fully funded by the FDEP Appropriations. Construction is scheduled for April 2023 with completion by Summer 2024. When completed, these projects are expected to remove annually, 12.4 tons of nitrogen and 3 tons of phosphorus from being discharged into the waterways. The SW 5<sup>th</sup> Avenue Septic to Sewer Project, has not been finalized, design is to begin by Spring of 2022 with bidding in late Fall and construction by December. Completion is expected by late Summer 2023.

A new project he reviewed is the Treasure Island Septic to Sewer Project. Design is expected to be completed in Summer of 2023, with bidding in the Fall and construction to begin by December. Completion is expected in late Spring 2025. The funding for this project has not been identified. Mr. Creasman assured the Council that all types of design systems will be considered. The selected design will be based on the one that provides the best life expectancy and maintenance during power-outages. The next project to begin will be Pine Ridge Park. The 12-slide power point presentation has been incorporated in the official minute file.

**VI. PUBLIC HEARING CONTINUED**

A. CONTINUED: Summary of Impact Statement Findings: the required employer contribution amount for firefighters for Fiscal Year ending September 20, 2022, decreased by \$22,686.00; the Unfunded Actuarial Accrued Liability for Firefighters increased by \$268,575.00; the Funded Ratio of the System decreased from 122.7 to 114.8 percent]. **Motion Carried Unanimously.**

**MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:11 P.M.**

**VII. NEW BUSINESS**

A. Motion by Council Member Clark, seconded by Council Member Chandler to read by title only, proposed Ordinance No. 1231, Right-of-Way Abandonment Petition No. 21-001-AC submitted by JKST Holdings, LLC, to close the East to West alley in Block 110, CITY OF OKEECHOBEE, Plat Book 5, Page 5 Okeechobee County public records [as presented in Exhibit 2]. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1231 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 110, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (PETITION NO. 21-001-AC); RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."

Council Member Chandler moved to approve the first reading of proposed Ordinance No. 1231 and set September 7, 2021, as a final public hearing date; seconded by Council Member Clark.

City Planning Consultant Ben Smith provided the Staff Report combined with the recommendation to approve the request from both the Technical Review Committee and the Planning Board. However, this Petition and the one addressed in Item B, Ordinance No. 1232 were already in progress when the City Council denied adopting Ordinance No.'s 1225, 1226, 1227, and 1228 which would have reclassified the property within Blocks 110 and 121 as Multi-Family Residential on the Future Land Use Map and rezoned them to Residential Multiple Family. The objective was to vacate the alleyways once the land use and zoning was completed, to provide a better design rather than splitting the two blocks in half. Mr. Steve Dobbs addressed the Council on behalf of the applicant, requesting the final public hearing be continued until after the Council considers Item F on tonight's agenda.

Motion by Council Member Keefe, seconded by Council Clark to lay New Business Items A and B on the table until Item F is considered. **Motion Carried Unanimously.**

F. The Council agreed to consider Item F at this time, which was to discuss the process for the property owners of Block 110 [located in the 200 block along Northeast 4<sup>th</sup> Street] and Block 121 [located in the 200 block along Northeast 3<sup>rd</sup> Street] to resubmit a Comprehensive Plan Small Scale Future Land Use Map Amendment Application and Rezoning Petition.

Mr. Steve Dobbs and Mr. Phil Berger presented their case on behalf of the new property owner, Mr. Frank Stephens for the City to administratively correct the Future Land Use and/or the Zoning maps for these two blocks to be consistent as required to develop them. Mr. Stephens also addressed the Council explaining his intentions to develop these blocks, which are located one block East of North Parrott Avenue.



## VII. NEW BUSINESS CONTINUED.

- F. **CONTINUED:** His original development was for apartments, but since that was rejected he is requesting the Lots be rezoned to Heavy Commercial (CHV) [from Light Commercial on Block 110 and from Residential Single Family-One on Block 121, the Future Land Use is already Commercial]. Planner Smith and Attorney Fumero advised that the City Council cannot administratively redesignate the Future Land Use nor Rezone property due to Florida Statutes requiring a specific process based on who is requesting the change. However, there could be a City initiated rezoning with the City assuming all costs, meaning the fee to process the petition would not be paid by the applicant.

Motion by Council Member Keefe, seconded by Council Member Chandler to task Staff with the initiation of a rezoning to CHV for Blocks 110 and 121, CITY OF OKEECHOBEE, as recorded in Plat Book 5, Page 5, Okeechobee County public records. **Motion Carried Unanimously.**

- A. The Council then went back to readdress item A. Motion and second by Council Members Keefe and Clark to remove New Business Items A and B from the table. **Motion Carried Unanimously.** Based on the action taken on Item F, the public hearing for proposed Ordinance No. 1231 cannot be set for September 7, 2021, and will need to be held after the final adoption of the City initiated rezoning petition.

Council Member Keefe moved to amend the motion on floor, approving the first reading of proposed Ordinance No. 1231 and set September 7, 2021, as a final public hearing date to **postpone the final public hearing date to be held after the rezoning final public hearing date for Blocks 110 and 121;** seconded by Council Member Clark. **Motion To Amend Carried Unanimously.** There being no further discussion, **Motion As Amended Carried Unanimously.**

- B. Motion by Council Member Chandler, seconded by Council Member Keefe to read by title only, proposed Ordinance No. 1232, Right-of-Way Abandonment Petition No. 21-002-AC submitted by Shaun and Desiree Penrod, to close the East to West alley in Block 121, CITY OF OKEECHOBEE, Plat Book 5, Page 5 Okeechobee County public records [as presented in Exhibit 3]. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1232 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 121, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (PETITION NO. 21-002-AC); RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."

Council Member Keefe moved to approve the first reading of proposed Ordinance No. 1232 and **set the final public hearing date to be after the rezoning final public hearing date for Blocks 110 and 121;** seconded by Council Member Chandler. **Motion Carried Unanimously.**

- C. Council Member Chandler moved to approve a proposal [No. P 4142] with Craig A. Smith and Associates to provide professional engineering services [in the amount of \$14,300.00] for a modification to the South Florida Water Management District Permit for the City Commerce Center; seconded by Council Member Keefe [as presented in Exhibit 4]. **Motion Carried Unanimously.**
- D. Mrs. Bobbi Poole submitted a request to discuss shower facilities for the homeless. Due to her absence this item was not discussed.



**CITY OF OKEECHOBEE, FLORIDA**  
**PLANNING BOARD MEETING**  
**JULY 15, 2021**  
**SUMMARY OF BOARD ACTION**

**I. CALL TO ORDER**

Chairperson Hoover called the regular Planning Board meeting for the City of Okeechobee to order on Thursday, July 15, 2021, at 6:02 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 Dawn Hoover, Board Members Phil Baughman, Karyne Brass, Rick Chartier, and Mac Jonassaint were present. Alternate Board Members Joe Papasso and Jim Shaw were present. Vice Chairperson Doug McCoy and Board Member Felix Granados were absent without consent. Chairperson Hoover moved Alternate Board Members Papasso and Shaw to voting position.

**III. AGENDA**

- A. New Business Item A. was added.
- B. Motion by Member Chartier, seconded by Member Baughman to approve the agenda as amended. **Motion Carried Unanimously.**

**IV. MINUTES**

- A. Motion by Member Brass, seconded by Alternate Board Member Papasso to dispense with the reading and approve the May 20, 2021, Regular Meeting and Workshop minutes. **Motion Carried Unanimously.**

**V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:06 P.M.**

- A. Abandonment of Right-of-Way Petition No. 21-001-AC, requests to vacate the 20-foot wide by 299.75-foot long East to West alleyway lying between Lots 1 through 6 and 7 through 12 of Block 110, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Public Records of Okeechobee County.
  1. City Planning Consultant Mr. Ben Smith of LaRue Planning and Management Services reviewed the Planning Staff Report recommending approval.
  2. Mr. Steven Dobbs was present on behalf of the Property Owner, JKST Holdings, LLC, and commented even though the Rezoning request to change the zoning from Light Commercial to Residential Multiple Family (RMF) was denied by the City Council, (Petition No. 21-002-R), his client still wished to proceed with the abandonment request. He further commented his client was going to petition the City Council to administratively rezone the parcel to Heavy Commercial (CHV).
  3. There were no public comments offered.
  4. There were no Ex-Parte disclosures offered.
  5. Motion by Member Baughman, seconded by Member Jonassaint to recommend to the City Council approval of Abandonment of Right-of-Way Petition No. 21-001-AC as presented in [Exhibit 1, which includes the findings as required for granting a vacation of rights-of-way petitions per Code Section 78-33; Planning Consultant's analysis of the findings and recommendation for approval; and the Technical Review Committee's (TRC) recommendation to approve] with the following conditions: after abandonment the property will reflect the current Future Land Use (FLU) and Zoning Map designations; Florida Power and Light (FPL) is requiring a 10-foot easement be provided for the full 20-foot width of the subject right-of-way on the West side, adjacent to Northeast 2<sup>nd</sup> Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas. **Motion Carried.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for August 3, 2021, and September 7, 2021.

V. PUBLIC HEARING ITEMS CONTINUED

B. Abandonment of Right-of-Way Petition No. 21-002-AC, requests to vacate the 15-foot wide by 299.84-foot long East to West alleyway lying between Lots 1 through 6 and 7 through 12 of Block 121, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public Records of Okeechobee County.

1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
2. Mr. Dobbs was present on behalf of the Property Owners, Shaun and Desiree Penrod, and commented even though the Rezoning request to change the zoning from Residential Single Family-One to RMF was denied by the City Council, (Petition No. 21-003-R), his client still wished to proceed with the abandonment request. He further commented his client was going to petition the City Council to administratively rezone the parcel to CHV.
3. There were no public comments offered.
4. There were no Ex-Parte disclosures offered.
5. Motion by Member Chartier, seconded by Member Baughman to recommend to the City Council approval of Abandonment of Right-of-Way Petition No. 21-002-AC as presented in [Exhibit 2, which includes the findings as required for granting a vacation of rights-of-way petitions per Code Section 78-33; Planning Consultant's analysis of the findings and recommendation for approval; and the TRC's recommendation to approve].with the following conditions: after abandonment the property will reflect the current FLU and Zoning Map designations; FPL is requiring a 10-foot easement be provided for the full 15-foot width of the subject right-of-way on the West side, adjacent to Northeast 2<sup>nd</sup> Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas. **Motion Carried.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for August 3, 2021, and September 7, 2021.

C. Comprehensive Plan Small Scale Future Land Use Map Amendment Application No. 21-004-SSA, from Single Family Residential to Industrial on 1.60± acres located in the 500 Block of NW 7<sup>th</sup> Street.

1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
2. There were no comments offered by the Property Owner or Agent.
3. There were no public comments offered.
4. There were no Ex-Parte disclosures offered.
5. Motion by Member Jonassaint, seconded by Member Baughman to recommend to the City Council approval of Comprehensive Plan Small Scale Future Land Use Map Amendment Application No. 21-004-SSA as presented in [Exhibit 3, which includes the findings as required for granting applications per Code Section 70-340; and the Planning Consultant's analysis of the findings and recommendation for approval]. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at a Public Hearing tentatively scheduled for August 17, 2021.

D. Comprehensive Plan Text Amendment No. 21-001-CPA, which proposes to amend the City's Future Land Use Map (FLUM) and textual amendments to the FLU Element of the City's Comprehensive Plan.

1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval. He explained on June 29, 2021, House Bill 59 became law. It basically requires every city to adopt a Property Rights section into their Comprehensive Plan before any other Comprehensive Plan Amendments that were not initiated prior to July 1, 2021, can be adopted. Both he and the City Attorney feel this proposed amendment was initiated before then although the Department of Economic Opportunity does not. This Board can either make their recommendation to the City Council on this Amendment tonight or continue it until a date certain to allow time for Staff to bring forth the proposed Property Rights Element for recommendation.



#21-002-AC  
**FILE COPY**

**CITY OF OKEECHOBEE, FLORIDA**  
**TECHNICAL REVIEW COMMITTEE MEETING**  
**MAY 20, 2021**  
**SUMMARY OF COMMITTEE ACTION**

**I. CALL TO ORDER**

Chairperson Montes De Oca called the regular meeting of the Technical Review Committee (TRC) for the City of Okeechobee to order on Thursday, May 20, 2021, at 10:00 A.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida, followed by the Pledge of Allegiance led by Assistant Police Chief Hagan.

**II. ATTENDANCE**

The following TRC Members were present: City Administrator Marcos Montes De Oca and Building Official Jeffery Newell. Members absent: Fire Chief Herb Smith (Lieutenant Adam Crum was present in his place), Police Chief Bob Peterson (Assistant Police Chief Donald Hagan was present in his place), and Public Works Director David Allen (Public Works Operations Supervisor Marvin Roberts was present in his place). City Planning Consultant Ben Smith, Okeechobee Utility Authority (OUA) Executive Director John Hayford (entered the Chambers at 10:04), Committee Secretary Patty Burnette and General Services Secretary Yesica Montoya were present. City Attorney John Fumero, Okeechobee County Environmental Health Director Victor Faconti and the Okeechobee County School Board representative were absent.

**III. AGENDA**

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Building Official Newell, seconded by Assistant Police Chief Hagan to approve the agenda as presented. **Motion Carried Unanimously.**

**IV. MINUTES**

- A. Motion by Building Official Newell, seconded by Assistant Police Chief Hagan to dispense with the reading and approve the October 15, 2020, Regular Meeting minutes. **Motion Carried Unanimously.**

**V. NEW BUSINESS**

- A. Abandonment of Right-of-Way Petition No. 21-001-AC.
  - 1. City Planning Consultant Mr. Ben Smith of LaRue Planning and Management Services reviewed the Planning Staff Report recommending approval.
  - 2. No City Staff comments were received.
  - 3. The property owner or agent were not in attendance.
  - 4. No public comments were offered.
  - 5. Chairperson Montes De Oca disclosed he had spoken with Mr. Steven Dobbs, the Applicant's agent, regarding the proposed project.
  - 6. Motion by Building Official Newell, seconded by Operations Supervisor Roberts to recommend approval to the Planning Board for Abandonment of Right-of-Way Petition No. 21-001-AC, which requests to vacate the 20-foot wide by 299.75-foot long East to West alleyway lying between Lots 1 through 6 and 7 through 12 of Block 110, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public Records of Okeechobee County with the following conditions: Florida Power & Light (FPL) is requiring a 10-foot easement be provided for the full 20-foot width of the subject right-of-way on the West side, adjacent to Northeast 2<sup>nd</sup> Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas. **Motion Carried Unanimously.**
- B. Abandonment of Right-of-way Petition No. 21-002-AC.
  - 1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
  - 2. No City Staff comments were received.
  - 3. The property owner or agent were not in attendance.
  - 4. No public comments were offered.



**V. NEW BUSINESS ITEM B CONTINUED**

5. Chairperson Montes De Oca disclosed he had spoken with Mr. Steven Dobbs, the Applicant's agent, regarding the proposed project.
6. Motion by Building Official Newell, seconded by Lieutenant Crum to recommend approval to the Planning Board for Abandonment of Right-of-Way Petition No. 21-002-AC, which requests to vacate the 15-foot wide by 299.84-foot long East to West alleyway lying between Lots 1 through 6 and 7 through 12 of Block 121, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public Records of Okeechobee County with the following conditions: FPL is requiring a 10-foot easement be provided for the full 15-foot width of the subject right-of-way on the West side, adjacent to Northeast 2<sup>nd</sup> Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas. **Motion Carried Unanimously.**

**VI.** Chairperson Montes De Oca adjourned the meeting at 10:11 A.M.

Submitted by:

Patty M. Burnette  
Patty M. Burnette, Secretary

Please take notice and be advised that when a person decides to appeal any decision made by the Technical Review Committee 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.



Revised Version  
w/ Rescheduled  
meeting Dates.

## **Staff Report**

### **Right-of-Way Abandonment**

*Prepared for:*      *The City of Okeechobee*  
*Applicant:*        *Shaun C Penrod*  
*Address:*          *200 NE 3<sup>rd</sup> Street*  
*Petition No.:*      *21-002-AC*

**Request**

The matter before the TRC is an application to abandon the alley that runs through Block 121 at 200 NE 3<sup>rd</sup> Street. The alley is 15 feet wide by 299.84 feet long, totaling 4,497.6 square feet (0.103 acres). The block is owned by a single land owner that plans to sell the entirety of the property to a potential developer with plans to build apartments at this site if the concurrent future land use map amendment and rezoning requests are also approved.

**General Information**

Applicant	Shaun C Penrod 2437 SW 33 <sup>rd</sup> Circle Okeechobee, FL 34974
Site Address	The alley between the north and south parcels of Block 121
Contact Person	Shaun Penrod
Contact Phone Number	863.634.0465
Contact E-mail Address	penrodconstruction@gmail.com

**Legal Description of Subject Property**

A STRIP OF LAND, 15.00 FEET IN WIDTH, BEING A PORTION OF BLOCK 121 OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, LOCATED IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 7 OF SAID BLOCK 121, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF THE ALLEY OF SAID BLOCK 121, THENCE NORTH 00°11'04" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF NORTHEAST 2ND AVENUE, A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 121 ALLEY; THENCE NORTH 89°49'44"EAST ALONG THE NORTH LINE OF SAID BLOCK 121 ALLEY, A DISTANCE OF 299.84 FEET TO THE WEST RIGHT RIGHT-OF-WAY LINE OF NORTHEAST 3RD AVENUE AND THE NORTHEAST CORNER OF SAID BLOCK 121 ALLEY; THENCE SOUTH 00°11'04" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 121 ALLEY; THENCE SOUTH 89°49'44" WEST ALONG THE SOUTH LINE OF SAID BLOCK 121 ALLEY, A DISTANCE OF 299.84 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN OKEECHOBEE COUNTY, FLORIDA CONTAINING 0.103 ACRES MORE OR LESS.

**Characteristics of the Subject Property**

	Existing	Proposed
Future Land Use	Commercial	Multi-Family Residential
Zoning	Residential Single Family	Residential Multiple Family
Use of Property	Vacant	Multi-Family rental apartments
Acreage	0.103 acres	0.103 acres

**Description of the Subject Site and Surrounding Area**

**AERIAL**

The subject of the abandonment/vacation is outlined in Red on the aerial photograph from the Property Appraiser's office below. The Applicant owns all surrounding parcels.



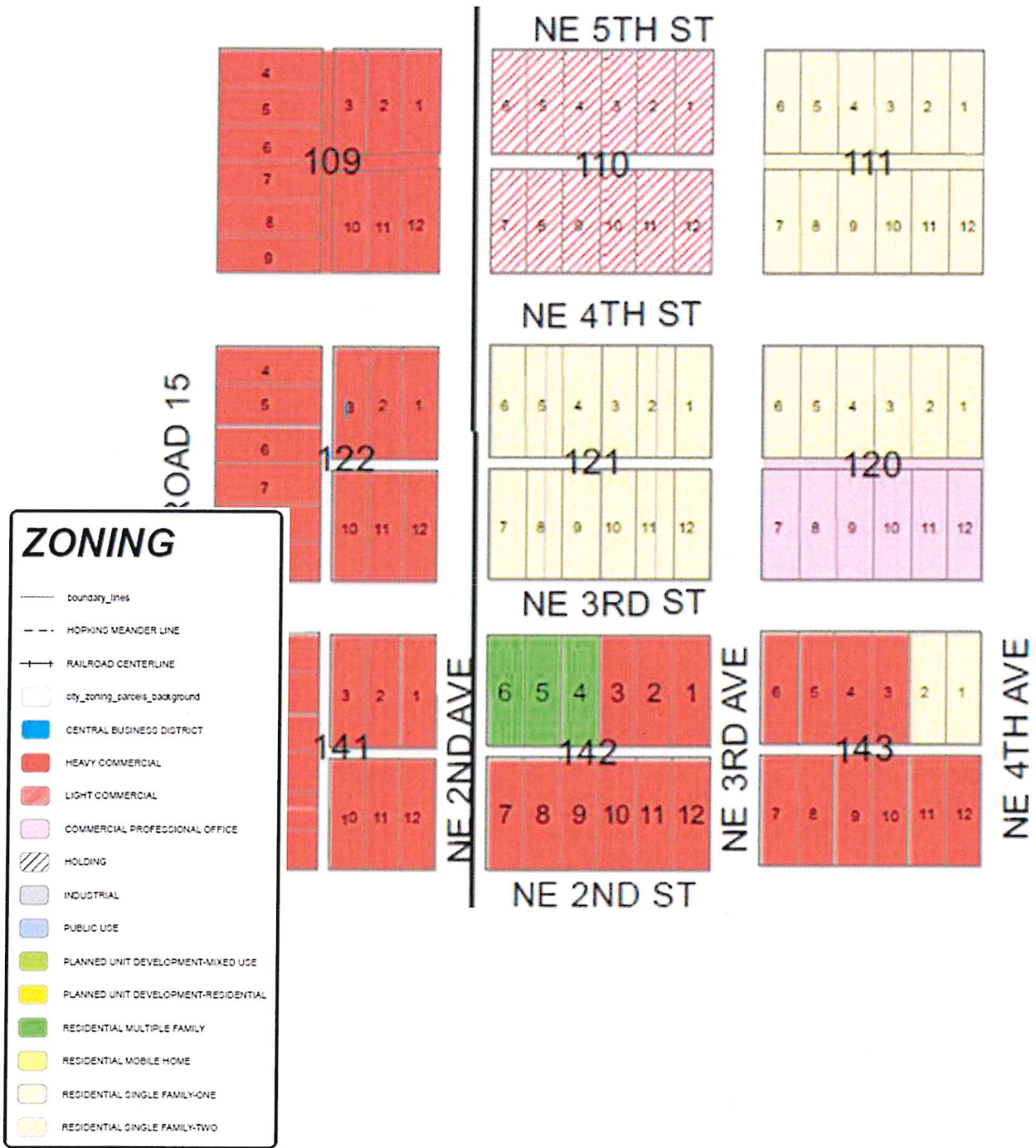
### FUTURE LAND USE

The subject of the abandonment/vacation, is the land between the north and south sections of Block 121, as shown on this excerpt from the City's Future Land Use Map. If the City grants the Applicant's concurrent request to change the future land use designation from Commercial to Multifamily Residential, then it also seems appropriate to approve the vacation of this alley and designate that land as Multifamily Residential on the Future Land Use Map.



**ZONING**

The subject of the abandonment/vacation, is the land between the north and south sections of Block 121, as shown on this excerpt from the City's Zoning Map. If the City grants the Applicant's concurrent request to rezone from Residential Single Family to Residential Multiple Family, then it also seems appropriate to approve the vacation of this alley and designate that land as Residential Multiple Family on the Zoning Map.



### **Consistency with Sec. 78-33, Vacation of Rights-of-Way**

Sec. 78.33 states that applications to vacate an alley or public right-of-way may be approved upon a finding by the City Council that the following requirements have been met. The Applicant's responses are provided in Times Roman typeface and are repeated below exactly as provided by the Applicant. Staff has made no attempt to correct typos, grammar, or clarify the Applicant's comments. Staff Comments are in Arial typeface.

**1. *Proposed vacation is consistent with the Comprehensive Plan.***

**Applicant Comment:** "The requested alley is currently not used for access or utilities, there is no mention of alleys in the City's Comprehensive Plan, the LDR's mention alleys in Section 86-142, which states alley may be allowed in residential districts, also in Section 70-335, which states notice of abandonment required, otherwise they are other referenced, but not concerning vacancies."

**Staff Comment:** There is nothing in the City's Comprehensive Plan concerning abandonments or vacations of rights-of-way.

**2. *Right-of-way to be vacated is not the sole access to any property, and the remaining access is not an easement***

**Applicant Comment:** "The alley is not sole access to any property and a remaining land will not require an easement."

**Staff Comment:** The applicant owns all of the surrounding property. No other properties require this alley for access. If the abandonment is approved, FP&L is requiring that a 10 foot easement be provided for the full 15 foot width of the subject ROW on the West side, adjacent to NE 2<sup>nd</sup> Avenue.

**3. *Proposed vacation is in the public interest and provides a benefit to the City.***

**Applicant Comment:** "The proposed vacation of the alley is within a block that will become a multifamily project, which the City is in need of, so this vacation will allow the existing ROW and alley's square footage to add density to this project so more housing can be added and return the property to the tax rolls."

**Staff Comment:** The proposed right-of-way area to be vacated has not been improved to facilitate vehicular traffic. Turning over maintenance responsibility to the Applicant and adding this property to the City tax rolls will be a benefit to the City. If the concurrently requested map changes are approved and the property is developed according to the Applicant's stated plans, additional taxes will be collected by the City.

4. *Proposed vacation would not jeopardize the location of any utility.*

**Applicant Comment:** "There are currently no utilities in the requested abandonments."


**Staff Comment:** The Applicant has provided signed authorizations from all necessary utility entities including:

- Florida Power & Light (with the above mentioned required easement)
- Century Link (with the condition that the Applicant will bear the cost of relocation and repair of any facilities that are found and/or damaged in the vacated areas)
- Comcast
- Okeechobee Utility Authority
- Florida Public Utilities

### Recommendation

Based on the foregoing information and analysis, we believe, from a planning perspective, that if the applicant agrees to the requested conditions made by FP&L and Century Link, the requested right-of-way vacation/abandonment can be considered consistent with the requirements of Sec. 78-33. Staff recommends **approval** of this request.

Submitted by:



Benjamin L. Smith, AICP  
Sr. Planner

LaRue Planning  
May 11, 2021

TRC Meeting: May 20, 2021

PB/BOA Meeting: July 15, 2021

City Council 1<sup>st</sup> Reading: (tentative) August 3, 2021

City Council 2<sup>nd</sup> Reading and Public Hearing: (tentative) September 7, 2021\*

\* Postponed until Rezoning matter resolved, See 8/3/2021  
Council minutes. JH





**CITY OF OKEECHOBEE**  
**General Services Department**  
**55 Southeast 3<sup>rd</sup> Street**  
**Okeechobee, Florida 34974**  
**863-763-3372 X 9820**  
**Fax: 863-763-1686**

**ABANDONMENT OF RIGHT-OF-WAY PETITION**

**PETITION NO. 81-002-AC**

<b>Application fee (non-refundable)</b> <b>\$600.00</b>  Note: (Resolution No. 98-11) Schedule of Land Development Regulation Fees and Charges 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.	Date Fee Paid: 4-14-21	Receipt No: 54395 + 54396
	TRC Meeting: 5-20-21	Publication Date: Letters Mailed:
	PB/BOA Meeting: 6-17-21 7-5-21	Publication Dates: 6-30-21 Letters Mailed: 6-2-21
	City Council 1 <sup>st</sup> Reading: 7-6-21	CMR Letter E-mailed:
	City Council Public Hearing: 7-20-21	Publication Date: See Page 19

**Right-of-way Definition:** Land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress or egress, or other purpose by the public, certain designated individuals, or governing bodies. [F.S. Ch. 177 § 177.031(16)]. Easements for roads and related purposes shall be considered as right-of-way.

**Legal Description of the Right-of-Way to be Abandoned:**

A STRIP OF LAND, 15.00 FEET IN WIDTH, BEING A PORTION OF BLOCK 121 OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, LOCATED IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 7 OF SAID BLOCK 121, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF THE ALLEY OF SAID BLOCK 121, THENCE NORTH 00°11'04" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF NORTHEAST 2ND AVENUE, A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 121 ALLEY; THENCE NORTH 89°49'44" EAST ALONG THE NORTH LINE OF SAID BLOCK 121 ALLEY, A DISTANCE OF 299.84 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 3RD AVENUE AND THE NORTHEAST CORNER OF SAID BLOCK 121 ALLEY; THENCE SOUTH 00°11'04" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 121 ALLEY; THENCE SOUTH 89°49'44" WEST ALONG THE SOUTH LINE OF SAID BLOCK 121 ALLEY, A DISTANCE OF 299.84 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN OKEECHOBEE COUNTY, FLORIDA CONTAINING 0.103 ACRES MORE OR LESS.

**Purpose of the Right-of-Way Abandonment:**


The alley is being abandoned because there is a single land owner around this alley and they are planning to sell the land to someone who wants to build multifamily units and this will eliminate the rear setback on each lot and allow a unity of title for the whole block.

## **ABANDONMENT OF ORIGHT-OF-WAY PETITION # 21-002-AC NOTES & INFORMATION FOR CLARIFICATION:**

1. The Planning Board meeting originally scheduled, noticed, and advertised for 6/17/2021, was canceled due to covid and city hall being closed. The meeting was rescheduled for 7/15/2021. This caused the signs posted on the property and notices to surrounding property owners to be revised and completed twice.
2. By request of the Project Engineer, Steve Dobbs, the first reading of Ordinance No. 1232 by the City Council was approved on 8/3/2021 and the public hearing was postponed until the rezoning matter could be finalized.
3. The rezoning matter was finalized on 11/16/2021, by Ordinance No. 1243.
4. On 11/29/2021 Clerk Gamiotea emailed the Steve Dobbs to verify that his client was ready to move forward with the final public hearing. On 12/3/2021, Mr. Dobbs advised that his client was in conversations with City Planner Jim LaRue, if those discussions were favorable, then his client would be ready to move forward with the alley closings. On 12/22/2021, Mr. Dobbs and Mr. F. Mitch Stephens advised Clerk Gamiotea to move forward with advertising the final public hearing to close the alley.
5. Block 121 was owned by Shaun Cory and Desiree Penrod at the time the petition was submitted to the City. Shaun Cory Penrod signed the petition as one of the property owners. However, both signatures are needed. To resolve this issue, Desiree Penrod signed a Land Use Power of Attorney to Mitch Stephen as the applicant on her behalf. The Penrod's sold this property to Frank Mitch Stephens of Glenwood Park, LLC, see warranty deed dated 5/27/2021. Copies of the deed and active sunbiz corporate information are all on file. Mr. Stephens is who paid the petition fees.

✓	Name of property owner(s): Shaun C. Penrod
	Owner(s) mailing address: 2437 SW 33rd Circle, Okeechobee, FL 34974
	Owner(s) e-mail address: penrodconstruction@gmail.com
	Owner(s) daytime phone(s): (863) 634-0465 Fax:

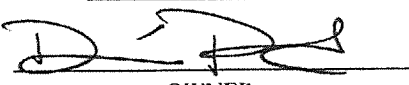

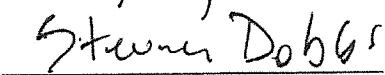
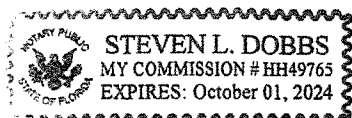
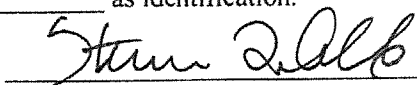
✓	<b>Required Attachments</b>
✓	Copy of recorded deed of petitioner as well as any other property owner whose property is contiguous to the right-of-way.
<del>✓</del>	Letters of Consent or Objection. (If more than one property owner is involved and they are <b>not</b> signing the petition). <b>SEE NOTE BELOW FOR ADDITIONAL INSTRUCTIONS</b>
✓	Location map of subject property and surrounding area within 100' (See Information Request Form attached) and dimensions of right-of-way.
✓	List of all property owners within 300' of subject property (See Information Request Form attached)
✓	Site Plan of property after abandonment. (No larger than 11x 17)
✓	Utility Companies Authorization Form. (See attached)
✓	Supplementary supporting information: Copy of recorded Plat of the Subdivision where right-of-way exists no larger than 11x17. (Can be obtained from the County Clerk's Office, Court House)
	<p><b>PLEASE NOTE:</b>  <i>If there are other property owners that are contiguous to the subject right-of-way, a notarized letter must be attached with the following information: date, their name(s), what property they own, and whether they object to or consent to the right-of-way abandonment. (See attached sample letter)</i></p>

✓	<b>Confirmation of Information Accuracy</b>
<p>I hereby certify that the information contained in and/or attached with this petition is correct. The information included in this petition 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 summary denial of this petition.</p>	
 Signature	Shaun C. Penrod Printed Name
	3/31/2021 Date

CITY OF OKEECHOBEE  
55 SE 3<sup>RD</sup> AVENUE  
OKEECHOBEE, FL 34974


TELE: 863-763-3372 FAX: 863-763-1686

LAND USE POWER OF ATTORNEY

<b>Name of Property Owners:</b> Corey and Desiree Penrod		
<b>Mailing Address:</b> 2437 SW 33rd Circle Okeechobee, FL 34974		
<b>Home Telephone:</b>	<b>Work:</b>	<b>Cell:</b> 863-634-0546
<b>Property Address:</b> 200 block NE 3rd Street Okeechobee, FL 34972		
<b>Parcel ID Number:</b> 3-15-37-35-0010-01210-0060, 3-15-37-35-0010-01210-0040, 3-15-37-35-0010-01210-0030, 3-15-37-35-0010-01210-0010, 3-15-37-35-0010-01210-0070, 3-15-37-35-0010-01210-0090, 3-15-37-35-0010-01210-0100, and 3-15-37-35-0010-01210-0120		
<b>Name of Applicant:</b> Mitch Stephens		
<b>Home Telephone:</b>	<b>Work:</b>	<b>Cell:</b> 919-201-9913
<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 _____ 20____.</p>		
 OWNER		 WITNESS
<hr/> OWNER		 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>25<sup>th</sup></u> day of <u>May</u> , 20 <u>21</u> , by <u>Desiree Penrod</u> , (Name of Person)		
who is personally known to me or produced _____ as identification.		
		 NOTARY PUBLIC SIGNATURE

Parcel ID Number: 3-15-37-35-0010-01210-0070

Prepared by and return to:  
Susie Burk  
Okee-Tantie Title Company, Inc.  
105 NW 6th Street  
Okeechobee, Florida 34972  
FILE NO. 36444

  
FILE NUM 2018013904  
OR BK 816 PG 970  
SHARON ROBERTSON, CLERK & COMPTROLLER  
OKEECHOBEE COUNTY, FLORIDA  
RECORDED 11/21/2018 02:00:48 PM  
AMT \$105,000.00  
RECORDING FEES \$27.00  
DEED DOC \$735.00  
RECORDED BY M Pinon  
Pgs 970 - 972; (3 pgs)

# Warranty Deed

#21002-AC

This Indenture, Executed this November 20, 2018 A.D. Between

**WANDA SUE WOLFORD, TRUSTEE OF THE EVA MAE WILLIAMS REVOCABLE LIVING TRUST F/K/A THE EVA MAE HAZELLIEF REVOCABLE LIVING TRUST UNDER AGREEMENT DATED SEPTEMBER 5, 1986, AS AMENDED JULY 27,1994 AND SEPTEMBER 25,1997**

whose address is 1888 EAST RD, Jacksonville, Florida 32216, hereinafter called the grantor, to

**SHAUN C. PENROD and DESIREE A. PENROD, HUSBAND and WIFE,**

whose post office address is: 2437 SW 33rd Cir., Okeechobee, FL 34974, hereinafter called the grantee:

Sold 5/27/2021  
to  
Glenwood Park LLC  
F.M. Stephens

(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: 3-15-37-35-0010-01210-0070

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

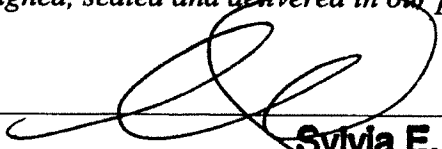
**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

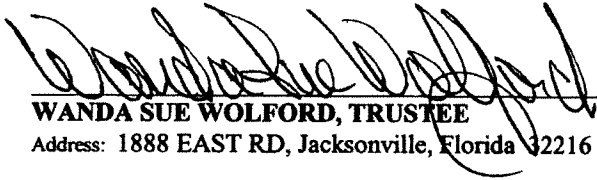
**To Have and to Hold**, the same in fee simple forever.

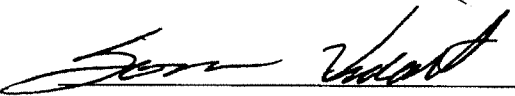
**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2018.

**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:*

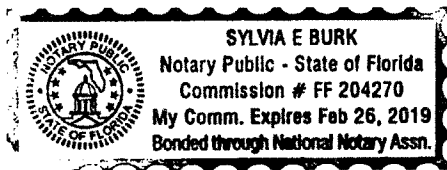
  
\_\_\_\_\_  
Witness Printed Name **Sylvia E. Burk**

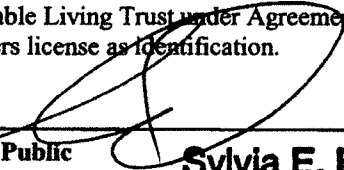
  
\_\_\_\_\_  
**WANDA SUE WOLFORD, TRUSTEE** (Seal)  
Address: 1888 EAST RD, Jacksonville, Florida 32216

  
\_\_\_\_\_  
Witness Printed Name **SONSUN VIRKAITIS**

State of Florida  
County of Okeechobee

The foregoing instrument was acknowledged before me this November 20, 2018, by WANDA SUE WOLFORD, TRUSTEE OF The Eva Mae Williams Revocable Living Trust F/K/A the Eva Mae Hazellief Revocable Living Trust under Agreement dated September 5, 1986, as amended July 27, 1994 and September 25, 1997, who produced a drivers license as identification.



  
\_\_\_\_\_  
Notary Public  
Print Name: **Sylvia E. Burk**  
My Commission Expires \_\_\_\_\_

## **Exhibit "A"**

**LOTS 1 TO 12, INCLUSIVELY, BLOCK 121, CITY OF OKEECHOBEE, PLAT BOOK 5, PAGE 5,  
OKEECHOBEE COUNTY, FLORIDA.**

COPY

**File Number: 36444**

**Legal Description with Non Homestead  
Closer's Choice**



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

#21-002-AC  
FILE COPY

## Detail by Entity Name

Florida Limited Liability Company  
GLENWOOD PARK, LLC

### Filing Information

<b>Document Number</b>	L21000242266
<b>FEI/EIN Number</b>	NONE
<b>Date Filed</b>	05/24/2021
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

### Mailing Address

17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

### Registered Agent Name & Address

STEPHENS, FRANK M  
17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

STEPHENS, FRANK M  
17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

Title MGR

2021 QUALIFIED FUND, LLC  
17705 MIDDLEBROOK WAY  
BOCA RATON, FL 33496

### Annual Reports

**No Annual Reports Filed**





Jerald D Bryant, Clerk of the Circuit Court & Comptroller  
Okeechobee, FL Recorded 5/28/2021 4:17 PM  
Fees: RECORDING \$27.00 D DOCTAX PD \$1,190.00

#21-002-40  
FILE COPY

Parcel ID Number: 3-15-37-35-0010-01210-0060

Prepared by and return to:  
COLTEN ENDICOTT  
Okee-Tantie Title Company, Inc.  
105 NW 6th Street  
Okeechobee, Florida 34972  
FILE NO. 38827

## Warranty Deed

This Indenture, Executed this May 21, 2021 A.D. Between

**SHAUN C. PENROD and DESIREE A. PENROD, HUSBAND and WIFE,**

whose address is 210 NE 3RD AVE, Okeechobee, Florida 34972, hereinafter called the grantor, to

**GLENWOOD PARK, LLC., A FLORIDA LIMITED LIABILITY COMPANY,**

whose post office address is: 17705 MIDDLEBROOK WAY, Boca Raton, Florida 33496, 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: 3-15-37-35-0010-01210-0060

**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.

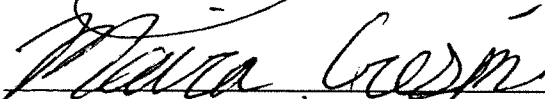
**To Have and to Hold**, the same in fee simple forever.


**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, 2020.

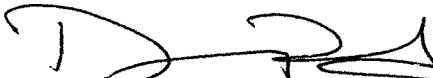
In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

  
\_\_\_\_\_  
Witness Printed Name COLTEN ENDICOTT


  
\_\_\_\_\_  
Witness Printed Name Maira Grespim

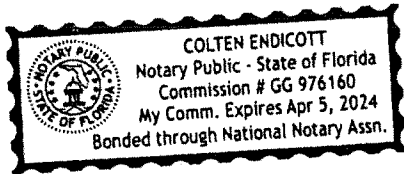
  
\_\_\_\_\_  
**SHAUN C. PENROD**  
Address: 210 NE 3RD AVE, Okeechobee, Florida 34972

  
\_\_\_\_\_  
**DESIREE A. PENROD**  
Address: 210 NE 3RD AVE, Okeechobee, Florida 34972

State of Florida  
County of Okeechobee

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this May 27, 2021, by SHAUN C. PENROD and DESIREE A. PENROD, HUSBAND and WIFE, who produced a drivers license as identification.

  
\_\_\_\_\_  
Notary Public  
Print Name: COLTEN ENDICOTT  
My Commission Expires APRIL 5, 2024



## Exhibit "A"

LOTS 1 TO 12, INCLUSIVELY, BLOCK 121, CITY OF OKEECHOBEE, PLAT BOOK 5, PAGE 5,  
OKEECHOBEE COUNTY, FLORIDA(da/ '04/21)

COPY

File Number: 38827

Legal Description with Non Homestead  
Closer's Choice

#21-002-AC

# CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION

## Utility Companies Authorization Form

### Instructions:

**Applicant:** Deliver the petition and this form to the following Utility Companies for their comments. It must be signed and dated with a contact number for each person.

**Utility Companies:** If an easement is needed, provide a complete legal description for it. The City Attorney will address it as a nonexclusive perpetual easement within the Ordinance. If there is going to be a relocated easement, provide legal of where it's to be relocated to. The City Attorney will address this in the Ordinance by denoting the relocated easement is in an attached exhibit to the Ordinance. Additionally, the effective date will be upon the City's receipt of the recorded relocated easement between the owner and utility company and provided on the utility company's form.

Florida Power & Light	FPL requires a 10' easement on the West end of the 15' alley in Block 121 adjacent to
863-467-3708	NE 2nd Avenue, if abandoned.
Donna Padgett	

Donna Padgett      Donna Padgett      863-467-3708      4-1-21  
 Authorized Signature      Typed Name & Title      Phone No.      Date

Embarq d/b/a Century Link	See attached letter dated 3/31/2021
863-452-3185	Signed by D. Kennedy
Kenneth R. Lutz	Easement Required <i>KL</i>
ken.lutz@centurylink.com	
Nre.easement@centurylink.com	

\_\_\_\_\_  
 Authorized Signature      Typed Name & Title      Phone No.      Date

Comcast Cable	
863-763-2824	
107 NW 7 <sup>th</sup> Avenue	
Rick_Johnson@cable.comcast.com	

Rick Johnson      Rick Johnson Construction Coordinator      561-402-4513      3-26-21  
 Authorized Signature      Typed Name & Title      Phone No.      Date

Okeechobee Utility Authority	
John Hayford	
863-763-9460	
100 SW 5 <sup>th</sup> Avenue	

John Hayford      John Hayford, Executive Director      863-763-9460 x 109      4/1/2021  
 Authorized Signature      Typed Name & Title      Phone No.      Date

Florida Public Utilities	
Ivan Gibbs	
561-723-3459	
igibbs@chpk.com	

Ivan Gibbs      Ivan Gibbs Engineering Technician      561-723-3459      4-6-2021  
 Authorized Signature      Typed Name & Title      Phone No.      Date

### \*REQUIRED ONLY FOR CITY OF OKEECHOBEE & FIRST ADDITION TO CITY OF OKEECHOBEE SUBDIVISIONS

Hamrick Estate	THE HAMRICK TRUST HAS A FEE INTEREST IN THE ALLEY OF
Gil Culbreth, Co-Trustee	BLOCK 121, CITY OF OKEECHOBEE
863-763-3154	

H. G. Culbreth, Jr      H. G. Culbreth, Jr      863-6100265      4-2-2021  
 Authorized Signature      Typed Name & Title      Phone No.      Date

#21-002-AC



CenturyLink

3/31/2021

Shaun & Desiree Penrod  
c/o Jessica Crews  
Abney Building & Consulting, Inc.  
201 NE 2<sup>nd</sup> Street  
Okeechobee, FL 34972

No Reservations/No Objection

**SUBJECT:** Vacate 15' Alley, Block 121, City of Okeechobee. According to the plat recorded in Plat Book 1, Page 5 of the Public Records of Okeechobee County.

To Whom It May Concern:

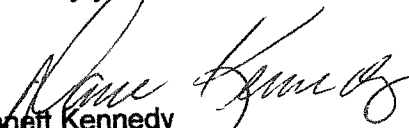
Embarq Florida, Inc., d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you have any questions, please contact Bill Paul at 727-449-3544 / [william.d.paul@centurylink.com](mailto:william.d.paul@centurylink.com)

Sincerely yours,

  
Danett Kennedy  
Senior Manager, DF/ROW  
CenturyLink  
P836107

**PLEASE COMPLETE THE FOLLOWING**

**FINDINGS REQUIRED FOR GRANTING A VACATION OF RIGHTS-OF-WAYS  
(Sec. 78-33, page CD78:4 in the LDR's)**

It is the Petitioner's responsibility to convince the Technical Review Committee, Planning Board/BOA and City Council that approval of the proposed vacation is justified. Specifically, the Petitioner should provide in his/her application and presentation sufficient explanation and documentation to convince the reviewing body to find that:

<b>1. Proposed vacation is consistent with the Comprehensive Plan:</b>
The requested alley is currently not used for access or utilities, there is no mention of alleys in the City's Comprehensive plan, the LDR's mention alleys in Section 86-142, which states alley may be allowed in residential districts, also in Section 70-335, which states notice of abandonment required, otherwise they are other referenced, but not concerning vacancies.

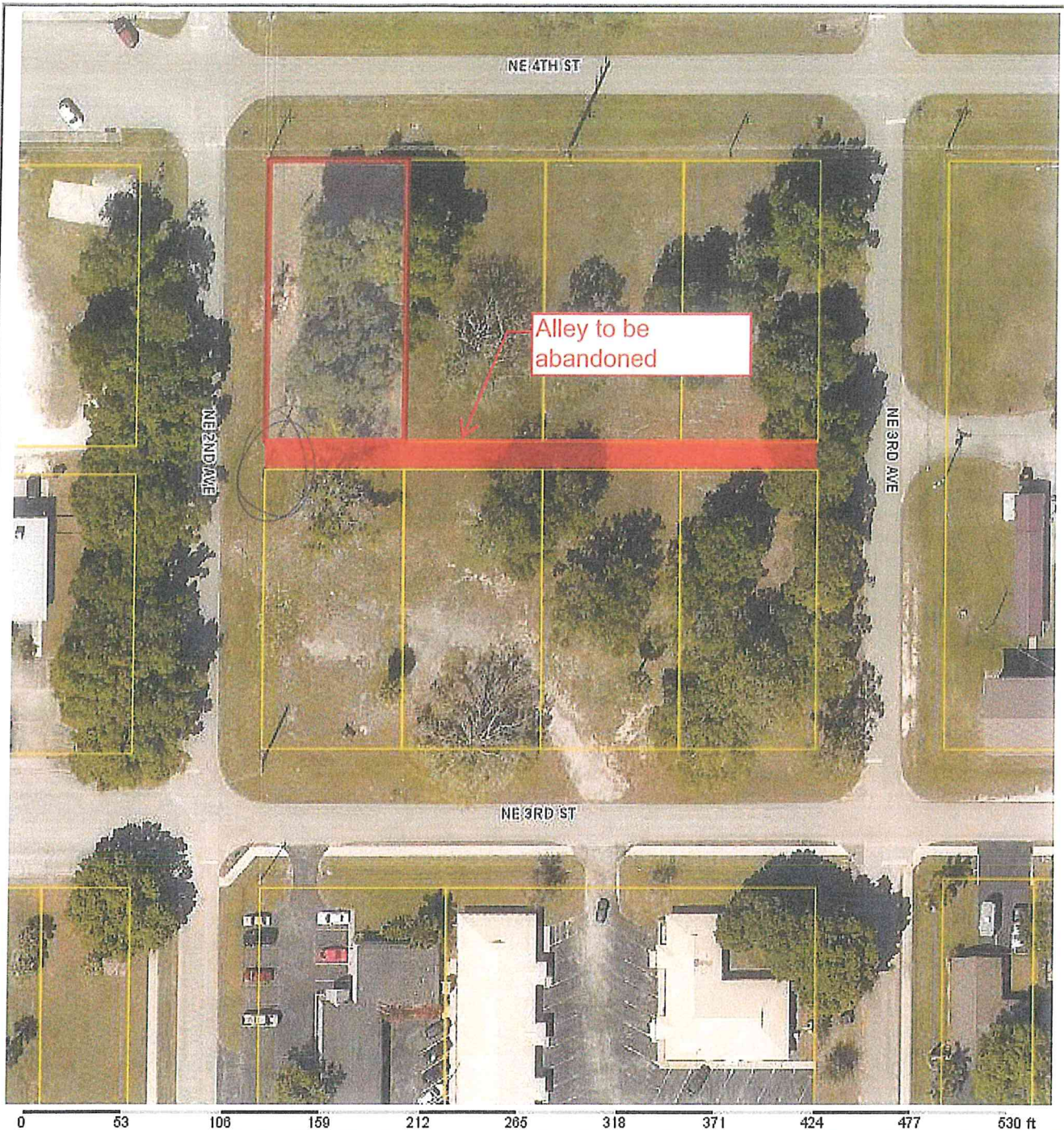
<b>2. Right-of-way to be vacated is not the sole access to any property, and the remaining access is not an easement:</b>
The alley is not sole access to any property and a remaining land will not require an easement.

<b>3. Proposed vacation is in the public interest and provides a benefit to the City:</b>
The proposed vacation of the alley is within a block that will become a multifamily project, which the City is in need of, so this vacation will allow the existing ROW and alley's square footage to add density to this project so more housing can be added and return the property to the tax rolls.

<b>4. Proposed vacation would not jeopardize the location of any utility.</b>
There are currently no utilities in the requested abandonments.

The City Staff will, in the Staff Report, address the request and evaluate it and the Petitioner's submission in light of the above criteria and offer a recommendation for *approval or denial*.





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

**PARCEL: 3-15-37-35-0010-01210-0060 (33817) | VACANT COMMERCIAL (1000) | 0.258 AC**  
 CITY OF OKEECHOBEE (PLAT BOOK 1 PAGE 10 & PLAT BOOK 5 PAGE 5) LOT 6 & WEST 1/2 OF LOT 5 BLOCK 121

**PENROD SHAUN C**

Owner: ~~PENROD DESIREE A~~  
 2437 SW 33RD CIR  
 OKEECHOBEE, FL 34974-5723  
 Site: NE 4TH ST, OKEECHOBEE

2020 Certified Values			
Mkt Lnd	\$21,360	Appraised	\$21,360
Ag Lnd	\$0	Assessed	\$21,360
Bldg	\$0	Exempt	\$0
XFOB	\$0		
Just	\$21,360	Total	county:\$21,360
		Taxable	city:\$21,360
			other:\$21,360
			school:\$21,360

Sales 11/20/2018 \$105,000 V(Q)  
 Info 10/27/1997 \$0 V(U)  
 5/1/1987 \$0 V(U)

**NOTES:**



Okeechobee County, FL

This information, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizzlyLogic.com



**SKETCH AND LEGAL  
DESCRIPTION  
(THIS IS NOT A SURVEY)  
15.0' ABANDONED ALLEY**

EXHIBIT "A"

#21-002-AC  
**FILE COPY**

NOT VALID WITHOUT SHEET 2 OF 2

**LEGAL DESCRIPTION:**

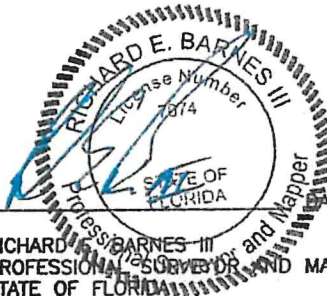
A STRIP OF LAND, 15.00 FEET IN WIDTH, BEING A PORTION OF BLOCK 121 OF THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, LOCATED IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGIN** AT THE NORTHWEST CORNER OF LOT 7 OF SAID BLOCK 121, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF THE ALLEY OF SAID BLOCK 121, THENCE NORTH 00°11'04" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF NORTHEAST 2ND AVENUE, A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 121 ALLEY; THENCE NORTH 89°49'44" EAST ALONG THE NORTH LINE OF SAID BLOCK 121 ALLEY, A DISTANCE OF 299.84 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 3RD AVENUE AND THE NORTHEAST CORNER OF SAID BLOCK 121 ALLEY; THENCE SOUTH 00°11'04" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 121 ALLEY; THENCE SOUTH 89°49'44" WEST ALONG THE SOUTH LINE OF SAID BLOCK 121 ALLEY, A DISTANCE OF 299.84 FEET TO THE **POINT OF BEGINNING**.

SAID LAND LYING IN OKEECHOBEE COUNTY, FLORIDA CONTAINING 0.103 ACRES MORE OR LESS.

**SURVEYOR'S NOTES:**

1. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER. THIS INSTRUMENT MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT THE CONSENT OF THE SIGNING SURVEYOR.
2. LANDS DESCRIBED HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR OWNERSHIP, EASEMENTS, RIGHTS-OF-WAY OR OTHER INSTRUMENTS THAT MAY APPEAR IN THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.
3. THE DESCRIPTION CONTAINED HEREIN AND THE ATTACHED SKETCH DOES NOT REPRESENT A FIELD BOUNDARY SURVEY.


  
 SIGNED: *[Signature]* DATE: 3/29/21  
 RICHARD E. BARNES III  
 PROFESSIONAL SURVEYOR AND MAPPER NO. 7074  
 STATE OF FLORIDA

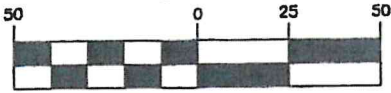


**BSM & ASSOCIATES**  
LAND SURVEYING SERVICES  
80 SE 31st Lane, Okeechobee, FL 34974  
ricky.barnes@bsmsurvey.com  
863.484.8324 LB 8155

**SKETCH AND LEGAL  
DESCRIPTION  
(THIS IS NOT A SURVEY)  
15.0' ABANDONED ALLEY  
OKEECHOBEE COUNTY, FLORIDA**

SCALE: N/A	PROJECT NO: 21-109	REVISION:
DATE: 03/26/21	CAD FILE: 21-109	SHEET: 1 OF 2

**GRAPHIC SCALE**



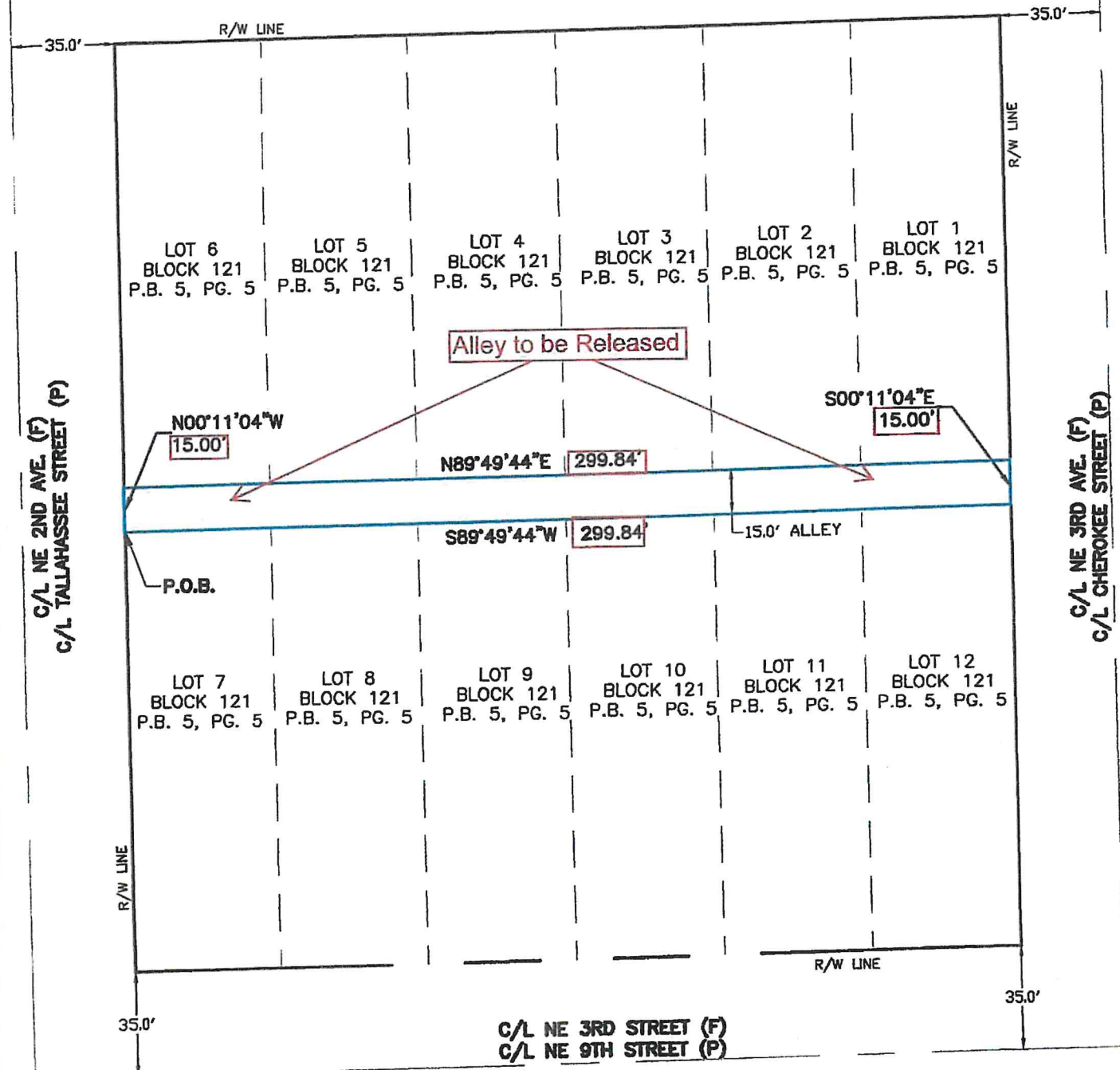
( IN FEET )

1 INCH = 50 FT.

(INTENDED DISPLAY SCALE)

**LEGEND:**

- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- P.B. = PLAT BOOK
- PG. = PAGE
- O.R.B. = OFFICIAL RECORDS BOOK
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- C/L = CENTERLINE
- (F) = FIELD
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**BSM**  
 & ASSOCIATES  
 LAND SURVEYING SERVICES  
 30 SE 21st Lane, Okeechobee, FL 34974  
 ricky.barnes@bsmsurvey.com  
 353.484.8324    LB 8155

NOT VALID WITHOUT SHEET 1 OF 2

**SKETCH AND LEGAL DESCRIPTION**  
**(THIS IS NOT A SURVEY)**  
 15.0' ABANDONED ALLEY  
 OKEECHOBEE COUNTY, FLORIDA

SCALE: 1" = 50'	PROJECT NO: 21-109	REVISION:
DATE: 03/26/21	CAD FILE: 21-109	SHEET: 2 OF 2

#21-002-AC  
FILE COPY

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SIGNED:  DATE: 3/29/21

RICHARD E. BARNES III  
PROFESSIONAL SURVEYOR AND MAPPER NO. 7074  
STATE OF FLORIDA



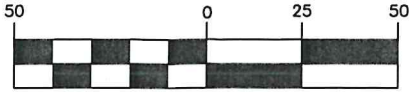
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OKEECHOBEE COUNTY, FLORIDA**

SCALE: N/A	PROJECT NO: 21-109	REVISION:
DATE: 03/26/21	CAD FILE: 21-109	SHEET: 1 OF 2

**GRAPHIC SCALE**



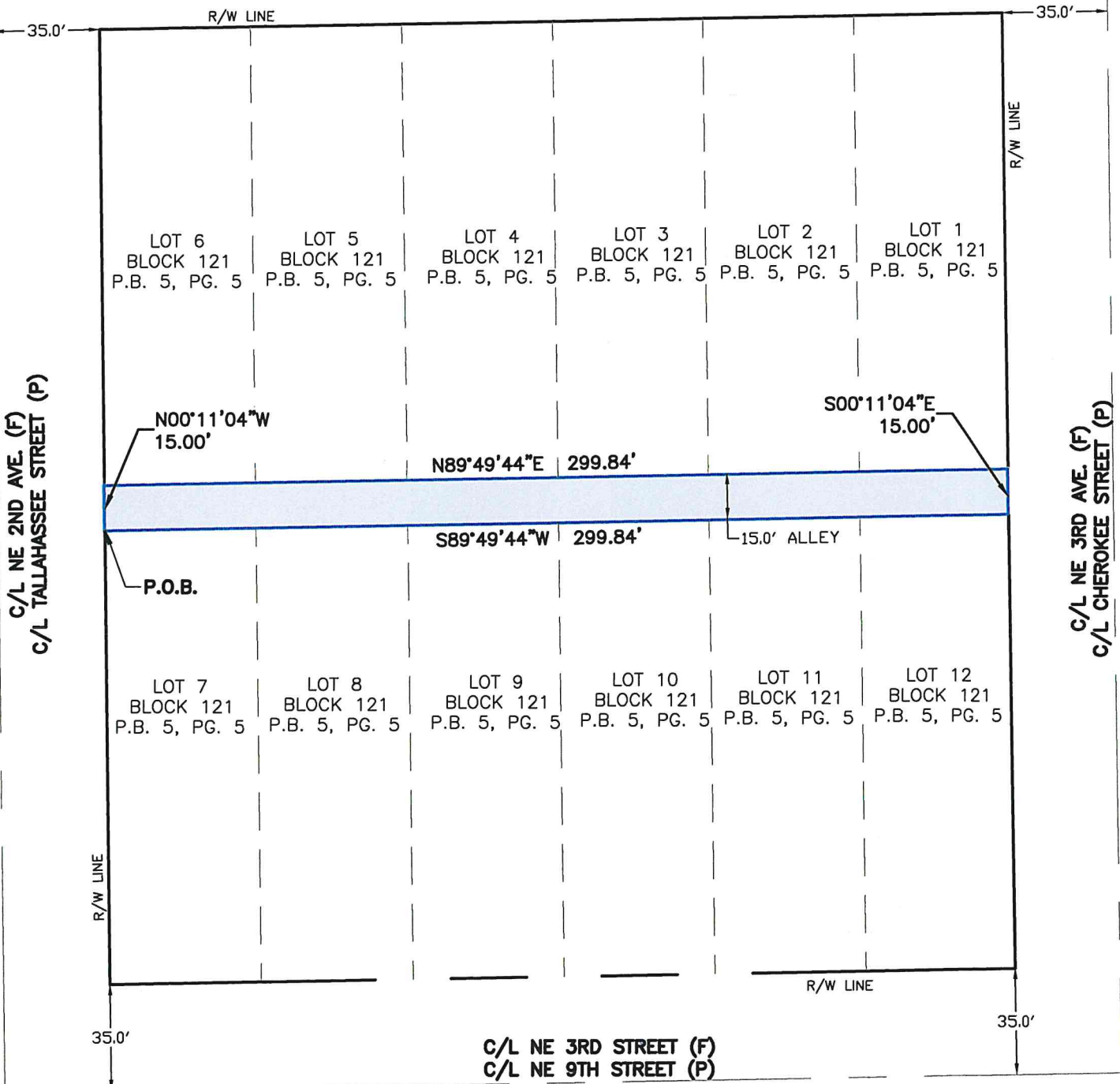
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**BSM & ASSOCIATES**  
LAND SURVEYING SERVICES

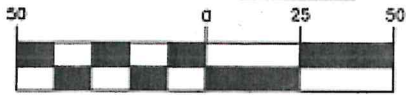
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NOT VALID WITHOUT SHEET 1 OF 2

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**15.0' ABANDONED ALLEY**  
**OKEECHOBEE COUNTY, FLORIDA**

SCALE: 1" = 50'	PROJECT NO: 21-109	REVISION:
DATE: 03/26/21	CAD FILE: 21-109	SHEET: 2 OF 2

**GRAPHIC SCALE**



( IN FEET )

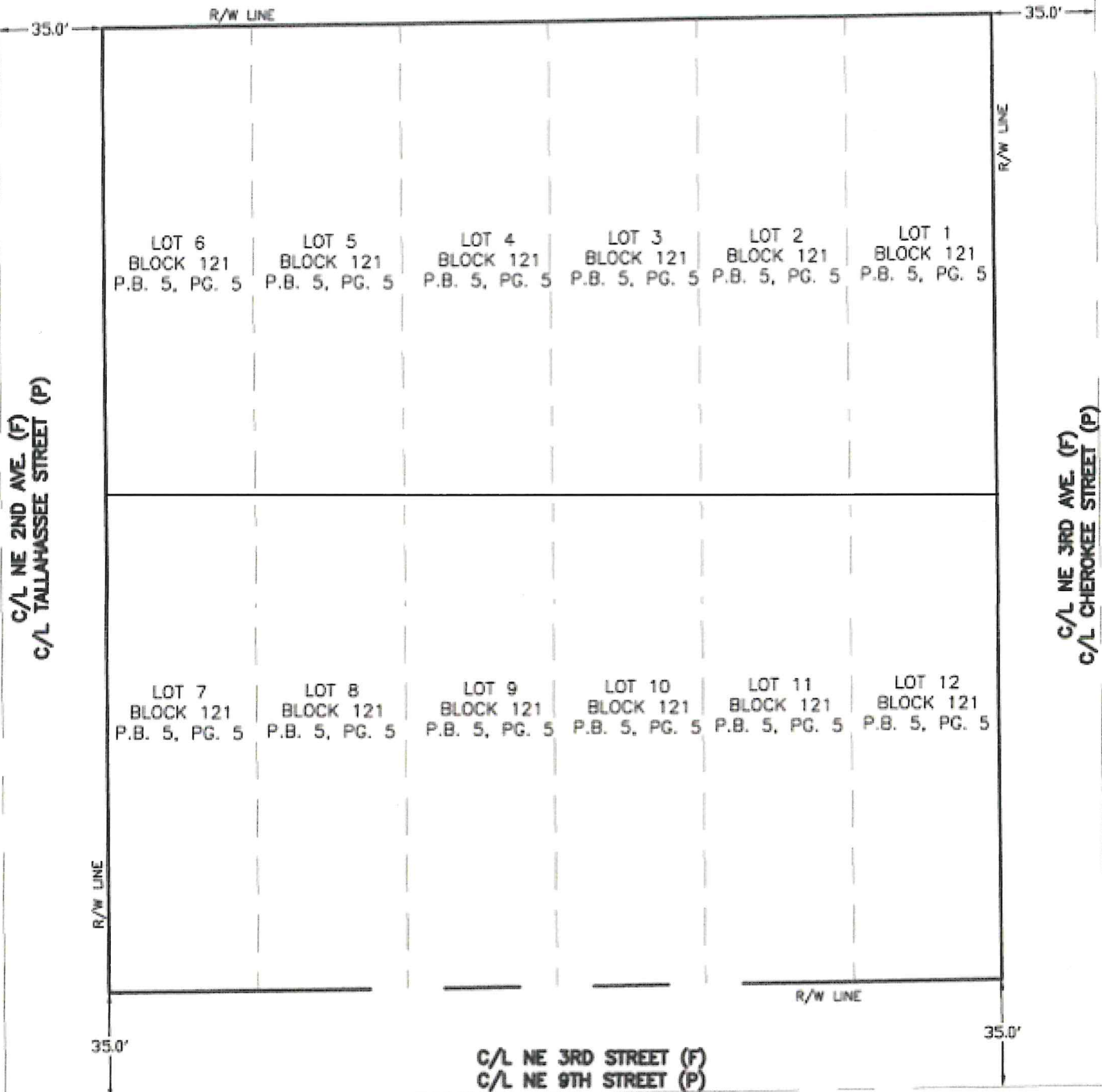
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C/L NE 2ND AVE. (F)  
 C/L TALLAHASSEE STREET (P)

C/L NE 3RD AVE. (F)  
 C/L CHEROKEE STREET (P)

R/W LINE

R/W LINE

35.0'

35.0'

C/L NE 3RD STREET (F)  
 C/L NE 9TH STREET (P)



**ENGINEERING**

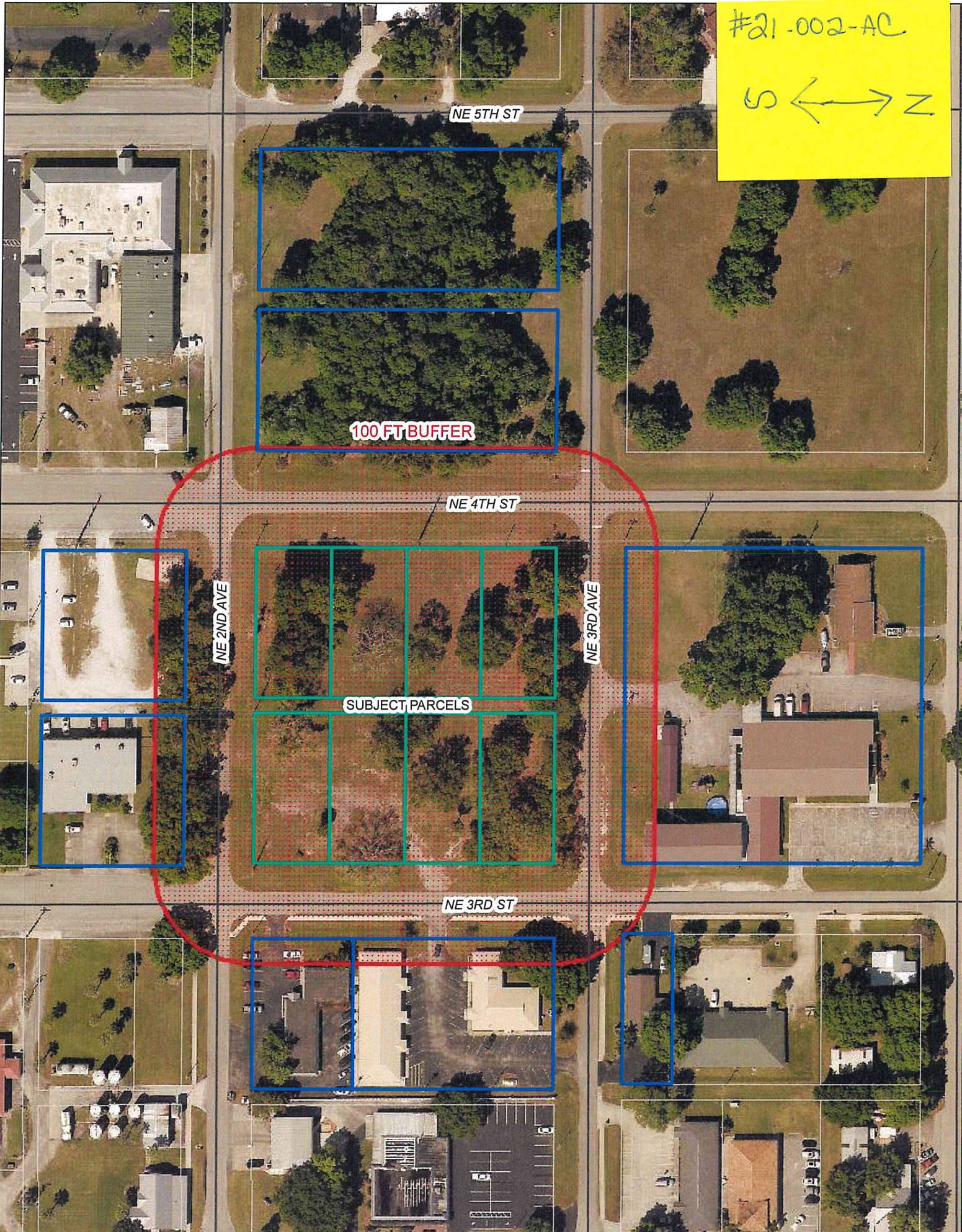
**Site Plan of Property After Abandonment**

**(THIS IS NOT A SURVEY)**

20.0' ABANDONED ALLEY  
 OKEECHOBEE COUNTY, FLORIDA

DATE:  
 03/26/21

#21-002-AC  
S ← → N



Penrod Surrounding Owners within 300 Feet

	PARCEL NUMBER	OWNER	ADDRESS 1	CITY	STATE	ZIP
1.	3-15-37-35-0010-01400-0010	205 N PARROT AVE HOLDINGS LLC	2740 SW MARTIN DOWNS BLVD-#247	PALM CITY	FL	34990
2.	3-15-37-35-0010-01420-0070	205 OKEECHOBEE LLC	205 NE 2ND ST	OKEECHOBEE	FL	34972-2974
3.	3-15-37-35-0010-01430-0110	BELLA ROSE DAY SPA & SALON LLC	311 NE 2ND ST	OKEECHOBEE	FL	34972-2976
4.	3-15-37-35-0010-01530-0020	BROWN MICHAEL G	P O BOX 120	OKEECHOBEE	FL	34973-0120
5.	3-15-37-35-0010-01190-0030	CANCINO MARIA	406 NE 4TH ST	OKEECHOBEE	FL	34972-2606
6.	3-15-37-35-0010-01230-0050	CBC PROPERTIES LLC ?	301 NW 4TH AVE <i>301 N. Parrott Ave</i>	OKEECHOBEE	FL	34972-2552
7.	3-15-37-35-0010-01110-0010	CHURCH OF GOD ?	301 NE 4TH AVE <i>Same</i>	OKEECHOBEE	FL	34972
7.	3-15-37-35-0010-01200-0010	CHURCH OF GOD ?	301 NE 4TH AVE <i>Same</i>	OKEECHOBEE	FL	34972
8.	3-15-37-35-0010-01440-0070	COLIN M CAMERON ESQ PA	200 NE 4TH AVE	OKEECHOBEE	FL	34972-2981
9.	3-15-37-35-0010-00890-0060	COLT PENNY M	1601 SW 35TH CIR	OKEECHOBEE	FL	34974
10.	3-15-37-35-0010-00880-0070	ENTRY MARIE	500 NE 3RD AVE	OKEECHOBEE	FL	34972
11.	3-15-37-35-0010-01120-0010	FT DRUM CORPORATION	PO BOX 1177	OKEECHOBEE	FL	34973-1177
11.	3-15-37-35-0010-01190-0010	FT DRUM CORPORATION	PO BOX 1177 <i>Same</i>	OKEECHOBEE	FL	34973-1177
12.	3-15-37-35-0010-01220-0080	GREENBERGER JANIS	P O BOX 1092	OKEECHOBEE	FL	34973-1092
13.	3-15-37-35-0010-01430-0070	GRETCHEN ROBERTSON INVESTMENT	309 NE 2ND ST	OKEECHOBEE	FL	34972-2976
13.	3-15-37-35-0010-01430-0090	GRETCHEN ROBERTSON INVESTMENT	309 NE 2ND ST <i>Same</i>	OKEECHOBEE	FL	34972
14.	3-15-37-35-0010-01530-0010	HOOVER SUSANNE C	P O BOX 78	OKEECHOBEE	FL	34973
15.	3-15-37-35-0010-01430-0010	HORNER WANDA	211 NE 4TH AVE	OKEECHOBEE	FL	34972
16.	3-15-37-35-0010-00890-0090	II PARTNERS INC	P O BOX 2293	OKEECHOBEE	FL	34973-2293
17.	3-15-37-35-0010-01100-0010	JKST HOLDINGS LLC	PO BOX 873	PORT SALERNO	FL	34992-0873
18.	3-15-37-35-0010-01190-0060	KENNEDY ARTHUR GREGORY	2328 SW 13TH ST	OKEECHOBEE	FL	34974
19.	3-15-37-35-0010-01410-0040	KIRCHMAN OIL COMPANY	P O BOX 1625	BELLE GLADE	FL	33430-6625
20.	3-15-37-35-0010-01520-0040	LAKE O PARTNERS INC	110 NE 3RD AVE	OKEECHOBEE	FL	34972
21.	3-15-37-35-0010-01090-0010	LAKE REAL ESTATE HOLDINGS LLC	400 N PARROTT AVE	OKEECHOBEE	FL	34972
22.	3-15-37-35-0010-00890-0010	LMXN HOLDINGS LLC	1887 SW 8TH ST	OKEECHOBEE	FL	34974-3910
22.	3-15-37-35-0010-00890-0040	LMXN HOLDINGS LLC	1887 SW 8TH ST <i>Same</i>	OKEECHOBEE	FL	34974-3910
22.	3-15-37-35-0010-00890-0110	LMXN HOLDINGS LLC	1887 SW 8TH ST <i>Same</i>	OKEECHOBEE	FL	34974-3910
23.	3-15-37-35-0010-01420-0010	MARK J TENNISWOOD DMD PA	208 NE 3RD ST	OKEECHOBEE	FL	34972-2947
24.	3-15-37-35-0010-00880-0060	MITCHELL RONALD	1105 SW 4TH ST	OKEECHOBEE	FL	34974
25.	3-15-37-35-0010-01080-0040	MONTESI CRAIG SR	10143 CULPEPPER CT	ORLANDO	FL	32836-6340
26.	3-15-37-35-0010-01190-0090	N & A CONSTRUCTION INC	150 FULMAR TER	OKEECHOBEE	FL	34974
27.	3-15-37-35-0010-01220-0010	OKEECHOBEE PRESBYTERIAN	312 N PARROTT AVE	OKEECHOBEE	FL	34972-2933
27.	3-15-37-35-0010-01220-0040	OKEECHOBEE PRESBYTERIAN CHURCH	312 N PARROTT AVE <i>Same</i>	OKEECHOBEE	FL	34972

46 Notices Mailed

#21-009-Ac

Penrod Surrounding Owners within 300 Feet

1	3-15-37-35-0010-01220-0060	OKEECHOBEE PRESBYTERIAN CHURCH	312 N PARROTT AVE <i>Same</i>	OKEECHOBEE	FL	34972
8	3-15-37-35-0010-01530-0030	PALM PLAZA OF OKEECHOBEE INC	PO BOX 986	OKEECHOBEE	FL	34973-0986
6	3-15-37-35-0010-01430-0060	PENROD CONSTRUCTION COMPANY	P O BOX 3166 <i>Applicant?</i>	OKEECHOBEE	FL	34973-3166
9	3-15-37-35-0010-01520-0010	REGIONS BANK	250 RIVERCHASE PKWY STE 600	BIRMINGHAM	AL	35244
0	3-15-37-35-0010-01440-0030	RODRIGUEZ SOBEIDA	111 W 33RD ST	HIALEAH	FL	33012
1	3-15-37-35-0010-01190-0070	ROSE DARLA J	1411 SW 7TH AVE	OKEECHOBEE	FL	34974-5044
2	3-15-37-35-0010-01220-0100	SENIORS R ABLE INC	PO BOX 759	OKEECHOBEE	FL	34973-0759
3	3-15-37-35-0010-01230-0010	SHAMROCK MAX LLC	PO BOX 625	OKEECHOBEE	FL	34973-0625
4	3-15-37-35-0010-00880-0100	SKYLINE RENOVATION SERVICES LLC	5276 JOG LN	DELRAY BEACH	FL	33484-6650
5	3-15-37-35-0010-01420-0050	SLOAN & RILEY HOLDINGS LLC	202 NE 3RD ST	OKEECHOBEE	FL	34972-2947
6	3-15-37-35-0010-01540-0010	SPIRIT CV OKEECHOBEE FL LLC	%CVS #3237-01/OCC EXP DEPT ?	WOONSOCKET	RI	02895-6146
7	3-15-37-35-0010-00900-0010	TAMAL PROPERTIES LLC	152 PORGEE ROCK PL	JUPITER	FL	33458-1634
8	3-15-37-35-0010-00900-0070	TAMAL PROPERTIES LLC	152 PORGEE ROCK PL <i>Same</i>	JUPITER	FL	33458-1634
*	3-15-37-35-0010-01430-0030	THERAPY CENTER OF OKEECHOBEE !	637 SE 74TH AVE	OKEECHOBEE	FL	34974
9	3-15-37-35-0010-00890-0070	VILLEDIA BAUDILIO	201 NE 5TH ST	OKEECHOBEE	FL	34972-2605
*	3-15-37-35-0010-01410-0010	WALPOLE EDWIN E III REV LIV TR ?	P O BOX 1177	OKEECHOBEE	FL	34973
1	3-15-37-35-0010-01410-0020	WALPOLE INC ?	P O BOX 1177 <i>Same</i>	OKEECHOBEE	FL	34973-1177
2	3-15-37-35-0010-01410-0100	WALPOLE INC	P O BOX 1177 <i>Same</i>	OKEECHOBEE	FL	34973-1177
3	3-15-37-35-0010-01410-0060	WILLIAMS HAYNES E REV TRUST	206 N PARROTT AVE	OKEECHOBEE	FL	34972
4	3-15-37-35-0010-01440-0040	WILLIAMS MICHAEL JAMES	161 MILTON DR	PADUCAH	KY	42003-5574
5	3-15-37-35-0010-01410-0080	WILLIAMS SUSAN E REV TRUST	206 N PARROTT AVE <i>Same</i>	OKEECHOBEE	FL	34972
6	3-15-37-35-0010-00880-0040	WILLIAMSON JOHN	1200 NE 96TH ST	OKEECHOBEE	FL	34972-0505

15. KRB Realty LLC  
 269 NW 9th ST  
 34972



#21-002-AC



City of Okeechobee

55 SE Third Avenue  
Okeechobee, FL

Tele: 863-763-3372 Ext. 9824  
Fax: 863-763-1686

Dear Property Owner:

June 30, 2021

The Planning Board will be considering Abandonment of Right-of-Way Petition No. 21-002-AC which requests to abandon the Alleyway lying East to West between Lots 1 to 6 and 7 to 12 of Block 121, CITY OF OKEECHOBEE, PB 1 and 5/PGS 10 and 5, Public Records, Okeechobee County, at a Public Hearing, held at City Hall, RM 200 on **Thursday, July 15, 2021, 6 PM**, or as soon thereafter as possible. You are receiving this courtesy notice as a property owner within 300-FT of the location. You are invited to attend and be heard in person, or you may submit your questions, comments or objections by 3 PM the day of the meeting by email: [pburnette@cityofokeechobee.com](mailto:pburnette@cityofokeechobee.com), or call the number above. The Planning Board will make recommendations concerning the petition to the City Council for consideration, at a Final Public Hearing tentatively on September 7, 2021, 6:00 PM.

The Petition file, agenda and up to date information about this meeting can be viewed online at [cityofokeechobee.com/AgendaMinutes-PlanningBoard.html](http://cityofokeechobee.com/AgendaMinutes-PlanningBoard.html) or at City Hall, Rm 100 during normal office hours or contact my office to have a copy emailed.

Respectfully,  
Patty Burnette, General Services Coordinator



City of Okeechobee

55 SE Third Avenue  
Okeechobee, FL

Tele: 863-763-3372 Ext. 9824  
Fax: 863-763-1686

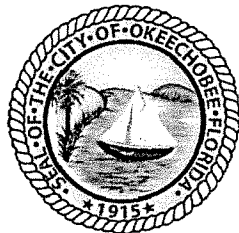
Dear Property Owner:

June 30, 2021

The Planning Board will be considering Abandonment of Right-of-Way Petition No. 21-002-AC which requests to abandon the Alleyway lying East to West between Lots 1 to 6 and 7 to 12 of Block 121, CITY OF OKEECHOBEE, PB 1 and 5/PGS 10 and 5, Public Records, Okeechobee County, at a Public Hearing, held at City Hall, RM 200 on **Thursday, July 15, 2021, 6 PM**, or as soon thereafter as possible. You are receiving this courtesy notice as a property owner within 300-FT of the location. You are invited to attend and be heard in person, or you may submit your questions, comments or objections by 3 PM the day of the meeting by email: [pburnette@cityofokeechobee.com](mailto:pburnette@cityofokeechobee.com), or call the number above. The Planning Board will make recommendations concerning the petition to the City Council for consideration, at a Final Public Hearing tentatively on September 7, 2021, 6:00 PM.

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Respectfully,  
Patty Burnette, General Services Coordinator



# CITY OF OKEECHOBEE

55 SE THIRD AVENUE  
OKEECHOBEE, FL 34974  
Tele: 863-763-3372 Fax: 863-763-1686

## CERTIFICATION FOR POSTING NOTICE OF PUBLIC HEARING FOR REZONING/SPECIAL EXCEPTION/VARIANCE PETITION(S)

### Instructions:

1. Must be posted on the subject property.
2. Must be posted prominently.
3. Must be visible from the most traveled street adjacent to the subject property.
4. There is no specific height or size requirement, provided that the sign can be easily seen by cars or pedestrians that pass by the subject property.
5. Must be posted beginning 15 days prior to the first Public Hearing and remain posted continuously during this time. When a second Public Hearing is required before the City Council, it must remain posted until the final Public Hearing has been conducted.
6. Must be removed within 7 days after the final Public Hearing.

Petition Number(s): 21-002-AC Date of 1<sup>st</sup> Public Hearing: July 15, 2021

Address of subject property (or Legal if no address): Lying between Lots 1 through 6 and 7

I, David Allen, hereby certify that I posted the "Notice of Public Hearing" sign in accordance with the above instructions on June 30, 2021, and will remove sign on September 7, 2021.

Signature: TDL

Date: 6-30-21

STATE OF FLORIDA  
COUNTY OF OKEECHOBEE

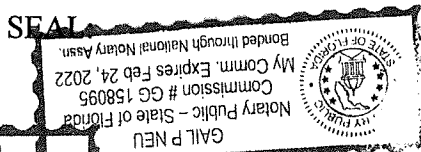
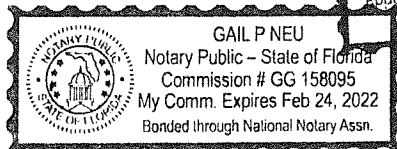
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 30 day of June, 2021, by David Allen, who is personally

(Name of person)  
as identification.

known to me or produced \_\_\_\_\_

Gail P Neu  
NOTARY PUBLIC SIGNATURE  
STATE OF FLORIDA

GAIL P Neu  
Commissioned Notary Name



# NOTICE OF PUBLIC HEARING

**RIGHT OF WAY ABANDONMENT PETITION No. 21-002-AC**

**DATE: JULY 15, 2021, 6 PM, AT CITY HALL**

**PURPOSE: TO ABANDON THE ALLEYWAY LYING EAST TO WEST  
BETWEEN LOTS 1 TO 6 AND 7 TO 12 OF BLOCK 121,  
AS RECORDED IN PLAT BOOKS 1 AND 5, PAGES 10  
AND 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY.**

**APPLICANT: SHAUN AND DESIREE PENROD**

**PROPERTY OWNER: SHAUN AND DESIREE PENROD**

**FURTHER INFORMATION CONTACT: General Services Dept,  
863-763-3372, Ext 9824 55 SE 3<sup>rd</sup> Ave, Okeechobee, FL 34974**

#21-002-AC

## ORDINANCE NO. 1250

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA;  
UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL  
IMPROVEMENTS OF THE CITY'S COMPREHENSIVE PLAN AS  
MANDATED BY FLORIDA STATUTES SECTION 163.3177(3)(b);  
PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY;  
AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes, Section 163.3177(3)(b), requires local governments to annually update a Five-Year Schedule of Capital Improvements which is consistent with the Plan and may be accomplished by ordinance rather than as an amendment to the Local Comprehensive Plan; and

**WHEREAS**, the City's Planning Board, acting as the Local Planning Agency, has reviewed the proposed Five-Year Schedule of Capital Improvements, at a duly advertised meeting held on January 20, 2022, and hereby forwards its recommendation to the City Council; and

**WHEREAS**, the City Council has agreed with the recommendations of the Planning Board that the proposed Five-Year Schedule of Capital Improvements complies with the requirements of Florida Statutes, Section 163.3177(3)(b), that the proposed improvements are consistent with the Comprehensive Plan; and

**WHEREAS**, the City Council desires to adopt this Schedule to guide future development of the City and protect the public's health, safety, and welfare.

**NOW, THEREFORE**, be it ordained before the City Council for the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City:

**SECTION 1: REVISION.**

The City Council hereby revises the Capital Improvements Element of its Comprehensive Plan by updating the Five-Year Schedule of Capital Improvements (Five-Year Capital Improvement Plan) attached as Exhibit "A".

**SECTION 2: CONFLICT.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3: SEVERABILITY.**

If any provision or portion of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 4: EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon its passage.

**INTRODUCED** for First Reading and set for Final Public hearing on this **15<sup>th</sup>** day of **February 2022**.

---

Dowling R. Watford Jr., Mayor

ATTEST:

---

Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after Second and Final Public Hearing this **15<sup>th</sup>** day of **March 2022**.

---

Dowling R. Watford Jr., Mayor

ATTEST:

---

Lane Gamiotea, CMC City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

---

John J. Fumero, City Attorney

# ORDINANCE NO. 1250

## Exhibit "A"

FIVE YEAR SHEDULE OF CAPITAL IMPROVEMENTS							
Capital Projects	Funding Source	2021-2022	2022-2023	2023-2024	2024-2025	2025-2029	Five Year Total
<b>Transportation Projects</b>							
Median Replacement & Right-of-Way	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
SCOP SW 5th Avenue	SCOP	\$ 334,951	-	-	-	-	\$ 334,951
Asphalt Program	Gas Tax	\$ 120,000	\$ 55,000	\$ 200,000	-	\$ 300,000	\$ 675,000
Sidewalk Program	Gas Tax	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 75,000
Sign Repair/Replacement	Gas Tax	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 100,000
Traffic Signal Upgrades	Gas Tax	\$ 10,000	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 60,000
<b>Sub Total</b>		<b>\$ 509,951</b>	<b>\$ 112,500</b>	<b>\$ 257,500</b>	<b>\$ 57,500</b>	<b>\$ 357,500</b>	<b>\$ 1,294,951</b>
<b>Stormwater Projects</b>							
ROW Drainage	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
R&M Roads and Culverts	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Storm Water Infiltration Repair	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Storm Water Ditch Adjustments	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Stormwater Taylor Creek SE 4th Street	DEP Appropriations	\$ 430,000	-	-	-	-	\$ 430,000
Stormwater Infrastrure	ARPA Funds	\$ 1,200,000	\$ 1,200,000	-	-	-	\$ 2,400,000
<b>Sub Total</b>		<b>\$ 1,670,000</b>	<b>\$ 1,240,000</b>	<b>\$ 40,000</b>	<b>\$ 40,000</b>	<b>\$ 40,000</b>	<b>\$ 3,030,000</b>
<b>Parks and Recreation Projects</b>							
Tree Program	General	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 75,000
Centennial Park - Solar Area Lights	General	\$ 6,000	-	-	-	-	\$ 6,000
Centennial Park - Chickees	General	\$ 20,000	-	-	-	-	\$ 20,000
Centennial Park - Picnic Tables	General	\$ 5,000	-	-	-	-	\$ 5,000
Centennial Park - Playground Equipment	General	\$ 10,000	-	-	-	-	\$ 10,000
Centennial Park - Landscaping	General	\$ 10,000	-	-	-	-	\$ 10,000
Centennial Park - Concrete for pads	General	\$ 2,000	-	-	-	-	\$ 2,000
<b>Sub Total</b>		<b>\$ 68,000</b>	<b>\$ 15,000</b>	<b>\$ 15,000</b>	<b>\$ 15,000</b>	<b>\$ 15,000</b>	<b>\$ 128,000</b>
<b>Total</b>		<b>\$ 2,247,951</b>	<b>\$ 1,367,500</b>	<b>\$ 312,500</b>	<b>\$ 112,500</b>	<b>\$ 412,500</b>	<b>\$ 4,452,951</b>

# ORDINANCE NO. 1250 Exhibit "A"

OKEECHOBEE COUNTY SCHOOL DISTRICT

2021 - 2022 Work Plan

<b>Summary of revenue/expenditures available for new construction and remodeling projects only.</b>						
	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	Five Year Total
Total Revenues	\$2,545,623	\$1,331,404	\$1,530,094	\$1,693,544	\$4,668,522	\$11,769,187
Total Project Costs	\$2,813,000	\$3,152,220	\$431,531	\$0	\$0	\$6,396,751
Difference (Remaining Funds)	(\$267,377)	(\$1,820,816)	\$1,098,563	\$1,693,544	\$4,668,522	\$5,372,436
District	OKEECHOBEE COUNTY SCHOOL DISTRICT					
Fiscal Year Range						

OKEECHOBEE COUNTY SCHOOL DISTRICT

2021 - 2022 Work Plan

### Capacity Project Schedules

A schedule of capital outlay projects necessary to ensure the availability of satisfactory classrooms for the projected student enrollment in K-12 programs.

Project Description	Location	Planned Cost:	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	Total	Funded
Project description not specified	Location not specified		\$0	\$0	\$0	\$0	\$0	\$0	No
	Student Stations:		0	0	0	0	0	0	
	Total Classrooms:		0	0	0	0	0	0	
	Gross Sq Ft:		0	0	0	0	0	0	

<b>Planned Cost:</b>	\$0	\$0	\$0	\$0	\$0	\$0
Student Stations:	0	0	0	0	0	0
Total Classrooms:	0	0	0	0	0	0
Gross Sq Ft:	0	0	0	0	0	0



**CITY OF OKEECHOBEE, FLORIDA**  
**PLANNING BOARD**  
**JANUARY 20, 2022**  
**SUMMARY OF BOARD ACTION**

**I. CALL TO ORDER**

Chairperson Hoover called the regular meeting of the Planning Board for the City of Okeechobee to order on Thursday, January 20, 2022, at 6:00 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 Dawn Hoover, Vice Chairperson Doug McCoy, Board Members Phil Baughman, Karyne Brass, Rick Chartier, Mac Jonassaint, Joe Papasso, and Alternate Board Members David McAuley and Jim Shaw were present.

**III. AGENDA**

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Board Member Brass, 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 Jonassaint, seconded by Board Member Brass to dispense with the reading and approve the November 18, 2021, Regular Meeting minutes. **Motion Carried Unanimously.**

**V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:04 P.M.**

- A. 22-001-CPA, consider a recommendation to the City Council regarding the annual update to the Five-Year Capital Improvements Schedule.
  - 1. City Planning Consultant Mr. Jim LaRue of LaRue Planning and Management Services briefly reviewed the Planning Staff Report recommending approval.
  - 2. No public comments were offered.
  - 3. No Ex-Parte disclosures were offered.
  - 4. Motion by Board Member Jonassaint, seconded by Vice Chairperson McCoy to recommend approval to the City Council for 22-001-CPA to update the Five-Year Schedule of Capital Improvements in the Capital Improvements Element, finding it to be consistent with the Comprehensive Plan as presented in [Exhibit 1, which includes the Planning Consultant's analysis and recommendation for approval.] The recommendation will be forwarded to the City Council for consideration at Public Hearings, tentatively scheduled for February 15, 2022, and March 15, 2022. **Motion Carried Unanimously.**

- B. Comprehensive Plan Small Scale Future Land Use Map (FLUM) Amendment Application No. 22-001-SSA, to reclassify from Commercial to Multi-Family Residential (MFR) 3.995± acres, located in the two blocks between Northeast 3<sup>rd</sup> to 5<sup>th</sup> Streets and Northeast 2<sup>nd</sup> to 3<sup>rd</sup> Avenues.

- 1. City Planning Consultant LaRue briefly reviewed the Planning Staff Report finding the requested MFR FLUM designation reasonably compatible with adjacent uses, consistent with the urbanizing pattern of the area, and consistent with the City's Comprehensive Plan, therefore recommending Approval. In addition, City Administrator Gary Ritter, briefly explained why the Board was hearing this application again.
- 2. Mr. Steven Dobbs and Mr. Frank M. Stephens, Registered Agent of Glenwood Park LLC, were present. Mr. Stephens distributed a proposed site plan to Board Members and explained why he was resubmitting his application. He further commented that he felt his intentions were not clearly presented the first time around and wanted the Board to know he was very committed to this project.
- 3. No public comments were offered.



# Capital Improvements Element

## Goals, Objectives and Policies

- Goal:** The City of Okeechobee shall continue to ensure that public facilities and services are provided, on a fair-share costs basis, in a manner which maximizes the use of existing facilities and promotes orderly growth.
- Objective 1:** The City of Okeechobee shall continue to use the Capital Improvements Element to schedule construction and identify funding sources for the City's capital facility needs in order to accommodate existing and future development, and to replace obsolete or worn-out facilities.
- Policy 1.1:** Proposed capital improvements projects shall continue to be ranked and evaluated according to appropriate policies adopted in other elements of the Comprehensive Plan. The following criteria will also be considered:
- (1) whether the proposed project will eliminate a public hazard;
  - (2) whether the proposed project will eliminate capacity deficits;
  - (3) local budget impacts;
  - (4) locational needs based on projected growth patterns;
  - (5) accommodation of new development or redevelopment;
  - (6) financial feasibility; and
  - (7) plans of state agencies or water management districts that provide facilities in Okeechobee.
- Policy 1.2:** The City of Okeechobee shall continue to integrate its planning and budgeting processes such that expenditures which are budgeted for capital improvements recognize policies related to public facilities and services set forth in the Comprehensive Plan.
- Policy 1.3:** In accordance with Policy 7.1 of the Sanitary Sewer... Element, the City shall complete a stormwater management study to identify drainage deficiencies, and allocate any available funds for that purpose in its Administrative Operating Budget for fiscal year 2013. The 5-Year Schedule of Capital Improvements will be amended as soon as possible to include the study, its projected cost, and the identified revenue source(s).
- Policy 1.4:** The City of Okeechobee shall identify its needs for public facility improvements, the revenues required for project funding, and shall itemize the costs for such projects in its 5-Year Schedule of Capital Improvements.
- Objective 2:** The City of Okeechobee shall continue to coordinate land use decisions with the schedule of capital improvements in a manner that maintains the adopted level of service standards and meets existing and future needs.

Policy 2.1:

The City of Okeechobee shall continue to use the following level of service standards in reviewing the impacts of new development and redevelopment:

Facility	Level of Service
Sanitary Sewer	130 gallons/capita/day (see Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element)
Potable Water	114 gallons/capita/day (see Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element)
Solid Waste	Average Solid Waste Generation X 13 lbs./person/day X at least 13 years available capacity in Okeechobee County landfill (see Policy 1.4 of Sanitary Sewer...Element)
Principal Arterials	C
Minor Arterials & All Others	D
Recreation and Open Space	3 acres/1,000 persons
Drainage	<i>Interim Standard (see Policy 1.5 of Sanitary Sewer... Element)</i> Design Storm X 25-year storm X 24-hour duration  Facility Design Standards X as required by Florida Administrative Code (see Policy 1.5 of Sanitary Sewer... Element)
Public Schools	
Existing School	Permanent FISH Capacity Considering Utilization Rate
New Elementary	750
New Middle	1000
New K-8	1200
New High School	1500

Policy 2.2: Development orders and permits shall be granted only when required public facilities and services are operating at the established levels of service, or shall be available concurrent with the impacts of the development. Such facilities and services may be provided in phases if development correspondingly occurs in phases; however, required service levels must be maintained at all times during the development process.

Policy 2.3: The City of Okeechobee will maintain a water supply facilities work plan that is coordinated with SFWMD's District Water Supply Plan and the Okeechobee Utility Authority (OUA) by updating its own work plan within 18 months of an update to SFWMD's District Water Supply Plan that affects the City.

Policy 2.4: The City of Okeechobee recognizes that it relies upon the Okeechobee Utility Authority (OUA) facilities for the provision of potable water for its residents, businesses and visitors, and as such the City is part of the greater SFWMD, and that the continued supply of potable water will be dependent upon all local governments striving to maintain demand for potable water at sustainable levels. As such, the City will:

- (1) Continue to maintain relationships with the SFWMD and the Okeechobee Utility Authority (OUA) to maintain or reduce potable water consumption through education, conservation, and participation in ongoing programs of the region, county and city including coordinating local conservation education efforts with the SFWMD and the Okeechobee Utility Authority (OUA) programs.
- (2) Require landscaping in all new development or redevelopment on public water systems to use water-efficient landscaping and require functioning rain-sensor devices on all new automatic irrigation systems.
- (3) The City of Okeechobee shall inform residents and businesses of, and shall encourage their participation in, the Okeechobee Utility Authority (OUA) water conservation programs if they become available.

Policy 2.5: The City of Okeechobee recognizes that the Okeechobee Utility Authority (OUA) provides potable water to the City, its businesses and residents. Although no capital improvement projects are necessary within the City for which the City of Okeechobee has financial responsibility in connection with supply of potable water to the City, its businesses and residents, the City of Okeechobee will support and coordinate with the Okeechobee Utility Authority (OUA), as necessary, to assist in the implementation of Okeechobee Utility Authority (OUA) Capital Improvements projects for the years 2011-2021.

- Objective 3:** In order to maintain adopted level of service standards, future development shall bear a proportionate cost of necessary public facility improvements equivalent to the benefits it receives from the improvements.
- Policy 3.1: The City of Okeechobee shall continue to evaluate potential revenue available for public facility expenditures through alternative sources such as user fees, special benefit units, or special assessments.
- Policy 3.2: The City of Okeechobee shall continue to maintain adopted levels of service by using revenue sources considered under Policy 3.1 to ensure that new development pays a pro rata share of the costs of public facility needs which it generates.
- Policy 3.3: The City of Okeechobee shall continue to continue to apply for and secure grants or private funds when available to finance the provision of capital improvements.
- Objective 4:** The City of Okeechobee shall continue to ensure the provision of needed public facilities within the City limits, based on adopted levels of service as set forth in the Comprehensive Plan. Public facilities needs shall be determined on the basis of previously issued development orders as well as the City's budgeting process and its joint activities with Okeechobee County and the Okeechobee County School District for planning, zoning, and concurrency management.
- Policy 4.1: Existing and future public facilities shall operate at the levels of service established in this plan.
- Policy 4.2: Debt service shall not exceed 20% of annually budgeted revenues.
- Policy 4.3: A five-year capital improvements program and annual capital budget shall be adopted as part of the City of Okeechobee's annual budgeting process. This program shall include the annual review, and revision as needed, of the Five-Year Schedule of Capital Improvements.
- Policy 4.4: The financially feasible School District Five-Year Capital Improvement Plan (Tentative Facilities Work Program) which achieves and maintains the adopted level of service standards for public schools, as approved by the Okeechobee County School Board shall be included and adopted each year as part of the City of Okeechobee's annual budgeting process.
- Objective 5:** The City of Okeechobee shall furnish meaningful opportunities for the School Board to have input and coordination in the City's development review process in order to assist the School Board in their provision of adequate and efficient schools.

Policy 5.1:

The City of Okeechobee and the School Board shall coordinate to ensure that schools are adequately and efficiently provided commensurate with growth. Key coordinating mechanisms shall include:

- (a) promotion of joint infrastructure park/school facilities when feasible;
- (b) consideration of the adequacy and availability of educational infrastructure during appropriate review of development order applications;
- (c) ensuring the provision of adequate infrastructure, on and off site, normally associated with new or expanded schools where consistent with state law restrictions on expenditures by the School Board;
- (d) evaluation of the School District's annually updated Capital Improvement Plan to ensure that it is financially feasible and that the adopted level-of-service standard for public schools is achieved and maintained;
- (e) seeking that any new major residential development or redevelopment applicant submit information regarding projected school enrollments from the project; and
- (f) request that the School Board submit site plan information for all timely new schools.

## **Capital Improvements Implementation**

### **City of Okeechobee Comprehensive Plan**

Capital improvement needs identified in the Comprehensive Plan will be met through implementation of a 5-Year Schedule of Capital Improvements. This schedule is adopted by the City Council along with Goals, Objectives and Policies, and must be consistent with the Capital Improvements Element. The purpose of the Schedule is to ensure that the City has adequate revenues to implement the Comprehensive Plan.

The 5-Year Schedule of Capital Improvements focuses on the capital outlay required to meet existing deficiencies and to maintain adopted level of service standards planned for public facilities in the Plan. The City shall advise the OUA on these standards.

FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

Capital Projects	Funding Source	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	Five Year Total
<b>Transportation Projects</b>							
Median Replacement & Right of Way	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Install Baffle Box & Raise Road Elevation	DEP Grant	\$ 177,537	\$ 0	\$ 0	\$ 0	\$ 0	\$ 177,537
SW 5th Avenue Project	SCOP	\$ 334,951	\$ 0	\$ 0	\$ 0	\$ 0	\$ 334,951
Asphalt Program	Gas Tax	\$ 120,000	\$120,000	\$100,000	\$100,000	\$100,000	\$ 540,000
Sidewalk Program	Gas Tax	\$ 15,000	\$ 15,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 135,000
Sign Repair/replacement	Gas Tax	\$ 20,000	\$ 20,000	\$ 15,000	\$ 10,000	\$ 10,000	\$ 75,000
Traffic Signal Upgrades	Gas Tax	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 37,500
Street Improvements-SE 8th Ave	DEP Grant	\$ 209,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 209,000
Street Improvements-SE 8th Ave	SCOP	\$ 0	\$ 75,000	\$ 75,000	\$ 0	\$ 0	\$ 150,000
<b>Sub Total</b>		<b>\$ 893,988</b>	<b>\$247,500</b>	<b>\$242,500</b>	<b>\$162,500</b>	<b>\$162,500</b>	<b>\$1,708,988</b>
<b>Stormwater Projects</b>							
ROW Drainage	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
R&M Roads and Culverts	Gas Tax	\$ 10,000	\$ 10,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 65,000
Storm Water Infiltration Repair	Gas Tax	\$ 10,000	\$ 20,000	\$ 20,000	\$ 30,000	\$ 30,000	\$ 110,000
Storm Water Ditch Adjustments	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
<b>Sub Total</b>		<b>\$ 40,000</b>	<b>\$ 50,000</b>	<b>\$ 55,000</b>	<b>\$ 65,000</b>	<b>\$ 65,000</b>	<b>\$ 275,000</b>
<b>Parks &amp; Recreation Projects</b>							
Tree Program	General	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 75,000
Centennial Park - Solar Area Lights	General	\$ 6,000	\$ 6,000	\$ 0	\$ 0	\$ 0	\$ 12,000
Centennial Park - Landscaping	General	\$ 10,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 30,000
Centennial Park - 20x40 Pavilion	General	\$ 60,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 60,000
Centennial Park -Tables/trash cans	General	\$ 6,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 6,000
Centennial Park - Fencing	General	\$ 5,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,000
Flagler Parks Irrigation/Landscaping	General	\$ 0	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 20,000
Centennial Park Boat Ramp	General	\$ 0	\$175,000	\$ 0	\$ 0	\$ 0	\$ 175,000
Centennial Park Gazebo	General	\$ 0	\$ 0	\$ 0	\$ 75,000	\$ 0	\$ 75,000
Boat Ramp New Dock	General	\$ 0	\$ 0	\$110,000	\$ 0	\$ 0	\$ 110,000
<b>Sub Total</b>		<b>\$ 102,000</b>	<b>\$206,000</b>	<b>\$135,000</b>	<b>\$100,000</b>	<b>\$ 25,000</b>	<b>\$ 568,000</b>
<b>TOTAL</b>		<b>\$1,035,988</b>	<b>\$503,500</b>	<b>\$432,500</b>	<b>\$327,500</b>	<b>\$252,500</b>	<b>\$2,551,988</b>

FIVE YEAR SHEDULE OF CAPITAL IMPROVEMENTS							
Capital Projects	Funding Source	2021-2022	2022-2023	2023-2024	2024-2025	2025-2029	Five Year Total
<b>Transportation Projects</b>							
Median Replacement & Right of Way	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
SCOP SE 5th Avenue	SCOP	\$ 334,951	\$ -	\$ -			\$ 334,951
Asphalt Program	Gas Tax	\$ 120,000	\$ 55,000	\$ 200,000	\$ -	\$ 300,000	\$ 675,000
Sidewalk Program	Gas Tax	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 75,000
Sign Repair/replacement	Gas Tax	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 100,000
Traffic Signal Upgrades	Gas Tax	\$ 10,000	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 60,000
<b>Sub Total</b>		<b>\$ 509,951</b>	<b>\$ 112,500</b>	<b>\$ 257,500</b>	<b>\$ 57,500</b>	<b>\$ 357,500</b>	<b>\$ 1,294,951</b>
<b>Stormwater Projects</b>							
ROW Drainage	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
R&M Roads and Culverts	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Storm Water Infiltration Repair	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Storm Water Ditch Adjustments	Gas Tax	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Stormwater Taylor Creek SE 4th Street	DEP Appropriations	\$ 430,000	\$ -	\$ -			\$ 430,000
Stomwater Infrastrure	ARPA Funds	\$ 1,200,000	\$ 1,200,000	\$ -	\$ -	\$ -	\$ 2,400,000
<b>Sub Total</b>		<b>\$ 1,670,000</b>	<b>\$ 1,240,000</b>	<b>\$ 40,000</b>	<b>\$ 40,000</b>	<b>\$ 40,000</b>	<b>\$ 3,030,000</b>
<b>Parks and Recreation Projects</b>							
Tree Program	General	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 75,000
Centennial Park- Solar Area Lights	General	\$ 6,000	\$ -	\$ -	\$ -	\$ -	\$ 6,000
Centennial Park- Chickees	General	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ 20,000
Centennial Park - Picnic Tables	General	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ 5,000
Centennial Park - Playground Equipment	General	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Centennial Park - Landscaping	General	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Centennial park -Concrete for pads	General	\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ 2,000
<b>Sub Total</b>		<b>\$ 68,000</b>	<b>\$ 15,000</b>	<b>\$ 15,000</b>	<b>\$ 15,000</b>	<b>\$ 15,000</b>	<b>\$ 128,000</b>
<b>Total</b>		<b>\$ 2,247,951</b>	<b>\$ 1,367,500</b>	<b>\$ 312,500</b>	<b>\$ 112,500</b>	<b>\$ 412,500</b>	<b>\$ 4,452,951</b>



Okeechobee County School District Summary of Revenue/Expenditures Available for New Construction and Remodeling Projects Only						
	2019-20	2020-21	2021-22	2022-23	2023-24	Five Year Total
Total Revenues	\$3,382,016	\$168,506	\$387,220	\$659,199	\$906,531	\$5,503,472
Total Project Costs	\$3,382,016	\$1,043,506	\$962,220	\$909,199	\$906,531	\$7,203,472
Difference (Remaining Funds)	\$0	(\$875,000)	(\$575,000)	\$250,000	\$0	(\$1,700,000)

Source: Okeechobee County School District 2019-20 Work Plan

Okeechobee County School District Capacity Project Schedules									
Project Description	Location		2016-17	2017-18	2018-19	2019-20	2020-21	Total	Funded
Project description not specified	Location not specified	Planned Cost:	\$0	\$0	\$0	\$0	\$0	\$0	No
		Student Stations	0	0	0	0	0	0	
		Total Classrooms	0	0	0	0	0	0	
		Gross Sq Ft	0	0	0	0	0	0	
District Totals		Planned Cost	\$0	\$0	\$0	\$0	\$0	\$0	
		Student Stations	0	0	0	0	0	0	
		Total Classrooms	0	0	0	0	0	0	
		Gross Sq Ft	0	0	0	0	0	0	

Source: Okeechobee County School District 2019-20 Work Plan

<b>Summary of revenue/expenditures available for new construction and remodeling projects only.</b>						
	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	Five Year Total
Total Revenues	\$2,545,623	\$1,331,404	\$1,530,094	\$1,693,544	\$4,668,522	\$11,769,187
Total Project Costs	\$2,813,000	\$3,152,220	\$431,531	\$0	\$0	\$6,396,751
Difference (Remaining Funds)	(\$267,377)	(\$1,820,816)	\$1,098,563	\$1,693,544	\$4,668,522	\$5,372,436
District	OKEECHOBEE COUNTY SCHOOL DISTRICT					
Fiscal Year Range						

**Capacity Project Schedules**

A schedule of capital outlay projects necessary to ensure the availability of satisfactory classrooms for the projected student enrollment in K-12 programs.

Project Description	Location		2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	Total	Funded
Project description not specified	Location not specified	Planned Cost:	\$0	\$0	\$0	\$0	\$0	\$0	No
		Student Stations:	0	0	0	0	0	0	
		Total Classrooms:	0	0	0	0	0	0	
		Gross Sq Ft:	0	0	0	0	0	0	
		Planned Cost:	\$0	\$0	\$0	\$0	\$0	\$0	
		Student Stations:	0	0	0	0	0	0	
		Total Classrooms:	0	0	0	0	0	0	
		Gross Sq Ft:	0	0	0	0	0	0	

## VI. PUBLIC HEARING CONTINUED

- A. Continued. Pastor Chad Keathley submitted a written comment to be read into the record. Mayor Watford read the following "I am the present pastor of the Okeechobee Church of God located at 301 NE 4<sup>th</sup> Avenue. I would like to express my support for the proposed building plan on the adjacent property of our church. I have spoken to Mr. Stephens and have shared details of the proposed project with our governing board of elders. While we are very understanding of possible concerns from nearby residents, we welcome the opportunity to have additional families within walking distance of our property. Rental options are very limited in Okeechobee, and we have experienced that firsthand from new attendees and new staff who are still searching for permanent living accommodations. The plan that Mr. Stephens has shared with me seems to be something that will be very beneficial to our church and our community."

Mr. Stephens of 17705 Middlebrook Way, Boca Raton, disbursed a revised potential site plan and responded to various questions from the Council. **Motion Carried Four to One.**

### MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:54 P.M.

## VII. NEW BUSINESS

- A. Motion and second by Council Members Jarriel and Clark to read by title only, proposed Ordinance No. 1249, regarding Petition No. 22-001-R, rezoning Blocks 110 and 121, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Okeechobee County public records, 3.9+/- acres from Heavy Commercial (CHV) to Residential Multiple Family (RMF), submitted by property owner F. Mitch Stephens/Glenwood Park, LLC, located between NE 2<sup>nd</sup> to 3<sup>rd</sup> Avenue's and NE 3<sup>rd</sup> to 5<sup>th</sup> Street's, for the proposed use of a multi-family structure [as presented in Exhibit 3]. **Motion Carried Unanimously.**

Attorney Fumero read proposed Ordinance No. 1249 by title only as follows: **"AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OKEECHOBEE BY REZONING CERTAIN TRACTS OF LAND MORE PARTICULARLY DESCRIBED HEREIN, FROM CHV TO RMF, PETITION NO. 22-001-R; AMENDING THE ZONING MAP ACCORDINGLY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

Motion and second by Council Members Keefe and Jarriel to approve the first reading of proposed Ordinance No. 1249 and set March 15, 2022, as the Final Public Hearing. Following Planner LaRue's review of the Planning Staff Report, Mayor Watford opened the floor for public comment. It was noted for the record that Pastor Keathley's written comments as provided in the previous item were restated for this ordinance. **Motion Carried Unanimously.**

- B. Motion and second by Council Members Jarriel and Clark to read by title only, proposed Ordinance No. 1250, updating the Capital Improvements Five Year Schedule within the Comprehensive Plan [as presented in Exhibit 4]. **Motion Carried Unanimously.**

Attorney Fumero read proposed Ordinance No. 1250 by title only as follows: **"AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CITY'S COMPREHENSIVE PLAN AS MANDATED BY FLORIDA STATUTES SECTION 163.3177(3)(b); PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

Motion and second by Council Members Clark, and Jarriel to approve the first reading of proposed Ordinance No. 1250 and set March 15, 2022, as the Final Public Hearing. **Motion Carried Unanimously.**

- C. Administrator Ritter provided an update on the services provided by the City's Landscape Architect, Calvin, Giordano & Associates, Inc. regarding the schedule for the remaining deliverables for The Flagler Park Master Plan. The City received the property surveys, a comprehensive tree assessment and survey, and the topography surveys. On February 21<sup>st</sup>, the architect will meet with City Staff and Okeechobee Main Street representatives to coordinate and clarify designs for the remainder of the Master Plan. The schedule of items that will be due to the City is as follows: March 25<sup>th</sup>, revisions for Park 7, Butterfly Square; March 31<sup>st</sup>, Conceptual Planting Plan for the curb extension along the South side of South Park Street from SW 6<sup>th</sup> to SE 2<sup>nd</sup> Avenue's; April 29<sup>th</sup>, Park 5, Settlers Square; May 27<sup>th</sup>, Park 4, Seminole Square; June 24<sup>th</sup>, Park 3, Speckled Perch Square; July 29<sup>th</sup>, Park 2, Veteran's Memorial Square; August 26<sup>th</sup>, Park 1, City Hall Plaza. That will bring them to the end of their contract. No official action was required.
- D. Following discussion, a Motion and second by Council Members Clark and Jarriel to postpone to the March 1, 2022, meeting the request to approve a recommendation from the Technical Review Committee to deviate from the standards listed in Section 78-36 of the City's Land Development Regulations regarding the requirements for installation of sidewalks pertaining to the Budget Home, LLC, triplex project located at NE 3<sup>rd</sup> Avenue and 5<sup>th</sup> Street [as presented in Exhibit 5]. **Motion Carried Unanimously.**

## RESOLUTION NO. 2022-02

A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; PROVIDING FOR AUTHORIZATION FOR THE CITY TO MAKE AND PERFECT A GRANT APPLICATION FOR ASSISTANCE UNDER THE FLORIDA BOATING IMPROVEMENT PROGRAM; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Florida Boating Improvement Program ("**FBIP**") was established in accordance with ss. 206.606(1)(b)3., F.S., to fund local projects to provide recreational channel markings and other uniform waterway markers, public boat ramps, lifts, and hoists, marine railways, and other public launching facilities, derelict vessel removal, and other local boating related activities; and

**WHEREAS**, the **FBIP** provides funding through competitive grants for boating access projects and other boating-related activities on coastal and/or inland waters of Florida; and

**WHEREAS**, the City of Okeechobee ("**City**") is an eligible program participant in the State of Florida.

**NOW, THEREFORE**, be it resolved before the City Council for the City of Okeechobee, Florida; that the City presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the **City**:

### **Section 1. Legislative Findings and Intent.**

- a. The **City** has complied with all requirements and procedures of Florida law in processing and advertising this Resolution.
- b. The **City** is interested in applying for project and grant approval, receiving, and accepting grant funds and carrying out a project for the enjoyment of the citizens of the **City** and the State of Florida which project will have a multiplicity of benefits to the **City** and the State which project is commonly known as and referred to as the "Boat Access Improvements Project" ("**Project**").
- c. Financial assistance from the **FBIP** is essential to the implementation of the development of the **Project**.
- d. The **City** has developed and maintained a very good relationship with the State of Florida and its agencies over the years and the **City** and State have worked well together in grant and funding relationships for the benefit of the State of Florida and its public welfare.

### **Section 2. Approval of FBIP Grant.**

- a. The City Council of the **City** hereby approves the **FBIP** grants for the **Project**.
- b. The City Administrator is authorized to make application and re-application, as needed, to the State of Florida under the **FBIP** grant program in the amount of \$77,035.20.00 on behalf of the **City** in order to obtain partial funding from the State of Florida for the **Project**.
- c. The City Administrator is authorized to encumber matching funds in the amount of \$3,500.00 on behalf of the **City** in order to obtain funding, as referenced herein, from the State of Florida for the **Project**.

### **Section 3. Covenants of the City of Okeechobee.**

- a. The **City** certifies to the State of Florida and agrees that:
  - 1) The **City** will accept the terms and conditions set forth in **FBIP** grant agreement.
  - 2) The **City** has the ability and intention to finance the cost of the **Project** and that the **Project** will be operated and maintained at the expense of the **City** for public use.
  - 3) The **City** will not discriminate against any person on the basis of race, color, religion, disability, or national origin in the use of any property or facility acquired or developed pursuant to the **FBIP** grant for the **Project** and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, Public Law 88-352 (1964) and all other controlling law. The **City** shall design and construct all facilities relating to the **Project** in order to fully comply with all laws, statutes, rules, regulations, codes, and ordinances relating to accessibility by disabled persons including, but not limited to, the Americans With Disabilities Act. The **City** shall also comply with all other applicable Federal, State, and local laws, codes, ordinances, rules, regulations, and requirements.
  - 4) The **City** will maintain adequate financial records on the **Project** to substantiate claims for reimbursement and in order to appropriately accomplish any and all pre-audits and post-audits of the expenditure of public funds as well as a performance review of the **Project** and the achievement of the goals and objectives of the **FBIP** grant program.

**Section 4. Implementing administrative actions.**

- a. The Mayor of the **City** is hereby authorized to execute the grant agreements relating to the **FBIP** grant program.
- b. The City Administrator, or designee, is hereby authorized and directed to implement the provisions of this Resolution by means of such administrative actions as may be deemed appropriate.
- c. The City Administrator is hereby authorized to expend such **City** funds as may be necessary to accept and implement the grant under the **FBIP** grant program for the **Project**.

**Section 5. Savings.**

The prior actions of the **City** relating to the development of boating facilities and related activities are hereby ratified and affirmed.

**Section 6. Conflicts.**

All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

**Section 7. Severability.**

If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

**Section 8. Effective Date.**

This Resolution shall become effective immediately upon enactment.

**INTRODUCED and ADOPTED** by the City Council of the City of Okeechobee, Florida, on this 15<sup>th</sup> day of March 2022.

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Dowling R. Watford, Jr., Mayor

**ATTEST:**

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Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

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John J. Fumero, City Attorney