



**CITY OF OKEECHOBEE**  
**PLANNING BOARD MEETING**  
**55 SOUTHEAST THIRD AVENUE, OKEECHOBEE, FL 34974**  
**DECEMBER 21, 2023**  
**LIST OF EXHIBITS**

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**Draft Minutes**

Summary of Board Action October 19, 2023

**Staff Report/Exhibit 1**

Rezoning Petition No. 23-002-R



**CITY OF OKEECHOBEE, FLORIDA**  
**PLANNING BOARD MEETING**  
**OCTOBER 19, 2023**  
**DRAFT 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, October 19, 2023, 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, Carl Berlin, Jr., Karyne Brass, Mac Jonassaint, Jim Shaw and Alternate Board Member Dean Murray were present. Vice Chairperson Doug McCoy was absent without consent and Alternate Board Member Jon Folbrecht was absent with consent. Chairperson Hoover moved Alternate Board Member Murray to voting position.

**III. AGENDA**

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Member Baughman, seconded by 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 Member Baughman, seconded by Member Jonassaint to dispense with the reading and approve the September 21, 2023, Regular Meeting minutes. **Motion Carried Unanimously.**

**V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:02 P.M.**

- A. Abandonment of Right-of-Way Petition No. 23-002-AC, which requests to abandon a portion of the 15-foot-wide alleyway lying South to North between Lots 3 to 6 and 9 to 12 of Block 34, FIRST ADDITION TO SOUTH OKEECHOBEE, Plat Book 1, Page 17, public records of Okeechobee County.
  - 1. City Planning Consultant Mr. Ben Smith with Morris-Depew Associates, Inc. [attending via Zoom], briefly reviewed the Planning Staff Report recommending approval.
  - 2. Ms. Jerri Hill, Real Estate Agent, on behalf of property owners Guelff Family Limited Partnership and Porter Holdings of Okeechobee was present and available for questions. There were none.
  - 3. No public comments were offered.
  - 4. No Ex-Parte disclosures were offered.
  - 5. Motion by Member Baughman, seconded by Member Berlin to recommend approval to the City Council for Abandonment of Right-of-Way Petition No. 23-002-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 recommendation for approval]. The recommendation will be forwarded to the City Council for consideration at Public Hearings, tentatively scheduled for November 7, 2023, and December 5, 2023. **Motion Carried Unanimously.**

**CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 6:06 P.M.**

**VI. CITY ADMINISTRATOR UPDATE**

No updates provided at this time.

**VII. ADJOURNMENT**

Chairperson Hoover adjourned the meeting at 6:07 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.

# 23-002-R

## Rezoning Request Staff Report



Applicant | Jay Patel  
Site Address | 201 S Parrott Ave, Okeechobee, FL 34974



*Prepared for The City of Okeechobee*

## General Information

**Owner:** Jitendra Living Trust

**Applicant:** Jay Patel

**Primary Contact:** Steve Dobbs or Jennifer Busbin (863-824-7644)

**Site Address:** 201 S Parrott Ave, Okeechobee, FL 34974

**Parcel Identification:** 3-15-37-35-0010-01720-0010

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

## Future Land Use, Zoning, and Existing Use of Subject Property(s)

Parcel #1:	Existing	Proposed
Future Land Use	Commercial	Commercial
Zoning	Central Business District	Heavy Commercial
Use of Property	Motel	Motel
Acreage	+/- .654	+/- .654

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

	Future Land Use	Zoning	Existing Use
North	Commercial	Light Commercial (CLT)	Pawn Shop
East	Commercial	Central Business District (CBD)	Professional Offices
South	Commercial	Central Business District (CBD)	Auto Parts Store
West	Commercial	Central Business District (CBD)	Commercial Vacant Building

## Description of Request and Existing Conditions

The applicant is requesting to rezone the subject parcel from Central Business District to Heavy Commercial. The subject parcel is 0.654-acres with an existing Motel. The motel use is not listed as a permitted use in the CBD district and therefore is an existing nonconforming use. The applicant has stated their ultimate intent is to expand the motel use to add another motel room, though no site plan application has been submitted for that development program at this time. Motels are listed as a permitted use in the CHV district and expansion of the hotel would be permitted upon approval of this

request, subject to submittal of a site plan which meets the standards of the Comprehensive Plan and the Land Development Code, specifically those that pertain to the Heavy Commercial district and the nonconforming structure provisions of Chapter 90, Article II.

Notwithstanding the applicant's stated intentions, there are differences between the CBD and CHV districts that could affect future redevelopment of the subject property if this request is approved. The CHV generally allows for a greater number of permitted and special exception uses, though it requires more restrictive setbacks and lot coverage.

Every permitted use in the CBD district is also permitted in the CHV district, though there are a number of uses permitted in CHV district that are not permitted in the CBD district as follows:

- Funeral home
- Hotel, motel
- Taxidermist
- Pet grooming
- Convenience store
- Indoor auction house
- Pawnshop

Every use allowed by special exception in the CBD district is also allowed by special exception in the CHV district (except pawnshops, which are listed permitted in CHV), though there are a number of uses allowed by special exception in CHV district that are not allowed by special exception in the CBD district as follows:

- Wholesale, warehouse not including bulk storage of flammable liquids
- Enclosed warehouse and storage
- Outdoor sales and storage, building trades contractor
- Flea market
- Commercial outdoor recreation
- Veterinary service
- Crematory
- Recreational vehicle park, for transient recreation use
- Hospitals, which means in patient hospital care
- Adult family care homes, assisted living facilities as defined in F.S. § 429.02(5)
- Nursing homes
- Alcohol and drug rehabilitation center/detox center
- Convenience store with fuel pumps
- Retail pool supplies and equipment (including storage of chemicals for use and/or retail sale)
- Water treatment services (including storage of chemicals for use and/or retail sale)
- Pest control (including storage of chemicals for use and/or retail sale)

The CBD district allows for development with zero setbacks, whereas the CHV district requires at least a 20 foot front setback, 8 foot side setbacks, and 10 foot rear setback.

The CBD district allows for development with 85% lot coverage, whereas the CHV district allows for development with 50% lot coverage.

## Consistency with LDC Section 70-340

City LDC Section 70-340 requires that applicants for rezoning requests must address the following standards.

*1) The request is not contrary to comprehensive plan requirements*

**Applicant Response:** The proposed change in zoning from CBD to Heavy Commercial is not contrary to the Comprehensive Plan

**Staff Response:** Per Policy 2.1(e) of the City of Okeechobee Comprehensive Plan, Heavy Commercial is an appropriate district within the proposed Future Land Use.

*2) The use is specifically authorized under the zoning district regulations applied for.*

**Applicant Response:** Yes, the expansion of the established Motel is a permitted use under the Heavy Commercial zoning district.

**Staff Response:** The motel use is specifically authorized as a permitted use in the CHV district per LDC 90-282(7).

*3) Approval of the request will not have an adverse effect on the public interest*

**Applicant Response:** The proposed use will not have an adverse effect on the public.

**Staff Response:** Approval of this request will allow for uses to be developed on the subject property consistent with the CHV zoning district. As listed above, there are a number of additional uses that will be permitted and allowed by special exception if this request is approved. However, the abutting properties are all zoned commercial, developed with existing commercial uses, which should not be adversely affected by approval of this request. Heavy commercial zoning is prevalent along SR 441 and is generally desired by the City in order to provide a range of commercial uses along this commercial corridor.

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

**Applicant Response:** The proposed use is appropriate for the location and is an expansion for the established business.

**Staff Response:** The current use of the property is a motel, which is not a permitted use or a use allowed by special exception in the CBD district, though it is a permitted use in the CHV district. The motel use has existed on this site for many years adjacent to the neighboring uses. Hotels and motels are a common use along the City's commercial corridors and are not contrary or detrimental to urbanizing land use patterns.

*5) Approval of the request will not adversely affect property values or living conditions, nor be a deterrent to the improvement or development of adjacent properties*

**Applicant Response:** The proposed use will not adversely affect the property values or be a deterrent to adjacent properties.

**Staff Response:** There is no reason to suspect that rezoning the subject property from Central Business District to Heavy Commercial will have any adverse impacts on property values or living conditions or be a deterrent to the improvement or redevelopment of adjacent properties.

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

**Applicant Response:** The proposed use will meet all required setbacks and will have little to no impact on surrounding neighbors.

**Staff Response:** Expansion of the existing motel use or redevelopment of a new use will be subject to all Land Development Code required buffers within the Heavy Commercial zoning district. Additionally, no nuisances or hazards are expected to the surrounding commercial properties as a result of this rezoning.

- 7) *Approval of the request will not create a density pattern that would overburden public facilities such as schools, streets, and utility services*

**Applicant Response:** The proposed use will not create a density pattern that will overburden any public facilities.

**Staff Response:** Only one residential dwelling unit per commercial building can be allowed as a special exception use in both the CBD and CHV district, which would have a de minimis impact on public facilities.

- 8) *Approval of the request will not create traffic congestion, flooding or drainage problems, or otherwise affect public safety*

**Applicant Response:** The proposed use will address all traffic and drainage concerns during site plan review. The expansion of the established use will not affect public safety.

**Staff Response:** The applicant has submitted a Traffic Impact Statement, affirming that the proposed change in zoning will not result in an increase in the number of trips, as the potential maximum trip generation of this property is not increased by this rezoning. The applicant states that the highest trip-generating use permitted under both existing and proposed zoning classifications is a medical dental office. Water management issues will be considered at time of site plan approval.

- 9) *The use has not been inordinately burdened by unnecessary restrictions*

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

**Staff Response:** Agreed.



## Conclusion

Based on the materials provided by the applicant and the above analysis, we find that this request to rezone the subject property from CBD to CHV is consistent with the City's Comprehensive Plan, reasonably compatible with adjacent uses, and is consistent with the surrounding pattern of land use. Therefore, we recommend approval of the Applicant's request.

Submitted by:



Ben Smith, AICP

Director of Planning

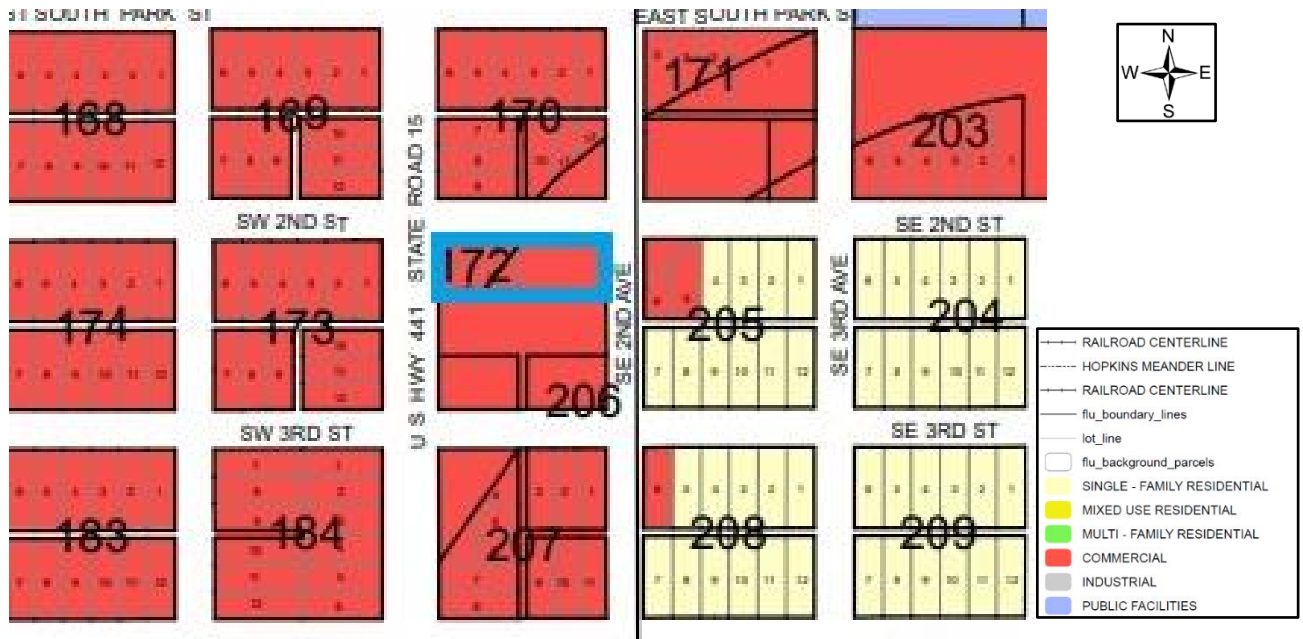
December 11, 2023

Okeechobee Planning Board Hearing: December 21, 2023

Okeechobee City Council Public Hearings (tentative): January 16, 2024 and February 20, 2024.



## Supplemental Exhibits





*Exhibit C: Existing Land Uses*

<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>10-24-2023</u>	Petition No. <u>23-003-R</u>
		Fee Paid: <u>10-24-2023</u>	Jurisdiction: <u>PB+CC</u>
		1 <sup>st</sup> Hearing: <u>12-21-23</u>	2 <sup>nd</sup> Hearing: <u>1-16-24+2-20-24</u>
		Publication Dates:	
		Notices Mailed: <u>12/10</u>	
<b>Rezone, Special Exception and Variance</b>			
<b>APPLICANT INFORMATION</b>			
1	Name of property owner(s): Jitendra Living Trust		
2	Owner mailing address: 201 S Parrott Ave Okeechobee FL 34974		
3	Name of applicant(s) if other than owner Jay Patel		
4	Applicant mailing address: 201 S Parrott Ave Okeechobee FL 34974		
	E-mail address: karmahotels@hotmail.com		
5	Name of contact person (state relationship): Steve Dobbs or Jennifer Busbin Engineering Firm		
6	Contact person daytime phone(s): 863-824-7644		
<b>PROPERTY INFORMATION</b>			
7	Property address/directions to property: 201 S Parrott Ave - SE Corner of Hwy 441 and SE 2nd Street		
8	Describe current use of property:  Motel		
9	Describe improvements on property (number/type buildings, dwelling units, occupied or vacant, etc.) 10,478 sq ft Motel  Source of potable water: OUA Method of sewage disposal: OUA		
10	Approx. acreage: 0.654 Acres Is property in a platted subdivision? <del>No</del> <u>Yes City of Okeechobee</u>		
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: Commercial, Pawn Shop East: Commercial, Professional Office South: Commercial, Auto Parts Store West: Commercial, Vacant Building		
14	Existing zoning: CBD Future Land Use classification: Commercial		
15	Have there been any prior rezoning, special exception, variance, or site plan approvals on the property? (X) No ( ) Yes. If yes provide date, petition number and nature of approval.		
16	Request is for: (X) Rezone ( ) Special Exception ( ) Variance		
17	Parcel Identification Number: 3-15-37-35-0010-01720-0010		



REQUIRED ATTACHMENTS	
18	Applicant's statement of interest in property: 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 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: Attached
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

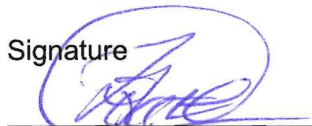
### Confirmation of Information Accuracy

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

Date



JAY PATEL

10/23/23

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

ADDITIONAL INFORMATION REQUIRED FOR A REZONING	
<b>A</b>	Current zoning classification: <b>CBD</b> Requested zoning classification <b>Heavy Commercial</b>
<b>B</b>	Describe the desired permitted use and intended nature of activities and development of the property? <b>Expansion of established Motel</b>
<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.

**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.**

The proposed change in zoning from CBD to Heavy Commercial is not contrary to the Comprehensive Plan.

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

Yes, the expansion of the established Motel is a permitted use under the Heavy Commercial zoning district.

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

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

**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 is an expansion for the established business.

**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.**

The proposed use will not adversely affect the property values or be a deterrent to adjacent properties.

**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 will meet all required setbacks and will have little to no impact on surrounding neighbors.

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

The proposed use will not create a density pattern that will overburden any public facilities.



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

The proposed use will address all traffic and drainage concerns during site plan review. The expansion of the established use will not 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.

R7.00  
D.70

OR 0423 PAGE 0535

# Quitclaim Deed

FILED FOR ME  
OKEECHOBEE

323701

99 JUN -2 PM 2:53

SHARON ROBERTSON  
CLERK OF CIRCUIT COURT

**PREPARED BY:**

ROBERT J. KULAS, Esq.  
1954 S.E. Port St. Lucie Blvd.  
Port St. Lucie, Florida 34952

**WHEN RECORDED MAIL TO:**

J. PATEL and  
N. PATEL  
201 S. Parrot Avenue  
Okeechobee, Florida 34974  
Parcel I.D. # 3-15-37-35-0010-01720-0010

SPACE ABOVE FOR RECORDER'S USE

Deed made on May 24, 1999, for no consideration, J. D. PATEL AND NAYNA J. PATEL, his wife, do hereby Remise, Release and Quitclaim to J. PATEL AND N. PATEL, Trustees, or their successors in trust, under the JITENDRA LIVING TRUST dated May 24, 1999, and any amendments thereto, with full power and authority to protect, conserve and to sell, or to lease or to encumber and otherwise manage and dispose of said real property described herein, pursuant to Section 689.071, Florida Statutes, whose address is 201 S. Parrot Avenue, Okeechobee, Florida 34974 all their interest in and to the following described real property in the County of Okeechobee, State of Florida:

Beginning at the intersection of the East side of Parrott Avenue with the South side of 7<sup>th</sup> Street, according to the map of the Town of Okeechobee as recorded in Plat Book 2, Page 17, Public Records of St. Lucie County, Florida, and run South along the East line of Parrott Avenue, 95 feet; thence East paralleling 7<sup>th</sup> Street, 142.5 feet; thence North paralleling Parrott Avenue, 95 feet to 7<sup>th</sup> Street; thence West along the South line of 7<sup>th</sup> Street 142.5 feet to the Point of Beginning.

ALSO: Beginning at a point where the South boundary of 7<sup>th</sup> Street intersects the West boundary of Tallahassee Street and run South along the West boundary of Tallahassee Street a distance of 95 feet to a point; thence West and parallel to 7<sup>th</sup> Street a distance of 142.5 feet to a point; thence North parallel to Tallahassee Street, a distance of 95 feet to the South boundary of 7<sup>th</sup> Street; thence East along the South boundary of 7<sup>th</sup> Street, a distance of 142.5 feet to the Point of Beginning.

Lying and being in a part of Section 21, Township 37 South, Range 35 East, according to the plat of Okeechobee recorded in Plat Book 2, Page 17, Public Records of St. Lucie County, Florida, and 1<sup>st</sup> Addition to Okeechobee, according to the plat thereof recorded in Plat Book 2, Page 26, Public Records of St. Lucie County, Florida.

This deed was prepared without the benefit of a title search and the description of the property was furnished by the parties. The preparer of this deed assumes no liability whatsoever either for the accuracy of the legal description or the status of the title to the property.

Signed, sealed and delivered  
in our presence:

  
Witness Signature

Robert J. Kulak  
Printed Name

  
Witness Signature


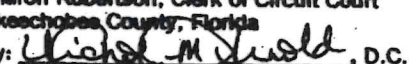
April Boyd  
Printed Name

STATE OF FLORIDA

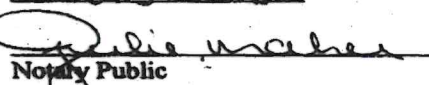
COUNTY OF ST. LUCIE

SS

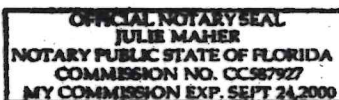
  
J. D. PATEL

  
NAYNA J. PATEL  
Documentary Stamps paid in the amount of  
\$ .70  
Class C Intangible Tax paid in the amount  
of \$ 8  
Sharon Robertson, Clerk of Circuit Court  
Okeechobee County, Florida  
By:  D.C.  
Date: 6-2-99

The foregoing instrument was acknowledged before me this May 24, 1999 by J. D. PATEL and NAYNA J. PATEL, who are personally known to me or who have produced Driver's license as identification and who did (did not) take an oath.

  
Notary Public

  
Name of Acknowledger



## Certificate of Trust for the Jitendra Living Trust dated May 24, 1999

Pursuant to the Florida Trust Code, Chapter 736.1017, this Certificate of Trust is signed by all the currently acting Trustees of the Jitendra Living Trust dated May 24, 1999, as restated on July 5, 2017, who declare:

1. The Grantors are Jitendra Dahyabhai Patel and Nayaben Jitendra Patel. The trust is revocable by the Grantors, acting jointly and not separately.
2. The Trustees of the trust are Jitendra Dahyabhai Patel aka J. Patel and Nayaben Jitendra Patel aka N. Patel. The signature of one Trustee is sufficient to exercise the powers of the Trustee.
3. The Successor Trustees of the trust are:

Upon Incapacity or Death:

The non-incapacitated or surviving spouse will serve as sole Trustee. If he or she is unable to serve or to continue to serve for any reason, then the following will serve as successor Trustee, in the order named:

Zarna J. Dahya, Vikash J. Dahya, and Vishal J. Dahya, or the survivor of them

Arun Kishorchandra Karsan and Prakash M. Patel, or the survivor of them

4. The tax identification number of the trust is the Social Security number of either Jitendra Dahyabhai Patel or Nayaben Jitendra Patel.
5. Title to assets held in the trust will be titled as:  

Jitendra Dahyabhai Patel aka J. Patel and Nayaben Jitendra Patel aka N. Patel, Trustees, or their successors in interest, of the Jitendra Living Trust dated May 24, 1999, and any amendments thereto.
6. An alternative description will be effective to title assets in the name of the trust or to designate the trust as a beneficiary if the description includes the name of at least one initial or successor Trustee, any reference indicating that property is being held in a fiduciary capacity, and the date of the trust.
7. Excerpts from the trust document that establish the trust, designate the Trustee, and set forth the powers of the Trustee will be provided upon request. The powers of the Trustees include the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage, and deal with real and personal property interests.

8. The terms of the trust provide that a third party may rely upon this Certificate of Trust as evidence of the existence of the trust and is specifically relieved of any obligation to inquire into the terms of this trust or the authority of my Trustee, or to see to the application that my Trustee makes of funds or other property received by my Trustee.
9. The trust has not been revoked, modified, or amended in any way that would cause the representations in this Certificate of Trust to be incorrect.

July 5, 2017



Jitendra Dahyabhai Patel aka J. Patel, Trustee



Nayaben Jitendra Patel aka N. Patel, Trustee

STATE OF FLORIDA

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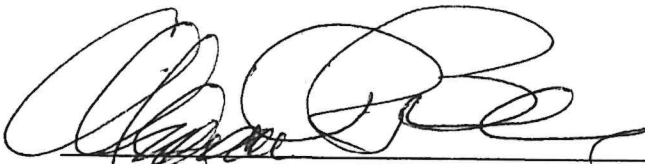
) ss.

COUNTY OF OKEECHOBEE

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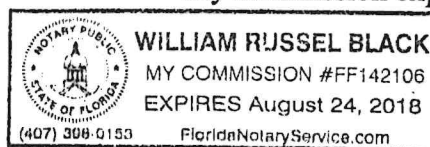
The foregoing instrument was acknowledged before me this day, July 5, 2017, by Jitendra Dahyabhai Patel aka J. Patel, as Trustee, and Nayaben Jitendra Patel aka N. Patel, as Trustee, who are personally known to me or who have produced \_\_\_\_\_, as identification.

[Seal]



William R. Black, Notary Public

My commission expires: August 24, 2018





*BOUNDARY & TOPOGRAPHIC SURVEY PREPARED FOR JITENDRA LIVING TRUST*

DESCRIPTION:

(OFFICIAL RECORDS BOOK 423, PAGE 535)

BEGINNING AT THE INTERSECTION OF THE EAST SIDE OF PARROTT AVENUE WITH THE SOUTH SIDE OF 7TH STREET, ACCORDING TO THE MAP OF THE TOWN OF OKEECHOBEE AS RECORDED IN PLAT BOOK 2, PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, AND RUN SOUTH ALONG THE EAST LINE OF PARROTT AVENUE, 95 FEET; THENCE EAST PARALLING 7TH STREET, 142.5 FEET; THENCE NORTH PARALLING PARROTT AVENUE, 95 FEET TO 7TH STREET; THENCE WEST ALONG THE SOUTH LINE OF 7TH STREET 142.5 FEET TO THE POINT OF BEGINNING.

**ALSO**

BEGINNING AT A POINT WHERE THE SOUTH BOUNDARY OF 7TH STREET INTERSECTS THE WEST BOUNDARY OF TALLAHASSEE STREET AND RUN SOUTH ALONG THE WEST BOUNDARY OF TALLAHASSEE STREET A DISTANCE OF 95 FEET TO A POINT; THENCE WEST AND PARALLEL TO 7TH STREET A DISTANCE OF 142.5 FEET TO A POINT; THENCE NORTH PARALLEL TO TALLAHASSEE STREET, A DISTANCE OF 95 FEET TO THE SOUTH BOUNDARY OF 7TH STREET; THENCE EAST ALONG THE SOUTH BOUNDARY OF 7TH STREET, A DISTANCE OF 142.5 FEET TO THE POINT OF BEGINNING.

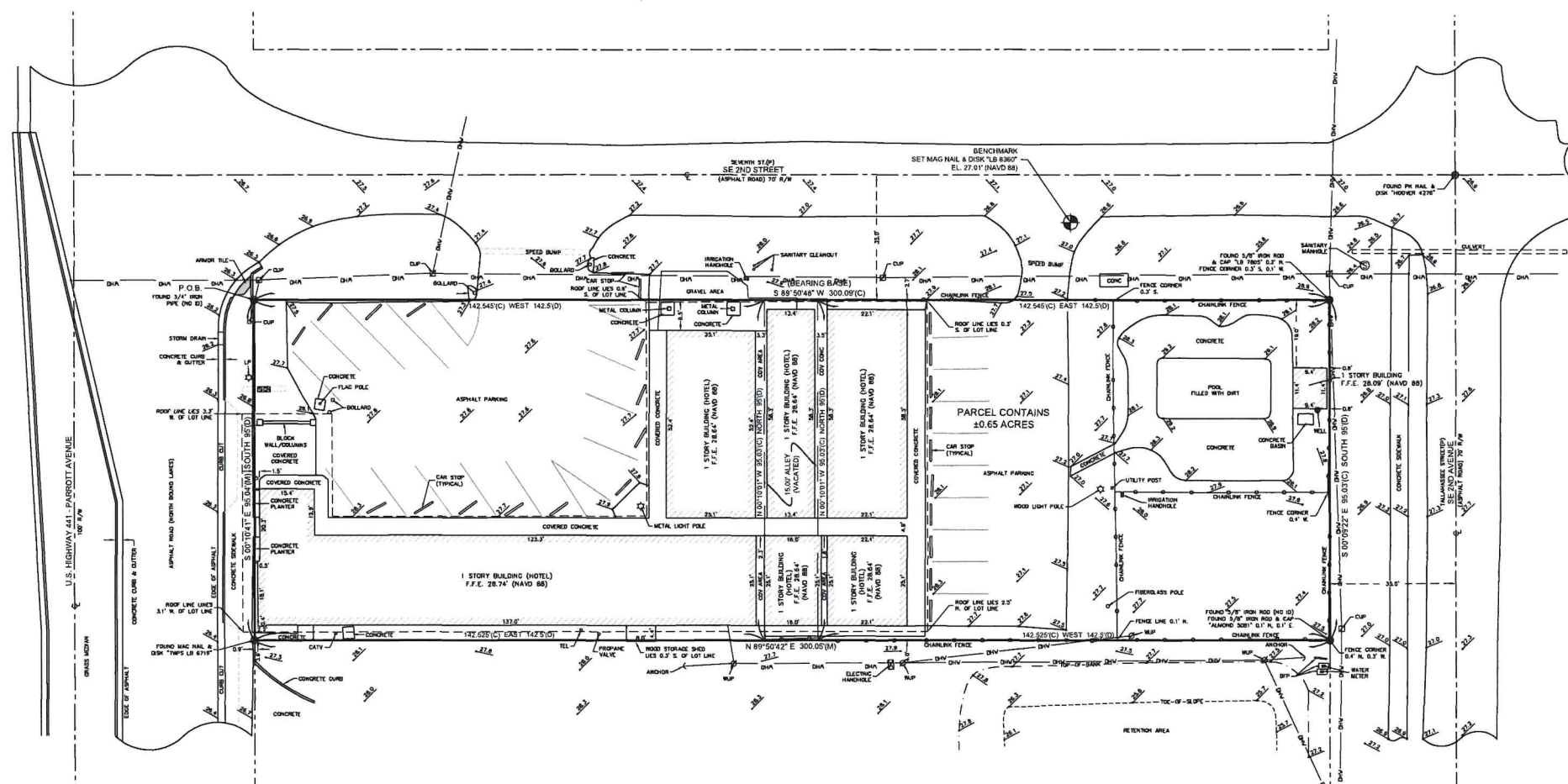
LYING AND BEING IN A PART OF SECTION 21, TOWNSHIP 37 SOUTH, RANGE 35 EAST, ACCORDING TO THE PLAT OF OKEECHOBEE  
RECORDED IN PLAT BOOK 2, PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, AND 1ST ADDITION TO OKEECHOBEE,  
ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 26, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

AND THE 15.00 FOOT ALLEY LYING BETWEEN THE ABOVE DESCRIBED PARCELS.

(SURVEYORS NOTE: PLAT BOOK 2, PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, HAS BEEN RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA AND PLAT BOOK 2, PAGE 26, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, HAS BEEN RECORDED IN PLAT BOOK 5, PAGE 6, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA. THE 15.00 FOOT ALLEY IS DESCRIBED PER OKEECHOBEE COUNTY PROPERTY APPRAISER'S WEB SITE).

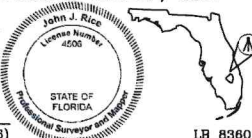
## PROJECT SPECIFIC NOTES:

- 1) UNLESS SHOWN OTHERWISE, ALL DIMENSIONS ARE DEED(D) AND MEASURED(M).
- 2) SITE ADDRESS: 201 S PARROTT AVE.
- 3) PARCEL ID: 1-15-37-35-0010-01720-000.
- 4) F.I.R.M. ZONE: "X", MAP NO. 12093C0485C, DATED 07/18/15.
- 5) THE ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
- 6) THIS SURVEY IS NOT INTENDED TO DEPICT JURISDICTIONAL AREAS OR OTHER AREAS OF LOCAL CONCERN.
- 7) SURVEYOR WAS NOT PROVIDED WITH ANY TITLE INFORMATION FOR THIS PARCEL. SURVEYOR ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF EASEMENT DIMENSIONS SHOWN HEREON, THERE MAY BE OTHER EASEMENTS OR RESTRICTIONS THAT EFFECT THIS PARCEL.
- 8) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.
- 9) 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.
- 10) THE DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT OR THE CLIENT'S REPRESENTATIVE.
- 11) BEARING REFERENCE: THE SOUTH RIGHT OF WAY LINE OF SE 2ND STREET IS TAKEN TO BEAR SOUTH 89°50'48" WEST.
- 12) DATE OF LAST FIELD SURVEY: 09/29/23.



## TRADEWINDS SURVEYING GROUP, LLC.

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



John V. Rice, P.S.M. (LS 4506)

LB 8360

PREPARED FOR THE EXCLUSIVE USE OF:  
JITENDRA LIVING TRUST

**STANDARD NOTES:**

1. No search of the public records for determination of ownership or restrictions affecting the lands shown was performed by the surveyor.
2. The survey depicted here is prepared exclusively for those parties noted.
3. No responsibility or liability is assumed by the surveyor for uses by others not specifically named.
4. Not valid without the signature and seal of Florida licensed surveyor and mapper #4506.
5. There are no visible above ground encroachments except as shown.
6. No attempt was made to locate underground improvements and/or encroachments (if any) as part of this survey.
7. 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.

LEGEND

[illegible]

DESCRIPTION		DWG. DATE	FB/PG	BY	CR
BOUNDARY & TOPO SURVEY		10/16/23	400/59-61	WC	JL
SCALE <b>1" = 20'</b>		DRAWING NUMBER:			
SHEET <b>1</b> OF <b>1</b>		<b>23-346</b>			



PARCEL NUMBER	OWNER 1	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP
3-15-37-35-0010-01690-0010	L AND M FAMILY HOLDINGS LLC	1129 SW 39TH LN		OKEECHOBEE	FL	34974-6042
3-15-37-35-0010-01690-0070	PALMDALE OIL COMPANY INC	120 SOUTH PARROTT AVE		OKEECHOBEE	FL	34974
3-15-37-35-0010-01690-0100	PALMDALE OIL COMPANY INC	120 SOUTH PARROTT AVE		OKEECHOBEE	FL	34974
3-15-37-35-0010-01700-0010	102 SE PARK LLC	C/O LAVI SHENKMAN	123 CHESTNUT ST STE 202	PHILADELPHIA	PA	19106-3051
3-15-37-35-0010-01700-0070	UNITED TELEPHONE COMPANY OF FL	ATTN: PROPERTY TAX DEPT	1025 ELDORADO BLVD	BLOOMFIELD	CO	80021
3-15-37-35-0010-01700-0080	BE A MAN BUY LAND LLC	4260 SE FEDERAL HWY		STUART	FL	34997-4937
3-15-37-35-0010-01710-0020	BEST VALUE REAL ESTATE LLC	407 SAINT ANDREWS DR		BELLEAIR	FL	33756-1935
3-15-37-35-0010-01710-0040	BEST VALUE REAL ESTATE LLC	407 SAINT ANDREWS DR		BELLEAIR	FL	33756-1935
3-15-37-35-0010-01710-0050	VISITING NURSE ASSOCIATION OF	2400 SE MONTEREY RD STE 300		STUART	FL	34996
3-15-37-35-0010-01720-0010	JITENDRA LIVING TRUST	201 S PARROTT AVE		OKEECHOBEE	FL	34974-4338
3-15-37-35-0010-01720-0030	O'REILLY AUTOMOTIVE STORES INC	C/O RYAN, LLC #4958	PO BOX 9167	SPRINGFIELD	MO	65801-9167
3-15-37-35-0010-01730-0010	VARSON ANGELA	208 S PARROTT AVE		OKEECHOBEE	FL	34974
3-15-37-35-0010-01730-001A	VARSON ANGELA LYNN	208 S PARROTT AVE		OKEECHOBEE	FL	34974
3-15-37-35-0010-01730-0020	WHERRELL M CHAD	1730 SW 12TH TER		OKEECHOBEE	FL	34974
3-15-37-35-0010-01730-0040	WHERRELL M CHAD	1730 SW 12TH TER		OKEECHOBEE	FL	34974-4972
3-15-37-35-0010-01730-007A	SACRED SANCTUARY LLC	207 SW 2ND AVE		OKEECHOBEE	FL	34974
3-15-37-35-0010-01730-007B	ANSELMO MARIA	1987 SW 2ND WAY		OKEECHOBEE	FL	34974
3-15-37-35-0010-01730-0100	BALL DIXIE W	500 SW 5TH AVE		OKEECHOBEE	FL	34974
3-15-37-35-0010-01840-0010	B & B CASH GROCERY STORES INC	927 S US HIGHWAY 301		TAMPA	FL	33619-4338
3-21-37-35-0020-02050-0020	MIAMI BUILDERS PROPERTY LLC	C/O MARIA JOSEPH	PO BOX 370533	MIAMI	FL	33137-0533
3-21-37-35-0020-02050-0030	HANCOCK SAMMY	990 SE 23RD ST		OKEECHOBEE	FL	34974-5392
3-21-37-35-0020-02050-0040	ROSSI CHRIS	204 SE 2ND ST		OKEECHOBEE	FL	34974
3-21-37-35-0020-02050-0050	K AND R OFFICE PROPERTIES LLC	2760 SW GLENMOOR WAY		PALM CITY	FL	34990-7914
3-21-37-35-0020-02050-0070	BRASS KARYNE HENRY	201 SE 3RD ST		OKEECHOBEE	FL	34974
3-21-37-35-0020-02050-0090	BRASS KARYNE HENRY	201 SE 3RD ST		OKEECHOBEE	FL	34974
3-21-37-35-0020-02050-0100	WILLIAMS PAULA ELAINE	209 SE 3RD ST		OKEECHOBEE	FL	34974
3-21-37-35-0020-02050-0110	WILLIAMS PAULA E	209 SE 3RD ST		OKEECHOBEE	FL	34974
3-21-37-35-0020-02070-0010	207 REALTY LLC	3550 US HIGHWAY 441 S		OKEECHOBEE	FL	34974-6211
3-21-37-35-0020-02070-0020	207 REALTY LLC	P O BOX 848		OKEECHOBEE	FL	34973-0848
3-21-37-35-0020-02070-0070	207 REALTY LLC	P O BOX 848		OKEECHOBEE	FL	34973-0848
3-21-37-35-0020-02080-0050	GRIFFIN MARY M	38 S KNOLL RD		MILL VALLEY	CA	94941
3-21-37-35-0020-02080-0060	BAKER & ASSOCIATES OF THE	1550 S OCEAN DR #20		FT PIERCE	FL	34949

**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 09/21/2023 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 23 day of October, 2023.

  
\_\_\_\_\_  
Signature of Applicant

10/23/23  
\_\_\_\_\_  
Date

JAY PATEL  
\_\_\_\_\_  
Name of Applicant (printed or typed)

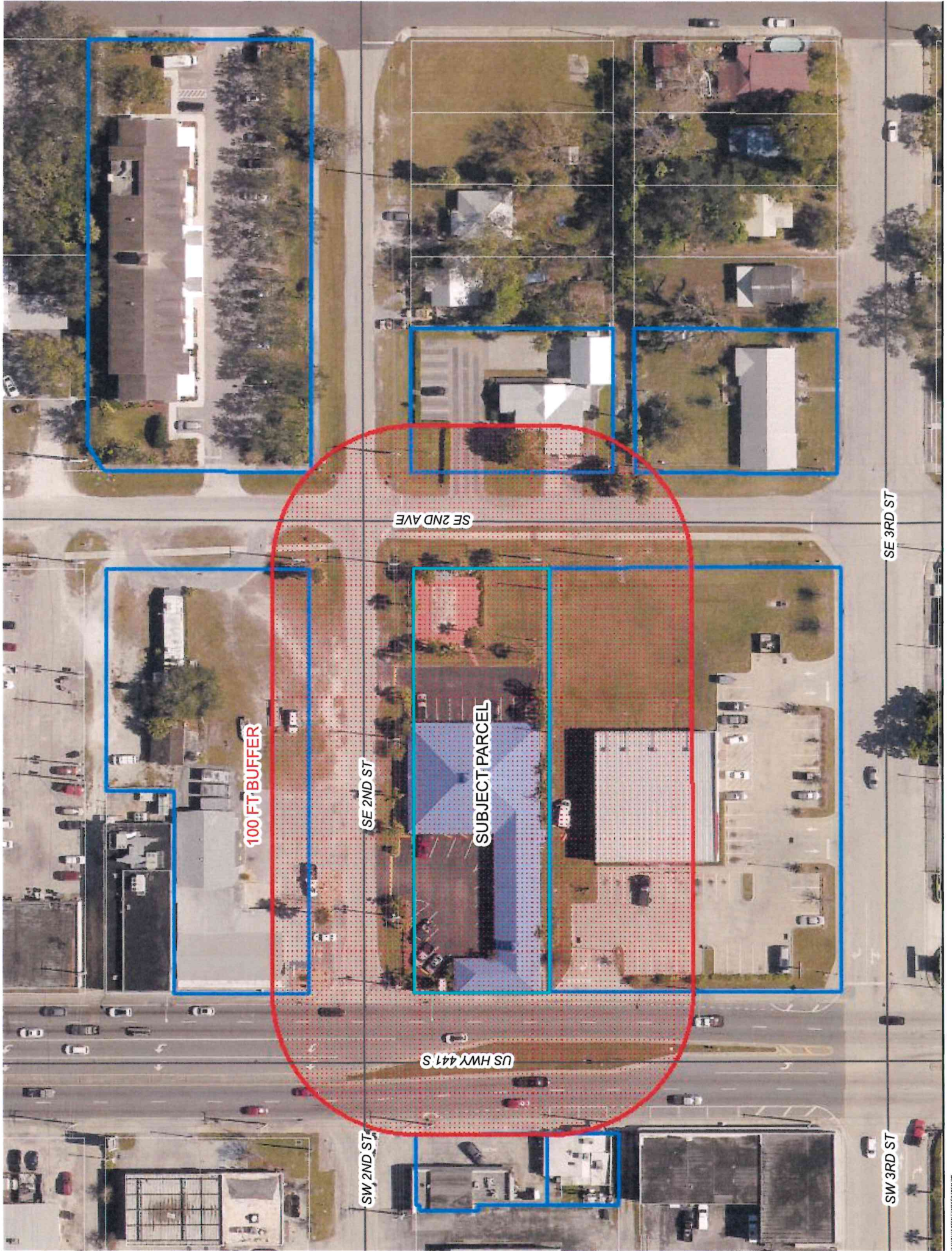
STATE OF FLORIDA  
COUNTY OF Florida

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23 day of October, 2023, by Jay Patel, who is personally known to me or produced as identification.  
(Name of Person)



  
\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE





SE 2ND AVE

SE 3RD ST

100 FT BUFFER

SE 2ND ST

SUBJECT PARCEL

US HWY 441 S

SW 2ND ST

SW 3RD ST





December 1, 2023

City of Okeechobee  
55 NE 3<sup>rd</sup> Street  
Okeechobee, FL 34974

**Project Number:** FL23029  
**Subject:** Jitendra Living Trust Rezoning

Dear Reviewer:

Newlines/SLD Engineering, has completed an analysis of the traffic generation statement for the above referenced facility. The application is to support a rezoning from CBD- Central Business District to CHV – Heavy Commercial for 0.65 acres- Parcel ID 3-15-37-35-0010-01720-0010.

This analysis was based on a spreadsheet distributed by the Florida Department of Transportation, which is based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (8<sup>th</sup> Edition). The results indicate the existing zoning of Central Business District, Medical Dental Office (ITE code 720) was used as a high traffic generator has a maximum density according to the City LDRs is 50% FAR with 3 stories would yield a maximum of 42,471 sf with a room yield of 75% and an average room of 800 sf would yield 40 rooms and would generate 225 daily trips with 19 peak PM trips with 10 being in and 9 being out. The proposed zoning of heavy commercial with the same use as the use is not proposed to change would yield the same traffic, while the use could potentially change in the future, the project would have to go back through site plan and any potential traffic increase would have to be addressed at that time.

The change from Central Business District to Heavy commercial, should have little to no impact since the uses are similar.

Should you have any questions or comments, please do not hesitate to call.

Sincerely,

**Steven L. Dobbs Engineering**

A handwritten signature in blue ink that reads 'Steven L. Dobbs'.

Steven L. Dobbs, P. E.  
President

CC: Jay Patel  
File

**Instructions:**

Enter Numbers into the "Expected Units" in the Corresponding Yellow Column

**Trip Generation Rates from the 8th Edition ITE Trip Generation Report**

NA: Not Available

KSF<sup>2</sup>: Units of 1,000 square feet

DU: Dwelling Unit

Fuel Position: # of vehicles that could be fueled simultaneously

Occ.Room: Occupied Room

Description / ITE Code	Units	Rate Weekday Daily Traffic	PM Peak Period Rate	% PM In	% PM Out	Expected Units (independent variable)	Calculated Daily Trips	PM Peak Trips - Total	PM In	PM Out	Notes
Waterport/Marine Terminal 010	Berths	171.52	NA	NA	NA		0	NA	NA	NA	
Commercial Airport 021	Employees	13.40	0.80	54%	46%		0	0	NA	NA	
Commercial Airport 021	Avg Flights/Day	104.73	5.75	56%	44%		0	0	NA	NA	
Commercial Airport 021	Com. Flights/Day	122.21	6.88	54%	46%		0	0	NA	NA	
General Aviation Airport 022	Employees	14.24	1.03	45%	55%		0	0	NA	NA	
General Aviation Airport 022	Avg. Flights/Day	1.97	NA	NA	NA		0	NA	NA	NA	
General Aviation Airport 022	Based Aircraft	5.00	0.37	45%	55%		0	0	NA	NA	
Truck Terminal 030	Acres	81.90	6.55	43%	57%		0	0	NA	NA	Caution- Only 3 Studies
Park&Ride w/ Bus Service 090	Parking Spaces	4.50	0.62	22%	78%		0	0	NA	NA	
Park&Ride w/ Bus Service 090	Occ. Spaces	9.62	0.81	28%	72%		0	0	NA	NA	
Light Rail Station w/ Park 093	Parking Space	2.51	1.24	58%	42%		0	0	NA	NA	
Light Rail Station w/ Park 093	Occ. Spaces	3.91	1.33	58%	42%		0	0	NA	NA	
General Light Industrial 110	KSF <sup>2</sup>	6.97	0.97	12%	88%		0	0	NA	NA	
General Light Industrial 110	Employees	3.02	0.42	21%	79%		0	0	NA	NA	
General Heavy Industrial 120	KSF <sup>2</sup>	1.50	0.68	NA	NA		0	0	NA	NA	Caution-Only 3 Studies.
General Heavy Industrial 120	Employees	0.82	0.88	NA	NA	50.0	41	44	0	NA	
Industrial Park 130	KSF <sup>2</sup>	6.96	0.86	21%	79%		0	0	NA	NA	
Industrial Park 130	Employees	3.34	0.46	20%	80%		0	0	NA	NA	
Manufacturing 140	KSF <sup>2</sup>	3.82	0.74	36%	64%		0	0	NA	NA	
Manufacturing 140	Employees	2.13	0.36	44%	56%		0	0	NA	NA	
Warehousing 150	KSF <sup>2</sup>	3.56	0.32	25%	75%		0	0	NA	NA	
Warehousing 150	Employees	3.89	0.59	35%	65%		0	0	NA	NA	
Mini Warehouse 151	KSF <sup>2</sup>	2.50	0.26	51%	49%		0	0	NA	NA	
Mini Warehouse 151	Storage Units	0.25	0.02	NA	NA		0	0	NA	NA	
Mini Warehouse 151	Employees	61.90	6.04	52%	48%		0	0	NA	NA	
High-Cube Warehouse 152	KSF <sup>2</sup>	1.44	0.10	33%	67%		0	0	NA	NA	
High-Cube Warehouse 152	Employees	NA	0.66	35%	65%		0	0	NA	NA	
Utilities 170	KSF <sup>2</sup>	NA	0.76	45%	55%		0	0	NA	NA	
Utilities 170	Employees	NA	0.76	90%	10%		0	0	NA	NA	
Single Family Homes 210	DU	9.57	1.01	63%	37%		0	0	NA	NA	
Single Family Homes 210	Vehicles	6.02	0.67	66%	34%		0	0	NA	NA	
Apartment 220	DU	6.65	0.62	65%	35%		0	0	NA	NA	
Apartment 220	Persons	3.31	0.40	NA	NA		0	0	NA	NA	
Apartment 220	Vehicles	5.10	0.60	NA	NA		0	0	NA	NA	
Low Rise Apartment 221	Occ.DU	6.59	0.58	65%	35%		0	0	NA	NA	
High Rise Apartment 222	DU	4.20	0.35	61%	39%		0	0	NA	NA	
Mid-Rise Apartment 223	DU	NA	0.39	58%	42%		0	0	NA	NA	
Rental Townhouse 224	DU	NA	0.72	51%	49%		0	0	NA	NA	Caution- Only 1 Study.
Resd. Condo/Townhouse 230	DU	5.81	0.52	67%	33%		0	0	NA	NA	
Resd. Condo/Townhouse 230	Persons	2.49	0.24	67%	33%		0	0	NA	NA	
Low Rise Resd. Condo 231	DU	NA	0.78	58%	42%		0	0	NA	NA	
High Rise Resd. Condo 232	DU	4.18	0.38	62%	38%		0	0	NA	NA	
Luxury Condo/Townhouse 233	Occ. DU	NA	0.55	63%	37%		0	0	NA	NA	
Mobile Home Park 240	DU	4.99	0.59	62%	38%		0	0	NA	NA	
Mobile Home Park 240	Persons	2.46	0.26	63%	37%		0	0	NA	NA	
Retirement Community 250	DU	NA	0.27	56%	44%		0	0	NA	NA	Caution- Only 1 Study
Elderly Housing-Detached 251	DU	3.71	0.27	61%	39%		0	0	NA	NA	Caution- Only 1 Study
Congregate Care Facility 253	Occ.DU	2.15	0.17	56%	44%		0	0	NA	NA	Caution- Only 2 Studies
Elderly Housing- Attached 252	Occ.DU	3.48	0.16	60%	40%		0	0	NA	NA	Caution- Only 4 Studies
Recreational Homes 260	DU	3.16	0.26	41%	59%		0	0	NA	NA	
Residential PUD 270	DU	7.50	0.62	65%	35%		0	0	NA	NA	
Hotel 310	Occ. Room	8.92	0.70	49%	51%		0	0	NA	NA	
Hotel 310	Rooms	8.17	0.59	53%	47%		0	0	NA	NA	
Hotel 310	Employees	14.34	0.80	54%	46%		0	0	NA	NA	
All Suites Hotel 311	Occ.Room	6.24	0.55	42%	58%		0	0	NA	NA	Caution- Only 4 Studies
All Suites Hotel 311	Rooms	4.90	0.40	45%	55%		0	0	NA	NA	
Business Hotel 312	Occ. Room	7.27	0.62	60%	40%		0	0	NA	NA	Caution-Only 4 Studies
Business Hotel 312	Employees	72.67	7.60	60%	40%		0	0	NA	NA	
Motel 320	Occ.Room	9.11	0.58	53%	47%		0	0	NA	NA	
Motel 320	Rooms	5.63	0.47	54%	46%	40.0	225	19	10	9	
Motel 320	Employees	12.81	0.73	54%	46%		0	0	NA	NA	