

City of Okeechobee General Services Department 55 S.E. 3rd Avenue, Room 101 Okeechobee, Florida 34974-2903 Phone: (863) 763-3372, ext. 9820 Fax: (863) 763-1686		Date: <u>9-26-22</u>	Petition No. <u>22-004-SE</u>
		Fee Paid: <u>500.00</u>	Jurisdiction: <u>BOA</u>
		1 st Hearing: <u>11-17-22</u>	2 nd Hearing: <u>N/A</u>
		Publication Dates:	
		Notices Mailed: <u>11-2-22</u>	
Rezone, Special Exception and Variance			
APPLICANT INFORMATION			
1	Name of property owner(s): <u>401 NW 3rd Street, LLC</u>		
2	Owner mailing address: <u>305 NW 4th Ave, Okeechobee, FL 34972</u>		
3	Name of applicant(s) if other than owner		
4	Applicant mailing address:		
	E-mail address: <u>sheryl@closeconstructionllc.com</u>		
5	Name of contact person (state relationship): <u>Sheryl Wells (property manager)</u>		
6	Contact person daytime phone(s): <u>863-467-0831</u>		
PROPERTY INFORMATION			
7	Property address/directions to property: <u>321 NW 4th Avenue, Okeechobee, FL 34972</u>		
8	Describe current use of property: <u>Professional Office Building</u>		
9	Describe improvements on property (number/type buildings, dwelling units, occupied or vacant, etc. <u>Two story professional office building with 23 units. There is one residential unit within the building as approved by the City 7/2020 by Special Exception.</u> Source of potable water: <u>OUA</u> Method of sewage disposal: <u>OUA</u>		
10	Approx. acreage: <u>.688</u> Is property in a platted subdivision? <u>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: <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>Sheriff's Office</u> East: <u>County Courthouse</u> South: <u>Business Offices</u> West: <u>House</u>		
14	Existing zoning: <u>CP0</u> Future Land Use classification: <u>Commercial</u>		
15	Have there been any prior rezoning, special exception, variance, or site plan approvals on the property? () No (<u>X</u>) Yes. If yes provide date, petition number and nature of approval. <u>See Attached</u>		
16	Request is for: () Rezone (<u>X</u>) Special Exception () Variance		
17	Parcel Identification Number: <u>3-15-37-35-0010-01260-0090</u> ✓		

REQUIRED ATTACHMENTS	
✓ 18	Applicant's statement of interest in property: Owner
✓ 19	Non-refundable application fee: Rezoning: \$850 plus \$30/acre; <u>Special Exception: \$500 plus \$30/acre;</u> Variance: \$500 Note: Resolution No. 98-11 Schedule of Land Development Regulation Fees and Charges B When the cost for advertising publishing and mailing notices of public hearings exceeds the established fee, or when a professional consultant is hired to advise the city on the application, the applicant shall pay the actual costs.
✓ 20	Last recorded warranty deed: Warranty Deed 4/4/2001 - <u>Quit Claim 3/29/2012</u> (see attached)
✓ 21	Notarized letter of consent from property owner (if applicant is different from property owner)
✓ 22	Three (3) CERTIFIED BOUNDARY surveys of the property (one no larger than 11x17; scale not less than one inch to 20 feet; North point) containing: a. Date of survey, surveyor's name, address and phone number b. Legal description of property pertaining to the application c. Computation of total acreage to nearest tenth of an acre d. Location sketch of subject property, and surrounding area within one-half mile radius
✓ 23	List of surrounding property owners with addresses and location sketch of the subject property. See the Information Request Form from the Okeechobee Property Appraiser's Office (attached)
✓ 24	Affidavit attesting to completeness and correctness of the list (attached)
✓ 25	Completed specific application and checklist sheet for each request checked in line 15

Confirmation of Information Accuracy

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

Signature



Printed Name

Thomas C. Close, President

Date

9/22/2022

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

ADDITIONAL INFORMATION REQUIRED FOR A SPECIAL EXCEPTION	
A	Describe the Special Exception sought: Allow (1) office occupancy by a massage therapist (under personal services exception) <i>Ref. Sec 90-223(2.) Personal Service</i>
B	Are there similar uses in the area? No (☒) (☐) Yes If yes, briefly describe them:
C	If a business, briefly describe the nature of the business, number of employees, hours of operation, and any activities to be conducted outside of a building: Massage therapy - hours are 8 - 5. No employees - just the owner/therapist. No outside activities.
D	Attach a Traffic Impact Study prepared by a professional transportation planner or transportation engineer, if the special exception or proposed use will generate 100 or more peak hour vehicle trip ends using the trip generation factors for the most similar use as contained in the Institute of Transportation Engineers most recent edition of <u>Trip Generation</u> . The TIA must identify the number of net new external trips, pass-bay calculations, internal capture calculations, a.m. and p.m. peak hour trips, and level of service on all adjacent roadway links with and without the project.
E	Responses addressing the standards and required findings for a special exception as described below. Attach additional sheets as necessary.

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

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

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

A massage therapist offers quiet services to a limited clientele that will not affect the other existing tenants within the building.

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

No outside evidence of this tenant will be visible. No changes to the exterior of the existing building will occur due to this type of tenant. Years ago, this building had a hair salon as a tenant.

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

Due to the second floor location, this is not applicable.

4. Demonstrate what is proposed to reduce the impact of any potential hazards, problems or public nuisance generated by the use; or explain how the nature of the use creates no such potential problems.

Landlord shall hold the massage therapist tenant to the same standards of care as all other tenants.

5. Demonstrate how the utilities and other service requirements of the use can be met.

The existing building is serviced for water/sewer by OUA and paid for by the Landlord. All rental units have their own electric meter and are responsible for establishing an account with FPL and paying the monthly bills.

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

Due to the limited clientele of the proposed tenant, there will be little, if any, additional traffic generated by the massage therapy service.

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

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

1. The use is not contrary to the Comprehensive Plan requirements.
Allowing a massage therapist to occupy a 2-floor unit within the building will have little, if any, impact on the existing tenants or the neighboring properties.
2. The use is specifically authorized as a special exception use in the zoning district.
Yes, Sec. 90-223 - Special Exception Uses allows an exception for "personal services"
3. The use will not have an adverse effect on the public interest.
No
4. The use is appropriate for the proposed location, is reasonably compatible with adjacent uses and is not detrimental to urbanizing land use patterns.
Yes - see answer to question #1 above.
5. The use will not adversely affect property values or living conditions, nor be a deterrent to the development of adjacent property.
No - see answer to question #1 above.
6. The use may be required to be screened from surrounding uses to reduce the impact of any nuisance or hazard to adjacent uses.
This is not applicable - proposed tenant suite is located on the 2nd floor of an existing building.
7. The use will not create a density pattern that will overburden public facilities such as schools, streets, and utility services.
This is not applicable - a tenant occupying an existing commercial suite will not have any affect on public facilities.
8. The use will not create traffic congestion, flooding or drainage problems, or otherwise affect public safety.
No

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

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

Prepared By and Return to
John D. Cassels, Jr., Esq.
Cassels & McCall
P.O. Box 968
Okeechobee, Florida 34973

#20
FILE NUM 2012003266
OR BK 00713 PG 0108
SHARON ROBERTSON, CLERK OF CIRCUIT COURT
OKEECHOBEE COUNTY, FLORIDA
RECORDED 03/29/2012 03:33:32 PM
RECORDING FEES \$18.50
RECORDED BY G Mewbourn
Pgs 0108 - 109; (2pgs)

Parcel ID Number:

Rec 18.50
Doc. 72

QUIT CLAIM DEED

THIS QUIT CLAIM DEED executed this 29th day of March, 2012, by CLOSE PROPERTIES, LLC, a Florida limited liability company f/k/a CLOSE PROPERTIES, INC., a Florida corporation, first party whose address is 301 NW 4th Avenue, Okeechobee, FL 34972, to 401 NW 3rd STREET, LLC, a Florida limited liability company, second party, whose mailing address is 301 NW 4th Avenue, Okeechobee, FL 34972.

(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, wherever the context so admits or requires.)

WITNESSETH:

That the said first party, for and in consideration of the sum of \$10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of OKEECHOBEE, State of Florida, to wit:

LOTS 9, 10, 11 AND 12, BLOCK 126, OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

SUBJECT TO restrictions, reservations and easements of record, if any.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in any wise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behalf of the said second party forever.

IN WITNESS WHEREOF the said first party has signed and sealed these presents the day and year first above written.

Signed, Sealed and Delivered in the presence of:

CLOSE PROPERTIES, LLC, a Florida limited liability company by CLOSE HOLDINGS, LLC, a Florida limited liability company

BY:

THOMAS C. CLOSE, Manager

(Signature)

JOE G. MULLINS
(Print Name)

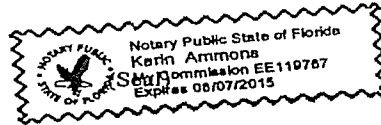
(Signature)

(Print Name)

STATE OF FLORIDA
COUNTY OF OKEECHOBEE

The foregoing instrument was acknowledged before me this 29th day of March, 2012, by Thomas C. Close, Manager of CLOSE HOLDINGS, LLC, as Manager of CLOSE PROPERTIES, LLC, ☐ who is personally known or ☒ who has produced DL as identification.

Karin Ammons
NOTARY PUBLIC
My Commission Expires: Karin Ammons



COPY

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T
O

Rec # 17.00
Doc 4200.00

OR 0452 PAGE 1867

This Instrument Prepared By
and Return to:
CONELY & CONELY, P.A.
TOM W. CONELY, III, ESQUIRE
Post Office Drawer 1367
Okeechobee, FL 34973-1367
Parcel Number: 3-15-37-35-0010-01370-0030
3-15-37-35-0010-01260-0090
1-07-37-35-0A00-00027-0000
1-07-37-35-0A00-00028-A000

Documentary Stamps paid in the amount of
\$ 4,200.00
Class C Intangible Tax paid in the amount
of \$ -0-
Sharon Robertson, Clerk of Circuit Court
Okeechobee County, Florida
By: Wickel M. Hilde, D.C.
Date: 4-4-2001

WARRANTY DEED

THIS WARRANTY DEED made the 3rd day of April, A.D., 2001, by CHARLES ECHOLS a/k/a CHARLES W. ECHOLS, THOMAS L. CLOSE a/k/a THOMAS W. CLOSE (as to Parcels 1 and 2), individually and as general partners of ECHOLS AND CLOSE PARTNERSHIP, a Florida general partnership (as to Parcels 3 and 4), hereinafter called "Grantor", to CLOSE PROPERTIES, INC., a Florida corporation, whose post office address is 2232 N.W. 32nd Avenue, Okeechobee, FL 34972, hereinafter called "Grantee":

(Wherever 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)

WITNESSETH: That the grantor, for and in consideration of TEN & NO/100 (\$10.00) DOLLARS and other good and valuable consideration, 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:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

Subject to restrictions, reservations and easements of record, if any, which are not reimposed hereby, and taxes subsequent to December 31st, 2000.

Grantors certify that the above described property is not their constitutional homestead as made and provided by the laws of the State of Florida, and is not now and never has been contiguous to the homestead of said Grantors.

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

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:

Eva Mae Conely
Printed Name: EVA MAE CONELY

Tom W. Conely
Printed Name: TOM W. CONELY, III

Charles W. Echols
CHARLES W. ECHOLS
100 N.W. 16th Street, Belle Glade, FL 33430

Thomas L. Close
THOMAS L. CLOSE
2232 N.W. 32nd Avenue, Okeechobee, FL 34972

STATE OF FLORIDA
COUNTY OF OKEECHOBEE

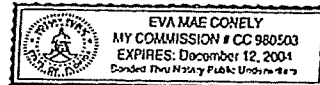
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared CHARLES W. ECHOIS and THOMAS L. CLOSE, individually and as general partners of ECHOIS AND CLOSE PARTNERSHIP, who are personally known to me or who have produced their driver's license as identification and who executed the foregoing instrument and they acknowledged before me that they executed same.

WITNESS my hand and official seal in the County and State last aforesaid this 3rd day of April, 2001.

Eva Mae Conely (SEAL)
NOTARY PUBLIC State of Florida
My Commission Expires:

C.W.E.
C.W.E.

T.L.C.
T.L.C.



COPY

EXHIBIT "A"

Parcel 1:

Lot 3 of Block 137, OKEECHOBEE, according to the plat thereof recorded in Plat Book 5, Page 5, public records of Okeechobee County, Florida.

Parcel 2:

Lots 9, 10, 11 and 12 of Block 126, OKEECHOBEE, according to the plat thereof recorded in Plat Book 5, Page 5, public records of Okeechobee County, Florida.

Parcel 3:

Tracts 5 and 6 of PLAYLAND PARK ACRES, an unrecorded plat, being more particularly described as follows: Commence at the Southeast corner of Section 7, Township 37 South, Range 35 East, and run North 02°53'55" East on Section line, a distance of 843.62 feet to a point; thence run North 36°23'35" West on Easterly boundary of a County Road, a distance of 1503.97 feet for POINT OF BEGINNING; thence run North 53°36'25" East, a distance of 200 feet to a point on Southerly boundary of S.R. 700; thence run North 36°23'35" West along South boundary of S.R. 700, a distance of 200 feet; thence run South 53°36'25" West, a distance of 200 feet; thence run South 36°23'35" East, a distance of 200 feet to the POINT OF BEGINNING.

Parcel 4:

Tract 7 of PLAYLAND PARK ACRES, an unrecorded plat, being more particularly described as follows: Commence at the Southeast corner of Section 7, Township 37 South, Range 35 East, and run North 02°53'55" East on Section line, a distance of 843.62 feet to a point; thence run North 36°23'35" West on Easterly boundary of a County Road, a distance of 1403.97 feet for POINT OF BEGINNING; thence continue North 36°23'35" West along said County Road, for a distance of 100.00 feet to a point; thence run North 53°36'25" East for a distance of 200.00 feet to a point on the Southerly right-of-way line of S.R. 700 (U.S. Hwy. 98); thence run South 36°23'35" East along said Southerly right-of-way line, for a distance of 100.00 feet; thence run South 53°36'25" West for a distance of 200.00 feet to the POINT OF BEGINNING.

CWE.
T.L.C.

350469

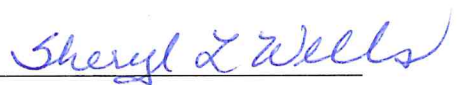
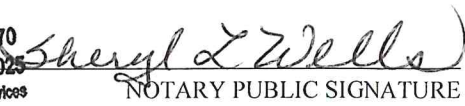
FILED FOR RECORD
OKEECHOBEE COUNTY, FL

2001 APR -6 AM 11:41

SHARON ROBERTSON
CLERK OF CIRCUIT COURT

#21

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

Name of Property Owners: 401 NW 3rd Street, LLC		
Mailing Address: 305 NW 4th Avenue, Okeechobee, FL 34972		
Home Telephone: N/A	Work: 863-467-0831	Cell:
Property Address: 321 NW 4th Avenue, Okeechobee, FL 34972		
Parcel ID Number: 3-15-37-35-0010-01260-0090		
Name of Applicant: 401 NW 3rd Street, LLC		
Home Telephone: N/A	Work: 863-467-0831	Cell:
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.		
IN WITNESS WHEREOF THE UNDERSIGNED HAVE SET THEIR HAND AND SEALS THIS <u>23rd</u> DAY OF <u>September</u> 20 <u>22</u> .		
 OWNER Thomas C. Close, President	 WITNESS	
 OWNER	 WITNESS	
STATE OF FLORIDA COUNTY OF <u>Okeechobee</u>		
The foregoing instrument was acknowledged before me by means of <u>physical presence or online</u> notarization, this <u>23rd</u> day of <u>September</u>, 20<u>22</u>, by <u>Thomas C. Close</u>, (Name of Person) who is personally known to me or produced _____ as identification.		
	SHERYL L. WELLS Commission # HH 178070 Expires November 16, 2025 Bonded Thru Budget Notary Services	 NOTARY PUBLIC SIGNATURE



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

Detail by Entity Name

Florida Limited Liability Company

401 NW 3RD STREET, LLC

Filing Information

Document Number L11000067737

FEI/EIN Number 45-2708714

Date Filed 06/09/2011

Effective Date 06/09/2011

State FL

Status ACTIVE

Principal Address

305 NW 4TH AVE
OKEECHOBEE, FL 34972

Changed: 03/11/2020

Mailing Address

305 NW 4TH AVE
OKEECHOBEE, FL 34972

Changed: 03/11/2020

Registered Agent Name & Address

CLOSE HOLDINGS, LLC
305 NW 4TH AVE
OKEECHOBEE, FL 34972

Name Changed: 04/27/2012

Address Changed: 03/11/2020

Authorized Person(s) Detail

Name & Address

Title MGR

CLOSE HOLDINGS, LLC
305 NW 4TH AVE
OKEECHOBEE, FL 34972

Title President

Close, Thomas C
305 NW 4TH AVE
OKEECHOBEE, FL 34972

Title Secretary

Stone, Melissa
305 NW 4TH AVE
OKEECHOBEE, FL 34972

Title Treasurer

Wells, Sheryl L
305 NW 4TH AVE
OKEECHOBEE, FL 34972

Annual Reports

Report Year	Filed Date
2020	03/11/2020
2021	02/01/2021
2022	02/07/2022

Document Images

<u>02/07/2022 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/01/2021 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/11/2020 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/15/2019 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/15/2018 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/17/2017 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/22/2016 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/23/2015 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/27/2014 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/12/2013 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/27/2012 -- ANNUAL REPORT</u>	View image in PDF format
<u>06/09/2011 -- Florida Limited Liability</u>	View image in PDF format

22-004-SE

PARCEL NUMBER	OWNER	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP
3-15-37-35-0010-01050-0070	BIG LAKE PROPERTY HOLDINGS LLC	410 NW 4TH ST		OKEECHOBEE	FL	34972
3-15-37-35-0010-01050-0090	SENIORS R ABLE INC	P O BOX 759		OKEECHOBEE	FL	34973-0759
3-15-37-35-0010-01050-0110	3LF LLC	PO BOX 598		OKEECHOBEE	FL	34973
3-15-37-35-0010-01060-0070	CALIDAD PROPERTIES LLC	903 SE CENTRAL PKWY		STUART	FL	34994-3904
3-15-37-35-0010-01250-0010	OKEECHOBEE COUNTY	%CASSELS & MCCALL	304 NW 2ND ST ROOM #106	OKEECHOBEE	FL	34972
3-15-37-35-0010-01260-0010	OKEECHOBEE COUNTY	304 NW 2ND ST #102		OKEECHOBEE	FL	34972-4146
3-15-37-35-0010-01260-0030	HAVEN MEDICAL LLC	6423 COLLINS AVE APT 1509		MIAMI	FL	33141-4643
3-15-37-35-0010-01260-0070	BIG DADDY RENTALS LLC	11637 NE 76TH AVE		OKEECHOBEE	FL	34972
3-15-37-35-0010-01270-0010	OKEECHOBEE COUNTY	PROP APPR TAX COLL		OKEECHOBEE	FL	34972
3-15-37-35-0010-01360-0010	RODRIGUEZ RICKEY N	11341 SW HILLCREST CIR		FORT PIERCE	FL	34987-2705
3-15-37-35-0010-01360-0100	JKST HOLDINGS LLC	4459 SE KUBIN AVE		STUART	FL	34997-2467
3-15-37-35-0010-01370-0010	AZCONA ROGELIO G	505 SW 18TH ST		OKEECHOBEE	FL	34974-3405
3-15-37-35-0010-01370-0030	ACE PEST CONTROL INC	405 NW 3RD ST		OKEECHOBEE	FL	34972
3-15-37-35-0010-01370-0040	RIEDEL FAMILY LLC	1676 NE 54TH TRAIL		OKEECHOBEE	FL	34972
3-15-37-35-0010-01370-0070	LAMBERTI MADELINE K	2494 SW 22ND CIR E		OKEECHOBEE	FL	34974
3-15-37-35-0010-01370-0100	FEE & FEE PLLC	400 NW 2ND ST		OKEECHOBEE	FL	34972-4106

NW 4TH ST

100 FT BUFFER

SUBJECT PARCEL

NW 3RD ST

NW 4TH AVE

NW 2ND ST

Petition No. 82-004-SE

**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 9/23/2022, _____ and the Assertions made to me by members of that Office that the information reviewed constitutes the most recent information available to that office. I therefore attest to this 23rd day of September, 2022.


Signature of Applicant

9/23/22
Date

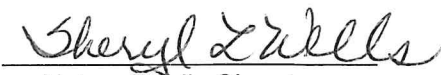
Thomas C. Close, President
Name of Applicant (printed or typed)

STATE OF FLORIDA
COUNTY OF Okeechobee

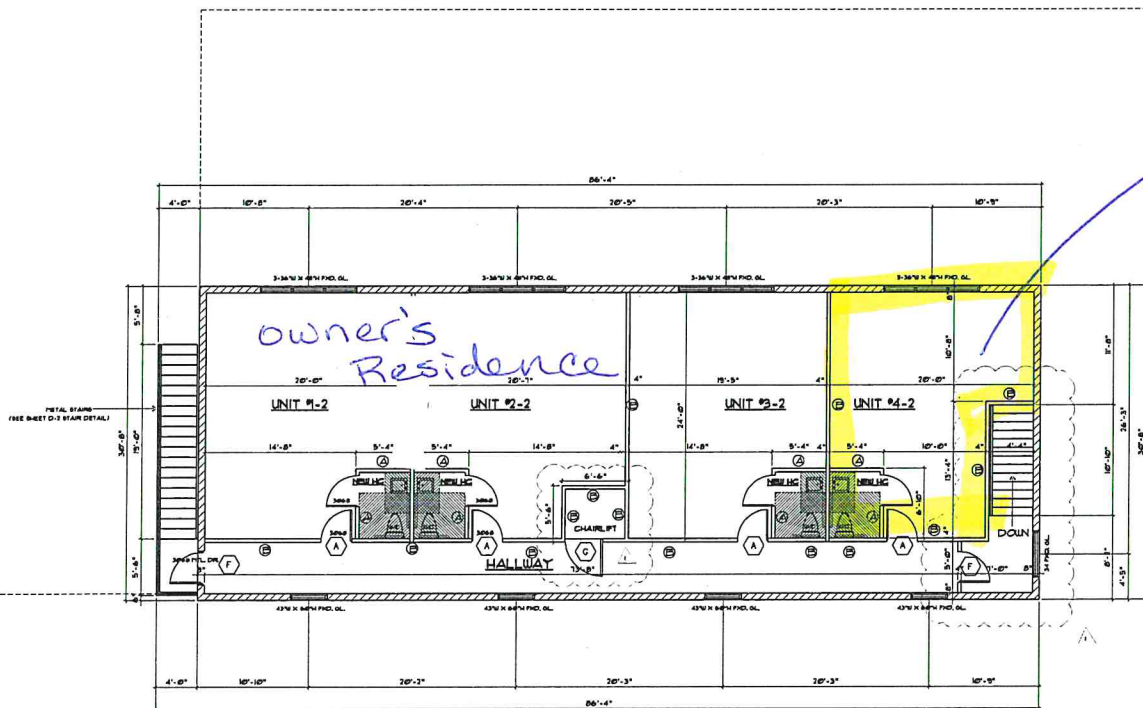
The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 23rd day of September, 2022, by Thomas C. Close, who is personally known to me or produced personally known as identification.



SHERYLL L. WELLS
Commission # HH 178070
Expires November 16, 2025
Bonded Thru Budget Notary Services


Notary Public Signature

proposed
Massage
Office



2nd Floor - 401 NW 3rd Street, LLC

BOUNDARY SURVEY PREPARED FOR
CLOSE PROPERTIES, INC.

DESCRIPTION:

LOTS 9, 10, 11, & 12, BLOCK 126, OKEECHOBEE, ACCORDING
TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 5,
OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

PROJECT SPECIFIC NOTES:

- 1) UNLESS SHOWN OTHERWISE, ALL DIMENSIONS ARE CALCULATED(C) AND MEASURED(M).
- 2) SITE ADDRESS: 406 N.W. 3RD STREET.
- 3) PARCEL ID: 3-15-37-35-0010-01260-0090.
- 4) F.I.R.M. ZONE: ZONE UNDETERMINED, PARCEL LIES WITHIN THE OKEECHOBEE CITY LIMITS.
- 5) THE DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT OR THE CLIENT'S REPRESENTATIVE.
- 6) BEARING REFERENCE: THE NORTH RIGHT-OF-WAY LINE OF N.W. 3RD STREET IS TAKEN TO BEAR SOUTH 89°58'05" WEST.
- 7) THIS SURVEY IS NOT INTENDED TO DEPICT JURISDICTIONAL AREAS OR OTHER AREAS OF LOCAL CONCERN.
- 8) SURVEYOR WAS NOT PROVIDED WITH ANY TITLE INFORMATION FOR THIS PARCEL. SURVEYOR ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF EASEMENT DIMENSIONS SHOWN HEREON, IF ANY. THERE MAY BE OTHER EASEMENTS OR RESTRICTIONS THAT EFFECT THIS PARCEL.
- 9) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 10) DATE OF LAST FIELD SURVEY: 03/22/12.

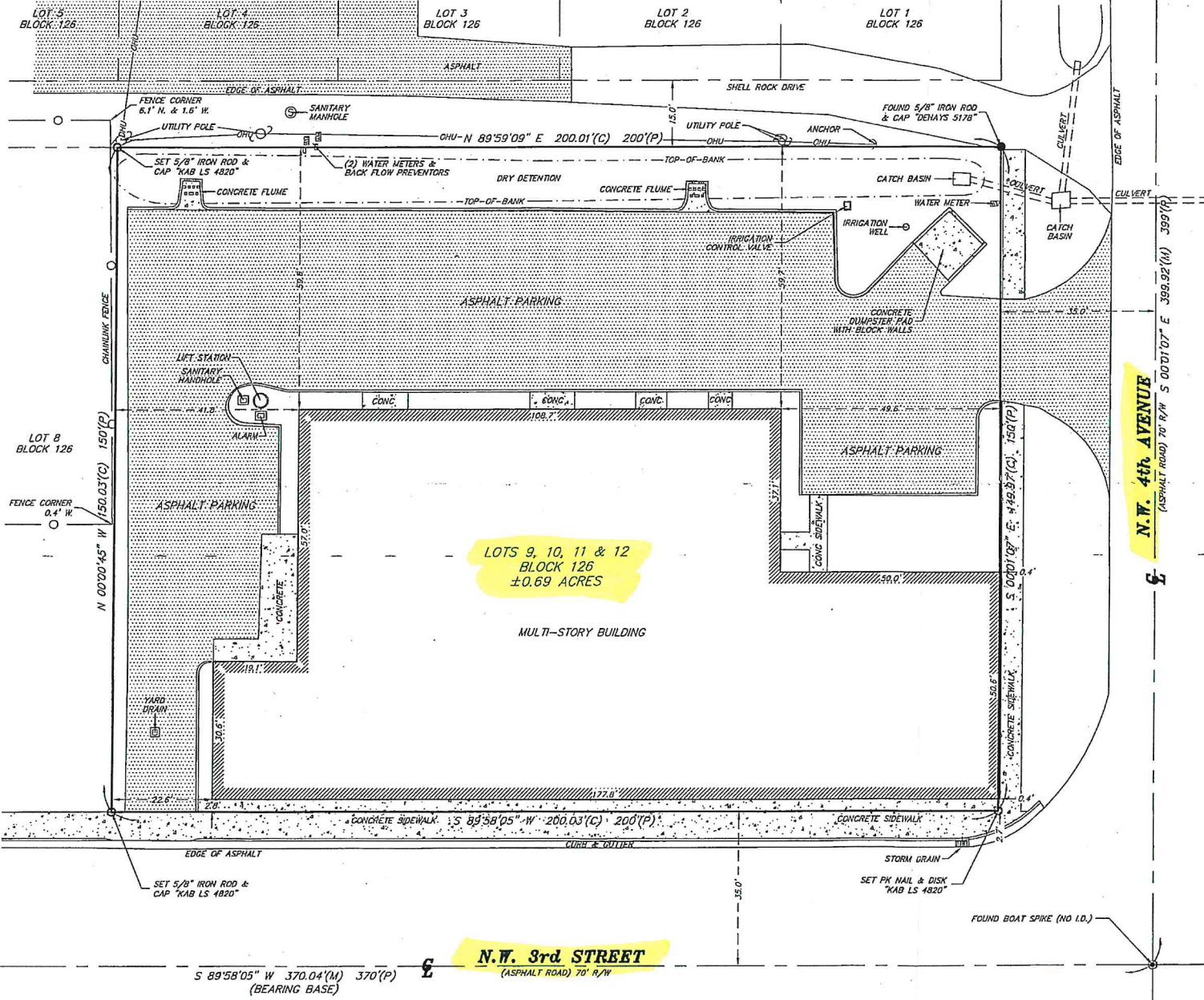
PREPARED FOR THE EXCLUSIVE USE OF:

CLOSE PROPERTIES, INC
HARBOR COMMUNITY BANK, FSB
CASSELLS & MCCALL
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

NORTH



SCALE IN FEET
MAP SCALE: 1" = 20' FEET
INTENDED DISPLAY SCALE



BOUNDARY SURVEY	03/27/12	FILE	WC	KAB
DESCRIPTION	DWG. DATE	FB/PG	BY	CK
SCALE 1" = 20'	DRAWING NUMBER: 26038			
SHEET 1 OF 1				

LEGEND
● - Set Iron Rod and Cap "KAB LS 4820" ■ - Found CM
● - Found Iron Rod (and Cap) ○ - Found Pipe (and Cap)
ABBREVIATIONS
B=Baseline; BM=Benchmark; C=Centerline; CATV=Cable TV; CM=Concrete Monument; CONC=Concrete; D=Deed; Δ=Delta or Central Angle; E=East; ELY=Eastely; E/P=Edge of Pavement; ESM=Easement; F.I.R.M.=Flood Insurance Rate Map; FID=Found; IP=Iron Pipe; IR(C)=Iron Rod (and ID Cap); L=Length; M=Measured; MH=Manhole; N=North; NLY=Northerly; NGVD(N)=National Geodetic Vertical (Datum) of 1929; NIS=Not to Scale; OHW=Overhead Wires; R=Property Line; P=Point; PC=Point of Curvature; PCC=Point of Compound Curvature; PCP=Permanent Control Point; POB=Point of Beginning; POC=Point of Commencement; PRC=Point of Reverse Curvature; PRM=Permanent Reference Monument; PTP=Point of Tangency; PUA=Public Utility and Drainage; R=Radius; R/W=Right-of-Way; S=South; SLY=Southerly; T=Tangent; TEL=Telephone Pole or Switch Box; W=West; WLY=Westerly; UTL=Utility(ies); ⚡=Spot Elevation based on indicated Datum.

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 use by others not specifically named.
4. Not valid without the signature and embossed seal of Florida licensed surveyor and mapper #4820.
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 minimum technical standards established by the Florida Board of Surveyors and Mappers (Chapter 61G17-6, F.A.C.) pursuant to Section 472.027, Florida Statutes.

TRADEWINDS SURVEYORS
200 S.W. 3rd Avenue
Okeechobee, FL 34974
Tel: (888) 763-2887
Fax: (888) 763-4342
Email: kab.twps@yahoo.com

Kenneth A. Breaux, Jr. (PSM 4820)



CITY OF OKEECHOBEE, FLORIDA
BOARD OF ADJUSTMENT MEETING
JULY 16, 2020
SUMMARY OF BOARD ACTION

#25
COPY

I. CALL TO ORDER

Chairperson Hoover called the regular meeting of the Board of Adjustment for the City of Okeechobee to order on Thursday, July 16, 2020, at 6:05 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and extended by Executive Order No. 20-150 effective June 23, 2020, the meeting was conducted utilizing communications media technology (CMT) as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and other digital comments are recorded and retained as a permanent record.

II. ATTENDANCE

Board of Adjustment Secretary Burnette called the roll. Chairperson Dawn Hoover, Vice Chairperson Doug McCoy, Board Members Phil Baughman, Karyne Brass, Rick Chartier, Felix Granados and Mac Jonassaint were present. Alternate Board Members Joe Papasso and Jim Shaw were present.

CITY STAFF: City Attorney John Fumero, General Services Secretary Yesica Montoya, and Executive Assistant Robin Brock were present. City Planning Consultant Ben Smith entered the Council Chambers at 6:20 P.M.

III. AGENDA

- A. Chairperson Hoover asked whether there were any agenda items to be added, deferred, or withdrawn. There were none.
- B. A motion was made by Member Brass to adopt the agenda as presented, seconded by Member Baughman.

Chairperson Hoover, Vice Chairperson McCoy, Board Members Baughman, Brass, Chartier, Granados and Jonassaint voted: Aye. Nays: None. Motion Carried.

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

- A. Attorney Fumero briefly reviewed the Planning Staff Report for Special Exception Petition No. 20-003-SE which requests to allow a proposed use of one dwelling unit per commercial building in a Commercial Professional Office (CPO) Zoning District, (Ref Sec 90-223(12)) on 0.688± acres located at 406 NW 3rd Street. The Applicant is requesting to convert 1,029 square feet of office space on the second floor of an existing office building to a residential dwelling unit. The floor plans submitted show a two-bedroom, two-bathroom residential dwelling unit that will be accessible from both an external and internal stairway. Planning Staff recommends **approval** of the Special Exception request based on it being consistent with the City's Comprehensive Plan, reasonably compatible with adjacent uses, and consistent with the urbanizing pattern of the area.

- 1. This being a quasi-judicial proceeding, Notary Public Patty Burnette administered an oath to those intending to offer testimony, all responded affirmatively, stated their names and addresses for the record. Mr. John Fumero, City Attorney, Nason, Yeager, Gerson, Harris and Fumero, P.A., 3001 PGA Boulevard, Suite 305, Palm Beach Gardens, Florida.

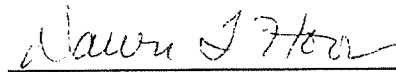
IV. QUASI-JUDICIAL PUBLIC HEARING ITEM CONTINUED

4. No disclosures of Ex-Parte were offered.
5. Planning Staff's responses to the Applicant's presentation on consistency with the Land Development Regulations (LDR's) are, the proposed use will be located above the existing ground floor commercial use and is specifically listed as a special exception use in the CPO Zoning District. The property to the immediate North of the subject parcel is designated Single Family Residential on the Future Land Use Map (FLUM) and zoned CPO with the use being that of an insurance office. The property to the East is designated Public Facilities on the FLUM and zoned Public Use with the use being that of the Okeechobee County Courthouse. The property to the South is designated Commercial (C) on the FLUM and zoned CPO with the use being that of business offices. The property to the West is designated C on the FLUM and zoned CPO with the use being that of a vacant building. The proposed residential use is not expected to negatively affect adjacent uses. No changes to the design of the building will be necessary to ensure compatibility. No additional landscape screening is required as the proposed residential unit will be contained within the existing structure. It is unlikely that this proposed use would create any nuisances that would affect other uses. The proposed conversion of commercial to residential should not significantly affect the ability to provide services or utilities. Currently, it should be noted that the subject property is nonconforming to the current parking requirements. However, if the Applicant's request is approved, that nonconformity would be slightly lessened. The 1,029 square feet of office space that is being converted would require 3.34 parking spaces according to the current parking code. A two-bedroom multi-family dwelling unit only requires two parking spaces. The Institute of Traffic Engineers provides estimated trip generation rates for apartments and general office which shows a slight decrease in the estimated traffic generation for the applicant's request.

Planning Staff's responses to the Applicant's presentation on the required findings are the property is designated C on the FLUM and the proposed use is not contrary to the Comprehensive Plan. One dwelling unit per commercial building is included under the list of Special Exception Uses in the CPO Zoning District. The proposed use will not have an adverse effect on the public interest. The proposed use is appropriate for the proposed location, is reasonably compatible with adjacent uses and is not detrimental to urbanizing land use patterns. Allowing a second-floor residence unit within an existing building should have no impact on the neighboring businesses. The proposed use will not adversely affect property values or living conditions, nor be a deterrent to the development of adjacent property. No required screening from surrounding uses is necessary as the proposed unit will be located inside the existing building with no exterior changes. The requested conversion of uses should not have a significant impact on water, sewer or transportation facilities. It is possible that adding one additional dwelling unit in the City could bring one or several additional school aged children to the Okeechobee school system. However, this potential increase should not significantly impact the County school system. This proposed use should not create traffic congestion, flooding or drainage problems, or otherwise affect public safety.

A motion was offered by Member Baughman to approved Special Exception No. 20-003-SE which requests to allow a proposed use of one dwelling unit per commercial building in a Commercial Professional Office (CPO) Zoning District, (Ref Sec 90-223(12)) on 0.688± acres located at 406 NW 3rd Street, seconded by Member Granados.

- V. There being no further items on the agenda, Chairperson Hoover adjourned the meeting at 6:21 P.M.



Dawn T. Hoover, Chairperson

ATTEST:


Patty M. Burnette, Secretary

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

Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

2022 Preliminary Certified

updated: 9/22/2022

Parcel: << **3-15-37-35-0010-01260-0090 (33843)** >>

Aerial Viewer Pictometry Google Maps

Owner & Property Info

Result: 1 of 1

Owner	401 NW 3RD STREET LLC C/O CLOSE HOLDINGS LLC 305 NW 4TH AVE OKEECHOBEE, FL 34972-2552		
Site	406 NW 3RD ST OKEECHOBEE		
Description*	CITY OF OKEECHOBEE LOTS 9 10 11 12 BLOCK 126		
Area	0.688 AC	S/T/R	15-37-35
Use Code**	STORES/1 STORY (1100)	Tax District	50

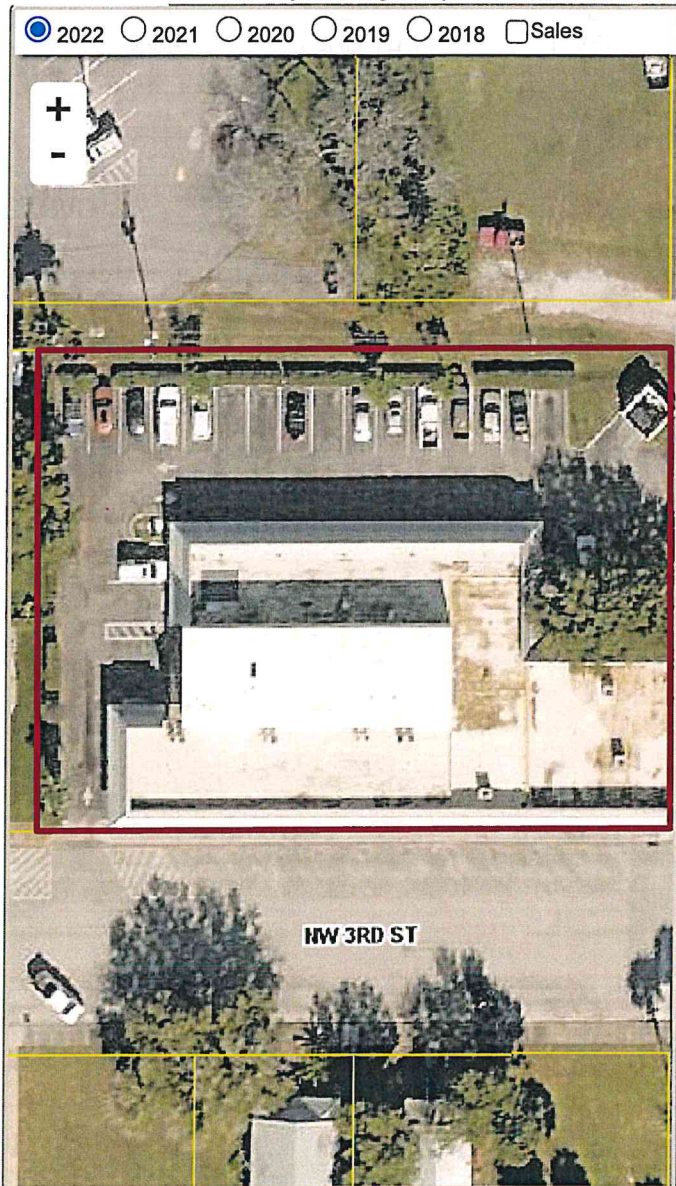
*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.

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

Property & Assessment Values

2021 Certified Values		2022 Preliminary Certified	
Mkt Land	\$133,500	Mkt Land	\$133,500
Ag Land	\$0	Ag Land	\$0
Building	\$429,712	Building	\$472,700
XFOB	\$50,491	XFOB	\$72,524
Just	\$613,703	Just	\$678,724
Class	\$0	Class	\$0
Appraised	\$613,703	Appraised	\$678,724
SOH/10% Cap [?]	\$0	SOH/10% Cap [?]	\$3,651
Assessed	\$613,703	Assessed	\$678,724
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$613,703 city:\$613,703 other:\$613,703 school:\$613,703	Total Taxable	county:\$675,073 city:\$675,073 other:\$675,073 school:\$678,724

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
3/29/2012	\$0	0713/0108	QC	I	U	11
4/3/2001	\$0	0452/1867	WD	I	U	02 (Multi-Parcel Sale) - show
5/1/1980	\$0	0235/0792	WD	I	U	03
10/1/1977	\$15,000	0000/0000	01	V	Q	

▼ Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
Sketch	NBHD CENTR (3800)	1962	14892	16961	\$472,700

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

▼ Extra Features & Out Buildings (Codes)

Code	Description	Year Blt	Value	Units	Dims	Condition (% Good)
ASPH 2	COM SLB WLK	2006	\$21,955	12362.00	0 x 0	PD (80%)

ELEV	ELEV COMM	2006	\$46,750	1.00	0 x 0	PD (85%)
CONC B	COM SLB WLK	2006	\$861	283.00	0 x 0	PD (90%)
CONC E	CURB	2006	\$1,469	216.00	0 x 0	PD (85%)
WAL5 A	6'CB R/WAL	2006	\$1,028	36.00	0 x 0	PD (85%)
CONC I	BUMPERS	2006	\$86	5.00	0 x 0	PD (85%)
LNQ1	LGHT QURZ	2006	\$375	1.00	0 x 0	PD (85%)

▼ **Land Breakdown**

Code	Description	Units	Adjustments	Eff Rate	Land Value
067NP8	NO SIDE ST (MKT)	200.000 FF (0.688 AC)	1.0000/.8900 1.0000/ /	\$668 /FF	\$133,500

Search Result: 1 of 1

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by: GrizzlyLogic.com