OKEECHOBEE COUNTY PLANNING BOARD/BOARD OF ADJUSTMENTS AND APPEALS

Meeting Location:
Health Department Building
1700 NW 9 Avenue, Suite A
Okeechobee, FL 34972
863-763-5548
www.okeechobeecountyfl.gov

PLANNING BOARD/BOARD OF ADJUSTMENTS AND APPEALS REGULAR MEETING

~ AGENDA ~

Tuesday, October 27, 2026 **6:00 PM**

Roll Call

Minutes/Administration

I. Public Comment

II. Approval of Minutes

1. Approval of Minutes from the September 22, 2026 Regular Meeting. Dennis Murphy

   Recommend that the Planning Board/Board of Adjustments and Appeals review and approve the minutes from the September 22, 2026 regular meeting.

III. Public Hearings

1. **Public Hearing, Petition S-2609-0075, Special Exception.** Request for a Special Exception to allow a sales lot for new and used motor vehicles in a Heavy Commercial (C-2) zoning district. The property owner and applicant is New Land FL, LLC. The property address is 4340 US Highway 441 N. Dennis Murphy

   Recommend that the Board of Adjustments and Appeals conduct a public hearing and accept input from interested parties; and approve a Final Administrative Order granting a special exception to allow a sales lot for new and used motor vehicles in a Heavy Commercial (C-2) zoning district at 4340 US Highway 441 N, subject to conditions as specified.

IV. Old Business

V. New Business

VI. Other Business

Adjournment

Okeechobee County
Planning Board/Board of Adjustments and Appeals

1700 NW 9th Avenue, Suite A, Okeechobee, FL 34972

Submitted
ACTION ITEM (ID# 2026-1355-OKC)

Department:Planning and Development
Category:Minutes
Prepared By: Jenna Durham
Presenter: Dennis Murphy

SUBJECT: Approval of Minutes from the September 22, 2026 Regular Meeting.

MEETING: Planning Board/Board of Adjustments and Appeals Regular Meeting October 27, 2026

FINANCIAL IMPACT:
N/A

RECOMMENDED ACTION:
Recommend that the Planning Board/Board of Adjustments and Appeals review and approve the minutes from the September 22, 2026 regular meeting.

BACKGROUND:
Minutes from the September 22, 2026 regular meeting are attached for review and consideration by the Planning Board/Board of Adjustments and Appeals.

ATTACHMENT:
Minutes, Planning Board, 2026-09, September 22, 2026

Planning Board / Board of Adjustments and Appeals

Regular Meeting

September 22, 2026

Minutes

The Okeechobee County Planning Board/Board of Adjustments and Appeals met in regular session on Tuesday, September 22, 2026 at 6:00 p.m. in the Okeechobee County Health Department Auditorium, 1728 NW 9th Avenue, Okeechobee, Florida.

Board members present were Joey Hoover, Charles Murphy, Tyler Pugh, Melinda Wherrell, Cristy Howard and Carol Sikorski. Lynn Murray, and alternate Winston Ward were absent. Also in attendance were County Attorney Kate Watson, Interim Planning Director Dennis Murphy, Planner Karlyn Daniel-Wirthmiller, Planner Gauge Chandler, and Administrative Assistant Jenna Durham.

Dennis Murphy introduced himself and provided a brief overview of his professional background.

Chairman Joey Hoover called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited.

Agenda Item # 1. Public Comment.

There were no comments from the public.

Tyler Pugh moved to close the public comment. Christy Howard seconded the motion. The motion passed unanimously.

Agenda Item # 2. Approval of Minutes.

Christy Howard moved to approve the July 28, 2026 minutes as submitted. Tyler Pugh seconded the motion. The motion passed unanimously.

County Attorney Kate Watson gave a disclaimer for testifying on quasi-judicial items and swore in those who wished to speak on said items.

Agenda Item #3. Public Hearing, Petition R-2607-0063, Change in Zoning. Request for a change in zoning from Residential Single Family (RSF) to Light Industrial (I-1). The property owner and applicant is Be A Man Buy Land, LLC. The property address is 3308 US Highway 98 N.

Dennis Murphy presented the petition and described the surrounding area. He stated that this is a small area rezoning for a parcel of land off of US Highway 98 N. He stated that it is actually a

continuation of a rezone that took place about a year prior to Light Industrial (I-1), and that the applicant is the same party. He stated that they are seeking to get a developable tract of sufficient size to move forward with a mini storage type of operation. He stated that staff has reviewed the application for consistency with the comprehensive plan and land development regulations, and determined that it satisfies the requirements for consideration of rezoning. He stated that staff recommends that the Planning Board recommend approval of the requested change in zoning from Residential Single Family (RSF) to Light Industrial (I-1).

Chairman Joey Hoover opened the public hearing.

Zack Gazza, addressed the Board on behalf of the applicant to answer any questions that the Board may have.

Christy Howard moved to close the public hearing. Carol Sikorski seconded the motion. The motion passed unanimously.

Tyler Pugh moved to recommend that the Board of County Commissioners grant Petition R-2607-0063, request for a change in zoning from the existing classification of Residential Single Family (RSF) to Light Industrial (I-1). Carol seconded the motion. The motion passed unanimously.

Chairman Joey Hoover stated that a public hearing to consider the request for the change in zoning will be held before the Board of County Commissioners on Thursday, October 8, 2026 at 9:00 am in the Judge William L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida.

Agenda Item #4. Public Hearing, Petition R-2607-0066, Change in Zoning. Request for a change in zoning from Agriculture (A) to Residential Single Family (RSF). The property owner is Wolff Farms, LLC. The applicant is Lennar. The property address is 1590 SW 28th Street.

Dennis Murphy presented the petition and described the surrounding area. He stated that the subject property lies south of the City limits of Okeechobee and west of US Highway 441. He stated that this petition is part of an overall application that is being submitted to the county to develop and construct 199 single family homes. He stated that this rezoning is the first step for the development plan to proceed forward. He stated that the application was submitted for a preliminary application review, but has not yet been submitted for technical review. He encouraged the Board to voice any elements of concern or issues that they would like addressed once the application is submitted for technical review. He stated that staff has reviewed the application for consistency with the comprehensive plan and land development regulations, and determined that it satisfies the requirements for consideration of rezoning. He stated that staff recommends that the Planning Board recommend approval of the requested change in zoning from Agriculture (A) to Residential Single Family (RSF).

There was discussion between the Board and Mr. Murphy regarding lot sizing, density, wetlands on the property, and turn lane requirements.

Chairman Joey Hoover opened the public hearing.

Jennifer Busbin, Group 41, addressed the Board on behalf of the applicant. She presented the concept plan to the board and clarified some information discussed earlier between the Board and Mr. Murphy.

Larry Davis, nearby property owner, addressed the Board. He stated concerns of increased flooding.

Blaine Bergitresse, KMA Engineering, addressed the Board to explain the proposed drainage plan.

Gregory Pettibon, Lennar Homes, addressed the Board. He stated that SFWMD looks at historic water flows and that those flows have to be incorporated into the drainage plan.

Charles Murphy moved to close the public hearing. Christy Howard seconded the motion. The motion passed unanimously.

Tyler Pugh moved to recommend that the Board of County Commissioners grant Petition R-2607-0066, request for a change in zoning from the existing classification of Agriculture (A) to Residential Single Family (RSF). Carol Sikorski seconded the motion. The motion passed by a vote of 5 to 1 with Tyler Pugh, Carol Sikorski, Christy Howard, Melinda Wherrell, and Joey Hoover voting for the motion, and Charles Murphy voting against the motion.

Chairman Joey Hoover stated that a public hearing to consider the request for the change in zoning will be held before the Board of County Commissioners on Thursday, October 8, 2026 at 9:00 am in the Judge William L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida**.**

Agenda Item #5. Public Hearing, Petition R-2607-0064, Change in Zoning. Request for a change in zoning from Agriculture (A) to Commercial-Recreational Vehicle (C-RV). The property owners are William Payne and Elizabeth Payne Simonson. The applicant is DB Fortune Investments, LLC. The property address is 8355 US Highway 441 SE.

Dennis Murphy presented the petition and described the surrounding area. He stated that the subject property is located around a quarter-mile northeast of county road 15A. He stated that there are 2 parcels of land with the C-RV zoning to the northwest of the subject property. He stated that staff has met with the applicant regarding preliminary proposals for the property and is currently undergoing some further assessments and evaluations. He stated that staff has reviewed the application for consistency with the comprehensive plan and land development regulations, and determined that it satisfies the requirements for consideration of rezoning. He stated that staff recommends that the Planning Board recommend approval of the requested change in zoning from Agriculture (A) to Commercial-Recreational Vehicle (C-RV).

Chairman Joey Hoover opened the public hearing.

Barry Schwarzberg and David Deka addressed the Board on behalf of the applicant to answer any questions the Board may have.

Charles Murphy moved to close the public hearing. Christy Howard seconded the motion. The motion passed unanimously.

There was brief discussion among the board regarding traffic concerns.

Dennis Murphy stated that the concerns would be forwarded to Engineering to consider during review.

Tyler Pugh moved to recommend that the Board of County Commissioners grant Petition R-2607-0064, request for a change in zoning from the existing classification of Agriculture (A) to Commercial-Recreational Vehicle (C-RV). Chrisy Howard seconded the motion. The motion passed unanimously.

Chairman Joey Hoover stated that a public hearing to consider the request for the change in zoning will be held before the Board of County Commissioners on Thursday, October 8, 2026 at 9:00 am in the Judge William L. Hendry Courtroom, Room 270, Historic Okeechobee County Courthouse, 304 NW 2nd Street, Okeechobee, Florida.

There being no additional business, the meeting was adjourned at 6:41 p.m.

Joey Hoover, Chairman	**Date of Approval**
Jenna Durham, Secretary to the Board	**Date**

Okeechobee County
Planning Board/Board of Adjustments and Appeals

1700 NW 9th Avenue, Suite A, Okeechobee, FL 34972

Submitted
ACTION ITEM (ID# 2026-1354-OKC)

Department:Planning and Development
Category:Public Hearing
Prepared By: Dennis Murphy
Presenter: Dennis Murphy

SUBJECT: Public Hearing, Petition S-2609-0075, Special Exception. Request for a Special Exception to allow a sales lot for new and used motor vehicles in a Heavy Commercial (C-2) zoning district. The property owner and applicant is New Land FL, LLC. The property address is 4340 US Highway 441 N.

MEETING: Planning Board/Board of Adjustments and Appeals Regular Meeting October 27, 2026

FINANCIAL IMPACT:
N/A

RECOMMENDED ACTION:
Recommend that the Board of Adjustments and Appeals conduct a public hearing and accept input from interested parties; and approve a Final Administrative Order granting a special exception to allow a sales lot for new and used motor vehicles in a Heavy Commercial (C-2) zoning district at 4340 US Highway 441 N, subject to conditions as specified.

BACKGROUND:
Public Hearing, Petition S-2609-0075, Special Exception. Request for a Special Exception to allow a sales lot for new and used motor vehicles in a Heavy Commercial (C-2) zoning district. The property owner and applicant is New Land FL, LLC. The property address is 4340 US Highway 441 N.

ATTACHMENT:
S-2609-0075, Staff Report.pdf
S-2609-0075, Final Administrative Order.pdf
S-2609-0075, Applicant Submittal.pdf
S-2609-0075, Map Series.pdf
S-2609-0075, Concept Plan.pdf

Okeechobee County
Board of Adjustments and Appeals
October 27, 2026
Staff Report and Recommendation
Public Hearing, Petition S-2609-0075 -- Special Exception.

Staff Report and Recommendation

Summary Description:

Applicant:	New Land Fl, LLC
Request:	Special Exception authorizing the development of a sales Lot for new & used motor vehicles. Site will include an onsite office and warehouse building, as required by County Codes.
Location:	4340 Hwy 441 North, Okeechobee, Florida, 34972 (site is approximately ½ mile north of NW/NE 39th street
Property area:	Approximately 2.8 acres (gross)
Approximately	1.8 acres (net usable) .
Current FLU:	CCMU (Commercial Corridor Mixed Use)
Current Zoning:	C-2 (Heavy Commercial)
Requested Zoning:	N/A.
Proposed Use:	Sales lot for new & used motor vehicles

The subject property is located at 4340 Hwy 441 North, Okeechobee, and is approximately 2.8 acres in gross lot area. However, the actual development use area is limited to the westerly 1.8 acres (approximate) due to the presence of an existing conservation easement along the eastern 1/4 of the property. This easement was created as part of the recording of the Amber Acres subdivision (PB 7, Page 90) in 2006.

The petitioned property is currently vacant.

To the south is the Okeechobee Missionary Baptist Church. To the immediate north is Rinseworks Inc, a specialty plumbing fixture supplier. Remaining properties surrounding the petition site are vacant and undeveloped.

FUTURE LAND USE classifications along this part of the 441 corridor are Commercial (Commercial Corridor Mixed Use), with the easterly 160 feet (approximate) of the petition property being classified as URMU (Urban Residential Mixed Use). Properties east of the petition site are classified as URMU (Urban Residential Mixed Use).

Current ZONING classifications in the area are a mix of C-2 (Heavy Commercial); C (Commercial); RSF (Residential Single Family) RG (Residential General) and A (Agriculture).

The applicant is requesting a special exception to allow for a business that will deal with the sale new & used motor vehicles. Businesses of this type do require that the County conduct a formal special exception review along with a parallel site plan review process being conducted at the administrative level.

The applicant has submitted a petition for Site Plan review and on October 6th, the Okeechobee County Technical Review Committee completed its initial review of the application. At that time the application was deemed incomplete, and comments have been provided to the portioner. Once these comments are addressed, and notwithstanding any inputs from this Board, we will be able to complete the site plan review process.

The question that is being presented to the Planning Commission at this time, is, do you feel that the requested Special Expectation Use is suitable for this this proposed location, and that do you have any special limiting conditions that need to be included with the requested Special Exception Authorization Orders addressing either the general business operation or physical layout of the particular use.

CONSISTENCY WITH COMPREHENSIVE PLAN

The current Future Land Use designation is Commercial (Commercial Corridor Mixed Use), and as identified in the Land Use Consistency Matrix, Section 11.02.01 of the land development regulations, there is no need for any amendment to the Plan for land use consistency purposes.

CONSISTENCY WITH LAND DEVELOPMENT REGULATIONS

A Special Exception is a *use* that would, generally not be considered appropriate in a particular zoning district without supplemental restrictions being placed upon it. Those restrictions would be those in addressing the specific use presented provide for, or promote the health, safety, welfare, order, comfort, convenience, appearance, prosperity, or the general welfare of

the County and its residents.

Section 11.04.02(I), provides the list of Special Exceptions that could be granted through the Special Exception process for properties in the C-2 zoning district. The petitioner is seeking approval from this Board that would allow for the development and operation of a "Sales lots for new or used motor vehicles, recreational vehicles, travel trailers, motor homes, park trailers, mobile homes, boats or trailers. (Section 11.04.02(I)(9))" It should be noted that the second part of this paragraph provides that the "If repair activities are conducted in connection with such sales lots, item 8 (Section 11.04.02(I)(9)), above shall apply."

According to Section 11.04.03 of the County Code of Ordinances, in reaching its conclusion and in making the findings required in this Part, the Board of Adjustments and Appeals shall consider and weigh, among others, the following factors and standards where applicable. Further, the Board shall find in the case of any of these factors and standards, where they may be relevant and applicable, that the purposes and requirements for granting the special exception have been met by the applicant.

Standards for Granting Exceptions (Ordinance 92-20, Section 11.04.03)

A. INGRESS AND EGRESS TO THE PROPERTY AND THE PROPOSED STRUCTURES THEREOF, IF ANY, INCLUDING SUCH CONSIDERATIONS AS AUTOMOTIVE AND PEDESTRIAN SAFETY AND CONVENIENCE, TRAFFIC FLOW AND CONTROL, AND ACCESS IN CASE OF FIRE OR CATASTROPHE;

APPLICANT RESPONSE:

The parcel is currently vacant and does not have a constructed driveway. A direct driveway connection to U.S. Highway 441 North is proposed and will be designed and permitted in coordination with FDOT and Okeechobee County, as applicable. The site will provide sale access and internal circulation for customers, employees, vehicle deliveries, and emergency vehicles. Inventory display, loading, and internal maintenance activities will remain on-site and will not impede traffic on any public way. Any traffic analysis required by the reviewing agencies Will be provided during Site-plan review. The lot Will not have a significant impact Of or more on the current traffic now conditions for the adjoining or nearby road segments.

COUNTY STAFF RESPONSE:

One of the items discussed during the October 6th site plan review meeting on the proposed plan of development was that the petitioner schedule, and have completed the required pre-

application meeting with the Florida Department of Transportation before final action on the site plan was completed. To date, we are not aware that this meeting has been scheduled.

B. OFF-STREET PARKING AND LOADING AREAS WHERE REQUIRED, INCLUDING CONSIDERATION OF RELEVANT FACTORS IN (A) PRECEDING, AND THE ECONOMIC, NOISE, GLARE, OR ODOR EFFECTS OF THE LOCATIONS OF SUCH OFF-STREET PARKING AND LOADING AREAS ON ADJACENT AND NEARBY PROPERTIES AND LOADING AREAS ON ADJACENT AND NEARBY PROPERTIES AND PROPERTIES GENERALLY IN THE DISTRICT;

APPLICANT RESPONSE:

The site plan will provide code-compliant customer and employee parking, designated areas for display and storage of sale inventory, and an on-site area for vehicle loading and unloading. These areas will be separate from the three enclosed bays and arranged to maintain clear drive aisles and emergency access. No public street, sidewalk, parking area, or right-of-way will be used for business-related vehicle storage or parking. Limited internal maintenance will inside the building, minimizing noise, glare. and odor effects on nearby properties.

COUNTY STAFF RESPONSE:

One of the items discussed during the October 6th site plan review meeting on the proposed plan of development was that the petitioner review the current concept plan as it presently does not comply with Okeechobee County Parking Standards. Should the Board of Adjustment Appeals deem the concepts of the requested use acceptable, it is recommended that a direct statement be included in any approval orders that notes the obligation of the petitioner to satisfy all applicable county design codes before any site plan approvals can be considered

C. REFUSE AND SERVICE AREAS, INCLUDING CONSIDERATION OF RELEVANT FACTORS IN (A) AND (B) PRECEDING;

APPLICANT RESPONSE:

A screened refuse and service area will be provided in a location accessible to collection and service vehicles without interfering with customer or emergency circulation.

COUNTY STAFF RESPONSE:

These areas are currently not shown on the submitted concept plans, and is in part one of the reasons the submitted site plan application was deemed incomplete. Should the Board of Adjustment Appeals deem the concepts of the requested use acceptable, it is recommended

that a direct statement be included in any approval orders that notes the obligation of the petitioner to satisfy all applicable county design codes before any site plan approvals can be considered.

D. UTILITIES, INCLUDING SUCH CONSIDERATIONS AS HOOK-IN LOCATIONS AND AVAILABILITY AND COMPATIBILITY OF UTILITIES FOR THE PROPOSED USE;

APPLICANT RESPONSE:

The lot is vacant and is not currently served by utilities. Electric distribution lines run along U.S. Highway 441 North, and electric service is available to the parcel. Water, wastewater, drainage, fire protection, and other utility needs for the office/warehouse and bays will be designed and permitted during site development. Nearby properties have electric, sewer and water service.

COUNTY STAFF RESPONSE:

As noted by the petitioner, these areas are currently not shown on the submitted concept plans, and is in part one of the reasons the submitted site plan application was deemed incomplete. Should the Board of Adjustment Appeals deem the concepts of the requested use acceptable, it is recommended that a direct statement be included in any approval orders that notes the obligation of the petitioner to satisfy all applicable county design codes before any site plan approvals can be considered.

E. SCREENING AND BUFFERING, INCLUDING CONSIDERATIONS OF SUCH RELEVANT FACTORS AS TYPE, DIMENSIONS, AND CHARACTER TO PRESERVE AND IMPROVE COMPATIBILITY AND HARMONY OF USE AND STRUCTURE BETWEEN THE PROPOSED SPECIAL EXCEPTION AND THE USES AND STRUCTURES OF ADJACENT AND NEARBY PROPERTIES AND PROPERTIES GENERALLY IN THE DISTRICT;

APPLICANT RESPONSE:

All required setbacks, landscaping, screening, and buffers will be shown on the site plan. A minimum 25-foot buffer will be maintained from the conservation easement on the eastern portion of the parcel, and landscaping will be provided along the southern/rear portion of the property and around parking, inventory, refuse, and service areas.

Vehicle inventory will be kept in orderly designated areas, and all maintenance or repair activity will occur within the enclosed building. These measures will maintain compatibility with nearby properties and other commercial uses in the district.

COUNTY STAFF RESPONSE:

The current concept plan indicates a vehicle parking/display layout that does not match the representations of this use in this application for Special Exception Use, and is in part one of the reasons the submitted site plan application was deemed incomplete. Should the Board of Adjustment Appeals deem the concepts of the requested use acceptable, it is recommended that a direct statement be included in any approval orders that notes the obligation of the petitioner to satisfy all applicable county design codes before any site plan approvals can be considered.

F. SIGNS, IF ANY, AND PROPOSED EXTERIOR LIGHTING, IF ANY, WITH REFERENCE TO GLARE, TRAFFIC SAFETY, AND ECONOMIC EFFECTS OF SAME ON PROPERTIES IN THE DISTRICT AND COMPATIBILITY AND HARMONY WITH OTHER PROPERTIES IN THE DISTRICT;

APPLICANT RESPONSE:

No sign is proposed as part of this application at this time. Any future business or directional sign will comply with County requirements and preserve sight distance. Exterior lighting will be limited to that required for the building, parking, security. and sales-lot operations. Fixtures will be shielded and directed downward to avoid glare. traffic- safety impacts, or spillover onto adjoining properties.

COUNTY STAFF RESPONSE:

None.

G. REQUIRED YARDS AND OPEN SPACES;

APPLICANT RESPONSE:

Required yards, open spaces setbacks. landscaping, drainage, and conservation- easement limits will be shown on the site plan and confirmed during final engineering review. No display vehicle, parking space, structure, or service activity will encroach into required setbacks or protected areas.

COUNTY STAFF RESPONSE:

These areas are currently not shown on the submitted concept plans, and is in part one of the reasons the submitted site plan application was deemed incomplete. Should the Board of Adjustment Appeals deem the concepts of the requested use acceptable, it is recommended

that a direct statement be included in any approval orders that notes the obligation of the petitioner to satisfy all applicable county design codes before any site plan approvals can be considered.

H. Height of structure where related to uses and structures on adjacent and nearby properties and properties generally in the district;

APPLICANT RESPONSE:

The proposed one-story office/warehouse building is anticipated to be approximately 25 feet in height. The building height and scale will be similar to nearby commercial structures and will comply with the applicable C-2 requirements.

COUNTY STAFF RESPONSE:

None.

L. ECONOMIC EFFECT ON ADJACENT AND NEARBY PROPERTIES AND PROPERTIES GENERALLY IN THE DISTRICT OF THE GRANT OF THE SPECIAL EXCEPTION.

APPLICANT RESPONSE:

Approval will allow a vacant C-2 parcel to be developed as a professionally operated new and used motor vehicle sales business, providing local employment, additional vehicle sales options, and tax-base benefits. The accessory warehouse and enclosed bays will support only dealership inventory; no public storage or repair services will be offered. Keeping all inventory, parking. loading, and internal maintenance on-site will minimize potential economic and operational impacts on adjoining properties.

COUNTY STAFF RESPONSE:

Should the Board of Adjustment Appeals deem the concepts of the requested use acceptable, it is recommended that a direct statement be included in any approval orders that notes the obligation of the petitioner to satisfy all applicable county design codes before any site plan approvals can be considered.

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STAFF RECOMMENDATION

Staff recommends that the Board of Adjustments and Appeals approve a Final Administrative Order granting a Special Exception to allow a sales lots for new or used motor vehicles,

recreational vehicles, travel trailers, motor homes, park trailers, mobile homes, boats or trailers, in the C-2 zoning district, subject to the following conditions:

1. Any construction for the proposed use shall commence within 36 months of the date of this special exception and thereafter continue in good faith, or the special exception shall be null and void;

2. If the proposed use ceases for a period of 6 continuous months or for 12 non-continuous months during any 24 month period, the special exception shall be null and void;

3. Any previously approved special exceptions will become null and void upon approval of the requested special exception;

4. All outdoor display areas shall be paved, and no item may be stored or displayed in required setback areas;

5. A layout plan for any outdoor storage or display is subject to review and approval by Planning and Fire/Rescue;

6. No public street, parking, sidewalk, or way shall be used for the storage or parking of automotive vehicles, boats, trailers, equipment and the like in connection with the activities of such establishments.

7. No operation shall be conducted in any manner which impedes the safe and free flow of vehicular traffic on public ways.

8. Vehicles not in running order and incapable of being moved under their own power at any time, shall be kept in completely enclosed buildings while under repair or storage.

9. All repair activities shall be conducted in completely enclosed buildings provided for that purpose; provided windows and doors of such structure may be kept open during times that actual repair activities are being carried on

10. The premises shall be maintained at all times.

11. No business operations or activities of any type may be allowed to commence until site plan approvals have been secured, including all required site development permits.

IN THE BOARD OF ADJUSTMENTS AND APPEALS IN AND FOR OKEECHOBEE COUNTY, FLORIDA

PETITION NUMBER: S-2609-0075

IN RE

REQUEST FOR SPECIAL EXCEPTION OF NEW LAND FL LLC (APPLICANT)

FINAL ADMINISTRATIVE ORDER

THIS CAUSE having come to be heard upon the Petition **NEW LAND FL LLC,** property owner and applicant, requesting a Special Exception from THE BOARD OF ADJUSTMENTS AND APPEALS OF OKEECHOBEE COUNTY **authorizing the development of a sales lot for new & used motor vehicles (Site will include an onsite office and warehouse building)**, under Section 11.04 of the Code of Ordinances of Okeechobee County, Florida, Part II, and the BOARD having convened a duly noticed public hearing on October 27, 2026, to hear the petition, and the BOARD having received the application for the proposed use, having received evidence submitted by the applicants, having heard argument and having received evidence by all interested persons appearing and wishing to be heard, having reviewed the staff report and recommendation and being otherwise fully advised in the premises, and pursuant to Sections 11.04.00 and 13.04.00(D) of the Okeechobee County Land Development Regulations, the BOARD OF ADJUSTMENTS AND APPEALS hereby makes the following findings:

1. The subject property is zoned Heavy Commercial (C-2).
2. The subject property is in the Commercial Corridor Mixed Use future land use classification of the adopted Okeechobee County Comprehensive Plan.
3. The applicant submitted an application requesting a special exception to allow for **a sales lot for new & used motor vehicles (Site will include an onsite office and warehouse building)**, in a Heavy Commercial (C-2) zoning district.
4. Ordinance 92-20, Section 11.04.02(I)(9) provides for a special exception for such use.
5. The application addressed standards for the granting of special exceptions pursuant to Section 11.04.03 of the land development regulations, subject to the below cited conditions.
6. The requested use is consistent with the adopted Okeechobee County Comprehensive Plan, subject to the below cited conditions.
7. The requested use is consistent with the Okeechobee County Land Development Regulations, subject to the below cited conditions.

Accordingly, it is ORDERED AND ADJUDGED by a majority of a quorum of the BOARD then present and voting, that a Special Exception is hereby granted to the property of **NEW LAND FL LLC,** owner and applicant, that property being described as follows:

Lot 3, Amber Acres, according to the map or plat thereof, as recorded in Plat 7, Page(s) 90, Of the Public Records of County, Florida.

Parcel Identification Number: 1-03-31-35-0010-00000-0030

That Special Exception being to allow a sales lot for new & used motor vehicles (Site will include an onsite office and warehouse building) in the Heavy Commercial (C-2) zoning district, subject to the following conditions:

1. Any construction for the proposed use shall commence within 36 months of the date of this special exception and thereafter continue in good faith, or the special exception shall be null and void;

2. If the proposed use ceases for a period of 6 continuous months or for 12 non-continuous months during any 24 month period, the special exception shall be null and void;

3. Any previously approved special exceptions will become null and void upon approval of the requested special exception;

4. All outdoor display areas shall be paved, and no item may be stored or displayed in required setback areas;

5. A layout plan for any outdoor storage or display is subject to review and approval by Planning and Fire/Rescue;

6. No public street, parking, sidewalk, or way shall be used for the storage or parking of automotive vehicles, boats, trailers, equipment and the like in connection with the activities of such establishments.

7. No operation shall be conducted in any manner which impedes the safe and free flow of vehicular traffic on public ways.

8. Vehicles not in running order and incapable of being moved under their own power at any time, shall be kept in completely enclosed buildings while under repair or storage.

9. All repair activities shall be conducted in completely enclosed buildings provided for that purpose; provided windows and doors of such structure may be kept open during times

that actual repair activities are being carried on

10. The premises shall be maintained at all times.

11. No business operations or activities of any type may be allowed to commence until site plan approvals have been secured, including all required site development permits.

DONE AND ORDERED this 27th day of October, 2026.

_____ _____

Joey Hoover, Chairman **Date**
Board of Adjustments and Appeals
Okeechobee County, Florida

Okeechobee County Community Development Dept. 1700 NW 9th Avenue, Suite A Okeechobee, FL 34972 Phone (863) 763-5548 planning@okeechobeecountyfl.gov	Date:	Petition No.
	Fee Paid:	Petition No.
	1st Hearing:	2nd Hearing:
	Publication Dates:	
	Notices Mailed:	Jurisdiction: Unincorporated County

Uniform Land Use Application

Rezone • Special Exception • Variance • Small Scale CPA

✓	OWNER	
✓		Name of property owner(s): NEW LAND FL LLC c/o Yevgeniy TEREKHIN
		Name of applicant(s) if other than owner:
		Relationship to owner:

✓	PROPERTY	
✓		Property address / directions to property: 4340 Hwy 441 North, Okeechobee, FL 34972
		Indicate current use of property: Open storage (4900)
		Describe improvements on property, including number/type of dwellings and whether occupied (if none, so state): None. No dwellings
		Approximate number of acres: 2.806 Is property in a platted subdivision? No
		Is there a current or recent use of the property that is/was a violation of county ordinance? If so, describe: No
		Have there been any land use applications concerning all or part of this property in the last year? If so, indicate date, nature and applicant's name: No
		Is a sale subject to this application being granted? No
		Is the subject parcel your total holdings at that location? If not, describe the remaining or intended uses: Yes
		Describe adjoining land uses / improvements to the North: Vehicle Sale/Repair (2700)
		South: Vacant East: Vacant West: Imp. Pasture (6180)
		Existing zoning: C-2 Heavy Commercial Future Land Use classification:
		Actions Requested: (___) Zoning Change (✓) Special Exception (___) Variance (___) SSCPA
		Parcel Identification Numbers: 1-03-37-35-0010-00000-0030

✓	**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 Okeechobee County 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 application.

Signature	Yevgeniy TEREKHIN Printed Name	Date

REZONE

Current zoning classification:	Requested zoning classification:
What is your desired permitted use under the proposed class:	
If granted, will the new zone be contiguous with a like zone?	
Is a Special Exception necessary for your intended use?	Variance?

SP EXCEPTION

Describe the Special Exception sought: Sales Lot for new or used motor vehicles with office and warehouse
Provide specific LDR ordinance citation: Part II, Article XI, Section 11.04.02 (1)(9), Item 8 applies
Are there other similar uses in the area? If so, describe: There is only 1 other car sales lot nearby
Why would granting your request be in the best interest of the area and residents? This use will provide options for residents for vehicle purchases
If business, briefly describe nature including number of employees, hours, noise generation and activities to be conducted outside of a building:

VARIANCE

Describe Variance sought:
Describe physical characteristic of property that makes variance necessary:
Did you cause or contribute to the characteristic? If so, describe:
What is the minimum variance necessary?

SSCPA

Current future land use classification:
Requested future land use classification:
What is your desired use with this new classification?

5. Description of the proposed land use change and reasons for the request

Currently, I am the owner of the subject property, which is zoned **C-2 Heavy Commercial**. The property is vacant and contains no existing improvements or dwellings.

I propose to develop the property as a **sales lot for new and used motor vehicles**, together with an approximately **6,000-square-foot office and warehouse building containing three fully enclosed vehicle bays**, as shown on the revised conceptual site plan.

The office will support vehicle sales and administrative functions. The warehouse and enclosed bays will be used only in support of the dealership for the storage of dealership-owned inventory, parts, equipment, and supplies, and for limited inspection, detailing, maintenance, and repair necessary to prepare or maintain vehicles offered for sale. The warehouse will not offer public repair or service work to the general public.

The requested use is permissible by special exception in the C-2 Heavy Commercial district under **Section 11.04.02(I)(9)**, which authorizes sales lots for new or used motor vehicles. Because limited repair activities may be conducted in connection with the sales lot, the proposed operation will also comply with **Section 11.04.02(I)(8)** and its applicable conditions.

All maintenance and repair activities will be conducted entirely within the enclosed building. Vehicles that are not in running order or capable of being moved under their own power will be kept inside while under repair or storage. No public street, sidewalk, parking area, or right-of-way will be used for vehicle storage or business operations, and on-site activities will not impede the safe and free flow of traffic.

The proposed development will place a currently vacant parcel into productive commercial use, provide additional local vehicle-sales options, create employment and tax-base benefits, and establish a controlled, professionally operated commercial use compatible with the C-2 district and nearby highway-oriented commercial properties.

Conceptual Site Plan

Standards For Granting Special Exceptions (Ordinance 92-20, Section 11.04.03)

A. Ingress and egress to the property and the proposed structures thereof, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;

The parcel is currently vacant and does not have a constructed driveway. A direct driveway connection to U.S. Highway 441 North is proposed and will be designed and permitted in coordination with FDOT and Okeechobee County, as applicable. The site will provide safe access and internal circulation for customers, employees, vehicle deliveries, and emergency vehicles. Inventory display, loading, and internal maintenance activities will remain on-site and will not impede traffic on any public way. Any traffic analysis required by the reviewing agencies will be provided during site-plan review. The lot will not have a significant impact of 2% or more on the current traffic flow conditions for the adjoining or nearby road segments.

B. Off-Street parking and loading areas where required, including consideration of relevant factors in (A) preceding, and the economic, noise, glare, or odor effects of the locations of such off-street parking and loading areas on adjacent and nearby properties and loading areas on adjacent and nearby properties and properties generally in the district;

The site plan will provide code-compliant customer and employee parking, designated areas for display and storage of sale inventory, and an on-site area for vehicle loading and unloading. These areas will be separate from the three enclosed bays and arranged to maintain clear drive aisles and emergency access. No public street, sidewalk, parking area, or right-of-way will be used for business-related vehicle storage or parking. Limited internal maintenance will occur inside the building, minimizing noise, glare, and odor effects on nearby properties.

C. Refuse and service areas, including consideration of relevant factors in (A) and (B) preceding;

A screened refuse and service area will be provided in a location accessible to collection and service vehicles without interfering with customer or emergency circulation.

D. Utilities, including such considerations as hook-in locations and availability and compatibility of utilities for the proposed use;

The lot is vacant and is not currently served by utilities. Electric distribution lines run along U.S. Highway 441 North, and electric service is available to the parcel. Water, wastewater, drainage, fire protection, and other utility needs for the office/warehouse and enclosed bays will be designed and permitted during site development. Nearby properties have electric, sewer and water service.

E. Screening and buffering, including considerations of such relevant factors as type, dimensions, and character to preserve and improve compatibility and harmony of use and structure between the proposed special exception and the uses and structures of adjacent and nearby properties and properties generally in the district;

All required setbacks, landscaping, screening, and buffers will be shown on the site plan. A minimum 25-foot buffer will be maintained from the conservation easement on the eastern portion of the parcel, and landscaping will be provided along the southern/rear portion of the property and around parking, inventory, refuse, and service areas.

Vehicle inventory will be kept in orderly designated areas, and all maintenance or repair activity will occur within the enclosed building. These measures will maintain compatibility with nearby properties and other commercial uses in the district.

F. Signs, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety, and economic effects of same on properties in the district and compatibility and harmony with other properties in the district;

No sign is proposed as part of this application at this time. Any future business or directional sign will comply with County requirements and preserve sight distance. Exterior lighting will be limited to that required for the building, parking, security, and sales-lot operations. Fixtures will be shielded and directed downward to avoid glare, traffic-safety impacts, or spillover onto adjoining properties.

G. Required yards and open spaces;

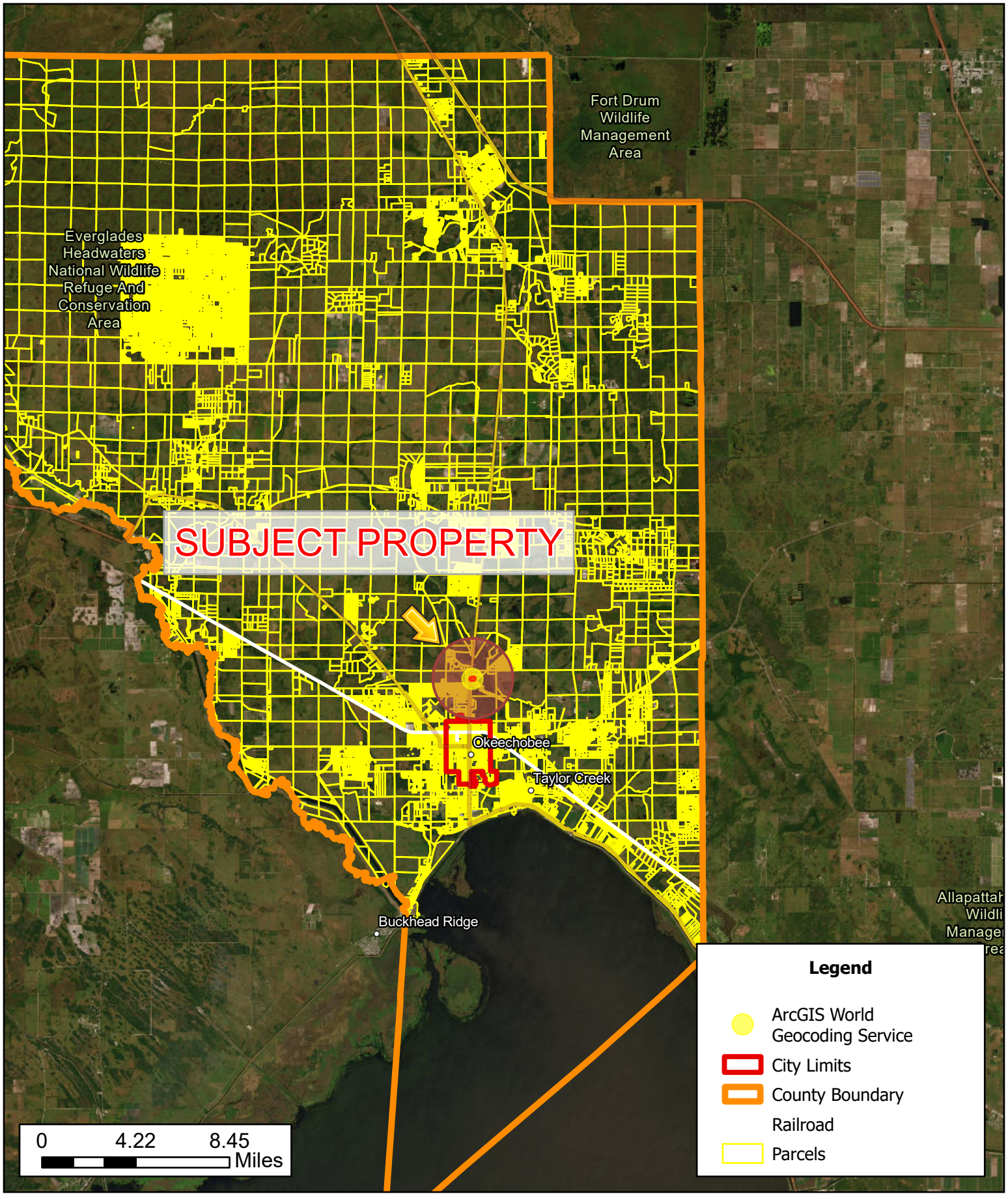
Required yards, open spaces, setbacks, landscaping, drainage, and conservation-easement limits will be shown on the site plan and confirmed during final engineering review. No display vehicle, parking space, structure, or service activity will encroach into required setbacks or protected areas.

H. Height of structure where related to uses and structures on adjacent and nearby properties and properties generally in the district;

The proposed one-story office/warehouse building is anticipated to be approximately 25 feet in height. The building height and scale will be similar to nearby commercial structures and will comply with the applicable C-2 requirements.

I. Economic effect on adjacent and nearby properties and properties generally in the district of the grant of the special exception.

Approval will allow a vacant C-2 parcel to be developed as a professionally operated new and used motor vehicle sales business, providing local employment, additional vehicle sales options, and tax-base benefits. The accessory warehouse and enclosed bays will support only dealership inventory; no public storage or repair services will be offered. Keeping all inventory, parking, loading, and internal maintenance on-site will minimize potential economic and operational impacts on adjoining properties.

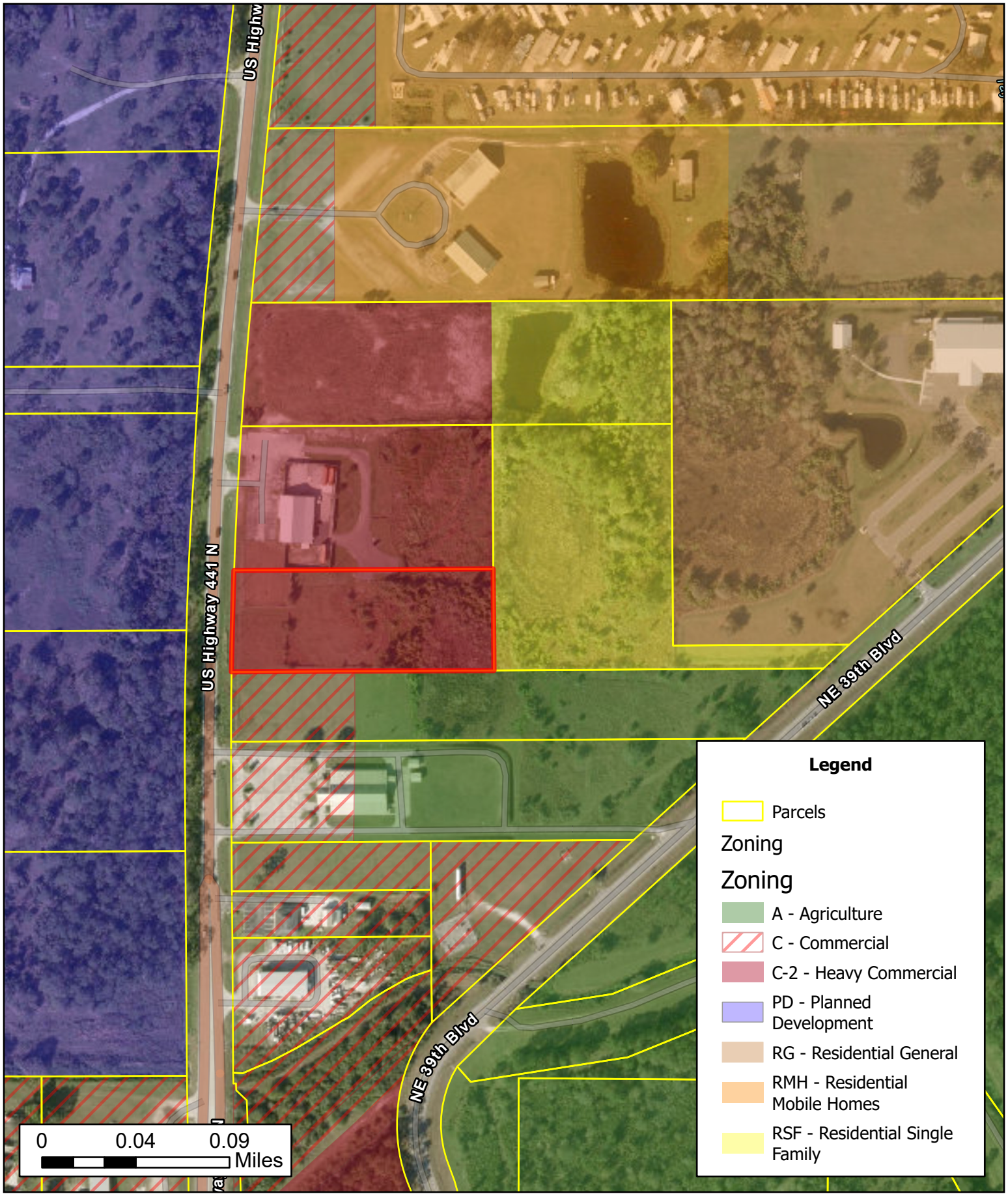


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SOURCES: OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE
OKEECHOBEE COUNTY COMMUNITY DEVELOPMENT DEPT

Okeechobee County Community Development Department
Location Map

PETITION #: S-2609-0075
APPLICANT: New Land FL, LLC
DATE: 10/27/202

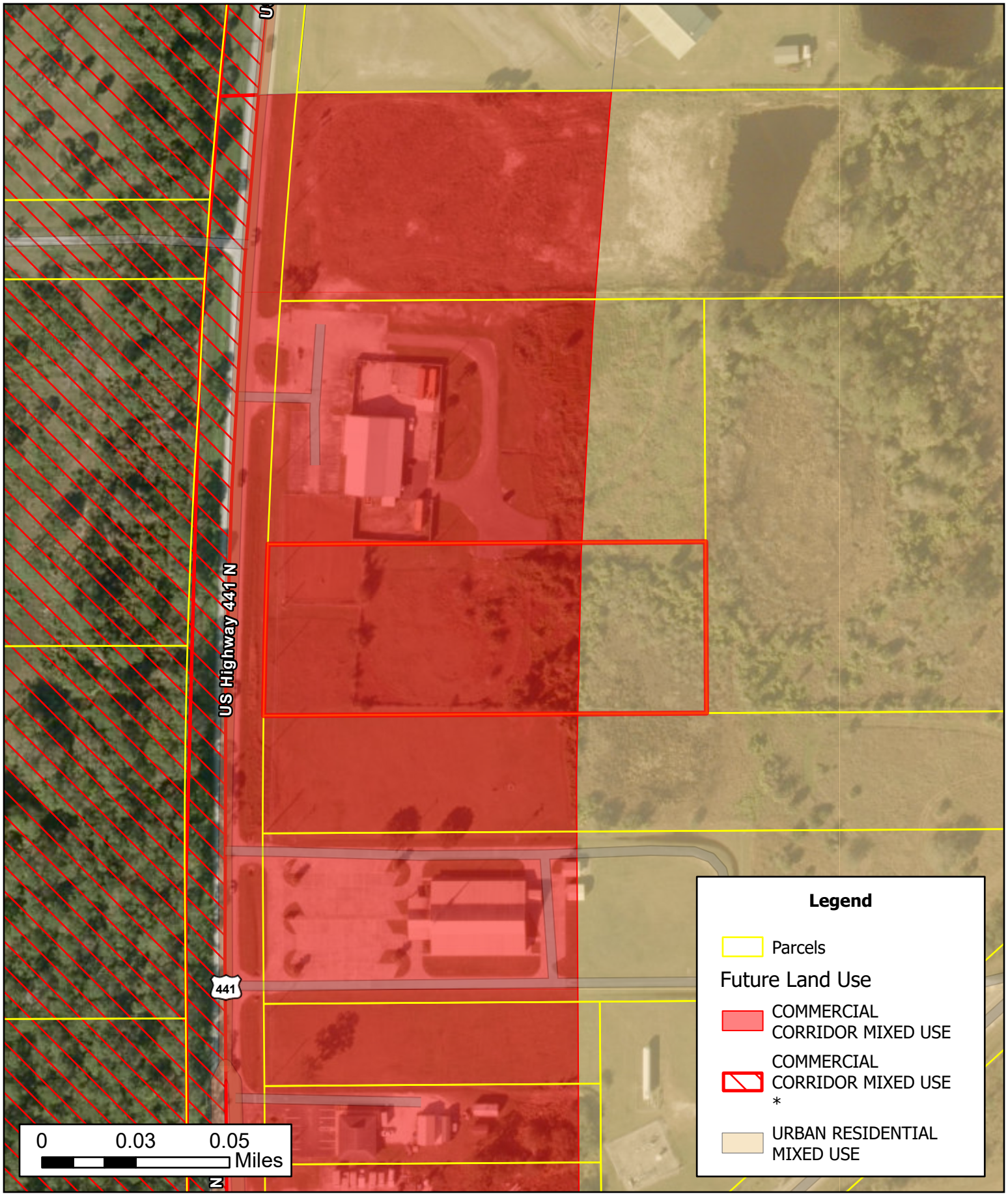


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SOURCES: OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE
OKEECHOBEE COUNTY COMMUNITY DEVELOPMENT DEPT

Okeechobee County Community Development Department
Zoning Map

PETITION #: S-2609-0075
APPLICANT: New Land FL, LLC
DATE: 10/27/202



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OKEECHOBEE COUNTY COMMUNITY DEVELOPMENT DEPT

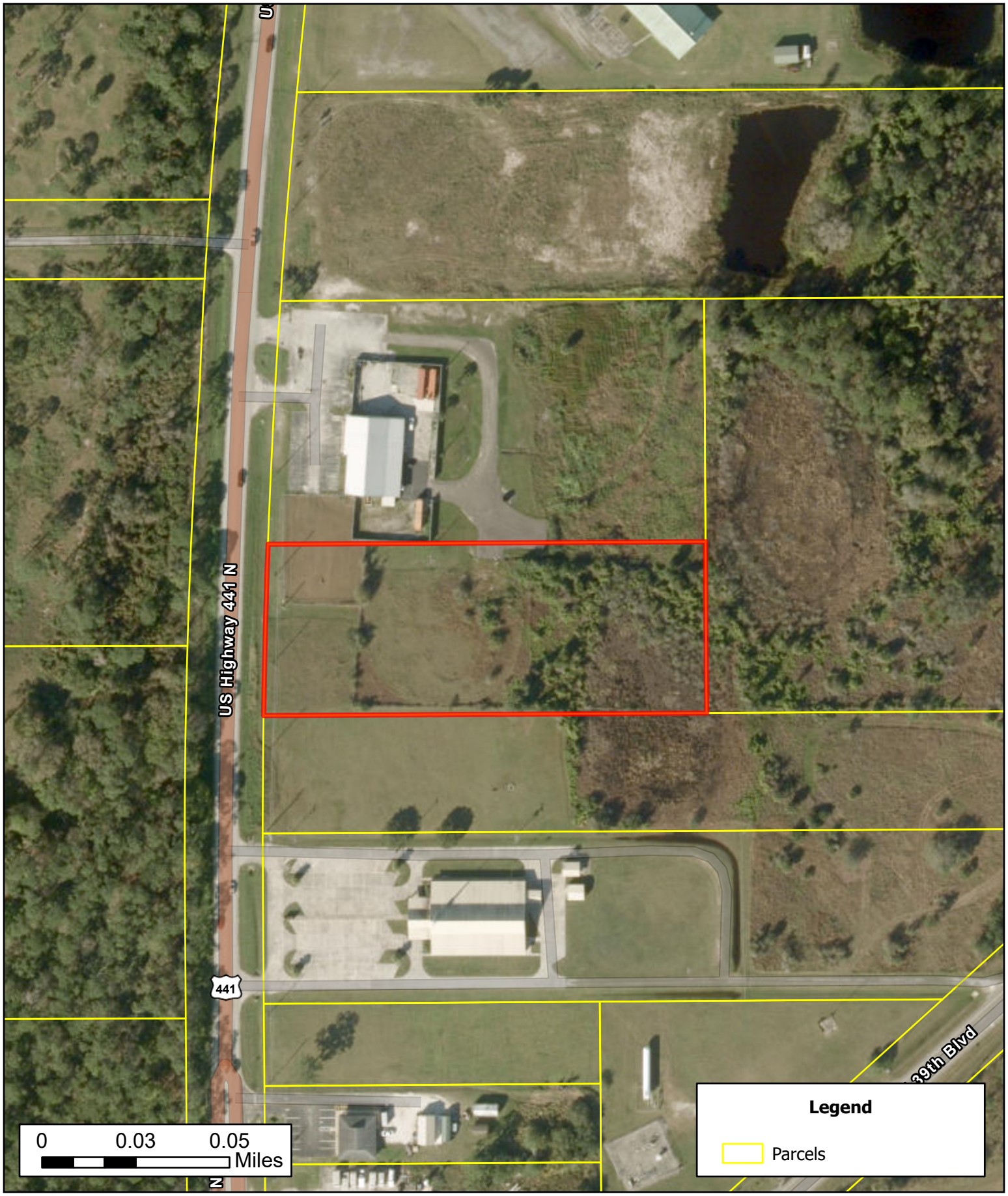
Okeechobee County Community Development Department

FLU Map

PETITION #: S-2609-0075

APPLICANT: New Land FL, LLC

DATE: 10/27/202



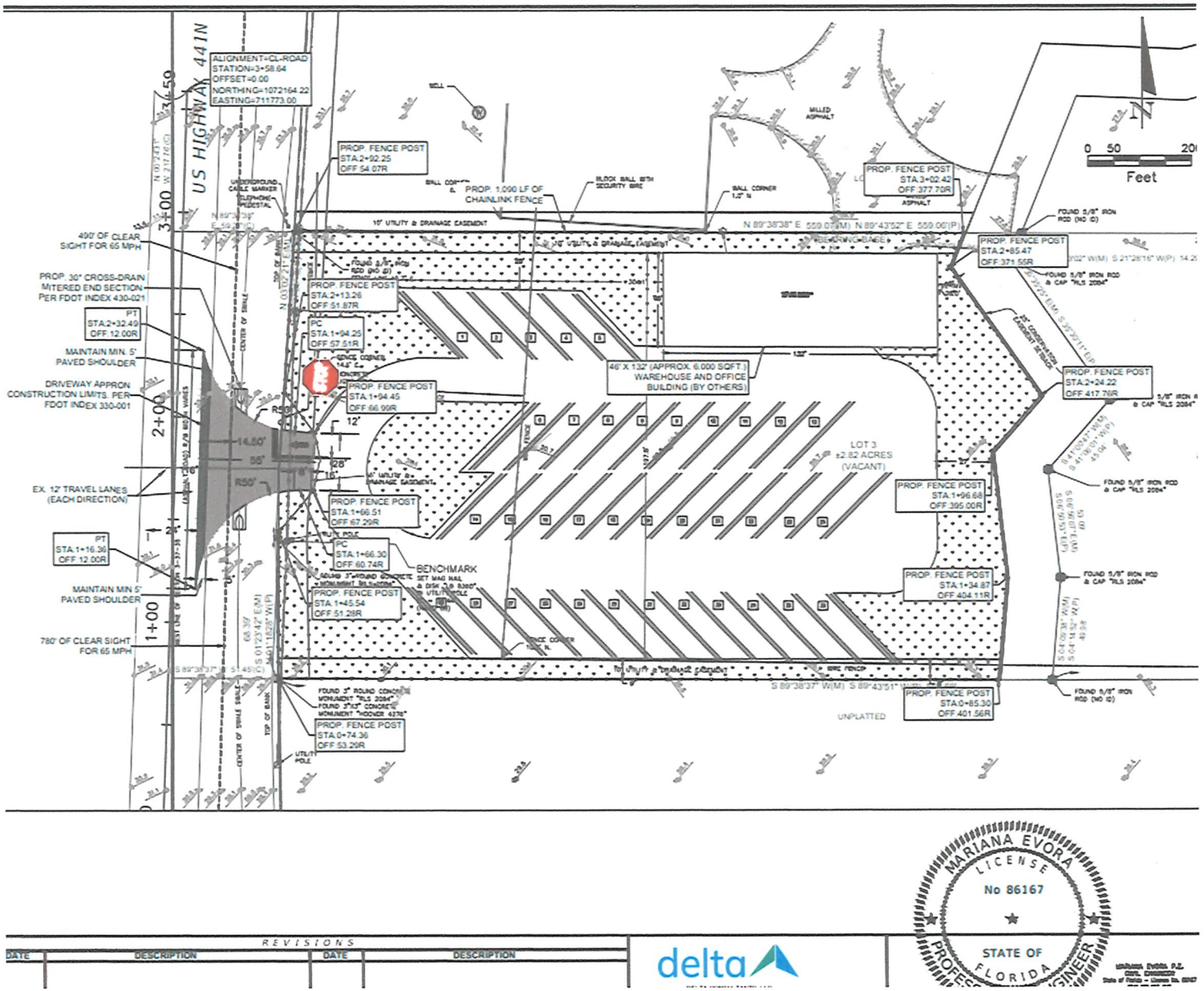
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SOURCES: OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE
OKEECHOBEE COUNTY COMMUNITY DEVELOPMENT DEPT

Okeechobee County Community Development Department
Aerial Map

PETITION #: S-2609-0075
APPLICANT: New Land FL, LLC
DATE: 10/27/202

Planned Site Sketch



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

delta

MARIANA EVORA
LICENSE
No 86167
STATE OF FLORIDA
PROFESSIONAL ENGINEER