

NOTICE OF PUBLIC HEARING  
HIGHLANDS COUNTY  
**ZONING BOARD OF ADJUSTMENT**  
DECEMBER 13, 2016, AT 3:00 P.M. OR  
AS SOON THEREAFTER AS POSSIBLE  
IN THE COUNTY COMMISSIONERS' BOARD ROOM  
HIGHLANDS COUNTY GOVERNMENT CENTER BUILDING  
600 SOUTH COMMERCE AVE., SEBRING, FLORIDA.

- 1) **CALL TO ORDER**
- 2) **ANNOUNCEMENT OF AUDIBLE BEEPERS AND CELLULAR PHONES**
- 3) **ROLL CALL**
- 4) **CONSIDERATION OF MINUTES FROM PREVIOUS MEETING**
- 5) **SWEARING IN OF WITNESSES**
- 6) **OLD BUSINESS:**
- 7) **NEW BUSINESS:**

**A. HEARING #1801 – CLAUDIA BEAVER**

An approximate 5.11-acre parcel located approximately 2.9 miles south of US 98 and 0.27 miles east of Cowhouse Road at the intersection of Wright Lane and White Oak Road; the address being 3224 White Oak Road, Lorida, FL; and abbreviated legal as follows: An approximate 5.11-acre parcel located in Section 33, Township 35 South, Range 31 East, Highlands County, Florida.

The applicant is requesting a special exception to allow a dog kennel not to exceed five years, with a maximum of 15 dogs at any one time.

**B. HEARING #1802 – DANIEL & JESSIE O'BERRY**

An approximate 5.06-acre parcel located approximately 5.57 miles west of US 27 on the north side of W Josephine Road; the address being 5618 W Josephine Rd, Sebring, FL; and abbreviated legal as follows: An approximate 5.06-acre parcel located in Section 3, Township 36 South, Range 28 East, Highlands County, Florida.

The applicant is requesting a special exception to allow a guesthouse.

- 8) **ANNOUNCEMENT OF NEXT MEETING – JANUARY 10, 2017**
- 9) **BOARD MEMBERS**
- 10) **DEVELOPMENT SERVICES DEPARTMENT**

**11) CITIZENS NOT ON THE AGENDA**

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THIS COMMITTEE/GROUP, IN PUBLIC HEARING OR MEETING IS HEREBY ADVISED THAT HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD WILL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH SUCH APPEAL IS TO BE BASED.

THE BOARD OF ADJUSTMENT AND THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, DO NOT DISCRIMINATE UPON THE BASIS OF ANY INDIVIDUAL'S DISABILITY STATUS. THIS NON-DISCRIMINATORY POLICY INVOLVES EVERY ASPECT OF THE BOARD'S FUNCTIONS, INCLUDING ONE'S ACCESS TO, PARTICIPATION, EMPLOYMENT OR TREATMENT IN ITS PROGRAMS OR ACTIVITIES. ANYONE REQUIRING REASONABLE ACCOMMODATION AS PROVIDED FOR IN THE AMERICANS WITH DISABILITIES ACT OR SECTION 286.26 FLORIDA STATUTES SHOULD CONTACT MS. AMANDA TYNER, ADA COORDINATOR AT: 863-402-6509 (VOICE), VIA FLORIDA RELAY SERVICE 711, OR BY E-MAIL: [ATYNER@HCBCC.ORG](mailto:ATYNER@HCBCC.ORG). REQUESTS FOR CART OR INTERPRETER SERVICES SHOULD BE MADE AT LEAST 24 HOURS IN ADVANCE TO PERMIT COORDINATION OF THE SERVICE.

**ALL INTERESTED PERSONS ARE INVITED TO ATTEND.**

**ONE OR MORE COUNTY COMMISSIONERS MAY BE PRESENT AT THE MEETING.**

**HIGHLANDS COUNTY  
ZONING BOARD OF ADJUSTMENT MINUTES**

The regular meeting of the Highlands County Zoning Board of Adjustment was called to order at 3:00 p.m., Tuesday, November 8, 2016, in the Commissioners' Board Room located in the Highlands County Government Center Building, 600 South Commerce Ave., Sebring, Florida.

Members present were: Mr. Howard, Mrs. Mack, Mr. Osborn, Mr. Roberts, Mr. Travers, Mr. Carter, and Mr. Ingler, Chairman. Alternate/Non-Voting Members present were: None. Also present were: Mrs. Sawdy, Zoning Clerk; Mrs. Cable, Planning Technician; Mrs. Culpepper, Planner I; Mrs. Brown, Planner I; Mrs. BuChans, Planning Supervisor; Ms. Conrad, Zoning Supervisor; and Mr. Roberts, Assistant County Attorney.

Minutes of the previous meeting were unanimously approved. **Motion carried 7-0.**

**6) OLD BUSINESS:**

**A. HEARING #1799 – FITZPATRICK / WALKER – C/O BERT J HARRIS**

An approximate .50-acre parcel located approximately 0.14 miles south of US 98 and 0.13 miles east of Afton Drive on the west side of Hickory Ridge Drive; the address being 207 Hickory Ridge Dr., Sebring, FL; and legally described as follows: Lot 63, Hickory Ridge Subdivision, Unit 1, according to the plat thereof as recorded in Plat Book 14, Page 63 of the Public Records of Highlands County, Florida.

The applicant is requesting a variance to allow an 8.8 foot front yard setback instead of the required 25 feet for an existing carport and a 3.9, 6.5, and 6.6 foot side yard setback instead of the required 7.5 feet for two (2) existing sheds. Ms. Conrad advised the Board that staff was requesting to table this hearing to the following month to discuss this variance further with the applicant.

Motion by Mr. Travers and seconded by Mr. Osborn to table this hearing for December 13, 2016 at 3:00 p.m. or as soon thereafter as possible to be held in the Commissioners' Board Room located in the Highlands County Government Center Building, 600 South Commerce Ave., Sebring, Florida.

Upon roll call, all members voted yes. **Motion carried 7-0.**

**7) NEW BUSINESS:**

**A. HEARING #1800 - NORMA R. JONES – C/O RICK WHIDDEN**

An approximate 0.219-acre parcel located approximately 0.34 miles east of US 27 and 0.06 miles southwest of Valerie Drive at the intersection of Red Avenue and Marlin Drive; the address being 3133 Marlin Dr., Sebring, FL; and legally described as follows: Lot 457, of Sebring Ridge, Section E, according to the plat thereof as recorded in Plat Book 8, Page 53 of the Public Records of Highlands County, Florida.

The applicant is requesting a variance for a 20.3 foot front yard setback and a 15.7 and 19.3 foot rear yard setback instead of the required 25 feet for a proposed addition; a 24.5 foot rear

yard setback instead of the required 25 feet for an existing home; and a 23.2 foot rear yard setback instead of the required 25 feet and a 6.7 foot side yard setback instead of the required 7.5 feet for an existing shed. Mr. Ingler read the request, and Mr. Whidden presented the request. There were no letters received and no one spoke in favor of or against the request. Motion by Mr. Carter and seconded by Mr. Travers to approve the request with the following condition:

1. Add the Zoning Variance application as Exhibit B to the Order Form Granting Zoning Variance.

Upon roll call, all members voted yes. **Motion carried 7-0.**

**8) ANNOUNCEMENT OF NEXT MEETING**

The next meeting shall be held on December 13, 2016 at 3:00 p.m. or as soon thereafter as possible in the Commissioners' Board Room located in the Highlands County Government Center Building, 600 South Commerce Ave., Sebring, Florida.

There being no further business, the meeting adjourned at 3:23 p.m.

Respectfully submitted by,

Jo Anne Sawdy  
Zoning Clerk

Highlands County, Florida  
Special Exception Application

\*\*\*\*\*  
SECTION I. THIS SECTION FOR STAFF USE ONLY! Date Received: 10/13/2016  
AMOUNT OF FEE: 975.00 RECEIPT No.: 16100006 TAX MAP #: 216-C  
CASE #: B.O.A. # 1801 HEARING DATE: B.O.A. 12/13/16 DATE ADOPTED: \*\*\*\*\*

SECTION II. PLEASE PRINT OR WRITE CLEARLY ALL APPLICABLE INFORMATION. This application and all required supplemental information must be properly completed according to the instructions. All information and exhibits submitted in connection with this application will become a permanent part of the public records of Highlands County. Please submit the application to the Zoning Department to be checked for completeness by staff before the applicable deadline. The Department accepts no responsibility for the completeness and accuracy of the application and will not advertise the application for public hearing until all required information is deemed to be accurate and complete. It is recommended that the applicant, agent, or representatives be present at the public hearing.

Special Exception requested before the Board of Adjustment: To allow a temporary dog kennel

\*\*\*\*\*  
This application has been reviewed for completeness and determined sufficient:  
Signed: Zoning Supervisor [Signature] Date: 10/27/16

Special Exception is sought pursuant to Section 12.03.205 (c) of the Code of Ordinances under Section 12.05. 200 (E.5) of the Code.

\*\*\*\*\*  
1. Name of Property Owner: (Application must be signed by the property owner. If more than one, all the owners must sign the Owners Affidavit (attached), which must accompany the application):  
Print Name: Claudia D. Beaver  
Mailing Address: 3224 White Oak Road  
Lorida, FL 33857  
Telephone No. ( 863 ) 414-2326 E-Mail Address: claudia.beaver225@gmail.com

2. Name of Agent: (Complete the Agent's Affidavit (attached) from property owner, which must accompany application, giving agent authority to represent this application.)  
Print Name: N/A  
Mailing Address:  
Telephone No. ( ) E-Mail Address:

3. Legal Description and Strap of Property Covered by Application: (If subdivided: lot, block, complete name of subdivision, plat book, page number, section, township, and range. If metes and bounds description: complete description, including section, township, and range.) See Attached Exhibit A

STRAP #: C - 33 - 35 - 31 - A00 - 0041 - 0000

4. Street Address of Property Covered by Application: 3224 White Oak Road

5. Name of project, subdivision, or overall project, if part of a larger project, if applicable: N/A

\*\*\*\*\*  
SECTION III: INFORMATION ABOUT EXISTING USE

6. Existing Zoning District: AU Existing Land Use Classification: AG  
Are the Zoning and Comprehensive Plan Consistent? [X] Consistent [ ] Not Consistent

7. Vesting: Is the property vested for specific property rights? [ ] Yes [X] No If Yes, list the Vesting Action or Order Number or the method used to grant vested rights (state binding letter, legal lot of record, etc.): \_\_\_\_\_

8. Is this hearing being requested as a result of a code violation notice? [X] Yes [ ] No If Yes, explain. CE16080051  
Operating dog rescue/kennel

9. Has a public hearing been held on this property within the last 12 months? [ ] Yes [X] No If Yes, in whose name and when? \_\_\_\_\_

10. Current Use of Property (Number of existing dwelling units, type of commercial or industrial, etc): \_\_\_\_\_  
Private residence and Ag cattle grazing

11. Existing Size of Property: Size of Property (width) 560.95 feet, (depth) 418.55 feet, street frontage 263.97+ feet, water frontage N/A feet, Total acres 5.11  
 If different from the total acreage, the upland, or developable portion is N/A +/- acres.

12. Are there existing structures on the property? [X] Yes [ ] No If Yes, what type (CBS, Frame, Stucco, Other Multiple Units, Number of Dwellings per Building)? Double-wide mobile home with porch and carport

13. Uses on Adjacent Property: Also indicate whether the adjacent property is within another jurisdiction and indicate that jurisdiction's FLUM and/or Zoning designations.

	Existing Uses	FLUM Designations	Zoning Districts
North	AG/Cattle SFR	AG	AU
South	AG / SFR	<del>E-1</del> AG	R-1/AU OK
East	SFR/Business AG SFR	AG	AU
West	Aa / SFR	AG	AU

\*\*\*\*\*

**SECTION IV: INFORMATION ABOUT PROPOSED USE**

14. Proposed Use (Uses desired which are not permitted by present zoning district or Land Use FLUM designation): Temporary operation of dog rescue and kennels (portable). House a total of not more than 15 rescue dogs for a period not longer than 5 years. (Barking Out Loud Rescue, Inc - Exhibit B)

15. Proposed number of Dwelling Units or the number of square feet of commercial space (if applicable): \_\_\_\_\_  
None

16. Proposed Development Standards (if applicable):  
 a. Existing parcel size: N/A. Proposed Parcel Size (if increasing area): N/A  
 b. Existing Floor Area Ration (FAR) = gross floor area of existing building: N/A divided by Parcel size = FAR N/A %  
 c. Proposed Floor Area Ration (FAR): N/A %.

17. Time Limit: When will the special exception being applied for be initiated and/or completed? Requesting a time limit of 5 years

\*\*\*\*\*

**SECTION V: BURDEN OF PROOF INFORMATION:**

**8. Burden of Proof:** The burden of proof and persuasion remains at all times on the applicant. This burden of proof and persuasion includes providing information requested in questions # 22 A through # 22F. The application for a special exception shall state fully the grounds on which it is requested and show compliance with the following standards:

- A. Please provide information, if possible, that the development will comply with all requirements of this chapter and Florida law (Use additional sheet, if required). Will comply with all ordinances. Will erect a 6' privacy fence in back yard, provide anti-barking boxes in front and back of property, and provide noise barrier curtains on front of outside kennels
- B. Please provide information, if possible, that the development, if completed as proposed, will probably not materially endanger the public health or safety (Use additional sheet, if required). The 5 outside kennels will be locked at all times. All dogs are fully vetted and up-to-date on vaccinations. Dogs are leash walked or allowed outside in secured back yard. All waste will be picked up and disposed of.
- C. Please provide information, if possible, that the development, if completed as proposed, will probably not substantially injure the value of adjoining or abutting property (Use additional sheet, if required). The proposed use of the property for kennels is temporary. No structures will be constructed. All kennels are portable.
- D. Please provide information, if possible, that the development, if completed as proposed, will probably be in harmony with the area in which it is to be located (Use additional sheet, if required). Property is currently Ag. We have cattle and a horse on property. The rescue dogs will be housed in portable kennels. All traffic on property is kept to a minimum. We take the dogs to adoption events and to meet prospective adopters.
- E. Please provide information, if possible, that the development, if completed as proposed, will comply with all requirements of the adopted Highlands County Land Development Regulations (Use additional sheet, if required). We will comply with all adopted Highlands County Land Development Regulations.
- F. Please provide information, if possible, that the development, if completed as proposed, will comply with the adopted Highlands County Comprehensive Plan or other plan officially adopted by the Board of County Commissioners (Use additional sheet, if required). We will comply with the Highlands County Comprehensive Plan or other plans adopted by the Board of County Commissioners.

**19. Are there any appropriate conditions and safeguards,** in conformity with this chapter, that can be applied and should be mandated as a condition for the approval of this special exception? (Use separate additional sheet, if required)

A limit of 5 rescue dogs will be housed in portable kennels on the front porch and carport. Kennels will be locked at all times. A limit of 10 rescue dogs will be housed inside the residence in portable kennels/crates. A privacy fence will be installed in the back yard. Anti barking boxes will be installed on the property. Waste will be picked up and disposed of.

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**SECTION VI: MAPS, OWNERS OR AGENTS AFFIDAVIT AND LIST OF PROPERTY OWNERS**

**20. Map Properties Within 500 Feet:** Using a map that shall be secured from the County Property Appraiser's Office, delineate the boundary of the proposed development site and its location on the map. Include each parcel of land within **500 feet** of the property covered in the application.

**21. Owners or Agents Affidavit:** An Owner's and/or Agent's Affidavit must be completed and submitted as part of all applications.

**22. List of Property Owners:** List of all current property owners within **500 feet radius** of property covered in the application, including name, mailing and site addresses of their properties. If in areas zoned Agriculture, minimum of 6 names required adjacent or in the vicinity of the special exception requested. (Attach separate sheet to this application.)

\*\*\*\*\*

**Exhibit "A"**

A portion of Government Lots 5 and 6 lying entirely in Section 33, Township 35 South, Range 31 East, Highlands County, Florida, and being more particularly described as follows: Commence at the Government Angle Point 15 on the 1914 Government Meander line of Lake Istokpoga; thence run North 30°20'33" West and along said Meander line a distance of 262.91 feet to Angle Point 14; thence North 89°51'58" West and still along said line a distance of 182.96 feet for Point of Beginning; thence continue North 89°51'58" West and still along said line a distance of 154.19 feet to Angle Point 13; thence South 47°38'33" West and still along said Meander line a distance of 152.92 feet to Angle Point 12; thence North 80°45'57" West and still along said line a distance of 264.29 feet; thence North 4°27'54" East, a distance of 419.06 feet; thence North 90°00'00" East a distance of 560.68 feet; thence South 00°00'00" East a distance of 357.53 feet to Point of Beginning.

Subject to the East 25 feet thereof for Road Easement per O.R. Book 1417, Page 1873.

Subject to a 50 foot Road Easement being more particularly described as follows: A portion of Government Lot 5 lying entirely in Section 33, Township 35 South, Range 31 East, Highlands County, Florida and being more particularly described as follows: Commence at Government Angle Point 15 on the 1914 Government Meander line, thence run North 30°20'33" West and along said Meander line a distance of 262.91 feet to Angle Point 14; thence North 89°51'58" West and still along said Meander line a distance of 182.96 feet for Point of Beginning; thence continue North 89°51'58" West and still along said line a distance of 154.19 feet to Angle Point 13; thence South 47°38'33" West and still along said Meander line a distance of 152.92 feet to Angle Point 12; thence North 80°45'57" West and still along said Meander line a distance of 63.81 feet; thence North 47°38'33" East a distance of 212.00 feet; thence South 89°51'58" East a distance of 77.10 feet; thence South 00°00'00" East a distance of 50.00 feet to Point of Beginning.



Exhibit C B

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAY 24 2016**

BARKING OUT LOUD RESCUE INC  
3224 WHITE OAK ROAD  
LORIDA, FL 33857-0000

Employer Identification Number:  
81-2631759  
DLN:  
26053541001676  
Contact Person:  
CUSTOMER SERVICE ID# 31954  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
170(b)(1)(A)(vi)  
Form 990/990-EZ/990-N Required:  
Yes  
Effective Date of Exemption:  
May 13, 2016  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Hearing # 1801

To Highlands County Zoning Dept.

Chairmen: Rick Ingler

My Name is Larry Vinson and my residence is at  
3317 White Oaks Road  
Lorida Fl. 33857

I also own the 50 acre parcel across the street from my Lake House and across from Mrs. Beavers property.

I would like to thank you for taking the time and effort to help my community resolve this issue. I bought my home 2 years ago and what attracted me to this area was how Peaceful and Quiet this area was. Our house is on a canal that goes to Lake Istokpoga. There are only 8 homes on our canal with no empty lots for future development. I really did buy this home with the Peace and quite this area offered.

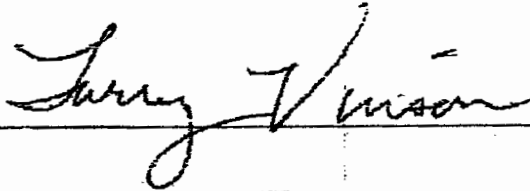
Our issue at hand is our neighbor Claudia Beaver has started a Dog Kennel business without the Proper Property Zoning and without any input from surrounding neighbors. I have added a copy of information obtained online under the Company name of Barking Out Loud Rescue Inc. at 3224 White Oak Road Fl. 33857.

As you can see by the info presented by Mrs. Beaver she plans on constructing open air kennels to be placed all around her property facing all of the neighbors homes. She has been running this illegal business from her home since the inception of this company being incorporated April 13<sup>th</sup> 2016. It Has been anything but pleasant for surrounding neighbors. These Dogs are never quiet and constantly Barking and when one Barks they all Bark. I can walk out of my House at 5 am and these dogs will bark and bark. In her information she claims this Dog Kennel will be placed in a quite country setting. Since she has began her illegal Dog Kennel our neighborhood has been made miserable by her dogs and the noise that they constantly make therefore ruining our Quiet Country Setting.

While the Dog saving Business is a noble one and I am sure we would all agree Dogs deserve a Good Home. The reality is that this is a business designed to make Money from Collecting and Selling Dogs. I Do Not want this Business as a neighbor being only 2 homes from mine. I know Property values will be adversely affected if she is allowed to have this business, nobody wants to live next to a Dog Kennel Muchless an Outdoor Dog Kennel.

Again Thank you for your time and effort on this Matter.

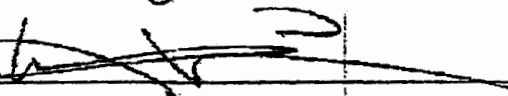
Signed:



Date:

11/24/16

Signed:



Date:

11/24/16

**Barking Out Loud Rescue, Inc Please honor pledges via PayPal account  
boudrescue3224@gmail.com or checks may be sent to Barking Out Loud Rescue, 3224 White Oak  
Ln. Lorida FL 33857 Thank You!**

**Barking Out Loud Rescue, Inc is a Florida Non Profit dog rescue located in Lorida, Florida. We  
are located on just over five acres in a quite country setting.**

**Our mission is to rescue the neglected, abused, and abandoned dogs within the state of  
Florida. To provide the dogs with medical care, training, a safe, loving and  
interactive environment while we help to locate a Forever Home for each of the dogs.**

**We are currently raising money to construct our initial dog kennels and building that will house  
twenty dogs, a sick ward, and storage for food, supplies, a small office and restroom facilities for  
our doggie caretakers. Our concept is very similar to the posted picture to provide safe housing  
for each dog, along with a private 15 foot run for each dog to exercise at will. Each individual  
kennel will include a fan and a mist system to help keep the dogs cool during the summer  
heat. We will have heavy vinyl curtains that we can drop over the front of each entrance to help  
keep the the dogs warm during the winter months. Each of the kennels will include a  
private doggie home.**

**Our ultimate and long range goals are to construct three separate kennel buildings within the  
next three years along with a separate sick ward that can house 10 dogs if required. In addition,  
we are also planning to construct a separate boarding facility for dogs within the next five years.**

**On the property we will construct a secure separate play area for the dogs with an agility  
course along with a small water park including a small doggie pool. We want to provide the dogs  
a high quality of life while they are with us.**

**Our goal is to begin construction on the first kennel building in August, 2016 and have the  
kennel complete and ready to house the first twenty dogs no later than November 1, 2016.**

**Our Mission is To Rescue Dogs, Our Dream is That One Day We Will Not Need To. Though we  
cannot save every dog we truly believe in our hearts that every dog deserves a second change.**

**We May Not Change The World, But For Each Dog We Save We Have Changed The World For  
That Dog For Ever.**

**Please contribute what you can, no amount is too small. Help us to help save these deserving  
dogs.**

**Thank you!**

**Barking Out Loud Rescue, Inc <http://barkingoutloudrescue.org>**

October 14, 2016

Mr. Richard Williamson  
3233 White Oak Road  
Lorida, FL 33857

Dear Mr. Williamson:

It has come to our attention that Claudia Beaver, who is your neighbor immediately across the street, has established "Barking Out Loud Rescue, Inc." and is planning to construct dog kennels to house rescued dogs on her property. This is tremendously troubling to us being that we are in the process of working with you to purchase your property. The fact that your property was in a quiet residential neighborhood on a channel on Istapoka Lake was one of the main factors that drew us to your property. While we love animals and applaud the efforts of animal rescue facilities, we do not support their placement in residential neighborhoods. Therefore, we need to re-evaluate our offer to purchase your property based upon the prospect of having barking dogs directly across the street.

We have done some research as to the requirements to establish such a facility in a residential neighborhood. It appears that a variance is required prior to the establishment of a facility such as the one that Ms. Beaver is establishing. I find no record that she has obtained such a variance, however, she has advertised her enterprise on Facebook and established a Go Fund Me page to assist her financially with this endeavor. Recently these pages were taken down from their respective sites, which we are assuming due to the lack of the variance (see attachments). While she states that she has five acres of land upon which to construct this facility, the placement is in a peacefully quiet neighborhood with open space to allow for the noise of barking dogs to carry and be aggravating not only for your property, but the neighbors around you.

If there is anything that we can do to assist in preventing this type of facility being built in the middle of the beautifully peaceful residential neighborhood, please let us know. We are sure that other property owners in your area, if they are aware, are just as concerned as we are regarding the prospect of the barking dog facility being approved to establish in your beautiful neighborhood. These types of facilities are usually found in locations such as business or industrial sites to prevent the aggravation to people at their homes where they expect to relax and enjoy the outdoors. With the granting of a variance to allow this facility to be built in your neighborhood would be a great disadvantage to property owners.

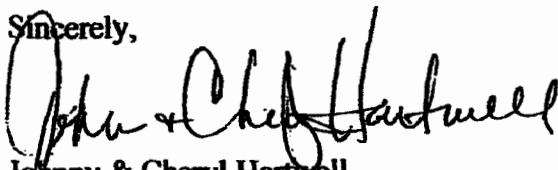
Mr. Richard Williamson

October 14, 2016

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Should there be a hearing on this petition, and providing that we can fit it into our schedules, we would be happy to speak on behalf of the denial of a variance that would devalue properties and subject individuals to continuously barking dogs. We will advise of our intent to purchase your property upon outcome of the variance request.

Sincerely,

A handwritten signature in black ink, appearing to read "Johnny & Cheryl Hartwell". The signature is written in a cursive, somewhat stylized font.

Johnny & Cheryl Hartwell

Phone: 517.852.1650

Attachments

HEARING No. 1807

TO WHO IT MAY CONCERN: RE: BARKING &  
LOUD RESCUE IN  
3224 WHITE OAK RD.  
LORIDA FL. 33857

MY NAME IS: MICHAEL WETZEL  
3109 WHITE OAK RD.  
LORIDA FL.

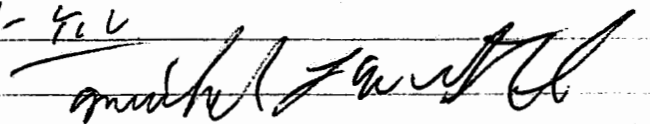
I HAVE LIVED HERE 5 YRS, NECE, SERENE,  
CALM NEIGHBORHOOD. GOOD AREA TO WALK, BIA  
RIDE. NOT SO MUCH ANYMORE. IF I WALK MY  
DOG PAST 3224 WHITE OAK RD. NOW, ITS A LON  
DENE OF HOWLING DOGS. MY DOG DOESN'T BARK, BU  
HE TURNS TO ME AND WHINES. HE'S SYMPATHIZING WIT  
THESE DISTRAISED DOGS.

I HAVE NO IDEA HOW MANY DOGS ARE NOW ON  
THIS SITE. I CAN'T IMAGINE LIVING ACROSS  
FROM THIS KENNEL. THE LADY THAT LIVES  
AT 3224 WHITE OAK WORKS FULL TIME AND I  
NOT HOME AT LEAST 9-10 HRS A DAY. SHE'S AWARE  
CREATING ANNOYANCE.

TO ALLOW A DOG KENNEL OF 15 DOGS WITH  
THE NOISE IT WOULD CREATE WOULD BE ONE  
PERSON IMPOSING THERE WELL ON A WHOLE  
NEIGHBORHOOD. NOT FAIR. SHOULD NOT ALLOW  
THIS TO HAPPEN.

I DO NOT WALK MY DOG THIS WAY  
ANYMORE OUT OF RESPECT FOR MY NEIGHBORS.

THANK-YOU



Barking Out Loud Claudia Beaver

Date: October 11, 2016

To: All County Commissioners

From: Chris and Jim James  
3321 White Oak Road, Lorida 33857

Re: Disapproval for Dog Kennel

Anyone living on or near water (canal, river, or lake) will tell you sound and noise will carry! As commissioners, when someone applies for a variance or zoning change one of the first and important issues to consider is the highest and best use of the land and property. Our fairly small neighborhood of lakefront and canal homes represents homeowners who have a large investment in their properties. We pay higher taxes and insurance. We should be allowed a quiet and peaceful existence.

One new neighbor, with well meaning intentions, should not be allowed to shatter the quiet tranquility of the area. Property values will be effected. We have been residents for over 25 years, as have others who also feel this is unjust. No one wants to stand on their dock to fish or have a cup of coffee and listen to dogs barking excessively. The main draw for the area is the peaceful quiet lifestyle. A dog kennel is not condusive to this neighborhood. The kennel would add excessive noise, upset homeowners, and detract from the enjoyment of the quiet lifestyle.

A dog kennel does not blend with the residential area. It is not the highest and best use of said property. We already have a great shelter/kennel by the airport, a much better commercial location. Many people who love dogs will say what a wonderful gesture to save dogs and we agree, however, they do not reside in this area and their peace and quiet will not be interrupted.


We have a home for sale on white Oak Road and the realtors have commented that we have lost potential buyers as a result of the barking. How would you feel?

Thanking you in advance for your consideration.

*Christine James*  
*[Signature]*  
(863) 655-5315

State of FLORIDA  
The foregoing instrument was acknowledged this 12<sup>th</sup> day of Oct  
2016, by CHRISTINE JAMES who personally appeared before me and acknowledged that he/she signed the instrument voluntarily  
for the purposes expressed in it. E.C.  
Signature of Notary Public  
MICHAEL ERIC CAVE  
Not. type or stamp Commissioned Notary Public

*CHRIS AND JIM JAMES*

 **MICHAEL ERIC CAVE**  
MY COMMISSION # EE849077  
EXPIRES November 05, 2016  
(407) 398-0153 FloridaNotaryService.com

Nolen  
220 De Run  
Lorida, FL  
33857

11/27/16

To: Highlands County Zoning Dept.

RE: Hearing No. 1801

To whom it may concern,

Our concerns regarding the proposed dog  
kennel to operate at 3224 White Oak Rd are  
the constant barking of the dogs that are already  
housed at this address as well the smell  
from the feces & urine <sup>or how it</sup> will affect the neighborhood.  
Our last issue is the concern for property values  
for re-sale for this area.

Thank-you for your time & attention,

Shelby Nolen

Nick Nolen

214-384-4869



Barking Out Loud Claudia Bearer

Date October 25, 2016

To - all County Commissioners

From DAVID & LOUISA PACKARD

RE. Disapproval for Dog Kennel

We do not want a dog kennel in our neighborhood. We enjoy the peace + quiet while we are here. Please do not let this happen!. It effects all things in the area.

Thank you  
David Packard  
Louisa Packard

3108 White Oak Rd.

Barking out loud

Monday

Pam and Lonny Tucker  
Oct.10,2016  
275 Doe Run  
Lorida Fla.33857

REFERENCE WITH :  
Barking out Loud Dog Rescue,Inc.  
3224 White Oak Rd.  
Lorida Fla.33857

To Whom It May Concern.

This letter is to inform all parties involved with the Barking Out Loud (BOL) that we are highly opposed to having this dog kennel in this residential neighborhood. We live in this beautiful and quite neighborhood to be away from disruptive activities. Every time someone drives by or walks down the road past this non permitted kennel the dogs start barking. DAY AND NIGHT. Everyone in this area knows that we have a handicap down syndrome child in our home. Her name is Nicole. Nicoles bedroom is on the end of the house that faces the kennel. The dogs keep her up all night with the barking which makes her agitated the next day. Not to mention the smell of dog feces and urin when the wind blows our direction. Furthermore their have been several times the dogs have not been properly contained and they were running loose in neighboring lawns. We are all for saving the lives of innocent dogs but this should not be aloud in a residential neighborhood. This will also bring down the value of our properties if we should want to sell at some point.

Pam and Lonny Tucker

Pam Tucker 863-381-5198  
Lonny Tucker 863-381-4126

*Pam Tucker*  
*Lonny Tucker*

OCT. 30, 2016

RE: Dog RESCUE / BOARDING FACILITY

To Whom it may concern,

WE ARE JAMIE + MITCH MILLER. WE LIVE AT 3201 WHITE OAK RD. LORIDA, FL. WE ARE LONG TIME RESIDENTS. FOR 23 YEARS WE HAVE BEEN LIVING IN THIS QUIET RESIDENTIAL AREA COMPRISED OF RETIREES, FISHERMEN AND WINTER RESIDENTS.

WE STRONGLY OPPOSE A FACILITY HERE. IT HAS ALREADY BROUGHT A SUBSTANTIAL AMOUNT OF NOISE. BARKING AND HOWLING CAN BE HEARD ANYTIME, DAY OR NIGHT. THE AUTHORITIES HAVE BEEN INFORMED DUE TO THE LEVEL OF NOISE.

IT SEEMS HIGHLANDS COUNTY HAS AMPLE AND APPROPRIATE LOCATIONS IN WHICH TO HOUSE THE DOGS.

OUR PROPERTY VALUES ARE AT RISK. WE ARE STILL RECOVERING FROM THE "GREAT RECESSION". WE DO NOT NEED ANOTHER SETBACK.

WE HOPE YOU CONSIDER OUR VIEWPOINT ON THIS MATTER.

Sincerely,

Mitch Miller  
Jamie Miller

3201 White Oak Rd.

Kathy Godwin <kathygodwin@gmail.com>  
To: Kathy Godwin <kathygodwin@gmail.com>

Thu, Sep 8, 2016 at 9:39 AM

Bark Out Loud Rescue, Inc.  
3224 White Oak Road  
Lorida, Florida 33857

To Whom It May Concern:

This is to inform all individuals involved in the above enterprise that Larry and Kathy Godwin, residing at 3329 White Oak Road are vehemently opposed to having this dog kennel in our residential neighbor.

Larry is a 100% disabled Vietnam Veteran due to PTSD. He needs the peace and quite of our beautiful neighborhood to have any amount of quality of life. The dogs at your kennel incessantly bark ALL day. He can no longer be in the yard or at our dock for any length of time without listing to the constant barking of your dogs. He can no longer ride the golf cart to get the mail as the dogs become agitated when they see anyone walking by or riding anything.

I have been a real estate broker for 20 years and know the reasons homeowners may not be able to sell their homes. Barking dogs in the neighborhood is at the top of the list. I find it hard to believe that Highlands County would grant this kind of a permit for an ongoing business in the middle of a residential neighborhood. Our neighborhood was beautifully quite and peaceful before this kennel moved in.

If this is allowed in its present location as a real estate broker I believe it will result in lowering the value of our properties as well as keep potential buyers away for those who need to sell.

This commercial will be a detriment to our neighborhood as well as impact our quality of life.

Larry and Kathy Godwin



**Kathy A. Godwin, Buyer's Specialist**  
RE/MAX Realty Plus "Team Boring"  
809 US 27 South, Sebring, FL 33870  
Direct: 863-634-7728  
Office: 863-385-0077  
Fax: 863-385-5897  
E-mail: KathyAGodwin@gmail.com

October 26, 2016

County Commissioners  
Highlands County

Dear County Commissioners:

I am writing this letter to strongly oppose the variance request submitted by Ms. Claudia Beaver for the construction of a rescue facility for dogs established as "Barking Out Loud Rescue, Inc." at 3224 White Oak Road, Lorida Florida 33857. A facility of this type does not belong in a quiet residential neighborhood. It would be better suited for placement in a business or industrial park type location, where the constant barking of dogs will not disrupt the daily lives of residents who purchased our homes with the expectation of quiet peacefulness days and nights.

Currently there are a good number of dogs, that I suspect are rescue animals, in Ms. Beaver's home that bark continually when she is away. I have had to call the authorities a number of times because of the continuous barking. The facility is not even build yet and the disruption to the neighborhood is already being felt by me and my neighbors. I have spoken personally with a number of them who do not want a facility of this type in our neighborhood and I have encouraged them to write to you to express their concerns.

While our neighborhood borders property that is home to livestock such as horses, cows, and goats, none of these animals provide for continuous annoying sounds to disrupt day to day living. The constant barking of dogs may also have an impact on some of these animals.

If this request for a variance is granted, our property values in this neighborhood will be significantly affected. This is of extreme concern to me as I am in the process of working out an agreement for the sale of my property. I recently received the attached letter from the potential buyers expressing their concern over the construction of this facility in my neighborhood. This may only be the beginning of what property owners such as me will experience in the months and years to come.

In closing, I would like to thank you for taking time to carefully consider the variance request before you before making your decision.

Sincerely,



Richard L. Williamson  
3233 White Oak Road  
Lorida, Florida 33857

To: Highlands Cty. Zoning Dept.

As a concerned Neighbor in Lorida Fl.  
 @ 3325 White Oak Rd. I'm very concerned  
 (worried) about someone putting in a  
 Dog Rescue Facility in our quite Neighbor  
 hood. My husband and I moved to this  
 Area over 15 years ago just for the  
 peace and quite we wanted to live in  
 An Area that was so peaceful. We are  
 very much against anyone putting in  
 A Dog Rescue Facility. We love pets but  
 because of the everyday barking of ~~these~~<sup>their</sup>  
 dogs we ask you to please consider not  
 allowing this to happen. When we are  
 sitting outside on our dock it very  
 Annoying not being able to enjoy  
 the peace and quite of our time  
 together. My husband work long hours  
 so we enjoy our time together sitting  
 on<sup>our</sup> dock outside. I can only imagine  
 how much worse it must be for our  
 Neighbor living right next door to  
 the house with the barking dogs  
 We are asking you to please not let this  
 happen to our quite Neighborhood.

Phone # 863-697-8012  
 " " 863-801-1083

Concerned Neighbors:  
 Joe + Louise McClelland

Company number N16000004969  
Status Active  
FEI number  
Company Type Domestic Non Profit  
Home State FL  
Last activity date not available  
Date Of Incorporation 5/13/2016  
Principal Address 3224 WHITE OAK ROAD, LORIDA, 33857  
Mailing Address 3224 WHITE OAK ROAD, LORIDA, FL, 33857

## **BARKING OUT LOUD RESCUE, INC Principals**

President Beaver Claudia Dms  
Address 3224 WHITE OAK ROAD, LORIDA, FL, 33857

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Vice President, President Dalmeyer Tammie Ms  
Address WHITE OAK ROAD, LORIDA, FL, 33857

---

Vice President, President Barbara Parker Mrs  
Address HERON DRIVE NORTH, LORIDA, FL, 33857

---

## **Registered Agent**

Agent Name BEAVER CLAUDIA DMS (p)  
Agent Address 3224 WHITE OAK ROAD, LORIDA, FL, 33857

## **Description**

BARKING OUT LOUD RESCUE, INC has been set up 5/13/2016 in state FL. The current status of the business is Active. The BARKING OUT LOUD RESCUE, INC principal address is 3224 WHITE OAK ROAD, LORIDA, 33857. Meanwhile you can send your letters to 3224 WHITE OAK ROAD, LORIDA, FL, 33857. The company's registered agent is BEAVER CLAUDIA DMS 3224 WHITE OAK ROAD, LORIDA, FL, 33857. The company's management are President - Beaver Claudia Dms, Vice President, President - Dalmeyer Tammie Ms, Vice President, President - Barbara Parker Mrs.

---

**Barking Out Loud Rescue, Inc Please honor pledges via PayPal account  
bolrescue3224@gmail.com or checks may be sent to Barking Out Loud Rescue, 3224 White Oak  
Road, Lorida FL 33857 Thank You!**

**Barking Out Loud Rescue, Inc is a Florida Non Profit dog rescue located in Lorida, Florida. We  
are located on just over five acres in a quite country setting.**

**Our mission is to rescue the neglected, abused, and abandoned dogs within the state of  
Florida. To provide the dogs with medical care, training, a safe, loving and  
interactive environment while we help to locate a Forever Home for each of the dogs.**

**We are currently raising money to construct our initial dog kennels and building that will house  
twenty dogs, a sick ward, and storage for food, supplies, a small office and restroom facilities for  
our doggie caretakers. Our concept is very similar to the posted picture to provide safe housing  
for each dog, along with a private 15 foot run for each dog to exercise at will. Each individual  
kennel will include a fan and a mist system to help keep the dogs cool during the summer  
heat. We will have heavy vinyl curtains that we can drop over the front of each entrance to help  
keep the the dogs warm during the winter months. Each of the kennels will include a  
private doggie home.**

**Our ultimate and long range goals are to construct three separate kennel buildings within the  
next three years along with a separate sick ward that can house 10 dogs if required. In addition,  
we are also planning to construct a separate boarding facility for dogs within the next five years.**

**On the property we will construct a secure separate play area for the dogs with an agility  
course along with a small water park including a small doggie pool. We want to provide the dogs  
a high quality of life while they are with us.**

**Our goal is to begin construction on the first kennel building in August, 2016 and have the  
kennel complete and ready to house the first twenty dogs no later than November 1, 2016.**

**Our Mission Is To Rescue Dogs, Our Dream Is That One Day We Will Not Need To. Though we  
cannot save every dog we truely believe in our hearts that every dog deserves a second change.**

**We May Not Change The World, But For Each Dog We Save We Have Changed The World For  
That Dog For Ever.**

**Please contribute what you can, no amount is too small. Help us to help save these deserving  
dogs.**

**Thank you!**

**Barking Out Loud Rescue, Inc <http://barkingoutloudrescue.org>**



Notice Date

Cindy Sneddon Ohman, E Larcher de Brito and 8 others Like Message Share More

1 share

Felicia Mariani Claudia Alder Beaver I've done approaches for Tavis already. I'm not as far behind as I thought (LOL) Yesterday at 3:06pm

Barking Out Loud Rescue, Inc September 9 at 4:43am · Florida, FL

Who out there in FB Land purchases items through Amazon? Did you know you can purchase the same items at the same price through Amazon SMILE? The only difference is Amazon will donate a % of each purchase to the Non Profit of your choice! Please purchase through Amazon SMILE and choose Barking Out Loud Rescue, Inc as your Non Profit choice.

Like Comment

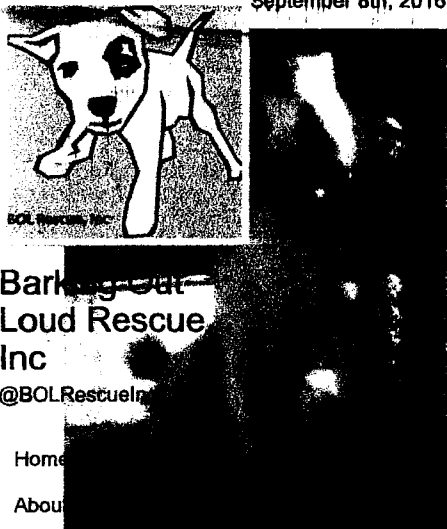
Cathie Bannister, Marcia Bass Powers, Lisa Michelle and 4 others Chronological like this.

Nina Tow Yes a lot of people do it because a percentage can come back to your charity September 9 at 7:50am

Barking Out Loud Rescue, Inc September 8 at 6:48am · Indiantown, FL

Welcome! \*\*On hold with Barking Out Loud Rescue, Inc Please honor pledges via PayPal account bolrescue3224@gmail.com or checks may be sent to Barking Out Loud Rescue, 3224 White Oak Road, Florida FL 33857 Thank you!\*\*

September 8th, 2016 @3:30pm... See More



See more of Barking Out Loud Rescue, Inc by logging into Facebook Message this Page, learn about upcoming events and more. If you don't have a Facebook account, you can create one to see more of this Page.

Sign Up

Login

Find web site

Find web site

9/28/16  
Pass on to P&Z for BOA

Denise K. Beuparlant  
3006 Oak Hill Drive Avon Park, FL 33825  
[dkbeats@comcast.net](mailto:dkbeats@comcast.net)

September 22, 2016

Commissioner James Brooks, District 1  
Highlands County Commission  
600 S. Commerce Avenue  
Sebring, FL 33870

Dear Commissioner Brooks:

I have had the pleasure of knowing Claudia Beaver for a bit over a year. Initially I met her when she was volunteering for the Humane Society taking photos of many of the long term residents in an attempt to get them adopted. As a result of her magnificent photographic eye, many of those dogs were successfully adopted.

Through that work Claudia became aware of the desperate situation at the County Animal Control, that of dozens of dogs appearing on the euthanasia list monthly. Since Highlands County is one of the only counties in Florida without a free or affordable spay neuter program, unwanted and neglected dogs flood your county facility. She became inspired to make a difference for as many of these wonderful creatures as she could. She was quickly able to obtain a 501(c)3 status for Barking Out Loud Rescue, and because she resides in an agricultural zoned area we all began to offer to help her in the planning for the construction of the kennels.

However, the cry of numerous dogs, with nowhere else to go, fell upon her heart and she decided she could bring several of them into her home. Many of us in rescue, who reside in residential areas, have numerous dogs in our homes. Some our personal pets, some who are with us temporarily in their journey to a forever home. Claudia has been able to not only find responsible fosters for the dogs she has rescued but has been able to place many dogs in permanent loving homes, dogs that otherwise would have ended up in a garbage bag in the landfill. Claudia has made an incredible difference in this county in the few short months she has been dedicated to this cause.

I have been to her home on numerous occasions. The dogs are well cared for and obviously very content in a loving home situation. It has been proven that dogs thrive in foster care versus being in a kennel setting. Since I have helped Claudia with adoption events, and transportation I have been at her home at various times of the day, some of those times Claudia has not been home. Of course the dogs bark when they hear a strange vehicle come into the yard, much like most of our personal dogs do, but I will tell you that in a very few short minutes they settle right down. I personally live in a gated community in the county and I have

several neighbors with barking dogs that continue to bark on and off all day. That is definitely not the case at Claudia's home.

Claudia is applying for a variance for a Kennel on her property. I implore you to grant this variance as her efforts are having a positive impact on Highlands County. There are many of us involved in rescue, but it takes a special person like Claudia to actually find these dogs loving homes. If you speak with anyone involved in rescue throughout Central and Southern Florida they will attest to the amazing work that Claudia is doing. Please help us help the dogs of Highlands County.

Sincerely,



Denise K. Beauparlant

09/23/2016



William A. Jaques, III  
State of Florida  
MY COMMISSION # FF 12378  
Expires: April 25, 2017

3,600 ft. from  
Dogs.

**Barbara Parker**  
**1545 Heron Drive North**  
**Lorida, FL 33857**  
**863-655-1990**  
**Email: barbparker1545@gmail.com**

23 September 2016

Commissioner James Brooks  
600 South Commerce Avenue  
Sebring, FL 33870

Re: Barking Out Loud Rescue – Claudia Beaver

Dear Commissioner Brooks:

This letter is in regards to a variance being requested by the above referenced applicant. Through Claudia's involvement with the Humane Society of Highlands County she realized the overwhelming number of animals being euthanized in this County each month and the critical need for finding these animals loving responsible permanent homes.

These dogs find themselves on Animal Control's euthanasia list each week through no fault of their own. They have been neglected, unwanted, abandoned by irresponsible owners, surrendered due to owner's health, owner's relocating, etc, etc, etc, the list of reasons goes on. Consequently, they become the responsibility of the County and Animal Control becomes flooded with these dogs who are homeless and, if not adopted, will end up in the landfill.

Claudia obtained 501c3 status on 5/13/16 for Barking Out Loud Rescue and has since dedicated her life to rescuing dogs and finding homes for these neglected thrown away animals. 95% of the dogs she rescues are pulled from Highlands County Animal Control euthanasia list. Since May 2016 she has rescued 87 dogs. Of these 46 have been adopted into forever homes; 14 have been placed with fosters, and 2 are being boarded. A few of these dogs have been adopted into homes out of state.

All the animals Claudia rescues are immediately seen by a vet, obtain up to date vaccinations, are heartworm tested/treated if necessary, and if needed are spay/neutered. Since Highlands County, unlike some Florida counties, does not

have a free or affordable spay/neuter program all dogs fostered by Claudia are spay/neutered which guarantees they will no longer contribute to more unwanted animals. She has dedicated volunteers who assist her with fostering, donations, transporting and attending adoption events.

Claudia is applying for a Variance to have a kennel on her property (that is zoned agricultural) in order to house the animals she fosters during the time it takes to find loving permanent homes for these animals. It has been proven that dogs thrive in foster care versus an animal control environment and become more easily adoptable.

Claudia's compassion and dedication to these animals is absolutely incredible and is having a very positive impact on Highlands County's homeless animals.

Local government cannot shoulder all the burden created by the number of unwanted animals and need organizations like Barking Out Loud Rescue to support their efforts. I implore you to grant Claudia this Variance in order for her to continue her efforts to find loving permanent homes for these unwanted animals.

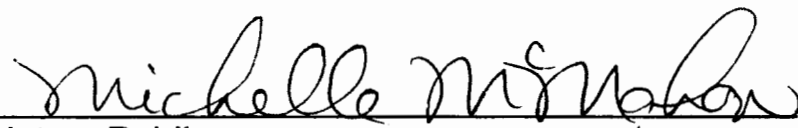
Sincerely,



Barbara Parker

STATE OF FLORIDA, COUNTY OF HIGHLANDS

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of September, 2016, by Barbara Parker, who is personally known to me or has produced FL DLIC as identification.

  
Notary Public  
My Commission Expires: 01/23/2020



Michelle McMahon  
Notary Public  
State of Florida  
My Commission Expires 1/23/2020  
Commission No. FF 933050

RE: Barking Out Loud Rescue Inc 3224 White Oak Road Lorida, FL. 33876

Dear Commissioner Brooks

I have observed Claudia Alder Beaver of Barking Out Inc. build her rescue to be a amazing place. She is saving so many lives in Highlands County. She is making such a positive impact on the community. Each week the public watches the unwanted dogs that owners have dumped reach the euthanasia list at Animal Control. And each week so many are saved, transported, fostered and adopted through Barks Out Loud Rescue. Thanks to Claudia!

Claudia worked so hard to get her 501c status. Many in the community offed to help in the planning for the construction of the kennels. Her comminity supports her!

Claudia is applying for a variance for a kennel on her property. I ask you to please grant her request. Her efforts are having such a positive impact on Highlands County and Animal Control. Also on the hearts of all of us that care about the animals. Her efforts have reached across the country with transports. Families are adding new family members. If you speak with anyone in rescue they will know the great works Claudia is doing.

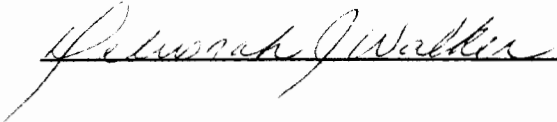
Claudia has a big piece of property in Lorida, FL. with plenty of privacy. It is well maintained. It seems there should be someway to work something out and allow this wonderful rescue to continue where they are.

I spent 20 years in Charity work in Palm Beach County yet I am amazed at how quickly Claudia's charity has risen to great heights. I can just imagine what the future will bring if she gets all the support she needs. I know a lot of people will notice and be very pleased that she is able to continue this work for the community.

Thank you for your help and attention in this matter!

Sincerely.

Deborah J Walker

  
\_\_\_\_\_

State of Florida County of Highlands  
Subscribed and sworn before me on 9/30/2016  
(Date)  
Michelle McMahon  
(Notary Signature)



Michelle McMahon  
Notary Public  
State of Florida  
My Commission Expires 1/23/2020  
Commission No. FF 933050

Pictures are worth a thousand words. These are just a few of so many!

Building families! Another great adoption from Barking Out Loud Rescue. From death row to a loving family...Ox is a lucky dog!



Barking Out Loud Rescue proudly announces Congratulations OX on finding your perfect Forever Home, you are sure to be spoiled as the only fur baby! Thank you to his great Foster for helping in finding the perfect family for Ox! Happy Life Sweet Boy!

So many of these each week from Highlands County Animal Control!



Sebring, FL Urgents - Please Save Us September 8 at 8:00pm · 1 "

**\*\*On hold with Barking Out Loud Rescue, Inc Please honor pledges via PayPal account [bolrescue3224@gmail.com](mailto:bolrescue3224@gmail.com) or checks may be sent to Barking Out Loud Rescue, 3224 White Oak Road, Lorida FL 33857 Thank you!\*\*Deadline: Thursday, September 15th, 2016 @3:30 pm**

Valerie L. Picker  
13237 SW 2<sup>nd</sup>. Court  
Ocala, FL 34473

October 7, 2016

Dear Commissioner Brooks,

I have worked with Claudia Alder Beaver with placements of a few of the 47 Dogs she has found Forever Homes for, and in working with her become so very privileged to know her. I have worked with quite a few Animal Rescues and by far Barking Out Loud Rescue is one of the most highly regarded rescues I know. I have watched how many Dogs Claudia has pulled sometimes just minutes before their death from Highlands County Animal Control. With Highlands County not having a Affordable or Free Spay and Neuter Program so many Dogs end up Neglected and Abandoned Unloved and Uncared for on the streets each day. Claudia's Barking Out Loud Rescue has provided a needed service and generated income along with lowering their costs for Highlands County Animal Control Center.

Claudia Alder Beaver applied for and received her 501c3 Status for her Barking Out Loud Rescue on May 24, 2016, so each and every one of her supporters would know her work with these dogs was exceptional and that all of her supporters could assist her with extreme confidence. Since that time, Claudia has rescued an amazing 87 dogs and has adopted out 47 to their forever homes.

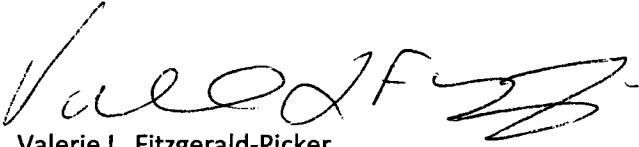
Claudia lives in an agricultural zoned area, and has wanted to start planning the construction of kennels to further extend her work and give these dogs a Second Chance at having the Happy Loving family all dogs deserve. This planning has the support of many local supporters who understand the value and importance of her devoted work.

While this project is being achieved Claudia has brought many homeless, abandoned unloved Dogs into her heart and into a loving home environment until Forever Homes or Long Term Fosters with other families could be found. Almost all of us involved in Rescue live in residential areas and have numerous dogs in our homes. Each and every one of Claudia's dogs that are rescued are fully vetted and extremely well taken care of and most of all loved and given a second chance at life. They are given a safe environment to decompress after spending time alone and afraid and confused in a shelter environment. Claudia has given all of herself to Saving these Dogs and has made such a incredible difference in Highlands County Animal Control Center. Claudia is dedicated to saving these dogs lives instead of seeing them being euthanized and thrown like trash into the dump. Claudia's work also provides a significant amount of money to HCAC in the fees that she pays for the animals she rescues.

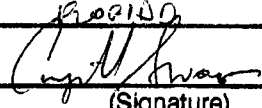
Right now Claudia is asking for a variance to build a kennel on her property to allow her to save countless more lives from being destroyed . I am asking in behalf of myself and all of the other animal lovers and rescues and most of all I am speaking for all the dogs that have been rescued by Claudia to please grant her this variance. Claudia and Barking Out Loud are having a positive impact on the community and HCAC. I pray you grant this variance to Claudia and Barking Out Loud Rescue, Claudia has dedicated her life to making a difference in these animals lives. It would be hard to find someone that works tirelessly and has the patience, compassion but most of all Love to saving these dogs.



Sincerely,

  
Valerie L. Fitzgerald-Picker

Subscribed and sworn before me, this 8  
day of OCTOBER 2016 a Notary Public  
in and for MARION County,  
State of FLORIDA

  
\_\_\_\_\_  
(Signature)

**NOTARY PUBLIC**

My Commission expires 9/1 2017



Cc: Claudia Alder Beaver, Barking Out Loud Rescue

1598 Yellow Tail Dr.  
Colorado Spring, CO 80921

October 6, 2016

Dear Commissioner James Brooks:

I have had the pleasure and honour of knowing Claudia Alder Beaver for nearly a year now. Claudia's work came to my attention as I watched online the incredible number of lives her rescue, Barking Out Loud (BOL) Rescue, has saved from the Sebring Shelter in Highlands County.

As I understand it, Highlands County is one of the few counties in the Florida region without a free or affordable spay / neuter program. Consequently, unwanted and neglected dogs flood the county's Animal Control Centre on a regular basis. The efforts of dedicated rescue organisations like BOL, play a crucial role in supporting a council system that is already under pressure.

To ensure that her work was of the highest calibre and that her supporters could assist her efforts with confidence, Claudia applied for and received her 501(c)3 status for Barking Out Loud Rescue on May 24, 2016. Since that time, Claudia has rescued an amazing 87 dogs and has adopted out 47 to their forever homes.

As Claudia resides in an agricultural zoned area, she took the step to commence planning for the construction of appropriate kennels that could allow her to extend her efforts and ensure that more unwanted animals could find a second chance at a happy life with caring families. This initiative was commenced with the support of many local supporters who could see the value and importance of her selfless work.

In the interim, however, the suffering and sadness of so many homeless dogs with no hope and no future, fell upon her heart and she decided she could bring several of them into her home until she could organise long-term foster arrangements with other families. Many individuals involved in rescue, who reside in residential areas, have numerous dogs in their homes. This is the only alternative to save lives until appropriate foster families can be secured. Some are personal pets, some are housed there only temporarily in their journey to a forever home. Claudia has been able to not only find responsible fosters for the dogs she has rescued, she has been able to place many dogs in permanent loving homes, dogs that otherwise would have ended up in a garbage bag in the landfill. Claudia has made an incredible difference in Highlands County in the short time that she has been dedicated to this crucial cause.

The dogs taken into BOL Rescue are well cared for and obviously very content in a loving home situation. It has been proven that dogs thrive in foster care and these arrangements help them to decompress after the trauma and horror of shelter environments, preparing them for life in their new forever homes. This safe haven that Claudia is able to provide to these desperate animals helps them to adjust and she successfully connects these lost and loving animals with new lives. Her efforts remove a tremendous financial burden from the local county administration in reducing the numbers of animals that shelters must euthanize and indeed reduces the number of animals that the county needs to continue to house in a shelter environment already stretched beyond its limits. As well, her work provides a significant revenue stream to HCAC in the fees that she pays for the animals she rescues.

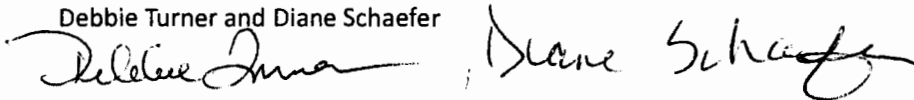
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There are many people involved in the rescue world, but few have the reputation, commitment and professionalism that Claudia Alder Beaver brings to this effort. It takes a truly special person to commit to working in what is such a challenging and heart-wrenching world like rescue. Claudia not only accepts this challenge every day, she flourishes in it and successfully finds these dogs loving homes, connecting them to a second chance at life and security.

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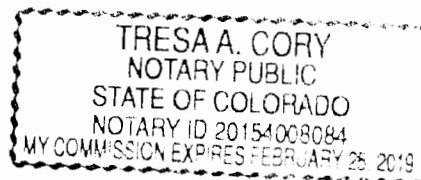
Yours sincerely,

Debbie Turner and Diane Schaefer



Cc: Claudia Alder Beaver, Barking Out Loud Rescue

SUBSCRIBED AND SWORN BEFORE ME THIS  
7th DAY OF October, 2016  
by Diane Schaefer  
Tresa A. Cory  
NOTARY - EL PASO COUNTY - COLORADO  
MY COMMISSION EXPIRES 2/25/2019



3853 Dunes Rd  
Palm Beach Garden, Florida 33410  
October 10, 2016

Dear Commissioner James Brooks, District 1

I have had the pleasure and honour of knowing Claudia Alder Beaver for nearly a year now. Claudia's work came to my attention as I watched online the incredible number of lives her rescue, Barking Out Loud (BOL) Rescue, has saved from the Sebring Shelter in Highlands County.

As I understand it, Highlands County is one of the few counties in the Florida region without a free or affordable spay / neuter program. Consequently, unwanted and neglected dogs flood the county's Animal Control Centre on a regular basis. The efforts of dedicated rescue organisations like BOL, play a crucial role in supporting a council system that is already under pressure.

To ensure that her work was of the highest calibre and that her supporters could assist her efforts with confidence, Claudia applied for and received her 501(c)3 status for Barking Out Loud Rescue on May 24, 2016. Since that time, Claudia has rescued an amazing 87 dogs and has adopted out 47 to their forever homes.

As Claudia resides in an agricultural zoned area, she took the step to commence planning for the construction of appropriate kennels that could allow her to extend her efforts and ensure that more unwanted animals could find a second chance at a happy life with caring families. This initiative was commenced with the support of many local supporters who could see the value and importance of her selfless work.

In the interim, however, the suffering and sadness of so many homeless dogs with no hope and no future, fell upon her heart and she decided she could bring several of them into her home until she could organise long-term foster arrangements with other families. Many individuals involved in rescue, who reside in residential areas, have numerous dogs in their homes. This is the only alternative to save lives until appropriate foster families can be secured. Some are personal pets, some are housed there only temporarily in their journey to a forever home. Claudia has been able to not only find responsible fosters for the dogs she has rescued, she has been able to place many dogs in permanent loving homes, dogs that otherwise would have ended up in a garbage bag in the landfill. Claudia has made an incredible difference in Highlands County in the short time that she has been dedicated to this crucial cause.

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Yours sincerely,

*Cathy Huffman*  
Cathy Huffman

Cc: Claudia Alder Beaver, Barking Out Loud Rescue

County/City of Palm Beach  
Commonwealth/State of Florida  
The foregoing instrument was acknowledged before  
me this 11 day of October, 2016  
by Cathy Huffman  
(name of person seeking acknowledgment)  
Stacey L. Johnson  
Notary Public  
My Commission Expires: May 12, 2019



*Florida Drivers License was produced as identification.*

125 Bearwoods Avenue  
Lake Placid  
FL 33852

October 05, 2016

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I have had the pleasure and honour of knowing Claudia Alder Beaver for nearly a year now. Claudia's work came to my attention as I watched online the incredible number of lives her rescue, Barking Out Loud (BOL) Rescue, has saved from the Sebring Shelter in Highlands County.

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Yours sincerely,

A handwritten signature in black ink, appearing to read "Diane Cole". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Diane Cole

Cc: Claudia Alder Beaver, Barking Out Loud Rescue

**HIGHLANDS COUNTY  
BOARD OF ADJUSTMENT  
STAFF REPORT**

<b>Type:</b> Special Exception	<b>BOA Hearing Date:</b> 12/13/2016
<b>Case Number:</b> BOA 1801	<b>Case Name:</b> Claudia Beaver
<b>Applicant:</b> Claudia Beaver	<b>Property Owner(s):</b> Claudia Beaver
<b>BOA Agenda Item:</b> 7A	<b>Case Staff Member:</b> Rebecca Cable

**Request:** The Applicant is requesting a Special Exception to allow a dog kennel for a period not to exceed five years, with a maximum of 15 dogs at any one time.

**General Location:** An approximate 5.11-acre parcel located approximately 2.9 miles south of U.S. 98 and 0.27 miles east of Cowhouse Road at the intersection of Wright Lane and White Oak Road.

**Parcel ID #:** C-33-35-31-A00-0041-0000

**Legal Description:** A portion of Government Lots 5 and 6 lying entirely in Section 33, Township 35 South, Range 31 East, Highlands County, Florida, and being more particularly described as follows: Commence at the Government Angle Point 15 on the 1914 Government Meander line of Lake Istokpoga; thence run North 30°20'33" West and along said Meander line a distance of 262.91 feet to Angle Point 14; thence North 89°51'58" West and still along said line a distance of 182.96 feet for the Point of Beginning; thence continue North 89°51'58" West and still along said line a distance of 154.19 feet to Angle Point 13; thence South 47°38'33" West and still along said Meander line a distance of 152.92 feet to Angle Point 12; thence North 80°45'57" West and still along said line a distance of 264.29 feet; thence North 4°27'54" East, a distance of 419.06 feet; thence North 90°00'00" East a distance of 560.68 feet; thence South 00°00'00" East a distance of 357.33 feet to the Point of Beginning.

Subject to the East 25 feet thereof for Road Easement per O.R. Book 1417, Page 1873.

Subject to a 50 foot Road Easement being more particularly described as follows: A portion of Government Lot 5 lying entirely in Section 33, Township 35 South, Range 31 East, Highlands County, Florida and being more particularly described as follows: Commence at Government Angle



Point 15 on the 1914 Government Meander line, thence run North 30°20'33" West along said Meander line a distance of 262.91 feet to Angle Point 14; thence North 89°51'58" West and still along said Meander line a distance of 182.96 feet for Point of Beginning; thence continue North 89°51'58" West and still along said line a distance of 154.19 feet to Angle Point 13; thence South 47°38'33" West and still along said Meander line a distance of 152.92 feet to Angle Point 12; thence North 80°45'57" West and still along said Meander line a distance of 63.81 feet; thence North 47°38'33" East a distance of 212.00 feet; thence South 89°51'58" East a distance of 77.10 feet; thence South 00°00'00" East a distance of 50.00 feet to Point of Beginning.

Parcel Size: 5.11 acres +/-  
Zoning: Agriculture (AU)  
Future Land Use: Agriculture (AG)

**Development Services Summary and Analysis:**

- The Applicant is proposing to operate a dog rescue/kennel, housing not more than 15 dogs at any one time. The Applicant has stated that the kennel will be in operation for not more than five (5) years. In May, 2016, the Applicant received a designation as a 501(c)(3) charity, doing business as “Barking Out Loud Rescue, Inc.”
- The Applicant proposes to keep five (5) dogs outside on the front porch and under the carport of the residence. The remaining ten (10) animals will be housed inside the residence. All of the animals will be housed in portable kennels, no permanent structures for the dogs will be constructed.
- The Applicant proposes to erect a six (6) foot privacy fence in the back yard and to provide anti-bark boxes in the front and back of the property, as well as providing noise barrier curtains on the kennels stored on the front porch/carport of the residence. The dogs are leash walked or allowed outside in the secured back yard.
- The dogs are taken off-site for adoption events to meet potential owners; no additional traffic is generated by the rescue.
- There is an open Code Enforcement Case #CE16080051, a complaint regarding a dog kennel being run without permission and noise and odors from the housing of the rescue dogs (Case File notes attached as Exhibit 5). The Staff has suggested some conditions of approval that may help with this issue, however the granting of the Special Exception is the minimum action required to resolve the active Code Enforcement case.

- There are eight (8) letters in favor of granting the request, however none of these letters were written by actual residents of the neighborhood. There are 11 letters in opposition of granting the request, written by residents of the neighborhood. The main complaints of those in opposition are noise and odor.
- The applicant is looking for a different property to use as a permanent facility to house the dog rescue.

**Surrounding Land Use and Zoning Designations:**

LOCATION		LAND USE CATEGORY	ZONING	EXISTING USE
Subject Property		Agriculture (AG)	Agricultural District (AU)	Grazing/Single Family Residence
Adjacent Property	North	AG	AU	Grazing/Single Family Residence
	South	Existing (E)/AG	Residential District (R-1)/AU	Grazing/Single Family Residence
	East	AG	AU	Grazing/Single Family Residence
	West	AG	AU	Grazing/Single Family Residence

**Applicable References:**

**Planning:** Highlands County 2030 Comprehensive Plan Future Land Use Element 1.2.D.1 Agriculture and 1.2.D.11 Existing Designation Category.

**Zoning:** Land Development Regulations, Section 12.05.200 Agricultural District and 12.05.211 Residential District.

**Compatibility with Surrounding Land Uses:**

Dog Kennels are a use permitted by Section 1.2.D.1.e, “Additional Uses which may be granted upon approval of an application Subject to Specific Criteria set forth in the Land Development Regulations,” in the Future Land Use Element of the Highlands County 2030 Comprehensive Plan, “Agriculture” designation. The surrounding properties share the same Future Land Use and would also be allowed a similar use, so this use IS COMPATIBLE with the surrounding land uses.

**Development Review Committee Comments:**

Florida Department of Health – Highlands: We have no objection to this request. The applicant should ensure there is no sanitary nuisance created from the operation of the kennel. Animal solid waste should be collected and disposed of with other solid waste.

**Staff Recommendation(s):**

***The Staff recommends the following Conditions of Approval:***

1. The Special Exception shall be valid for six (6) months, with the possibility of a six (6) month extension approved by the Development Services Director. If at any time a new Code Enforcement violation occurs on the property relating to the animal rescue operation, the Special Exception shall be terminated and the property shall come into compliance.
2. The Applicant shall comply with all applicable Highlands County Land Development Regulations;
3. The applicant shall not house or keep any rescue animals in the front yard, driveway, or carport of the residence where noise or odors may be a nuisance to the neighbors;
4. The kennels to house the animals shall be cleaned and sanitized no less than weekly, and animal waste shall be disposed of daily with regular solid waste so as not to create an odor nuisance for the neighbors.

**General Notes**

*Note: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the special exception approval.*

*Note: All written commitments made in the application and subsequent submissions of information made during the application review process, which are on file with the Development Services Department, shall be considered to be binding upon the applicant, provided such commitments are not in conflict with the Comprehensive Plan and Land Development Regulations or other development regulations in effect at the time of the development.*

**Attachments:**

- Exhibit 1      Location Map
- Exhibit 2      Aerial Photo
- Exhibit 3      Existing Zoning Map
- Exhibit 4      Site Photos
- Exhibit 5      Copy of Code Enforcement Case Notes

Exhibit 1:

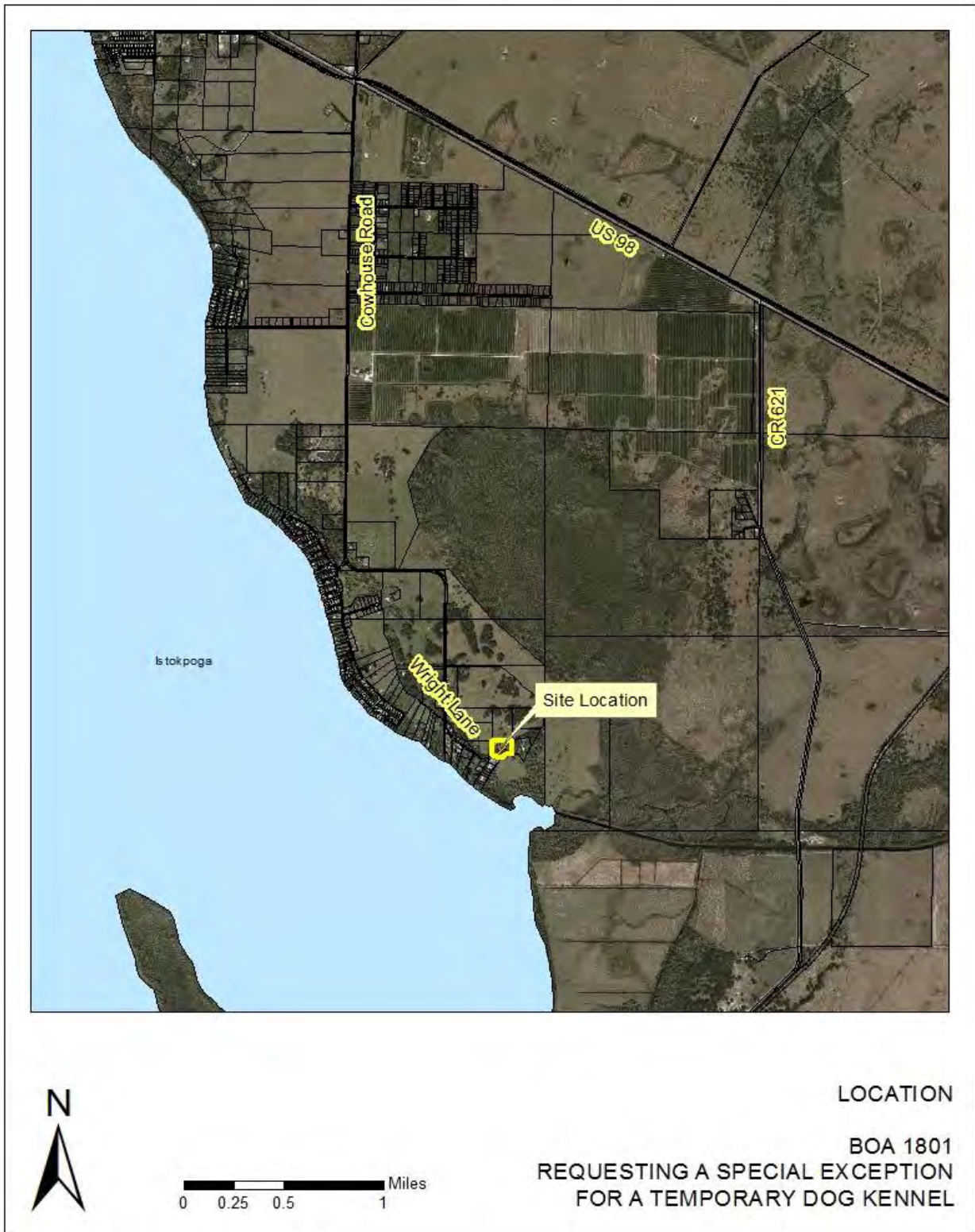




Exhibit 2:



Exhibit 3:





Exhibit 4:













Highlands County, Florida  
Special Exception Application

SECTION I. THIS SECTION FOR STAFF USE ONLY!

AMOUNT OF FEE: \$975.00 RECEIPT No.: 16100010 Date Received: 10/18/2016  
CASH #: B.O.A. # 1802 HEARING DATE: B.O.A. - 12/13/2016 TAX MAP #: 31A DATE ADOPTED:

SECTION II. PLEASE PRINT OR WRITE CLEARLY ALL APPLICABLE INFORMATION. This application and all required supplemental information must be properly completed according to the instructions. All information and exhibits submitted in connection with this application will become a permanent part of the public records of Highlands County. Please submit the application to the Zoning Department to be checked for completeness by staff before the applicable deadline. The Department accepts no responsibility for the completeness and accuracy of the application and will not advertise the application for public hearing until all required information is deemed to be accurate and complete. It is recommended that the applicant, agent, or representatives be present at the public hearing.

Special Exception requested before the Board of Adjustment: to allow a guest house

This application has been reviewed for completeness and determined sufficient:

Signed: Zoning Supervisor Linda Curran Date 10/27/16

Special Exception is sought pursuant to Section 12.03.205 (c) of the Code of Ordinances under Section 12.05. 200 AU (F.29) of the Code.

1. Name of Property Owner: (Application must be signed by the property owner. If more than one, all the owners must sign the Owners Affidavit (attached), which must accompany the application):

Print Name: Daniel + Jessie C. Berry  
Mailing Address: 5618 W. Josephine Rd  
Sebring FL 33875  
Telephone No. (888) 382-8791 E-Mail Address: cberryj@yahoo.com

2. Name of Agent: (Complete the Agent's Affidavit (attached) from property owner, which must accompany application, giving agent authority to represent this application.)

Print Name: N/A  
Mailing Address:

Telephone No. ( ) E-Mail Address:

3. Legal Description and Strap of Property Covered by Application: (If subdivided: lot, block, complete name of subdivision, plat book, page number, section, township, and range. If metes and bounds description, complete description, including section, township, and range.)

1/4 1/4 of SE 1/4 of NE 1/4 of AB 1/4 of Sec 3  
3-26-28-21-5.00 See Attached Deed

STRAP #: C-03-36-28-A00-0031-0000

4. Street Address of Property Covered by Application: 5618 W. Josephine Rd Sebring FL 33875

5. Name of project, subdivision, or overall project, if part of a larger project, if applicable: N/A

SECTION III: INFORMATION ABOUT EXISTING USE

6. Existing Zoning District: AU Existing Land Use Classification: AG  
Are the Zoning and Comprehensive Plan Consistent?  Consistent [ ] Not Consistent

7. Vesting: Is the property vested for specific property rights?  Yes  No If Yes, list the Vesting Action or Order Number or the method used to grant vested rights (state binding letter, legal lot of record, etc): \_\_\_\_\_

8. Is this hearing being requested as a result of a code violation notice?  Yes  No If Yes, explain: \_\_\_\_\_

9. Has a public hearing been held on this property within the last 12 months?  Yes  No If Yes, in whose name and when? \_\_\_\_\_

10. Current Use of Property (Number of existing dwelling units, type of commercial or industrial, etc): 1 home  
zoned ag.

11. Existing Size of Property: Size of Property (width) 331.59 feet, (depth) 664.15 feet,  
N/A street frontage 331.59 feet, water frontage N/A feet, Total acres 5.06  
If different from the total acreage, the upland, or developable portion is N/A +/- acres.

12. Are there existing structures on the property?  Yes  No If Yes, what type (CBS, Frame, Stucco, Other Multiple Units, Number of Dwellings per Building)? House Poll Barn

13. Uses on Adjacent Property: Also indicate whether the adjacent property is within another jurisdiction and indicate that jurisdiction's FLUM and/or Zoning designations.

	Existing Uses	FLUM Designations	Zoning Districts
North	Pasture	AG	AU
South	Pasture	AG	AU
East	Pasture	AG	AU
West	Pasture / SCR	AG	AU

\*\*\*\*\*  
**SECTION IV: INFORMATION ABOUT PROPOSED USE**

14. Proposed Use (Uses desired which are not permitted by present zoning district or I and Use FLUM designation): \_\_\_\_\_

Guest House

15. Proposed number of Dwelling Units or the number of square feet of commercial space (if applicable): \_\_\_\_\_

1 - home

16. Proposed Development Standards (if applicable):

- a. Existing parcel size: 5 acres Proposed Parcel Size (if increasing area): N/A
- b. Existing Floor Area Ratio (FAR) = gross floor area of existing building: 2312 divided by Parcel size = FAR 1 %
- c. Proposed Floor Area Ratio (FAR): 2 %.

17. Time Limit: When will the special exception being applied for be initiated and/or completed? app.

Jan. 1, 2017

\*\*\*\*\*  
**SECTION V: BURDEN OF PROOF INFORMATION:**

**18. Burden of Proof:** The burden of proof and persuasion remains at all times on the applicant. This burden of proof and persuasion includes providing information requested in questions # 22 A through # 22F. The application for a special exception shall state fully the grounds on which it is requested and show compliance with the following standards:

- A. Please provide information, if possible, that the development will comply with all requirements of this chapter and Florida law (Use additional sheet, if required). Will comply to all regulations
- B. Please provide information, if possible, that the development, if completed as proposed, will probably not materially endanger the public health or safety (Use additional sheet, if required). As a guest house, it will not endanger public health or safety and will comply to regulations
- C. Please provide information, if possible, that the development, if completed as proposed, will probably not substantially injure the value of adjoining or abutting property (Use additional sheet, if required). The guest house will not hurt the value to surrounding property. We will comply to regulations
- D. Please provide information, if possible, that the development, if completed as proposed, will probably be in harmony with the area in which it is to be located (Use additional sheet, if required). Guest house will be in the harmony of the area. Agri area and will comply with regulations and guesthouse will fit in.
- E. Please provide information, if possible, that the development, if completed as proposed, will comply with all requirements of the adopted Highlands County Land Development Regulations. (Use additional sheet, if required). All regulations will be followed.
- F. Please provide information, if possible, that the development, if completed as proposed, will comply with the adopted Highlands County Comprehensive Plan or other plan officially adopted by the Board of County Commissioners (Use additional sheet, if required). Will comply with all regulations.

**19. Are there any appropriate conditions and safeguards, in conformity with this chapter, that can be applied and should be mandated as a condition for the approval of this special exception?** (Use separate additional sheet, if required)

n/a

\*\*\*\*\*  
**SECTION VI: MAPS, OWNERS OR AGENTS AFFIDAVIT AND LIST OF PROPERTY OWNERS**

- 20. Map Properties Within 500 Feet:** Using a map that shall be secured from the County Property Appraiser's Office, delineate the boundary of the proposed development site and its location on the map. Include each parcel of land within 500 feet of the property covered in the application.
- 21. Owners or Agents Affidavit:** An Owner's and/or Agent's Affidavit must be completed and submitted as part of all applications.
- 22. List of Property Owners:** List of all current property owners within 500 feet radius of property covered in the application, including name, mailing and site addresses of their properties. If in areas zoned Agriculture, minimum of 6 names required adjacent or in the vicinity of the special exception requested. (Attach separate sheet to this application.)

Please circle which paper you want the Public Notice advertised in.

Highlands Today

News Sun

1500  
15400  
15400

DOCUMENTARY TAX PD. \$ 104.00  
INTANGIBLE TAX PD. \$ \_\_\_\_\_  
BY Earl Rich CLERK, HIGHLANDS COUNTY  
DEPUTY CLERK

This instrument was prepared by  
R. F. Dunty, Jr.  
DUNTY & HARRIS  
Attorneys at Law  
Post Office Box 144  
LAKELAND, FLORIDA 33802

# Warranty Deed (STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 7th day of March 19 88 Between

R. W. O'BERRY and BEATRICE O'BERRY, his wife

of the County of Highlands State of Florida grantor, and

DANIEL W. O'BERRY and JESSIE C. O'BERRY, his wife

whose post office address is Route 1, Box 290-A, Sebring,

of the County of Highlands State of Florida 33872 grantee,

Witnesseth, That said grantor, for and in consideration of the sum of Ten (\$10.00)

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Highlands County, Florida, to-wit:

The East one-half of the Southwest one-quarter of the Northeast one-quarter of the Northeast one-quarter, Section 3 Township 36 South, Range 28 East, Highlands County, Florida

AND

The West one-half of the Southeast one-quarter of the Northeast one-quarter of the Northeast one-quarter, Section 3 Township 36 South, Range 28 East, Highlands County, Florida.

SUBJECT TO restrictions, reservations and easements of record.

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

\* "Grantor" and "grantee" are used here singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written. Signed, sealed and delivered in our presence:

[Signature]  
[Signature]

[Signature] (Seal)  
R. W. O'BERRY  
[Signature] (Seal)  
BEATRICE O'BERRY  
(Seal)

STATE OF Florida  
COUNTY OF Highlands  
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared R. W. O'Berry and Beatrice O'Berry, his wife

to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same. Witness my hand and official seal in the County and State last aforesaid this 7th day of March 19 88.

My commission expires Notary Public, State of Florida  
My Commission Expires Oct. 5, 1991

[Signature]  
Notary Public



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**HIGHLANDS COUNTY  
BOARD OF ADJUSTMENT  
STAFF REPORT**

<b>Type:</b> Special Exception	<b>BOA Hearing Date:</b> 12/13/2016
<b>Case Number:</b> BOA 1802	<b>Case Name:</b> Daniel & Jessie O’Berry
<b>Applicant:</b> Daniel & Jessie O’ Berry	<b>Property Owner(s):</b> Daniel & Jessie O’ Berry
<b>BOA Agenda Item:</b> 7B	<b>Case Staff Members:</b> Isis Brown/Melony Culpepper

**Request:** The Applicants are requesting a Special Exception to allow a guesthouse.

**General Location:** An approximate 5.06-acre parcel located approximately 5.57 miles west of U.S. 27 on the north side of W Josephine Road; the address being 5618 W Josephine Road, Sebring, FL; and abbreviated legal as follows: An approximate 5.06-acre parcel located in Section 3, Township 36 South, Range 28 East, Highlands County, Florida.

**Parcel ID #:** C-03-36-28-A00-0031-0000

**Legal Description:** The East one-half of the Southwest one-quarter of the Northeast one-quarter of the Northeast one-quarter, Section 3, Township 36 South, Range 28 East, Highlands County, Florida

AND

The West one-half of the Southeast one-quarter of the Northeast one-quarter of the Northeast one-quarter, Section 3, Township 36 South, Range 28 East, Highlands County, Florida.

**Parcel Size:** 5.06 acres +/-

**Zoning:** Agricultural (AU)

**Future Land Use:** Agriculture (AG)

**Development Services Summary and Analysis:**

- The Applicants are requesting a Special Exception to construct a guesthouse on their property.

**Surrounding Land Use and Zoning Designations:**

LOCATION		LAND USE CATEGORY	ZONING	EXISTING USE
Subject Property		Agriculture (AG)	Agricultural District (AU)	Grazing/Single Family Residence
Adjacent Property	North	AG	AU	Grazing
	South	AG	AU	Grazing
	East	AG	AU	Grazing
	West	AG	AU	Grazing/Single Family Residence
<b>Applicable References:</b>				
<b>Planning:</b> Highlands County 2030 Comprehensive Plan, Future Land Use Element, Policy 1.2.D.1 Agriculture.				
<b>Zoning:</b> Land Development Regulations, Section 12.05.200 Agricultural District.				

**Compatibility with Surrounding Land Uses:**

The parcel in question is surrounded by other agricultural land uses, many of which have single-family dwellings. The general appearance and character of this area is that of a large-lot subdivision. The guesthouse proposed by the Applicants IS COMPATIBLE with the surrounding land uses in the area. A Special Exception for a guesthouse was approved in October in the general vicinity, approximately one mile away. The guesthouse IS CONSISTENT with the general character of the area.

**Development Review Committee Comments:**

Florida Department of Environmental Protection: All works conducted in wetlands may require authorization from the Department of Environmental Protection or the appropriate Water Management District. The Department has no additional comments at this time.

Florida Department of Health – Highlands: We have no objection to this request. The proposed guest house will need to be served by an onsite septic system. Please contact the environmental health section at 863-402-6550 for septic permitting requirements.

**Staff Comments:**

*If approved, the Staff recommends the following Conditions of Approval:*

1. The Applicants shall obtain all permits required by the County, State and Federal agencies;
2. The Applicants shall comply with all Highlands County Land Development Regulations, including setback requirements; and

3. The Applicants shall sign an agreement that the guesthouse will not be used for rental purposes and will meet the minimum 600 square foot requirement. The agreement shall be signed by the Board of County Commissioners.

### **General Notes**

*Note: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the Special Exception approval.*

*Note: All written commitments made in the application and subsequent submissions of information made during the application review process, which are on file with the Development Services Department, shall be considered to be binding upon the Applicant, provided such commitments are not in conflict with the Comprehensive Plan and Land Development Regulations or other development regulations in effect at the time of the development.*

#### Attachments:

- Exhibit 1      Location Map
- Exhibit 2      Aerial Photo
- Exhibit 3      Existing Zoning Map
- Exhibit 4      Site Photos



Exhibit 1:

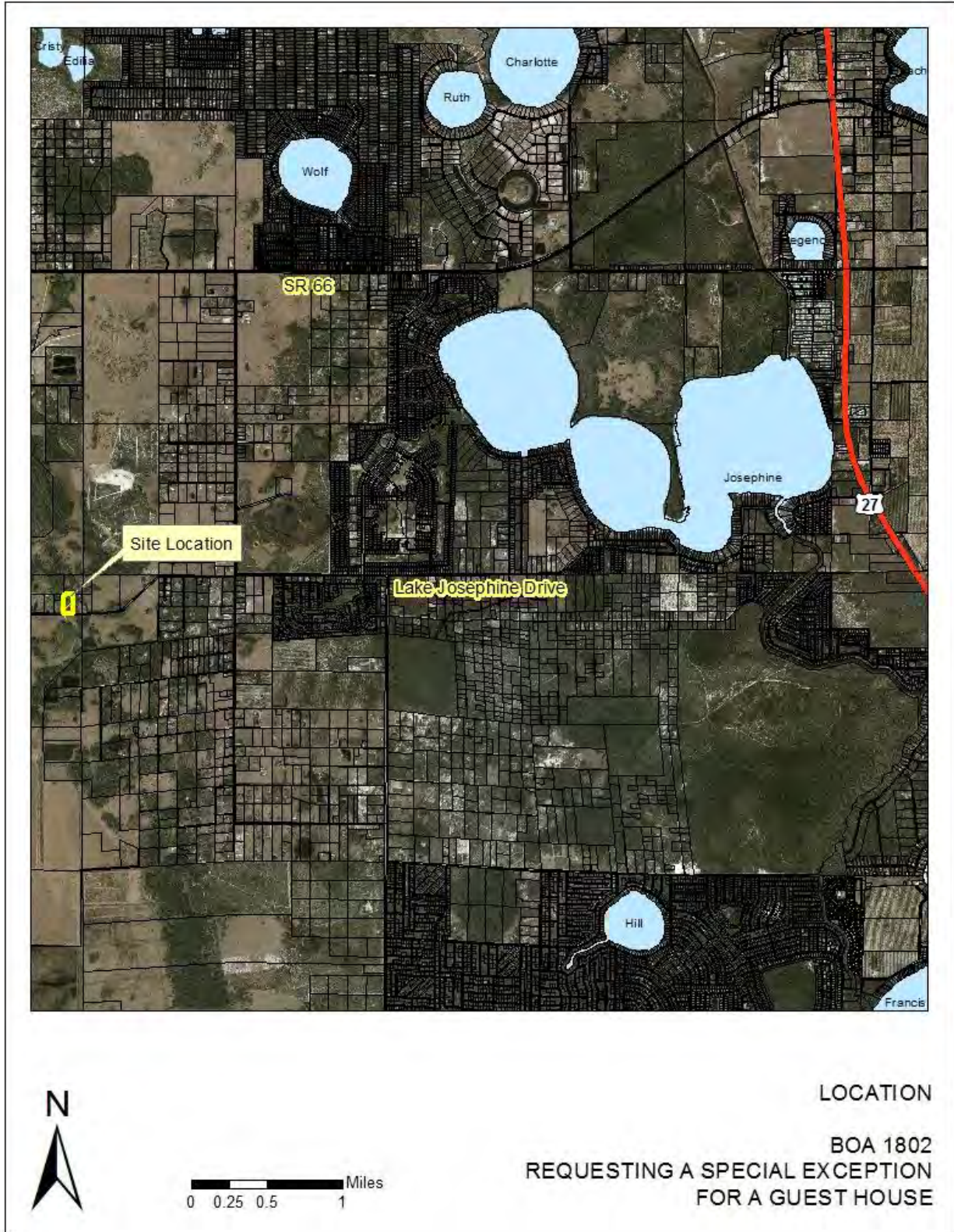




Exhibit 2:

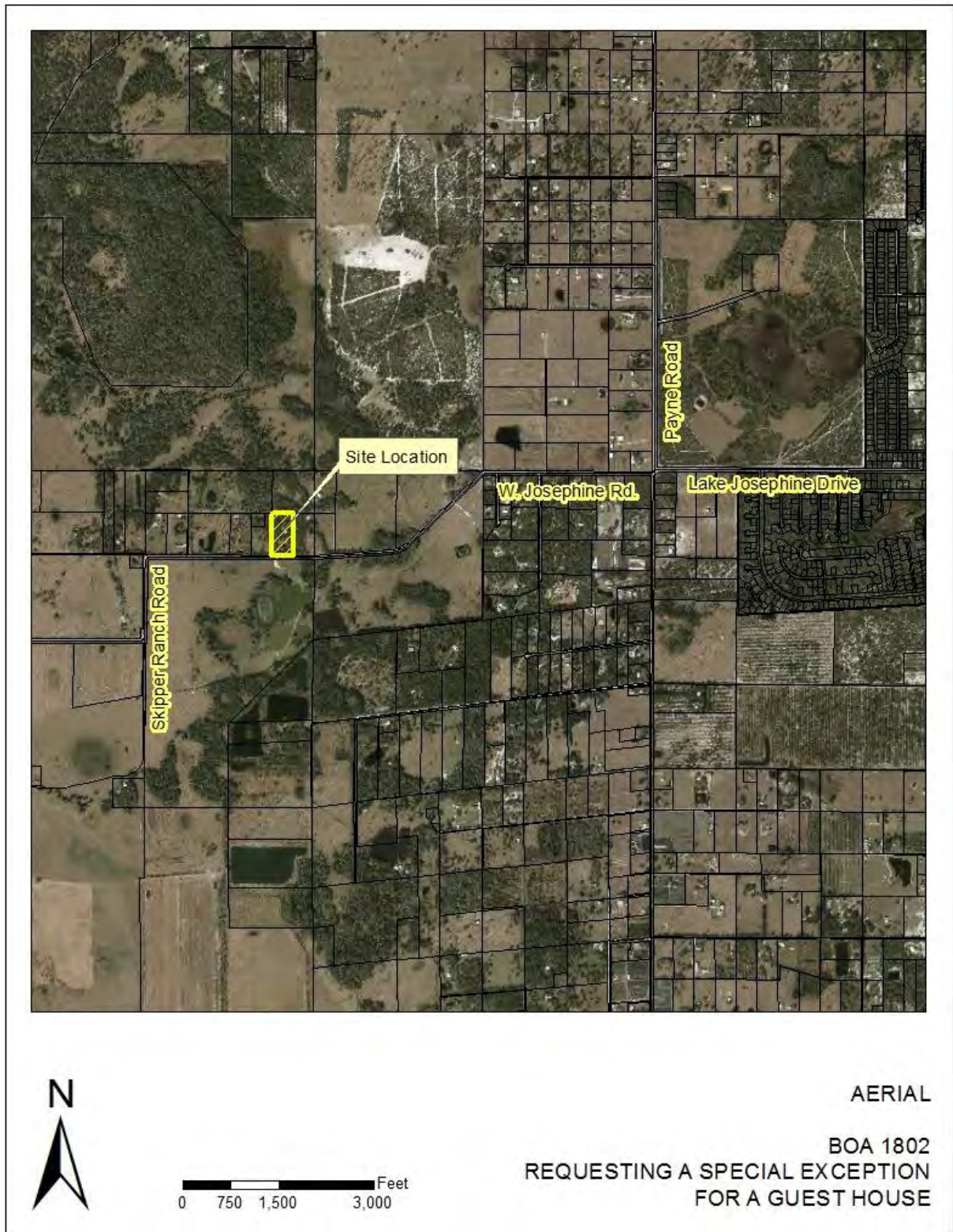


Exhibit 3:

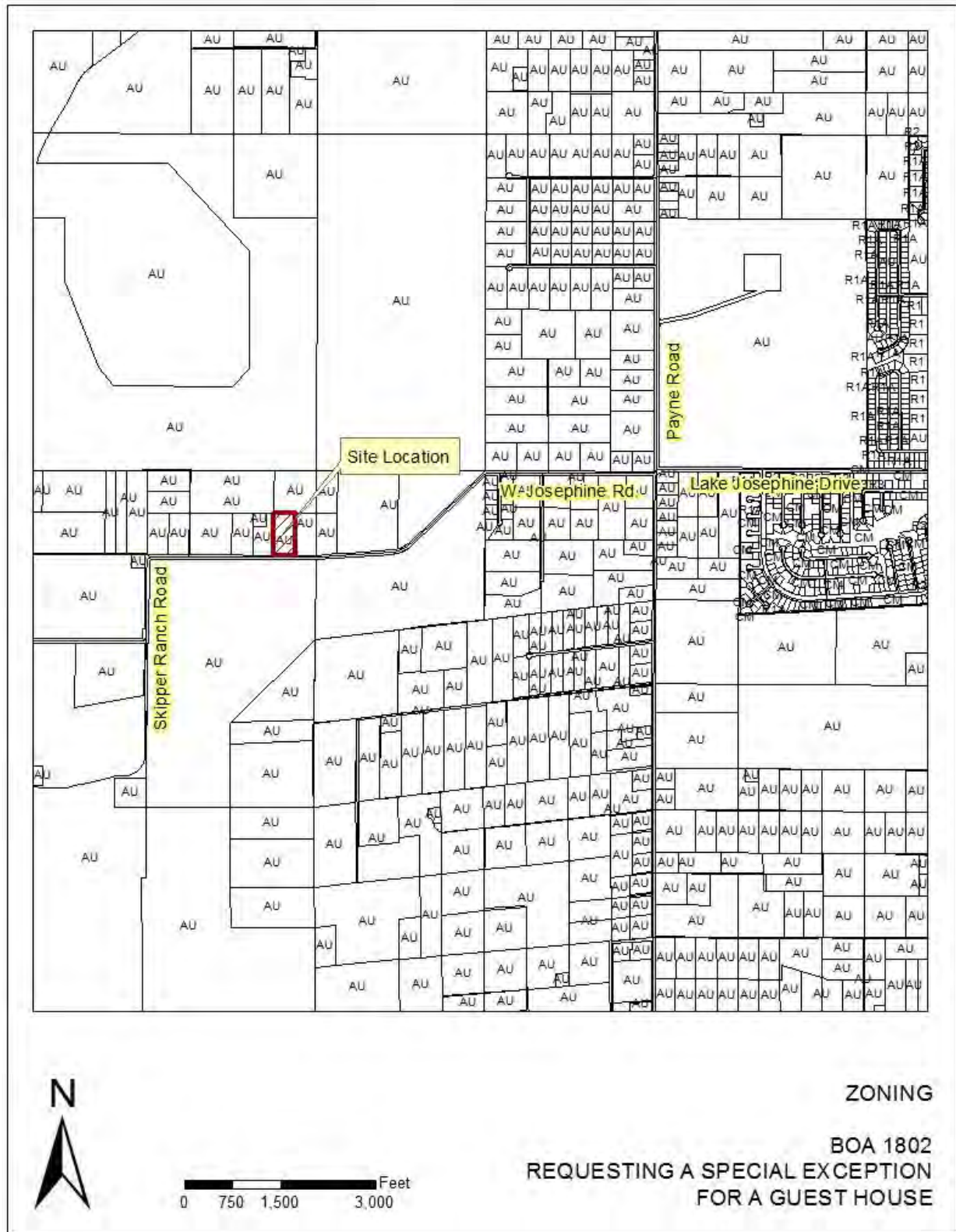




Exhibit 4:









