



## **PLANNING AND ZONING BOARD MEETING AGENDA**

**Monday, March 16, 2026 at 5:30 PM**

**Historic City Hall, Commission Chambers – 225 East Main Street, Suite 105**

**[www.cityofwauchula.gov](http://www.cityofwauchula.gov)**

---

### **INVOCATION**

### **PLEDGE OF ALLEGIANCE**

### **CALL TO ORDER**

### **ROLL CALL**

### **MINUTES FOR APPROVAL**

- 1.** Minutes for 02/16/2026 Planning and Zoning Meeting

### **ITEMS TO DISCUSS**

- 2.** 116 W Main St Mural
- 3.** 131 W Main St Mural
- 4.** EAR Based Amendments Agenda Report
- 5.** Preliminary Plat - Gardens at Midtown

### **ORDINANCES**

- 6.** Ordinance 2026-06 FLUM Amendment for 119 Ohio Avenue
- 7.** Ordinance 2026-07 Zoning Amendment for 119 Ohio Avenue
- 8.** Ordinance 2026-09 Subdivision Regulation Modification

### **PUBLIC COMMENT / NON-AGENDA ITEMS**

### **OLD BUSINESS**

### **REMINDERS**

### **ADJOURNMENT**



## PLANNING AND ZONING BOARD MEETING MINUTES

Tuesday, February 17, 2026 at 5:30 PM

Historic City Hall, Commission Chambers – 225 East Main Street, Suite 105

[www.cityofwauchula.gov](http://www.cityofwauchula.gov)

### INVOCATION

### PLEDGE OF ALLEGIANCE

### CALL TO ORDER

Meeting was called to order by Phillips @ 5:31pm

### ROLL CALL

In Attendance  
Kyle Long - City of Wauchula  
Melodie Kincaid - Deputy City Clerk  
Donna Steffens  
Garry Phillips  
Thomas Stanton  
William Dowden

### MINUTES FOR APPROVAL

- Minutes for 11/17/2025 Planning and Zoning Meeting  
Minutes for 11/17/2025 Planning and Zoning Meeting were approved  
Motion made by Stanton, 2nd by Dowden  
All in Favor to approve minutes

### PUBLIC COMMENT / NON-AGENDA ITEMS

None at this time

### ORDINANCES

None to discuss

### ITEMS TO DISCUSS

- Special Exception - 417 Heard Bridge Road  
Kyle Long presented documentation and images to discuss this item  
Received application from Dubery Engineering - to demo and rebuild the structure on this property. owned by Roy Bowland - there was a rep online via zoom if there were any questions.  
The property is currently zoned C2 and coming before P & Z Board for approval by special exception per Land Development Code, because LDC doesn't not specify "Single Family Residence" as the subject structure will be utilized for. The Exception will run with the land which means it will continue on to the next property owner and

can not be vacant for more than 6 months or will have to be re-approved

Motion was made by

The Board did not have any questions or further discussion, and all were in favor of this special exception

Motion was made by Steffens, 2nd by Dowden

### **OLD BUSINESS**

No old business to discuss

### **REMINDERS**

Kyle Long commented the next P & Z Meeting would be quite long. There was a lot on the agenda already

### **ADJOURNMENT**

With no further discussion, Meeting was adjourned at 5:36pm by Phillips

# Application for Mural Permit

## City of Wauchula

126 S. 7<sup>th</sup> Avenue

Wauchula, FL 33873

Ph: (863) 773-9193 Fax: (863) 773-0436

- Address of property where work is to be performed: 116 W. Main  
Parcel ID : 03-34-25-0200-00020-18  
The present use of the property: Masonic Lodge meeting space, salon,
- Applicant's Name: Main Street Wauchula,  
Address: 107 E. Main  
City: Wauchula St: FL Zip Code: 33873  
Work Phone: 863-767-033 Home Phone: \_\_\_\_\_  
E-mail: jnewman@cityofwauchula.co  
  
Owner's Name: Masonic Lodge #17 F & A  
Address: 116 W. Main  
City: Wauchula St: FL Zip Code: 33873  
Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
E-mail: hosslaughlin@gmail.co  
  
Artist's Name: Alexa Scheipsmeire - Alexa Lauren Design  
Address: 211 Austin  
City: Bowling Green St: FL Zip Code: 33834  
Work Phone: 863-781-481 Home Phone: \_\_\_\_\_  
E-mail: alexa@theheartlandfamily.co
- Maintenance schedule: As needed. Sherwin Williams Exterior Latitude paint will be used. Paint is  
formulated to resist heat, water, mildew UV, moisture, and other elements, thus  
UV light resistant coating: Sherwin Williams Exterior Latitude  
Sacrificial coating: \_\_\_\_\_



### PROPERTY OWNER'S AFFIDAVIT

WE,  
I, Jacob Laughlin being duly sworn, depose and say that (**we are**) (**I am**) the owner(s) of the property involved in this application and that (**we**) (**I**) authorize the painting of a mural upon the subject property and accept the responsibility of maintenance of the mural pursuant to the standards set for in the Unified Land Development Code of the City of Wauchula. The statements and information above referred to are in all respect true and correct to the best of (**our**) (**my**) knowledge and belief.

Jacob Laughlin

Printed Name:

\_\_\_\_\_

Printed Name:

STATE OF FLORIDA  
COUNTY OF HARDEE

The foregoing Property Owner's Affidavit was acknowledged before me this 29  
day of January, 2026, by Jacob Laughlin

\_\_\_\_\_, who is personally known  
to me or who has produced \_\_\_\_\_ as identification.

Sarah W. Evers  
Printed Name: Sarah W Evers  
Notary Public, State of Florida  
Commission Expires: 12/18/26







**Latitude™ with ClimateFlex Technology™**  
**Exterior Acrylic Latex** — *Deliver stunning results while keeping projects on track all season long thanks to high-quality performance and weather-adaptive features.*



**Deliver Stunning Results**

Durable finish protects against peeling, cracking and dirt pickup in extreme climates — to keep the finish looking fresh.



**Get a Premium Finish in Fewer Coats**

Outstanding hide, coverage and block resistance make it easy to achieve a nearly flawless finish.



**Avoid Weather Delays**

Develops early moisture resistance in as little as 30 minutes — so you can paint with confidence even when rain or heavy dew is forecasted.



**Extend the Painting Season**

Applies smoothly even when air, surface and material temperatures are as low as 35°F or as high as 120°F.



**SHERWIN  
WILLIAMS.**

# Latitude™

## Exterior Acrylic Gloss

### K64-650 Series

#### CHARACTERISTICS

**Latitude™ Exterior Acrylic Gloss** gives painters more flexibility in their schedules and extends the painting season. **Latitude** is formulated with ClimateFlex Technology™, providing exceptional early moisture resistance and smooth application and appearance at extreme temperatures (application at 35°F-120°F (1.7°C - 48.8°C) air, surface and material temperatures) and is resistant to early dirt pick up.

**Latitude** provides outstanding performance on properly prepared aluminum and vinyl siding, wood siding, clapboard, shakes, shingles, plywood, masonry, and metal.

**Key Attributes and Benefits:**

ClimateFlex Technology™  
Excellent application, flow and leveling  
Great dirt pick up resistance

**VinylSafe™** paint colors allow you the freedom to choose from 100 color options, including a limited selection of darker colors formulated to resist warping and buckling when applied to a sound, stable vinyl substrate.

**Color:** Most Colors  
**Coverage:** 350-400 sq. ft. per gallon  
@ 4 mils wet, 1.4 mils dry

**Drying Time, @ 50% RH:**  
@35-45°F @45°F+  
Touch: 2 Hours 2 Hours  
Recoat: 24-48 hours 4 Hours

Drying and recoat times are temperature, humidity, and film thickness dependent.

**Finish:** 35-45 units @ 60°

**Tinting with CCE only:**

Base:	oz. per gallon	Strength
Extra White*	0-7	SherColor
Super White	<b>NO NOT TINT</b>	
Deep Base	4-12	SherColor
Ultra Deep Base	10-12	SherColor
Vivid Yellow	0-10	SherColor
Real Red*	0-10	SherColor

\*Extra White and Real Red bases may be used without the addition of CCR tint.

**Extra White K64W00651**  
(may vary by color)

**V.O.C.(less exempt solvents):**  
Less than 50 grams per litre; 0.42 lbs. per gallon  
As per 40 CFR 59.406

**Volume Solids:** 34 ±2%  
**Weight Solids:** 46 ±2%  
**Weight per Gallon:** 9.96 lbs  
**Flash Point:** N.A.  
**Vehicle Type:** 100% Acrylic  
**Shelf Life:** 36 months, unopened  
**WVP Perms (US)** 34.91 grains/(hr ft<sup>2</sup> in Hg)

**Mildew Resistant**

This coating contains agents which inhibit the growth of mildew on the surface of this coating film.

#### COMPLIANCE

As of 09/22/2022, Complies with :

OTC	Yes
OTC Phase II	Yes
S.C.A.Q.M.D.	Yes
CARB	Yes
CARB SCM 2007	Yes
CARB SCM 2020	Yes
Canada	Yes
LEED® v4 & v4.1 Emissions	N/A
LEED® v4 & v4.1 V.O.C.	Yes
EPD-NSF® Certified	No
MIR-Manufacturer Inventory	No
MPI®	Yes

#### APPLICATION

When the air temperature is at 35°F (1.7°C), substrates may be colder; prior to painting, check to be sure the air, surface, and material temperature are above 35°F (1.7°C) and at least 5°F above the dew point. Avoid using if rain or snow is expected within 30 minutes.

Do not apply at air or surface temperatures below 35°F (1.7°C) or when air or surface temperatures may drop below 35°F (1.7°C) within 48 hours.

No reduction needed.

**Brush:**  
Use a nylon-polyester brush.

**Roller:**  
Use a high quality 3/8-3/4 inch nap synthetic roller cover.

For specific brushes and rollers, please refer to our Brush and Roller Guide on [sherwin-williams.com](http://sherwin-williams.com)

**Spray - Airless:**  
Pressure .....2000 p.s.i.  
Tip .....0 15-.019 inch

#### APPLICATION TIPS

Make sure product is completely agitated (mechanically or manually) before use.

Thoroughly follow the recommended surface preparations. Most coating failures are due to inadequate surface preparation or application. Thorough surface preparation will help provide long term protection with **Latitude** coating.

#### SPECIFICATIONS

**Latitude** can be self-priming when used directly over existing coatings, or exterior bare drywall, plaster and masonry (with a cured pH of less than 9). The first coat acts like a coat of primer and the second coat provides the final appearance and performance. Please note that some specific surfaces require specialized treatment.

Use on these properly prepared surfaces:

**Aluminum & Aluminum Siding<sup>1</sup>, Galvanized Steel<sup>1</sup>:**  
2 coats Latitude Exterior Acrylic

**Concrete Block, CMU, Split face Block:**  
1 coat Loxon Acrylic Block Surfacers  
2 coats Latitude Exterior Acrylic

**Brick, Stucco, Cement, Concrete:**  
1 coat Loxon Concrete & Masonry Primer (if needed)  
or  
Loxon Conditioner (if needed)  
2 coats Latitude Exterior Acrylic

**Cement Composition Siding/Panels:**  
1 coat Loxon Concrete & Masonry Primer (if needed)  
or  
Loxon Conditioner (if needed)  
2 coats Latitude Exterior Acrylic

**Plywood:**  
1 coat Exterior Latex Primer  
2 coats Latitude Exterior Acrylic

**\*Vinyl Siding:**  
2 coats Latitude Exterior Acrylic

**Wood (Cedar, Redwood):**  
1 coat Exterior Oil-Based Wood Primer  
2 coats Latitude Exterior Acrylic

Knots and some woods, such as redwood and cedar, contain a high amount of tannin, a colored wood extract. For best results on these woods, use a coat of Exterior Oil-Based Wood Primer.

**Wood Composition Board - Hardboard:**  
Because of the potential for wax bleeding out of the substrate, apply 1 coat of Exterior Oil-Based Wood Primer and then topcoat.  
<sup>1</sup> On large expanses of metal siding, the air, surface, and material temperatures must be 50°F (10°) or higher. Standard latex primers cannot be used below 50°F (10°C) or above 100°F (37.7°C). See specific primer label for that product's application limitations.

Other primers may be appropriate.

When repainting involves a drastic color change, a coat of primer will improve the hiding performance of the topcoat color.

# Latitude™

## Exterior Acrylic Gloss

### SURFACE PREPARATION

**WARNING!** If you scrape, sand or remove old paint, you may release lead dust. LEAD IS TOXIC. EXPOSURE TO LEAD DUST CAN CAUSE SERIOUS ILLNESS, SUCH AS BRAIN DAMAGE, ESPECIALLY IN CHILDREN. PREGNANT WOMEN SHOULD ALSO AVOID EXPOSURE. Wear a NIOSH-approved respirator to control lead exposure. Clean up carefully with a HEPA vacuum and a wet mop. Before you start, find out how to protect yourself and your family by contacting the National Lead Information Hotline at 1-800-424-LEAD or log on to [www.epa.gov/lead](http://www.epa.gov/lead).

Remove all surface contamination by washing with an appropriate cleaner, rinse thoroughly and allow to dry. Existing peeled or checked paint should be scraped and sanded to a sound surface. Glossy surfaces should be sanded dull. Stains from water, smoke, ink, pencil, grease, etc. should be sealed with the appropriate primer-sealer. Recognize that any surface preparation short of total removal of the old coating may compromise the service length of the system.

#### **Aluminum and Galvanized Steel:**

Wash to remove any oil, grease, or other surface contamination. All corrosion must be removed with sandpaper, wire brush, or other abrading method. On large expanses of metal siding, the air, surface, and material temperatures must be 50°F or higher.

#### **Cement Composition Siding-Panels:**

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. If the surface is new, test it for pH, if the pH is higher than 9, prime with Loxon Concrete & Masonry Primer. After power washing, previously painted masonry may still have a powdery surface that should be sealed with Loxon Conditioner.

#### **Caulking:**

Gaps between windows, doors, trim, and other through-wall openings can be filled with the appropriate caulk after priming the surface.

#### **Masonry, Concrete, Cement, Block:**

All new surfaces must be cured according to the supplier's recommendations – usually about 30 days. Remove all form release and curing agents. Rough surfaces can be filled to provide a smooth surface. If painting cannot wait 30 days, allow the surface to cure 7 days and prime the surface with Loxon Concrete & Masonry Primer. Cracks, voids, and other holes should be repaired with an elastomeric patch or sealant. Concrete masonry units (CMU) - Surface should be thoroughly clean and dry. Air, material and surface temperatures must be at least 50°F (10°C) before filling. Use Loxon Acrylic Block Surfacer. The filler must be thoroughly dry before topcoating.

#### **Previously Painted Surfaces:**

Spot prime bare areas, wait 4 hours, and paint the entire surface. Some specific surfaces require specialized treatment.

### SURFACE PREPARATION

#### **Mildew:**

Prior to attempting to remove mildew, it is always recommended to test any cleaner on a small, inconspicuous area prior to use. Bleach and bleaching type cleaners may damage or discolor existing paint films. Bleach alternative cleaning solutions may be advised. Mildew may be removed before painting by washing with a solution of 1 part liquid bleach and 3 parts clean water. Apply the solution and scrub the mildewed area. Allow the solution to remain on the surface for 10 minutes. Rinse thoroughly with clean water and allow the surface to dry before painting. Wear protective eyewear, waterproof gloves, and protective clothing. Quickly wash off any of the mixture that comes in contact with your skin. Do not add detergents or ammonia to the bleach-water solution.

#### **Wood:**

Sand any exposed wood to a fresh surface. Patch all holes and imperfections with a wood filler or putty and sand smooth. All patched areas must be primed.

#### **Steel:**

Rust and mill scale must be removed using sandpaper, wire brush, or other abrading method. Bare steel must be primed the same day as cleaned.

#### **Stucco:**

Remove any loose stucco, efflorescence, or laitance. Allow new stucco to cure at least 30 days before painting. If painting cannot wait 30 days, allow the surface to dry 7 days and prime with Loxon Concrete & Masonry Primer. Repair cracks, voids, and other holes with an elastomeric patch or sealant.

#### **\*Vinyl or other PVC Building Products:**

Clean the surface thoroughly by scrubbing with warm, soapy water. Rinse thoroughly, if needed prime with appropriate white primer. Do not paint vinyl with any color darker than the original color or having a Light Reflective Value (LRV) of less than 56 unless VinylSafe® Colors are used. If VinylSafe colors are not used the vinyl may warp. Follow all painting guidelines of the vinyl manufacturer when painting. Only paint properly installed vinyl siding. Deviating from the manufacturer's painting guidelines may cause the warranty to be voided.

### CAUTIONS

For exterior use only.  
Protect from freezing.  
Non-Photochemically reactive.

Before using, carefully read **CAUTIONS on label**.

Use only with adequate ventilation. To avoid overexposure, open windows and doors or use other means to ensure fresh air entry during application and drying. If you experience eye watering, headaches, or dizziness, increase fresh air, or wear respiratory protection (NIOSH approved) or leave the area. Avoid contact with eyes and skin. Wash hands after using. Keep container closed when not in use. Do not transfer contents to other containers for storage. **FIRST AID:** In case of eye contact, flush thoroughly with large amounts of water. Get medical attention if irritation persists. If swallowed, call Poison Control Center, hospital emergency room, or physician immediately. **WARNING:** This product contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. **DO NOT TAKE INTERNALLY. KEEP OUT OF THE REACH OF CHILDREN.**

HOTW 05/23/2022 K64W00651 04 31  
FRC, SP

### CLEANUP INFORMATION

Clean spills, spatters, hands and tools immediately after use with soap and warm clean water. After cleaning, flush spray equipment with compliant cleanup solvent to prevent rusting of the equipment. Follow manufacturer's safety recommendations when using solvents.

# Application for Mural Permit

## City of Wauchula

126 S. 7<sup>th</sup> Avenue

Wauchula, FL 33873

Ph: (863) 773-9193 Fax: (863) 773-0436

1. Address of property where work is to be performed: 131 W Main St  
 Parcel ID : 03-34-25-0200-00023-0011  
 The present use of the property: Mixed use Res/off/sto

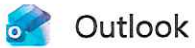
2. Applicant's Name: Sandra Contreras  
 Address: 202 N 6<sup>th</sup> Ave  
 City: Wauchula St: FL Zip Code: 33873  
 Work Phone: 863 773 9733 Home Phone: \_\_\_\_\_  
 E-mail: Sandra@topnotchfl.com

Owner's Name: West park place LLC  
 Address: P.O Box 875  
 City: Wauchula St: FL Zip Code: 33873  
 Work Phone: 863 773 9733 Home Phone: \_\_\_\_\_  
 E-mail: Travis@topnotchfl.com

Artist's Name: Alexa Scheipsmeir  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ St: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
 E-mail: alex@theheartandfamily.com

3. Maintenance schedule: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 UV light resistant coating: \_\_\_\_\_  
 Sacrificial coating: \_\_\_\_\_





---

Re: Mural

---

From Alexa Scheipsmeier <alex@theheartlandfamily.com>

Date Thu 1/29/2026 4:31 PM

To Sandra Contreras <sandra@topnotchfl.com>

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello!

I actually do not recommend doing any type of clear coat over the paint! The paint that I will be using is "Sherwin Williams Latitude Exterior" it's the highest quality you can get and it is formulated with UV protection, mildew resistance, humidity resistance, heat protection, weather, and much more. You can go on their website for further information or I can send you what their website says!

I choose to use a higher quality paint so clear coats are not necessary. Any clear coat will begin to yellow over time, will trap moisture, and could lead to uneven wear and tear. Along with that you won't be able to do touchups afterwards if you add a clear coat!

In regards to the maintenance schedule - that will really not be necessary since the paint is such good quality it should stay looking great for around 8-10 years! However, if at anytime there are any touchups that need to be done just reach out to me, but I don't think a routine schedule will be needed!

On Thu, Jan 29, 2026 at 4:07 PM Sandra Contreras <[sandra@topnotchfl.com](mailto:sandra@topnotchfl.com)> wrote:

Good Afternoon Alexa,

We are working with the city to get this approved.

Do you offer UV light resistant coating or something called Sacrificial coating? Could we also work out a maintenance schedule with you, or would we have to hire someone else for that?

Thank you for your time!

**Sandra C. | Land Development Coordinator**



Phone: 863-773-9733 | Fax: 863-240-0878

License CBC1259495 | PO Box 1899 – 202 N 6<sup>th</sup> Ave., Wauchula, FL 33873

Office Hours | M – F 8:30am -5:00pm | Closed 12:00pm-1:00pm Daily

*"For every house is built by someone, but the builder of all things is God." – Hebrews 3:4*



# Application for Certificate of Appropriateness

City of Wauchula  
126 S. 7<sup>th</sup> Avenue  
Wauchula, FL 33873  
Ph: (863) 773-9193 Fax: (863) 773-0436  
Page 1 of 2

1. Address of property where work is to be performed: 131 W Main St, Wauchula, FL 33873  
(on wall facing S 7<sup>th</sup> Ave)

2. Applicant's Name: Sandra Contreras  
Address: 202 N 10<sup>th</sup> Ave, Wauchula, FL 33873  
City: Wauchula St: FL Zip Code: 33873  
Work Phone: 883 773 9733 Home Phone: \_\_\_\_\_  
E-mail: Sandra@tdpndtchfl.com

Owner's Name: West Park Place LLC (Travis Maldonado)  
Address: P.O. Box 875  
City: Wauchula St: FL Zip Code: 33873  
Work Phone: 883 773 9733 Home Phone: \_\_\_\_\_

3. The present use of the property: Store front / Apartments

4. Description of work to be done (use additional sheets if necessary):  
\* mural being painted on side of building


# Application for Certificate of Appropriateness

City of Wauchula  
126 S. 7<sup>th</sup> Avenue  
Wauchula, FL 33873  
Ph: (863) 773-9193 Fax: (863) 773-0436  
Page 2 of 2

5. Zoning: HC-1 Setbacks: Front 0 Side 0 Rear 30

6. Documentation Submitted:	Site Plan	_____
	Photographs	_____
	Building Plans/Elevations	_____
	Samples/Swatches	_____
	Drawings/Sketches	_____
	Other	_____

  
 \_\_\_\_\_  
 Signature of the Applicant Date \_\_\_\_\_

  
 \_\_\_\_\_  
 Signature of Owner or Officer of Company Date \_\_\_\_\_

# PROPERTY OWNER'S AFFIDAVIT

WE,

I, Travis Maldonado being duly sworn, depose and say that (**we are**) (**I am**) the owner(s) of the property involved in this application and that (**we**) (**I**) authorize the painting of a mural upon the subject property and accept the responsibility of maintenance of the mural pursuant to the standards set for in the Unified Land Development Code of the City of Wauchula. The statements and information above referred to are in all respect true and correct to the best of (**our**) (**my**) knowledge and belief.

*Travis Maldonado*

Printed Name:

Travis Maldonado

Printed Name:

## STATE OF FLORIDA COUNTY OF HARDEE

The foregoing Property Owner's Affidavit was acknowledged before me this 30<sup>th</sup> day of January, 2026, by Travis Maldonado

\_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification.



*Leah Faith Hall*  
Printed Name: Leah Faith Hall  
Notary Public, State of Florida  
Commission Expires: October 12, 2027

.....with the .....  
.....  
.....  
.....





**CITY OF WAUCHULA  
2026 EAR COMPREHENSIVE PLAN AMENDMENTS  
OVERVIEW PRESENTATION**

**March 16, 2026**

**TO:** City of Wauchula, Planning and Zoning Board

**FROM:** Central Florida Regional Planning Council

**SUBJECT:** Overview of 2026 EAR Comprehensive Plan Amendments

**AGENDA & HEARING DATES:**

March 2, 2026, 6:00 PM	City Commission Update Presentation
<b>March 16, 2026, 5:30 PM</b>	<b>Planning and Zoning Board Update Presentation</b>
April 20, 2026, 5:30 PM:	Planning and Zoning Board Hearing
May 11, 2026, 6:00 PM:	City Commission Meeting, Transmittal Hearing
TBD:	City Commission Meeting, Adoption Hearing (2 <sup>nd</sup> reading)

**BACKGROUND:**

The City's Comprehensive Plan provides a framework for managing the growth and development of the city. At least once every 7 years, each local government must evaluate its comprehensive plan to determine if plan amendments are necessary to reflect changes in State Statutes and submit an Evaluation and Appraisal Report (EAR) letter and signed affidavit notifying Florida Commerce as to its determination.

The proposed amendments to the Comprehensive Plan (Plan) are based on a review of changes in Florida Statutes since the last time the Plan was updated and a review of the Comprehensive Plan against existing conditions, requirements of the Land Development Code, and input from the community.

**Senate Bill 180**

Adopted in 2025, Senate Bill 180 imposes mandates on state and local governments while limiting how they can regulate after storms. Cities and Counties May Not . . .

- propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land development regulations.
- propose or adopt more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, Florida Statutes, before October 1, 2027.

### **Reorganization**

The Comprehensive Plan Elements were reorganized in the order as addressed in Florida Statutes.

### **Proposed Amendments**

#### **THROUGHOUT THE COMPREHENSIVE PLAN**

- Include reference to 10-year short term and 20-year long term planning horizons.
- All references to FAC 9J-5 will be removed as the rule has been appealed.
- All references to the Department of Community Affairs (DCA) or Department of Economic Opportunity (DEO) will be updated to Florida Commerce consistent with the agency's current name.
- Scrivener's errors such as misspelled words will be corrected.
- All references to Florida Statutes, FAC, or other agency requirements will be verified and updated as necessary.
- All items related to requirements in the Land Development Regulations will be updated based on whether the requirements have been addressed in the Land Development Regulations. The provisions will be reviewed for potential amendments or flagged for follow-up to the Land Development Regulations.

### **Description of Elements from Florida Statutes**

#### **FUTURE LAND USE ELEMENT**

The Future Land Use Element designates proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The approximate acreage and the general range of density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed (Florida Statutes 163.3177(6)(a)).

#### **TRANSPORTATION ELEMENT**

A transportation element addressing mobility issues in relationship to the size and character of the local government. The purpose of the transportation element shall be to plan for a multimodal transportation system that places emphasis on public transportation systems, where feasible. The element shall provide for a safe, convenient multimodal transportation system, coordinated

with the future land use map or map series and designed to support all elements of comprehensive plan (Florida Statute 163.3177(6)(b)).

#### **INFRASTRUCTURE ELEMENT**

The general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element is correlated to principles and guidelines for future land use, indicating ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area. The element may be a detailed engineering plan including a topographic map depicting areas of prime groundwater recharge (Florida Statute 163.3177(6)(c)).

#### **CONSERVATION ELEMENT**

A conservation element for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources, including factors that affect energy conservation. (Florida Statutes 163.3177(6)(d)).

#### **RECREATION AND OPEN SPACE ELEMENT**

A Recreation and Open Space Element indicates a comprehensive system of public and private sites for recreation, including, but not limited to, natural reservations, parks and playgrounds, parkways, beaches and public access to beaches, open spaces, waterways, and other recreational facilities (Florida Statutes 163.3177(6)(e)).

#### **HOUSING ELEMENT**

The Housing Element works to plan for housing for future residents, eliminate substandard housing, and the provision of adequate housing sites for workforce housing, mobile homes, low-income housing, etc (Florida Statutes 163.3177(f)).

#### **INTERGOVERNMENTAL COORDINATION ELEMENT**

The Intergovernmental Coordination Element shows relationships and states principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan. This element demonstrates consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require (Florida Statutes 163.3177(6)(h)).

#### **PROPERTY RIGHTS ELEMENT**

The Property Rights Element recognizes that governmental entities respect judicially acknowledged and constitutionally protected private property rights, (Florida Statutes 163.3177(6)(f)).

#### **CAPITAL IMPROVEMENTS ELEMENT**

The purpose of this element is to provide guidance for the allocation of funding of needed public services for the municipality's current and projected population, which includes: potable water, sanitary sewer, stormwater drainage, solid waste, parks and recreation, and transportation. It is

accompanied by the annual updated Five-Year Schedule of Capital Improvements, which implements the goals, objectives and policies of the element and the Comprehensive Plan (Florida Statute 163.3177(3)(a)).

**PUBLIC SCHOOLS FACILITIES ELEMENT**

The Public Schools Facility Element is an element established to address issues related to Hardee County Public School System. This Element is not required by Florida Statutes 163.3177.



### CITY OF WAUCHULA PRELIMINARY PLAT STAFF REPORT

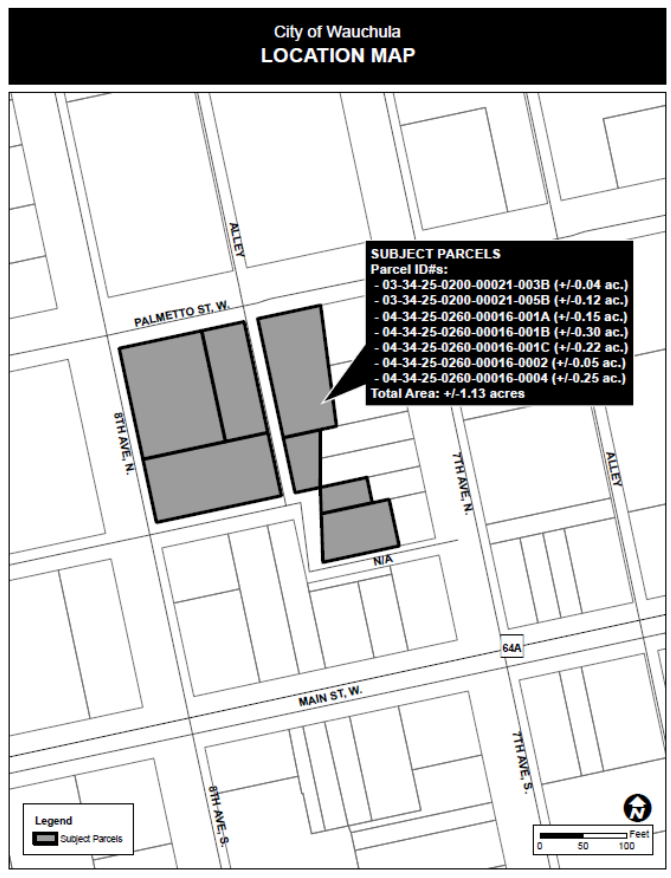
**TO:** City of Wauchula Planning and Zoning Board

**PREPARED BY:** Central Florida Regional Planning Council

**AGENDA DATE:** March 16, 2026

**REQUESTED ACTION:** CONSISTENT WITH SECTION 7.06.05.01(C)(2), THE PLANNING AND ZONING BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR DISAPPROVE THE PRELIMINARY PLAT FOR THE GARDENS AT MIDTOWN PROJECT FOR A PUBLIC PARKING LOT AND TOWNHOMES; A REPLAT OF A PORTION OF THE CARLTON AND MCEWEN ADDITION TO THE CITY OF WAUCHULA PLAT, THE PLAT OF THE TOWN OF WAUCHULA, AND THE ORIGINAL SURVEY OF THE CITY OF WAUCHULA;

CONTAINING APPROXIMATELY +/-1.50 ACRES INCLUDING PARCELS AND EXISTING RIGHT-OF-WAY LOCATED AT 217 WEST PALMETTO STREET, 120 N 8TH AVE, 211 W PALMETTO ST, 207 W PALMETTO STREET, 0 PALMETTO STRET, AND NORTH 7TH AVENUE (PARCEL NUMBERS 04-34-25-0260-00016-001B, 04-34-0260-00016-001A, 04-34-24-026000016-001C, 04-35-25-0260-00016-0002, 04-34-25-0260-00016-0004, 03-34-25-0200-00021-003B, AND 03-34-25-0200-00021-005B).

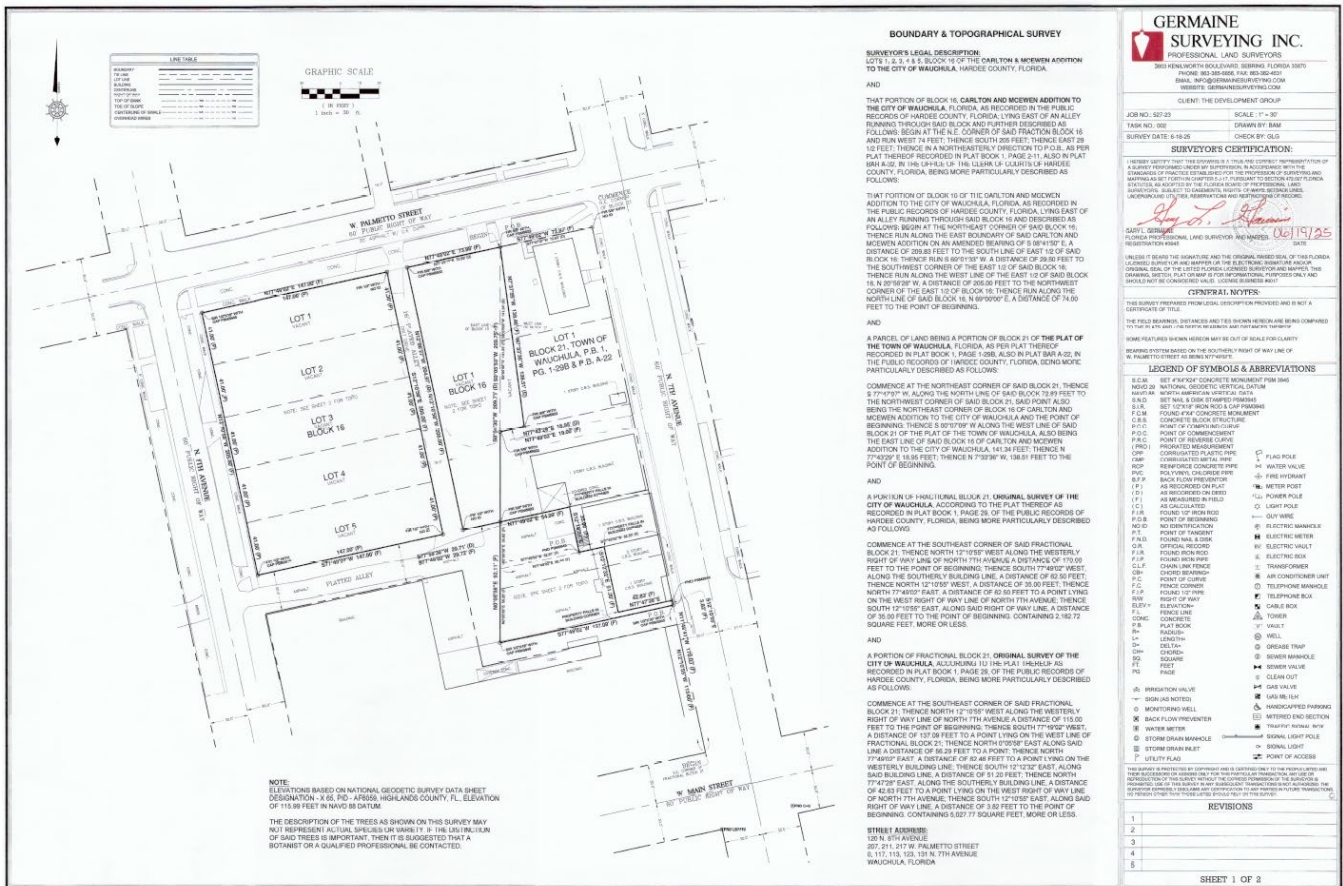


**BACKGROUND:**

Bryan Hunter, Hunter Engineering (Applicant), on behalf of the Hardee County Industrial Development Authority (owner) requests approval of a Preliminary Subdivision Plat for the Gardens at Midtown subdivision for approximately 1.50 acres of land located at the southeast corner of the intersection of Palmetto Street and 8<sup>th</sup> Avenue North, further described as parcels 04-34-25-0260-00016-001B, 04-34-0260-00016-001A, 04-34-24-026000016-001C, 04-35-25-0260-00016-0002, 04-34-25-0260-00016-0004, 03-34-25-0200-00021-003B, AND 03-34-25-0200-00021-005B. The property has a Future Land Use of Commercial (COM) and a zoning designation of Historic Downtown Commercial (HC-1).

The proposed project includes the development of a public parking lot for the City of Wauchula and roadway resurfacing and the future development of eight townhouse units. The townhouses would access their driveways via the City's parking lot.

The Gardens at Midtown preliminary plat includes a replat of a portion of the Carlton and McEwen addition to the City of Wauchula plat, the Plat of the Town of Wauchula, and the Original Survey of the City of Wauchula. The existing plat includes an alley that has city utilities. An easement would need to be created to recognize the location of the utilities as the alley is replatted.



**PRELIMINARY SUBDIVISION PLAT**

Per Section 7.06.05 of the Land Development Code, the purpose of the Preliminary Subdivision Plat (PSP) is to provide sufficient information regarding a proposed development to enable the City to evaluate the proposed subdivision as it relates to the Comprehensive Plan and the Unified Land Development Code, to allow city staff to perform a technical review of all proposed site improvements, and to serve as the basis upon which the final plat is prepared. Upon approval of the PSP, the applicant may prepare construction plans for public infrastructure improvements.

Approval of the Preliminary Plat by the Planning and Zoning Board shall be deemed an expression of approval of the subdivision layout, and nothing more, and a motion shall be so made, and shall be reported to the City Commission. Preliminary Subdivision Plans remain valid for one year from the date of approval.

**ANALYSIS**

The Preliminary Subdivision Plat is consistent with the Comprehensive Plan and the Land Development Code. As shown on the attached map, the property is located within the area identified as having to meet the building and design standards (Section 2.06.00). These standards are applicable to all uses except those included as "single family" on the Table of Land Uses. The proposed townhouses will have to meet the requirements of this Section.

Category/Use	AG	FR	R-1A	R-1	R-2	R-3	R-4	P-1	HC-1	C-1	C-2	I	P/SP	CON
<b>Single-Family</b>														
Single-family, std. construction and modular	P	P	P	P	P	P	P	P	S	S	S			S
Single-family, manufactured home (mobile home)	P	P					PC							S
Manufactured Home Subdivision							PC							
Mobile Home Park							S							
Single-family, Cluster subdivision (see Section 7.07.01)	S	S	S	S	S	S	S							
Dwelling, Zero Lot Line homes (see Section 7.07.02)	PC	PC	PC	PC	PC	PC	PC							
Duplex, two family					P	P			P	P	P			

The Preliminary Plat is consistent with the intent of the Land Development Code.

**PROPOSED PRELIMINARY SUBDIVISION PLAT CONDITIONS**

The following conditions are recommended for the Preliminary Subdivision Plat:

1. The Final Plat will includes an easement to identify the location of the existing utilities in the existing alley that is to be vacated as part of this replat.

2. Prior to development of the townhouses, the developer of the Townhouses and the City will establish an easement to provide access to the townhouse sites and address shared stormwater.
3. Prior to development of the townhouses, a Homeowner's Association document will have to be recorded to cover the property not included within the individual townhouse lots.

**PLANNING COMMISSION MOTION OPTIONS:**

1. I move **approval** of the preliminary plat for the proposed Gardens at Midtown Subdivision.
2. I move **approval with changes** to the preliminary plat for the proposed Gardens at Midtown Subdivision.
3. I move **denial** of the preliminary plat for the proposed Gardens at Midtown Subdivision.
4. I move **continuation to a date and time certain**.

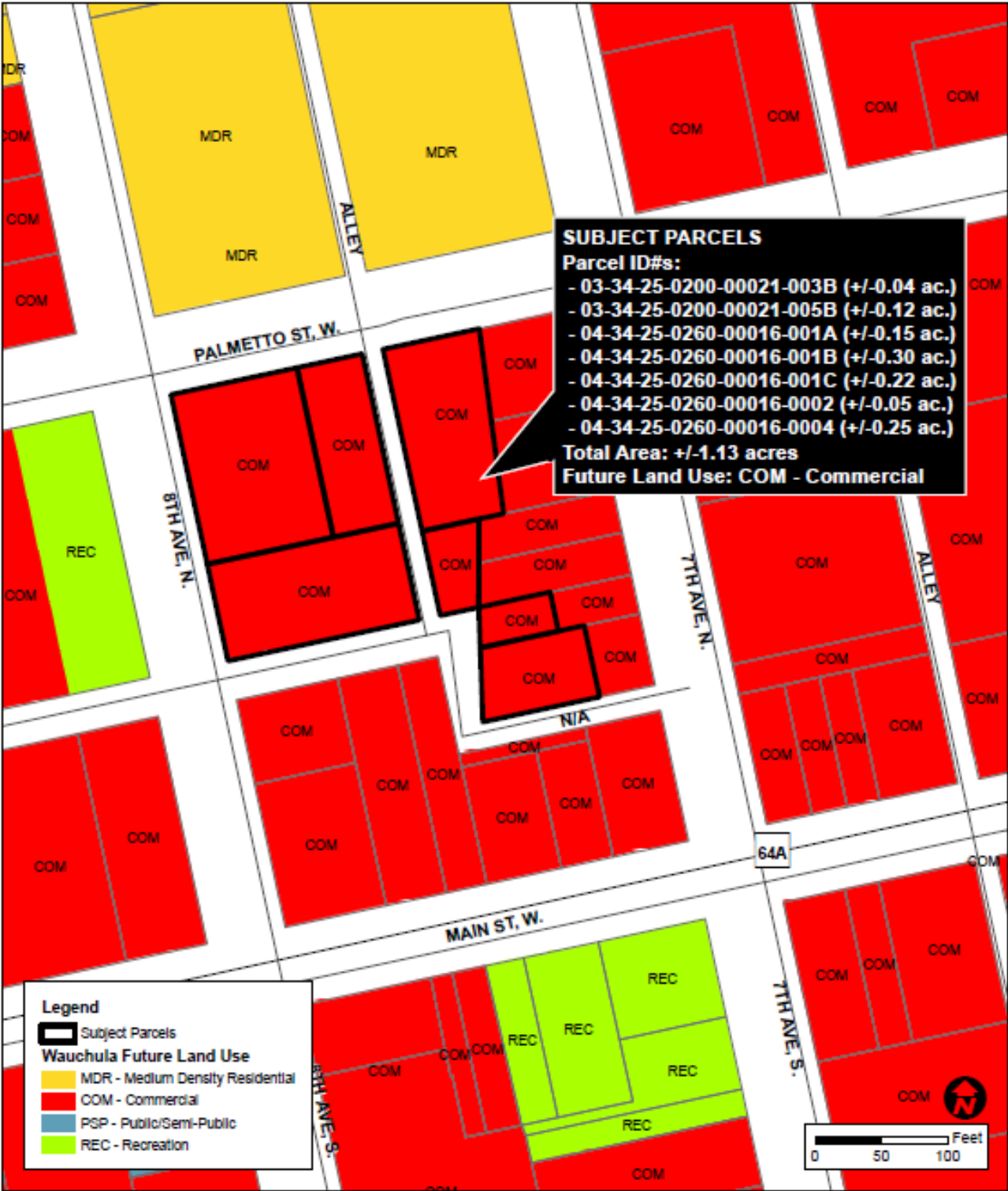
Attachments:

Aerial Map  
 Future Land Use Map  
 Zoning Map with building and design standards boundary  
 Preliminary Plat  
 Application

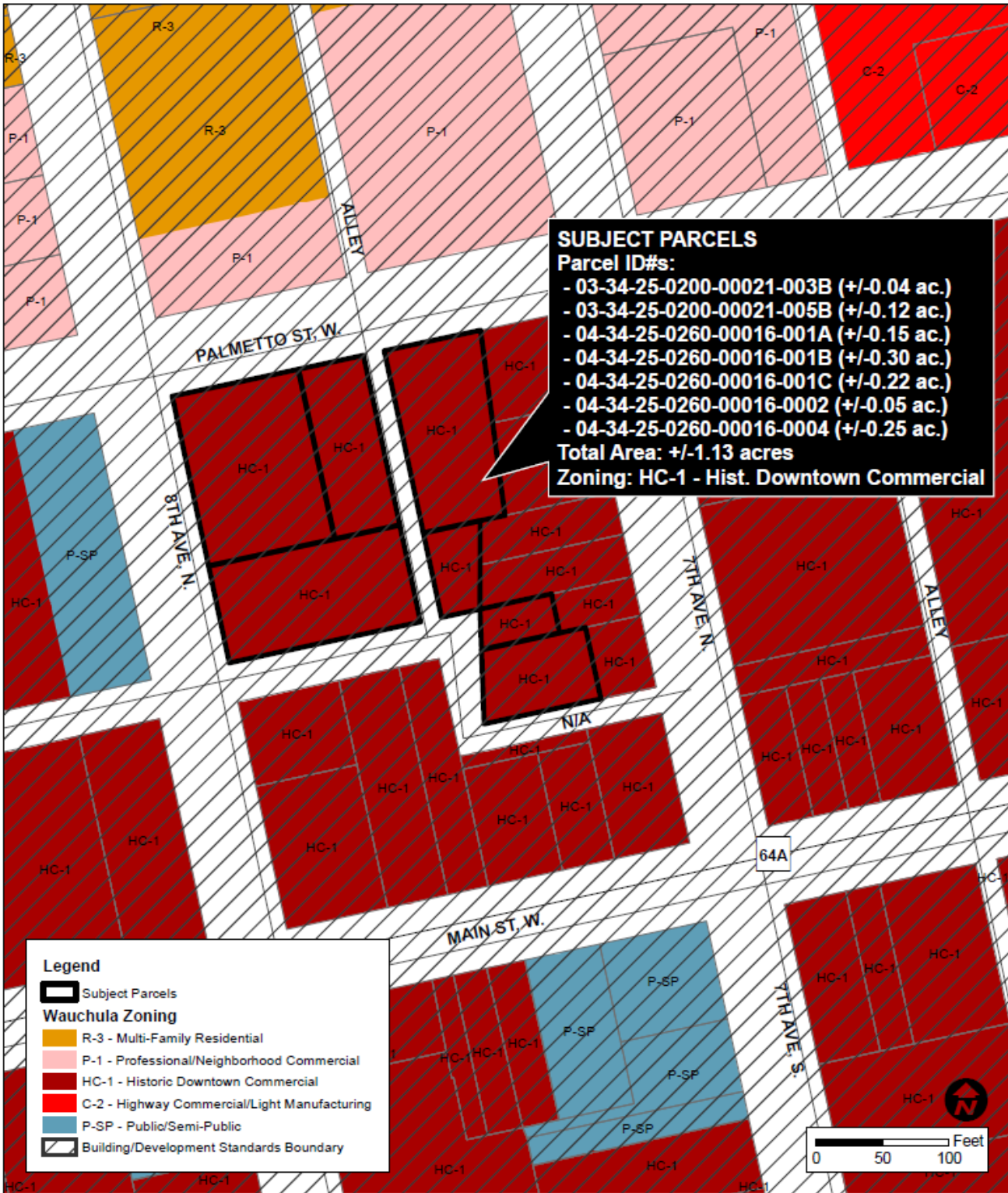
# City of Wauchula AERIAL PHOTO MAP



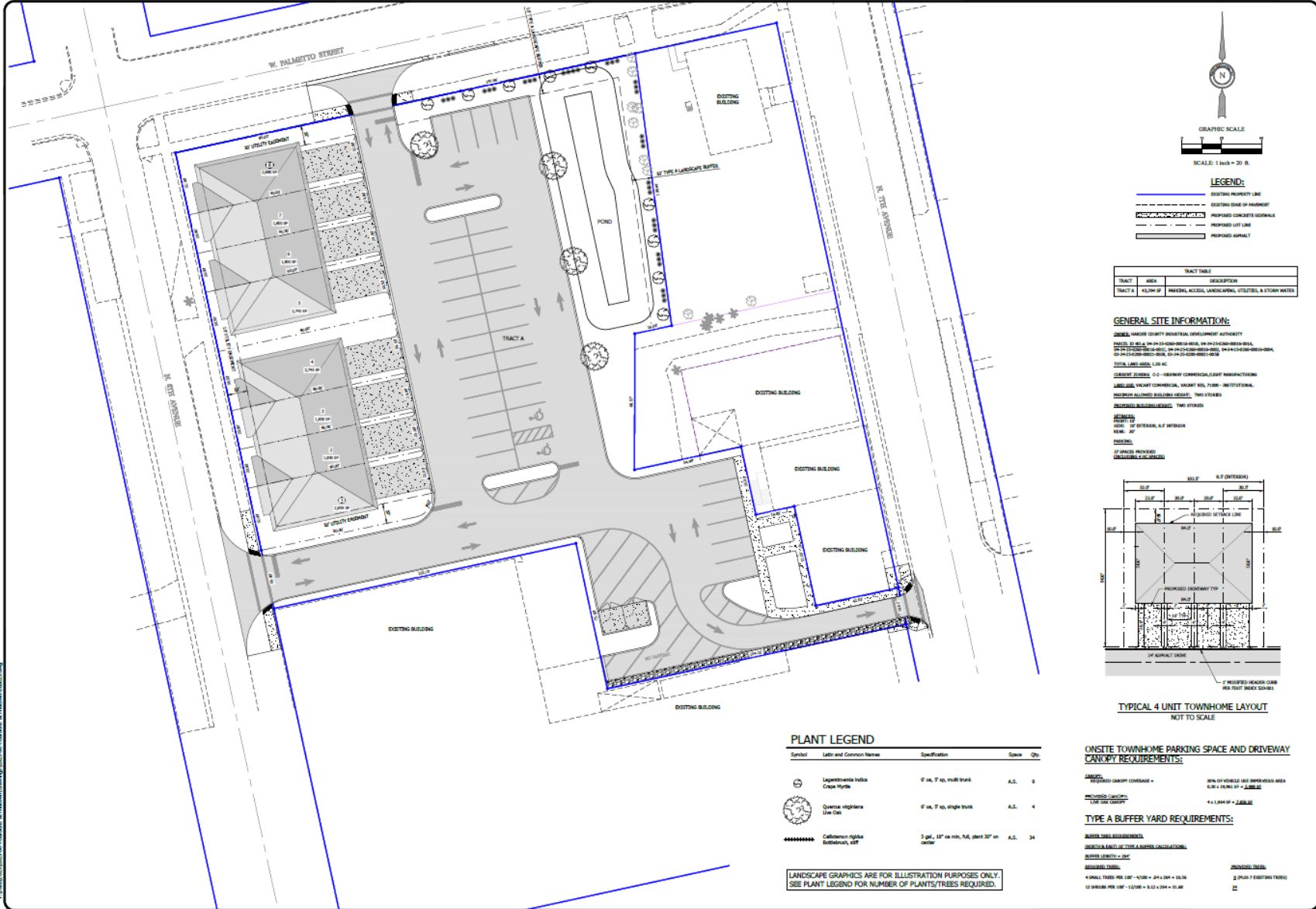
# City of Wauchula FUTURE LAND USE MAP



# City of Wauchula ZONING MAP



PRELIMINARY PLAT



PRELIMINARY PLAT

**HUNTER ENGINEERING**

4000 Duval Road  
Winter Haven, FL 33884  
Telephone: 888-506-5770  
FAX: 888-506-5181  
C.A. #E284

Prepared For  
**THE DEVELOPMENT GROUP**  
10750 Lake Shore  
West Lake, FL 32837

Preliminary Subdivision Plat  
**Gardens at Midtown  
Parking Lot Improvements**  
Winterlake, Florida

Date: February 10, 2025  
Project No.: 2025-004

**C1**

**FILL OUT COMPLETELY**

Date Submitted \_\_\_\_\_

**CITY OF WAUCHULA**

SPECIAL EXCEPTION     VARIANCE     ANNEXATION  
 RE-ZONE     FUTURE LAND USE AMENDMENT  
 SUBDIVISION PLAT (Including Plat Vacation, if Necessary)     ALLEY CLOSURE

**A SITE PLAN, TO SCALE, IS NEEDED FOR ALL REQUESTS.  
 A METES AND BOUNDS SURVEY IS NEEDED FOR AN ANNEXATION.  
 IF YOU LIVE IN A DEED RESTRICTED COMMUNITY, YOU MUST  
 PROVIDE A COPY OF THE DEED RESTRICTIONS.**

Applicant: Hardee County Industrial Development Authority  
 Address of request: 0, 207, 211, 217 W Palmetto St and 120 N 8th Ave, N 7th Ave  
 Mailing address: 107 East Main Street, Wauchula, FL 33873  
 Daytime Telephone: 863-773-3030

Owner's Name & Address (as shown on property records):  
 Check, if same as above.

If different: Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Daytime Telephone: \_\_\_\_\_

**NOTE : IF THE APPLICANT IS NOT THE OWNER OF THE ABOVE PROPERTY, WRITTEN CONSENT BY THE OWNER MUST BE SUPPLIED BY THE APPLICANT AT THE TIME OF SUBMITTAL TO THE CITY'S PLANNING AND ZONING DEPARTMENT. ALL REQUESTS MAY ONLY BE INITIATED BY THE CURRENT PROPERTY OWNER.**

Legal description: See attached property card  
 Current Zoning: C-2    Future Land Use: Commercial  
 Size of Parcel: 1.50  
 Current Improvements: (Buildings, etc. on property) Asphalt parking and roadways  
 Reason for request: Proposed improvements of parking and roadway resurfacing, and addition of 8 townhome units.

If Annexation and/or Re-Zone:

Current County Zoning Classification [redacted]

City Zoning Classification and Future Land Use classification sought: [redacted]

[redacted]

What property usage is to the North: [redacted], South: [redacted],

East: [redacted] and West: [redacted] of your property (example: residence)?

Number of residences on parcel(s) (Existing and/or proposed): [redacted]

Population of parcel(s): [redacted]

\*\*\*\*\***FOR SPECIAL EXCEPTION REQUESTS ONLY**\*\*\*\*\*

Square footage to be used for the activity: [redacted]

Proposed Hours: [redacted]

Associated Noise: [redacted]

Materials stored on premises: [redacted]

Traffic caused by activity: [redacted]

[redacted]

Number of off-street parking spaces: [redacted]

\*\*\*\*\*

Have you filed any previous applications? [redacted]

If yes, please describe request and give date of application: [redacted]

[redacted]

I have read and understand the requirements of the application and agree to pay all costs of the process.  
The typical total cost is between \$150.00 and \$300.00.

Signature(s):  Date: 2/10/24

Print Name(s): Bryan Hunter (Authorized Agent)

Signature of applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_

Print Name(s): \_\_\_\_\_

<b>FOR OFFICE USE ONLY</b>		
___ Application	_____	
___ Ad	_____	
___ Copies	_____	(.15 ea single sided) (.20 ea double sided)
___ Postage	_____	
		Total Due _____

**Gardens at Midtown Parcel Numbers**

04-34-25-0260-00016-001B

04-34-25-0260-00016-001A

04-34-25-0260-00016-001C

04-34-25-0260-00016-0002

04-34-25-0260-00016-0004

03-34-25-0200-00021-003B

03-34-25-0200-00021-005B

Subject: Agent Authorization  
Project: Gardens at Midtown  
Parcel IDs: 04-34-25-0260-00016-001B, 04-34-25-0260-00016-001A, 04-34-25-0260-00016-001C,  
04-34-25-0260-00016-0002, 04-34-25-0260-00016-0004, 03-34-25-0200-00021-003B,  
03-34-25-0200-00021-005B

TO WHOM IT MAY CONCERN:

I hereby designate and authorize Bryan Hunter with HUNTER ENGINEERING, INC. to act on behalf of Hardee County Industrial Development Authority, "Owner" as the authorized agent, applicant, and representative in the processing and furnishing of information in support of the site development permit applications to all appropriate local government or agency for the subject project. Authorization is also hereby granted to access the subject site. The site development permit applications include, but are not limited to: Southwest Florida Water Management District, Hardee County, City of Wauchula, and Florida Department of Environmental Protection.

Sarah Evers  
Typed/Printed Name of Owner

CEO  
Corporate Title, if applicable

Sarah Evers  
Signature of Owner

12/17/25  
Date

107 E Main St.  
Address

863-773-3030  
Phone Number

Sarah.evers@thedevelopmentgroup.net  
Email address

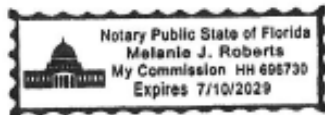
*For Representative Capacity (corporation, LLC, etc.):*

STATE OF FLORIDA

COUNTY OF HARDEE

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 17<sup>th</sup> day of December, 2025, by Sarah Evers as CEO (title of officer) of Hardee County IDA (entity name), on behalf of the company, who  is personally known to me or  has produced \_\_\_\_\_ as identification.

(AFFIX NOTARY SEAL)



Melanie J. Roberts  
Notary-Public  
Print Name Melanie J. Roberts  
My Commission Expires 7/10/29

# PRELIMINARY SUBDIVISION PLAT FOR THE GARDENS AT MIDTOWN PARKING LOT IMPROVEMENTS

Wauchula, Florida  
Section 04, Township 34 S., Range 25 E.



Location Map

Sheet Title	Sheet Index	Sheet No.
Cover Sheet		
Preliminary Plat		C1

Prepared For

### THE DEVELOPMENT GROUP

107 East Main Street  
Wauchula, FL 33873

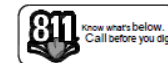
Telephone: 863.773.3030

ENGINEER OF RECORD:



**HUNTER ENGINEERING, INC.**

ENGINEER: BRYAN A. HUNTER, P.E.  
P.E. NO.: 53168  
4900 DUNDEE ROAD  
WINTER HAVEN, FLORIDA, 33884  
PHONE (883) 676-7770  
FAX (883) 985-0181  
CERTIFICATE of AUTHORIZATION #8394









## ORDINANCE NO. 2026-06

**AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF WAUCHULA, FLORIDA, SPECIFICALLY CHANGING THE FUTURE LAND USE CLASSIFICATION FROM COUNTY TOWN CENTER TO CITY MEDIUM DENSITY RESIDENTIAL (MDR) ON ONE PARCEL OF LAND CONTAINING APPROXIMATELY +/-2.2 ACRES OF LAND LOCATED AT 119 OHIO AVENUE (PARCEL NUMBER 04-34-25-0000-02670-0000), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and mandates the City of Wauchula, Florida, (the "City") to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes, the City Commission held meetings and hearings on **Amendment 26-01SS**, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

**WHEREAS**, in exercise of its authority the City Commission has determined it necessary to adopt this **Amendment 26-01SS** to the Comprehensive Plan, which map is marked as Exhibit "A" and is attached and made a part hereof, to ensure that the Plan is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Wauchula; and

**WHEREAS**, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting on March 16, 2026, at which time interested parties and citizens had the opportunity to be heard and such amendments were recommended to the City Commission for adoption; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes, the Commission held a meeting and hearing on this amendment, with due public

notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA, AS FOLLOWS:**

**Section 1. AMENDMENT TO THE FUTURE LAND USE MAP.** the Commission of the City of Wauchula, Florida, amends its Comprehensive Plan in the following specific manner: The Future Land Use Map is amended to specifically change the Future Land Use Classification from County Town Center to City Medium Density Residential (MDR) on a portion of one parcel of land containing approximately +/-2.2 acres located at 119 Ohio Avenue, (eastern portion of Parcel Number 04-34-25-0000-02670-0000). and shown on the Legal Description and Proposed Future Land Use Map attached as Composite Exhibit "A".

**Section 2. RECITALS.** The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the Commission as the legislative findings and intent pertaining to this Ordinance.

**Section 3. SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**Section 4. CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

**Section 5. EFFECTIVE DATE.** The ordinance shall take effect as provided for in 163.3187(5)(c), Florida Statutes.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Wauchula, the \_\_\_\_ day of \_\_\_\_\_, 2026.

**PASSED** on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this \_\_\_\_ day of \_\_\_\_\_, 2026.

This ordinance was moved for adoption by Commissioner \_\_\_\_\_ .  
The motion was seconded by Commissioner \_\_\_\_\_ , and upon being put to a vote, the vote was as follows:

- Commissioner Anne Miller \_\_\_\_\_ insert yes or no
- Commissioner Russell Graylin Smith \_\_\_\_\_ insert yes or no
- Commissioner Keith Nadaskay, Jr \_\_\_\_\_ insert yes or no
- Commissioner Dr. Sherri Albritton \_\_\_\_\_ insert yes or no
- Commissioner Gary Smith \_\_\_\_\_ insert yes or no

(SEAL)

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Stephanie Camacho, City Clerk

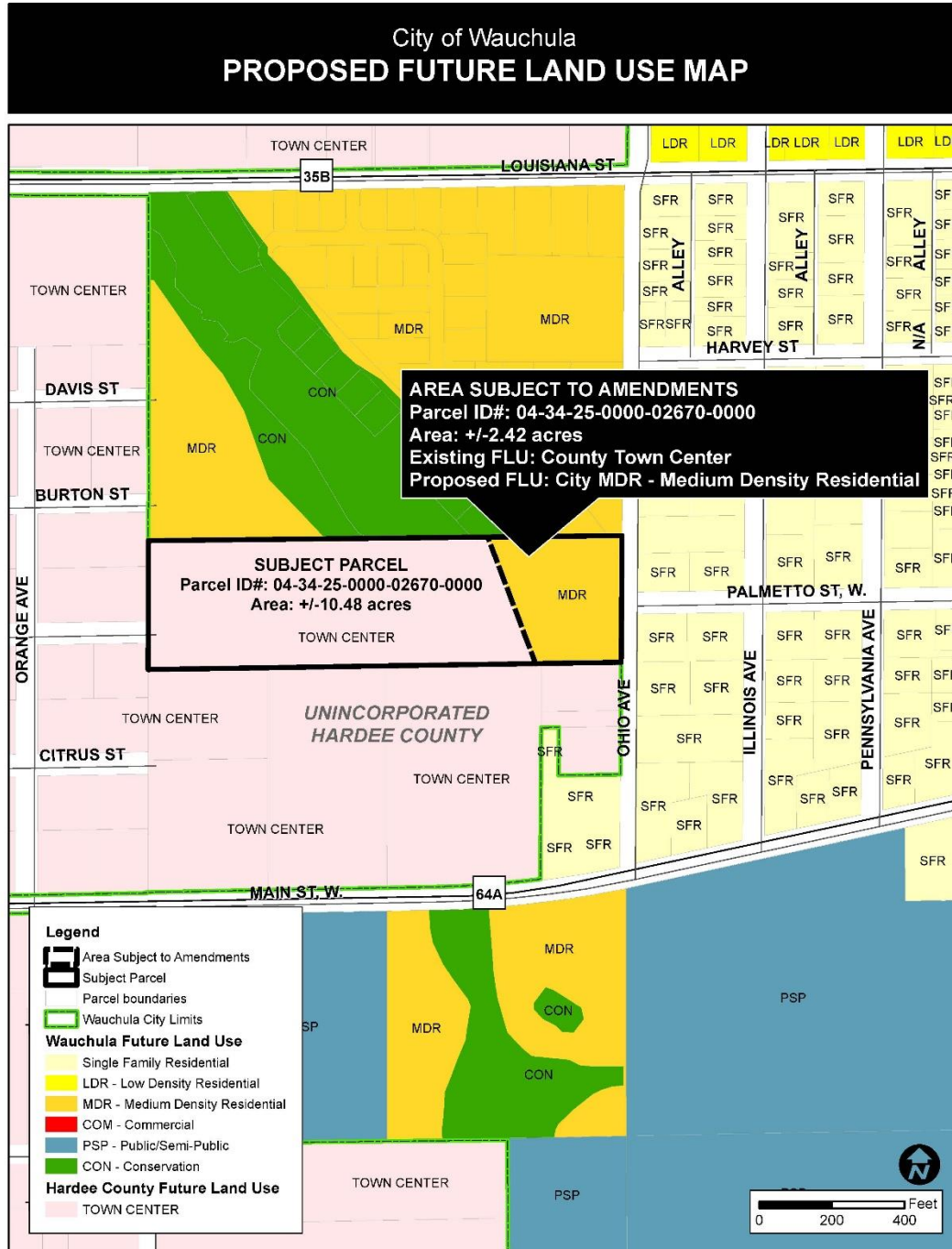
\_\_\_\_\_  
Richard Keith Nadaskay, Jr., Mayor

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Thomas A. Cloud, City Attorney



**Ordinance No. 2026-06  
Composite Exhibit "A"  
Legal Description and Future Land Use Map  
Page 2 of 2**





**CITY OF WAUCHULA  
FUTURE LAND USE AND ZONING AMENDMENT  
STAFF REPORT**

**TO:** City of Wauchula Planning and Zoning Board

**PREPARED BY:** Central Florida Regional Planning Council

**AGENDA DATE:** March 16, 2026

**SUBJECT:**

**FUTURE LAND USE MAP AMENDMENT:**

An applicant-initiated request to amend the **Future Land Use classification** from County Town Center to City Medium Density Residential (MDR) on one parcel of land containing approximately +/-2.2 acres located at 119 Ohio Avenue, (Parcel Number 04-34-25-0000-02670-0000).

**REZONING:**

An applicant-initiated request to amend the **Zoning Map** from County Farm Residential (FR) to City R-3, Multi-Family Residential on one parcel of land containing approximately +/-2.2 acres located at 119 Ohio Avenue, (Parcel Number 04-34-25-0000-02670-0000).

**AGENDA AND HEARING DATES:**

<b>March 16, 2026, 5:30 PM</b>	<b>Planning and Zoning Board (Public Hearing)</b>
April 13, 2026, 6:00 PM	City Commission (First Reading)
May 11, 2026, 6:00 PM	City Commission (Second Reading, Public Hearing)

**ATTACHMENTS:**

- Aerial Photo Map
- Existing Future Land Use Map
- Proposed Future Land Use Map
- Existing Zoning Map
- Proposed Zoning Map
- Wetland/Flood Zone Map
- Applications (Comprehensive Plan Map Amendment & Rezoning)

## **PLANNING AND ZONING BOARD MOTION OPTIONS:**

### **Future Land Use Map Amendment Motion Options:**

1. I move the Planning and Zoning Board forward the proposed Future Land Use Map Amendment to the City Commission with a recommendation of **approval**.
2. I move the Planning and Zoning Board forward the proposed Future Land Use Map Amendment to the City Commission with a recommendation of **approval with changes**.
3. I move the Planning and Zoning Board forward the proposed Future Land Use Map Amendment to the City Commission I with a recommendation of **denial**.

### **Rezoning Motion Options:**

1. I move the Planning and Zoning Board forward the proposed Rezoning to the City Commission with a recommendation of **approval**.
2. I move the Planning and Zoning Board forward the proposed Rezoning to the City Commission with a recommendation of **approval with changes**.
3. I move the Planning and Zoning Board forward the proposed Rezoning to the City Commission with a recommendation of **denial**.

## **OVERVIEW:**

<b>Applicant/Agent</b>	Noey A Flores
<b>Owner</b>	Nogzi M. Konan
<b>Parcel ID</b>	A portion of parcel 04-34-25-0000-02670-0000
<b>Total Subject Area</b>	+/-2.2 acres
<b>Existing Future Land Use</b>	County Town Center
<b>Proposed Future Land Use</b>	City Medium Density Residential
<b>Existing Zoning</b>	County Farm Residential (FR)
<b>Proposed Zoning</b>	R-3, Multi-Family Residential

Noey A Flores agent and applicant for Nogzi M Konan are requesting the assignment of City of Wauchula Future Land Use and Zoning designations on a portion of one parcel of land totaling +/-2.2 acres of the 10.48 acre parcel. The request is to assign a Future Land Use designation of City Medium Density Residential and a Zoning District of R-3, Multi-Family Residential. The reason for this request is to assign a City Future Land Use and zoning after annexation. The property currently has a single family home.

## **FUTURE LAND USE REQUEST**

The applicant is requesting a Future Land Use Map amendment from County Town Center to City Medium Density Residential. Descriptions for both the existing and proposed Future Land Use categories are provided as follows.

### **EXISTING FUTURE LAND USE – County Town Center Hardee County Comprehensive Plan, Future Land Use Element, Policy L1.2**

This category accommodates a mix of higher densities and intensities of land uses appropriate to some areas of unincorporated Hardee County. The widest range and highest densities and intensities of land uses are intended. Residential, commercial, industrial, recreational, public, and other uses are intended to be developed in close proximity to maintain or reduce distance between residences, employment areas, commercial areas and entertainment areas.

### **PROPOSED FUTURE LAND USE – City Medium Density Residential City of Wauchula Comprehensive Plan, Future Land Use Element, Policy 1.6(d)**

This category permits higher-density residential uses consistent with apartments and mobile home parks, and related neighborhood or public uses, with a maximum density of twelve units per acre (12 du/ac).

## **ZONING REQUEST**

The applicant is requesting a Zoning Map amendment from County Farm Residential (FR) to City R-3, Multi Family Residential. Descriptions for both the existing and proposed Zoning categories are provided as follows.

### **EXISTING ZONING Hardee County Land Development Code, Section 3.04.04 - Farm Residential District**

The primary purpose of this zoning district is to provide areas in Hardee County for very low-density residential development in combination with limited agriculture, public and community services, infra-structure, and recreation and open space land uses. In accordance with the Hardee County Comprehensive Plan, residential development may be single-family dwellings, at a permitted density of not more than one dwelling unit per acre. Development within this zoning district must be accessed by County-maintained roadways. Development within this zoning district shall be no further than two miles from existing high-density land uses and/or incorporated boundaries.

**PROPOSED ZONING**

**City of Wauchula Land Development Code, Section 2.02.02.06 (B) - R-3, Multi-Family Residential/Duplexes**

The purpose of this district is to provide the opportunity for areas of conventional multiple-family dwelling units such as duplex, patio homes, cluster housing, triplex, quadraplex, apartments, condominiums, and townhouse types of structures in appropriate areas of the City, compatible with existing development and in conformance with the provisions of the Comprehensive Plan. The Density for such uses shall not exceed the permitted densities of the Comprehensive Plan. Group care facilities area also permitted in the R-3 zoning district.

**PROPERTY INFORMATION**

The request includes one parcel totaling approximately +/-2.2 acres. The total property comprises approximately +/-10.48 acres but only +/-2,2 acres were annexed and therefore are the only part of this request. The property has a Future Land Use designation of County Town Center and a County zoning designation of Farm Residential. The applicant is requesting the City assign a Future Land Use designation of City Medium Density Residential (MDR) and a zoning of R-3, Multi-Family Residential on the parcel as it was recently annexed and must have City Future Land Use and zoning designations assigned to it.

**ANALYSIS:**

**SURROUNDING PROPERTIES:**

As illustrated in the table below, the property is surrounded by City Conservation, R-1, and R-3 to the north, and County Farm Residential to the west and south, City R-1A to the east. The property to the south and west are in unincorporated Hardee County and the land to the north and east are in the City of Wauchula. See attached maps.

<p><b><u>Northwest:</u></b>          FLU: City CON          Zoning: City CON          Use: Vacant</p>	<p><b><u>North:</u></b>          FLU: City MDR +Con          Zoning: City R-3 + Con          Use: Residential</p>	<p><b><u>Northeast:</u></b>          FLU: City SFR          Zoning: City R-1A          Use: Residential</p>
<p><b><u>West:</u></b>          FLU County TCN          Zoning: County FR          Use: Vacant</p>	<p><b><u>Subject Properties:</u></b>          Current FLU: County TCN          Requested FLU: City Medium Density Residential          Current Zoning: County F-R          Requested Zoning: R-3          Use: Residential</p>	<p><b><u>East:</u></b>          FLU: City SFR          Zoning: R-1A          Use: Residential</p>
<p><b><u>Southwest:</u></b>          FLU: County TCN          Zoning: County F-R          Use: Vacant</p>	<p><b><u>South:</u></b>          FLU: County TCN          Zoning: County F-R          Use: Residential</p>	<p><b><u>Southeast:</u></b>          FLU: City SFR          Zoning: City R-1A          Use: Residential</p>

**LAND USE IMPACTS ANALYSIS:**

The proposed Future Land Use is compatible with the Comprehensive Plan conditions and is compatible with the surrounding area based on the Future Land Uses assigned to nearby properties in the City limits along Ohio Avenue.

The table below shows the density for the amendment to the Future Land Use amendment and the Zoning Map amendment. As shown on Table 1, the change in Future Land Use generates no changes to the allowed maximum density of the property. The change in zoning increases the development potential by 25 dwelling units (Table 2).

**Table 1:  
Analysis of Impacts from Proposed Future Land Use Map Amendment**

	<b>Existing FLU: Hardee County Town Center (2.2 acres)</b>	<b>Proposed FLU: City MDR (2.2 acres)</b>
Density/Intensity	12 DU/acre	12 DU/AC
Density Potential	26 DU	26 DU
Difference	No change	

**Table 2:  
Analysis of Impacts from Proposed Zoning Map Amendment**

	<b>Existing ZON: Hardee County Farm Residential (2.2 acres)</b>	<b>Proposed ZON: City R-3 (2.2 acres)</b>
Density/Intensity	1 DU/2.5 acre	12 DU/AC
Density Potential	1 DU	26 DU
Difference	Increase of 25 dwelling units	

The proposed Future Land Use is compatible with the surrounding area based on the Future Land Uses assigned to nearby properties in the City limits. The proposed zoning is compatible with the companion Future Land Use request. More information is available in the Land Use Analysis located below.

### **PUBLIC FACILITIES AND SERVICES ANALYSIS:**

#### Potable Water and Wastewater

The City has capacity in both systems to serve development of this property. The applicant will be responsible for connections to the City's systems.

#### Traffic/Transportation

The site is bordered by Ohio Avenue on the east. Access to the site will be via an existing driveway on Ohio Avenue. If additional units are anticipated, coordination with the city will be required.

#### Environmental Impacts

According to the FEMA FIRM maps a FEMA Flood Zone runs along the western portion of the parcel. The affected portion of the parcel will not be annexed into the city but any development will need to be cognizant of the high hazard flood zone (blue on image) and will have to meet wetland (green on image) protection buffer requirements in Section 5.03.00.



#### School Impacts

The requested Future Land Use and Zoning permits the development of residential developments, if any additional units are constructed then coordination with the Hardee County School Board will be required.

**CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

The Future Land Use Map amendment is **consistent** with the City of Wauchula Comprehensive Plan. The change in Future Land Use for the property will permit the property owner to utilize the parcels for commercial or, potentially, residential purposes.

The Zoning amendment is **consistent** with the proposed Future Land Use Map amendment.



Photo credit Google Nov 2024

**View of the property**



Photo credit Google Nov 2024

**Property looking southwest**



Photo credit Google Nov 2024

**View of Ohio Avenue looking north**

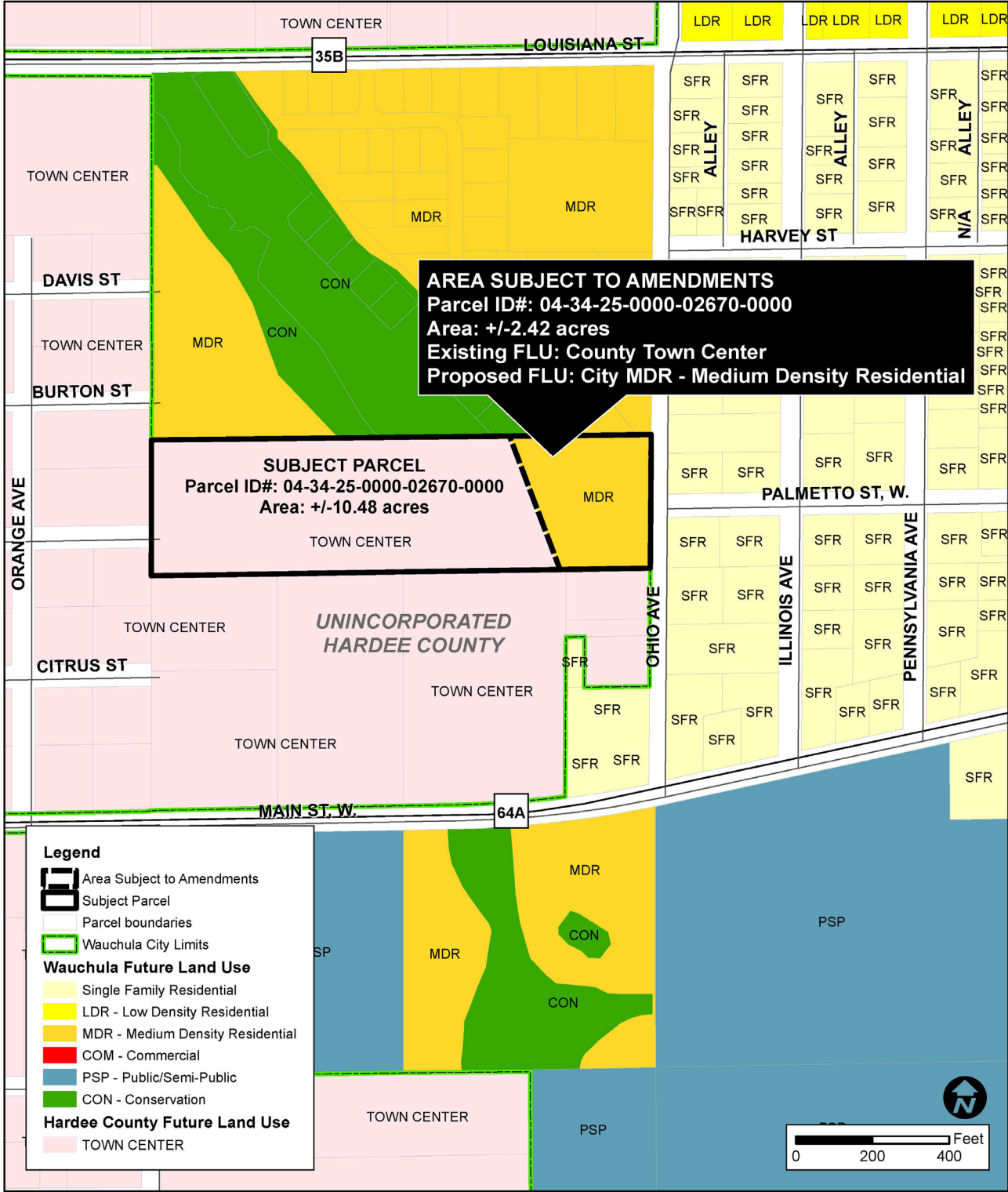


Photo credit Google 2026

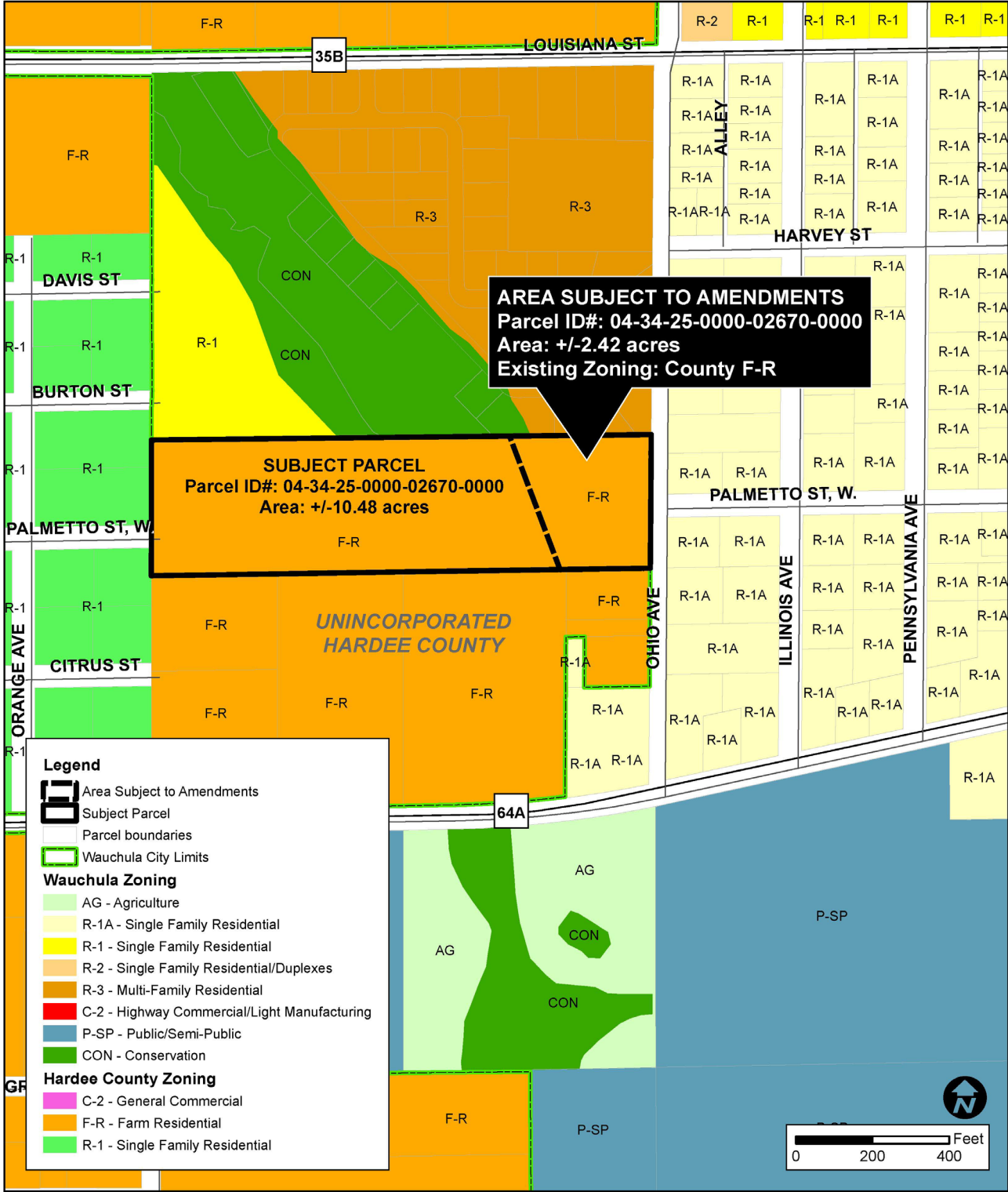
**Aerial View of the property**



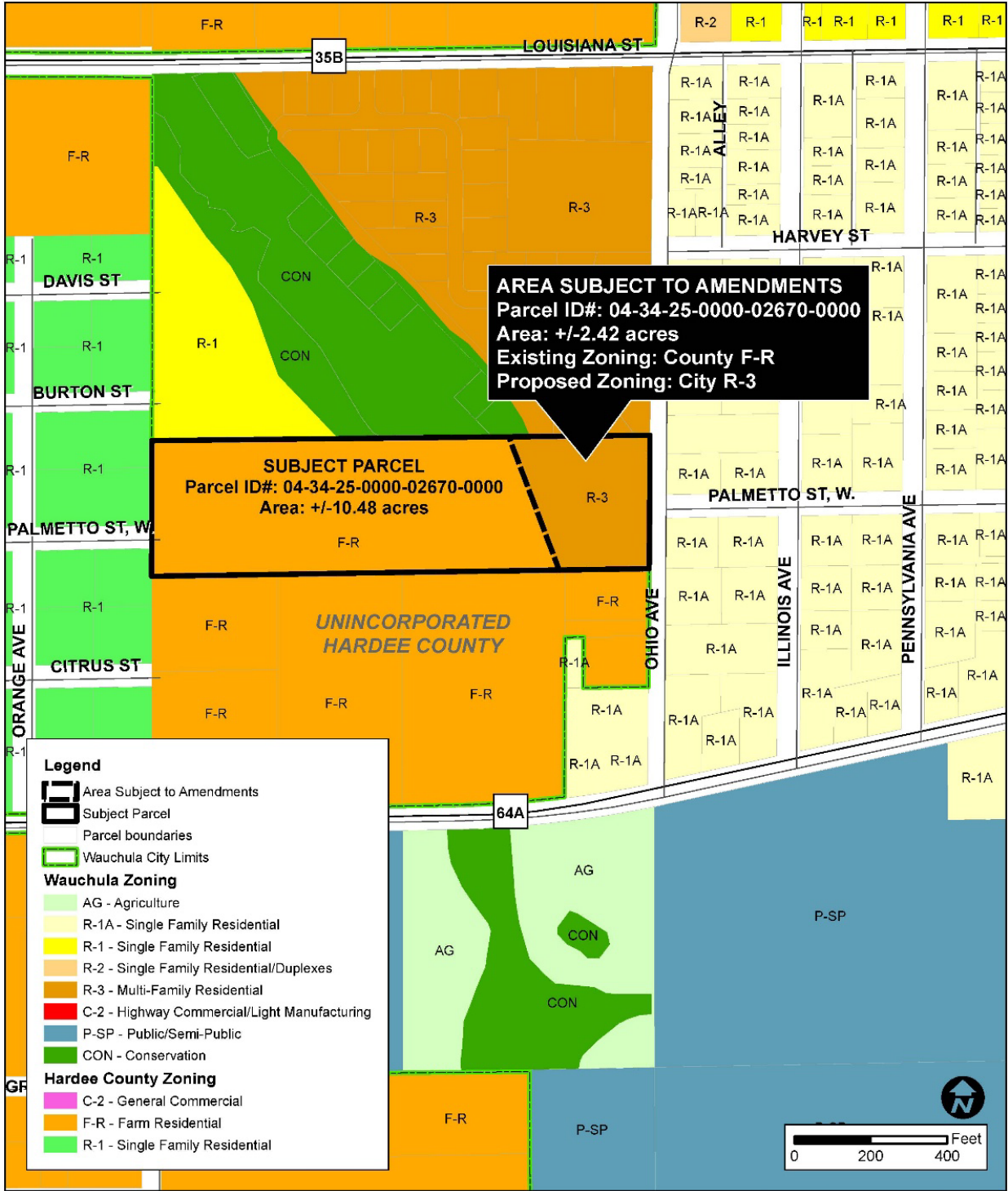
# City of Wauchula PROPOSED FUTURE LAND USE MAP



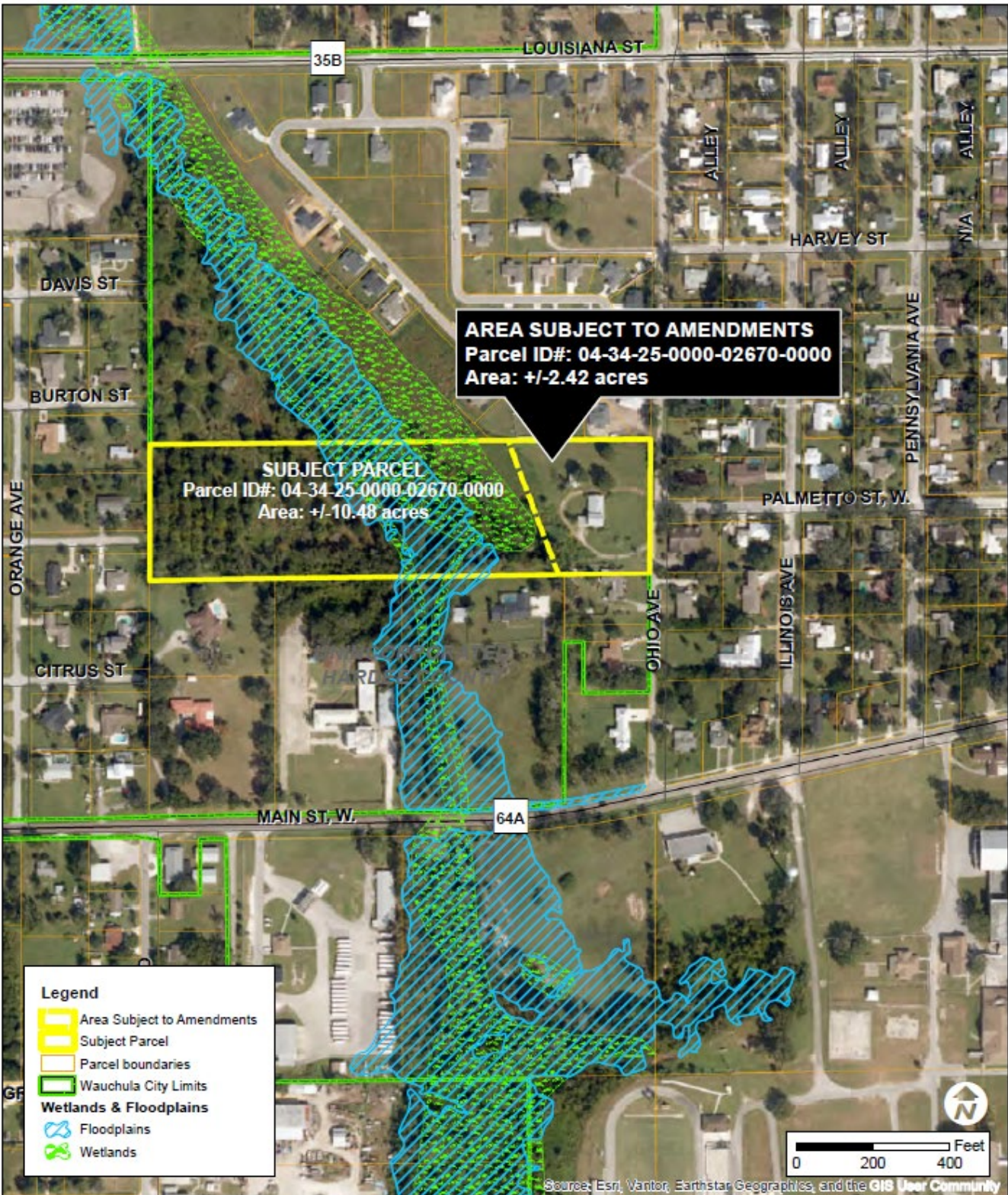
# City of Wauchula EXISTING ZONING MAP



# City of Wauchula PROPOSED ZONING MAP



# City of Wauchula WETLAND & FLOODPLAINS MAP



## Application

**FILL OUT COMPLETELY**

Date Submitted \_\_\_\_\_

**CITY OF WAUCHULA**

\_\_\_\_\_ SPECIAL EXCEPTION \_\_\_\_\_ VARIANCE  ANNEXATION  
 RE-ZONE  FUTURE LAND USE AMENDMENT  
\_\_\_\_\_ SUBDIVISION PLAT (Including Plat Vacation, if Necessary) \_\_\_\_\_ ALLEY CLOSURE

**A SITE PLAN, TO SCALE, IS NEEDED FOR ALL REQUESTS.  
A METES AND BOUNDS SURVEY IS NEEDED FOR AN ANNEXATION.  
IF YOU LIVE IN A DEED RESTRICTED COMMUNITY, YOU MUST  
PROVIDE A COPY OF THE DEED RESTRICTIONS.**

Applicant: **Nogzi M Konan**

Address of request: **119 Ohio Ave Wauchula, FL 33873**

Mailing address: **119 Ohio Ave Wauchula, FL 33873**

Daytime Telephone: **863-781-4585 C/O Noey A Flores as Agent**

Owner's Name & Address (as shown on property records):

Check, if same as above.

If different: Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_

**NOTE : IF THE APPLICANT IS NOT THE OWNER OF THE ABOVE PROPERTY, WRITTEN CONSENT BY THE OWNER MUST BE SUPPLIED BY THE APPLICANT AT THE TIME OF SUBMITTAL TO THE CITY'S PLANNING AND ZONING DEPARTMENT. ALL REQUESTS MAY ONLY BE INITIATED BY THE CURRENT PROPERTY OWNER.**

Legal description: See attached property card

Current Zoning **FR** Future Land Use **Low Density Residential**

Size of Parcel: **2.2 Acres**

Current Improvements: (Buildings, etc. on property) \_\_\_\_\_

**Primary Residence and 2 accessory buildings**

Reason for request: **Annex the property into the City of Wauchula**

If Annexation and/or Re-Zone:

Current County Zoning Classification F-R

City Zoning Classification and Future Land Use classification sought: R-3, Medium Density Residential

What property usage is to the North: Residential, South: Residential,

East: Residential and West: Vacant of your property (example: residence)?

Number of residences on parcel(s) (Existing and/or proposed): 1/2

Population of parcel(s): 1

**\*\*\*\*\*FOR SPECIAL EXCEPTION REQUESTS ONLY\*\*\*\*\***

Square footage to be used for the activity: \_\_\_\_\_

Proposed Hours: \_\_\_\_\_

Associated Noise: \_\_\_\_\_

Materials stored on premises: \_\_\_\_\_  
\_\_\_\_\_

Traffic caused by activity: \_\_\_\_\_  
\_\_\_\_\_


Number of off-street parking spaces: \_\_\_\_\_  
\*\*\*\*\*

Have you filed any previous applications? No

If yes, please describe request and give date of application: \_\_\_\_\_  
\_\_\_\_\_

Docusign Envelope ID: CDC9A1BE-D8A4-43FF-B725-0CF95896AE28

I have read and understand the requirements of the application and agree to pay all costs of the process.  
The typical total cost is between \$150.00 and \$300.00.

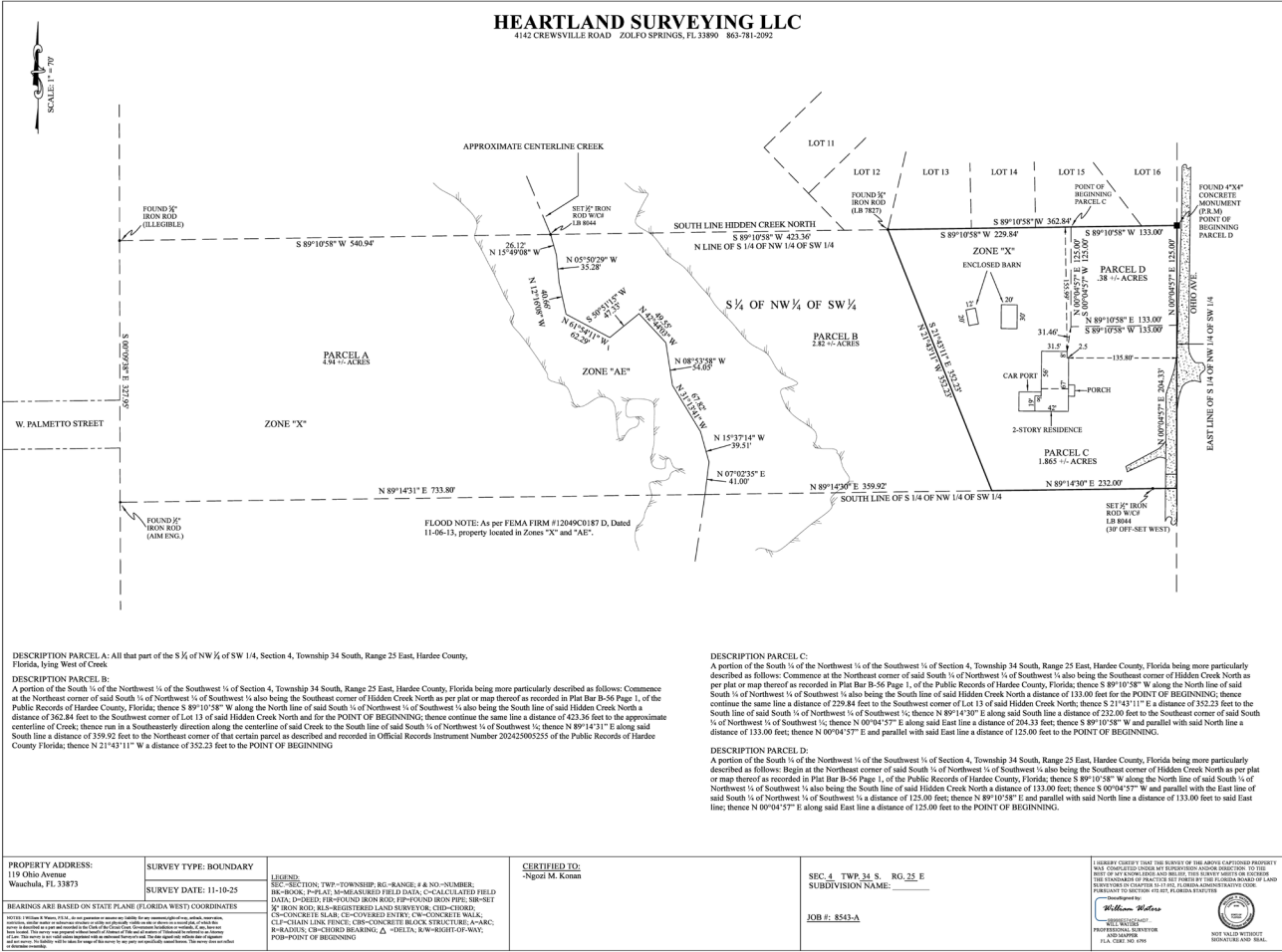
Signed by:  Date: 02/04/2026  
Signature(s): \_\_\_\_\_

Print Name(s): **Nogzi M Konan**

Signature of applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_

Print Name(s): \_\_\_\_\_

<b><u>FOR OFFICE USE ONLY</u></b>			
___ Application	_____		
___ Ad	_____		
___ Copies	_____	(.15 ea single sided)	
		(.20 ea double sided)	
___ Postage	_____		
		Total Due	_____



**ORDINANCE NO. 2026-06**

**AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF WAUCHULA, FLORIDA, SPECIFICALLY CHANGING THE FUTURE LAND USE CLASSIFICATION FROM COUNTY TOWN CENTER TO CITY MEDIUM DENSITY RESIDENTIAL (MDR) ON ONE PARCEL OF LAND CONTAINING APPROXIMATELY +/-2.2 ACRES OF LAND LOCATED AT 119 OHIO AVENUE (PARCEL NUMBER 04-34-25-0000-02670-0000), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and mandates the City of Wauchula, Florida, (the "City") to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes, the City Commission held meetings and hearings on **Amendment 26-01SS**, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

**WHEREAS**, in exercise of its authority the City Commission has determined it necessary to adopt this **Amendment 26-01SS** to the Comprehensive Plan, which map is marked as Exhibit "A" and is attached and made a part hereof, to ensure that the Plan is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Wauchula; and

**WHEREAS**, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting on March 16, 2026, at which time interested parties and citizens had the opportunity to be heard and such amendments were recommended to the City Commission for adoption; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes, the Commission held a meeting and hearing on this amendment, with due public

notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA, AS FOLLOWS:**

**Section 1. AMENDMENT TO THE FUTURE LAND USE MAP.** the Commission of the City of Wauchula, Florida, amends its Comprehensive Plan in the following specific manner: The Future Land Use Map is amended to specifically change the Future Land Use Classification from County Town Center to City Medium Density Residential (MDR) on a portion of one parcel of land containing approximately +/-2.2 acres located at 119 Ohio Avenue, (eastern portion of Parcel Number 04-34-25-0000-02670-0000). and shown on the Legal Description and Proposed Future Land Use Map attached as Composite Exhibit "A".

**Section 2. RECITALS.** The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the Commission as the legislative findings and intent pertaining to this Ordinance.

**Section 3. SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**Section 4. CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

**Section 5. EFFECTIVE DATE.** The ordinance shall take effect as provided for in 163.3187(5)(c), Florida Statutes.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Wauchula, the \_\_\_\_ day of \_\_\_\_\_, 2026.

**PASSED** on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this \_\_\_\_ day of \_\_\_\_\_, 2026.

This ordinance was moved for adoption by Commissioner \_\_\_\_\_ .  
The motion was seconded by Commissioner \_\_\_\_\_ , and upon being put to a vote, the vote was as follows:

- Commissioner Anne Miller \_\_\_\_\_ insert yes or no
- Commissioner Russell Graylin Smith \_\_\_\_\_ insert yes or no
- Commissioner Keith Nadaskay, Jr \_\_\_\_\_ insert yes or no
- Commissioner Dr. Sherri Albritton \_\_\_\_\_ insert yes or no
- Commissioner Gary Smith \_\_\_\_\_ insert yes or no

(SEAL)

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Stephanie Camacho, City Clerk

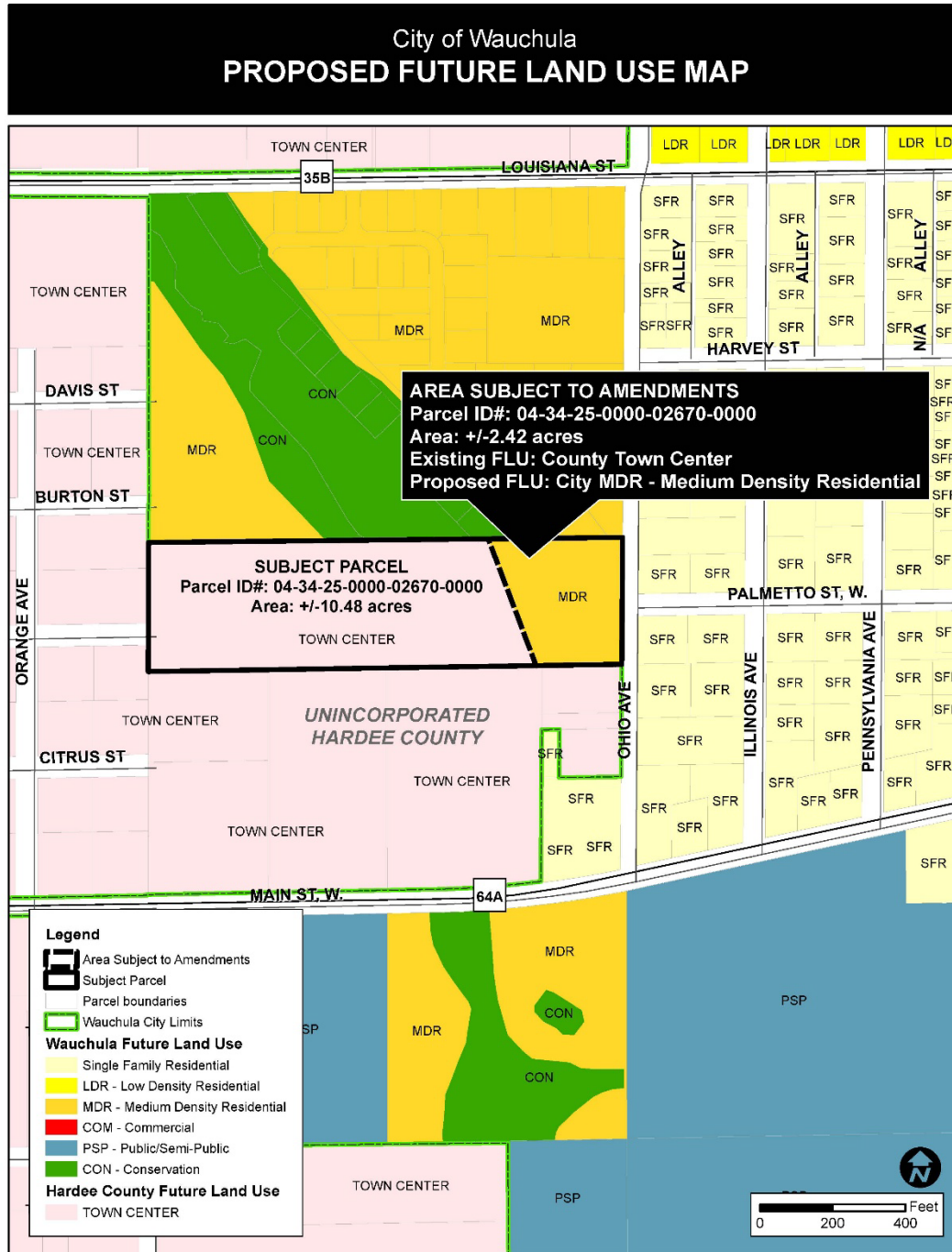
\_\_\_\_\_  
Richard Keith Nadaskay, Jr., Mayor

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Thomas A. Cloud, City Attorney



**Ordinance No. 2026-06  
Composite Exhibit "A"  
Legal Description and Future Land Use Map  
Page 2 of 2**



**ORDINANCE NO. 2026-07**

**AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF WAUCHULA, FLORIDA, FROM COUNTY FARM RESIDENTIAL (FR) TO CITY R-3, MULTI FAMILY ON ONE PARCEL OF LAND CONTAINING APPROXIMATELY +/-2.2 ACRES OF LAND LOCATED AT 119 OHIO AVENUE (PARCEL NUMBER 04-34-25-0000-02670-0000), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Noey A. Flores (the "Applicant") on behalf of Nogzi M. Konan (the "Owner") requests a change of zoning from County Farm Residential (FR) to City R-3, Multi Family Residential on a portion of one parcel of land containing approximately +/-2.2 acres located at 119 Ohio Avenue, (Parcel Number 04-34-25-0000-02670-0000).and

**WHEREAS**, the real property which is the subject of this Ordinance constitutes less than five percent (5%) of the municipally zoned area of the City; and

**WHEREAS**, on March 16, 2026, in accordance with Section 163.3174, Florida Statutes, and applicable law, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting considered the Applicant's request for rezoning as set forth in this Ordinance which included, but is not limited to, testimony and argument(s) from interested and/or aggrieved parties; and

**WHEREAS**, on March 16, 2026, the interested and/or aggrieved parties and citizens in attendance were provided with an opportunity to be heard and present testimony to the City's Planning and Zoning Board; and

**WHEREAS**, on March 16, 2026, after considering all the facts and testimony presented by the City, interested and/or aggrieved parties, and citizens in attendance, the City's Planning and Zoning Board voted to recommend approval of the Applicant's request for the rezoning as set forth in this Ordinance to the City Commission; and

**WHEREAS**, as a result of this Ordinance being initiated by the Applicant (not the municipality), the City Commission of the City of Wauchula held duly noticed public hearings regarding the parcel shown on Exhibit "A" in accordance with Section 166.041 (3), Florida Statutes, to provide the public an opportunity to be heard, obtain public comment, and receive and consider all written and oral testimony presented during such public hearings, including supporting documentation; and

**WHEREAS**, the City Council of the City of Wauchula has adopted Ordinance 2026-06, a Future Land Use Map Amendment to the City's Comprehensive Plan, designating

the subject parcel depicted in Exhibit “A,” attached hereto and incorporated herein, with a Future Land Use designation of “Low Density Residential;” and

**WHEREAS**, in exercise of its authority, the City Commission of the City of Wauchula has determined it necessary to amend the Official Zoning Map to change the City zoning classifications assigned to this property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA, AS FOLLOWS:**

**Section 1. AMENDMENT TO THE OFFICIAL ZONING MAP.** the Commission of the City of Wauchula, Florida, amends its Official Zoning Map in the following specific manner:

The Official Zoning Map is amended to specifically change the zoning from County Farm Residential (FR) to City Multi Family Residential(R-3) on the eastern +/-2.2 acres of p\one parcel of land located at 119 Ohio Avenue, (a portion of Parcel Number 04-34-25-0000-02670-0000).

**Section 2. RECITALS.** The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the Commission as the legislative findings and intent pertaining to this Ordinance.

**Section 3. SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**Section 4. CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City’s Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

**Section 5. EFFECTIVE DATE.** The ordinance shall take effect concurrent with the effective date of Ordinance 2026-06.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Wauchula, the \_\_\_ day of \_\_\_, 2026.

**PASSED** on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this \_\_\_ day of \_\_\_\_\_, 2026.

This ordinance was moved for adoption by Commissioner \_\_\_\_\_ .  
The motion was seconded by Commissioner \_\_\_\_\_ , and upon being put to a vote, the vote was as follows:

- Commissioner Anne Miller \_\_\_\_\_ insert yes or no
- Commissioner Russell Graylin Smith \_\_\_\_\_ insert yes or no
- Commissioner Keith Nadaskay, Jr \_\_\_\_\_ insert yes or no
- Commissioner Dr. Sherri Albritton \_\_\_\_\_ insert yes or no
- Commissioner Gary Smith \_\_\_\_\_ insert yes or no

(SEAL)

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Stephanie Camacho, City Clerk

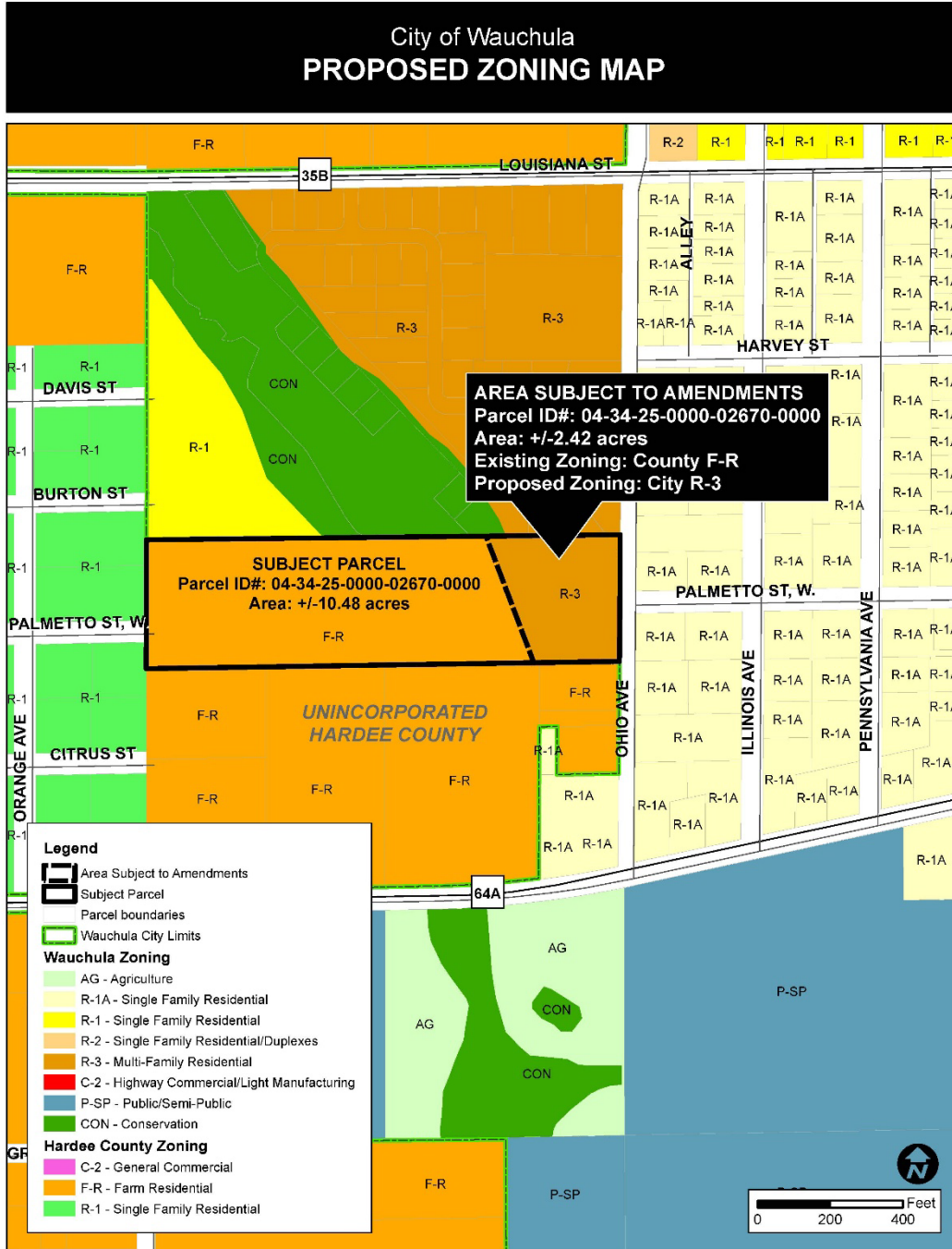
\_\_\_\_\_  
Richard Keith Nadaskay, Jr., Mayor

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Thomas A. Cloud, City Attorney



**Ordinance No. 2026-07  
Composite Exhibit "A"  
Legal Description and Zoning Map  
Page 2 of 2**



**ORDINANCE NO. 2026-07**

**AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF WAUCHULA, FLORIDA, FROM COUNTY FARM RESIDENTIAL (FR) TO CITY R-3, MULTI FAMILY ON ONE PARCEL OF LAND CONTAINING APPROXIMATELY +/-2.2 ACRES OF LAND LOCATED AT 119 OHIO AVENUE (PARCEL NUMBER 04-34-25-0000-02670-0000), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Noey A. Flores (the "Applicant") on behalf of Nogzi M. Konan (the "Owner") requests a change of zoning from County Farm Residential (FR) to City R-3, Multi Family Residential on a portion of one parcel of land containing approximately +/-2.2 acres located at 119 Ohio Avenue, (Parcel Number 04-34-25-0000-02670-0000).and

**WHEREAS**, the real property which is the subject of this Ordinance constitutes less than five percent (5%) of the municipally zoned area of the City; and

**WHEREAS**, on March 16, 2026, in accordance with Section 163.3174, Florida Statutes, and applicable law, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting considered the Applicant's request for rezoning as set forth in this Ordinance which included, but is not limited to, testimony and argument(s) from interested and/or aggrieved parties; and

**WHEREAS**, on March 16, 2026, the interested and/or aggrieved parties and citizens in attendance were provided with an opportunity to be heard and present testimony to the City's Planning and Zoning Board; and

**WHEREAS**, on March 16, 2026, after considering all the facts and testimony presented by the City, interested and/or aggrieved parties, and citizens in attendance, the City's Planning and Zoning Board voted to recommend approval of the Applicant's request for the rezoning as set forth in this Ordinance to the City Commission; and

**WHEREAS**, as a result of this Ordinance being initiated by the Applicant (not the municipality), the City Commission of the City of Wauchula held duly noticed public hearings regarding the parcel shown on Exhibit "A" in accordance with Section 166.041 (3), Florida Statutes, to provide the public an opportunity to be heard, obtain public comment, and receive and consider all written and oral testimony presented during such public hearings, including supporting documentation; and

**WHEREAS**, the City Council of the City of Wauchula has adopted Ordinance 2026-06, a Future Land Use Map Amendment to the City's Comprehensive Plan, designating

the subject parcel depicted in Exhibit “A,” attached hereto and incorporated herein, with a Future Land Use designation of “Low Density Residential;” and

**WHEREAS**, in exercise of its authority, the City Commission of the City of Wauchula has determined it necessary to amend the Official Zoning Map to change the City zoning classifications assigned to this property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA, AS FOLLOWS:**

**Section 1. AMENDMENT TO THE OFFICIAL ZONING MAP.** the Commission of the City of Wauchula, Florida, amends its Official Zoning Map in the following specific manner:

The Official Zoning Map is amended to specifically change the zoning from County Farm Residential (FR) to City Multi Family Residential(R-3) on the eastern +/-2.2 acres of p\one parcel of land located at 119 Ohio Avenue, (a portion of Parcel Number 04-34-25-0000-02670-0000).

**Section 2. RECITALS.** The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the Commission as the legislative findings and intent pertaining to this Ordinance.

**Section 3. SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**Section 4. CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City’s Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

**Section 5. EFFECTIVE DATE.** The ordinance shall take effect concurrent with the effective date of Ordinance 2026-06.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Wauchula, the \_\_\_ day of \_\_\_, 2026.

**PASSED** on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this \_\_\_ day of \_\_\_\_\_, 2026.

This ordinance was moved for adoption by Commissioner \_\_\_\_\_ .  
The motion was seconded by Commissioner \_\_\_\_\_ , and upon being put to a vote, the vote was as follows:

- Commissioner Anne Miller \_\_\_\_\_ insert yes or no
- Commissioner Russell Graylin Smith \_\_\_\_\_ insert yes or no
- Commissioner Keith Nadaskay, Jr \_\_\_\_\_ insert yes or no
- Commissioner Dr. Sherri Albritton \_\_\_\_\_ insert yes or no
- Commissioner Gary Smith \_\_\_\_\_ insert yes or no

(SEAL)

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Stephanie Camacho, City Clerk

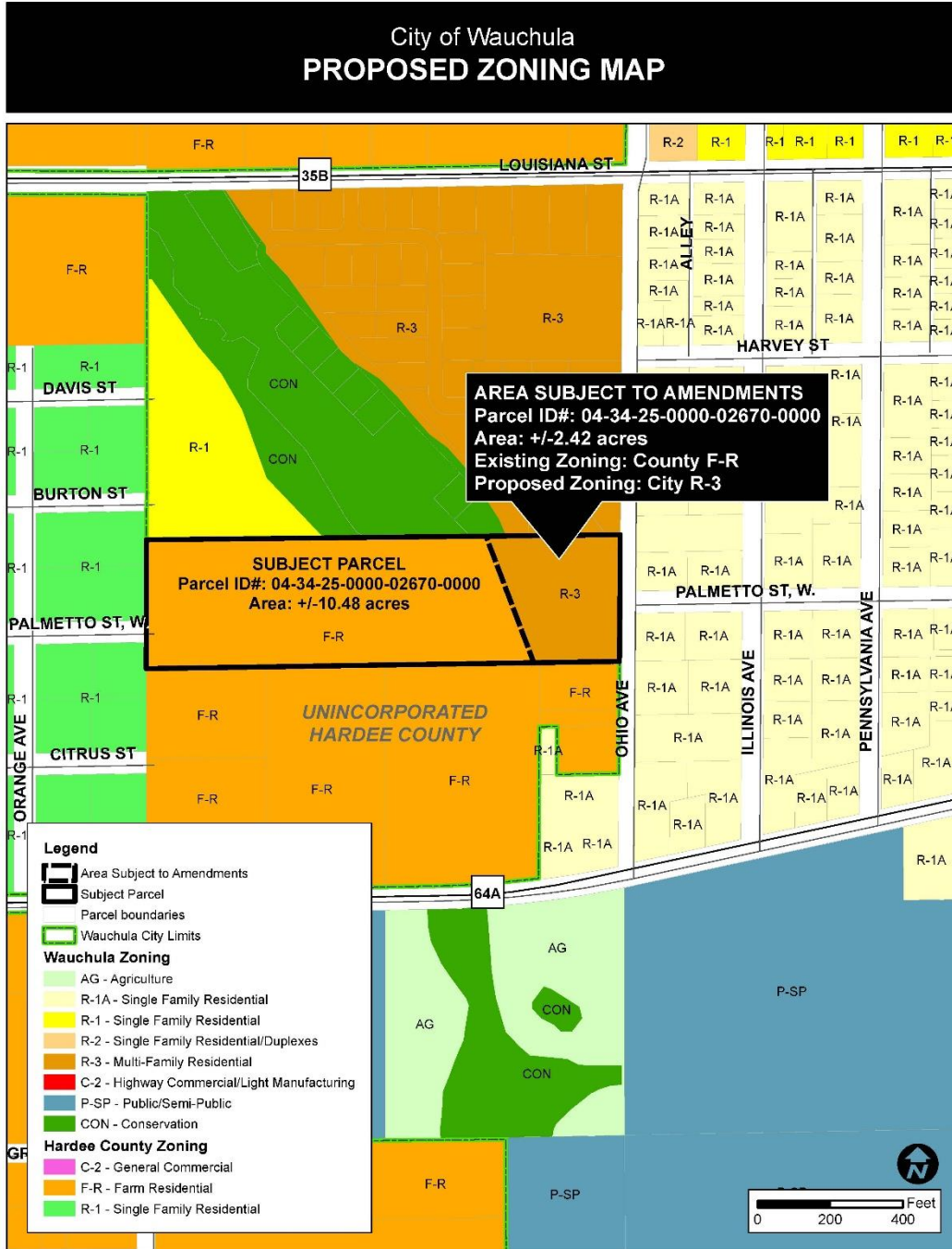
\_\_\_\_\_  
Richard Keith Nadaskay, Jr., Mayor

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Thomas A. Cloud, City Attorney



**Ordinance No. 2026-07  
Composite Exhibit "A"  
Legal Description and Zoning Map  
Page 2 of 2**





**CITY OF WAUCHULA  
TEXT AMENDMENTS  
STAFF REPORT**

---

**TO:** City of Wauchula Planning and Zoning Board  
**PREPARED BY:** Central Florida Regional Planning Council  
**AGENDA DATE:** March 16, 2026  
**REQUESTED ACTION:** (Ordinance 2026-09) City- initiated text amendments to the City of Wauchula Land Development Code relating to the administrative approval of final plats consistent with Florida Statutes 177.071 and 177.111.

**HEARING DATES:**

- **March 16, 2026, 5:30 PM:** **Planning and Zoning Board (Public Hearing)**
- April 13, 2026, 6:00 PM: City Commission Meeting (First Reading)
- May 13, 2026, 6:00 PM: City Commission Meeting (Adoption Public Hearing)

**ATTACHMENTS:**

- Ordinance 2026-xx

**PLANNING AND ZONING BOARD MOTION OPTIONS:**

1. I move the Planning and Zoning Board forward the proposed text amendments to the Land Development Code to the City Commission with a **recommendation of approval**.
2. I move the Planning and Zoning Board forward the proposed text amendments to the Land Development Code to the City Commission with a **recommendation of approval with changes**.
3. I move the Planning and Zoning Board **continue to a date and time certain**.

**BACKGROUND:**

Florida Statute 177.071 requires the City to adopt procedures for the administrative approval of plats or replats by designated county or municipal official.

Consistent with the requirements of Florida Statute 177.071(1)(a), the City of Wauchula adopted Resolution 2025-13, which designates the City Administrator as the administrative authority responsible for issuing final administrative approval of a plat or replat submittal. The City Administrator may designate a qualified administrative staff member to act on their behalf.

**SUMMARY OF PROPOSED AMENDMENTS:**

Ordinance 1560 includes the proposed amendments to the Code of Ordinances to implement Administrative Plat approvals consistent with Florida Statutes 177.071.

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA; AMENDING ARTICLE 3, 7, AND 8 OF THE CITY OF WAUCHULA UNIFIED LAND DEVELOPMENT CODE (“LDCS”) CONCERNING SUBDIVISION REGULATIONS; MODIFYING SUBDIVISION REGULATIONS TO COMPLY WITH AMENDMENTS TO STATE STATUTE; PROVIDING FOR FINDINGS, CONFLICTS, CODIFICATION, SEVERABILITY, RATIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statute 177.071 requires the City to adopt procedures for the administrative approval of plats or replats by a designated municipal authority; and

**WHEREAS**, consistent with the requirements of Florida Statute 177.071(1)(a), the City of Wauchula adopted Resolution 2025-13, which designates the City Administrator as the administrative authority responsible for issuing final administrative approval of a plat or replat submittal.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA, THAT:**

**Section 1. AMENDMENT TO THE LAND DEVELOPMENT CODE.** The Commission of the City of Wauchula, Florida, amends its Land Development Code as depicted in “Exhibit “A”.

**Section 2. FINDINGS.** The foregoing recitals are hereby adopted, ratified, and confirmed as being true and correct and are made a specific part of this Ordinance as the Commission’s legislative findings and intent pertaining to this Ordinance.

**Section 3. CODIFICATION.** It is the intent of the Wauchula City Commission that the provisions of this Ordinance shall be codified into its Unified Land Development Code.

**Section 4. SEVERABILITY.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**Section 5. CONFLICTS.** All ordinances or parts of ordinances or portions of the Unified Land Development Code in conflict herewith are hereby repealed.

**Section 6. EFFECTIVE DATE.** This ordinance shall be effective immediately after passage upon Second Reading.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Wauchula, the \_\_\_\_ day of \_\_\_\_\_, 2026.

**PASSED** on second and final reading by the City Commission of the City of

Wauchula, Florida, at regular session this \_\_\_\_ day of \_\_\_\_\_, 2026.

Item # 8.

This ordinance was moved for adoption by Commissioner \_\_\_\_\_ .  
The motion was seconded by Commissioner \_\_\_\_\_ , and upon being put  
to a vote, the vote was as follows:

Commissioner Anne Miller \_\_\_\_\_ insert yes or no  
Commissioner Russell Graylin Smith \_\_\_\_\_ insert yes or no  
Commissioner Keith Nadaskay, Jr \_\_\_\_\_ insert yes or no  
Commissioner Dr. Sherri Albritton \_\_\_\_\_ insert yes or no  
Commissioner Gary Smith \_\_\_\_\_ insert yes or no

(SEAL)

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Stephanie Camacho, City Clerk

\_\_\_\_\_  
Richard Keith Nadaskay, Jr., Mayor

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Thomas A. Cloud, City Attorney

**Exhibit "A"**  
**Ordinance No. 2026-09**  
**Land Development Code Text Amendment**

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

**ARTICLE 3 DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS**

**Section 3.08.00 Development Standards for Uses Permitted with Conditions**

**3.08.03 Single Family Residential: Manufactured Home Subdivision**

- (D) Ownership and Maintenance of Common Property. The developer shall establish a homeowners' association prior to vertical construction for the perpetual ownership and maintenance of open space, drainage facilities, buffer areas and screening, and other community facilities designated on the subdivision or site development plans for individual tracts. These facilities include, but are not limited to, pedestrian or bike paths, playgrounds, landscaped open spaces and buffer areas, lakes, swimming pools, clubhouses, tennis courts, parking lots, utilities, drainage channels, and retention/detention ponds. Roads shall also be included unless dedicated to the City of Wauchula for public use. Such organizations shall be created by covenants running with the land, and such covenants shall be included as part of the final subdivision plat of each phase and subject to approval of the City ~~Commission~~.

In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of the subdivision fail to maintain the common areas as previously defined above, in reasonable order and condition, and in accordance with the plat and subsequent final development plans, the City may serve written notice upon such organization and/or the owners or residents of the subdivision and hold a public hearing. If deficiencies of maintenance are not corrected within 30 days after such notice and hearing, the City shall call upon any public or private agency to maintain the common open space for a period of one year. If the City determines that the subject organization is not prepared or able to maintain the common open space, such public or private agency shall continue maintenance for yearly periods.

The cost of such maintenance by the designated public or private agency shall be assessed proportionately against the properties within the subdivision which have a right of enjoyment of the common open space, and shall become a lien on said properties.

Applicable requirements of this subsection shall be inserted into the legal documents of the homeowners' association or similar organization having

legal ownership of common properties. These legal documents shall be structured to serve the following purposes:

- (1) To define what is owned and by whom, including the specific location and parameters of the individual units and the ownership interest in the common elements of the owners of the association or organization.
- (2) To establish a system of interlocking relationships binding each owner to all other owners for the purpose of maintaining and preserving what is owned and used in common;
- (3) To establish an array of protective standards or restrictions designed to establish limits and assure that a certain level of appearance is maintained;
- (4) To create an administrative vehicle, the owners' association, to manage those elements shared in common and to enforce standards;
- (5) To provide for the operation and financing of the association;
- (6) To specify the process involved in effecting the transfer of control of the association and responsibility for the common elements from the developer to the unit owners collectively; and
- (7) To set forth proper access and utility easements for the owners and the association.

All common areas are to be properly defined in legal descriptions and must be consistent with the subdivision plat and subsequent final development plans of the subdivision.

**ARTICLE 7 DEVELOPMENT APPROVAL PROCESS**

**Section 7.04.00 Planned Unit Development**

**7.04.06 Ownership and Maintenance of Common Property.**

The developer shall establish a property owner's association or similar legal entity for the perpetual ownership and maintenance of open space, drainage facilities, and other community facilities designated on the Master Development Plan and subdivision or Site Development Plans for individual tracts. These facilities include, but are not limited to, pedestrian or bike paths, playgrounds, landscaped open spaces, lakes, swimming pools, bath houses, tennis courts, parking lots, utilities, drainage channels, and retention/detention ponds. Roads shall also be included unless dedicated to the City of Wauchula for public use. Such organizations shall be created by covenants running with the land, and such covenants shall be included as part of the final Site Development Plan or Subdivision Plat of each phase and subject to approval of the City **Commission**.

In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of a PUD fails to maintain the common areas as previously defined above, in reasonable order and condition, and in accordance with the adopted Master Development Plan and subsequent final development plans, the City may serve written notice upon

such organization and/or the owners or residents of the PUD and hold a public hearing. If deficiencies of maintenance are not corrected within 30 days after such notice and hearing, the City shall call upon any public or private agency to maintain the common open space for a period of one year. If the City determines that the subject organization is not prepared or able to maintain the common open space, such public or private agency shall continue maintenance for yearly periods.

The cost of such maintenance by the designated public or private agency shall be assessed proportionately against the properties within the PUD that have a right of enjoyment of the common open space, and shall become a lien on said properties.

Applicable requirements of this subsection shall be inserted into the legal documents of the homeowners association or similar organization having legal ownership of common properties. These legal documents shall be structured to serve the following purposes:

- (A) To define what is owned and by whom, including the specific location and parameters of the individual units and the ownership interest in the common elements of the owners of the association or organization;
- (B) To establish a system of interlocking relationships binding each owner to all other owners for the purpose of maintaining and preserving what is owned and used in common;
- (C) To establish an array of protective standards or restrictions designed to establish limits and assure that a certain level of appearance is maintained;
- (D) To create an administrative vehicle, the owners association, to manage those elements shared in common and to enforce standards;
- (E) To provide for the operation and financing of the association;
- (F) To specify the process involved in effecting the transfer of control of the association and responsibility for the common elements from the developer to the unit owners collectively; and,
- (G) To set forth proper access and utility easements for the owners and the association.

All common areas are to be properly defined in legal descriptions and must be consistent with the Master Development Plan and subsequent final development plans of the PUD.

**ARTICLE 7 DEVELOPMENT APPROVAL PROCESS**

**Section 7.06.00 Subdivision Regulations**

**7.06.02 Minor Subdivisions**

- (G) Except as provided for in (C), the developer shall agree to prepare and submit a final minor Subdivision Plat to the Development Director within 45 days of the issuance of a land development permit. ~~Upon approval of the minor subdivision plat by the Development Director shall be responsible for placing all minor Subdivision Plats on the City Commission agenda for approval and acceptance.~~

The plat shall be recorded with the Clerk of the Circuit Court of Hardee County prior to issuance of a certificate of occupancy.

**ARTICLE 7 DEVELOPMENT APPROVAL PROCESS**

**Section 7.06.00 Subdivision Regulations**

**7.06.03 Procedure for Subdivision of Land**

Whenever any subdivision of land is proposed and before any contract is made for the sale of any part thereof and before any permit for the installation of utilities, either public or private; construction; paving and drainage; or structures in a proposed subdivision shall be granted, the subdivider, or his authorized agent, shall apply for and secure approval from the City ~~Commission~~ of the proposed subdivision through submission of the following documents:

- (A) Concept Plan Review.
- (B) Preliminary Subdivision Plat.
- (C) Construction Plans.
- (D) Final Subdivision Plat.

Upon completion of all subdivision infrastructure improvements, or guarantee thereof, the subdivider shall apply for and receive approval of a Final Subdivision Plat before applying for permits to build structures on the lots thus created.

**ARTICLE 7 DEVELOPMENT APPROVAL PROCESS**

**Section 7.06.00 Subdivision Regulations**

**7.06.06 Construction Plans**

After approval of the Preliminary Plat and prior to the review of the Final Plat ~~by the Planning and Zoning Board~~, the developer shall prepare and submit three copies of the Construction Plans to the Development Director. The purpose of the Construction Plan is to allow City staff to review and approve all proposed site improvements prior to construction.

The construction plans shall consist of complete working drawings and design specifications, and shall be the basis for evaluating the quality and completeness of the proposed engineering design, compliance with all applicable regulations, the establishment of a construction schedule, and site improvement permitting.

The developer shall submit, in triplicate, estimate of quantities, unit prices and estimated costs for each of the following:

- (A) Streets, drainage, and storm sewers;
- (B) Water distribution system; and,
- (C) Sanitary sewer system.

**7.06.06.03 Performance Bond.** If at the time of application for Final Plat approval all improvements are not satisfactorily installed, the subdivider shall

post a bond in an amount estimated as sufficient to secure to the City the satisfactory construction, installation, and dedication of all required improvements. The performance bond shall also secure all lot improvements on the individual lots of the subdivision as required by these regulations. Such Performance Bond shall comply with all statutory requirements and shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the City Commission ~~as part of the approval action on the Final Plat~~ and shall be incorporated in the bond and shall not in any event exceed two years from date of final City approval. The City Commission may at any time during the period of such bond accept a substitution of principal or sureties on the bond upon recommendation of the City Attorney.

The City is responsible for running sanitary sewer and public water lines to a development site. However, the division of responsibility for payment of the cost of extension shall be the subject of the Development Agreement (See Article 6, Section 6.02.00 "Development Agreements.") The developer is responsible for the cost of lines within the development and the cost for connections to sanitary sewer and public water systems. The City reserves the right to impose impact fees to cover the expense to the City rather than include the cost in the Performance Bond.

**ARTICLE 7 DEVELOPMENT APPROVAL PROCESS**

**Section 7.06.00 Subdivision Regulations**

**7.06.07 Final Plat**

The intent of the Final Plat is to establish a legal record of the subdivision. Whenever the provisions of this Code have been complied with, the City Engineer has accepted the Construction Plans, and while the approval of the Preliminary Subdivision Plat is in effect, the developer may present a Final Plat and Performance Bond for review ~~by the Planning and Zoning Board~~ and approval by the ~~City Commission~~. city manager or his designated administrative authority (the "administrative authority"). The Final Plat may not be approved unless it is in strict conformance with the details of the Preliminary Plat and any changes required by, and approved by, the City. At the option of the subdivider, the final plat may constitute only that portion or phase of the approved Preliminary Site Plat which is proposed to be recorded at that time.

Final plat approval is required prior to the issuance of any building permits within the subdivision. Following ~~review by the Planning and Zoning Board and~~ approval by the ~~City Commission~~ administrative authority, the plat shall then be submitted to the Clerk of the Circuit Court for recording within the public records of Hardee County.

**7.06.07.01 Submission of Final Plat.**

## (A) General Procedure.

(1) Staff Review. The applicant shall submit the original Mylar, along with four reproducible copies of the plat. The development director, city attorney, and other city staff as appropriate, shall determine the completeness of the final plat and compliance with the Preliminary Site Plat. They shall verify the accuracy of information provided, and evaluate the degree of compliance with the technical requirements as established in this Code and other applicable city and state requirements. All staff reviewing the plat shall, upon completion of their review, forward their recommendations to the Development Director, recommending approval or denial of the final plat.

~~(2) Planning and Zoning Board. The Planning and Zoning Board shall review the Final Plat and staff comments pertaining thereto, and shall make a recommendation to City Commission to approve or disapprove the plat. Any conditions of approval shall be stated with the motion to recommend approval of the plat and shall be made clear to the developer. The Planning and Zoning Board may defer action if additional information, staff review, subdivision improvements, or completion assurances are needed. In any case, the Planning and Zoning Board shall be provided with a written statement by the Building Official to the effect that all required public improvements have been completed to his satisfaction or that satisfactory guarantees of completed installation have been provided.~~

~~(3) City Commission. The City Commission shall review the recommendation of the Planning and Zoning Board and take action on the Final Plat. The ordinance shall be advertised as delineated in Article 8, Section 8.06.00 "Public Hearings/Public Notice."~~

~~The action of the City Commission shall be forwarded in writing to the subdivider or his authorized representative. Should any adverse review comment or recommendation be made by the City Commission which may require a revision of the proposed final plat, the development director shall so notify the subdivider or his authorized representative, so that necessary revisions may be made for reconsideration by the City Commission.~~

(2) Within 7 business days after receipt of a plat or replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat

or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

- (3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (4). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.
- (4) Administrative Authority Action. Approval of the plat and acceptance of public improvements and dedications shall be by Administrative Authority letter and shall authorize the Mayor and City Clerk to sign the copy of the plat to be recorded.
- (45) Recording. Upon plat approval, and with certification that a final inspection of the improvements has been made and approved, or an acceptable financial guarantee has been provided for the satisfactory completion of the improvements, the final plat shall be forwarded to the City Clerk for signature. Upon signature by all designated staff and the Mayor. Upon signature by all designated staff and the Mayor, the applicant shall be notified that the plat is complete and may be recorded at the office of the Clerk of the Circuit Court for Hardee County. The developer shall be responsible for recording the Final Plat and for returning one reproducible copy of the recorded plat to the Building Official. The Final Plat shall be recorded prior to the issuance of any Building Permits within the subdivision
- (B) Submittal. The final plat shall conform with Chapter 177, Florida Statutes and shall be clearly and legibly drawn, in ink, on Mylar, to a scale of not more than one inch equals 100 feet. The overall sheet size shall be consistent with the standards established by the Clerk of the Circuit Court for Hardee County for recording. Where the final plat of a proposed subdivision requires more than one sheet, each sheet shall be keyed to a master map with appropriate marks of identification. Each sheet shall be provided with a one-inch margin on each of three sides and a three-inch margin on the left side of the plat for binding purposes.

- (C) Required Information. Although it may constitute only that portion of the Preliminary Subdivision Plat that the developer proposes to record and develop at the time, the Final Plat for recording shall be prepared in conformance with the requirements specified herein. The Final Plat shall be submitted with the request for approval, and shall show, in addition to the data provided on the Preliminary Subdivision Plat, the following:
- (1) Name of plat.
  - (2) Each plat shall show a description of lands platted and the description shall be the same in the title certification. The description shall be so complete that from it, without reference to the plat, the starting point and boundary can be determined.
  - (3) All required final permits and approvals issued by agencies and governing bodies having jurisdiction over properties being subdivided shall be furnished to the City Administrator. The Final Plat shall not be approved ~~by the Planning and Zoning Board and the City Commission~~ without proper submission of the final permits and approvals.
  - (4) All easements or rights-of-way provided for public services or utilities, and limitations of such easements.
  - (5) All lots shall be numbered either by progressive numbers or, if in a block, progressively numbered or lettered in each block. Lot lines shall be marked with accurate dimensions in feet and hundredths of feet, and bearings or angles to street lines.
  - (6) The accurate location of all monuments and the designation of specific control corners.
  - (7) A statement shall be included on the Final Plat indicating the final length of roads, water, and sewer lines installed.
  - (8) The purpose of all areas dedicated must be clearly indicated or stated on the plat. Accurate descriptions of any such areas to be dedicated or reserved for public use shall state the purpose thereon.
  - (9) In the event the plat includes open space, clubhouses, playgrounds, or other amenities to be owned and used in common by residents of the development, a plat note shall be added requiring the creation of a homeowners or property owners association that shall be responsible for such facilities.
  - (10) All interior excepted parcels shall be clearly indicated and labeled "Not A Part Of This Plat."
  - (11) Any existing or proposed private restrictions and trusteeships and their periods of existence shall be filed as a separate instrument, and reference to such instrument shall be noted on the Final Plat.
  - (12) City signature spaces for the Mayor, City Clerk, City Administrator, and the Chairman of the Planning and Zoning Board.
  - (13) The Clerk of the Circuit Court of Hardee County of the Circuit Court certificate and the land surveyor's certificate and seal.
  - (14) City signature spaces for the professional surveyor and mapper either employed by or under contract to the local governing body for

conformity to Florida Statutes Chapter 177., the applicant shall be notified that the plat is complete and may be recorded at the office of the Clerk of the Circuit Court for Hardee County. The developer shall be responsible for recording the Final Plat and for returning one reproducible copy of the recorded plat to the Building Official. The Final Plat shall be recorded prior to the issuance of any Building Permits within the subdivision.

## ARTICLE 8 ADMINISTRATION AND ENFORCEMENT

### Section 8.04.00 Duties of City Commission.

- (A) Powers and duties in the areas of development and land use regulation.
- (1) Adopt and amend the Comprehensive Plan.
  - (2) Adopt and amend the Land Development Code.
  - (3) Appoint members of the Planning and Zoning Board, Wauchula Historic Preservation Board, and Code Enforcement Board or Special Magistrate.
  - (4) Determine the need for and appoint members of additional boards, committees, and subcommittees to investigate and make decisions on various land use and development issues.
  - (5) Establish fees for application for a comprehensive plan amendment, zoning actions, site development plan review, landscape plan review, application for a conditional use, application for a variance, application for a special exception, and other activities carried out under the provisions of this Code.
  - (6) Make final decisions on requested changes to the Comprehensive Plan, Zoning Ordinance and Map, Planned Unit Developments, and Conditional Uses.
  - (7) Make final decisions on requests for variances where, by reason of the exception of narrowness, shallowness, or unusual shape of a site on the effective date of this Code, or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of that site, the literal enforcement of the dimensional requirements (height or width of building or size of yards, but not dwelling unit or population density) of this Code would deprive the applicant of reasonable use of the land in a manner enjoyed by other landowners in the same zoning district. The Commission may impose any reasonable conditions or restrictions in granting said variance.
  - (8) Hear and decide on appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative official in the enforcement of this Code. This power shall include the hearing of any appeal of an administrative official's decision concerning the amortization of any nonconforming use or any calculation of amortization thereunder.

~~(9) Accept the Final Plat for a new subdivision.~~

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA; AMENDING ARTICLE 3, 7, AND 8 OF THE CITY OF WAUCHULA UNIFIED LAND DEVELOPMENT CODE (“LDCS”) CONCERNING SUBDIVISION REGULATIONS; MODIFYING SUBDIVISION REGULATIONS TO COMPLY WITH AMENDMENTS TO STATE STATUTE; PROVIDING FOR FINDINGS, CONFLICTS, CODIFICATION, SEVERABILITY, RATIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statute 177.071 requires the City to adopt procedures for the administrative approval of plats or replats by a designated municipal authority; and

**WHEREAS**, consistent with the requirements of Florida Statute 177.071(1)(a), the City of Wauchula adopted Resolution 2025-13, which designates the City Administrator as the administrative authority responsible for issuing final administrative approval of a plat or replat submittal.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA, THAT:**

**Section 1. AMENDMENT TO THE LAND DEVELOPMENT CODE.** The Commission of the City of Wauchula, Florida, amends its Land Development Code as depicted in “Exhibit “A”.

**Section 2. FINDINGS.** The foregoing recitals are hereby adopted, ratified, and confirmed as being true and correct and are made a specific part of this Ordinance as the Commission’s legislative findings and intent pertaining to this Ordinance.

**Section 3. CODIFICATION.** It is the intent of the Wauchula City Commission that the provisions of this Ordinance shall be codified into its Unified Land Development Code.

**Section 4. SEVERABILITY.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**Section 5. CONFLICTS.** All ordinances or parts of ordinances or portions of the Unified Land Development Code in conflict herewith are hereby repealed.

**Section 6. EFFECTIVE DATE.** This ordinance shall be effective immediately after passage upon Second Reading.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Wauchula, the \_\_\_\_ day of \_\_\_\_\_, 2026.

**PASSED** on second and final reading by the City Commission of the City of

Wauchula, Florida, at regular session this \_\_\_\_ day of \_\_\_\_\_, 2026.

Item # 8.

This ordinance was moved for adoption by Commissioner \_\_\_\_\_.  
The motion was seconded by Commissioner \_\_\_\_\_, and upon being put  
to a vote, the vote was as follows:

- Commissioner Anne Miller \_\_\_\_\_ insert yes or no
- Commissioner Russell Graylin Smith \_\_\_\_\_ insert yes or no
- Commissioner Keith Nadaskay, Jr \_\_\_\_\_ insert yes or no
- Commissioner Dr. Sherri Albritton \_\_\_\_\_ insert yes or no
- Commissioner Gary Smith \_\_\_\_\_ insert yes or no

(SEAL)

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Stephanie Camacho, City Clerk

\_\_\_\_\_  
Richard Keith Nadaskay, Jr., Mayor

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Thomas A. Cloud, City Attorney

**Exhibit "A"**  
**Ordinance No. 2026-09**  
**Land Development Code Text Amendment**

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

**ARTICLE 3 DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS**

**Section 3.08.00 Development Standards for Uses Permitted with Conditions**

**3.08.03 Single Family Residential: Manufactured Home Subdivision**

- (D) Ownership and Maintenance of Common Property. The developer shall establish a homeowners' association prior to vertical construction for the perpetual ownership and maintenance of open space, drainage facilities, buffer areas and screening, and other community facilities designated on the subdivision or site development plans for individual tracts. These facilities include, but are not limited to, pedestrian or bike paths, playgrounds, landscaped open spaces and buffer areas, lakes, swimming pools, clubhouses, tennis courts, parking lots, utilities, drainage channels, and retention/detention ponds. Roads shall also be included unless dedicated to the City of Wauchula for public use. Such organizations shall be created by covenants running with the land, and such covenants shall be included as part of the final subdivision plat of each phase and subject to approval of the City ~~Commission~~.

In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of the subdivision fail to maintain the common areas as previously defined above, in reasonable order and condition, and in accordance with the plat and subsequent final development plans, the City may serve written notice upon such organization and/or the owners or residents of the subdivision and hold a public hearing. If deficiencies of maintenance are not corrected within 30 days after such notice and hearing, the City shall call upon any public or private agency to maintain the common open space for a period of one year. If the City determines that the subject organization is not prepared or able to maintain the common open space, such public or private agency shall continue maintenance for yearly periods.

The cost of such maintenance by the designated public or private agency shall be assessed proportionately against the properties within the subdivision which have a right of enjoyment of the common open space, and shall become a lien on said properties.

Applicable requirements of this subsection shall be inserted into the legal documents of the homeowners' association or similar organization having legal ownership of common properties. These legal documents shall be structured to serve the following purposes:

- (1) To define what is owned and by whom, including the specific location and parameters of the individual units and the ownership interest in the common elements of the owners of the association or organization.
- (2) To establish a system of interlocking relationships binding each owner to all other owners for the purpose of maintaining and preserving what is owned and used in common;
- (3) To establish an array of protective standards or restrictions designed to establish limits and assure that a certain level of appearance is maintained;
- (4) To create an administrative vehicle, the owners' association, to manage those elements shared in common and to enforce standards;
- (5) To provide for the operation and financing of the association;
- (6) To specify the process involved in effecting the transfer of control of the association and responsibility for the common elements from the developer to the unit owners collectively; and
- (7) To set forth proper access and utility easements for the owners and the association.

All common areas are to be properly defined in legal descriptions and must be consistent with the subdivision plat and subsequent final development plans of the subdivision.

**ARTICLE 7 DEVELOPMENT APPROVAL PROCESS**

**Section 7.04.00 Planned Unit Development**

**7.04.06 Ownership and Maintenance of Common Property.**

The developer shall establish a property owner's association or similar legal entity for the perpetual ownership and maintenance of open space, drainage facilities, and other community facilities designated on the Master Development Plan and subdivision or Site Development Plans for individual tracts. These facilities include, but are not limited to, pedestrian or bike paths, playgrounds, landscaped open spaces, lakes, swimming pools, bath houses, tennis courts, parking lots, utilities, drainage channels, and retention/detention ponds. Roads shall also be included unless dedicated to the City of Wauchula for public use. Such organizations shall be created by covenants running with the land, and such covenants shall be included as part of the final Site Development Plan or Subdivision Plat of each phase and subject to approval of the City **Commission**.

In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of a PUD fails to maintain the common areas as previously defined above, in reasonable order and condition, and in accordance with the adopted Master Development Plan and subsequent final development plans, the City may serve written notice upon such organization and/or the owners or residents of the PUD and hold a public hearing. If deficiencies of maintenance are not corrected within 30 days after such notice and hearing, the City shall call upon any public or private agency to maintain the common open space for a period of one year. If the City determines that the subject organization is not prepared or able to maintain the

common open space, such public or private agency shall continue maintenance for yearly periods.

The cost of such maintenance by the designated public or private agency shall be assessed proportionately against the properties within the PUD that have a right of enjoyment of the common open space, and shall become a lien on said properties.

Applicable requirements of this subsection shall be inserted into the legal documents of the homeowners association or similar organization having legal ownership of common properties. These legal documents shall be structured to serve the following purposes:

- (A) To define what is owned and by whom, including the specific location and parameters of the individual units and the ownership interest in the common elements of the owners of the association or organization;
- (B) To establish a system of interlocking relationships binding each owner to all other owners for the purpose of maintaining and preserving what is owned and used in common;
- (C) To establish an array of protective standards or restrictions designed to establish limits and assure that a certain level of appearance is maintained;
- (D) To create an administrative vehicle, the owners association, to manage those elements shared in common and to enforce standards;
- (E) To provide for the operation and financing of the association;
- (F) To specify the process involved in effecting the transfer of control of the association and responsibility for the common elements from the developer to the unit owners collectively; and,
- (G) To set forth proper access and utility easements for the owners and the association.

All common areas are to be properly defined in legal descriptions and must be consistent with the Master Development Plan and subsequent final development plans of the PUD.

**ARTICLE 7 DEVELOPMENT APPROVAL PROCESS**

**Section 7.06.00 Subdivision Regulations**

**7.06.02 Minor Subdivisions**

- (G) Except as provided for in (C), the developer shall agree to prepare and submit a final minor Subdivision Plat to the Development Director within 45 days of the issuance of a land development permit. Upon approval of the minor subdivision plat by T~~the Development Director shall be responsible for placing all minor Subdivision Plats on the City Commission agenda for approval and acceptance. T~~the plat shall be recorded with the Clerk of the Circuit Court of Hardee County prior to issuance of a certificate of occupancy.

**ARTICLE 7 DEVELOPMENT APPROVAL PROCESS**

**Section 7.06.00 Subdivision Regulations**

**7.06.03 Procedure for Subdivision of Land**

Whenever any subdivision of land is proposed and before any contract is made for the sale of any part thereof and before any permit for the installation of utilities, either public or private; construction; paving and drainage; or structures in a proposed subdivision shall be granted, the subdivider, or his authorized agent, shall apply for and secure approval from the City **Commission** of the proposed subdivision through submission of the following documents:

- (A) Concept Plan Review.
- (B) Preliminary Subdivision Plat.
- (C) Construction Plans.
- (D) Final Subdivision Plat.

Upon completion of all subdivision infrastructure improvements, or guarantee thereof, the subdivider shall apply for and receive approval of a Final Subdivision Plat before applying for permits to build structures on the lots thus created.

## ARTICLE 7 DEVELOPMENT APPROVAL PROCESS

### Section 7.06.00 Subdivision Regulations

#### 7.06.06 Construction Plans

After approval of the Preliminary Plat and prior to the review of the Final Plat ~~by the Planning and Zoning Board~~, the developer shall prepare and submit three copies of the Construction Plans to the Development Director. The purpose of the Construction Plan is to allow City staff to review and approve all proposed site improvements prior to construction.

The construction plans shall consist of complete working drawings and design specifications, and shall be the basis for evaluating the quality and completeness of the proposed engineering design, compliance with all applicable regulations, the establishment of a construction schedule, and site improvement permitting.

The developer shall submit, in triplicate, estimate of quantities, unit prices and estimated costs for each of the following:

- (A) Streets, drainage, and storm sewers;
- (B) Water distribution system; and,
- (C) Sanitary sewer system.

**7.06.06.03 Performance Bond.** If at the time of application for Final Plat approval all improvements are not satisfactorily installed, the subdivider shall post a bond in an amount estimated as sufficient to secure to the City the satisfactory construction, installation, and dedication of all required improvements. The performance bond shall also secure all lot improvements on the individual lots of the subdivision as required by these regulations. Such Performance Bond shall comply with all statutory requirements and shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the City Commission ~~as part of the approval action on the Final Plat~~ and shall be incorporated in the bond and shall not in any event exceed

two years from date of final City approval. The City Commission may at any time during the period of such bond accept a substitution of principal or sureties on the bond upon recommendation of the City Attorney.

The City is responsible for running sanitary sewer and public water lines to a development site. However, the division of responsibility for payment of the cost of extension shall be the subject of the Development Agreement (See Article 6, Section 6.02.00 "Development Agreements.") The developer is responsible for the cost of lines within the development and the cost for connections to sanitary sewer and public water systems. The City reserves the right to impose impact fees to cover the expense to the City rather than include the cost in the Performance Bond.

## ARTICLE 7 DEVELOPMENT APPROVAL PROCESS

### Section 7.06.00 Subdivision Regulations

#### 7.06.07 Final Plat

The intent of the Final Plat is to establish a legal record of the subdivision. Whenever the provisions of this Code have been complied with, the City Engineer has accepted the Construction Plans, and while the approval of the Preliminary Subdivision Plat is in effect, the developer may present a Final Plat and Performance Bond for review ~~by the Planning and Zoning Board~~ and approval by the ~~City Commission~~. city manager or his designated administrative authority (the "administrative authority"). The Final Plat may not be approved unless it is in strict conformance with the details of the Preliminary Plat and any changes required by, and approved by, the City. At the option of the subdivider, the final plat may constitute only that portion or phase of the approved Preliminary Site Plat which is proposed to be recorded at that time.

Final plat approval is required prior to the issuance of any building permits within the subdivision. Following ~~review by the Planning and Zoning Board and~~ approval by the ~~City Commission~~ administrative authority, the plat shall then be submitted to the Clerk of the Circuit Court for recording within the public records of Hardee County.

#### 7.06.07.01 Submission of Final Plat.

##### (A) General Procedure.

- (1) Staff Review. The applicant shall submit the original Mylar, along with four reproducible copies of the plat. The development director, city attorney, and other city staff as appropriate, shall determine the completeness of the final plat and compliance with the Preliminary Site Plat. They shall verify the accuracy of information provided, and evaluate the degree of compliance with the technical requirements as established in this Code and other applicable city and state requirements. All staff reviewing the plat shall, upon completion of their review, forward their

recommendations to the Development Director, recommending approval or denial of the final plat.

- ~~(2) Planning and Zoning Board. The Planning and Zoning Board shall review the Final Plat and staff comments pertaining thereto, and shall make a recommendation to City Commission to approve or disapprove the plat. Any conditions of approval shall be stated with the motion to recommend approval of the plat and shall be made clear to the developer. The Planning and Zoning Board may defer action if additional information, staff review, subdivision improvements, or completion assurances are needed. In any case, the Planning and Zoning Board shall be provided with a written statement by the Building Official to the effect that all required public improvements have been completed to his satisfaction or that satisfactory guarantees of completed installation have been provided.~~
- ~~(3) City Commission. The City Commission shall review the recommendation of the Planning and Zoning Board and take action on the Final Plat. The ordinance shall be advertised as delineated in Article 8, Section 8.06.00 "Public Hearings/Public Notice."~~

~~The action of the City Commission shall be forwarded in writing to the subdivider or his authorized representative. Should any adverse review comment or recommendation be made by the City Commission which may require a revision of the proposed final plat, the development director shall so notify the subdivider or his authorized representative, so that necessary revisions may be made for reconsideration by the City Commission.~~

- (2) Within 7 business days after receipt of a plat or replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.
- (3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (4). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each

requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.

(4) Administrative Authority Action. Approval of the plat and acceptance of public improvements and dedications shall be by Administrative Authority letter and shall authorize the Mayor and City Clerk to sign the copy of the plat to be recorded.

(45) Recording. Upon plat approval, and with certification that a final inspection of the improvements has been made and approved, or an acceptable financial guarantee has been provided for the satisfactory completion of the improvements, the final plat shall be forwarded to the City Clerk for signature. Upon signature by all designated staff and the Mayor. Upon signature by all designated staff and the Mayor, the applicant shall be notified that the plat is complete and may be recorded at the office of the Clerk of the Circuit Court for Hardee County. The developer shall be responsible for recording the Final Plat and for returning one reproducible copy of the recorded plat to the Building Official. The Final Plat shall be recorded prior to the issuance of any Building Permits within the subdivision

(B) Submittal. The final plat shall conform with Chapter 177, Florida Statutes and shall be clearly and legibly drawn, in ink, on Mylar, to a scale of not more than one inch equals 100 feet. The overall sheet size shall be consistent with the standards established by the Clerk of the Circuit Court for Hardee County for recording. Where the final plat of a proposed subdivision requires more than one sheet, each sheet shall be keyed to a master map with appropriate marks of identification. Each sheet shall be provided with a one-inch margin on each of three sides and a three-inch margin on the left side of the plat for binding purposes.

(C) Required Information. Although it may constitute only that portion of the Preliminary Subdivision Plat that the developer proposes to record and develop at the time, the Final Plat for recording shall be prepared in conformance with the requirements specified herein. The Final Plat shall be submitted with the request for approval, and shall show, in addition to the data provided on the Preliminary Subdivision Plat, the following:

- (1) Name of plat.
- (2) Each plat shall show a description of lands platted and the description shall be the same in the title certification. The description shall be so complete that from it, without reference to the plat, the starting point and boundary can be determined.
- (3) All required final permits and approvals issued by agencies and governing bodies having jurisdiction over properties being subdivided shall be furnished to the City Administrator. The Final

Plat shall not be approved ~~by the Planning and Zoning Board and the City Commission~~ without proper submission of the final permits and approvals.

- (4) All easements or rights-of-way provided for public services or utilities, and limitations of such easements.
- (5) All lots shall be numbered either by progressive numbers or, if in a block, progressively numbered or lettered in each block. Lot lines shall be marked with accurate dimensions in feet and hundredths of feet, and bearings or angles to street lines.
- (6) The accurate location of all monuments and the designation of specific control corners.
- (7) A statement shall be included on the Final Plat indicating the final length of roads, water, and sewer lines installed.
- (8) The purpose of all areas dedicated must be clearly indicated or stated on the plat. Accurate descriptions of any such areas to be dedicated or reserved for public use shall state the purpose thereon.
- (9) In the event the plat includes open space, clubhouses, playgrounds, or other amenities to be owned and used in common by residents of the development, a plat note shall be added requiring the creation of a homeowners or property owners association that shall be responsible for such facilities.
- (10) All interior excepted parcels shall be clearly indicated and labeled "Not A Part Of This Plat."
- (11) Any existing or proposed private restrictions and trusteeships and their periods of existence shall be filed as a separate instrument, and reference to such instrument shall be noted on the Final Plat.
- (12) City signature spaces for the Mayor, City Clerk, City Administrator, and the Chairman of the Planning and Zoning Board.
- (13) The Clerk of the Circuit Court of Hardee County of the Circuit Court certificate and the land surveyor's certificate and seal.
- (14) City signature spaces for the professional surveyor and mapper either employed by or under contract to the local governing body for conformity to Florida Statutes Chapter 177., the applicant shall be notified that the plat is complete and may be recorded at the office of the Clerk of the Circuit Court for Hardee County. The developer shall be responsible for recording the Final Plat and for returning one reproducible copy of the recorded plat to the Building Official. The Final Plat shall be recorded prior to the issuance of any Building Permits within the subdivision.

**ARTICLE 8 ADMINISTRATION AND ENFORCEMENT**

**Section 8.04.00 Duties of City Commission.**

- (A) Powers and duties in the areas of development and land use regulation.
  - (1) Adopt and amend the Comprehensive Plan.
  - (2) Adopt and amend the Land Development Code.

- (3) Appoint members of the Planning and Zoning Board, Wauchula Historic Preservation Board, and Code Enforcement Board or Special Magistrate.
- (4) Determine the need for and appoint members of additional boards, committees, and subcommittees to investigate and make decisions on various land use and development issues.
- (5) Establish fees for application for a comprehensive plan amendment, zoning actions, site development plan review, landscape plan review, application for a conditional use, application for a variance, application for a special exception, and other activities carried out under the provisions of this Code.
- (6) Make final decisions on requested changes to the Comprehensive Plan, Zoning Ordinance and Map, Planned Unit Developments, and Conditional Uses.
- (7) Make final decisions on requests for variances where, by reason of the exception of narrowness, shallowness, or unusual shape of a site on the effective date of this Code, or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of that site, the literal enforcement of the dimensional requirements (height or width of building or size of yards, but not dwelling unit or population density) of this Code would deprive the applicant of reasonable use of the land in a manner enjoyed by other landowners in the same zoning district. The Commission may impose any reasonable conditions or restrictions in granting said variance.
- (8) Hear and decide on appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative official in the enforcement of this Code. This power shall include the hearing of any appeal of an administrative official's decision concerning the amortization of any nonconforming use or any calculation of amortization thereunder.
- ~~(9) Accept the Final Plat for a new subdivision.~~