

ORDINANCE NO. 26-02

AN ORDINANCE OF THE TOWN OF DUNDEE, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF DUNDEE, FLORIDA; SPECIFICALLY, CHANGING THE ZONING DESIGNATION FROM GENERAL RETAIL COMMERCIAL (CC) TO HIGHWAY COMMERCIAL (CH) ON APPROXIMATELY 2.86 +/- ACRES, LOCATED AT THE NORTHEAST CORNER OF HIGHWAY 27 AND DUNDEE ROAD IN THE TOWN OF DUNDEE IN SECTION 29, TOWNSHIP 28, RANGE 27, FUTHER DESCRIBED AS PARCELS: 272829-848000-001430, 272829-848000-001060,272829-848000-001082,272829-848000-001080, 272829-848000-001102,272829-848000-001101,272829-848000-001121, 272829-848000-001122,272829-848000-001142,272829-848000-001141,272829-848000-001371,272829-848000-001372,272829-848000-001390 ; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Matthew Dundee Investments, LLC have applied to amend the Official Zoning Map designation for property located in the Town of Dundee from General Retail Commercial (CC) on 2.86 +/- acres to Highway Commercial (CH) on approximately 2.86 +/- acres, located at the northeast corner of highway 27 and Dundee Road, further described as parcels: 272829-848000-001430, 272829-848000-001060, 272829-848000-001082,272829-848000-001080, 272829-848000-001102, 272829-848000-001101,272829-848000-001121,272829-848000-001122,272829-848000-001142,272829-848000-001141,272829-848000-001371,272829-848000-001372,272829-848000-001390 ; and

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

WHEREAS, on December 18, 2025, in accordance with Section 163.3174, Florida Statutes, and applicable law, the Town's Planning and Zoning Board, sitting as the Local

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Planning Agency (LPA) as designated by the Town, 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 December 18, 2025, the interested and/or aggrieved parties and citizens in attendance were provided with an opportunity to be heard and present testimony to the Town's Planning and Zoning Board; and

WHEREAS, on December 18, 2025, after considering all the facts and testimony presented by the Town, interested and/or aggrieved parties, and citizens in attendance, the Town'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 Town Commission; and

WHEREAS, as a result of this Ordinance being initiated by the Applicant (not the municipality), the Town Commission of the Town of Dundee held duly noticed public meetings for this Ordinance amending the Official Zoning Map of the Town of Dundee regarding the parcel shown on Exhibit "A" attached hereto and incorporated herein by reference in accordance with Section 166.041 (3), (a) of the 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 meetings, including supporting documentation; and

WHEREAS, in exercise of its authority, the Town Commission of the Town of Dundee has determined it necessary to amend the Official Zoning Map to change the Town zoning classifications assigned to these properties.

NOW, THEREFORE, be it enacted by the Town Commission of the Town of Dundee, Florida:

Section 1. The Official Zoning Map of the Town of Dundee is amended so as to change the Town zoning classification of General Retail Commercial (CC) on 2.86 +/- acres to Highway Commercial (CH) on approximately 2.86 +/- acres generally located at the northeast corner of Highway 27 and Dundee Road, further described as parcels: 272829-848000-001430, 272829-848000-001060, 272829-848000-001082, 272829-848000-001080, 272829-848000-001102, 272829-848000-001101, 272829-848000-001121, 272829-848000-001122, 272829-848000-001142, 272829-848000-001141, 272829-848000-001371, 272829-848000-001372, 272829-848000-001390 , as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2. Repealing. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect.

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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 Town of Dundee, Florida, by and through its Town Commission, 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. Codification. This Ordinance shall not be codified in the Code of Ordinances of the Town of Dundee, Florida. A certified copy of this enacting Ordinance shall be located in the Office of the Town Clerk of Dundee. The Town Clerk shall also make copies available to the public for a reasonable publication charge.

Section 5. Effective Date. This Ordinance shall become effective immediately upon adoption.

INTRODUCED on first reading this ____ day of _____, 2026.

PASSED on second reading this ___ day of _____, 2026.

TOWN OF DUNDEE, FLORIDA

Mayor- Sam Pennant

ATTEST:

Town Clerk – Erica Anderson

Approved as to form:

Town Attorney - Markeishia Smith

Composite Exhibit "A"
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Legal Description
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27282984800001060 SCENIC HEIGHTS PB 22 PG 21 LOTS 108 & S PT OF CLOSED ST W OF
SAME & 107 & LOT 159 LESS HWY

27282984800001430 SCENIC HEIGHTS PB 22 PG 21 LOTS 143 THRU 146 & PT OF CLOSED
ST W OF LOT 146 LESS RD R/W PER OR 10026-429 THRU 435

27282984800001082 SCENIC HEIGHTS PB 22 PG 21 LOT 108 W1/2

27282984800001080 SCENIC HEIGHTS PB 22 PG 21 LOTS 108 E1/2 & 109

27282984800001102 SCENIC HEIGHTS PB 22 PG 21 LOT 110 N1/2 & N1/2 OF 111

27282984800001101 SCENIC HEIGHTS PB 22 PG 21 LOTS 110 S1/2 & S1/2 OF 111

27282984800001390 SCENIC HEIGHTS PB 22 PG 21 LOTS 139 THRU 142 LESS RD R/W PER OR 10026-429 THRU 435

27282984800001121 SCENIC HEIGHTS PB 22 PG 21 LOT 112 N 50 FT & N 50 FT OF 113

27282984800001122 SCENIC HEIGHTS PB 22 PG 21 LOTS 112 LESS N 50 FT & 113 LESS N 50 FT

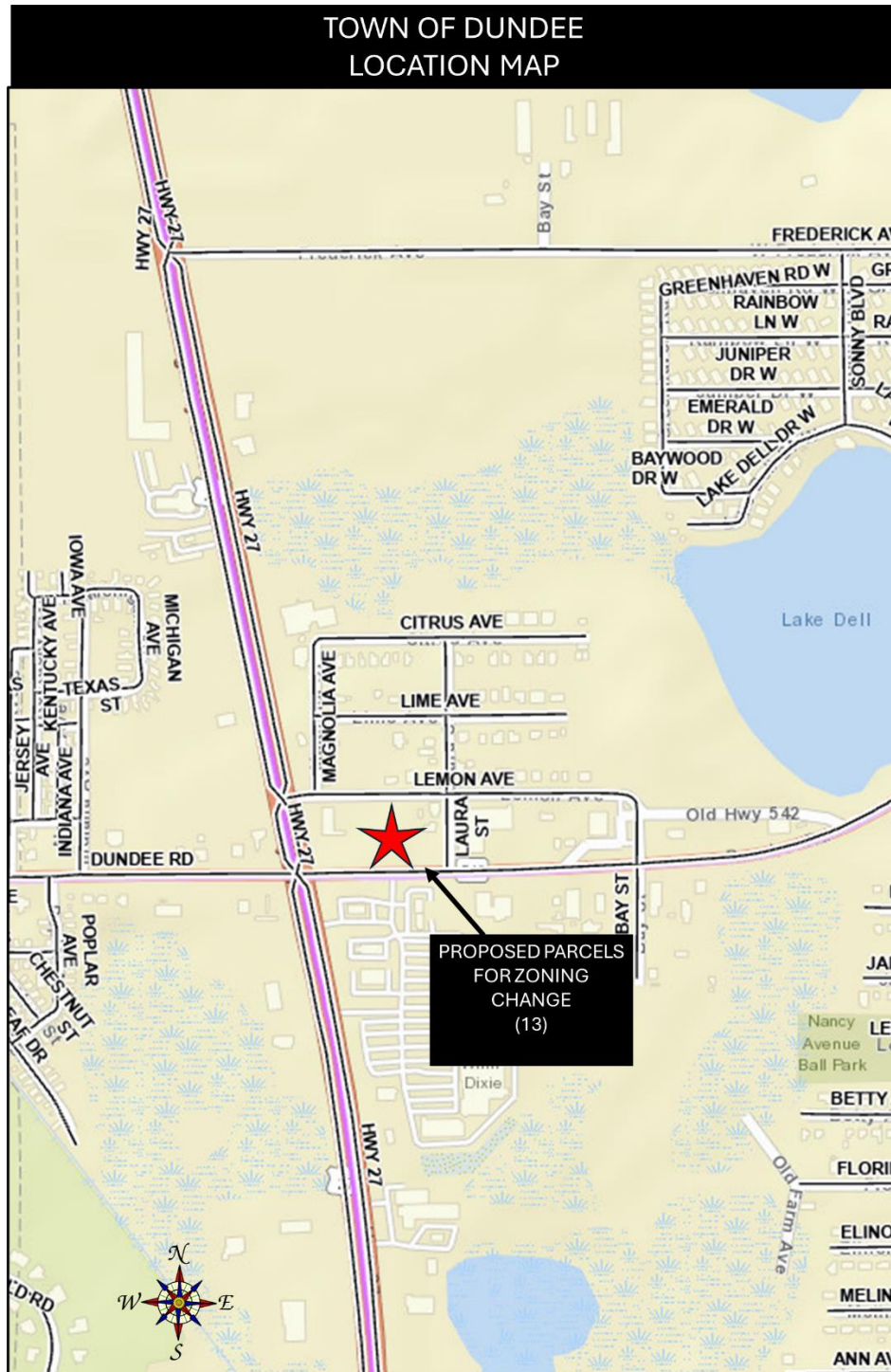
27282984800001142 SCENIC HEIGHTS PB 22 PG 21 LOTS 114 LESS S 50 FT & 115 LESS S 50 FT

27282984800001141 SCENIC HEIGHTS PB 22 PG 21 LOT 114 S 50 FT & S 50 FT OF LOT 115

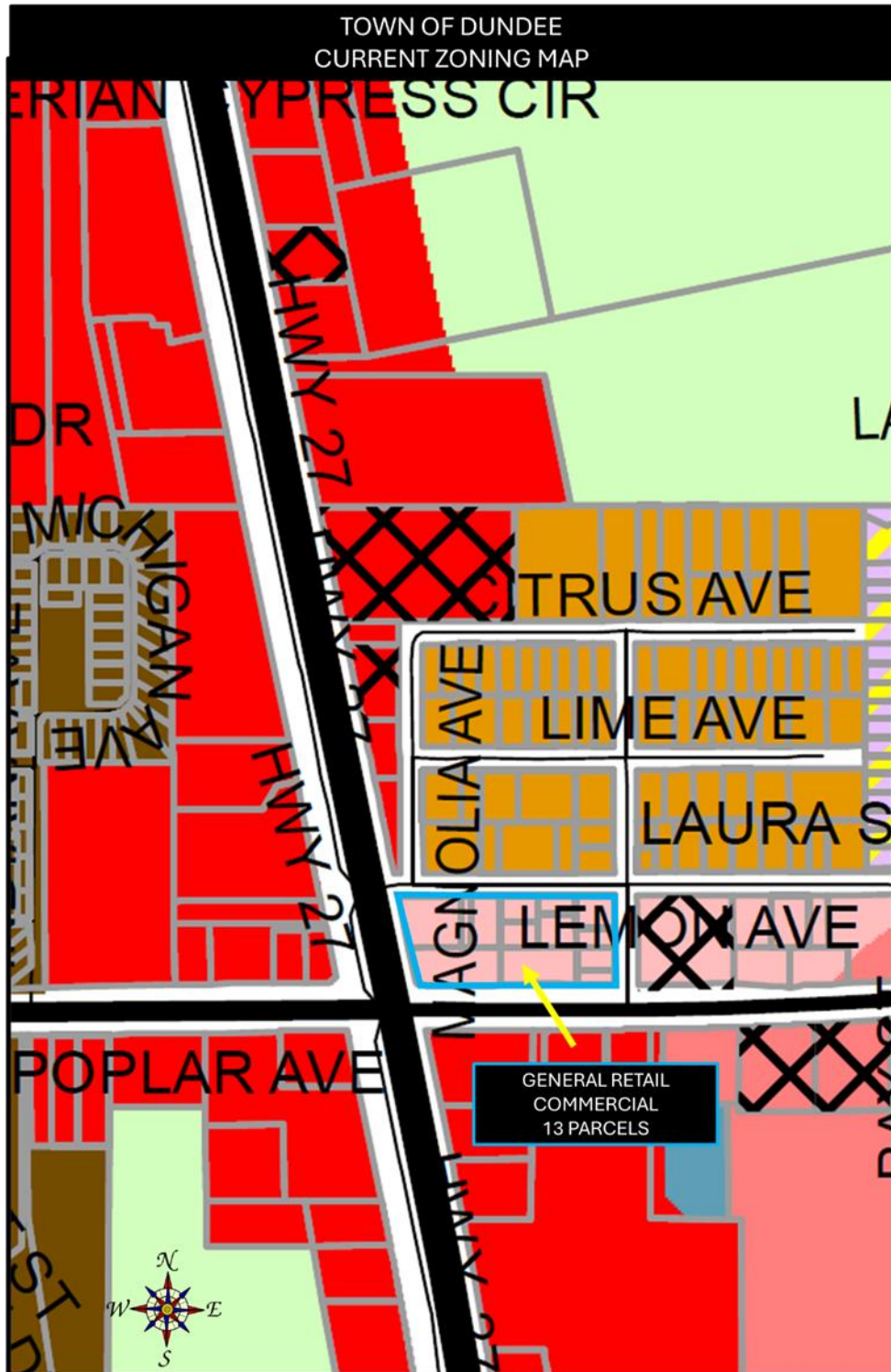
27282984800001371 SCENIC HEIGHTS PB 22 PG 21 LOT 137 N 60 FT & N 60 FT OF 138

27282984800001372 SCENIC HEIGHTS PB 22 PG 21 LOTS 137 S 75 FT LESS RD R/W & S 75 FT OF 138 LESS RD R/W & LESS
ADDNL RD R/W PER OR 10026-338 THRU 347

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