

RESOLUTION 2026-13

A RESOLUTION ADOPTED BY THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA PROVIDING FOR THE APPROVAL OF A VARIANCE OF SECTION 2.02.01(C) OF THE UNIFIED LAND DEVELOPMENT CODE PURSUANT TO THE TERMS OF SECTION 7.10.00 OF THE UNIFIED LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, under the Unified Land Development Code (“ULDC”) of the City of Wauchula, Florida (the “City”), there are certain setback distances for structures within the City; and

WHEREAS, Section 2.02.01(C) sets forth a 30-foot rear setback requirement for structures that are located in HC-1 (Historic Commercial) zoning districts; and

WHEREAS, the Hardee County Industrial Development Authority, the owner of real property located at 217 W Palmetto Street and 120 N 8th Avenue, Wauchula, Florida, desires to construct eight townhomes within the required 30-foot rear setback for an HC-1 zoned property; and

Whereas, the Hardee County Industrial Development Authority has applied for a variance from the minimum 30-foot rear setback to allow the townhomes to sit approximately 25 feet from the eastern property line; and

Whereas, in the exercise of its authority, the City Commission (the “Commission”) of the City of Wauchula determined that it is in the best interest of the public health, safety and general welfare of the City and its residents to grant the variance requested by the Hardee County Industrial Development Authority.

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA, THAT:

1. The City Commission of the City of Wauchula sitting as the Board of Adjustments and Appeals, after public notice being given as required by Section 8.06.00, ULDC, finds as follows:
 - (A) Special conditions and circumstances exist that are peculiar to the land or structure involved and that are not applicable to other lands or structures in the same land use classification.
 - (B) The special conditions and circumstances do not result from the actions of the applicant.
 - (C) The requested variance, if approved, will not confer on the applicant any special privilege that is denied by the provisions of this Code to other lands or structures in the same land use classification.

- (D) Literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the identical land use classification and will constitute an unnecessary and undue hardship on the applicant.
- (E) That the variance granted is the minimum variance that will make possible a reasonable use of the land or structure.
- (F) That the granting of the variance will be in harmony with the general intent of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

2. Based upon the above-described findings, the requested rear setback variance from 30 feet to approximately 25 feet as otherwise required in Section 2.02.01(C), ULDC, is approved, pursuant to Section 7.10.00 of the ULDC.

3. That this resolution shall take effect immediately upon its approval.

On Motion of Commissioner _____, seconded by Commissioner _____, the above resolution was introduced and approved by the City Commission of the City of Wauchula, Florida, on the _____ day of _____, 2026.

(SEAL)

ATTEST:

CITY OF WAUCHULA

Stephanie Camacho, City Clerk

By: _____
Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM:

By: _____
Kristie Hatcher-Bolin, City Attorney