

**RESOLUTION 2025-07**

**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 single family structures within the City; and

**WHEREAS**, Section 2.02.01(C) sets forth a 10-foot side setback requirement for primary structures that are located in R-1 (Single Family Residential) zoning districts; and

**WHEREAS**, Aerial Polk, the owner of real property located at 314 S 10th Avenue, Wauchula, Florida, desires to construct a 1,584 sq. ft. single family home within the required 10-foot side setback for an R-1 zoned property; and

**Whereas**, Aerial Polk has applied for a variance from the minimum 10-foot side setback to allow the home to sit approximately 6 feet 6 inches from the northern 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 Aerial Polk.

**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 side setback variance from 10 feet to approximately 6 feet 6 inches 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 \_\_\_\_\_, 2025.

(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