

**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



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