

The Wauchula Planning and Zoning Board met on Monday, July 15, 2019 at 5:15 p.m.

The following members were present: Vice-Chairwoman Donna Steffens, Chairman Garry Phillips, Gerald Waldron, Wayne Johnson and Ray Graham.

Also present were Community Development Coordinator Kyle Long, City Attorney Jason Searle and City Clerk Holly Smith.

Chairman Phillips called the meeting to order

Approval of Minutes – June 17, 2019

Steffens motioned to approve the minutes of June 17, 2019 seconded by Graham.

Smith polled the Board, all were in favor. Motion carried.

ULDC Text Amendment: Ordinance 2019-09 Procedures for the Vacation of City Rights of Way and other Interests in Land

Phillips announced the Public Hearing and asked anyone who wished to speak to identify themselves for the record and address the Board. Hearing no comment from the public, Phillips closed the Public Hearing.

Long addressed the Board and discussed what had prompted Ordinance 2019-09. Long stated the City had received a request from a property owner asking to vacate a right of way that runs through the middle of their house. Long noted the house was built in the 70's and the house had remained in the family's name and now they are trying to sell it and had discovered the right of way runs through the middle of the property. Long explained when City staff researched how to vacate right of way, staff discovered the Land Development Code was not up to date and slightly inconsistent with Florida State Statutes require and consulted with the City Attorney. Long advised the City Attorney did recommend a change to the code and he proposed the language within Ordinance 2019-09. Long explained the current process for vacating a right of way was to go before Planning & Zoning with an ordinance and then City Commission for 2 readings of that ordinance. Long added to be more consistent with State Statue this ordinance will do away with vacation of rights of way being done by ordinance and with staff's recommendation a resolution before City Commission. Long explained the proposed ordinance would make the process much quicker. Graham asked what happened whenever there was a conflict between owners and explained a situation he had experienced regarding an alleyway. Long replied typically when an alleyway or easement was closed the property was split 50/50 between property owners. Long stated in this particular case both sides of the right of way are owned by the same person but the properties to the north and south of this property would be split 50/50 between property owners. Long noted the rights of way are platted so the measurements are available. City Attorney Jason Seale arrived at 5:20pm and Long updated him on the agenda item. Graham explained his question he had discussed with Long to Searle. Searle stated the adjoining property owners would have the same rights with an alleyway closure.

With no further comments, a recommendation for approval was made by Graham and seconded by Johnson. Smith polled the Board, all were in favor. Motion carried.

Public Comment

There was no response to calls for Public Comment.

New Business

Long stated there was a possible development on Highway 17 south of the hospital.

With no further business to discuss, a motion was made by Graham to adjourn the meeting, seconded by Steffens. Smith polled the Board, all were in favor. Motion carried.

Chairman Phillips adjourned the meeting at 5:26p.m.

Chairman Garry Phillips

City Clerk Holly Smith