Hardee County
FLORIDA

AGENDA

Planning and Zoning Board

PUBLIC HEARING/REGULAR MEETING

November 5, 2026, at 6:00 PM

COMMISSION CHAMBERS, 412 WEST ORANGE STREET, ROOM 102, WAUCHULA, FL 33873

BOARD MEMBERS	STAFF
Chairman Cody Gullatt Vice-Chairman Lesley S. Bateman Roger Conley Michael Burch Daniel Cisneros Nicholas Woods Glenn Bergens	Todd Miller, Community Development Director Jorden Eisenstein, Planner II

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE, FOLLOWED BY THE INVOCATION**

3. **APPROVAL OF THE AGENDA**

   -Motion to approve the agenda as presented

4. **NOTICE OF PUBLICATION**

5. **MINUTES FOR APPROVAL**

   A. P/Z Board Regular Meeting/Public Hearing Minutes for October 1, 2026.

   -Motion to approve minutes as presented.

6. **NOTICE OF BOARD EX-PARTE COMMUNICATION**

7. **PLANNING AND ZONING BOARD GENERAL RULES OF PROCEDURE**

8. **APPOINTMENTS**

   A. **Agenda No. 27-01 - Jorden Eisenstein, Planner II:** Lou E. Belvins, as property owner, is requesting approval of a variance to reduce the Side setbacks from 7' to 5' and Rear setback from 20' to 15' to accommodate a replacment single-family residence, located in the R-3 (Multi-family Residential) zoning district and Town Center Future Land Use category.

   RECOMMENDED ACTION: Staff recommend the P/Z Board to recommend APPROVAL to the BOCC.

9. **ADJOURNMENT**

AGENDA ITEM NO. 5.A

Item Cover Page

PLANNING AND ZONING BOARD AGENDA ITEM REPORT

DATE:	November 5, 2026
SUBMITTED BY:	Jorden Eisenstein, Community Development Department
ITEM TYPE:	Minutes for Approval
AGENDA SECTION:	**MINUTES FOR APPROVAL**
SUBJECT:	P/Z Board Regular Meeting/Public Hearing Minutes for October 1, 2026.
SUGGESTED ACTION:	-Motion to approve minutes as presented.

ATTACHMENTS:
10.01.2026 P&Z Minutes.docx

MINUTES

Hardee County Planning and Zoning Board

REGULAR MEETING/PUBLIC HEARING

October 1, 2026, at 6:00 PM

COMMISSION CHAMBERS
412 W. ORANGE STREET, ROOM 102,
WAUCHULA, FL 33873

1. CALL TO ORDER

Attendee Name	Title	Status
Cody Gullatt	Chairman	**Present**
Roger Conley	Board Member	**Present**
Daniel Cisneros	Board Member	**Absent**
Micheal Burch	Board Member	**Present**
Lesley Bateman	Vice-Chair	**Present**
Glenn Bergens	Board Member	**Absent**
Nick Woods	Board Member	**Present**
Jorden Eisenstein	Planner 1	**Present**
Todd Miller	Community Development Director	**Present**

1. **Chairman Gullatt called the meeting to order at 6:00 p.m.**

2. PLEDGE OF ALLEGIANCE, FOLLOWED BY THE INVOCATION

3. APPROVAL OF THE AGENDA

-Motion to approve agenda by Burch, second by Conley
-Motion carries 5/0

4. NOTICE OF PUBLICATION

Jorden Eisenstein announced:

The meeting was advertised in *The Herald Advocate* on September 17, 2026, and courtesy notices were mailed out to property owners within 300ft of the subject parcel.

5. MINUTES FOR APPROVAL

A. P/Z Regular Meeting/Public Hearing Minutes for September 3, 2026.

- Motion to approve minutes as presented by Conley, second by Bateman
- Motion carries 5/0

6. NOTICE OF BOARD EX-PARTE COMMUNICATION

- *Chairman Gullatt received a call from Sergio Jimenez who asked if there were any questions or concerns on the Bostick Road item.*

7. PLANNING AND ZONING BOARD GENERAL RULES OF PROCEDURE

8. APPOINTMENTS

A. **Agenda No. 26-59 as Ordinance No. 2027-01 – Todd Miller, Community Development Director: -** The Hardee County Industrial Development Authority, as property owner(s), is requesting to amend the Future Land Use Map of the Hardee County Comprehensive Plan to change the future land use designation of approximately 53.0 +/- acres from Agriculture (AGR) to Residential Mixed Use (RMX).

B. **Agenda No. 26-58 as Ordinance No. 2027-02- Todd Miller, Community Development Division Director:** The Hardee County Industrial Development Authority, as property owner(s), is requesting to rezone approximately 82.89 +/- acres from Farm Residential (F-R) to Planned Unit Development (PUD) with a Master Plan consisting of a 111 single-family residential lots together with internal roadways, stormwater management systems and recreational tracts in the Agriculture and Residential Mixed Use Future Land Use category.

Todd Miller, Community Development Director, enters the Staff Report for Agenda No. 26-59 and Agenda No. 26-58 into the record.

Chairman Gullatt called for questions from board members:

- **Vice Chair Bateman:** When was the Torrey Oaks overlay established?
    - **Todd Miller:** I believe that was 2024, the year after we adopted the update to the Unified Land Development Code
- **Vice Chair Bateman:** For the record, what was the purpose of that?
    - **Todd Miller:** With the recognition that we were bringing utilities into that area and that we were seeing more development in the area we wanted to make sure we had some control over how development would move forward. That was the purpose of the overlay establishment.

Austin Evans, LM Properties and Chad Brooker, Traditions Engineering, enter presentation into the record.

Chairman Gullatt called for questions from board members:

- **Chairman Gullatt:** Where is the boat and RV storage located?
    - **Austin Evans:** That will be down on the Northwest corner. There's a small pond and there's a large lot next to it. We're going to fence in an area, and it will be something where the residents can park a boat, RV, trailer in a designated area without parking it on the street, in driveways, and front yards. It will help with the community's appearance but also give people an option to park that stuff on site without having to go find a storage center.
    - **Chad Brooker:** More specifically, it's in the back of the property not up against the public roadway so it's not an eyesore. That was the thought with that location.
- **Chairman Gullatt:** Will it be county or developer responsibility for Hanusch Road to be paved up to the entrance?
    - **Chad Brooker:** It's the developer's cost and responsibility. Hanusch Road is partially paved. It's not in good condition but part of what is going to be required is a further evaluation of if it needs to be milled and repaved fully.
- **Board Member Conley:** Who makes the decision about paving Hanusch Road?
    - **Chad Brooker:** Your county engineer. Typically, that stuff doesn't come into play until we submit detailed construction plans. Right now, we are in the zoning stage but that's the next step.
- **Board Member Conley:** What is the width of Bostick Road? 18 feet? 9 feet on each side of the stripe?

- **Chad Brooker:** It varies

- **Board Member Conley:** Is there a definite plan for taking care of the highways to accommodate the extra cars per day?

    - **Chad Brooker:** Hanusch improvements have been worked out. We have had several meetings with the county staff and there will be some level of improvement to Hanusch. It will not remain as is. The traffic study that's been reviewed by the county engineer has shown that the level of service in the proposed and existing condition is satisfactory and that no additional turns lanes or things like that are required.

- **Board Member Burch:** How are Bostick Road and Hanusch Road being approved as satisfactory in existing conditions? Those of us who have driven Bostick Road know that it is very narrow in some places so I'm puzzled as to how they can say that it is fine for building 111 homes.

    - **Chad Brooker:** The traffic engineer evaluates the different conditions. Both the existing condition and the proposed condition. They take physical counts of background traffic. They will go out with a count strip, or they will have someone sitting out there during peak hours with a clicker. They count the trips over about a 2-week period to come up with what the existing traffic is. It's then placed into an analysis model, and it shows the existing condition. Then they place a level of service on that. There are different levels of service for roadways ranging from A through F. I believe we are operating at a B in both the existing and proposed condition. Then they add in the proposed trips from the development and the existing trips and have that operate in the model to show everything changes, what changes to the point that it's unsatisfactory where something needs to be added. All of that is within a mile radius of the property. We're not specifically talking about the three roadways. It goes through all the different intersections that are in that radius which are a lot. I think it fell just short of Highway 17, which is why they asked us to add that later. They add peak hour trips, average daily trips and passerby trips which are analyzed to come up with their conclusion. Their conclusion was that in the existing and proposed condition we're still operating at a level of service that is satisfactory to the county and FDOT and does not warrant additional improvements.

    - **Todd Miller:** If I could add a point of clarification, the traffic impact analysis that Mr. Brooker is talking about is primarily focused on the number of trips generated. I think some of what you're asking about is road conditions and I believe that has also been discussed with the county engineer. That is something that will be evaluated as we move further. Right now, we have to get beyond a comprehensive plan and rezoning to get to that stage. The traffic analysis looks at number of lanes, are there turn lanes, is there a need for turn lanes, is it too much traffic for the road. Keep in mind while it may be 200 or more trips per day, it's not all coming at the same time. There are peak hours and there is traffic throughout the day so what the analysis showed by the engineer was that it would still operate at an acceptable level of service with the proposed development. You would not need to add turn lanes, additional lanes or any type of roadway improvements to expand capacity for the development.

- **Board Member Burch:** Are the existing sewer lines capable of handling that many homes?

    - **Chad Brooker:** It is. We coordinated capacity with the county and there is ample capacity.

- **Board Member Burch:** Who are the builders for the homes and are they local companies?

- **Austin Evan:** There are two builders. Southern Homes, which is our sister company that's based in Lakeland. They currently build in Polk, Highlands, and have built a few houses in Hardee. Also, Rhino Homes that is owned by Sergio Jimenez. They are based in Wauchula.

- **Board Member Burch:** Is this something that you could open up to local builders? With 111 homes it would be nice to help our contractors in Hardee County. I'm wondering why there is only one builder that is local?

    - **Austin Evans:** It's difficult sometimes when we create communities like this. We like to have some level of control in the HOA and architecture and stuff like that to kind of have a synergy. We met with several builders. Sergio is the one that we have worked with before. We have purchased lots from him and built next to him in other locations. He is also a subcontractor who does roofing among other things. We felt like he was the perfect partner to build with based on his quality but also his connections with his subcontractors and other outside subcontractors. Since we are spending a lot of money to put this community in we would like to keep it with the two builders.

- **Vice Chair Bateman:** Does this fit the need for housing that is not low-income housing? How many years do you feel like it will take to fill the demand for 111 homes?

    - **Austin Evans:** It does fit the housing shortage need that is not affordable or subsidized housing. It's affordable in the sense that the starting prices on the smaller home lots will be entry level price point in the mid $200s up to the upper $400s for the higher end. The market is a little slower now than we would like but our goal is 20-25 homes a year. We're hoping to have all the homes built in 5-6 years.

- **Chairman Gullatt:** Are there different phases?

    - **Austin Evans:** Yes, we plan to build it in three phases. The idea is to build homes as the demand is there.

- **Chairman Gullatt:** Is there going to be a pool or community center?

    - **Austin Evans:** No pool. The idea for the central green area that would be accessible would be a community pavilion with a playground and some green space. Some things we have done before are concrete permanent cornhole boards, benches, and things like that. Kind of a community gathering spot with a walking trail around the pond.

- **Board Member Conley:** Can you give us a timeline on phases?

    - **Austin Evans:** The first phase is 45 lots so hopefully two years market dependent. It could be longer. I would say two to three years for the first phase. The next two phases are about 33 lots each so each of those would be one to two years.

Chairman Gullatt called for Public Comments:

- Dan Duke - Opposed
- Abby Duke - Opposed
- Kelly Leonov - Opposed
- Greg Leonov - Opposed
- Tami Rhodes - Opposed
- Robert Taylor - Opposed
- Travis Maldonado – In support of

- **Board Member Conley:** How many phases in the application process must be gone through before it's final?

    - **Todd Miller:** Right now, we are looking at the comprehensive plan amendment and the rezoning. Your recommendations for these applications will carry forward to the BOCC. If they approve the rezoning and the comprehensive plan amendment, then the applicant would be eligible to apply for the Site Development Plan. That would be the first step in the process of planning. There's the Site Development Plan, the Site Construction Plan and then finally would be the Final Plat which would divide out the individual lots. The primary thing for you all would be if the board approves these two applications, the Site Development Plan would come back to this board for review and approval.

- **Board Member Conley:** Is anyone from the IDA here that could give us their viewpoint on this?

    - **Sarah Evers:** I live on Bostick Road in the Torrey Oaks community. There seems to be quite a bit of discussion regarding the status of both Hanusch and Bostick Road. As someone who lives in that community, I appreciate the conversation that was had tonight regarding the need for improvements to the area. I think Mr. Miller made a great point earlier in the conversation that where we are tonight is a starting point. I think from the IDA standpoint and representing the developer in this and the property owner we have the opportunity to sit down with the county and have some of these discussions on how we best move forward with developments. Not just on Bostick and Hanusch but in that entire area. What does that look like as this growth overlay has been placed in this area? What does that mean for the future of this community. That obviously means addressing road improvements in the future. I like to talk about proportionate share. Proportionate share is something that we need to look very seriously at having conversations with the county about. When we're talking about one developer coming in and putting in a development in an area, having one developer share the burden and responsibility for those road improvements is probably not best practice for the county. If I were them sitting across the table with developers coming in, we can collectively sit down and figure out how we best address this one development in the Bostick Road area but lay the groundwork for future developments in our county and how we share that cost and burden with the developers that are coming in.

- **Chairman Gullatt:** I understand that the IDA owns the property and that Southern Homes and Rhino Construction are going to build the homes. Can you give us an idea of how that process will work?

    - **Sarah Evers:** We issued an RFQ to seek out a developer to take this project from horizontal to vertical construction. The IDA issued that RFQ seeking out a developer that could take on the entirety of this project. We had two responses to the RFQ and in response to a question earlier from Mr. Burch who asked about additional home builders coming in everyone had an opportunity to respond to the RFQ. Southern Homes was one of the respondents and that was ultimately who the IDA chose to move forward with. After we decided to move forward with Southern Home and LM Properties for the development, we entered into a developer's agreement. In that developer's agreement will be the purchase option for the property. We are doing an incentive with the developer where they are going to be purchasing the property from us. Once they complete the milestones in that project then we will reimburse them the purchase price of that property. We have a very detailed developer's agreement that includes deed restrictions and HOAs.

Chairman Gullatt called for a motion regarding the Hardee County Industrial Development Authority, as property owner(s), is requesting to amend the Future Land Use Map of the Hardee County Comprehensive Plan to change the future land use designation of approximately 53.0 +/- acres from Agriculture (AGR) to Residential Mixed Use (RMX).

Motion to recommend approval by Vice Chair Bateman and second by Board Member Woods for Agenda No. 26-59 as Ordinance 2027-01, from The Hardee County Industrial Development Authority, to amend the Future Land Use Map of the Hardee County Comprehensive Plan to change the future land use designation of approximately 53.0 +/- acres from Agriculture (AGR) to Residential Mixed Use (RMX).

Motion carries 3/2

Chairman Gullatt called for a motion regarding the Hardee County Industrial Development Authority, as property owner(s), is requesting to rezone approximately 82.89 +/- acres from Farm Residential (F-R) to Planned Unit Development (PUD) with a Master Plan consisting of a 111 single-family residential lots together with internal roadways, stormwater management systems and recreational tracts in the Agriculture and Residential Mixed Use Future Land Use category.

Motion to recommend approval by Vice Chair Bateman and second by Board Member Woods for Agenda No. 26-58 as Ordinance 2027-02, from The Hardee County Industrial Development Authority, to rezone approximately 82.89 +/- acres from Farm Residential (F-R) to Planned Unit Development (PUD) with the Master Site Plan consisting of a 111 single-family lot subdivision together with internal roadways, stormwater management systems and recreational, with staff's recommended conditions.

Motion carries 3/2

Chairman Gullatt called for a motion regarding a letter to be sent to the BOCC for discussion items on Agenda No. 26-59 and Agenda No. 26-58.

Motion to draft a recommended letter to the BOCC with the following discussion items: roadway conditions, stormwater retention, old oak tree, wildlife preservation, and the canal made by Board Member Woods and second by Board Member Conley.

Motion carries 5/0

C. **Agenda No. 26-66 as Ordinance No. 2027-03 – Jorden Eisenstein, Planner I:** Mosaic Fertilizer LLC, as property owner(s), is requesting to remove approximately 1,499 +/- acres from the Phosphate Mining Overlay, known as Map #2, of the Hardee County Comprehensive Future Land Use Map Series.

Jorden Eisenstein, Planner I, enters the Staff Report into the record.

Chairman Gullatt called for questions from board members:

- **Board Member Burch:** In looking at the map, we're getting rid of the section that is in red and there is more off to the East by the Peace River. Why is the little section being left on the East side?

    - **Russell Schweiss, Mosaic:** The parcels in red are parcels that we own. The area to the East of that red by the Peace River we do not own. We can't put in an application to remove that.

Chairman Gullatt called for Public Comments:

- *none*

Chairman Gullatt called for a motion regarding Mosaic Fertilizer LLC, as property owner(s), is requesting to remove approximately 1,499 +/- acres from the Phosphate Mining Overlay, known as Map #2, of the Hardee County Comprehensive Future Land Use Map Series.

Motion to recommend approval by Board Member Burch and second by Board Member Conley for Agenda No. 26-66 as Ordinance No. 2027-03, to remove approximately 1,499 +/- acres from the Phosphate Mining Overlay, known as Map #2, of the Hardee County Comprehensive Future Land Use Map Series.

Motion carries 5/0

D. **Agenda No. 26-70 – Jorden Eisenstein, Planner I:** Jose Avalos, as property owner, is requesting approval of a variance to reduce the Front setback from 30' to 16' to accommodate a single-family residence, located in the R-2 (Residential) zoning district and Highway Mixed Use Future Land Use category.

Jorden Eisenstein, Planner I, enters the Staff Report into the record.

Chairman Gullatt called for questions from board members:

- **Board Member Conley:** Was that a vacant lot that they started building on not realizing the setbacks?
    - **Todd Miller:** The previous survey went to the property lines but with the right of way being well beyond the property lines there is an unusual circumstance that makes a hardship for the applicant to be able to meet the required setback and still get a respectable home on there with sufficient backyard, well, and septic. I can't recall whether this property has Bowling Green utilities or not. Regardless, it is a tight fit and with the unusual circumstances we are recommending approval.
- **Vice Chair Burch:** Did they discover this after the building permit and site development were given?
    - **Todd Miller:** Yes, initial construction started but it wasn't until we recognized as the foundation went in that this was significantly closer and something was off. That's when we researched and noticed this unusual circumstance.
- **Chairman Gullatt:** Do you foresee any issues going forward if they go to utilize their 60' right-of-way and it's 3' off the porch?
    - **Todd Miller:** It's outside of the 60' right-of-way. The house would be a little closer to the 60' if it got expanded to that but I feel confident that we aren't going to see Chester go to a full 60'. That would be an unusual circumstance itself.

Chairman Gullatt called for Public Comments:

- *none*

Chairman Gullatt called for a motion regarding Jose Avalos, as property owner, is requesting approval of a variance to reduce the Front setback from 30' to 16' to accommodate a single-family residence, located in the R-2 (Residential) zoning district and Highway Mixed Use Future Land Use category.

Motion to approve by Board Member Woods and second by Board Member Conley for Agenda No. 26-70, a variance to reduce the Front setback from 30' to 16' to accommodate a single-family residence, located in the R-2 (Residential) zoning district and Highway Mixed Use Future Land Use category.

Motion carries 5/0

9. ADJOURNMENT

Motion to adjourn by Board Member Conley, second by Vice Chair Bateman.

Motion carries 5/0

With no further business, the meeting adjourned at 8:02 p.m.

X

Gullatt Cody, Chairman
Planning and Zoning Board

AGENDA ITEM NO. 8.A

Hardee County
FLORIDA

Item Cover Page

PLANNING AND ZONING BOARD AGENDA ITEM REPORT

DATE: November 5, 2026

SUBMITTED BY: Jorden Eisenstein, Community Development Department

ITEM TYPE: Appointment

AGENDA SECTION: **APPOINTMENTS**

SUBJECT: **Agenda No. 27-01 - Jorden Eisenstein, Planner II:** Lou E. Belvins, as property owner, is requesting approval of a variance to reduce the Side setbacks from 7' to 5' and Rear setback from 20' to 15' to accommodate a replacment single-family residence, located in the R-3 (Multi-family Residential) zoning district and Town Center Future Land Use category.

SUGGESTED ACTION:

RECOMMENDED ACTION: Staff recommend the P/Z Board to recommend APPROVAL to the BOCC.

ATTACHMENTS:
STAFF REPORT.docx
Variance Site Plan.pdf
CDD Variance application Lou Ethel Blevins signed.pdf
Criteria for Granting a Variance.pdf

Hardee County
FLORIDA

COMMUNITY DEVELOPMENT DEPARTMENT
110 South 9th Avenue ---- Wauchula, FL 33873
Telephone: (863) 767 1964

STAFF REPORT

Request for Variance

Agenda No:	VAR 27-01

Request:	Request for a Variance to reduce the rear setback from 20' to 15' and the side setbacks from 7' to 5' each, on a .09 +/- acre, parcel zoned R-3 (Multi-Family Residential) in the Town Center Future Land Use Category.
Property Owner/Applicant:	Lou Blevins c/o Sarah Maier with Rebuild Florida 415 Tuskegee St. Wauchula, FL 33873
Location:	415 Tuskegee St., Hardee County Located on the northside of Tuskegee St., between Mowatt St. and Lincoln St.
Parcel Identification:	15 34 25 0830 00015 0015
Site Size:	**0.09** +/-acres
Existing Zoning/Land Use:	**R-3** (Multi-Family Residential) zoning/**Town Center** FLU
Surrounding Zoning/Land Use:	All adjacent properties: R-3 zoning/Town Center FLU

Subject Property History

The subject R-3 zoned parcel of land was created via a subdivision plat known as Magnolia Manor that was approved prior to the adoption of the 1996 Unified Land Development Code, and therefore qualifies as a lot of record, not meeting the minimum 7,500-sf size and 75' of lot width of the R-3 zoning district.

The current request to replace the residence is coming as a result of the severe damage the structure suffered during Hurricane Ian, which qualifies the applicant for the Hurricane Ian Rebuild Florida Program to assist with the replacement of the home.

Procedural Background

Under Section 11.03.00 of the Hardee County Unified Land Development Code (ULDC), variances are reviewed based on the criteria outlined in Section 11.03.00 (B).

Staff Analysis

The criteria for review and staff's analysis are as follows:

01. *Special conditions or circumstances exist that are particular to the land or structure involved and is not applicable to other lands or structures in the same land use classification.*

Staff Response: The subject property measures approximately 50 +/- feet wide and 80 +/- feet deep, considering the required setbacks, this leaves approximately 1080-sf of buildable area and the smallest model home Rebuild Florida provides is approximately 1,100-sf.

02. *The special conditions and circumstances do not result from the actions of the applicant.*

Staff Response: The applicant requires the replacement home due to the impacts of Hurricane Ian, an Act of God beyond their control. In addition, the size of the lot was created in 1926, prior to the current owner who obtained the property in 1978.

03. *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.*

Staff Findings: The construction of a replacement home is a right enjoyed by other lands in the same zoning district and land use classification.

04. *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.*

Staff Findings: Literal interpretation of the provisions of the Code with regards to required setbacks limit the Rebuild Florida program's ability to rebuild the home on the property and qualifies as undue hardship.

05. *That the variance granted is the minimum variance that will make possible a reasonable use of the property.*

Staff Findings: The variance request (a reduction of 5' on the rear and 2' on both sides) is the least amount of setback reduction required to fit the replacement home on the subject lot of record.

06. *That granting the variance will be in harmony with the general intent of the Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Staff Response: The R-3 zoning district allows up to 12/du per acre, while the area surrounding the subject parcel, currently, is only utilizing about 4/du per acre. Therefore, staff does not find the replacement of the home with another single-family structure to be inconsistent or otherwise injurious to the neighborhood.

Conclusion:

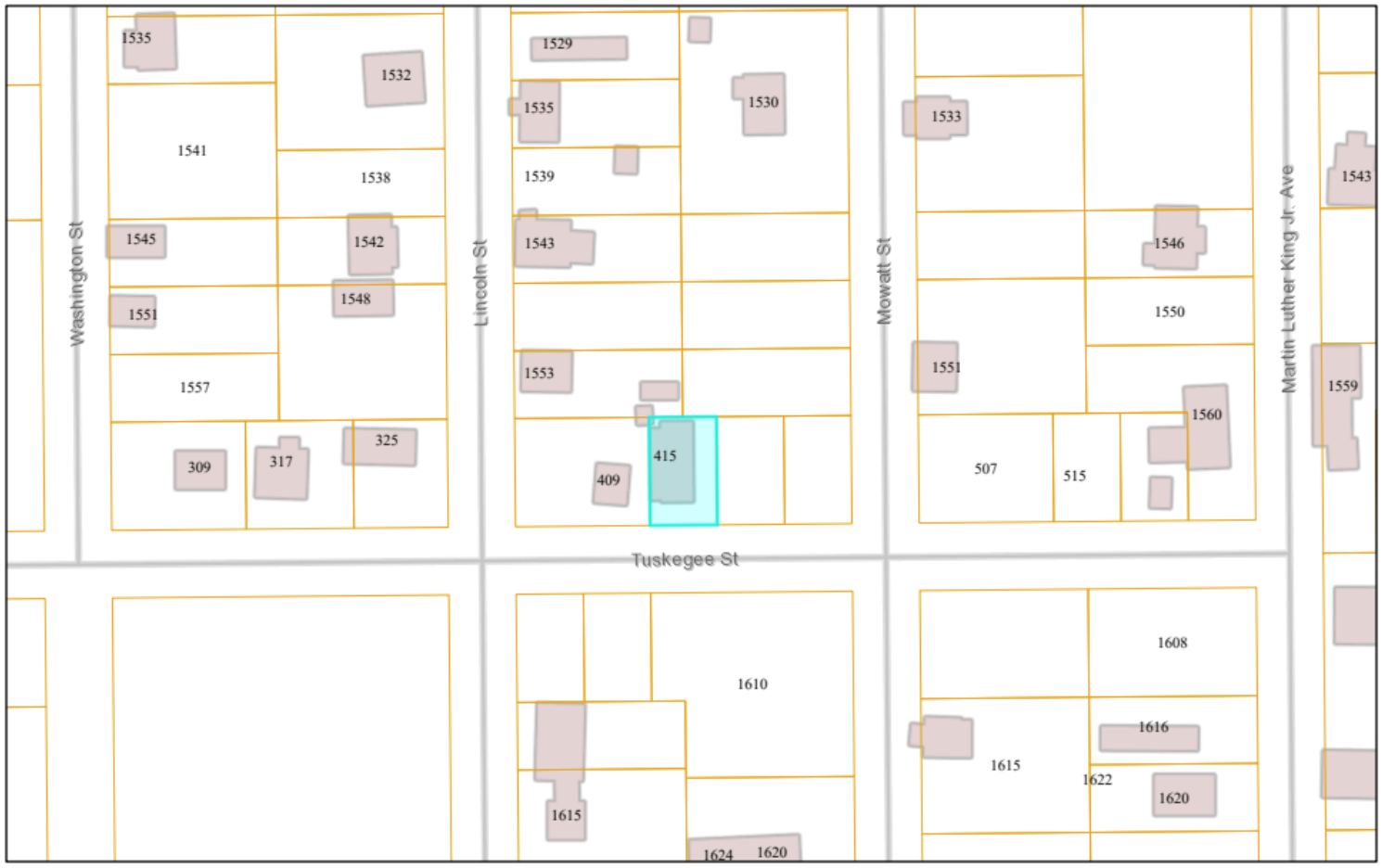
Pursuant to the review and analysis of the above-cited standards, staff finds approval of a variance requesting to reduce the rear yard setbacks from 20' to 15' and the sides from 7' to 5' to be consistent with the intent of the Hardee County Unified Land Development Code and the Hardee County Comprehensive Plan.

Recommendation:

Therefore, staff recommends the Planning/Zoning Board recommend **APPROVAL** to the Board of County Commissioners of VAR-27-01, a request to reduce the rear setback from 20' to 15' and the side setbacks from 7' to 5', on a 0.09 +/- acre parcel zoned R-3 in the Town Center Future Land Use Category to accommodate a new, replacement home for the property owner.

Attachments: Location Map
Zoning Map
FLU Map
Aerial Map

Location MAP 415 Tuskegee St.



10/27/2026, 11:46:56 AM

1:1,377

0 0.01 0.02 0.04 mi

0 0.01 0.03 0.06 km

Esri., Inc., City of Naperville, Illinois

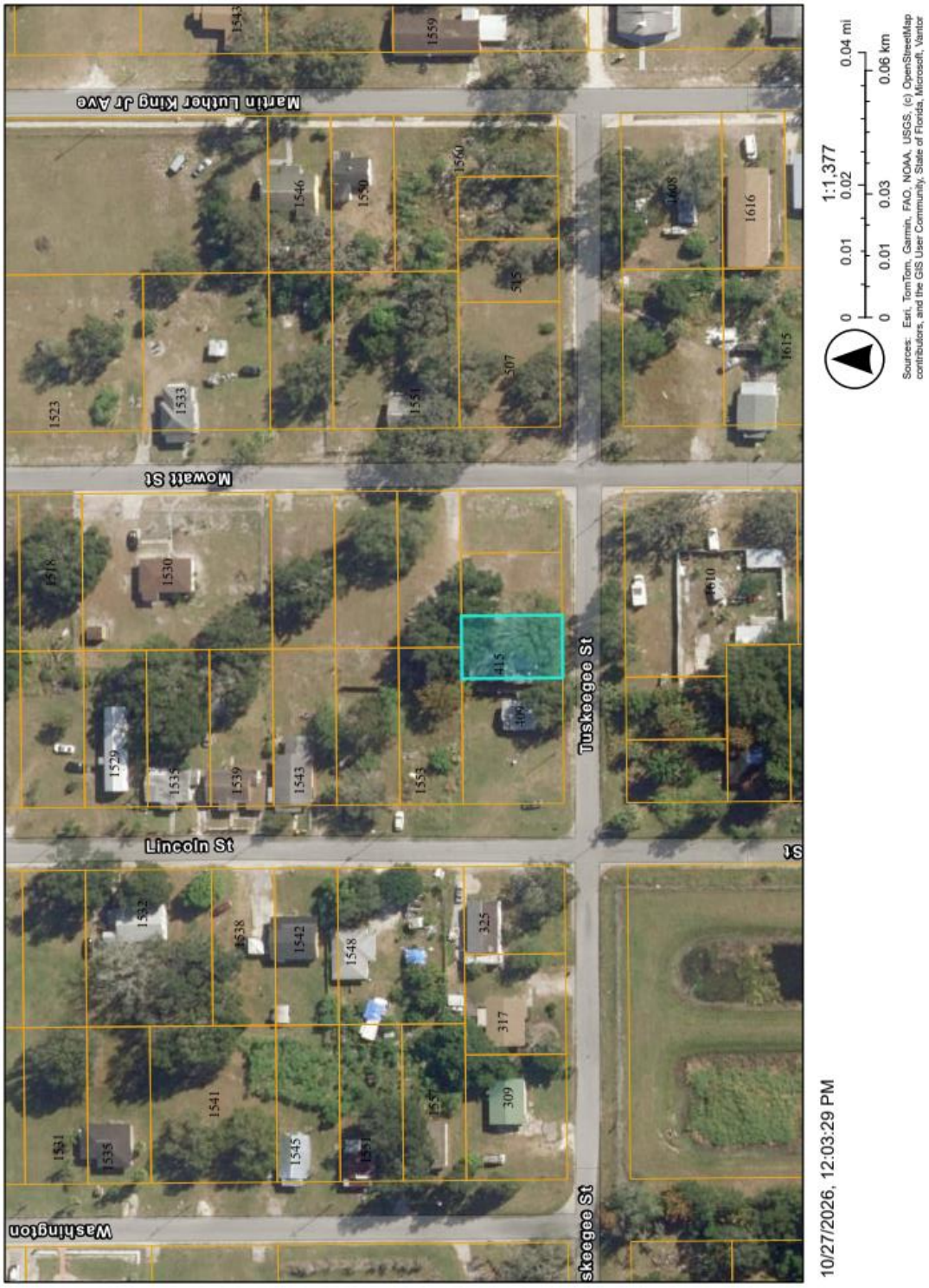
Zoning MAP - 415 Tuskegee St.



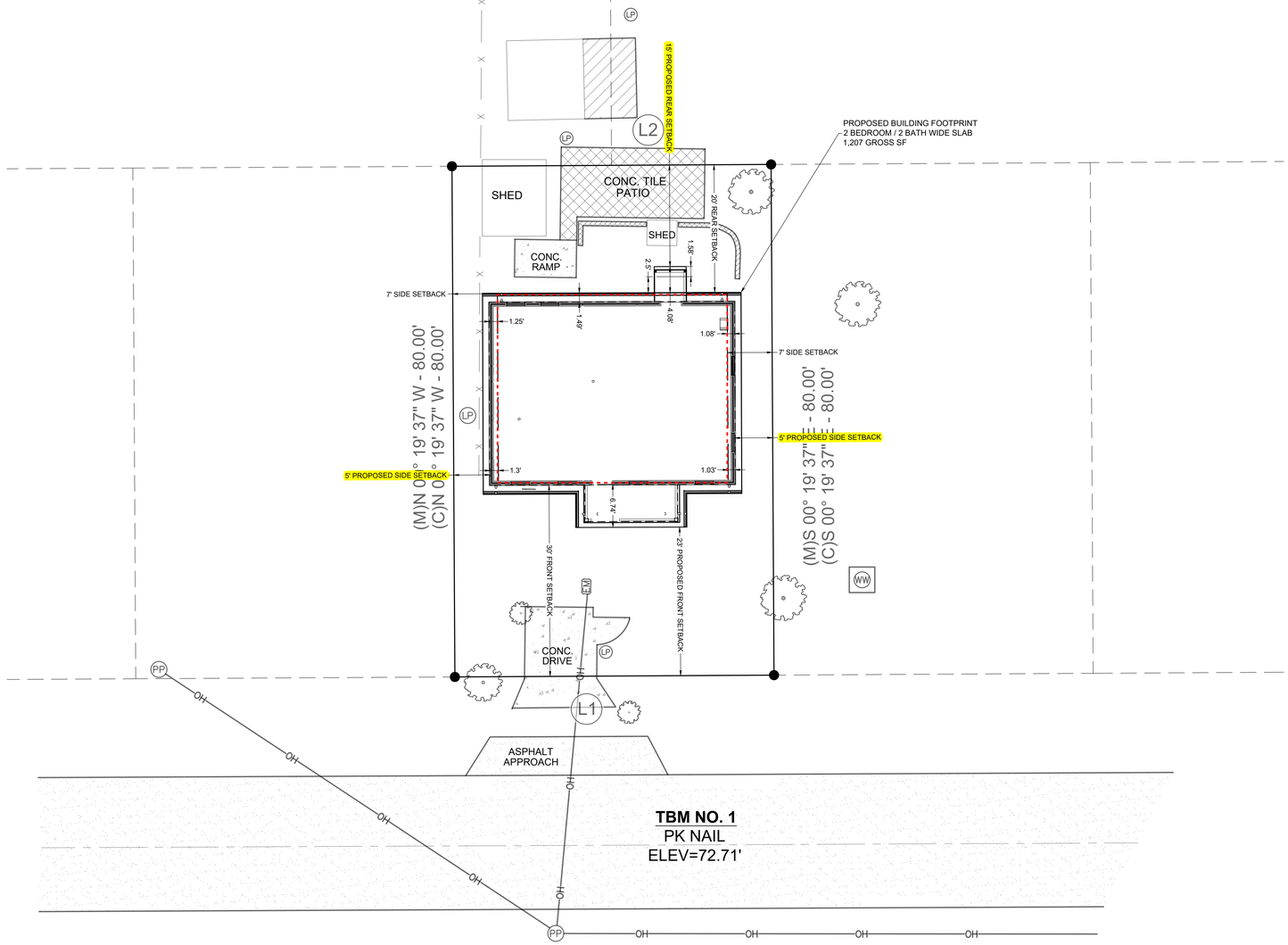
FLU MAP - ' 415 Tuskegee St.



Aerial MAP - 415 Tuskegee St.



LINE TABLE			
(M)(P)	#	BEARING	DISTANCE
(M)	L1	S 89° 40' 23" W	50.00'
(P)	L1	WEST	50.00'
(M)	L2	N 89° 40' 23" E	50.00'
(P)	L2	EAST	50.00'



LEGEND

- DENOTES CONCRETE
- DENOTES SITE DRAINAGE FLOW
- DENOTES BUILDING SETBACK
- SF — DENOTES SILT FENCE
- NG — DENOTES NATURAL GRADE ELEVATION
- PG — DENOTES PROPOSED GRADE ELEVATION

N / W / E / S

PARCEL ID 15-34-25-0830-00015-0015

LEGAL DESCRIPTION (FROM SURVEYOR)

LOT 15, BLOCK 15, OF MAGNOLIA MANOR SUBDIVISION, IN HARDEE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 23, OF THE PUBLIC RECORDS OF HARDEE COUNTY, FLORIDA.

SITE DATA TABLE	
415 Tuskegee Street Wauchula, Florida 33873	
DESCRIPTION	AREA
FLOOD ZONE	ZONE-X, TILE#12049C0193D eff. 11/6/2013
PROJECT SITE	0.09 AC
BUILDING FOOTPRINT AREA	2BD/2BA WIDE SLAB
ZONING / LAND USE	
DESCRIPTION	ZONING
PROJECT SITE	MULTIPLE FAMILY RESIDENTIAL (R-3)
NORTH OF PROJECT SITE	MULTIPLE FAMILY RESIDENTIAL (R-3)
SOUTH OF PROJECT SITE	MULTIPLE FAMILY RESIDENTIAL (R-3)
EAST OF PROJECT SITE	MULTIPLE FAMILY RESIDENTIAL (R-3)
WEST OF PROJECT SITE	MULTIPLE FAMILY RESIDENTIAL (R-3)
REQUIRED SETBACKS	
DESCRIPTION	BUILDING
STREET FRONTAGE	30 FT
REAR LOT	20 FT
SIDE LOT	7 FT
SIDE LOT	7 FT
PROPOSED BUILDING DATA	
BUILDING HEIGHT	16' 10"
CONDITIONED AREA	1,092 SF
UNCONDITIONED AREA	115 SF
GROSS AREA	1,207 SF

NOTES

1. FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF 18 INCHES ABOVE THE ROAD CENTERLINE OR 8 INCHES ABOVE THE HIGHEST ADJACENT GRADE. CONTRACTOR SHALL VERIFY MUNICIPALITY REQUIREMENTS.
2. ALL PROPOSED SITE GRADES ARE THE RESPONSIBILITY OF THE CONTRACTOR BASED ON PROPOSED FFE AND SHALL MEET MUNICIPALITY REQUIREMENTS. AT A MINIMUM, CONTRACTOR SHALL INSTALL NECESSARY FILL TO PROVIDE 5:1 SLOPE AWAY FROM THE PROPOSED BUILDING FFE. CONTRACTOR SHALL NOT ALTER EXISTING DRAINAGE PATTERN IN A MANNER THAT COULD CAUSE ADVERSE IMPACTS TO ADJOINING PROPERTIES.
3. CONTRACTOR TO GRADE SITE TO PROVIDE POSITIVE DRAINAGE TO RIGHT OF WAY OR EXISTING STORMWATER FACILITIES, AND PREVENT DETRIMENTAL IMPACTS TO ADJACENT PROPERTIES.
4. BUILDING TO BE LOCATED IN THE SAME GENERAL FOOTPRINT OF THE DEMOLISHED BUILDING. ANY RELOCATION DUE TO CONFLICTS MUST BE APPROVED BY THE CONSTRUCTION MANAGER.
5. ZONING AND SETBACK REQUIREMENTS REGULATED BY HARDEE COUNTY LAND DEVELOPMENT CODE (SEE SITE DATA TABLE).
6. IF ON A SEPTIC SYSTEM THE CONTRACTOR IS TO EVALUATE SEPTIC TANK LOCATION AND CONDITIONS. IF MODIFICATIONS OR RELOCATION OF SEPTIC SYSTEMS ARE REQUIRED, CONTRACTOR TO PROVIDE MODIFICATIONS (LOCATION, SIZE, DEPTH, MATERIALS, ETC.) OR NEW LOCATION IF NEEDED.

Dewberry

Dewberry Engineers Inc.
877 North County Hwy 393
Santa Rosa Beach, FL 32459
850.267.0759 Phone
850.557.0076 Fax
www.dewberry.com

2 BEDROOM / 2 BATH WIDE SLAB
REBUILD FLORIDA - 2023 AND 2024 STORMS HOUSING REPAIR AND REPLACEMENT PROGRAM

415 TUSKEGEE STREET , WAUCHULA
HARDEE COUNTY, FLORIDA
FL-2324-817038

Rebuild Florida

SEAL

SCALE

0' 5' 10' 20'
SCALE: 1" = 10'

DRAWN BY	JL
APPROVED BY	BB
CHECKED BY	TN
DATE	SEPTEMBER 9, 2026

TITLE

PROPOSED SITE & DRAINAGE PLAN

PROJECT NO. 50191227

C2.0

SHEET NO.

September 9, 2026 (09:40:20 EST)
D:\PROJECTS\50191227 - 23.24 HURRICANE PROGRAM\ARCHITECT & ENGINEERING (A&E)\FL-2324-817038_CIVIL3DFOLDER_PRODUCTION\FL-23_24-817038-C1.DWG C2.0 (SITE PLAN) BY: JLEGACY

Hardee County FLORIDA

COMMUNITY DEVELOPMENT DEPARTMENT

VARIANCE

Hardee County Community Development Department
110 S. 9th Avenue, Wauchula, FL 33873---Tele. (863) 767 1964

Agenda No. _____

P/Z Board Public Hearing: _____

BoCC Public Hearing: _____

APPLICATION FEE per RESOLUTION NO. 2025-60 (APPENDIX H) $500

Hardee County Unified Land Development Code Section: 11.03.00
Planning and Zoning Board will hear and make a recommendation to the Board of County Commissioners

Filing an application is not a guarantee of approval.

Property Owner/Title Holder Name: Lou Ethel Blevins

Property Owner/Title Holder/Mailing Address: 415 Tuskegee Street, Wauchula

Property Owner/Title Holder/Telephone No: 614-674-5864

Property is identified under Parcel I.D./Folio No.: 15-34-25-0830-00015-0015

Zoning: R-3

Future Land Use District: Town Center

Acres: 0.09

Describe in complete detail the reasons and circumstances for this application.
(attach separate sheet if needed)

The existing house received damage from hurricane storm weather. The owner has been awarded a new house as part of the Rebuild Florida Program. However, the property does not conform to the existing zoning standards for R-3 zoning - the lot is too small and the required setbacks are too large. Rezoning to a more suitable zoning district is not appropriate as it would be considered spot zoning since the property is surrounded by R-3 zoning. A variance request to reduce the setbacks to accommodate the proposed new house is submitted for consideration.

Requirements

- ☒ Property record card
- ☒ Legible aerial map
- ☒ Copy of the deed
- ☒ Concept Development Plan
- ☐ Other

ALL FEES ARE NON-REFUNDABLE

Hardee County FLORIDA

COMMUNITY DEVELOPMENT DEPARTMENT

VARIANCE

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Preliminary Discussion/Pre-Application Disclaimer:
"The applicant/owner hereby acknowledges and agrees that any staff discussions or negotiations about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order."

Resolution No. 2014-04--APPLICANTS SHALL BE RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE USE OF OUTSIDE CONSULTANTS AS DEEMED NECESSARY BY STAFF DURING DEVELOPMENT REVIEW PROCESSES INCLUDING BUT NOT LIMITED TO DEVELOPMENTS OF REGIONAL IMPACT (DRI), COMPREHENSIVE PLAN AMENDMENTS, REZONINGS, MAJOR SPECIAL EXCEPTIONS, SEPCIAL EXCEPTIONS, SUBDIVISION PLATS AND SITE DEVELOPMENT PLAN REVIEWS.
APPLICANTS SHALL REIMBURSE THE COUNTY FOR SAID COSTS ON A SCHEDULE DETERMINED BY THE COUNTY.

Bill Blevins — 9-14-2026

ORIGINAL SIGNATURE REQUIRED — Date
Signature of Property Owner/Title Holder of Record
or signature of Authorized Representative with written Authorization attached

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Signature of Property Owner/Title Holder of Record
or signature of Authorized Representative with written Authorization attached

==========

Office Use Only_____

Receipt No. _____

Application Fees | Received By | Date

==========

415 Tuskegee Street, Wauchula
Criteria for Granting a Variance
Variance to Side Yard and Rear Yard Setbacks: Proposed 5' side yard setback in lieu of required 7' setback and proposed 15' rear yard setback in lieu of required 20' setback.

1) 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. Such limitations could arise from such characteristics as steep slopes, wetlands, or parcel shape that limits the reasonable use of property.

   The existing lot was created as part of the Magnolia Manor Subdivision, prior to adoption of the County's land development regulations and the current requirements of the regulating zoning code, making it a lot of record. The property is zoned R-3 which requires a minimum 75' wide lot and minimum 7500 square foot lot size, with setbacks of front 30', rear 20' sides 7'. However, the property is only 50' wide and 4,000 square feet in area. Due to the substandard size of the property, the required building setbacks are burdensome to meet with construction of a new house.

2) The special conditions and circumstances do not result from the actions of the applicant. Self-imposed hardship is not grounds for a variance. When conditions giving rise to the need for a variance were created by the property owner or a former owner, the hardship is self-imposed.

   The small size of the lot is not the result of actions taken by the applicant. The lot was created prior to ownership by the applicant and before current zoning standards were adopted.

3) 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.

   The granting of the variances will permit the applicant to proceed with building permits for the construction of a single family home. The construction of a single family home is a right enjoyed by other owners in the same land use classification; it is not conferring special privilege to the applicant. Additionally, the applicant is seeking to construct a replacement home as the existing structure was damaged by hurricane related weather.

4) Literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other property owners in the identical land use classification and will constitute an unnecessary hardship on the applicant. What determines a "hardship" shall be determined from the facts and circumstances of each individual case.

   If the variance requests were not granted, then the applicant would not be able to construct a new single family home. The existing structure was damaged beyond reasonable repair by hurricane related storm weather. The applicant is participating in the Rebuild Florida Program, which assists qualified individuals with replacement housing as a result of the impacts of hurricane damage. The Program operates with a dedicated portfolio of house models and the model proposed for this property is the most appropriate model.

5) That the variance granted is the minimum variance that will make possible a reasonable use of the land or structure.

   The requested variances are the minimum amount necessary to construct the proposed house. The land development code allows front porches to encroach up to 30% of the required front yard setback; 10 feet in this case. The site plan shows the front porch utilizing this allowance to the maximum extent possible, encroaching into the front yard setback approximately 7 feet. This allows for the rear encroachment to be the minimum amount possible.

For the rear setback, the house itself meets the 20 feet setback requirement; however, the rear porch encroaches. The land development code allows rear porches to encroach up to 2.5 feet into the rear setback. Our proposed rear porch encroaches approximately 4 feet; 1.5 feet past the 2.5 feet allowed to encroach by the code. So, a variance for this additional encroachment is needed and we are requesting a rear setback of 15 feet in lieu of the required minimum zoning setback of 20 feet.

The zoning district requires a minimum side setback of 7 feet, but due to the small width of the lot, we are requesting 5 feet setbacks for each side yard.

6) 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.

Granting of the requested variances will be in harmony with the Code, as it permits the applicant the ability to proceed with building permits for the construction of a new house. A single family dwelling unit is a permitted use in the zoning district and is a right enjoyed by other property owners within the same zoning district and/or land use classification. The construction of a single family house will not be injurious to the area or detrimental to the public welfare. The requested variances are consistent with the development trends in the neighborhood.