

The Wauchula Planning and Zoning Board met on Tuesday, January 22, 2019 at 5:30 p.m.

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

Also present were Community Development Coordinator Kyle Long and City Clerk Holly Smith.

Vice-Chairman Phillips called the meeting to order

Approval of Minutes – October 15, 2018

Long addressed the Board and stated the typo in the minutes had been corrected. Graham motioned to approve the minutes of October 15, 2018, seconded by Waldron.

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

Approval of Minutes – November 19, 2018

Graham motioned to approve the minutes of November 19, 2018, seconded by Waldron.

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

Elect Chair

Waldron motioned to elect Phillips as Chair, seconded by Graham.

With no other nominations announced, Smith polled the Board.

All were in favor; motion carried.

Elect Vice-Chair

Graham motioned to elect Steffens as Vice-Chair, seconded by Johnson.

With no other nominations announced, Smith polled the Board.

All were in favor; motion carried.

Ordinance 2019-02 – Future Land Use Map Amendment – 1685 Louisiana Street

Jeff Schmucker with CFRPC addressed the Board and presented Ordinance 2019-02 which is a Future Land Use Amendment and Ordinance 2019-03 which is companion rezoning of 1685 Louisiana Street. The request is to change the future land use from County Towncenter to City Low Residential and Conservation. Schmucker stated the rezoning is from current agriculture in the County to a City R-2, single family and duplex as well as conservation. Schmucker explained this property is currently being annexed into the City. Schmucker stated the motion you make tonight will go onto the City Commission, but the annexation will have to be approved first before they can take consideration on the land use and rezone. Schmucker stated the property has an existing duplex and is 10 acres. Schmucker discussed the zoning of the surrounding properties. Schmucker explained that staff had looked at what impacts might be associated with the change and looking at the analysis we do not feel there will be any impacts with the change. Schmucker stated this property owner has approached the City to annex their property into the City to get water services. The change is to bring them into the City with a consistent future land use and zoning with what is on the property today, which is a duplex. Schmucker asked the Board if they had any questions. Schmucker stated there are two ordinances, the first action will be the future land use and then the rezone. Phillips stated it is my understanding as you stated earlier that this will all depend upon the successful annexation of the property into the actual City limits. Long commented just to expand on that, I know some people in the audience may be curious, the annexation will go before the City Commission on February 11th, for final adoption. The ordinance will be published two consecutive weeks notifying the public

of the annexation and notices to properties within a 500 feet radius of the property. Long stated I know we are not here to speak about the annexation because they do not go before the Planning & Zoning Board but I just want to be as transparent as possible. Phillips thanked Long and stated it clarifies things in the big picture.

Phillips then opened the floor for public comments.

Matt Knight – 1620 Louisiana Street

Knight addressed the Board and stated he was there tonight to express his concerns and the concerns of the majority of his neighbors regarding the City annexing further into the County. Knight gave a background of why he bought a house on Louisiana Street. Knight stated he had a petition which had been signed by the majority of the home and land owners in the area. Knight stated the petition basically said that we stand against any further encroachment by the City of Wauchula through any further annexations or rezoning into our area. Knight stated a couple of reasons why he felt the annexation of 1685 Louisiana Street into the City might be a necessity. One reason was because a City Commissioner Ken Lambert is currently living there and has to reside in the City Limits to remain a Commissioner. Knight stated we do not feel like it is right for the City Limits to follow Lambert and what happens if he decides to move out of town. I feel like there are plenty of properties within the City Limits where he and his brother could live. The only other reason why I could think of was the property could possibly be developed in the future and development to that property would cause excess pressure on the taxed infrastructure and workforce for the City of Wauchula. Knight stated he did not feel it was financially necessary to build the infrastructure to 1685 Louisiana Street because none of the other neighbors would want to hook into the city utilities and he felt like they would be pressured to connect somewhere down the road. Knight commented he felt the City of Wauchula could put their resources to better use in the existing infrastructure, such as roads and parks. Knight asked the Board to take the needs of all parties involved into consideration and not just a select few people. Phillips stated let me try and clarify something and please correct me if I am wrong, we have nothing to do with the annexation and that is totally up to the City Commission. Phillips continued by saying, I understand what you are saying but unfortunately the annexation is something you would need to present to the City Commission because they have sole control over it. Knight stated you have control over the rezoning, correct. Phillips and Graham responded recommendations only. Knight replied that is why we are here today and with me it brings up some ethical concerns with the fact we have a City Commissioner living out there and it is a conflict of interest and this should be taken into consideration, we do not want to see any type of favoritism here. Knight submitted a petition which had been signed by the majority of the home and land owners in the area.

Long stated just to be clear, this is not a City initiated annexation, rezone, or future land use map amendment. This is the property owner reaching out to the City asking to be annexed.

Graham stated he would like to get a short comment from the other residents that were present tonight. Graham stated he was very democratic and if this is going to affect people's lives, then I am going to be upfront and say "no". If it does not bother you and you say you like it, then I am saying we should recommend this. Graham stated he wanted to do what the people wanted and he wanted to listen to the voice of the people.

Marilyn Peterson – Kiella Road

Peterson stated she owns pasture land across the street and she felt like the only reason for this is because he is living there and he is on the City Council and he knows he cannot live in the country and be on the City Council. Therefore, he and his brother are going to change their land to City so he can remain on the Council and that is what I think it all boils down to.

Graham thanked Peterson and said we like to hear the voice of the people.

Maggie Taylor – 1636 Louisiana Street

Taylor stated she lives right across the street from the property and the reason they bought their home three years ago was to be outside the City Limits, not in it or close to it.

Becky Hulsey – 1608 Louisiana Street

Hulsey stated she bought her house twenty-five years ago and before I lived in town. Hulsey voiced her concerns about future development on the proposed property. She stated we live in the country and like living in the country and did not want the City forced on her.

Graham stated we have had a lot of “cons” is there anyone in the audience that is “pro”, for it. The residents in the audience replied no, none of us are for it.

Glenda Bolin – 1528 Louisiana Street

Mrs. Bolin stated we live in the country and I raised my children there and I want it to remain country.

Mark Larnar – 1735 Louisiana Street

Larnar stated I understand Mr. Lambert’s predicament but he has already had another property annexed into the City whenever he moved out of Briarwood and now, he has moved farther down the road and is trying to get it annexed into the City and he is also requesting City water. Larnar discussed the City’s water lines and the funding the City was getting to help repair the lines. Larnar stated it is just a big burden on the City, a burden that does not need to be put there. Larnar added that property has been cow pasture for a lot of years and now he wants to bring City water out there so he can use his well water for irrigation and it irrigate what.

Earl Bolin – 1528 Louisiana Street

Mr. Bolin stated he lives across the street from the residence and watched that house being built. Bolin stated we moved out there because we did not want to be in town. Bolin added say it does happen, it is going to be in the City Limits and part of the City, what happens when he moves away or passes away, are you going to come out there like a chalk board and rub it off and say okay this is not the City anymore. Bolin added I do not want to get something started that we cannot stop. We are out there because we do not want to be in town and that is my opposition.

Phillips asked Long for a staff report. Long stated it was in the agenda package and basically stated everything that Jeff covered. Long added I can tell you that staff does not have any objections and not because we agree or disagree with it, it is strictly because the owner is requesting it and there is nothing negative from the City’s standpoint.

Schmucker stated so what Long is saying is based on the existence and concurrency, will it function properly within the City and “yes” it would. Schmucker stated the recommendation of some sort should be made tonight on this and I encourage the public to go to the annexation hearing. Schmucker stated if the Council does approve the annexation that property will need to have some type of future land use and rezoning assigned to it. Schmucker stated the proposal for the low density residential and the R2 are the minimum zoning that can be applied to that property to meet what is on that property today. Schmucker added he strongly recommended a recommendation of some sort be had tonight, if the City Council does approve the annexation this will come back before you because the City will eventually have to apply some type of future land use and zoning to it. Schmucker stated with that being said if the City does not annex the property into the City then what we are discussing tonight becomes a moot point.

Phillips asked for a motion for or against Ordinance 2019-02. Graham motioned to not recommend consideration of Ordinance 2019-02, seconded by Johnson.

With no further discussion, Smith polled the Board; all were in favor for denial of Ordinance 2019-02. Motion carried.

Phillips asked for a motion for or against Ordinance 2019-03. Graham motioned to deny the acceptance of Ordinance 2019-03, seconded by Johnson.

With no further discussion, Smith polled the Board; all were in favor for denial of Ordinance 2019-03. Motion carried.

Graham asked Chairman Phillips for the floor. Phillips granted Graham the request.

Graham thanked the residents for attending the meeting. He stated this is still America and he expressed his disapproval of the American people's rights being eroded little by little. He stated he looks at this as a public outcry because you are the residents and you live there and that is your area. We cannot make the final decision on this, we can only make recommendations to the City Council and they are the ones who make the final decisions. So please show up at the City Council meeting and let the Council hear the public outcry.

Phillips stated the important thing to understand is this has no affect whatsoever on the actual annexation and if the annexation does go through the property will have to be rezoned, is that correct. A lady from the public asked then why are we here and why did we get the letter in the mail if you have no power. Long replied you will be notified of the annexation that was notification for this meeting. Long stated keep in mind the annexation, rezone and future land use amendment are two entirely separate things, it is a companion and one piggy-backs on the other. Long stated February 11th will be the annexation and it will be in the newspaper for two consecutive weeks. A lady in the audience asked how the Commission can go ahead with the annexation when the zoning had not been approved. Long replied the Florida Statutes do not require annexations to be heard before the Planning & Zoning Board. Graham stated one thing I can tell you is and I say this from my own personal opinion, this Board does carry some clout, it is very rare that the City Commission goes against our wishes, our votes and our recommendations. Graham continued and stated it does not say they won't, but it is just like your Senator, he cannot pass a law but he sure can pull a lot of strings and this is how I feel our imagine is to the public, represent the public and tell the City Council that this is what the public wants.

Old/New Business

Long stated another annexation with a rezone and map amendment in the same area may be before you in the next month or two.

Public Comment

There was no response to calls for Public Comment.

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

Chairman Phillips adjourned the meeting at 6:13p.m.

Chairman Garry Phillips

City Clerk Holly Smith