

CITY OF LABELLE
ORDINANCE 2017-16
BELLE ARBOR REZONE
REZONE

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR PROPERTY LOCATED ON THE NORTH SIDE OF HICKPOCHEE BOULEVARD, WEST OF THE INTERSECTION WITH SHADY OAKS LANE, EAST OF AQUA ISLES MOBILE HOME PARK, CITY OF LABELLE, HENDRY COUNTY, FLORIDA; AMENDING THE ZONING DESIGNATION FROM CITY OF LABELLE ZONING DESIGNATION PUD, B-2, R-1A AND R-3 TO CITY OF LABELLE ZONING DESIGNATION OF PUD AS AMENDED; PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, LaBelle Landings, LLC, is the, “Owner,” of the real property, located west of the intersection with Shady Oaks Lne, East of Aqua Isles Mobile Home Park, City of LaBelle, Florida “the property,” more particularly described in Exhibit “A,” a copy of which is attached hereto and set forth herein; and,

WHEREAS, after public hearings held on June 8, 2017, before the LaBelle Local Planning Agency “LPA” and on July 13, 2017, before the City Commission, Ordinance No. 2017-16 is hereby adopted, for the property; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested rezoning is in compliance with the land use designation of “Outlying Mixed Use” as approved per Ordinance No. 2017-10 and approval of the rezoning application will further the goals and objectives of the City of LaBelle Comprehensive Plan; and,

WHEREAS, the City Commission for the City of LaBelle has determined the requested rezone of the property to PUD, as amended, is the most appropriate use of the property and this use will promote, protect and improve the health, safety, comfort, good order, appearance, convenience and general welfare of the public with the conditions set forth in Exhibit “B,” attached hereto and incorporated herein by reference, “the conditions”.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA, that:

1. The City Commission, after a first reading by title on June 8, 2017 and duly advertised public hearings of the Local Planning Agency on June 8, 2017, and City Commission on July 13, 2017, hereby rezones the property from PUD, B-2, R-1A AND R-3 to City of LaBelle zoning designation of PUD, as amended.

2. If any Court of competent jurisdiction shall determine any portion or provision of this ordinance unconstitutional or invalid, that portion shall be severed and the remainder of the ordinance shall remain in full force and effect and given its ordinary meaning.
3. This ordinance shall be codified within The City of LaBelle Code and City of LaBelle Land Development Code.
4. This ordinance shall become effective upon the date of passage.
5. Any language within the City of LaBelle Code and/or City of LaBelle Land Development Code in conflict with the language or provisions contained herein is hereby declared null and void.
6. The City Commission hereby directs the Deputy Clerk to forward certified copies of this adopted ordinance within seven (7) days of the effective date hereof, to the Clerk of Circuit Court of Hendry County and the County Administrator for Hendry County.
7. In addition to the above notice, and as a public service, the City Commission hereby directs the Deputy Clerk to fax, email or hand deliver notification to the Hendry County Property Appraiser's Office, Hendry County Tax Collector's Office, Postmaster, Hendry County Sheriff's Office, E911 Office, Hendry County Supervisor of Elections and Hendry County Planning Office.

PASSED AND ADOPTED in open session this 13th day July, 2017.

THE CITY OF LABELLE, FLORIDA

By: _____
David A Lyons, Mayor

Attest:

Thomas A. Smith, Commissioner