

**CITY OF LABELLE
ORDINANCE 2019-01
JAB PLAZA PLANNED UNIT DEVELOPMENT
REZONE**

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR PROPERTY LOCATED AT 597 W. HICKPOCHEE AVENUE AND 560 1ST AVENUE, CITY OF LABELLE, HENDRY COUNTY, FLORIDA; AMENDING THE ZONING DESIGNATION FROM BUSINESS GENERAL (B-2) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, James Burkett is the “Owner” of real property, located south of SR 80/Hickpochee Avenue, east of Lashley Street, and north of 1st Street, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto, and

WHEREAS, after duly advertised public hearings held on January 10, 2019, before the LaBelle Local Planning Agency “LPA”, and on February 14, 2019 before the City Commission; 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 “Commercial” 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 rezone of the property to Planned Unit Development, 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 following conditions:

1. The Rezone request applied to the property is described in Exhibit ‘A’.
- 2.

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

1. After being read by title at a public hearing on January 10, 2019 and a duly advertised public hearing on February 14, 2019, Ordinance 2019-04 is hereby adopted, rezoning the property from B-2 to PUD.
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.

PASSED AND ADOPTED in open session this 14th day February 2019.

THE CITY OF LABELLE, FLORIDA

By: _____
David A Lyons, Mayor

Attest:

Thomas A. Smith, Clerk-Commissioner

EXHIBIT A

LEGAL DESCRIPTION

LOTS 7, 8 & 9, BLOCK 1, W.T. MADDOX'S SUBDIVISION, SECTION 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 8 OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

EXHIBIT B

SCHEDULE OF USES

All uses as permitted in the B-2 zoning district per the Land Development Code, excluding gas pumps, liquor stores, pawn shops, and tattoo establishments.

Multiple-family dwelling units (limited to a maximum of 4 dwelling units)

Residential accessory Uses, including, but not limited to:

Antennas/Satellite Dishes

EXHIBIT C

SITE DEVELOPMENT REGULATIONS

Min. Parcel Size	15,000 sq. ft.
Min. Lot Width	100 ft.
Min. Lot Depth	100 ft.
Max. Lot Coverage	40%
Maximum Height	35 ft.
Minimum Living Area	400 sq. ft.
Minimum Setbacks	
SR 80	25 ft.
Lashley Street	17.8 ft.
1 st Avenue	25 ft.
Alley/Rear	5 ft.
Side	2.9 ft.
Min. Building Separation	15 ft.
Min. Open Space	15%

EXHIBIT D MASTER CONCEPT PLAN

