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**CITY OF LABELLE  
ORDINANCE 2019-04  
BROWARD AVE LLC PLANNED UNIT DEVELOPMENT  
REZONE**

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AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR PROPERTY LOCATED SOUTH OF BROWARD AVENUE, EAST OF MISSOURI STREET AND WEST OF LEE STREET, CITY OF LABELLE, HENDRY COUNTY, FLORIDA; AMENDING THE ZONING DESIGNATION FROM MULTI-FAMILY RESIDENTIAL (R-3) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, Broward Avenue, LLC is the “Owner” of real property, located south of Broward Avenue, east of Lee Street, and west of Missouri Street, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto; and,

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**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 “Outlying Mixed Use” and approval of the rezoning application will further the goals and objectives of the City of LaBelle Comprehensive Plan; and,

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of LaBelle, Florida:

**Section 1.** The forgoing recitals are true and correct and are incorporated herein by this reference.

**Section 2.** The above-mentioned property is hereby rezoned from R-3 to Planned Unit Development (PUD), upon a finding that this 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 subject to the following conditions:

1. The Rezone request applied to the property is described in Exhibit ‘A’.
2. The PUD is limited to a maximum of 34 dwelling units.
3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit ‘B’.
4. Development Standards will conform for the Development Standards Table, attached as Exhibit ‘C’.

- 45 5. All development must conform to the general design of the Master Concept Plan contained  
46 in Exhibit ‘D’ and the requirements of the Land Development Code. Prior to the City  
47 Commission public hearing, the MCP must be revised to delineate compliance with all  
48 conditions, including required landscape buffers.
- 49 6. Dwelling units must be consistent with the Conceptual Elevations attached as Exhibits ‘E-1’  
50 and ‘E-2’.
- 51 7. Developer must dedicate a 5-foot wide easement along the property’s Broward Avenue  
52 frontage to provide for future installation of sidewalk by the City.
- 53 8. Development must connect to the City’s potable water and sanitary sewer system. A  
54 demonstration of capacity will be required at the time of development.
- 55 9. A Homeowners Association (HOA) must be established for maintenance of private lots,  
56 common areas, and infrastructure within the community.
- 57 10. Streetscape plantings are required along Broward Avenue, Missouri Street, and Lee Street.  
58 The southern PUD boundary must be planted with one (1) large tree per 50 feet. The  
59 southern boundary must also be screened with a hedgerow of shrubs that is planted at a  
60 minimum height of 18 inches and maintained at 48 inches, or a 4-foot tall opaque fence.
- 61 11. A minimum of 15% of the development, or 0.51 acres, of open space shall be provided  
62 within the PUD.
- 63 12. All development activities must comply with the City’s regulations relating to the protection  
64 of significant oak trees and the Tree Removal Plan contained in Exhibit F. All oak trees  
65 shown on the plan to be removed, and that are not determined to be dead or diseased by the  
66 Superintendent of Public Works, or their assigns, must be replaced within the PUD by a  
67 similar species at a minimum height of 10 feet at the time of planting.
- 68 13. Driveways must be a minimum of 20 feet in length to accommodate vehicular parking  
69 without impeding the internal accessway/drive aisle.
- 70 14. Carports must be meet the minimum design standards set forth in Land Development Code  
71 Section 4-64(d)(1)(5) relating enclosure and screening.
- 72 15. The PUD Master Concept Plan will remain valid for not more than five (5) years from the  
73 date of City Commission approval. Horizontal construction must commence within five (5)  
74 years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval  
75 must be filed and approved by the City Commission. A one (1) time extension of 6 months  
76 may be submitted to the City prior to vacation of the MCP.

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78 **Section 3. Conflict with other Ordinances.** The provisions of this article shall supersede any  
79 provisions of existing ordinances in conflict herewith to the extent of said conflict.

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81 **Section 4. Severability.** In the event that any portion of this ordinance is for any reason held  
82 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a  
83 separate, distinct and independent provision, and such holding shall not affect the validity of the  
84 remaining portions of this ordinance.

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86 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its  
87 adoption.

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**PASSED AND ADOPTED** in open session this 14<sup>th</sup> day February 2019.

THE CITY OF LABELLE, FLORIDA

By: \_\_\_\_\_  
David A Lyons, Mayor

Attest:

Thomas A. Smith, Clerk-Commissioner

**EXHIBIT A**

**LEGAL DESCRIPTION**

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106 LOTS 1 THRU 25, INCLUSIVE, LORENA COURT SUBDIVISION, ACCORDING TO THE  
107 PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 17, PUBLIC RECORDS OF HENDRY  
108 COUNTY, FLORIDA, BEING A SUBDIVISION OF BLOCK 62 OF GOODNO'S ADDITION TO  
109 LABELLE.  
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111 AND  
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113 THE 10.00 FOOT ALLEYWAY IN THE NORTH 1/2 OF LORENA SUBDIVISION BLOCK 62,  
114 GOODNO'S ADDITION TO LABELLE LYING BETWEEN LOTS 1-11 AND LOTS 12-18.  
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116 AND  
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118 LORENA STREET RIGHT OF WAY IN NORTH 1/2 OF LORENA SUBDIVISION, BLOCK 62,  
119 GOODNO'S ADDITION TO LABELLE.  
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121 AND  
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123 THE 10.00 FOOT ALLEYWAY IN LORENA SUBDIVISION BLOCK 62, GOODNO'S  
124 ADDITION TO LABELLE LYING BETWEEN LOTS 19-25 AND LOTS 26-32.  
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**EXHIBIT B**

**SCHEDULE OF USES**

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- Accessory Residential Uses, including but not limited to:
  - Patios
  - Gazebos
  - Community BBQ Pavilions
  - Carports/Garages
- Tool/Garden Sheds/Workshops, and other accessory buildings located in rear yards only
  - Solar Energy Structures, pursuant to LDC Appendix B, Chapter 4-85
  - Antennas/Satellite Dishes
- Essential services, such as but not limited to cable, fiber optic, public utilities
- Fences, maximum six (6) feet in height
- Gates, maximum six (6) feet in height
- Irrigation Pump House
- Playground/Picnic Areas
- Model Home
- Residential dwellings, attached and detached single-family and multi-family units (limited to a maximum of 34 dwelling units)
- Street Lamps

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**EXHIBIT C**

**SITE DEVELOPMENT REGULATIONS**

| <b>SINGLE-FAMILY DETACHED</b>                                       |                            |
|---|----------------------------|
| Minimum Lot Size  | 1,000 sq. ft.              |
| Minimum Lot Width   | 28 ft.                     |
| Minimum Lot Depth   | 35 ft.                     |
| Maximum Lot Coverage  | 100%                       |
| Minimum Living Area Per Unit  | 1,000 sq. ft.              |
| Setbacks (Principal & Accessory Structures from Internal Lot Lines) |                            |
|   | Front 10 ft.*              |
|   | Rear 10 ft.                |
|   | Side 5 ft.                 |
| <b>SINGLE-FAMILY ATTACHED</b>                                       |                            |
| Minimum Lot Size  | 900 sq. ft.                |
| Minimum Lot Width   | 23 ft.                     |
| Minimum Lot Depth   | 35 ft.                     |
| Maximum Lot Coverage  | 100%                       |
| Minimum Living Area Per Unit  | 900 sq. ft.                |
| Setbacks (Principal & Accessory Structures from Internal Lot Lines) |                            |
|   | Front 15 ft.*              |
|   | Rear 10 ft.                |
|   | Side 0/5 ft.               |
| <b>MULTI-FAMILY BUILDINGS</b>                                       |                            |
| Minimum Lot Size  | N/A                        |
| Minimum Lot Width   | N/A                        |
| Minimum Lot Depth   | N/A                        |
| Maximum Lot Coverage  | 60%                        |
| Minimum Living Area Per Unit  | 805 sq. ft.                |
| Setbacks (Principal & Accessory Structures from Internal Lot Lines) |                            |
|   | Front 15 ft.*              |
|   | Rear 10 ft.                |
|   | Building Separation 10 ft. |
| <b>PUD STANDARDS (Applicable to Entire PUD)</b>                     |                            |
| Minimum Setbacks from PUD Boundary                                  |                            |
| Broward Avenue  | 15 ft.                     |
| Missouri Street   | 13 ft.                     |
| Lee Street  | 13 ft.                     |
| Southern Boundary   | 5 ft.                      |
| Maximum Building Height   | 25 ft.                     |
| Maximum Lot Coverage (Overall PUD)                                  | 50%                        |
| Minimum Building Separation   | 10 ft.                     |

|                    |     |
|--------------------|-----|
| Minimum Open Space | 15% |
|--------------------|-----|

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\*Driveways must be a minimum of 20 feet in length to accommodate vehicular parking without impeding the internal accessway/drive aisle.

# EXHIBIT D MASTER CONCEPT PLAN

PROPOSED LOT 1 (OR 346 PG 33) LOTS 1 AND 25 INCLUDING LONELA COURT SUBDIVISION ACCORDING TO THE PLAT - RECORD RECORDS OF HENRY COUNTY, FLORIDA BEING A SUBDIVISION OF BLOCK 62 OF GOODNO'S ADDITION TO LABELLE.

THE 6200 FOOT ALLEYWAY IN THE NORTH 1/2 OF LONELA SUBDIVISION BLOCK 61, GOODNO'S ADDITION TO LABELLE LYING BETWEEN LOTS 141 AND AND 218.

LONGLA STREET RIGHT OF WAY IN NORTH 1/2 OF LONELA SUBDIVISION, BLOCK 61, GOODNO'S ADDITION TO LABELLE.

(OR 346 PG 33) LOTS 3 AND 21 LONELA COURT SUBDIVISION A SUBDIVISION OF BLOCK 61, GOODNO'S ADDITION TO LABELLE FLORIDA ACCORDING TO THE PLAT - RECORD RECORDS OF HENRY COUNTY, FLORIDA.

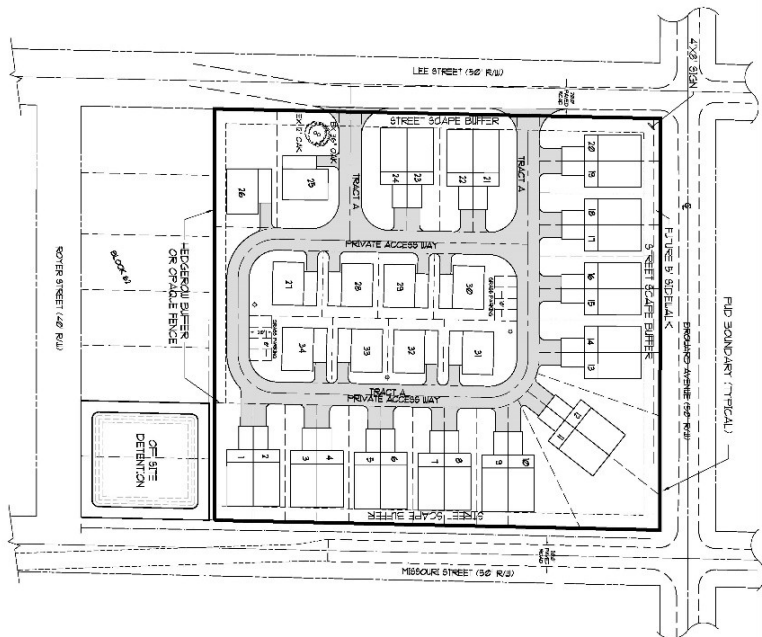
**TREE CREDITS:**  
 (1) 1" OAK = 6 TREES  
 (1) 36" OAK = 10 TREES  
**TOTAL TREE CREDIT = 16 TREES**  
**TOTAL TREES REQUIRED = 9 TREES**

**SITE DATA**

**TOTAL SITE AREA =**  
 PROPOSED BLDG AREA =  
 PROPOSED ASP. ALT AREA =  
 PROPOSED RETENTION AREA =

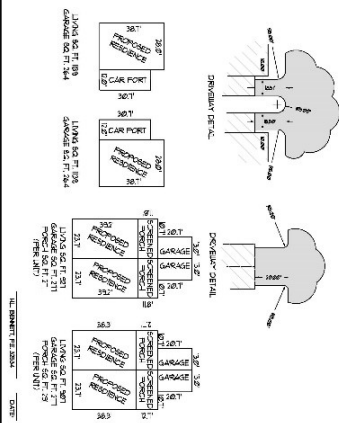
**TOTAL IMPERVIOUS AREA =**  
**TOTAL PERVIOUS AREA (OPEN SPACE) =**

16,239 SQ. FT.      36.3 ACRES      0.00%  
 4,933 SQ. FT.      113 ACRES      31.62%  
 21,978 SQ. FT.      0.53 ACRES      1.36%  
 3,146 SQ. FT.      0.72 ACRES      6.06%  
 17,834 SQ. FT.      178 ACRES      43.24%  
 24,371 SQ. FT.      123 ACRES      50.96% > 50.00% REQUIRED



**LANDSCAPE CALCULATIONS:**

| BUILDING PERIMETER LANDSCAPE AREA<br>10% OF 49,348 S.F. OF BUILDING AREA  | REQUIRED:  |
|---|------------|
| REQUIRED PER SEC 4-80.12  | 4,934 S.F. |
| PAVING LOT INTERIOR LANDSCAPE AREA<br>SHADE 25% OF 27,918 S.F. OF PAVED AREA<br>25 X 27,918 S.F. = 6,979 S.F. SHADE REQUIRED<br>6,979 / 2,500 (LARGE TREE) = 2.79 = 3 TREES | 3          |
| STORMWATER MANAGEMENT AREA<br>REQUIRED PER SEC 4-80.13<br>25 X 10,468 S.F. = 2,617 S.F.   | 2,617 S.F. |
| ADJACENT TO MISSOURI ST. (EAST)<br>LANDSCAPE REQUIRED PER SEC 4-80.10<br>LARGE TREE: 1 PER 50' O.C.   | 8          |
| ADJACENT TO LEE ST. (WEST)<br>LANDSCAPE REQUIRED PER SEC 4-80.10<br>LARGE TREE: 1 PER 50' O.C.  | 8          |
| ADJACENT TO BROWARD AVE. (NORTH)<br>LANDSCAPE REQUIRED PER SEC 4-80.10<br>LARGE TREE: 1 PER 50' O.C.  | 8          |
| ADJACENT TO RESIDENTIAL (SOUTH)<br>HEDGE ROAD BUFFER OR OPAQUE FENCE  | N/A        |



|   |   |  |   |
|---|---|--|---|
| <p>DATE: 11/14/2014<br/>                 DRAWN BY: [Signature]<br/>                 CHECKED BY: [Signature]</p> | <p><b>H. L. BENNETT &amp; ASSOCIATES INC.</b><br/>                 24 YEOHANS AVENUE - P.O. DRAWER 2037<br/>                 LABELLE, FLORIDA 33570 PH: (904) 678-8892<br/>                 FAX: (904) 678-0211</p> | <p>SHEET TITLE:<br/> <b>MASTER CONCEPT PLAN</b><br/>                 SEC 8, TWP 43 S, RGE 29 E,<br/>                 HENRY COUNTY, FLORIDA</p> | <p><b>CITY VILLAGE PUD</b><br/> <b>MASTER CONCEPT PLAN</b><br/>                 BROWARD AVENUE, LABELLE</p> |
|---|---|--|---|



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**EXHIBIT E-1  
CONCEPTUAL ELEVATIONS**



Artist's Conception

Cottage Home

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**EXHIBIT E-2  
CONCEPTUAL ELEVATIONS**

*City Village*



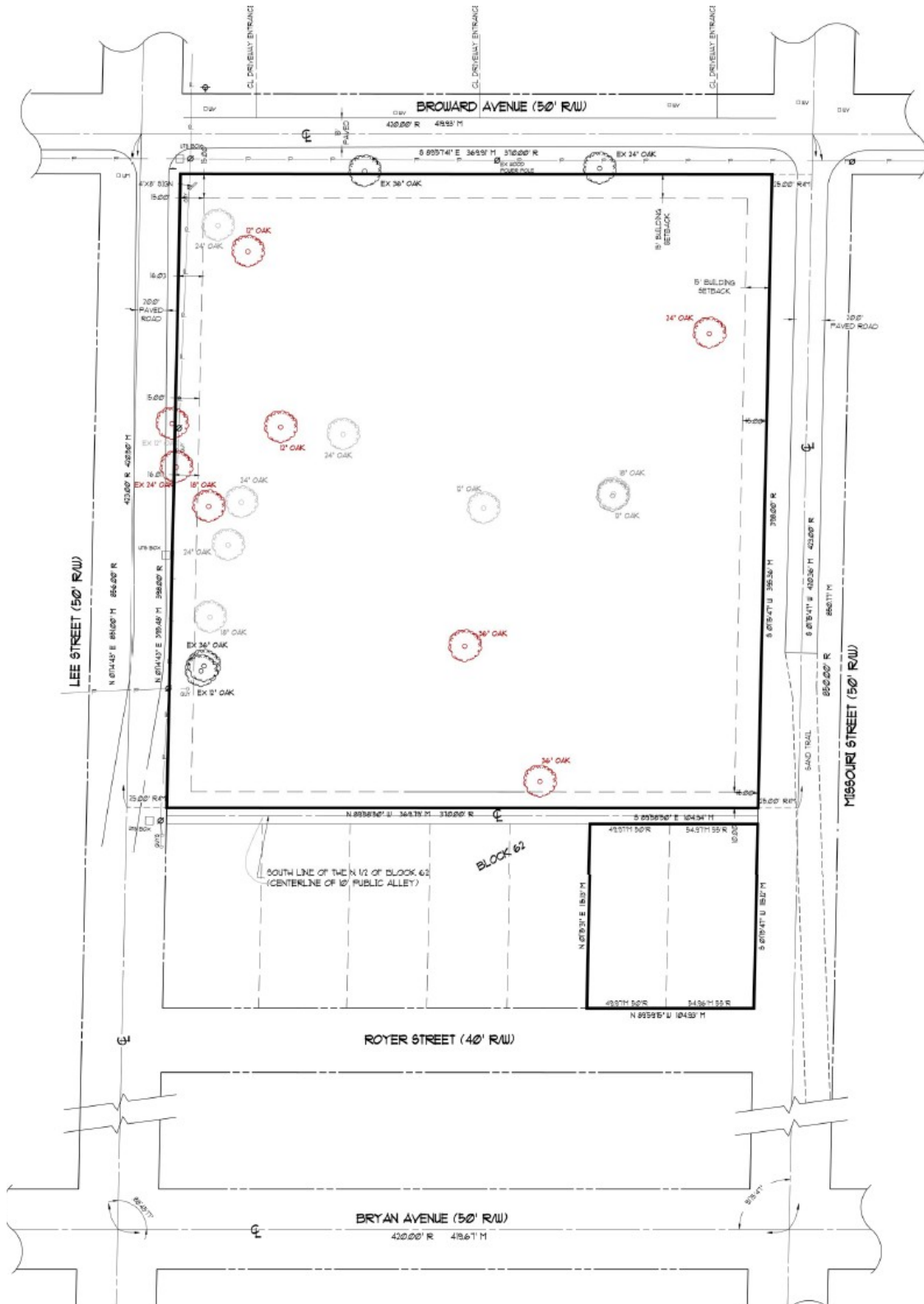
Artist's Conception

Villa Homes

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### EXHIBIT F SIGNIFICANT OAK REMOVAL PLAN



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