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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 April 11, 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’.
5. All development must conform to the general design of the Master Concept Plan contained in Exhibit ‘D’ and the requirements of the Land Development Code. Prior to the City

- 46 Commission public hearing, the MCP must be revised to delineate compliance with all  
47 conditions, including required landscape buffers.
- 48 6. Dwelling units must be consistent with the Conceptual Elevation attached as Exhibit "E".
  - 49 Roofs must be metal.
  - 50 7. Developer must dedicate a 5-foot wide easement along the property's Broward Avenue
  - 51 frontage to provide for future installation of sidewalk by the City.
  - 52 8. Development must connect to the City's potable water and sanitary sewer system. A
  - 53 demonstration of capacity will be required at the time of development.
  - 54 9. A Homeowners Association (HOA) must be established for maintenance of private lots,
  - 55 common areas, and infrastructure within the community.
  - 56 10. Streetscape plantings are required along Broward Avenue, Missouri Street, and Lee Street.
  - 57 The southern PUD boundary must be planted with one (1) large tree per 50 feet. The
  - 58 southern boundary must also be screened with a hedgerow of shrubs that is planted at a
  - 59 minimum height of 18 inches and maintained at 48 inches, or a 4-foot tall opaque fence.
  - 60 11. A minimum of 49% of the development, or 1.76 acres, of open space shall be provided
  - 61 within the PUD.
  - 62 12. All development activities must comply with the City's regulations relating to the protection
  - 63 of significant oak trees and the Tree Removal Plan contained in Exhibit F. All oak trees
  - 64 shown on the plan to be removed must be replaced within the PUD by Live Oak trees at a
  - 65 minimum height of 10 feet at the time of planting and with a minimum 4" caliper (DBH).
  - 66 Total replacement caliper must meet or exceed the caliper of removed significant oak trees.
  - 67 13. Driveways must be a minimum of 20 feet in length to accommodate vehicular parking
  - 68 without impeding the internal accessway/drive aisle.
  - 69 14. The PUD Master Concept Plan will remain valid for not more than five (5) years from the
  - 70 date of City Commission approval. Horizontal construction must commence within five (5)
  - 71 years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval
  - 72 must be filed and approved by the City Commission. A one (1) time extension of 6 months
  - 73 may be submitted to the City prior to vacation of the MCP.
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75 **Section 3. Conflict with other Ordinances.** The provisions of this article shall supersede any  
76 provisions of existing ordinances in conflict herewith to the extent of said conflict.

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

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83 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its  
84 adoption.

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**PASSED AND ADOPTED** in open session this 11<sup>th</sup> day April, 2019.

THE CITY OF LABELLE, FLORIDA

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

Attest:

Thomas A. Smith, Clerk-Commissioner

**EXHIBIT A**

**LEGAL DESCRIPTION**

99  
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103 LOTS 1 THRU 25, INCLUSIVE, LORENA COURT SUBDIVISION, ACCORDING TO THE  
104 PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 17, PUBLIC RECORDS OF HENDRY  
105 COUNTY, FLORIDA, BEING A SUBDIVISION OF BLOCK 62 OF GOODNO'S ADDITION TO  
106 LABELLE.  
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108 AND  
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110 THE 10.00 FOOT ALLEYWAY IN THE NORTH 1/2 OF LORENA SUBDIVISION BLOCK 62,  
111 GOODNO'S ADDITION TO LABELLE LYING BETWEEN LOTS 1-11 AND LOTS 12-18.  
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113 AND  
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115 LORENA STREET RIGHT OF WAY IN NORTH 1/2 OF LORENA SUBDIVISION, BLOCK 62,  
116 GOODNO'S ADDITION TO LABELLE.  
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118 AND  
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120 THE 10.00 FOOT ALLEYWAY IN LORENA SUBDIVISION BLOCK 62, GOODNO'S  
121 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
  - 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 single-family (limited to a maximum of 34 dwelling units)
- Street Lamps

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**EXHIBIT C**

**SITE DEVELOPMENT REGULATIONS**

SINGLE-FAMILY ATTACHED	
Minimum Lot Size	2,800 sq. ft.
Minimum Lot Width	28 ft.
Minimum Lot Depth	100 ft.
Maximum Lot Coverage	65%
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.
PUD STANDARDS (Applicable to Entire PUD)	
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)	51%
Minimum Building Separation	10 ft.
Minimum Open Space	49%

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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.







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**EXHIBIT E**

*City Village*



Artist's Conception

Villa Homes

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### EXHIBIT F SIGNIFICANT OAK REMOVAL PLAN

