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**CITY OF LABELLE  
ORDINANCE 2021-12  
82 W. HICKPOCHEE AVENUE  
REZONE**

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**AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR PROPERTY LOCATED AT 82 W. HICKPOCHEE AVENUE, CITY OF LABELLE, FLORIDA; AMENDING THE ZONING DESIGNATION FROM DOWNTOWN BUSINESS DISTRICT, DOWNTOWN GENERAL TRANSECT ZONE TO DOWNTOWN BUSINESS DISTRICT, DOWNTOWN CENTER TRANSECT ZONE; PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, A & H Investments of Immokalee, Inc. has initiated a rezoning of real property, located at 82 W. Hickpochee Avenue, City of LaBelle, Florida, “the property” as described and depicted in Exhibit “A” attached hereto; and,

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**WHEREAS**, after a duly advertised public hearing held on October 14, 2021, before the LaBelle Local Planning Agency “LPA”, and duly advertised public hearings on November 11, 2021 and December 9, 2021 before the City of LaBelle City Commission; and,

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**WHEREAS**, the City Commission for the City of LaBelle has determined that the rezoning is in compliance with the underlying future land use designation of “Downtown Business District” and approval of the rezoning application will further the goals and objectives of the City of LaBelle Comprehensive Plan; and,

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**WHEREAS**, the City Commission for the City of LaBelle has determined the rezoning of the property to the Downtown Business District, Downtown Center Transect Zone, 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.

**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 City Commission, after a first reading by title on November 18, 2021 and duly advertised public hearings of the Local Planning Agency on October 14, 2021 and City Commission on December 9, 2021, Ordinance 2021-12 is hereby adopted, rezoning the property from Downtown Business District, Downtown General Transect Zone, to Downtown Business District, Downtown Center.

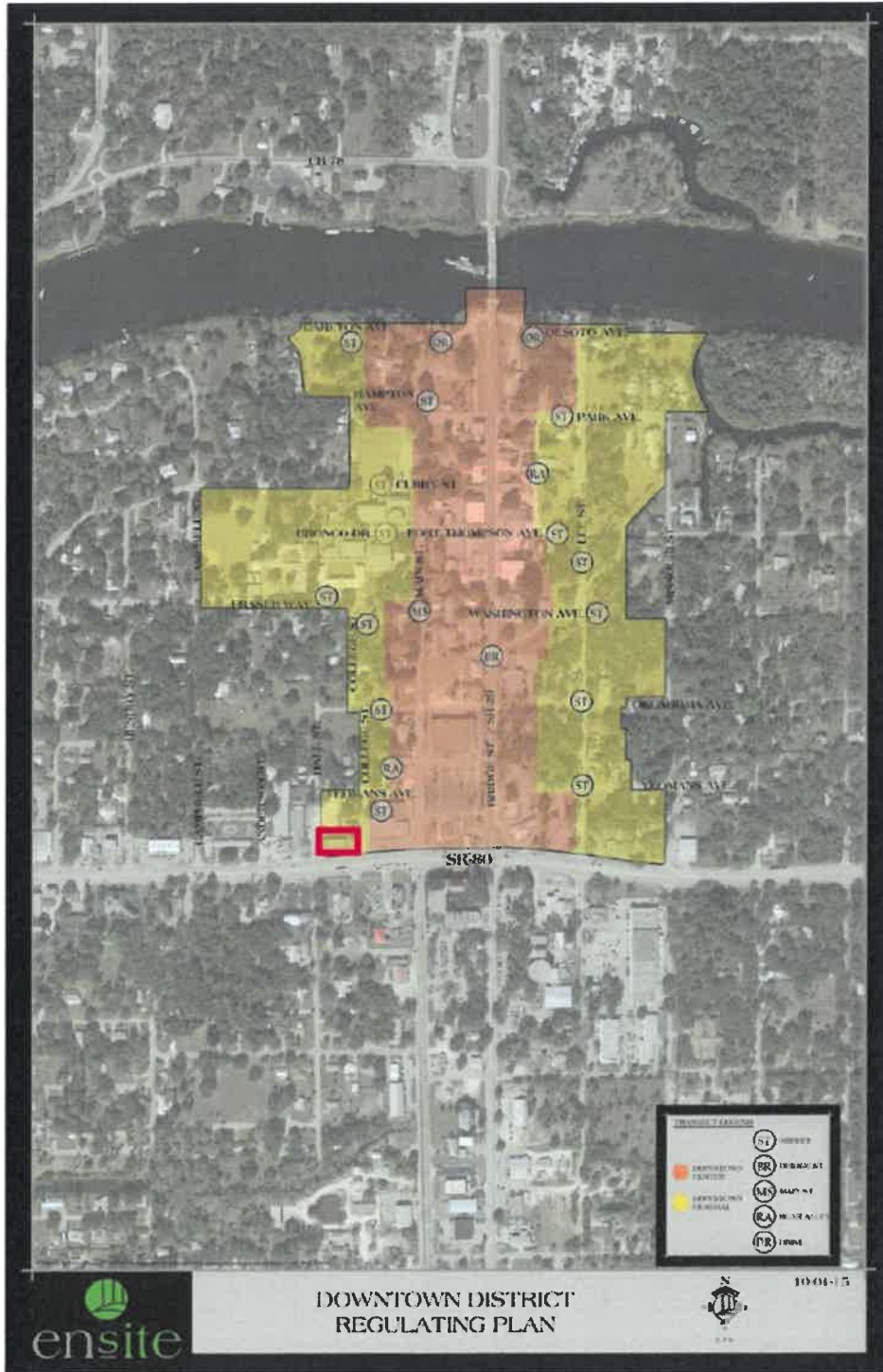
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**EXHIBIT A  
LEGAL DESCRIPTION**

**LOTS 3, 4, 5, 6, 7, AND 9, TOGETHER WITH A VACATED ALLEY ALONG LOTS 3, 4, 5, 6, 7 AND 9, AND TOGETHER WITH THE WEST 35 FEET OF LOT 22, ALL IN BLOCK 2, COURTHOUSE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 42, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA. LESS AND EXCEPT THAT PORTION OF THE AFOREMENTIONED PROPERTY DESCRIBED IN AN ORDER OF TAKING BY THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, A COPY OF WHICH IS RECORDED IN OR BOOK 496, PAGE 1260, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.**

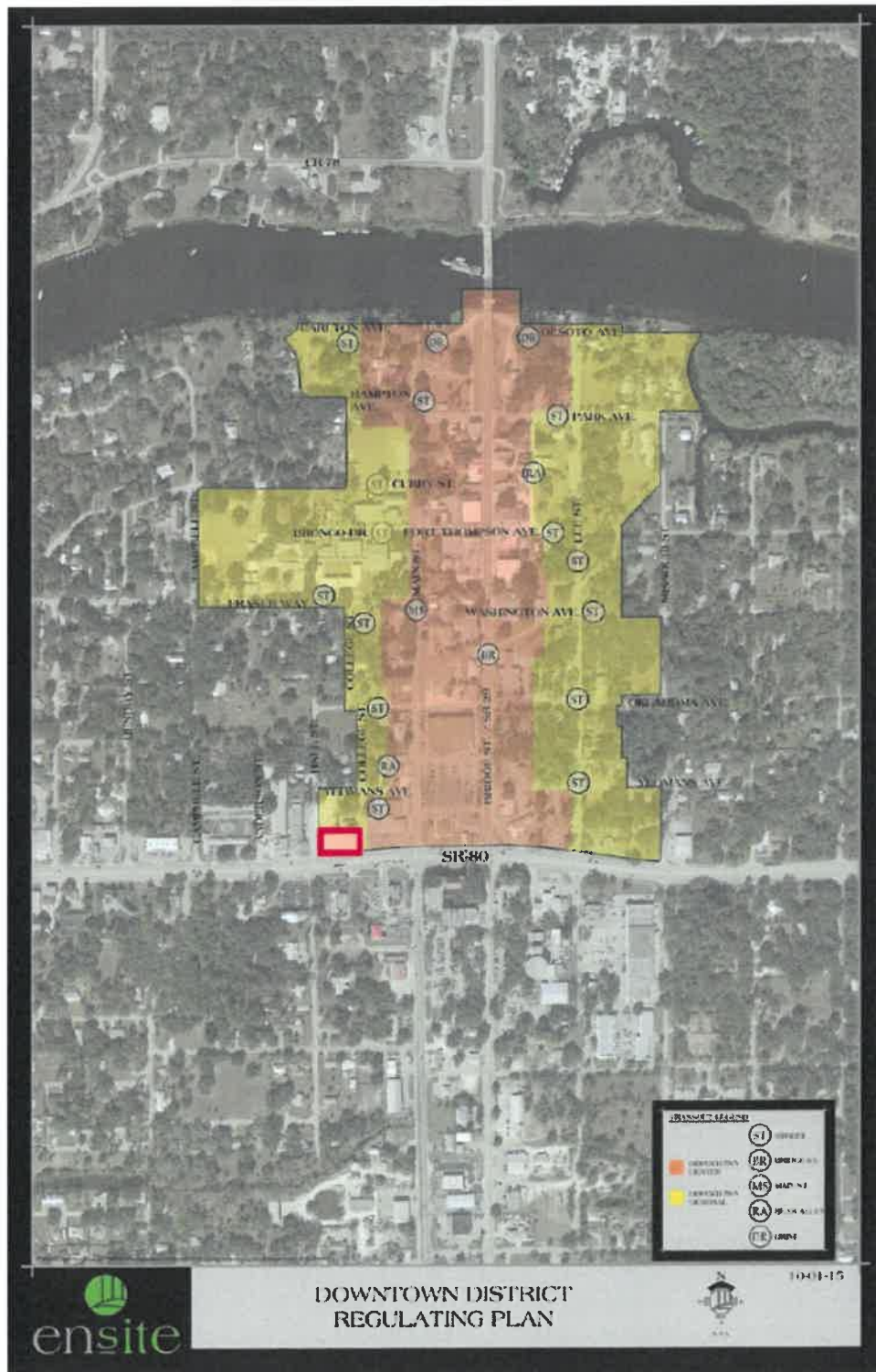
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### EXHIBIT B CURRENT ZONING MAP



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### EXHIBIT C PROPOSED ZONING MAP



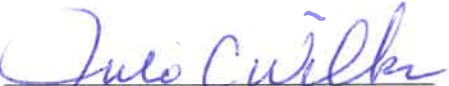
45 **Section 3. Conflict with other Ordinances.** The provisions of this article shall supersede any  
46 provisions of existing ordinances in conflict herewith to the extent of said conflict.  
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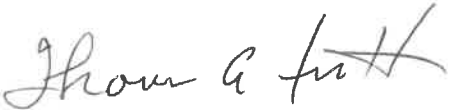
48 **Section 4. Severability.** In the event that any portion of this ordinance is for any reason held  
49 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a  
50 separate, distinct and independent provision, and such holding shall not affect the validity of the  
51 remaining portions o this ordinance.  
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53 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its  
54 adoption.  
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57 **PASSED AND ADOPTED** in open session this 9<sup>th</sup> day December 2021.  
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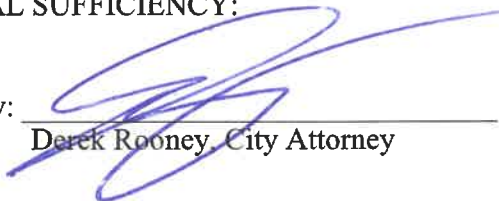
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60 THE CITY OF LABELLE, FLORIDA

61  
62 By:   
63 Julie C. Wilkins, Mayor  
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65 Attest:   
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67 Thomas A. Smith, Clerk-Commissioner  
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69 APPROVED AS TO FORM AND  
70 LEGAL SUFFICIENCY:  
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73 By:   
74 Derek Rooney, City Attorney  
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77 Vote:                    AYE                    NAY  
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79 Mayor Wilkins            ✓                    \_\_\_\_\_  
80 Commissioner Smith    ✓                    \_\_\_\_\_  
81 Commissioner Ratica    ✓                    \_\_\_\_\_  
82 Commissioner Akin        ✓                    \_\_\_\_\_  
83 Commissioner Spratt     ✓                    \_\_\_\_\_  
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