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**CITY OF LABELLE  
ORDINANCE 2022-04  
CITY VILLAGE PLANNED UNIT DEVELOPMENT  
AMENDMENT**

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**AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING ORDINANCE 2019-04 FOR THE CITY VILLAGE PLANNED UNIT DEVELOPMENT (AKA BROWARD AVE LLC PLANNED UNIT DEVELOPMENT) LOCATED SOUTH OF BROWARD AVENUE, EAST OF LEE STREET, AND WEST OF MISSOURI STREET, CITY OF LABELLE, HENDRY COUNTY, FLORIDA; AMENDING THE MASTER CONCEPT PLAN, AMENDING CONDITIONS AND AMENDING THE SCHEDULE OF USES; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR 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 April 14, 2022 and May 12, 2022 before the LaBelle Local Planning Agency “LPA”, and on March 10, 2022 before the City Commission; and,

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**WHEREAS**, the City Commission for the City of LaBelle has determined that the requested zoning amendment 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,

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**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 Planned Unit Development (PUD) for the above referenced property is hereby amended, 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 36 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 to 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.

- 46 6. Dwelling units must be consistent with the Conceptual Elevation attached as Exhibit 'E'.  
47 Roofs must be metal roofs.
- 48 7. Developer must dedicate a 5-foot-wide easement along the property's Broward Avenue  
49 frontage to provide for future installation of sidewalk by the City.
- 50 8. Development must connect to the City's potable water and sanitary sewer system. A  
51 demonstration of capacity will be required at the time of development.
- 52 9. A Homeowners Association (HOA) must be established for maintenance of private lots,  
53 common areas, and infrastructure within the community.
- 54 10. Streetscape plantings are required along Broward Avenue, Missouri Street, and Lee Street.  
55 The southern PUD boundary must be planted with one (1) large tree per 50 feet. The southern  
56 boundary must also be screened with a hedgerow of shrubs that is planted at a minimum height  
57 of 18 inches and maintained at 48 inches, or a 4-foot tall opaque fence.
- 58 11. A minimum of 49% of the development, or 1.76 acres, of open space shall be provided within  
59 the PUD. The project must include a minimum of 5,600 square feet of commonly maintained  
60 open space including a pavilion structure with multi-use path access.
- 61 12. A minimum of five (5) visitor parking spaces shall be provided as designated on the MCP.  
62 Such spaces may be constructed of crushed shell, or similar stabilized material, and may not  
63 be sodded grass.
- 64 13. All development activities must comply with the City's regulations relating to the protection  
65 of significant oak trees and the Tree Removal Plan contained in Exhibit F. All oak trees shown  
66 on the plan to be removed must be replaced within the PUD by Live Oak trees with a minimum  
67 height of 10 feet; a four (4) foot spread, and a two (2) inch caliper at time of planting.
- 68 14. Driveways must be a minimum of 20 feet in length to accommodate vehicular parking  
69 without impeding the internal accessway/drive aisle.
- 70 15. The PUD Master Concept Plan will remain valid for not more than three (3) years from the  
71 date of City Commission approval. Horizontal construction must commence within three (3)  
72 years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval  
73 must be filed and approved by the City Commission. A one (1) time extension of 6 months  
74 may be submitted to the City prior to vacation of the MCP.

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

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

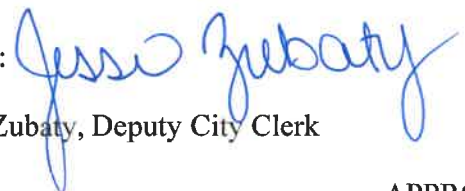
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84 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its adoption.  
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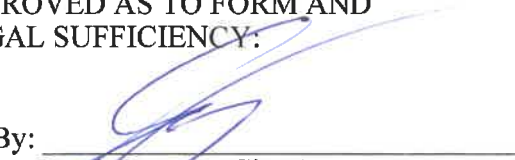
**PASSED AND ADOPTED** in open session this 12<sup>th</sup> day of May, 2022.

THE CITY OF LABELLE, FLORIDA

By:   
Julie C. Wilkins, Mayor

Attest:   
Jessi Zubaty, Deputy City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

By:   
Derek Rooney, City Attorney

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Vote:	AYE	NAY
Mayor Wilkins	<input checked="" type="checkbox"/>	_____
Commissioner Vargas	<input checked="" type="checkbox"/>	_____
Commissioner Ratica	<input checked="" type="checkbox"/>	_____
Commissioner Akin	<input checked="" type="checkbox"/>	_____
Commissioner Spratt	<input checked="" type="checkbox"/>	_____

**EXHIBIT A**

**LEGAL DESCRIPTION**

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DESCRIPTION:

(O.R.B. 946, PG. 331)

LOTS 1 THRU 25, INCLUSIVE, LORENA COURT SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 17, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, BEING A SUBDIVISION OF BLOCK 62 OF GOODNO'S ADDITION TO LABELLE.

AND

THE 10.00 FOOT ALLEYWAY IN THE NORTH 1/2 OF LORENA SUBDIVISION BLOCK 62, GOODNO'S ADDITION TO LABELLE LYING BETWEEN LOTS 1-11 AND LOTS 12-18.

AND

LORENA STREET RIGHT OF WAY IN NORTH 1/2 OF LORENA SUBDIVISION, BLOCK 62, GOODNO'S ADDITION TO LABELLE.

AND

(O.R.B. 950, PG. 85)

LOTS 31, 32, 38 AND 39, LORENA COURT SUBDIVISION, A RE-SUBDIVISION OF BLOCK 62, OF GOODNO'S ADDITION TO LABELLE, FLORIDA ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 17, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

ALL CONTAINING A COMPUTED AREA OF 3.91 ACRES MORE OR LESS.

**EXHIBIT B**

**SCHEDULE OF USES**

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- Accessory Residential Uses, including but not limited to:
  - Patios
  - Gazebos
  - 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 (for PUD perimeter only - fences not permitted in private internal lots)
- Gates, maximum six (6) feet in height
- Irrigation Pump House
- Model Home
- Residential dwellings, attached single-family (limited to a maximum of 36 dwelling units)
- Street Lamps

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**EXHIBIT C**

**SITE DEVELOPMENT REGULATIONS**

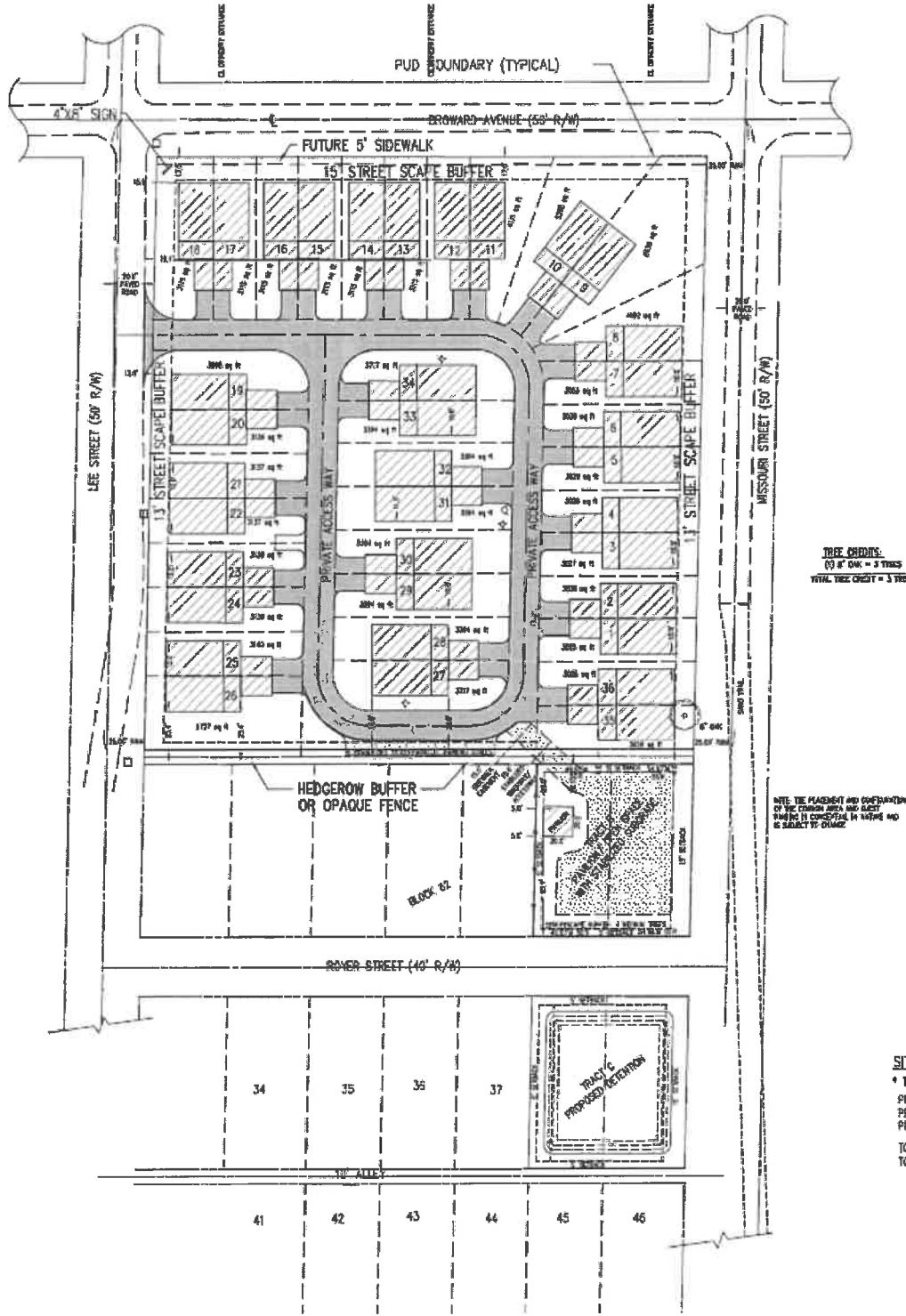
<b>SINGLE-FAMILY ATTACHED</b>	
Minimum Lot Size	2,800 sq. ft.
Minimum Lot Width	28 ft.
Minimum Lot Depth	100 ft.
Maximum Lot Coverage	65%
Minimum Living Area Per Unit	900 sq. ft.
Setbacks (Principal & Accessory Structures from Internal Lot Lines)	
	Front 15 ft.*
	Rear 10 ft.
	Side 0/5 ft.
<b>PUD STANDARDS (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.
<b>TRACTS B &amp; C</b>	
Minimum Setbacks	
North	5 ft.
West	5ft. w/6' high privacy fence on Tract B
East	15 ft.
South	5 ft.
Maximum Building Height	25 ft.
Maximum Lot Coverage (Overall PUD)	51%
Minimum Building Separation	10 ft.
Minimum Open Space	49%

\*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 D MASTER CONCEPT PLAN



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**EXHIBIT E  
CONCEPTUAL ELEVATION**

*City Village*



Artist's Conception

Villa Homes

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