

ORDINANCE NO. 2015-08
CITY OF LABELLE

AN ORDINANCE AMENDING THE CITY OF LABELLE, FLORIDA ZONING MAP; FOR APPROXIMATELY 33.65 ACRES LOCATED AT 500, 510, 520, AND 530, S. MAIN STREET IN THE CITY OF LABELLE; AMENDING THE ZONING DESIGNATION FROM PROFESSIONAL OFFICE (B-1) COMMERCIAL (B-2) AND AGRICULTURE (AG) TO PLANNED UNIT DEVELOPMENT (PUD), TO BE KNOWN AS THE OAK GROVE PLANNED UNIT DEVELOPMENT; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA, AS FOLLOWS:

SECTION 1. REZONING. Pursuant to the City's Land Development Code, the zoning designation for the real property described in Exhibit "A" to this ordinance is hereby changed from Professional Office (B-1), Commercial (B-2) and Agriculture (AG) to Planned Unit Development (PUD), to be known as the Oak Grove Planned Unit Development as depicted in Exhibits "B" through "D," copies of which are attached hereto, incorporated herein and expressly made a part of this Ordinance No. 2015-08, subject to the following conditions:

1. The rezoning request applies to property as described in Exhibit 'A'.
2. The PUD site plan shall be consistent with the Master Concept Plan attached hereto as Exhibit 'B' and dated August 13, 2015.
3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit 'C'.
4. A lot combination of the subject four parcels will be required prior to building permit approval.
5. If the applicant should choose to plat any or all of the development, a PUD amendment will be required.
6. Site development standards shall be as provided in Exhibit 'D'.
7. The development will be required to connect to City of LaBelle water and wastewater services.
8. All commercial outside storage areas shall be screened consistent with LDC Appendix B, Section 4-70.5 for the I-1 and I-1A zoning districts.
9. All easements, dedications or other instruments shall be granted to the City of LaBelle as necessary to insure continued operation and maintenance of all service utilities.
10. The Master Concept Plan dated August 13, 2015 will remain valid for no more than five (5) years from the date of City Commission approval. A building permit must be obtained within five years or the Master Concept Plan will be vacated. The applicant can request one, 6-month extension, however the extension request must be submitted to the City prior to the end of the five-year period. If the Master Concept Plan is vacated, re-application through the Planned Unit Development process will be required.

SECTION 2. AMENDMENT OF OFFICIAL ZONING MAP. The City Clerk, the City Planning Official, and the City Zoning Official, or their respective designees, are hereby directed to amend the City's official zoning map in accordance with this ordinance.

SECTION 3. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 4. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 5. CODIFICATION. Specific authority is hereby given to codify this Ordinance after adoption.


SECTION 6. EFFECTIVE DATE. This ordinance takes effect immediately upon final passage.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of LaBelle, Florida, by the City Clerk of the City of LaBelle, Florida, this 6th day of June, 2015.

DONE, THE FIRST READING, by the City Commission of the City of LaBelle, Florida, at a regular meeting, this 11th day of June, 2015.

DONE, THE SECOND READING, HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of LaBelle, Florida, at a regular meeting, this 9th day of July, 2015.

BY THE MAYOR OF THE CITY OF LABELLE, FLORIDA:



Mayor David A. Lyons

ATTEST, BY THE CLERK COMMISSIONER OF THE CITY OF LABELLE, FLORIDA:



City Clerk ~~Commissioner~~

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND RELIANCE OF THE
CITY OF LABELLE, FLORIDA:



City Attorney

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EXHIBIT 'A'

Legal Description

DESCRIPTION: PARCEL 1 (LABELED PARCEL 2 ON DEED)

OFFICIAL RECORDS BOOK 325, PAGES 162 & 163 COMMENCE AT THE NW CORNER OF THE SE 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST AND RUN S 01°17' E, ALONG THE WEST LINE OF SAID SE 1/4, 205.93 FEET (205.17 FEET MEASURED) TO THE SOUTH RIGHT OF WAY LINE OF A STATE ROAD DEPARTMENT DITCH AND POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE S 85°23' W, ALONG SAID SOUTH RIGHT OF WAY LINE, 78.97 FEET TO ITS INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF ANOTHER STATE ROAD DEPARTMENT DITCH; THENCE RUN SOUTHEASTERLY ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING COURSES; S 39°29' E 82.56 FEET; S 28°35' E 146.26 FEET AND S 24°35' E 523.00 FEET; THENCE S 89°44'40" E 295.52 FEET; THENCE N 85°09'20" E 171.73 FEET; THENCE N 83°10'20" E 740.50 FEET; THENCE N 80°48'50" E 219.17 FEET; TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG THE ARC OF THE CURVE (SAID CURVE HAVING A CENTRAL ANGLE OF 51°59'10", A RADIUS OF 494.64 FEET; AND A TANGENT DISTANCE OF 241.18 FEET) 448.80 FEET TO THE END OF THE CURVE; THENCE N 28°49'40" E 150.68 FEET; THENCE N 02°57'10" E 330.55 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE STATE ROAD DEPARTMENT DITCH FIRST MENTIONED; THENCE WESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING COURSES; S 85°23' W 227.22 FEET, S 80°53' W 145.77 FEET, S 88°53' W 176.10 FEET, S 85°53' W 133.37 FEET, S 81°23' W 110.66 FEET, S 88°53' W 110.77 FEET, S 84°53' W 127.93 FEET, S 79°23' W 97.20 FEET, N 85°07' W 61.32 FEET AND S 85°23' W 942.73 FEET (S 85°19'47" W 943.05 FEET CALCULATED) TO THE POINT OF BEGINNING, HENDRY COUNTY, FLORIDA.

DESCRIPTION: PARCEL 2

A PARCEL IN SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 8, THENCE; 1. SOUTH 89°38'30" WEST, 74.00 FEET, TO THE WEST RIGHT OF WAY LINE OF SR. 29, THENCE; 2. CONTINUE SOUTH 89°38'30" WEST, 449.39 FEET, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 8, THENCE; 3. SOUTH 02°57'10" WEST, 138.85 FEET, ALONG THE WEST LINE OF LANDS DESCRIBED IN O.R. BOOK 266 AT PAGE 256 OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, TO THE SOUTHWEST CORNER OF SAID LANDS AND THE TRUE POINT OF BEGINNING, THENCE; 4. SOUTH 02°57'10" WEST, 220.83 FEET, TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN O.R. BOOK 252, PAGE 187, THENCE; 5. NORTH 89°51'30" EAST, 229.69 FEET, ALONG THE SOUTH LINE OF SAID LANDS TO THE CORNER COMMON TO SAID LANDS DESCRIBED IN O.R. BOOK 252, PAGE 187 AND LANDS DESCRIBED IN O.R. BOOK 182, PAGE 264, THENCE; 6. NORTH 01°59'00" WEST, 150.00 FEET, ALONG THE WESTERLY LINE OF SAID LANDS DESCRIBED IN O.R. BOOK 182, PAGE 264, THENCE; 7. NORTH 89°51'30" EAST, 6.71 FEET, ALONG THE NORTHERLY LINE OF SAID LANDS DESCRIBED IN O.R. BOOK 182, PAGE 264, THENCE; 8. NORTH 03°00'35" EAST, 88.81 FEET (89.00 FEET-DEED), ALONG THE WESTERLY LINE OF LANDS DESCRIBED IN O.R. BOOK 268, PAGE 638, THENCE; 9. NORTH 77°53'45" EAST, 239.60 FEET, ALONG THE NORTHERLY LINE OF SAID LANDS DESCRIBED IN O.R. BOOK 268, PAGE 638, TO THE WEST RIGHT OF WAY LINE OF SR. 29 TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, THENCE; 10. RUN 49.26 FEET (50.00 FEET-O.R. 266, PG 256) ALONG SAID WEST RIGHT OF WAY LINE ALONG THE ARC OF SAID CURVE, WITH A RADIUS OF 34427.48 FEET, A CENTRAL ANGLE OF 00°04'55", AND A CHORD OF NORTH 01°47'37" WEST, 49.26 FEET, TO THE END OF SAID CURVE, THENCE; 11. SOUTH 88°17'00" WEST, 49.76 FEET (49.30 FEET-DEED), ALONG THE NORTH LINE OF A PARCEL OF LAND DESCRIBED AS A BASIS FOR AN EASEMENT IN O.R. BOOK 266, PAGE 256, THENCE; 12. SOUTH 85°29'00" WEST, 79.15 FEET, ALONG SAID NORTH LINE, THENCE; 13. SOUTH 03°00'35" WEST, 64.00 FEET, ALONG THE EASTERLY LINE OF LANDS DESCRIBED IN O.R. BOOK 266, PAGE 256, THENCE; 14. SOUTH 88°24'40" WEST, 20.00 FEET, ALONG SAID EASTERLY LINE, THENCE; 15. SOUTH 03°00'35" WEST, 32.45 FEET, ALONG SAID EASTERLY LINE, THENCE; 16. SOUTH 88°24'40" WEST 203.93 FEET, TO THE TRUE POINT OF BEGINNING, CONTAINING A COMPUTED AREA OF 1.52 ACRES OF LAND.

DESCRIPTION: (O.R.B. 266, PG. 256) PARCEL 3

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST, RUN SOUTH 89°38'30" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 74.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 29; THENCE CONTINUE SOUTH 89°38'30" WEST, 449.39 FEET; THENCE SOUTH 02°57'10" WEST, 45.13 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 02°57'10" WEST 93.72 FEET; THENCE NORTH 88°24'40" EAST, 203.93 FEET; THENCE NORTH 03°00'35" EAST, 32.45 FEET; THENCE NORTH 88°24'40" EAST, 20.00 FEET; THENCE NORTH 03°00'35" EAST, 64.0 FEET; THENCE SOUTH 85°29' WEST, 88.96 FEET; THENCE NORTH 89°22' WEST, 99.98 FEET; THENCE SOUTH 85°35' WEST, 35.60 FEET TO THE POINT OF BEGINNING. TOGETHER WITH A 30 FOOT EASEMENT ALONG THE NORTH BORDER OF THE FOLLOWING DESCRIBED PARCEL: COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER, RUN SOUTH 89°38'30" WEST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER 74.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 29; THENCE SOUTH ALONG SAID RIGHT-OF-WAY LINE 23 FEET TO THE POINT OF

BEGINNING, THENCE SOUTH 88°17' WEST 49.30 FEET; THENCE SOUTH 85°29' WEST 179.15 FEET; THENCE S 03°00'35" WEST 84.0 FEET; THENCE NORTH 77°53'45" EAST 239.6 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 29, THENCE NORTH ALONG SAID RIGHT-OF-WAY LINE, 50.00 FEET TO THE POINT OF BEGINNING.

DESCRIPTION: PARCEL 4

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 43S, RANGE 29E, HENDRY COUNTY FLORIDA AND RUN S 89°38'30" W, 74.00 FEET TO THE WEST RIGHT OF WAY LINE OF STATE HIGHWAY S.R. 29, THENCE SOUTHERLY FOLLOWING THE WEST RIGHT OF WAY LINE OF HIGHWAY S.R. 29 ON A CURVE TO THE LEFT, HAVING A RADIUS OF 34427.48 FEET AND A CENTRAL ANGLE OF 00°16'10", 73.00 FEET TO THE POINT OF BEGINNING; THENCE S 77°53'45" W, 239.60 FEET; THENCE S 03°00'35" W, 89.00 FEET; THENCE N 89°51'30" E, 250.00 FEET TO THE WEST RIGHT OF WAY OF STATE HIGHWAY S.R. 29, THENCE N 01°59'00" W, FOLLOWING SAID RIGHT OF WAY LINE 48.86 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 34427.48 FEET; THENCE NORTHERLY ALONG SAID CURVE 88.90 FEET THROUGH A CENTRAL ANGLE OF 00°16'10" TO THE POINT OF BEGINNING.

ALL CONTAINING A COMPUTED ARE OF 33.65 ACRES MORE OR LESS.

06/03/15

[illegible][illegible]

- DEPOSIT PROPOSED AGAINST
- DEPOSIT PROPOSED CONCRETE
- **BASE OF DAM**
- DEPOSIT PROPOSED SAIL FLOCK
- **BASE OF DAM**
- DEPOSIT DIRECTION OF SHEET FLOW
- DEPOSIT PROPOSED ELEVATION
- DEPOSIT TYPE MATERIAL
- DEPOSIT PROPOSED MATERIAL
- DEPOSIT PROPOSED DAM PILE
- DEPOSIT PROPOSED BUILT

SHEET TITLE
OAK GROVE R.V. RESORT
SITE PLAN
SECTION 8, TOWNSHIP 43 S, RANGE 29 E.
LABELLE, FLORIDA

DEVELOPED BY:
DAN & LORRAINE HENTHORNE
1560 OSPREY AVE.
NAPLES, FLORIDA 34102

REVISIONS

AUGUST 13, 2105

EXHIBIT 'C'
Schedule of Uses

Appliance Sales & Service
Agriculture, Limited to Community Farming & Gardening
Banking & Financial Services
Book/ Magazine/Newspaper Sales & Distribution
Business & Office Supplies
Business Office Facility
Clothing Sales
Communication Equipment, Supplies, Services & Sales
Construction Sales & Service
Convenience Store - No Fuel
Crafts Sales & Services
Department & Retail Sales
Ecological & Environmental Services
Electrical Equipment Sales & Supplies
Employment Services
Entertainment Facilities, Services & Sales
Exercise Facility & Services
Farm Supplies & Equipment Sales, Services
Food Services Sales & Specialty Items
Footwear Sales
Funeral Services
Furniture & Decor Sales & Services
Gift Sales
Hardware Sales & Service
Household Services- Laundry, Dry Cleaning
Jewelry & Accessories Sales & Services
Lawn & Garden Sale and Service
Medical Facilities & Services
Personal Care, Including But Not Limited to, Barber, Stylist, Nail salon, Massage, Tattoo Etc.
Pool Sales & Services
Postal Services
Professional Services Including But Not Limited to, Accountant, Architect, Advertising, Appraiser, Chiropractor, Doctor, Dentist, Drafting, Engineer, Insurance, Lawyer, Printing, Surveying
Religious Facility
Specialty Stores Sales & Service
Sporting Goods Sales & Service
Storage Facility
Technological Equipment Sales & Service
Trades Sales & Services
Travel & Transportation Sales & Service; No Trucking Services
Veterinary Facility Sales & Services

EXHIBIT 'D'
Development Standards

Residential

Minimum lot size: 10,000 square feet

Minimum living area: 1,450 square feet for 2 bedrooms with 120 additional square feet per bedroom

Maximum height: 35 feet

Maximum lot coverage: 50%

Minimum lot width: 100'

Minimum yards: Front 25', Side 10', Rear 20'

Commercial

Maximum height: 40'

Minimum open space: 20%

Minimum front setback (R/W): 10 feet

Minimum side setback: 5 feet

Recreational Vehicle Park

Minimum lot frontage: 40 feet

Minimum lot depth: 70 feet

Minimum yards : Front 10', Side 5', Rear 10'

Agriculture

No buildings other than greenhouses or equipment sheds will be allowed. Buildings will be set back a minimum of 25 feet from lot lines or property lines.

