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**CITY OF LABELLE
RESOLUTION 2026-21
90 HOWE AVENUE SPECIAL EXCEPTION**

A RESOLUTION OF THE CITY OF LABELLE, FLORIDA, GRANTING A SPECIAL EXCEPTION FROM THE BUSINESS GENERAL (B-2) ZONING DISTRICT FOR A CHILD CARE FACILITY TO BE LOCATED AT 90 HOWE AVENUE, CITY OF LABELLE, FLORIDA; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of LaBelle City Commission, the Applicant, has filed a Special Exception application to allow for a vehicle service station at the subject property located at 682 South Main Street in the City of LaBelle; and,

WHEREAS, a duly advertised public hearing was held on August 13, 2026 before the City of LaBelle City Commission; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested Special Exception will further the goals and objectives of the City of LaBelle Comprehensive Plan and Land Development Code; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested Special Exception meets the criteria for approval in accordance with Chapter 4, Section 4-41, of the Land Development Code; and,

NOW, THEREFORE, BE IT RESOLVED 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 Special Exception application is hereby granted to allow for a child care facility at the subject property located at 90 Howe Avenue, City of LaBelle, Florida, subject to the following conditions:

1. This Special Exception approval shall apply only to the child care facility located at 90 Howe Avenue, as legally described in Exhibit A.
2. The maximum height of the perimeter fence shall not exceed six (6) feet and shall comply with the material requirements set forth in Section 4-84 of the Land Development Code.
3. All required landscaping shall be installed outside the perimeter fence and within the boundaries of the subject property.
4. Approval of this use shall not be construed to limit, restrict, or otherwise impair the continued operation of any legally established adjacent use, including the sale, service, or consumption of alcoholic beverages pursuant to a valid alcoholic beverage

license. The applicant, property owner, and any successors or assigns shall not object to, or seek to restrict, the lawful operation of such adjacent use based solely on the existence of the approved child care facility.

5. The applicant shall replant no fewer than three (3) oak trees with a minimum caliper of four (4) inches diameter at breast height (DBH) as mitigation for the removal of one (1) twelve (12) inch heritage oak tree, in accordance with Section 4-80 of the Land Development Code.
6. The applicant shall obtain approval of a Site Construction Permit and/or Building Permit, as applicable. All site improvements, including parking, access, stormwater management facilities, landscaping, and screening, shall be completed in accordance with the approved Site Construction Permit and the Land Development Code.
7. The applicant shall obtain a Certificate of Occupancy and a Business Tax Receipt prior to commencing operation of the child care facility.
8. Any expansion of the approved use, building footprint, outdoor activity area, or site operations beyond those approved under this Special Exception shall require review and approval by the City Commission in accordance with the Land Development Code.
9. Approval of this Special Exception does not waive compliance with any other applicable provisions of the City of LaBelle Code of Ordinances, Land Development Code, Florida Building Code, Florida Fire Prevention Code, or any other applicable local, state, or federal laws, regulations, or permitting requirements.

Section 3. Severability. In the event that any portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED in regular session this _____ day of _____, 2026.

THE CITY OF LABELLE, FLORIDA

By: _____
Julie C. Wilkins, Mayor

Attest: _____
Tijauna Warner, Deputy City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

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By: _____
Derek Rooney, City Attorney

Vote:	AYE	NAY
Mayor Wilkins	_____	_____
Commissioner Vargas	_____	_____
Commissioner Spratt	_____	_____
Commissioner Holland	_____	_____
Commissioner Ratica	_____	_____

EXHIBIT A
LEGAL DESCRIPTION

WEST ½ OF LOT 7, ALL OF LOTS 8, 9 AND 10 IN FAIRVIEW ADDITIONAL TO LABELLE,
ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 18, PUBLIC
RECORDS OF HENDRY COUNTY, FLORIDA.

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