



CITY OF LABELLE, FLORIDA

**Planning Staff Report
471 E. Fort Thompson Avenue
Variance**

TYPE OF CASE: Variance

STAFF REVIEWER: Patty Kulak

DATE: August 13, 2026

APPLICANT: Kirk Matthew Rentz II

AGENT: None

REQUEST: Variance from Appendix B, Section 4-84.4(A) of the City of LaBelle Land Development Code to allow a maximum fence height of five (5) feet within the required front yard of a residential property, whereas the Land Development Code permits a maximum front-yard fence height of four (4) feet.

LOCATION: 471 E. Fort Thompson Avenue

PROPERTY SIZE: 0.59+/-acres

FUTURE LAND USE DESIGNATION, CURRENT ZONING AND LAND USE:

Existing Future Land Use Designation: Residential
Existing Zoning: Single-Family—Low Density (R-1A)
Land Use: Single-Family Residence

SURROUNDING LAND USE:

North: FLU – Residential
Zoning – Single-Family—Low Density (R-1A)
Land Use – Single Family Residence

South: FLU – Residential
Zoning – Single-Family—Low Density (R-1A)
Land Use – Vacant

East: FLU – Residential
Zoning – Single-Family—Low Density (R-1A)

Land Use – Single Family Residence

West: FLU – Residential
Zoning – Single-Family—Low Density (R-1A)
Land Use – Vacant

STAFF NARRATIVE:

The property owner of 471 E. Fort Thompson Avenue is requesting a variance from Appendix B, Section 4-84.4(A) of the City of LaBelle Land Development Code to permit the installation of a five-foot ranch-style fence within the required front yard of the property. Section 4-84.4(A) provides that residential fences and walls may not exceed four (4) feet in height within front yards or along waterways, while allowing a maximum height of eight (8) feet within side and rear yards. The requested variance would permit an additional one (1) foot of fence height within the front yard.

The subject property is developed with an existing single-family residence situated on a corner lot with frontage along Fort Thompson Avenue and Hickory Street. As shown on the submitted survey and fence detail, the proposed five-foot ranch-style fence will generally follow the property boundaries and consist of 6-inch by 6-inch wood posts spaced approximately eight feet on center, four horizontal face boards, and woven wire attached to the backside of the boards. The design remains visually open, maintains visibility through the fence, and provides additional enclosure of the property.

According to the applicant, the property fronts Fort Thompson Avenue, a heavily traveled roadway that experiences higher traffic volumes, speeding vehicles, pedestrian activity, and wildlife compared to interior residential streets. Due to the location of the residence on the lot, the primary outdoor activity area is located within the front and side yards rather than behind the home. The applicant indicates that the additional foot of fence height would improve safety for family members, pets, and livestock while maintaining the open appearance of a ranch-style fence.

Unlike a solid privacy fence, the proposed fence consists of horizontal wood rails with woven wire backing, allowing visibility through the structure while maintaining the rural residential character of the surrounding neighborhood. The requested increase represents the minimum deviation necessary to provide additional security without creating a visually opaque barrier.

The variance request was reviewed by applicable City Departments as part of the review process. Subject to compliance with all applicable building permit requirements and other provisions of the Land Development Code, the proposed fence is compatible with the surrounding residential area and maintains the open character of the neighborhood.

VARIANCE REVIEW CRITERIA:

The following is Staff's analysis of the Applicant's request in relation to LDC Section 3-22, which sets forth the review criteria for a variance.

- a. Unique or peculiar conditions or circumstances exist, which relate to the location, size, and characteristics of the land or structure involved, and are not generally applicable to other lands or structures in the same district.

The subject property is uniquely situated on Fort Thompson Avenue, a principal roadway carrying substantially greater traffic volumes than typical residential streets. In addition, the residence is positioned such that the principal outdoor living area is located within the front and side yards. These physical characteristics are unique to the property and are not generally applicable to surrounding residential lots.

- b. The strict and literal enforcement of the zoning section of the land development regulations would create an undue hardship as distinguished from a mere inconvenience on the property owners. Physical handicaps or disability of the applicant and other considerations may be considered where relevant to the request.

Strict application of the four-foot limitation would limit the applicant's ability to reasonably enclose the property's primary outdoor living area while addressing the unique safety concerns associated with the property's frontage on Fort Thompson Avenue.

- c. The granting of a variance would not be injurious to or incompatible with contiguous uses, the surrounding neighborhood, or otherwise detrimental to the public welfare.

The proposed fence is designed as an open ranch-style fence with woven wire backing rather than a solid privacy fence. The open design maintains visibility, preserves neighborhood character, and is compatible with surrounding residential development. Staff finds the requested increase in height will not negatively impact adjacent properties or public welfare.

- d. The condition giving rise to the requested variance has not been created by any person presently having an interest in the property and the conditions cannot reasonably be corrected or avoided by the applicant.

The need for the variance results from the existing configuration of the property, including its location on a frequently traveled roadway and the placement of the residence, rather than any action by the current property owner. These conditions result from the property's existing configuration and location and cannot reasonably be corrected without eliminating the relief requested.

- e. The requested variance is the minimum modification of the regulation at issue that will afford relief.

The request increases the permitted fence height by only one foot, from four feet to five feet. Staff finds this represents the minimum modification necessary to achieve the stated safety objectives while maintaining compliance with the remaining provisions of the Land Development Code.

- f. The variance granted will not confer on the applicant any special privilege that is denied by these regulations to other lands, structures, or required improvements under similar conditions.

Approval of the variance would not confer a special privilege. Any property owner experiencing similar site conditions may request variance relief through the public hearing process and demonstrate compliance with the applicable variance criteria.

STAFF RECOMMENDATION

Staff recommends APPROVAL subject to the following conditions:

1. The variance applies only to the subject property described in Exhibit "A."
2. The maximum height of the fence located within the required front yard shall not exceed five (5) feet as generally depicted on the approved site plan and fence detail.
3. The fence shall be constructed substantially in accordance with the submitted ranch-style fence detail consisting of four horizontal wood boards with woven wire attached to the backside.
4. All remaining provisions of the City of LaBelle Land Development Code and applicable Building Code requirements shall be met.
5. A building permit shall be obtained prior to installation of the fence.

SUGGESTED MOTION(S): **APPROVAL:**

I make a motion to approve the Fence Variance located at 471 E. Fort Thompson Avenue.

APPROVAL WITH CONDITIONS:

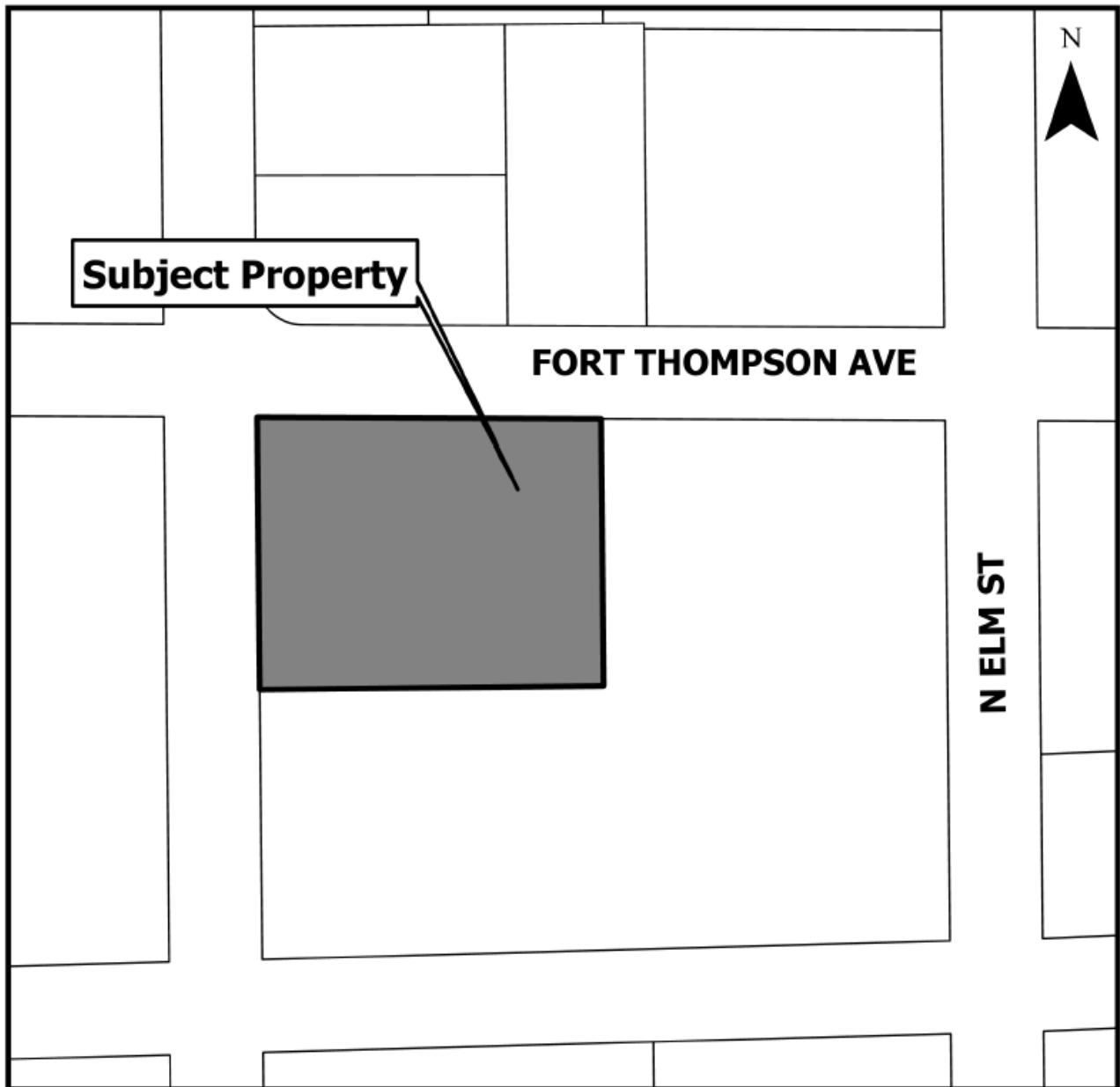
I make a motion to approve the Fence Variance located at 471 E. Fort Thompson Avenue, with the following condition(s):

- 1) as outlined in the staff report;
OR
- 2) as outlined in the staff report and amended as follows;
OR
- 3) with the following conditions:

DENIAL:

I make a motion to deny the Fence Variance located at 471 E. Fort Thompson Avenue. The request does not meet the Variance criteria:

**EXHIBIT A
SUBJECT PROPERTY**



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