



CITY OF LABELLE, FLORIDA

**Planning Staff Report
For
Fordson Church Variance**

TYPE OF CASE: Variance
STAFF REVIEWER: Patty Kulak
DATE: February 13, 2025
APPLICANT: K + B Commercial Rental c/o Jerry Blocker
AGENT: Same as Applicant
REQUEST: Allow for a reduction in the number of required off-street parking spaces at the subject property located at 359 West Hickpochee Avenue.
LOCATION: 359 West Hickpochee Avenue
PROPERTY SIZE: 7,000 square feet

FUTURE LAND USE DESIGNATION, CURRENT ZONING AND LAND USE:

Existing Future Land Use Designation: Commercial
Existing Zoning: Business (B-2)
Land Use: Commercial/Retail

SURROUNDING LAND USE:

North: FLU – Commercial
Zoning – Business (B-2)
Land Use – Commercial/Retail
South: FLU – Public
Zoning – Public Service (PS)
Land Use – Dentist office
East: FLU – Commercial
Zoning – Business (B-2)
Land Use – Commercial/Retail
West: FLU – Commercial

Zoning – Business (B-2)
Land Use – Commercial/Retail

STAFF NARRATIVE:

The property owner is seeking a variance to allow a reduction in the required off-street parking spaces for the existing commercial building located at 359 West Hickpochee Avenue. The Land Development Code (LDC) Section 4-85 establishes a minimum parking requirement of one (1) parking space per 400 square feet of sales floor area. Based on the total floor area of 7,000 square feet, the LDC requires a minimum of 17.5 parking spaces. The property currently provides five (5) standard parking spaces and one (1) handicap-accessible space, for a total of six (6) spaces.

The subject property was originally developed in 1985 as a furniture and appliance store, operating as Blocker's Furniture. Approximately two years ago, the site was leased to an arcade, which has since ceased operations due to code violations. The property owner has now re-leased the building to a furniture and appliance sales business.

The previously issued Business Tax Receipt (BTR) for the arcade included a condition limiting the sales floor area to no more than 2,000 square feet to ensure compliance with the existing parking availability. The property owner is requesting a variance to allow the full 7,000 square feet of sales floor area to be utilized without the need to provide additional parking beyond the six (6) existing spaces.

The applicant has owned the property since its original development in 1985 and asserts that the available parking will be sufficient to serve the proposed use without negatively impacting surrounding businesses or residential properties. Given the historical use of the building as a furniture and appliance store, the applicant maintains that the variance will not create undue congestion or burden on adjacent properties. Furthermore, the majority of the floor area will be used for display of relatively large merchandise. Thus, the square footage doesn't directly contribute to human occupancy (the key driver of parking demand) due to the nature of the furniture store use/size of the type of goods offered for sale.

The variance request was circulated for review and received no objections from Hendry County Planning and Zoning, AIM Engineering, Water/Sewer Utilities, or Fire Services.

Should the variance be approved, the applicant will be required to update the Business Tax Receipt to reflect the revised sales floor area and comply with any additional conditions imposed by the City of LaBelle.

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 special exceptions.

- 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 property was developed in 1985, predating current regulations, and site constraints prevent adding more spaces. Unlike other properties in the district, it has historically operated with similar large good retail uses without issue. Furniture and appliance sales generate lower parking demand, and the variance would allow full use of the building

without impacting adjacent businesses. It is also noted furniture stores typically generate lower turnover parking, when compared to “small goods” retailers like convenience stores, food stores, etc.

- 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.

The property was developed prior to current parking regulations, and strict enforcement would limit the tenant's ability to utilize the full 7,000 square feet of sales area, significantly restricting business operations. The existing parking constraints are a result of the original site design, making compliance impractical without substantial modifications that would be cost-prohibitive and potentially detrimental to the property's viability. Granting the variance would allow the business to operate as originally intended without creating adverse impacts on surrounding properties.

- 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 variance will not be injurious to the surrounding neighborhood or incompatible with adjacent uses. The property has historically operated as a furniture and appliance store, a low-traffic commercial use that does not generate significant parking demand. The proposed variance would allow the business to utilize its full sales floor area without altering existing site conditions or negatively impacting nearby businesses. Additionally, no objections have been raised by reviewing agencies, and staff finds that the request is consistent with the character of the area.

- 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 this variance arises from the property's original development in 1985, prior to the adoption of current parking regulations. The existing site constraints prevent the addition of more parking spaces, and strict enforcement of the parking requirement would significantly limit the functional use of the building. The conditions leading to this request were not created by the current owner but are a result of regulatory changes over time. Approval of the variance would allow the business to fully utilize the property as originally intended, without negatively impacting surrounding properties.

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

The requested variance is the minimum modification necessary to allow the full use of the existing 7,000-square-foot sales area without requiring additional parking that cannot

be reasonably accommodated on-site. The business has historically operated with limited parking, and the proposed variance ensures compliance while maintaining the functionality of the property. No physical expansion or site alterations are proposed, making this the least intrusive solution to address the parking requirement.

- 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.

The requested variance to allow the full use of the 7,000-square-foot sales area without requiring additional parking does not confer any special privilege unavailable to other properties under similar conditions. The property was developed prior to current parking regulations, and the variance request seeks to address an inherent site constraint rather than gain an unfair advantage. Similar variances can be considered for properties facing comparable limitations due to historical development patterns, ensuring that longstanding businesses can continue operating without undue hardship.

STAFF RECOMMENDATION

Staff recommends APPROVAL subject to the following conditions:

- 1. The variance request applies to the property described in Exhibit 'A'.
- 2. The variance only applies for the explicit furniture store use. No other uses are authorized for a parking reduction under this approval.

SUGGESTED MOTION(S):

APPROVAL:

I make a motion to approve the Variance request at 359 West Hickpochee Avenue.

APPROVAL WITH CONDITIONS:

I make a motion to approve the Variance request at 805 and 813 Fordson 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 Variance request at 359 West Hickpochee Avenue. The request does not meet the Variance criteria:

LOCATION MAP



STREET VIEW



EXHIBIT A

LOTS 3, 4 AND 5, PLUS THE EAST 2 FEET OF LOT 2 AND PLUS THE WEST 2 FEET OF LOT 6, ALL IN LABELLE ADAIRS ADDITION TO BELMONT SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 20, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, LESS STATE ROAD 80 RIGHT-OF-WAY.