

# Tree Removal Application (A)



DATE RECEIVED: _____
APPLICATION # _____
CUSTOMER # _____
INVOICE #: _____
SUPERINTENDANT APPROVED: Y / N
COMMISSION APPROVAL DATE: _____

**Please select one:**

- |  |   |
|--|---|
| <input type="checkbox"/> Single Family (1 Site) Administrative | <input type="checkbox"/> Commercial / All Other Administrative            |
| <input type="checkbox"/> Single Family (1 Site) Public Hearing | <input checked="" type="checkbox"/> Commercial / All Other Public Hearing |

**1. APPLICANT:** Shree Nivash Land, LLC.  
(As Shown on Deed or Articles of Incorporation)

Name of Person Applying: Cory Chandler, P.E.  
Mailing Address: 3810 Northdale Blvd, Suite 100  
City: Tampa State: FL Zip: 33624  
Email: cchandler@landisevans.com Phone: (813) 949-7449

**2. PROPERTY OWNER (IF DIFFERENT FROM APPLICANT-YOU MUST LIST ALL OWNERS- PROVIDE A SEPARATE SHEET IF NECESSARY):**

Owners Name: Shree Nivash Land, LLC.  
Mailing Address: 6903 Congress St  
City: New Port Richey State: FL Zip: 34653  
Email: John@dhruvdevelopment.com Phone: (727) 846-9500

**3. SPECIFIC LOCATION OF SUBJECT PROPERTY AFFECTED BY THIS APPLICATION:**

Address/Location: W Hickpochee Ave & Captain Hendry Dr  
City: LaBelle State: FL Zip: 33935  
Tax Parcel I. D. #: Parcel Numbers: 2-29-43-02-360-0000-016.3 & 2-29-43-07-A00-0005.0000

**4. SUMMARY OF APPLICANT'S REQUEST:**

The applicant proposes to construct a commercial development consisting of 3 buildings in LaBelle, Florida. A hotel and two retail/office buildings are proposed on the site as well as the supporting infrastructure.

5. PLEASE PROVIDE THE FOLLOWING ITEMS TO:

[MWills@citylabelle.com](mailto:MWills@citylabelle.com) and [KimBarselou@citylabelle.com](mailto:KimBarselou@citylabelle.com) or City Hall, 481 West Hickpochee Avenue, LaBelle, FL 33975

- A. Completed Tree Removal Application Form**
- B. Affidavit of Ownership (Notarized)**
- C. Agent Authorization (Notarized):** The name of all parties having interest in the subject property and certification that the applicant is authorized to sign the application as owner or authorized agent.
- D. Proof of Ownership:** A copy of the tax bill or a printout from the Property Appraisers office is required with a legal description.
- E. Narrative & Mitigation Statement:** Written narrative explaining the existing conditions (number, location, species and size of existing significant oak trees); why the significant oak trees prevent reasonable development of the property; what alternatives have been considered by the applicant; description of method of tree removal or relocation (where applicable); and description of mitigation plan (number, location, species and size of oak trees proposed for planting), and details of off-site mitigation planting location (where applicable).
- F. Existing Conditions Exhibit/Drawing:** Drawing demonstrating the property boundary and location and type of significant oak tree(s) proposed for removal on 8 ½” x 11” paper (minimum size) with legible text showing all data pertinent to the application including the following:
1. Date of drawing
  2. Scale
  3. North arrow
  4. Name of person or firm preparing the plan
  5. Property boundary
  6. Trees proposed for removal, size and name of species
  7. Existing physical improvements including but not limited to existing building, access points, driveways, parking areas, easements (utility, drainage, electric).
- G. Proposed Conditions Exhibit/Drawing:** Drawing demonstrating the property boundary and location and type of proposed mitigation tree planting on 8 ½” x 11” paper (minimum size) with legible text showing all data pertinent to the proposed mitigation, including at least the following:
1. Date of drawing
  2. Scale
  3. North arrow
  4. Name of person or firm preparing the plan
  5. Property boundary
  6. Trees proposed for removal, size and name of species
  7. Existing physical improvements including but not limited to existing building, access points, driveways, parking areas, easements (utility, drainage, electric).

Submitted separately          **H. Verification Letters (where applicable):** Letter from a certified arborist, licensed landscape architect in the State of Florida, or other suitable expert verifying health of trees (only required where removal is requested due to failing health of the tree) AND/OR letter from certified engineer in the State of Florida verifying the tree proposed for removal is causing structural damage to existing structures (only required where applicable).

X **I. Certified Boundary and Tree Survey:** Required for commercial public hearing applications. May be required for single family public hearing applications.

N/A **J. Additional Data:** Any additional data, materials or information deemed necessary by the Superintendent of Public Works or the city commission to make a determination. If additional documents are required, they shall become a part of this permit.

Submitted separately          **K. Application Fee:** Check made payable to “City of LaBelle”. See the fee schedule on our website. [City of LaBelle](#)

#### **ATTENTION:**

This application must be completed (please type or legibly print) and submitted, with all requirements herein, to the Superintendent of Public Works, at City Hall 481 W. Hickpochee Ave., LaBelle, FL 33975 or via email to: [mwills@citylabelle.com](mailto:mwills@citylabelle.com) and [kimbarselou@citylabelle.com](mailto:kimbarselou@citylabelle.com). This application must be signed by the owner or the designated agent. If the applicant is different than the owner of the subject property, then an agent affidavit in a form approved by the City of LaBelle is required from the owner of the property. The agent affidavit must be completely filled out and submitted with this application. If the property is in multiple ownerships, then all owners or their designated agent(s) must sign this application. All owners of property that will be affected by this application must either sign this application or fill out an agent affidavit.

The applicant is fully responsible for researching and knowing any and all laws which may be applicable and affect the outcome of any decision on the applicant’s request. The City of LaBelle assumes no responsibility or liability relating to the failure of research and know all applicable laws including, but not limited to, state, federal and city laws, codes land development regulations or the adopted comprehensive plan. The city strongly recommends that all applicants consider consulting an attorney regarding their application.

**Other Permits:** Copies of all necessary state and federal permits must be submitted prior to the commencement of construction work on the site. The City of LaBelle is not responsible for determining applicable State and Federal permits.

#### **PUBLIC HEARING APPLICATION – CITY COMMISSION ACTION:**

If this application cannot be approved by administrative review, by the Superintendent of Public Works or their assignees, it will be forwarded to the City Planner to go before the city commission through the Public Hearing process for review. This process can take approximately two to three months from start to finish. The applicant will be responsible for all expenses for advertisements and outside consultants.

**CONFIRMATION OF OWNERSHIP BY OWNER; AND  
AUTHORIZATION FOR AGENT OR PETITIONER (WHEN A DIFFERENT ENTITY)**

The undersigned to hereby swear or affirm that they are the fee simple title holders and owners of the record of property commonly known as Property IDs: 31976 & 32544  
And legally described in Exhibit A attached hereto.

The property described herein is the subject of a Rezone application. We hereby designate Landis Evans and Partners, Inc and its employees as the legal representative of the property in the course of seeking approval of this application. This representative will remain the only entity to authorize development activity until such time as anew or amended authorization is delivered to the City.

Vijay Patel  
Owner Signature

Vijay Patel  
Printed Name

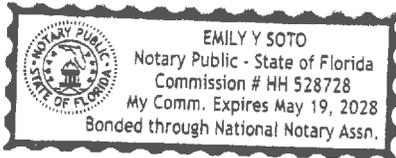
Shree Nivash Land LLC  
Name of owner entity if a corporation, L.L.C., partnership, trust

Authorized Member  
Representative capacity of person signing: President or Vice  
President of Corporation, Managing Member of L.L.C., General  
Partner, Trustee

6903 Congress Street, New Port Richey, Florida 34653  
Address of Owner

**STATE OF FLORIDA )**  
COUNTY OF PASCO )

Sworn to (or affirmed) and subscribed before me this 8 day of  
January, 2025, by Vijay Patel  
(owner) capacity if applicable who is personally known to me or produced  
as identification.



[Signature]  
Notary Public  
Notary Public – State of Florida  
My commission expires May 19 2028  
Emily Soto  
Name typed, stamped or printed





Prepared by and return to:  
Sharon Zuccaro  
Henderson, Franklin, Starnes & Holt, P.A.  
1715 Monroe Street  
Fort Myers, FL 33901  
(239) 344-1100

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this **27th day of June, 2024** between **Meador Family Holdings, LLC, a Florida limited liability company** whose post office address is **1331 Commerce Drive, Labelle, FL 33935**, grantor, and **SHREE NIVASH LAND LLC, a Florida limited liability company** whose post office address is **6903 Congress Street, New Port Richey, FL 34653**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hendry County, Florida** to-wit:

**See Exhibit "A" attached hereto and made a part hereof**

**Parcel Numbers: 2294302-36000000163 and 2074329-A0000050000.**

**Subject to property taxes for the year of closing; covenants, restrictions, and public utility easements of records; existing zoning and governmental regulations.**

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 12/31/2023.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

Signed, sealed and delivered in our presence:

J.W.M.  
Witness #1  
Printed Name: JAMES W. MCCARRIER  
Address: 1715 MONROE ST  
FOOT HILLS, FL 33401

**Meador Family Holdings, LLC, a Florida limited liability company**

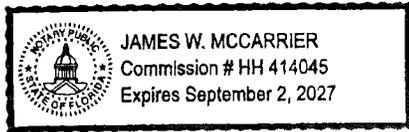
By: [Signature]  
Paul J. Meador, Managing Member

[Signature]  
Witness #2  
Printed Name: KAREN ADKINS  
Address: 1715 MONROE ST  
FOOT HILLS, FL 33401

State of Florida  
County of Lee

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 27<sup>th</sup> day of June, 2024 by Paul J. Meador, Managing Member of Meador Family Holdings, LLC, a Florida limited liability company, who  is personally known or  has produced a driver's license as identification.

[Seal]



[Signature]  
Notary Public  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

## Exhibit "A"

### Parcel 1:

The South 168.00 feet of Lot 16, and that portion of Lots 17 and 18, lying North and West of the Right-of-Way of State Road 80, Section 7, Township 43 South, Range 29 East, Hendry County, Florida. Said lots being a portion of L.V. Hull Subdivision as recorded in Plat Book 3, Page 12, of the Public Records of Lee County, Florida and are more particularly described as follows:

Commencing at the Southeast corner of said Section 7; thence N 88°58'50" W (bearings are based on the East line of said Section 7, being assumed to bear due North), along the South line of said Section 7, a distance of 1320.45 feet to the Prolongation of the East line of the aforementioned L.V. Hull Subdivision; thence N 00°00'05" E, along said East line, a distance of 1436.15 feet, to the Westerly Right-of-Way of State Road 80, and the Point of Beginning of the land herein described; thence continue N 00°00'05" E, along said East line, a distance of 151.54 feet to the Southeast corner of Lot 16; thence continue N 00°00'05" E, along said East line, a distance of 168.00 feet; thence N 88°58'55" W, a distance of 507.16 feet, to the East Right-of-Way of Captain Hendry Drive; thence S 00°00'22" E, along said East Right-of-Way, a distance of 1078.89 feet, to the Westerly Right-of-Way of State Road 80; thence N 34°02'40" E, along said Right-of-Way line, a distance of 905.54 feet to the Point of Beginning.

### Parcel 2:

A tract of land lying in the East 1/2 of the Southeast 1/4 of Section 7, Township 43 South, Range 29 East, Hendry County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of said Section 7; thence N 88°58'50" W (bearings are based on the East line of said Section 7, being assumed to bear due North), along the South line of said Section 7, a distance of 1320.45 feet to the Prolongation of the East line of the L.V. Hull Subdivision, as recorded in Plat Book 3, Page 12, of the Public Records of Lee County, Florida; thence N 00°00'05" E, along said East line, a distance of 1436.15 feet, to the Westerly Right-of-Way of State Road 80, and the Point of Beginning of the land herein described; thence continue N 00°00'05" E, along said East line, a distance of 151.54 feet, to the Southeast corner of Lot 16; thence continue N 00°00'05" E, along said East line, a distance of 168.00 feet; thence S 88°58'55" E, a distance of 213.33 feet, to the Westerly Right-of-Way of State Road 80; thence S 34°02'40" W, along said Right-of-Way line, a distance of 381.01 feet to the Point of Beginning.

**2025 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT**

DOCUMENT# L24000012305

**Entity Name:** SHREE NIVASH LAND LLC

**Current Principal Place of Business:**

6135 W SITKA ST  
4TH FLOOR  
TAMPA, FL 33634

**Current Mailing Address:**

6135 W SITKA ST  
4TH FLOOR  
TAMPA, FL 33634 US

**FEI Number:** 99-0744582

**Certificate of Status Desired:** No

**Name and Address of Current Registered Agent:**

PATEL, VIJAY  
6135 W SITKA ST  
4TH FLOOR  
TAMPA, FL 33634 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

**SIGNATURE:**

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**Authorized Person(s) Detail :**

Title AMBR  
Name PATEL, VIJAY  
Address 6135 W SITKA ST  
4TH FLOOR  
City-State-Zip: TAMPA FL 33634

Title AMBR  
Name PATEL, YOGESHKUMAR  
Address 9949 VIA SAN MARCO LOOP  
City-State-Zip: FT. MYERS FL 33905

Title AMBR  
Name PATEL, ANAND  
Address 2820 VIA PIAZZA LOOP  
City-State-Zip: FT. MYERS FL 33905

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** VIJAY PATEL

AMBR

04/11/2025

\_\_\_\_\_  
Electronic Signature of Signing Authorized Person(s) Detail

\_\_\_\_\_  
Date



February 2, 2026

City of Labelle  
481 West Hickpochee Ave.  
LaBelle, Florida 33935

**Re: Narrative for Tree Removal Application – Caloosa Commons**  
West Hickpochee Ave & Captain Hendry Dr, LaBelle, Florida 33935  
Parcel Numbers: 2-29-43-02-360-0000-016.3 & 2-29-43-07-A00-0005.0000

To Whom It May Concern,

Pursuant to the City’s review of the Tree Removal Application for the above-referenced project, Landis Evans + Partners submits the below narrative.

**4-80.16.4.2.a. Criteria for permits requiring city commission approval**

**1. The applicant shall demonstrate that the significant oak tree(s) prevents the reasonable development of the site;**

The location of the Significant Oak Trees prevents the reasonable development of the property. A group of these trees is located within the northwest quadrant of the site, where the existing topography and natural drainage patterns require the placement of the stormwater pond due to low elevations. The remaining Significant Oak Trees are dispersed throughout the site in a manner that does not allow for clustering or preservation, regardless of the proposed development layout. As a result, preservation would impose substantial constraints on building placement, internal circulation, utility routing, and grading, thereby limiting the site’s ability to be developed in a cohesive and functional manner. Furthermore, retention of these trees would create long-term operational and maintenance challenges, including conflicts with underground and above-ground infrastructure, pavement heave, and potential damage to foundations, sidewalks, and utilities due to extensive root systems. Preservation would also restrict necessary grading and soil compaction required for safe and compliant development. Collectively, these factors demonstrate that preservation of the Significant Oak Trees would unreasonably hinder the site’s development potential and compromise the functionality, safety, and durability of the proposed improvements.

**2. That relief from other land development code requirements, such as reduced setbacks or parking lot layout, are not reasonable alternatives for tree preservation; and**

Relief from other land development code requirements, including reduced setbacks or alternative parking lot configurations, does not represent a reasonable or viable alternative for the preservation of the Significant Oak Trees. The location and dispersion of the Significant Oak Trees across the site inherently constrain development and prevent reasonable site utilization, irrespective of building orientation or parking layout.

Furthermore, the extensive setback, buffer, and screening requirements applicable to the site were specifically requested by the City Commission and Staff during the rezoning process under Ordinance 2025-07. As a result, the proposed development incorporates setbacks and buffer widths that exceed the minimum requirements of the Land Development Code. Granting relief from these standards would directly conflict with conditions established through the rezoning.

Even with modifications to parking lot design, circulation patterns, or setback reductions, any feasible development scenario would continue to impact Significant Oak Trees due to their placement relative to required infrastructure, access, utilities, and stormwater facilities. Accordingly, relief from other code requirements would not achieve meaningful tree preservation and would not eliminate the need for the requested variance.

**3. That any approval for significant oak tree removal or relocation granted by the city commission does not adversely impact adjacent properties.**

Approval of the removal or relocation of the Significant Oak Trees will not result in adverse impacts to adjacent properties. The proposed development has been designed to meet or exceed all applicable buffering, landscaping, and screening requirements to ensure compatibility with surrounding uses. The Applicant will provide enhanced perimeter landscaping and screening treatments to effectively mitigate visual impacts and maintain privacy for neighboring properties. These measures ensure that the removal or relocation of the Significant Oak Trees will maintain the neighborhood character as the perimeter of the property will have far more live oak trees than in existing conditions. Furthermore, the site will be designed to accommodate the changes in stormwater runoff and will not adversely affect adjacent properties.

**4. Demonstration of the required mitigation in accordance with this in accordance with Sec. 4-80.16.5**

The Applicant has demonstrated compliance with the mitigation intent of Sec. 4-80.16.5 through a comprehensive tree mitigation and landscape strategy. The Applicant will



provide substantial mitigation for the proposed removal and relocation of Significant Oak Trees; however, due to the enhanced buffering and landscaping requirements imposed by the City Commission and Staff as part of the rezoning process (Ord 2025-07), full on-site replacement of all required caliper inches is not feasible.

A total of 1,114 inches DBH (Diameter at Breast Height) of Significant Oak Trees are proposed for removal. In response, the Applicant proposes the installation of 165 Live Oak trees, providing a total of 660 caliper inches toward mitigation. This results in a remaining deficit of 324 caliper inches. To further offset this difference, the Applicant has also provided an additional 161 caliper inches of non-Live Oak canopy species as supplemental mitigation.

The requested tree removal variance is directly attributable to the extensive perimeter buffer requirements, including the berm, established during the rezoning, which significantly limit available planting areas within the developable portion of the site. Notwithstanding this constraint, the proposed mitigation plan exceeds the qualitative objectives of the code by delivering a cohesive, well-distributed landscape framework that enhances visual buffering, strengthens site aesthetics, and provides long-term canopy coverage.

As detailed below, the proposed mitigation strategy is fully integrated with the required buffer areas and achieves the overall purpose and intent of Sec. 4-80.16.5 by balancing environmental considerations with reasonable site development.

#### SR 80 Buffer Requirements

The required buffer along SR 80 includes:

- A 25 foot wide enhanced buffer, including a 3-foot-tall berm
- A double hedgerow, planted at 36 inches and maintained at 48 inches
- 5 canopy trees per 100 linear feet, planted at 12 feet in height
- 3 medium/understory trees per 100 linear feet, planted at 8 feet in height

#### Compliance

The landscape plan complies with these SR 80 buffer requirements. However, the presence of existing overhead utility lines along the roadway may present a conflict for canopy tree placement.

#### North and West Boundary Buffer Requirements

The required enhanced buffer for the north and west property boundaries includes:

- A 15 foot wide buffer
- An 8 foot opaque wall or fence
- A 3 foot tall berm



- A double hedgerow, planted at 36 inches and maintained at 60 inches
- 5 canopy trees per 100 linear feet, planted at 12 feet in height
- 3 medium/understory trees per 100 linear feet, planted at 8 feet in height
- All required plantings must be located on the exterior side of the wall.

#### Compliance

There is insufficient room to meet the requirement for medium/understory trees, as all plantings are required to be placed outside the 8-foot fence. A single row of live oaks has been placed instead, spaced at 20 feet on center. At this spacing, the trees will be touching at installation; appropriate spacing would be 30 feet on center to allow for healthy long term growth.

The requirement to install a continuous berm around the property necessitates the removal of all existing trees within the berm footprint, including approximately 14 Significant Oak Trees that contribute 247 inches toward needed mitigation. The addition of the 8-foot wall further constrains the planting area. Despite these limitations, the Applicant has placed live oaks in every feasible location on the site. Pond perimeters must also remain accessible for maintenance, reducing available planting space.

#### **4-80.16.4.2.b. Application requirements for permits requiring city commission approval (Narrative and Mitigation Statement)**

##### **1. The location and type of significant oak tree(s) proposed for removal or relocation;**

There are a total of 1,114 inches DBH (Diameter at Breast Height) of Significant Oak Trees as classified per Section 2-4 of the LaBelle, Florida – Code of Ordinances Appendix B. The Significant Oak Trees are scattered throughout the property.

##### **2. A statement (narrative) addressing the following:**

###### **a. Why the significant oak tree(s) prevents reasonable development,**

The location of the Significant Oak Trees prevents the reasonable development of the property. A group of these trees is located within the northwest quadrant of the site, where the existing topography and natural drainage patterns require the placement of the stormwater pond due to low elevations. The remaining Significant Oak Trees are dispersed throughout the site in a manner that does not allow for clustering or preservation, regardless of the proposed development layout. As a result, preservation would impose substantial constraints on building placement, internal circulation, utility routing, and grading, thereby limiting the site's ability to be developed in a cohesive and functional



manner. Furthermore, retention of these trees would create long-term operational and maintenance challenges, including conflicts with underground and above-ground infrastructure, pavement heave, and potential damage to foundations, sidewalks, and utilities due to extensive root systems. Preservation would also restrict necessary grading and soil compaction required for safe and compliant development. Collectively, these factors demonstrate that preservation of the Significant Oak Trees would unreasonably hinder the site's development potential and compromise the functionality, safety, and durability of the proposed improvements.

**b. Why the significant oak tree(s) prevents reasonable development,**

The presence, location, and extent of the Significant Oak Trees on the site prevent the reasonable development of the property. Any feasible development of the site requires the removal of these trees due to their proximity to buildings, required access drives, utilities, stormwater infrastructure, and grading limits. The Applicant has evaluated multiple alternative site layouts and design configurations; however, no reasonable alternative allows for meaningful tree preservation while maintaining compliance with applicable development standards and ensuring the long-term viability of both the proposed improvements and remaining vegetation.

Preservation of the existing Significant Oak Trees would necessitate extensive grading restrictions, encroachment into critical root zones, and conflicts with underground infrastructure, which would compromise tree health and result in long-term maintenance and safety concerns. Likewise, attempts to preserve trees in place would limit proper site drainage, utility installation, and structural design, rendering the development impractical. Accordingly, the proposed site plan represents the only reasonable development scenario that balances code compliance, infrastructure requirements, and long-term site functionality.

**3. Demonstration of consideration of relief from other land development code requirements that might enable development to proceed and avoid tree removal**

Relief from other land development code requirements, including reduced setbacks or alternative parking lot configurations, does not represent a reasonable or viable alternative for the preservation of the Significant Oak Trees. The location and dispersion of the Significant Oak Trees across the site inherently constrain development and prevent reasonable site utilization, irrespective of building orientation or parking layout.

Furthermore, the extensive setback, buffer, and screening requirements applicable to the site were specifically requested by the City Commission and Staff during the rezoning process under Ordinance 2025-07. As a result, the proposed development incorporates



setbacks and buffer widths that exceed the minimum requirements of the Land Development Code. Granting relief from these standards would directly conflict with conditions established through the rezoning.

Even with modifications to parking lot design, circulation patterns, or setback reductions, any feasible development scenario would continue to impact Significant Oak Trees due to their placement relative to required infrastructure, access, utilities, and stormwater facilities. Accordingly, relief from other code requirements would not achieve meaningful tree preservation and would not eliminate the need for the requested variance.

**4. Give a description of the method of tree removal or relocation (where applicable).**

All trees to be removed under the supervision of a specialist. Steps will be taken to mitigate the potential adverse impact on the trees that are to remain on-site. Included compliance with Sec. 4-80.16. and construction plans have the following note: “Protective barricades shall remain in place until land alteration and construction activities are completed. During land alteration and construction activities, it shall be unlawful to remove vegetation by grubbing or to place soil deposits, debris, solvents, construction material, machinery, or other equipment of any kind within the dripline of a tree to remain on the site. All trimming undertaken on a tree protected by the provisions of the LDC shall be in accordance with the American National Standards Institute A-300 Pruning Standards. The Contractor is to make every effort to ensure that all utility lines are not installed within the dripline of any trees to remain on the project site. If the utilities must be installed within the dripline, they shall be relocated as far away from the trees as possible and then special techniques shall be utilized such as root pruning or tunneling.”

**5. Description of how other significant oak trees or groups of trees will be protected during any approved tree removal or relocation and any associated construction or clearing, where applicable**

All trees to be removed under the supervision of a specialist. Steps will be taken to mitigate the potential adverse impact on the trees that are to remain on-site. Included compliance with Sec. 4-80.16. and construction plans have the following note: “Protective barricades shall remain in place until land alteration and construction activities are completed. During land alteration and construction activities, it shall be unlawful to remove vegetation by grubbing or to place soil deposits, debris, solvents, construction material, machinery, or other equipment of any kind within the dripline of a tree to remain on the site. All trimming undertaken on a tree protected by the provisions of the LDC shall be in accordance with the American National Standards Institute A-300 Pruning Standards. The Contractor is to make every effort to ensure that all utility lines are not installed within the dripline of any trees to remain on the project site. If the utilities must be installed within the dripline, they



shall be relocated as far away from the trees as possible and then special techniques shall be utilized such as root pruning or tunneling.”

## 6. Planting plan and narrative describing required mitigation.

The Applicant has demonstrated compliance with the mitigation intent of Sec. 4-80.16.5 through a comprehensive tree mitigation and landscape strategy. The Applicant will provide substantial mitigation for the proposed removal and relocation of Significant Oak Trees; however, due to the enhanced buffering and landscaping requirements imposed by the City Commission and Staff as part of the rezoning process (Ord 2025-07), full on-site replacement of all required caliper inches is not feasible.

A total of 1,114 inches DBH (Diameter at Breast Height) of Significant Oak Trees are proposed for removal. In response, the Applicant proposes the installation of 165 Live Oak trees, providing a total of 660 caliper inches toward mitigation. This results in a remaining deficit of 324 caliper inches. To further offset this difference, the Applicant has also provided an additional 161 caliper inches of non-Live Oak canopy species as supplemental mitigation.

The requested tree removal variance is directly attributable to the extensive perimeter buffer requirements established during the rezoning, which significantly limit available planting areas within the developable portion of the site. Notwithstanding this constraint, the proposed mitigation plan exceeds the qualitative objectives of the code by delivering a cohesive, well-distributed landscape framework that enhances visual buffering, strengthens site aesthetics, and provides long-term canopy coverage.

As detailed below, the proposed mitigation strategy is fully integrated with the required buffer areas and achieves the overall purpose and intent of Sec. 4-80.16.5 by balancing environmental considerations with reasonable site development.

### SR 80 Buffer Requirements

The required buffer along SR 80 includes:

- A 25 foot wide enhanced buffer, including a 3-foot-tall berm
- A double hedgerow, planted at 36 inches and maintained at 48 inches
- 5 canopy trees per 100 linear feet, planted at 12 feet in height
- 3 medium/understory trees per 100 linear feet, planted at 8 feet in height

### Compliance

The landscape plan complies with these SR 80 buffer requirements. However, the presence of existing overhead utility lines along the roadway may present a conflict for canopy tree placement.



North and West Boundary Buffer Requirements

The required enhanced buffer for the north and west property boundaries includes:

- A 15 foot wide buffer
- An 8 foot opaque wall or fence
- A 3 foot tall berm
- A double hedgerow, planted at 36 inches and maintained at 60 inches
- 5 canopy trees per 100 linear feet, planted at 12 feet in height
- 3 medium/understory trees per 100 linear feet, planted at 8 feet in height
- All required plantings must be located on the exterior side of the wall.

Compliance

There is insufficient room to meet the requirement for medium/understory trees, as all plantings are required to be placed outside the 8-foot fence. A single row of live oaks has been placed instead, spaced at 20 feet on center. At this spacing, the trees will be touching at installation; appropriate spacing would be 30 feet on center to allow for healthy long term growth.

The requirement to install a continuous berm around the property necessitates the removal of all existing trees within the berm footprint, including approximately 14 Significant Oak Trees that contribute 247 inches toward needed mitigation. The addition of the 8-foot wall further constrains the planting area. Despite these limitations, the Applicant has placed live oaks in every feasible location on the site. Pond perimeters must also remain accessible for maintenance, reducing available planting space.

Based on the above, we submit that the Application complies with all removal/variance criteria and, therefore, should be approved. Thank you for your consideration.

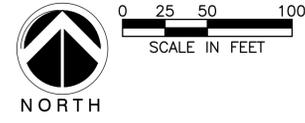
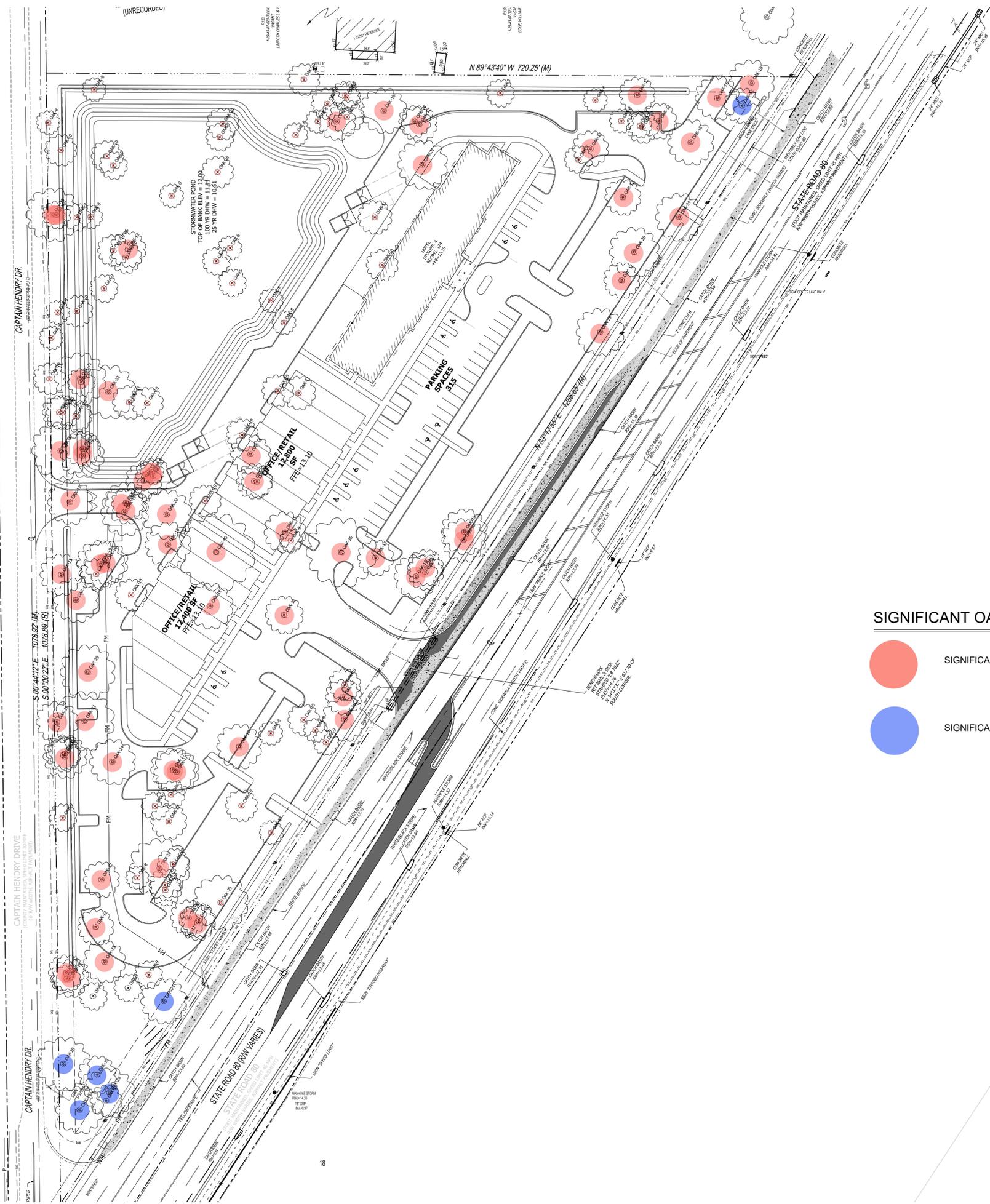
Regards,



Margaret Tassone, AICP  
Project Planner  
Landis Evans + Partners, Inc.







**SIGNIFICANT OAKS LEGEND**

- SIGNIFICANT OAK- TO BE REMOVED FOR CONSTRUCTION
- SIGNIFICANT OAK- TO BE REMAIN AND BE PROTECTED

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NO.	DATE	DESCRIPTION	REVISIONS

PRODUCTION	DESIGN	REH	CAD	REH	JG

**PROPOSED CONDITIONS PLAN**

**SR 80 COMMERCIAL MPUD**  
CITY OF LABELLE FLORIDA

DESIGNED FOR

DESIGNED BY  
 ROBERT E. HAUGHT, STATE OF FLORIDA REGISTERED LANDSCAPE ARCHITECT, LICENSE NO. LA 6666815  
 ROBERT E. HAUGHT, IS A ISA CERTIFIED ARBORIST, LICENSE NO. FL-6736A  
 THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY ROBERT E. HAUGHT, PLA ON THE DATE INDICATED HEREON  
 PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE DIGITAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

**Forward**  
 Planning & Design

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DATE	JAN. 29, 2024
PROJECT NO.	F154010
SHEET	T-2 OF 2