

**CITY OF LABELLE
RESOLUTION 2026-14
139 E. HICKPOCHEE AVENUE
SPECIAL EXCEPTION**

A RESOLUTION OF THE CITY OF LABELLE, FLORIDA, GRANTING A SPECIAL EXCEPTION PURSUANT TO SECTION 3-4 OF THE CITY OF LABELLE LAND DEVELOPMENT CODE TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES AT A RESTAURANT LOCATED WITHIN 750 FEET OF A SCHOOL AT 139 E. HICKPOCHEE AVENUE, CITY OF LABELLE, FLORIDA; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of LaBelle City Commission, the Applicant, has filed a Special Exception application to allow the sale of alcoholic beverages at a restaurant located within 750 feet of a school at the subject property located at 139 E. Hickpochee Avenue in the City of LaBelle; and,

WHEREAS, a duly advertised public hearing was held on July 9, 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 the sale of alcoholic beverages at a restaurant located within 750 feet of a school at the subject property located at 139 E. Hickpochee Avenue in the City of LaBelle, Florida, subject to the following conditions:

1. The Special Exception approval shall apply only to the restaurant located at 139 E. Hickpochee Avenue, as generally described in the approved application.
2. The Special Exception authorizes the sale of alcoholic beverages for on-premises consumption only in conjunction with the approved restaurant use. Any change in use or expansion of the approved use shall require further review and approval by the City.

- 45 3. The applicant shall obtain all required building permits, a Certificate of Occupancy, Busi-
46 ness Tax Receipt, and all applicable state and local alcoholic beverage licenses prior to
47 commencing the sale of alcoholic beverages.
- 48 4. Any exterior signage shall comply with the City of LaBelle Land Development Code and
49 shall obtain all required permits prior to installation.
- 50 5. Trash receptacles shall be provided in convenient locations within and outside the estab-
51 lishment and shall be serviced on a regular basis to maintain the property in a clean and
52 orderly condition.
- 53 6. Approval of this Special Exception does not waive compliance with any other applicable
54 provisions of the City of LaBelle Code of Ordinances, Land Development Code, Building
55 Code, Fire Code, or any applicable local, state, or federal permitting requirements.

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

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

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

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67 **THE CITY OF LABELLE, FLORIDA**

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70 By: _____
71 Julie C. Wilkins, Mayor

72 Attest: _____
73 Tijauna Warner, Deputy City Clerk

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76 APPROVED AS TO FORM AND
77 LEGAL SUFFICIENCY:

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80 By: _____
81 Derek Rooney, City Attorney

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84 Vote: AYE NAY
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86 Mayor Wilkins _____ _____
87 Commissioner Vargas _____ _____

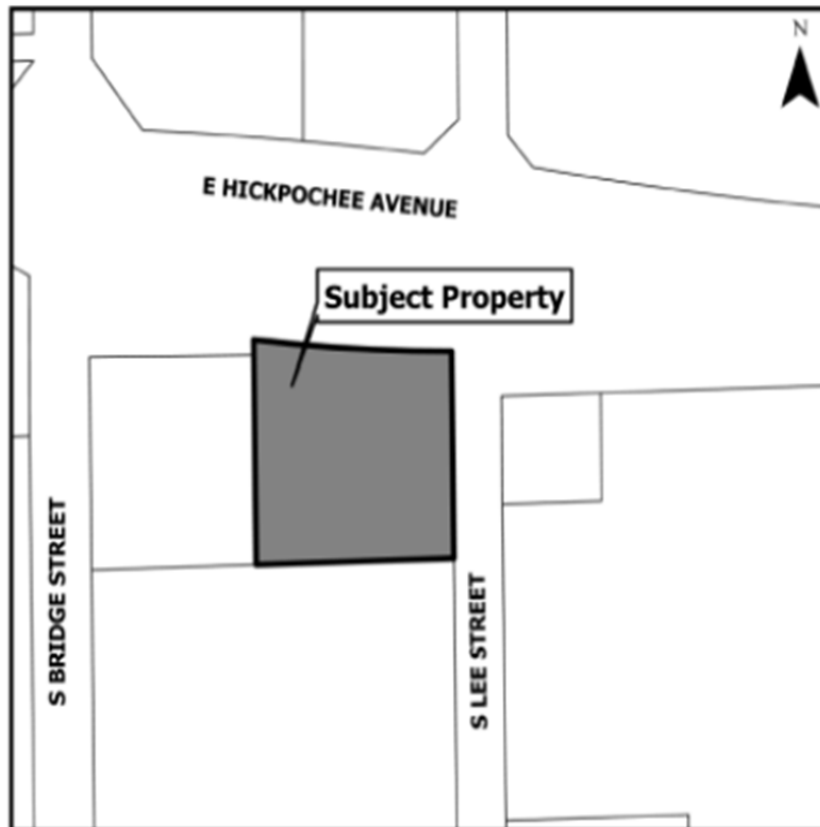
88	Commissioner Spratt	_____	_____
89	Commissioner Holland	_____	_____
90	Commissioner Ratica	_____	_____

EXHIBIT A
LEGAL DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 46 OF GOODNO'S ADDITION TO LABELLE. ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 3, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING AND BEING IN HENDRY COUNTY, FLORIDA; RUN NORTH ALONG A PROLONGATION OF THE EAST LINE OF SAID BLOCK 46 FOR 42.1 FEET TO A POINT 75 FEET (MEASURED ON A RADIAL LINE) SOUTHERLY FROM THE SURVEYED CENTER LINE OF STATE ROAD NO. 80; THENCE RUN NORTHWESTERLY ON AN ARC OF A CURVE TO THE RIGHT OF RADIUS 1,793.87 FEET (PARALLEL TO AND 75 FEET DISTANCE FROM SAID CENTERLINE) FOR 126.02 FEET; THENCE RUN WEST PARALLEL TO THE NORTH LINE OF SAID BLOCK 46 FOR 74.09 FEET; THENCE RUN SOUTH PARALLEL TO THE EAST LINE OF SAID BLOCK FOR 200 FEET; THENCE RUN EAST FOR 200 FEET TO THE EAST LINE OF BLOCK 46; THENCE RUN NORTH ALONG SAID LINE FOR 150 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE RIGHT-OF-WAY OF SR 80.

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**EXHIBIT B
LOCATION MAP**



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