



CITY OF LABELLE, FLORIDA

**Planning Staff Report
230 Riviera Vista Boulevard
Variance**

TYPE OF CASE: Variance

STAFF REVIEWER: Patty Kulak

DATE: July 9, 2026

APPLICANT: Kenneth J. Alvey

AGENT: Kenneth J. Alvey

REQUEST: Variance from Section 4-76(a) of the City of LaBelle Land Development Regulations to permit an 1,800 square foot house located at 230 Riviera Vista Boulevard.

LOCATION: 230 Riviera Vista Boulevard

PROPERTY SIZE: 0.43+/-acres

FUTURE LAND USE DESIGNATION, CURRENT ZONING AND LAND USE:

Existing Future Land Use Designation: Residential
Existing Zoning: R-1AA - Single-Family Estates
Land Use: Vacant

SURROUNDING LAND USE:

North: FLU – N/A
Zoning – N/A
Land Use – Riverfront

South: FLU – Residential
Zoning – R-1AA – Single-Family Estates
Land Use – Vacant/Single-Family Housing

East: FLU – Residential
Zoning – R-1AA - Single-Family Estates

Land Use – Residential Single-Family Housing

West: FLU – Residential
Zoning – R-1AA - Single-Family Estates
Land Use – Residential Single-Family Housing

STAFF NARRATIVE:

Kenneth J. Alvey has submitted a variance application requesting relief from Section 4-76(a) of the City of LaBelle Land Development Code, which establishes a minimum living area of 2,500 square feet for single-family homes within the Single Family Estates Residential (R-1AA) zoning district. The applicant is requesting approval to construct a single-family residence containing a minimum living area of 1,800 square feet on the subject property located at 230 Riviera Vista Boulevard.

The subject property consists of approximately 0.43 acres (17,651 square feet) and is currently vacant. The property is zoned R-1AA (Single Family Estates Residential) and is designated for residential use. Surrounding properties are developed with single-family residences and vacant residential lots.

The R-1AA zoning district is intended to accommodate low-density single-family residential development on larger residential lots. Pursuant to Section 4-76(a) of the Land Development Code, new single-family residences within the R-1AA zoning district are required to provide a minimum living area of 2,500 square feet. The applicant is requesting a variance to reduce the minimum required living area by 700 square feet, resulting in a proposed minimum living area of 1,800 square feet.

According to the application materials, the applicant is requesting the reduction in minimum living area in order to construct a smaller residence while minimizing impacts to the existing mature oak trees located throughout the property. Photographs submitted with the application depict numerous mature trees across the site.

The variance request has been evaluated against the criteria established in Section 3-20 of the City of LaBelle Land Development Code to determine whether the requested relief is warranted and whether approval would be compatible with the surrounding neighborhood and consistent with the intent of the R-1AA zoning district.

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 subject property contains approximately 17,651 square feet (Exhibit A), which is smaller than the current minimum lot size requirement of 22,500 square feet for the R-1AA zoning district. Additionally, the property contains several mature oak trees that further constrain the developable area of the site. Staff finds that the combination of the property's substandard lot size and existing mature vegetation constitutes a unique

circumstance that is not generally applicable to properties within the R-1AA zoning district.

- 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.

Staff finds that strict application of the minimum dwelling size requirement would create an undue hardship due to the subject property's substandard lot size and the presence of several mature oak trees (Exhibit B). Construction of a residence meeting the 2,500-square-foot minimum living area requirement would likely result in additional tree removal and greater site disturbance. The requested variance would allow reasonable residential use of the property while minimizing impacts to the existing natural features.

- 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 residence will be used as a single-family dwelling, which is consistent with the surrounding pattern of residential development. The requested variance applies only to the minimum living area requirement and does not alter the permitted use, setbacks, height, or other development standards applicable to the property. Staff finds the proposed residence will remain compatible with surrounding residential uses and that granting the variance will not be injurious to adjacent properties, incompatible with the surrounding neighborhood, or detrimental to the 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 subject property was established prior to the current Land Development Code and contains approximately 17,651 square feet, which is smaller than the minimum lot size currently required within the R-1AA zoning district. In addition, the mature oak trees that constrain the developable area of the property predate the applicant's ownership. Staff finds these conditions cannot reasonably be corrected or avoided without further reducing the developable area of the site or increasing site disturbance through the removal of existing mature trees.

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

The requested variance represents the minimum relief necessary to allow reasonable residential development of the subject property. The applicant is requesting a reduction in the minimum living area requirement from 2,500 square feet to 1,800 square feet, while

all other applicable development standards of the R-1AA zoning district will remain in effect. No additional variances from the City of LaBelle Land Development Regulations are being requested. Staff finds the request is limited in scope and represents the minimum modification necessary to afford relief.

- 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.

Granting the requested variance would not confer a special privilege upon the applicant. Rather, it would provide reasonable relief for a property with unique site characteristics, including its substandard lot size and the presence of mature oak trees. Staff finds that the request is site-specific and would not establish a privilege unavailable to other properties experiencing similar circumstances.

STAFF RECOMMENDATION

Staff recommends APPROVAL subject to the following conditions:

1. The variance approval shall apply only to the subject property located at 230 Riviera Vista Boulevard, LaBelle, Florida.
2. The variance authorizes a reduction in the minimum living area requirement from 2,500 square feet to a minimum of 1,800 square feet for one (1) single-family residence.
3. Except as expressly modified by this variance, the proposed development shall comply with all applicable provisions of the City of LaBelle Land Development Code, including but not limited to setback, height, lot coverage, and all other applicable development standards.
4. All applicable building permits shall be obtained from the City of LaBelle prior to commencement of construction.
5. The proposed residence shall comply with all applicable provisions of the Florida Building Code and all other applicable local, state, and federal regulations.
6. Existing protected trees shall be preserved to the greatest extent practicable. Any removal of protected trees shall comply with the City of LaBelle Land Development Code and any applicable tree removal permit requirements.
7. Any modification that decreases the approved minimum living area shall require additional review and approval by the City.

SUGGESTED MOTION(S):

APPROVAL:

I make a motion to approve the 230 Riviera Vista Boulevard Variance.

APPROVAL WITH CONDITIONS:

I make a motion to approve the 230 Riviera Vista Boulevard Variance, 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 230 Riviera Vista Boulevard Variance. The request does not meet the Variance criteria:

BOUNDARY SURVEY



**EXHIBIT B
SITE LOCATION PHOTOS**





WEST VIEW



EAST VIEW