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**CITY OF LABELLE  
ORDINANCE 2024-11  
WHEELER GROVE PLANNED UNIT DEVELOPMENT AMENDMENT**

**AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING ORDINANCE 2020-06 FOR THE WHEELER GROVE PLANNED UNIT DEVELOPMENT; A 56+/- ACRE PROPERTY GENERALLY LOCATED EAST OF DR. MARTIN LUTHER KING JR. BLVD. AND SOUTH OF STATE ROAD 80, CITY OF LABELLE, HENDRY COUNTY, FLORIDA; AMENDING THE ZONING CONDITIONS; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Wheeler Properties, LLC and Town Grove, LLC are the “Owners” of real property, located south of State Road 80/West Hickpochee Avenue and east of Dr. Martin Luther King Jr. Blvd., City of LaBelle, Florida, further described in Exhibit “A”, attached hereto;

**WHEREAS**, the City of LaBelle adopted the Outlying Mixed-Use future land use category and Planned Unit Development zoning district to allow for development of master-planned communities providing a full range of housing types; and

**WHEREAS**, the City initiated an application to amend the Planned Unit Development zoning conditions to extend the Planned Unit Development approval from October 8, 2025 to November 14, 2034; and

**WHEREAS**, after duly advertised public hearings held on October 24, 2024 before the LaBelle Local Planning Agency “LPA”, and on October 24, 2024 and November 14, 2024 before the City Commission; and,

**WHEREAS**, the City Commission for the City of LaBelle has determined that the requested PUD amendment is in compliance with the land use designation of “Outlying Mixed-Use” and approval of the amendment will further the goals and objectives of the City of LaBelle Comprehensive Plan; and,

**WHEREAS**, the subject application and plans have been reviewed by City of LaBelle Planning Department in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

**NOW, THEREFORE, BE IT ORDAINED** 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 Planned Unit Development (PUD) is hereby amended, upon a finding that this is the most appropriate use of the property and this use will promote,

45 protect and improve the health, safety, comfort, good order, appearance, convenience and general  
46 welfare of the public subject to the following conditions:

- 47
- 48 1. The Rezone request applied to the property is described in Exhibit 'A'.
- 49 2. The PUD is limited to a maximum of 335 dwelling units, limited to 110 single-family and  
50 225 multi-family or townhouse dwelling units.
- 51 3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit  
52 'B'. No other uses are permitted in the PUD unless stated above.
- 53 4. Development Standards will conform to the Development Standards Table, attached as  
54 Exhibit 'C'.
- 55 5. All development must conform to the general design of the Master Concept Plan contained  
56 in Exhibit 'D' and the requirements of the Land Development Code.
- 57 6. All buildings (including residential and any recreational amenity structures), signage and  
58 accessory structures within the development must have consistent architectural theme and  
59 color palette.
- 60 7. Site construction plans must demonstrate an internal sidewalk system to connect the  
61 residential buildings to on-site amenities and recreational areas, parking, and to the external  
62 sidewalk network.
- 63 8. A 5-foot-wide sidewalk must be installed along the Martin Luther King Jr. Blvd. frontage.
- 64 9. Residential buildings must be located a minimum of 100 feet from the City Wastewater  
65 Treatment Facility to the east of the project.
- 66 10. Development must connect to the City's potable water and sanitary sewer system. A  
67 demonstration of capacity will be required at the time of development, in addition to  
68 sufficient water pressure for a hydrant system and sprinklers within the building, if required  
69 by the Florida Building Code and NFPA fire prevention code.
- 70 11. The requirement for traffic signals and/or turn lanes at the project entrances will be  
71 evaluated at the time of site construction permit review.
- 72 12. The developer shall be required to obtain all necessary local, state, and federal permits for  
73 development prior to construction activities, including local site construction plan permit,  
74 plat (if applicable), and building permits.
- 75 13. The developer/owner or their designee, which may include a property owners association  
76 (POA) or homeowner's association (HOA) must maintain common areas, parking areas,  
77 and infrastructure within the community. If a POA/HOA is established, documents must  
78 be provided to the City at the time of site construction plan permitting.
- 79 14. A minimum of 30% of the development, or 16.8+/- acres, of open space shall be provided  
80 within the PUD. A minimum of 5 acres must be usable open space, which may include  
81 active and passive recreation areas.
- 82 15. Parking for residential dwelling unit shall be provided in accordance with the Land  
83 Development Code. In addition, any common residential recreation area on the site must  
84 include a minimum of three (3) parking spaces including one (1) ADA space.
- 85 16. Dumpsters, recycling facilities and service areas must be located a minimum of 25 feet  
86 from the PUD perimeter and be screened via an opaque wall, fence or enclosure that is a  
87 minimum 6-feet in height.
- 88 17. The three (3) building areas located at the south of the PUD must be setback a minimum  
89 of 50 feet from the PUD boundary.

- 90 18. An enhanced 25-foot right-of-way buffer must be provided on the Dr. Martin Luther King  
91 Jr. Blvd. frontage. The buffer must include a double-staggered hedgerow, two (2) large  
92 trees, and two (2) medium trees per per 100 linear feet. The double-staggered hedgerow  
93 must be 36-inches at time of planting and maintained at 48 inches.
- 94 19. 25-foot-wide buffers must be provided along the southern, northern, and eastern boundaries  
95 of the PUD. The buffer must include a double-staggered hedgerow, and three (3) large trees  
96 per 100 linear feet. The double-staggered hedgerow must be 36-inches at time of planting  
97 and maintained at 48 inches.
- 98 20. A 50-foot-wide buffer must be provided where the project abuts the City wastewater  
99 treatment plan in the area shown on the Master Concept Plan. The buffer must include an  
100 8-foot-tall opaque wall or fence and five (5) large medium trees per 100 linear feet.
- 101 21. The site construction plan permits must demonstrate one (1) covered bus stop for school-  
102 age children at one (1) of the project entrances on Dr. Martin Luther King, Jr. Blvd.
- 103 22. The PUD Master Concept Plan will remain valid for not more than ten (10) years from the  
104 date of City Commission approval. Horizontal construction must commence within ten  
105 (10) years or the MCP will be deemed vacated. Upon such time a new PUD zoning  
106 approval must be filed and approved by the City Commission. A one (1) time extension  
107 two (2) years may be submitted to the City prior to vacation of the MCP.
- 108 23. The City is conducting a risk assessment and capital planning for adequate fire protection.  
109 The project may be subject in the future to impact fees or capital assessments to address  
110 the project impact.

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112 **Section 3. Conflict with other Ordinances.** The provisions of this article shall supersede any  
113 provisions of existing ordinances in conflict herewith to the extent of said conflict.

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115 **Section 4. Severability.** In the event that any portion of this ordinance is for any reason held  
116 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a  
117 separate, distinct and independent provision, and such holding shall not affect the validity of the  
118 remaining portions of this ordinance.

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120 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its  
121 adoption.



**EXHIBIT A  
LEGAL DESCRIPTION**

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158 PARCEL 1 (O.R.B. 800, PG. 326)  
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160 COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE  
161 NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST, IN LABELLE,  
162 HENDRY COUNTY, FLORIDA. AND RUN NORTH 89 DEGREES 34 MINUTES 30  
163 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4-NORTHWEST 1/4,  
164 33 FEET TO THE EAST RIGHT OF WAY LINE OF STATE ROAD S731 AND POINT OF  
165 BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE NORTH 0  
166 DEGREES 48 MINUTES 20 SECONDS WEST, ALONG SAID EAST RIGHT OF WAY LINE,  
167 1950.9 FEET; THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST 375.4 FEET;  
168 THENCE SOUTH 23 DEGREES 33 MINUTES 40 SECONDS EAST, 237 FEET; THENCE  
169 SOUTH 0 DEGREES 59 MINUTES EAST, 411.01 FEET; THENCE NORTH 89 DEGREES 12  
170 MINUTES 30 SECONDS EAST 87.64 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES 30  
171 SECONDS EAST, 658.4 FEET; THENCE SOUTH 55 DEGREES 46 MINUTES WEST, 65.22  
172 FEET; THENCE SOUTH 38 DEGREES 12 MINUTES EAST, 1107.55 FEET; THENCE SOUTH  
173 39 DEGREES 19 MINUTES EAST, 78.31 FEET; THENCE SOUTH 28 DEGREES 25  
174 MINUTES EAST, 139.66 FEET; THENCE SOUTH 24 DEGREES 25 MINUTES EAST, 296.88  
175 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 30 SECONDS WEST, 1406.7 FEET TO  
176 THE EAST R/W LINE OF STATE ROAD S731; THENCE NORTH 0 DEGREES 50 MINUTES  
177 WEST, ALONG SAID EAST R/W LINE, 709.5 FEET TO THE POINT OF BEGINNING.  
178 CONTAINING 46.0 ACRES AND SUBJECT TO A STATE ROAD DEPARTMENT  
179 DRAINAGE EASEMENT AS RECORDED IN DEED BOOK 18, PAGE 564, PUBLIC  
180 RECORDS OF HENDRY COUNTY, FLORIDA.

181 AND  
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183 PARCEL 2 (O.R.B. 645, PG. 120)  
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185 A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8,  
186 TOWNSHIP 43 SOUTH, RANGE 29 EAST, BEING MORE PARTICULARLY DESCRIBED  
187 AS FOLLOWS:  
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189 COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE  
190 NORTHWEST 1/4 OF SAID SECTION 8 AND RUN S 89°12'30 W, ALONG THE SOUTH  
191 LINE OF W.T. MADDOX'S FIRST ADDITION TO BELMONT, AS RECORDED IN PLAT  
192 BOOK 3, PAGE 8, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, (SAID LINE  
193 ALSO BEING THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4),  
194 A DISTANCE OF 685.08 FEET TO THE WESTERLY RIGHT OF WAY LINE OF A FIFTY  
195 (50) FOOT WIDE STREET AND THE POINT OF BEGINNING OF THE PARCEL OF LAND  
196 HEREIN DESCRIBED; THENCE S 00°59'16" E, ALONG SAID WESTERLY RIGHT OF WAY  
197 LINE A DISTANCE OF 257.88 FEET; THENCE S 38°13'13" E, CONTINUING ALONG SAID  
198 WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 308.45 FEET TO THE SOUTHERLY  
199 RIGHT OF WAY LINE OF A STATE ROAD DEPARTMENT DITCH EASEMENT AS

200 MAINTAINED, AND OCCUPIED AND MONUMENTED AND THE NORTHEASTERLY  
201 CORNER OF THE CITY OF LABELLE SEWER PLANT PROPERTY; THENCE S 55°43'11"  
202 W, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTHERLY LINE OF  
203 THE CITY OF LABELLE SEWER PLANT PROPERTY, A DISTANCE OF 281.96 FEET TO  
204 THE EAST LINE OF A CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS  
205 BOOK 139, PAGE 304, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA; THENCE N  
206 00°49'47" W, ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN  
207 OFFICIAL RECORDS BOOK 139, PAGE 304, A DISTANCE OF 658.40 FEET TO THE  
208 SOUTH LINE OF SAID W.T. MADDOX'S FIRST ADDITION TO BELMONT; THENCE N  
209 89°12'30" E, ALONG THE SOUTH LINE OF SAID W.T. MADDOX'S FIRST ADDITION TO  
210 BELMONT, A DISTANCE OF 47.25 FEET TO THE POINT OF BEGINNING. SUBJECT TO  
211 A STATE ROAD DEPARTMENT DRAINAGE DITCH EASEMENT AS RECORDED IN  
212 DEED BOOK 18, PAGE 564, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

213 AND

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215 PARCEL 3 (O.R.B. 746, PG. 174)

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217 BEGINNING 709 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4  
218 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST,  
219 HENDRY COUNTY, FLORIDA; THENCE RUN EAST 730.10 FEET; THENCE RUN SOUTH  
220 122.95 FEET; THENCE RUN WEST 200 FEET; THENCE SOUTH 125.00 FEET; THENCE  
221 RUN EAST 150 FEET; THENCE RUN SOUTH 375 FEET; THENCE RUN WEST 570 FEET;  
222 THENCE RUN NORTH 500 FEET; THENCE RUN WEST 110 FEET; THENCE RUN NORTH  
223 130 FEET TO THE POINT OF BEGINNING.

224 AND

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226 PARCEL 4 (O.R.B. 746, PG. 172)

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228 LOT 1, BLOCK 12, W.T. MADDOX'S FIRST ADDITION TO ENGLEWOOD TERRACE,  
229 ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 107, OF  
230 THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

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**EXHIBIT B**  
**SCHEDULE OF USES**

- 235
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- 238 Residential Accessory Structures
- 239 Residential Dwelling Units
  - 240 North of Primary Entrance:
    - 241 Single-Family Detached
    - 242 Single-Family Attached
    - 243 Duplex
    - 244 Triplex
    - 245 Quadraplex
    - 246 Townhouse
  - 247 South of Primary Entrance:
    - 248 Single-Family Detached
    - 249 Single-Family Attached
    - 250 Duplex
    - 251 Triplex
    - 252 Quadraplex
    - 253 Townhouse
    - 254 Multi-Family
- 255 Essential services, such as but not limited to cable, fiber optic, public utilities
- 256 Fences and walls in accordance with LDC Chapter 4
- 257 Gates and gatehouses
- 258 Model Home/Unit
- 259 Recreational amenities, private, on-site
  - 260 Community Structures, including but not limited to clubhouse, pool
  - 261 Playgrounds
- 262 Signs per Chapter 4 of LDC
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**EXHIBIT C  
SITE DEVELOPMENT REGULATIONS**

	Single-Family Detached	Single-Family Attached	Duplex	Townhouse	Triplex Quadplex	Multi-Family	Amenity/ Clubhouse
Min. Lot Size	5,000 SF	1,950 SF	5,000 SF/ building	1,600 SF	N/A	N/A	10,000 SF
Min. Depth	100'	65'	100'	100'	N/A	N/A	N/A
Min. Width	50'	30'	50'	16'	N/A	N/A	N/A
Max. Height <sup>(1)</sup>	35'	35'	35'	35'	35'	45'	35'
Max. Lot Coverage	50%	65%	65%	70%	70%	70%	50%
Min. Unit Size	1,200 SF	800 SF	800 SF	800 SF	750 SF	750 SF	N/A
<b>BUILDING SETBACKS</b>							
Martin Luther King Jr. Blvd.	25'	25'	25'	25'	25'	25'	25'
Street/Front(1)	20'	20'	20'	20'	20'	20'	20'
Side	6'	0'/7.5'	0'/7.5'	0'/7.5'	½ Building Height	½ Building Height	½ Building Height
Rear (Principal)	15'	15'	10'	10'	10'	10'	10'
Rear (Accessory)	5'	5'	5'	5'	5'	5'	5'
Waterbody	25'	25'	25'	25'	25'	25'	25'
PUD Perimeter Setbacks (2)	25'	25'	25'	25'	25'	25'	25'

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- (1) Secondary front yards on corner lots may be reduced to 15 feet.  
 (2) Residential buildings must be setback a minimum of 100 feet from the shared property line with the City wastewater treatment facility, and 50 feet from the southern property line.



