



CVST# 0-000306
INV# I2500684
APP# 1575

VARIANCE PETITION
CITY OF LABELLE, FLORIDA

Date Received 5/13/2025
File Number: VAR 202 -

Petitioner (applicant name): Ruel and Belinda Herrera
Petitioner Address: 495 Davis Street, LaBelle, FL 33935
Telephone#: 832921-6721 E-mail: herrerabg610@gmail.com

Agent for Petitioner (if applicable): _____
Address of Agent: _____
Telephone#: _____ E-mail: _____

Address/Location of Subject Property: 495 Davis Street, LaBelle
Legal Description of Property Involved:
Corner of Davis and Seminole
LaBelle Blk 112 Sub Beautiful S/D lot 16+S 1/2 of lot 17
GEO ID 2 29 43 01 010 0074-216.0

Existing Zoning: LB-R-1 Total Acreage/Square Footage of Subject Property: 0.29 acres

Current Use of Land: residence
Appeal from Section fence requirements of the Comprehensive Development Code,
which requires _____

Findings required. Before making a finding on an application for a variance, the City Commission shall first determine that the proposed variation in the application of this code:

- (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.
- (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 disabilities of the applicant and other considerations may be considered where relevant to the request.
- (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.
- (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.
- (e) The requested variance is the minimum modification of the regulation at issue that will 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.

Summary of Facts

A) Our property is uniquely affected due to its location next to a neighbor whose aggressive dog frequently enters our yard unprovoked. This is not general condition shared by other properties in the area.

B) The inability to erect a fence creates a significant hardship, not just an inconvenience. We cannot safely use our yard to allow our grandchildren to play outside due to the aggressive behavior of the neighbor's dog, which has pinned one of us to a car, regularly crosses onto our property, leaves feces in our yard, and has damaged personal items on our porch.

C) Granting this variance would not be injurious to the neighbor or public welfare. On the contrary, a fence would help ensure safety and peace of mind for both our family and neighbors.

D) These conditions have not been created by us, but are the result of external circumstances- Specifically, the actions and negligence of a neighboring property owner.

E) The situation cannot be reasonably corrected without a fence. Verbal requests and informal solutions have failed to prevent repeated trespassing by the dog.

F) The requested variance is the least modification necessary to ensure our safety and peaceful use of our property. We seek only to install a standard

Has a public hearing been held on this property in the past twenty-four months? NO

If yes, application number or resolution number: _____

Is this hearing being requested as a result of a violation notice? NO

If yes, to whom was the violation written? _____

NOTE: IF THE PETITIONER WISHES TO BE REPRESENTED BY AN AGENT, THE POWER OF ATTORNEY ON PAGE 4 MUST BE PROPERLY EXECUTED.

IF DRAWINGS PREPARED BY AN ARCHITECTURAL, ENGINEERING OR OTHER FIRM ARE SUBMITTED, THE FIRM MUST EXECUTE THE PERMISSION TO REPRODUCE ON PAGE 5.

4

PERMISSION TO REPRODUCE: TO BE COMPLETED BY ENGINEER

KNOW ALL MEN THAT I, _____ (Title/Name), of the firm of _____, do hereby grant the City of LaBelle permission to reproduce all or a portion of all plans, drawings, etc., submitted in connection with the foregoing petition.

State of Florida

County of Hendry

The foregoing instrument was acknowledged before me this ____ day of _____, 20____,

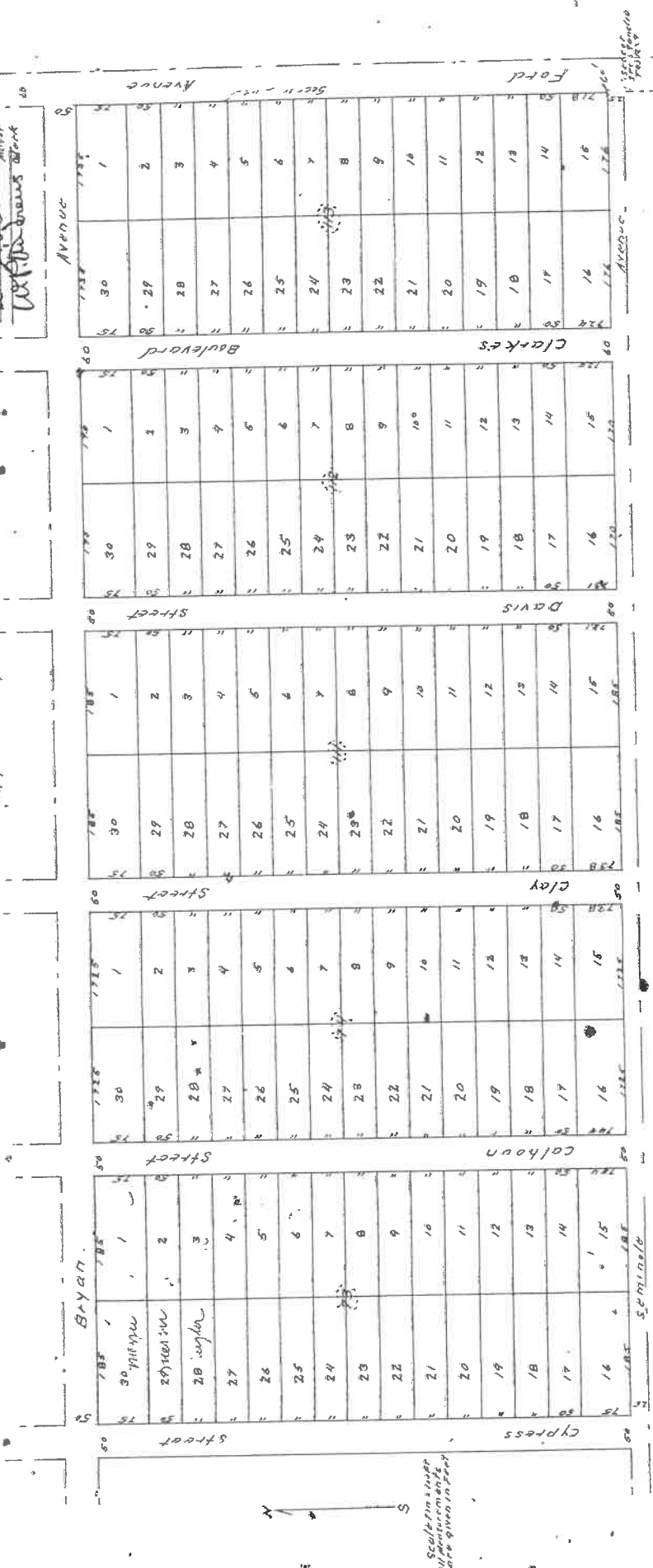
By _____ who is personally known to me or has produced as identification.

(Signature of Notary Public – State of Florida)

(Print, Type, or Stamp Commissioned
Name of Notary Public)

SUBURB BEAUTIFUL.

Being a Subdivision of Blocks 73-74-111-112 and 113 of Goodno Addition,
 To LaBelle Section 9, Township 43 South Range 29 East, Hendry County, Florida
 Surveyed and Plotted April 1925 By Drew Hampton, County Surveyor
 LaBelle Mutual Realty Company, Owners Approved By Board of Commissioners
 Town of LaBelle, Florida April 24, 1926
 W. H. Davis, Clerk



No. 895

Filed this 14 day of April
 1926
 W. H. Davis, Clerk
 Clerk, Circuit Court
 Hendry County, Florida

This instrument prepared by:
Karen Little, Mtg. Servicing Dept.
Suncoast Schools Federal Credit Union
P. O. Box 11904, Tampa, FL 33680

Return to:
FILE 40 00006166
TRANSCONTINENTAL TITLE CO
2605 ENTERPRISE RD E STE 30
CLEARWATER FL 33759

SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that SUNCOAST SCHOOLS FEDERAL CREDIT UNION, under the laws of the United States of America, the holder of a certain mortgage given by ROEL HERRERA AND BELINDA G HERRERA, HUSBAND AND WIFE, to SUNCOAST SCHOOLS FEDERAL CREDIT UNION bearing the date the 12th day of October A.D. 1999, recorded in O. R. Book 591, page 721, in the Clerk of the Circuit Court of Hendry County, Florida, has received full payment of indebtedness secured by said mortgage, and does hereby acknowledge full satisfaction of said mortgage, and hereby directs the Clerk of said Circuit Court to cancel same of record.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the 7th day of November, A.D. 2003.

Suncoast Schools Federal Credit Union

COPY



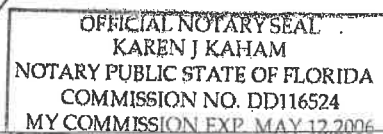
Sharon Saccone, Vice President/Mortgage Lending

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this November 7, 2003, by Sharon Saccone, Vice President/Mortgage Lending, an officer of SUNCOAST SCHOOLS FEDERAL CREDIT UNION, a corporation under the laws of the United States, on behalf of the corporation. She is personally known to me.



Signature of Notary Public



Print, Type, or Stamp Name as Commissioned

Hendry County Taxing Authorities
PO Box 1760
LaBelle, FL 33975-1760
2 29 43 01 010 0074-216.0 31039

2017 TRIM Notice

Tax Code: 10

**DO NOT PAY
THIS IS NOT A BILL**

NOTICE OF PROPOSED PROPERTY TAXES AND
PROPOSED OR ADOPTED NON-AD VALOREM
ASSESSMENTS HENDRY COUNTY TAXING AUTHORITIES

Prop ID: 31039

Site Address:
495 DAVIS ST LABELLE, FL 33935

Geo ID: 2 29 43 01 010 0074-216.0

Legal Description of Property:
LA BELLE BLK 112 SUB BEAUTIFUL S/D
LOT 16 + S 1/2 OF LOT 17

15517 P3 T83*** *****AUTO**5-DIGIT 33935
Herrera Roel & Belinda G
495 S Davis St
Labelle, FL 33935-4828

TAXING AUTHORITY TAX INFORMATION

TAXING AUTHORITY	PRIOR (2016) TAXABLE VALUE	YOUR FINAL TAX RATE AND TAXES LAST YEAR (2016)		CURRENT (2017) TAXABLE VALUE	YOUR TAX RATE AND TAXES THIS YEAR IF NO BUDGET CHANGES MADE		YOUR TAX RATE AND TAXES THIS YEAR IF PROPOSED BUDGET CHANGE IS MADE	
	COLUMN 1	COLUMN 2 RATE	COLUMN 3 TAXES	COLUMN 4	COLUMN 5 RATE	COLUMN 6 TAXES	COLUMN 7 RATE	COLUMN 8 TAXES
County								
Bd of County Comm - County	25,000	8.4909	212.27	25,000	8.2645	206.61	8.4909	212.27
School								
School Local Bd L - School	30,130	2.2480	67.74	31,288	2.1786	68.16	2.2480	70.34
School State Law S - School	30,130	4.6730	140.80	31,288	4.5288	141.70	4.2320	132.41
Municipality								
City of LaBelle - Municipal	25,000	3.6046	90.12	25,000	3.4124	85.31	3.6046	90.12
Water Management District								
So Fl Ever Constr - ECP	25,000	0.0471	1.18	25,000	0.0441	1.10	0.0441	1.10
So Florida Water - WMD	25,000	0.1359	3.40	25,000	0.1275	3.19	0.1275	3.19
So Florida Water Okeechobee Basin	25,000	0.1477	3.69	25,000	0.1384	3.46	0.1384	3.46
Independent Special District								
H C Hosp Debt Svc - County	25,000	0.6600	16.50	25,000	0.5800	14.50	0.5800	14.50
H C Hospital Auth - County	25,000	3.2908	82.27	25,000	3.2036	80.09	3.6700	91.75
TOTAL AD VALOREM PROPERTY TAXES			617.97			604.12		619.14
TOTAL AD VALOREM PROPERTY TAXES			617.97			604.12		619.14
TOTAL NON-AD VALOREM PROPERTY TAXES			334.75			334.75		334.75
TOTAL TAXES			952.72			938.87		953.89

PROPERTY APPRAISER VALUE INFORMATION

	MARKET VALUE	ASSESSED VALUE APPLIES TO SCHOOL MILLAGE	ASSESSED VALUE APPLIES TO NON-SCHOOL
PRIOR YEAR (2016)	64,430	55,130	55,130
CURRENT YEAR (2017)	80,706	56,288	56,288

Applied Assessment Reductions	Applies To	Prior Value(2016)	Current Value (2017)
Save Our Homes	All Taxes	9,300	24,418
10% Cap on Non-Homestead	Non-School Taxes	0	0

If you feel that the market value of your property is inaccurate or does not reflect fair market value, or if you are entitled to an exemption or classification that is not reflected above, contact your county Property

Legend
Herrera Fence



Herrera Fence
Proposed Fence around property

Google Earth
© 2015 Google

ROEL HERRERA
495 DAVIS ST
LABELLE FL 33935



Customer Signature

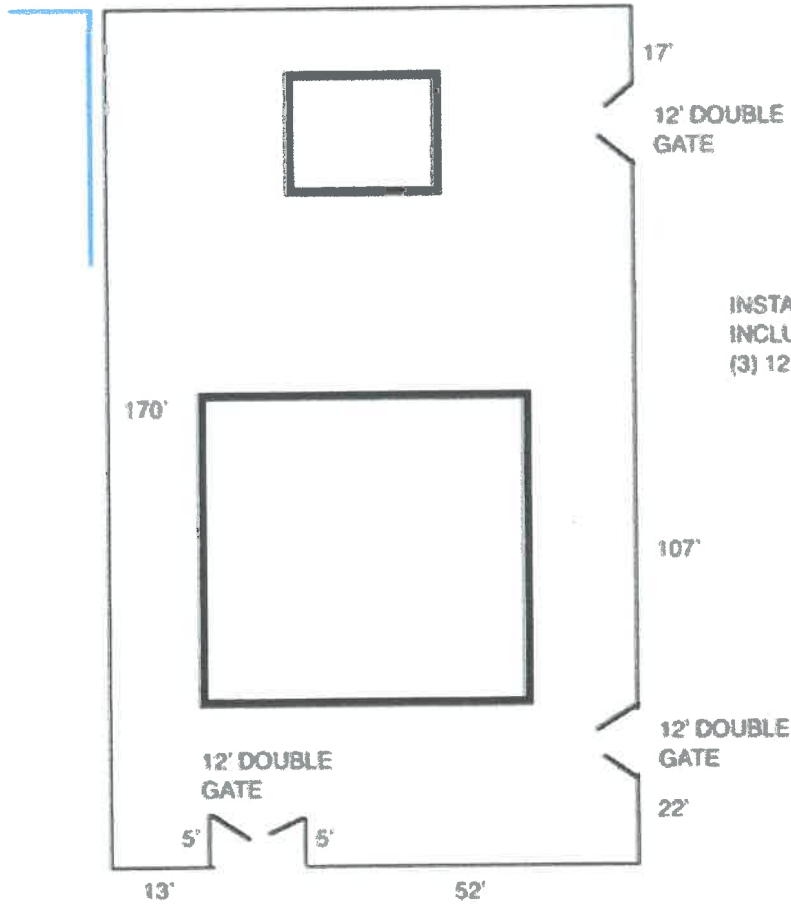
MATERIAL TYPE:

5'H BLACK CHAIN LINK FENCE WITH BOTTOM TENSION WIRE

CUSTOMER REMOVING VEGETATION
AND FENCE PRIOR TO INSTALL DATE

GAP BASED OFF
PROPERTY PINS
COULD BE 6" FROM NEIGHBOR

73'



INSTALL 500' OF FENCE WITH BOTTOM WIRE
INCLUDING
(3) 12'W DOUBLE GATES







Estimate

Eagle Fence
940 Country Club Blvd
Cape Coral, FL 33990
(239) 322-4511
CGC1532382

Contact: Roel & Belinda Herrera
495 Davis St
Labelle, FL 33935

Estimate No: 46387
Estimate Date: 4/15/2025

Item Name	Description	Qty	Price	Amount
5' BLACK VINYL COATED CHAIN LINK	2 1/2" TERMINALS 1 5/8" LINE POST 1 3/8" TOP RAIL 2 X 9 GA WIRE QTY: AMOUNT OF LINEAR FT	500.00	\$17.00	\$8,500.00
  				
5' HIGH X 12' WIDE DOUBLE GATE (BLACK VINYL COATED CHAIN LINK)	CUSTOM WELDED GATE ALL HARDWARE INCLUDED	3.00	\$500.00	\$1,500.00
BOTTOM TENSION WIRE	OPTION OF BOTTOM TENSION WIRE	464.00	\$1.50	\$696.00
PERMIT FEE	PLANS INCLUDED	1.00	\$250.00	\$250.00
NEW SHOWROOM NOW OPEN!	COME CHECK OUT THIS STYLE OF FENCE IN OUR NEWLY UPDATED SHOWROOM!	1.00	\$0.00	\$0.00
				
Sub Total:				\$10,946.00
Total:				\$10,946.00

PRICE ONLY VALID FOR 5 DAYS DUE TO CURRENT MARKET CONDITIONS.

REGARDING FENCE REPAIRS, PLEASE BE AWARE OUR MATERIAL MAY NOT BE A 100% MATCH.

LICENSE # CGC1532382

NOTICE OF COMMENCEMENT

STATE OF FLORIDA, COUNTY OF HENDRY

PERMIT #:

The undersigned hereby gives notice that improvements will be made to certain real property, and in accordance with Section 713.13 of the Florida Statutes, the following information is stated in this Notice of Commencement:

Legal Description of Property: LA BELLE BLK 112 SUB BEAUTIFUL S/D LOT 16 + S 1/2 OF LOT 17

Strap #: 2 29 43 01 010 0074-216.0

Street Address: 495 DAVIS ST LABELLE, FL 33935

Owner: ROEL & BELINDA HERRERA

Address: 495 S DAVIS ST LABELLE, FL 33935

Interest in Property: _____

Name and address of fee simple titleholder (if other than the Owner): _____

Description of Improvements: FENCE INSTALLATION

Contractor – name and address: EAGLE FENCE & 940 COUNTRY CLUB BLVD CAPE CORAL FL 33990

Phone: 239-322-4511

Surety – name and address: _____

Phone: _____ Amount of bond: _____

Name and address of Lender: _____

Persons with the State of Florida designated by owner upon whom notices or other documents may be served as provided by Section 713.13(1)(a)7, Florida Statutes (name and address): _____

Phone: _____ Fax: _____

In addition to himself, Owner designates _____ to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes. Phone: _____

Expiration date of Notice of Commencement (the expiration date is 1 year from the date of recording unless a different date is specified): _____

WARNING TO OWNER. ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART 1, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

Owner or Owner's Authorized Agent

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarizations, this _____ day of _____, 20____, by _____ as _____ for _____, who is personally known to me or produced _____, as identification.

(seal)

Notary Public

Verification pursuant to Section 92.525, Florida Statutes.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true to the best of my knowledge and belief.

Owner or Owner's Authorized Agent