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**CITY OF LABELLE
RESOLUTION 2025-03
495 DAVIS STREET FENCE VARIANCE**

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A RESOLUTION OF THE CITY OF LABELLE, FLORIDA, ALLOWING FOR A VARIANCE FROM THE FENCE REGULATIONS ESTABLISHED IN THE LAND DEVELOPMENT CODE SECTION 4-84, TO ALLOW FOR A 5-FOOT CHAIN LINK FENCE IN A FRONT YARD THAT EXTENDS BEYOND THE DWELLING UNIT AT THE SUBJECT PROPERTY LOCATED AT 495 DAVIS STREET; IN THE CITY OF LABELLE, FLORIDA; PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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WHEREAS, Roel and Belinda Herrera, the Applicant, has filed a Variance application to allow the installation of a chain link fence within the front yard, extending beyond the front façade of the existing dwelling unit at the subject property in the Residential (R-1) zoning district on the subject property located at 495 Davis Street; and,

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WHEREAS, a duly advertised public hearing was held on June 12, 2025 before the City of LaBelle City Commission; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested variance 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 Variance meet the criteria for approval in accordance with Chapter 4, 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 request is hereby granted to allow for a variance to the installation of a chain link fence within the front yard, extending beyond the front façade of the existing dwelling unit at the subject property located at 495 Davis Street in the Residential (R-1) zoning district , City of LaBelle, Florida, subject to the following conditions:

1. The variance request applies to the property described in Exhibit ‘A’.
2. The fence is limited to a 5-foot tall, black chain link fence with three 12-wide double gates as shown on the Site Plan.

45 **Section 3. Severability.** In the event that any portion of this resolution is for any reason held
46 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a
47 separate, distinct and independent provision, and such holding shall not affect the validity of the
48 remaining portions of this resolution.

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50 **Section 4. Effective Date.** This Resolution shall become effective immediately upon its
51 adoption.
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PASSED AND ADOPTED in regular session this _____ day of _____, 2025.

THE CITY OF LABELLE, FLORIDA

By: _____
Julie C. Wilkins, Mayor

Attest: _____
Tijauna Warner, Deputy City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

By: _____
Derek Rooney, City Attorney

Vote:	AYE	NAY
Mayor Wilkins	_____	_____
Commissioner Vargas	_____	_____
Commissioner Spratt	_____	_____
Commissioner Holland	_____	_____
Commissioner Ratica	_____	_____

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EXHIBIT A
LEGAL DESCRIPTION

LOTS 3, 4 AND 5, PLUS THE EAST 2 FEET OF LOT 2 AND PLUS THE WEST 2
FEET OF LOT 6, ALL IN LABELLE ADAIRS ADDITION TO BELMONT SUBDIVISION,
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 20,
PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, LESS STATE ROAD 80 RIGHT-OF-
WAY.