



**CITY OF LABELLE, FLORIDA**

**Planning Staff Report  
950 W. Lincoln Avenue  
Variance**

**TYPE OF CASE:** Variance

**STAFF REVIEWER:** Patty Kulak

**DATE:** January 8, 2026

**APPLICANT:** Lockheart Marie Est. C/O Vivian Holland

**AGENT:** Diane Brown

**REQUEST:** Variance from side and rear yard setbacks applicable to accessory structures in the Residential Neighborhood Urban (RNU) zoning district, to allow a minimum rear yard setback of 3 feet and a minimum side yard setback of 5 feet on the subject property located at 950 W. Lincoln Avenue, whereas the Land Development Code requires a minimum 5-foot rear setback and a 10-foot side setback for accessory structures pursuant to Section 4-76(a).

**LOCATION:** 950 W. Lincoln Avenue

**PROPERTY SIZE:** 0.259+/-acres

**FUTURE LAND USE DESIGNATION, CURRENT ZONING AND LAND USE:**

Existing Future Land Use Designation: Residential  
Existing Zoning: Residential Neighborhood Urban (RNU)  
Land Use: Single-Family Residential

**SURROUNDING LAND USE:**

**North:** FLU – Residential  
Zoning – Residential Neighborhood Urban (RNU)  
Land Use – Vacant

**South:** FLU – Residential  
Zoning – Residential Neighborhood Urban (RNU)  
Land Use – Vacant

**East:** FLU – Residential  
Zoning – Residential Neighborhood Urban (RNU)  
Land Use – Vacant

**West:** FLU – Residential  
Zoning – Residential Neighborhood Urban (RNU)  
Land Use – Vacant

**STAFF NARRATIVE:**

The property owners of 950 W. Lincoln Avenue are requesting a variance from the Residential Neighborhood Urban (RNU) zoning district development standards in Section 4-76(a) of the City of LaBelle Land Development Code to allow reduced setbacks for an accessory shed structure. The request seeks approval of a 3-foot rear yard setback, where a minimum of 5 feet is required; and a 5-foot side yard setback where a minimum of 10 feet is required.

The subject property contains an existing single-family residence and is developed with standard residential improvements, including an existing driveway providing access from Lincoln Avenue. The lot configuration and placement of the principal structure limit the available area within the rear yard that can accommodate an accessory structure while meeting all required setbacks. All abutting properties are vacant/undeveloped.

As depicted on the submitted site plan, the proposed accessory shed is proposed in the rear portion of the property and positioned to minimize impacts to existing on-site improvements, trees and future development on adjacent properties. The site plan demonstrates that, while the structure encroaches into the required side and rear setbacks, it remains outside of any public rights-of-way and does not interfere with access, utilities, or drainage patterns.

Accessory structures are permitted within the RNU zoning district, subject to compliance with applicable development standards. The requested variance represents a minimal deviation from the code requirements and is intended to allow reasonable use of the property given the existing site constraints.

The variance request was reviewed by applicable City Departments as part of the review process. No additional conditions or technical concerns were identified through staff review. Approval of the variance would not be injurious to the surrounding neighborhood nor detrimental to the public welfare.

If approved, the applicant will be required to obtain all applicable building permits from the City of LaBelle Building Department prior to construction.

**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 unique condition is the limited lot depth and placement of the existing primary structure. This restricts the buildable area for accessory structures on the property. The residence was constructed in 1973, prior to the Applicant's purchase of the property. Additionally, this location allows for the preservation of the existing vegetation and trees which serves as a buffer should the neighboring properties become developed in the future.**

- 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.

**Strict application of the required rear and side setbacks limits the placement options for an accessory structure on the subject property due to the existing placement of the primary residence toward the front of the lot. While a compliant location for a shed may be possible elsewhere on the property, the requested variance would allow the accessory structure to be located in a manner that better aligns with existing site conditions and minimizes functional constraints within the rear yard.**

- 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.

**Based on the proposed conditions, the variance will not be injurious to the surrounding neighborhood. The applicant provided a site drawing showing the location of the shed to be within property lines. The adjacent parcels to the north and east are vacant, and the proposed placement will not negatively affect public health, safety, or 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 condition giving rise to the requested variance is due to the existing placement of the primary structure, which was not created by the current property owner. The applicant is requesting approval of the shed at the proposed location due to the limited buildable area. Should the Commission approve the variance request, the applicant must then obtain applicable permits for the accessory structure and adhere to any additional requirements during the building process to ensure compliance with all local and state regulations.**

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

**The drawing supplied by the Applicant demonstrates that the proposed variance represents the minimum relief needed to allow the placement of the accessory structure on the property in their proposed location.**

- 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.

**Due to the existing configuration of the subject property, the requested variance will not confer special privileges. Property owners are able to apply for similar relief from setbacks and development regulations based on the merits of their specific request.**

**STAFF RECOMMENDATION**

Staff recommends APPROVAL subject to the following conditions:

1. The variance request applies to the subject property described in Exhibit "A".
2. The accessory structure, limited to 400 SF, shall be sited as shown on Exhibit "B".
3. The minimum setbacks for the proposed accessory structure shall be approximately 5 feet measured to the western side property line and 3 feet measured to the rear property line, whereas the remaining setbacks exceed the minimum requirements of the Land Development Code as demonstrated on the approved site plan.
4. All other standards for residential accessory structures on the property must comply with LDC Section 4-60 and 4-76(a).
5. The accessory structure must be enclosed on three (3) sides. Decorative lattice may be used to meet this requirement.
6. A building permit must be obtained prior to construction.

**SUGGESTED MOTION(S):**

**APPROVAL:**

I make a motion to approve the 950 W. Lincoln Avenue Variance.

**APPROVAL WITH CONDITIONS:**

I make a motion to approve the 950 W. Lincoln Avenue 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 950 W. Lincoln Avenue Variance. The request does not meet the Variance criteria:

EXHIBIT A

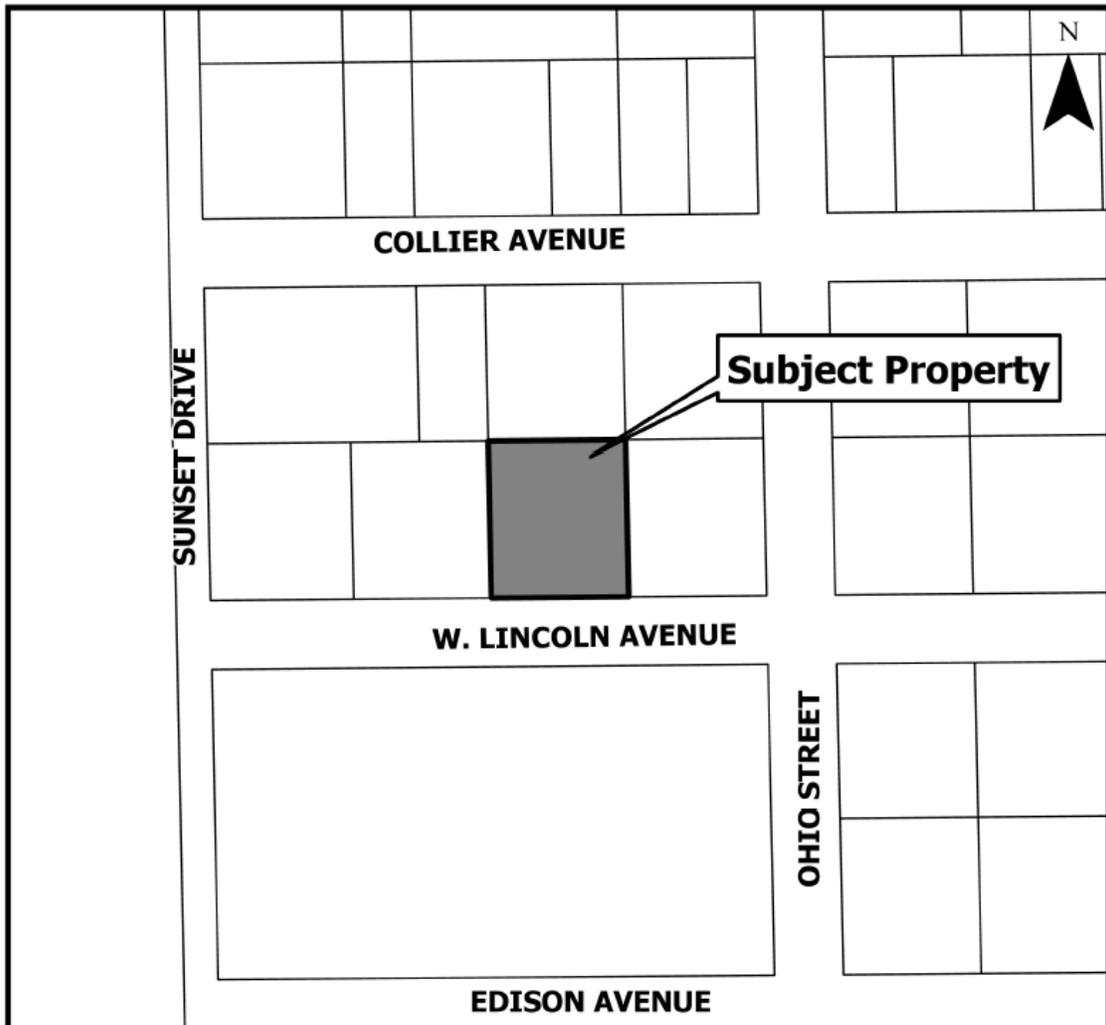


EXHIBIT B – SITE PLAN

