



# Zoning Board of Adjustments and Appeals Meeting Agenda

**August 1, 2023 9:00 a.m.  
in the City Hall Commission Chamber**

Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

PLEASE BE ADVISED in accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Greg James. Because providing a reasonable accommodation may require outside assistance, organizations, or resources, the City asks that any request be made with as much notice as possible, preferably 72 hours, but no later than 48 hours in advance of the event, at: (863) 834-6040, Email: ADASpecialist@lakelandgov.net. If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-(800) 955-8771 (TDD – Telecommunications Device for the Deaf) or the Florida Relay Service number: 1-(800) 955-8770 (VOICE), for assistance.

**The Zoning Board of Adjustments and Appeals will convene for its regular meeting for the purpose of hearing and acting upon the following:**

**ITEM 1:** Call to Order

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**ITEM 2:** Roll Call

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**ITEM 3:** Approval of minutes from the July meeting

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**ITEM 4:** City Attorney explains purpose and authority of the Board

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**ITEM 5:** **Homeowner Ryan Bodolay requests** a 2' variance to allow a maximum fence height of 8', in lieu of the maximum height of six feet for residential fences and walls in rear yards specified by Figure 4.1-1 of the Land Development Code, to allow an eight-foot-high fence in the rear yard area approximately 13' from the north (street-side) property boundary, on property located at 905 Clearview Avenue. (VAR23-011)

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**ITEM 6:** **The Lunz Group requests** a 3' variance to allow a rear setback of 2', in lieu of the 5' minimum setback specified by Table 4.3-4 of the Land Development Code, and a 4' variance to allow a maximum height of 16.5', in lieu of the maximum height of 12.5' for accessory structures specified by Table 4.3-4 of the Land Development Code, in order to construct a new detached garage on property located at 200 Lake Morton Drive. Owner: Lake Morton Place LLC. (VAR23-024)

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**ITEM 7:** **Spencer Bartram, Dorvidor Management, requests** a 2' variance to allow a maximum wall height of 8', in lieu of the maximum height of six feet for residential fences and walls in street side yards specified by Figure 4.4.1 of the Land Development Code, to allow for the construction of an eight-foot high privacy wall in the northeast corner of property located at the southwest corner of U.S. Highway 98 North and Griffin Road (3000 Pyramid Parkway). Owner: Dorvidor Management. (VAR23-025)

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**ITEM 8:** **Preston Chatmon requests** a 190' variance to allow a front yard setback of 225 feet, in lieu of the maximum front yard setback of 35 feet specified by Table 3.4-1 of the Land Development Code, to allow for the construction of a new single-family home on property located at 1825 Providence Road. Owner: Kary W. Dickens Jr. (VAR23-026)

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**ITEM 9:** **David Tavlin, Crossroads Construction of Central Florida, requests** a 10' variance to allow a 5' rear yard setback, in lieu of the 15' minimum rear yard setback specified by the PUD (Planned Unit Development) zoning for Sandpiper Golf and Country Club in order to construct a screen room with a hard roof on property located at 837 Meadowlark Drive. (VAR23-027)

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**ITEM 10:** **Homeowner Frederick Koehler requests** a 2' variance to allow a 3' interior side yard setback, in lieu of the 5' minimum setback specified for swimming pools in Table 4.3-3 of the Land Development Code, to allow for the construction of a 13' x 50' in-ground swimming pool in the interior side (south) yard of property located at 519 N. Stella Avenue. (VAR23-028)

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**ITEM 11:** Homeowner **Enmanuel Baez Rosario** requests a 2' variance to allow a maximum fence height of 6', in lieu of the maximum height of four feet for residential fences and walls in front yards as specified by Figure 4.4.1 of the Land Development Code, to allow a six-foot-high wall with horizontal wood panels and a decorative metal gate adjacent to the front property line on property located at 1805 Providence Road. (VAR23-029)

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**ITEM 12:** Unfinished Business

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**ITEM 13:** New Business

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**ITEM 14:** Adjournment

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**The Zoning Board of Adjustments and Appeals met in Regular Session on Wednesday, July 5, 2023 in the Lakeland Electric Building, Room 1A/B, located at 501 E. Lemon Street.**

Present were Board Members Gregory Kent (Chair), Tunesia Mayweather (Vice Chair), Thomas Brawner, Emily Breheny, Jiwa Farrell, Judith Hatfield and Kristen Tessmer. Also present were Ramona Sirianni, Assistant City Attorney; and staff from the Community & Economic Development Department Matthew Lyons, Chief Planner; Phillip Scarce, Principal Planner; Audrey McGuire, Senior Planner and Christelle Burrola, Board Secretary.

The minutes from the previous meeting were approved as submitted, and Ramona explained the purpose and authority of the Board and the necessity of providing a hardship or uniqueness for the Board to consider and/or grant a variance. Anyone planning to present testimony was sworn in and everyone gave affirmative responses.

**Item 6: David Tavlin, Crossroads Construction of Central Florida, requests** a 10' variance to allow a 5' rear yard setback, in lieu of the 15' minimum rear yard setback specified by PUD (Planned Unit Development) zoning for Sandpiper Golf & Country Club in order to construct a screen room with a hard roof on property located at 813 Meadowlark Drive. (VAR23-022)

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David Tavlin, 10509 Sherrouse Road, stated he is requesting relief from the rear setback requirements to construct a hard-roofed screen room which will provide protection from errant golf balls. Mr. Tavlin is the builder of the home and the developer of the subdivision phase in which the home will be located.

Phillip Scarce stated that within Sandpiper a precedent has been established by the Board in which variances for screen rooms have been granted when a property is adjacent to the golf course. The lot on which the house will be built is adjacent to the green for hole no. 1 and the screen room will provide protection from errant golf balls.

Mr. Scarce stated staff recommends approval.

In response to Matthew Lyons, Mr. Scarce stated no public comment was received in regards to the request.

**Jiwa Farrell made a motion to approve staff's recommendation. Thomas Brawner seconded the motion and it passed 7—0.**

**Adjourned**

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The meeting was adjourned at 9:10 a.m.

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**Gregory Kent, Chairperson**

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**Christelle Burrola, Secretary**



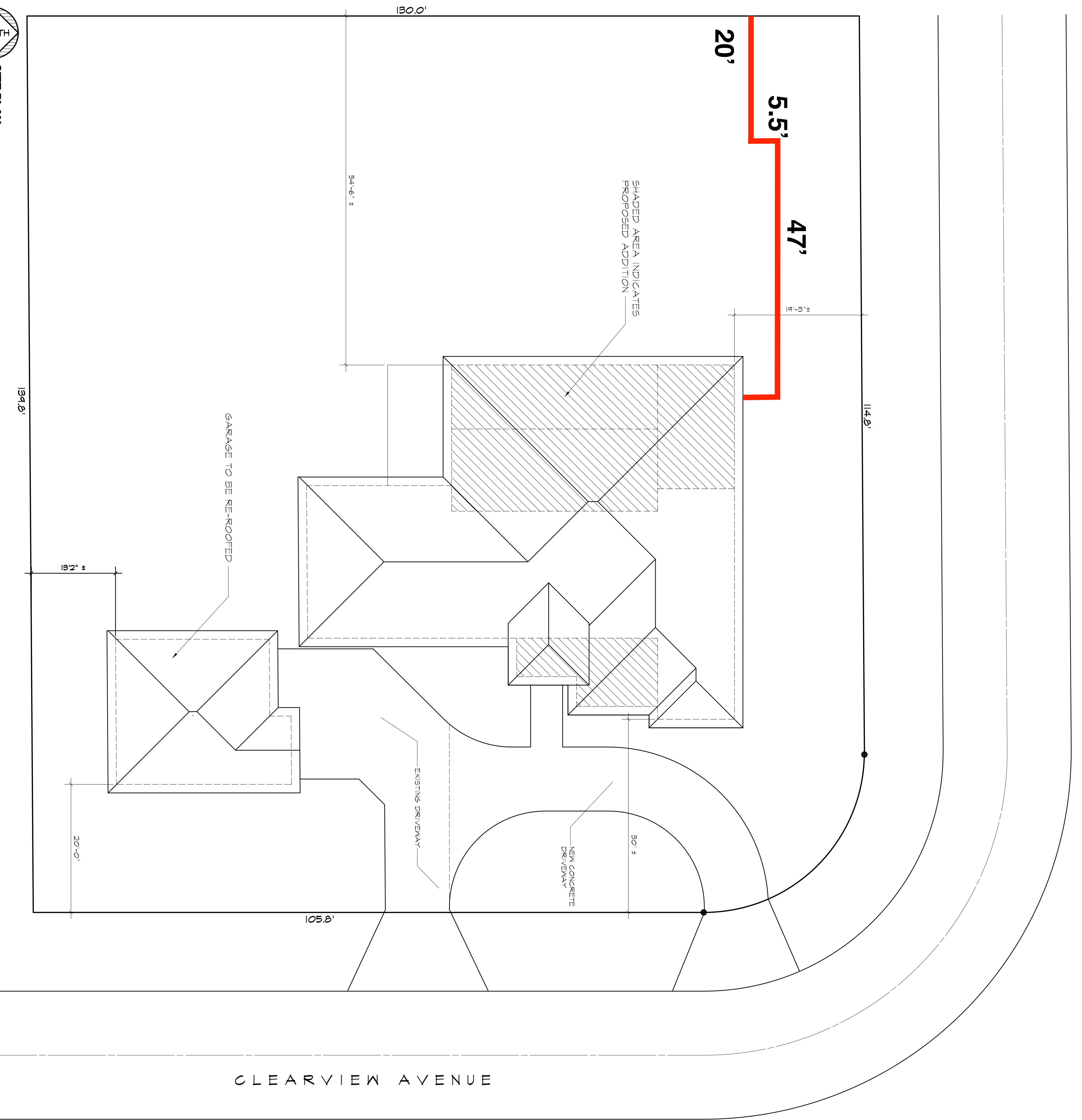
# Variance Application

## General Information:

<b>Project No:</b>	VAR23-011	<b>Application Date:</b>	4/3/2023		
<b>Project Name:</b>	905 CLEARVIEW AV_FENCE HEIGHT				
<b>Subject Property Address:</b>	905 CLEARVIEW AV				
<b>Parcel ID:</b>	242820239000002250				
<b>Applicant Name:</b>	RYAN BODOLAY				
<b>Applicant Address:</b>	905 CLEARVIEW AVE	LAKELAND	FL	33801	
<b>Owner Name:</b>	RYAN BODOLAY				
<b>Owner Address:</b>	905 CLEARVIEW AVE	LAKELAND	FL	33801	

## Request:

<b>Application Type:</b>	VARIANCE				
<b>Current</b>					
<b>Zoning:</b>	(RA-3) Single Family	<b>Context:</b>	Urban Neighborhood (UNH)		
<b>Lot Dimensions:</b>	130' x 140'	<b>Square Footage:</b>	2600		
<b>Present Use:</b>	Fence				
<b>Explanation of Request:</b>	I am requesting a variance to allow a fence heigh greater than 6 feet on one side of my property.				
<b>Justification:</b>	The property is on a corner lot that slopes downward on one side. The way the house was built, the back of house is elevated around 4 feet off of the ground. Therefore, a fence height of 6 feet does not provide any privacy for my family.				



HOME REMODELING FOR:  
**RYAN & STEPHANIE BODOLAY**  
905 CLEARVIEW AVENUE  
LAKELAND, FLORIDA 33801

**SITE PLAN**  
SCALE: 1/8" = 1'-0"

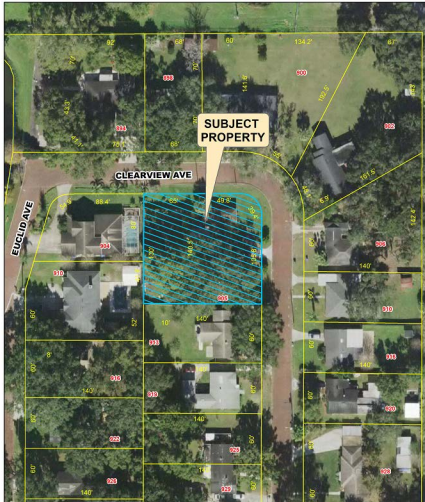
**WALLER**  
RESIDENTIAL • COMMERCIAL • RESTORATION  
1065 SOUTH FLORIDA AVENUE  
LAKELAND, FLORIDA 33803

DATE: 1-25-21  
REVISED: 2/13/21  
DRAWN BY: LAP  
CHECKED BY:  
FILE: BODOLAY - 1

SHEET NUMBER

OF 5 SHEETS

**1**



VAR23-011 905 Clearview Ave  
Parcel ID 242820239000002250





228 S MASSACHUSETTS AVE  
LAKELAND, FLORIDA 33801  
PLANNING@LAKELANDGOV.NET

RE: Variance Request - Project No. VAR23-011

Dear Property Owner:

This notice is to advise you that Ryan Bodolay requests a 2' variance to allow a maximum fence height of 8', in lieu of the maximum height of six feet for residential fences and walls in rear yards specified by Figure 4.1-1 of the Land Development Code, to allow for the construction of an eight-foot-high fence in the rear yard area approximately 13' from the north (street-side) property boundary, on property located at 905 Clearview Avenue. The subject property is legally described as:

HOLLINGSWORTH TERRACE SUB PB 9 PG 45 BLK 2 LOTS 25 LESS S 10 FT & 26 LESS S 10 FT. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

The public hearing to consider this request will be held before the Lakeland Zoning Board of Adjustments and Appeals at **9:00 a.m. on 8/1/2023** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property located in proximity to the subject property, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing. You may also submit your views to the Community & Economic Development Department by including your name, address, and the project number via email to [planning@lakelandgov.net](mailto:planning@lakelandgov.net), prior to the meeting date.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	8/1/2023	Reviewer:	Audrey McGuire	
Project No:	VAR23-011	Subject Property:	905 Clearview Avenue	
Owner:	Ryan Bodolay			
Applicant:	Ryan Bodolay			
Current Zoning:	RA-3 (Single-Family)	Context District	Urban Neighborhood (UNH)	
Request:	A 2' variance to allow a maximum fence height of 8', in lieu of the maximum height of six feet for residential fences and walls in rear yards specified by Figure 4.1-1 of the Land Development Code, to allow an eight-foot-high fence in the rear yard area approximately 13' from the north (street-side) property boundary, on property located at 905 Clearview Avenue.			

## 1.0 Background

The subject property, approximately 0.42 acres in area, consists of a corner parcel comprised of two platted lots of record which were recorded as part of the Hollingsworth Terrace subdivision. According to the Polk County Property Appraiser, the property contains an 1,873 square foot, one-story single-family residence built in 1950. The subject property is zoned RA-3 (Single-Family Residential) and is located within the Urban Neighborhood (UNH) context district.

## 2.0 Discussion

The applicant is requesting a 2' variance to allow a maximum fence height of 8 feet, in lieu of the maximum height of 6 feet for residential fences. The purpose of this request is to address an existing nonconforming fence located in the street side yard which was installed without a permit. The existing fence is located along the north side of property, approximately 13 feet from the street-side property line and extends 67 feet in length to the west (rear) property line.

The fence, which was constructed using wood planks with variable length ranging from six to 10 feet, is the subject of code enforcement violations related to height and permitting (LCE23-00380 and PER23-00379). The fence does not meet the uniform size requirements for wood fence units, as specified in Section 4.4.1 of the Land Development Code and exceeds the maximum height of six feet for residential fences. The evidence that is available suggests the fence was installed without a permit sometime between 2011 and 2019; however, staff is unable to determine whether the fence was in place prior to the applicant's purchase of the property in 2016.

The hardship suffered by the applicant is related to the topography of the land. The subject property naturally slopes to the west towards Lake Horney, with a grade differential of approximately 5 feet between the front (east) and rear (west) property lines. The back lanai of the home sits approximately 3 feet above grade and the in-ground swimming pool, and approximately 5 feet above the northwest corner of the property. The applicant is requesting a 2-foot variance to allow for an 8-foot high fence to retain privacy from neighboring residential lots to the north. To address the requirement that wood fences be comprised of uniform wood units, the applicants is willing to modify the fence by either cutting back boards or adding new boards such that the fence is uniformly eight feet in height.



### 3.0 Recommendation

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The hardship is related to the topography of the land and not the result of the applicant's own actions. The requested relief is reasonable and proportionate to the degree of hardship and approval of a variance would not be contrary to the public interest. Provided there are no substantive objections from adjoining property owners, staff recommends the variance be considered for approval subject to the following condition(s):

The existing wood fence shall be altered to substantially conform with the uniform size requirements of Section 4.4.1 of the Land Development Code such that the fence retains a uniform, even height of eight feet across the top of the fence. Existing fence boards greater than eight feet in length shall either be cut back or replaced with new boards not to exceed eight feet. Existing fence boards less than eight feet in length shall be replaced with new fence boards eight feet in length.



# Variance Application

## General Information:

<b>Project No:</b>	VAR23-024	<b>Application Date:</b>	6/29/2023		
<b>Project Name:</b>	O'TOOLE APARTMENTS_200 LAKE MORTON DR				
<b>Subject Property Address:</b>	200 LAKE MORTON DR				
<b>Parcel ID:</b>	242819218500001053				
<b>Applicant Name:</b>	THE LUNZ GROUP				
<b>Applicant Address:</b>	58 LAKE MORTON DR	LAKELAND	FL	33801	
<b>Owner Name:</b>	LAKE MORTON PLACE LLC				
<b>Owner Address:</b>	645 WHISPER WOODS DR	LAKELAND	FL	338135646	

## Request:

<b>Application Type:</b>	VARIANCE			
<b>Current</b>				
<b>Zoning:</b>	O-1 (Low Impact Office)	<b>Context:</b>	Urban Corridor (UCO)	
<b>Lot Dimensions:</b>	182.17' x 56.65' (See site plan for exact)	<b>Square Footage:</b>	10672	
<b>Present Use:</b>	Office			
<b>Explanation of Request:</b>	<p>Request a 3' setback variance from 5' rear setback requirement for accessory structure to result in a new rear setback of 2'.</p> <p>Request of a 4' height variance from 12'-6" max height requirement for accessory structure to result in a new max height of 16'-6" in order to match the slope of accessory structure roof to slope of primary building roof.</p>			
<b>Justification:</b>	<p>Requesting variance in effort to provide additional safe and private parking to residents of property.</p> <p>Requesting height variance in effort to match slope of proposed accessory structure roof to slope of existing primary building.</p> <p>Site is located in area surround be much larger commercial structures.</p>			

ACCESSORY STRUCTURE SETBACKS:

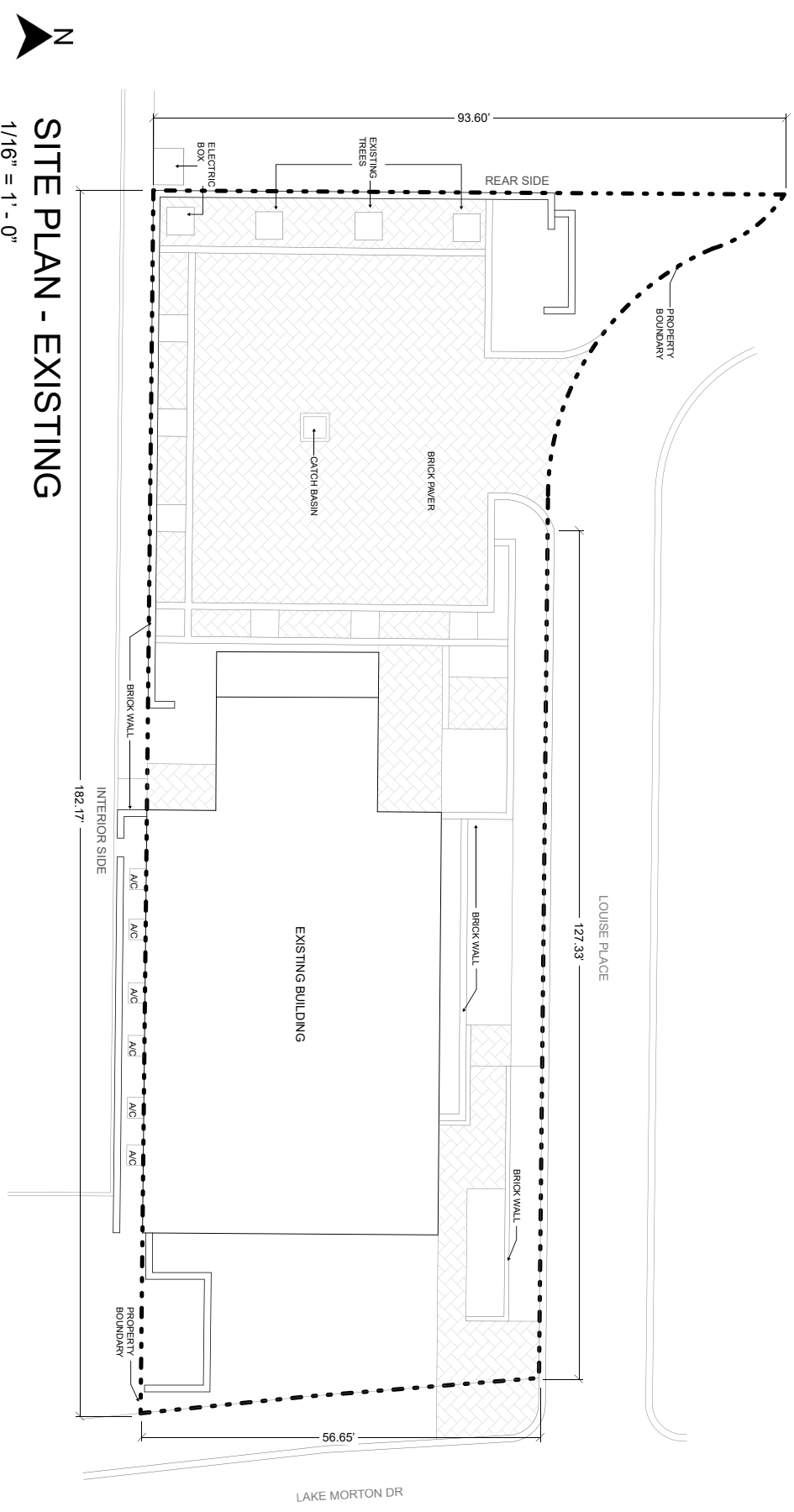
FRONT STREET SETBACK (LAKE MORTON DR)  
REQUIRED: 5'

LOCAL STREET (LOUISE PL) SETBACK  
REQUIRED: 5'

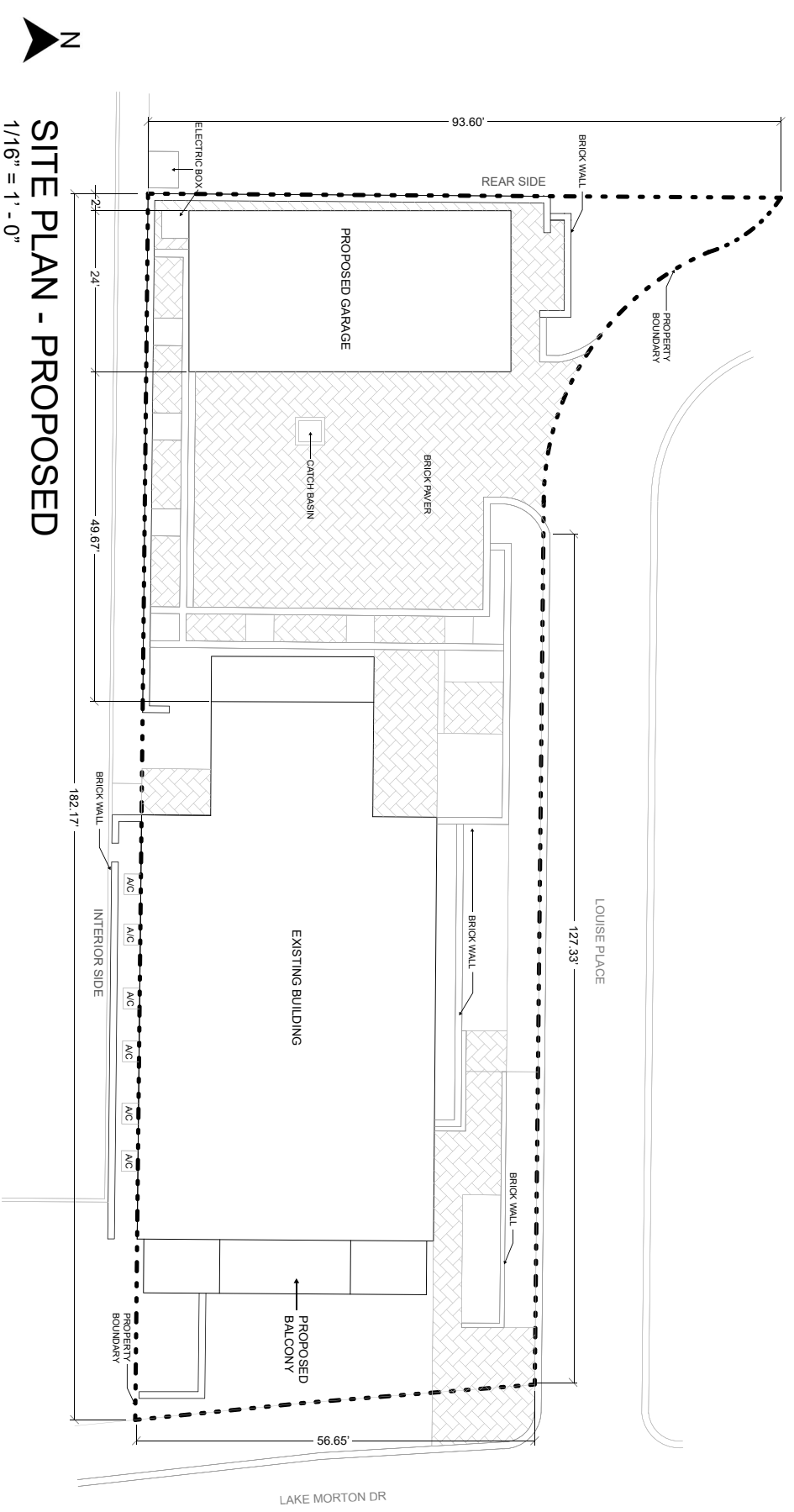
INTERIOR SIDE SETBACK MINIMUM REQUIRED: 5'

REAR SETBACK MINIMUM REQUIRED: 5'  
PROPOSED: 2'

MAX HEIGHT: 12.5'  
PROPOSED: 16.5'



**SITE PLAN - EXISTING**  
1/16" = 1' - 0"



**SITE PLAN - PROPOSED**  
1/16" = 1' - 0"



VAR23-024 200 Lake Morton Dr  
Parcel ID 242819218500001053



SPI





228 S MASSACHUSETTS AVE  
LAKELAND, FLORIDA 33801  
PLANNING@LAKELANDGOV.NET

RE: Variance Request - Project No. VAR23-024

Dear Property Owner:

This notice is to advise you that the Lunz Group requests a 3' variance to allow a rear setback of 2', in lieu of the 5' minimum setback specified by Table 4.3-4 of the Land Development Code, and a 4' variance to allow a maximum height of 16.5', in lieu of the maximum height of 12.5' for accessory structures specified by Table 4.3-4 of the Land Development Code, in order to construct a new detached garage on property located at 200 Lake Morton Drive. The subject property is legally described as:

TALLEY J R SUB PB 5 PG 40 20 PB 4 PG 76 BLK A LOTS 5 E1/2 & ALL 6. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

The public hearing to consider this request will be held before the Lakeland Zoning Board of Adjustments and Appeals at **9:00 a.m. on 8/1/2023** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property located in proximity to the subject property, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing. You may also submit your views to the Community & Economic Development Department by including your name, address, and the project number via email to [planning@lakelandgov.net](mailto:planning@lakelandgov.net), prior to the meeting date.

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# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	8/1/2023	Reviewer:	Todd Vargo	
Project No:	VAR23-024	Subject Property:	200 Lake Morton Drive	
Owner:	Lake Morton Place LLC			
Applicant:	The Lunz Group			
Current Zoning:	O-1 (Low Impact Office)	Context District	Urban Corridor (UCO)	
Request:	A 3' variance to allow a rear setback of 2', in lieu of the 5' minimum setback specified by Table 4.3-4 of the Land Development Code, and a 4' variance to allow a maximum height of 16.5', in lieu of the maximum height of 12.5' for accessory structures specified by Table 4.3-4 of the Land Development Code, in order to construct a new detached garage on property located at 200 Lake Morton Drive.			

## 1.0 Background

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The subject property, located on the west side of Lake Morton, is approximately 0.25 acres in area and currently improved with a 10,168 sq. ft., four-story office building which was constructed in 1984 according to the Polk County Property Appraiser. The subject property has an O-1 (Low Impact Office) zoning classification and a future land use designation of RH (Residential High). The applicant proposes to convert the structure from professional office uses to multi-family residential as allowed by the O-1 zoning. As part of this conversion, the developer is requesting variance approval to construct a new 48' x 24' (1152 sq ft) detached garage in the rear yard area to provide secure parking for the residents.

## 2.0 Discussion

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To accommodate the proposed garage, the applicant requests a 3-foot variance to allow a 2-foot setback from the rear (western) property line as well as a four-foot variance to allow a maximum roof height of 16.5 feet. The applicant's justification for the setback relief pertains to the relatively small size of the parcel and the needed to accommodate vehicle access and turning movements when entering and exiting the site from Louise Place. The justification for the height variance pertains to the steep 12/12 roof slope used on the existing office building which the detached garage is designed to match. The garage will accommodate a total of four vehicles with the doors face to the east, towards the existing building. Adjacent uses to the north, south and west consist of off-street parking lots or structured parking facilities.

## 3.0 Recommendation

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The amount of relief requested is proportionate to the degree of hardship resulting from the relatively small parcel size as well as the access constraints from Louise Place. The detached garage is compatible in terms of scale, massing and roof sloped with the existing office building. The requested relief is reasonable and proportionate to the degree of hardship and the minimum amount necessary to allow for development of the detached garage approval of a variance would not be contrary to the public interest. Provided that there are no substantive objections from adjacent property owners, staff recommends that the request be considered for approval.



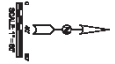
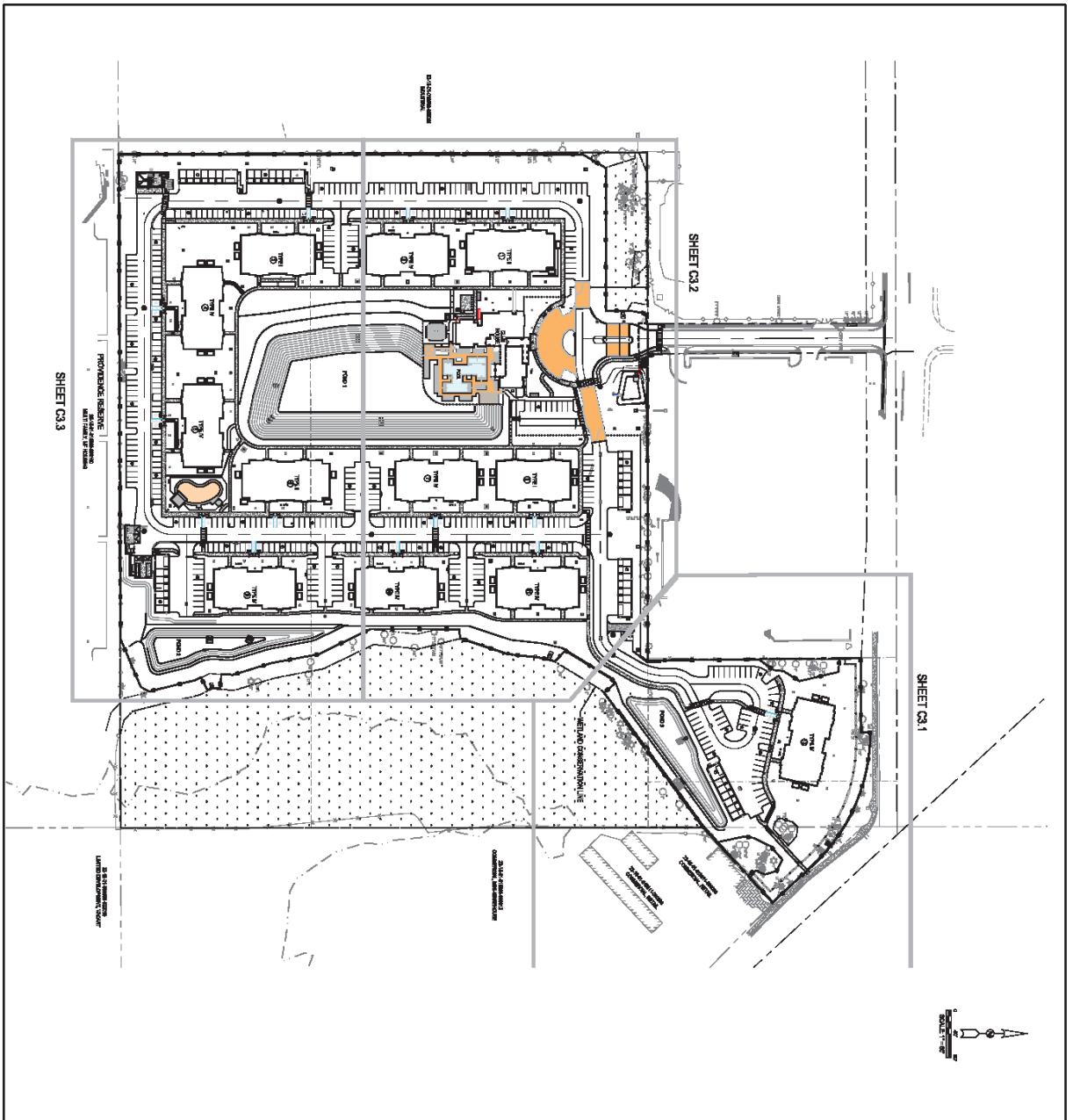
# Variance Application

## General Information:

<b>Project No:</b>	VAR23-025	<b>Application Date:</b>	6/30/2023		
<b>Project Name:</b>	LUXE AT LAKELAND_WALL HEIGHT				
<b>Subject Property Address:</b>	3000 PYRAMID PY				
<b>Parcel ID:</b>	232801016500000303				
<b>Applicant Name:</b>	DORVIDOR MANAGEMENT (PERMIT EXP)				
<b>Applicant Address:</b>	25 SE 2ND AVE #900	MIAMI	FL	33131	
<b>Owner Name:</b>	DORVIDOR MANAGEMENT (PERMIT EXP)				
<b>Owner Address:</b>	25 SE 2ND AVE #900	MIAMI	FL	33131	

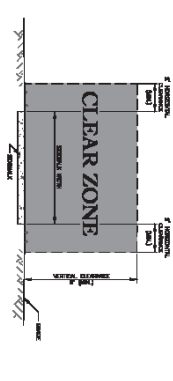
## Request:

<b>Application Type:</b>	VARIANCE			
<b>Current</b>				
<b>Zoning:</b>	LD (Limited Development, MF-22 (Multi Family))	<b>Context:</b>	Preservation, Conservation, Recreation (PCR) Urban Neighborhood (UNH)	
<b>Lot Dimensions:</b>	23 acres	<b>Square Footage:</b>	1100000	
<b>Present Use:</b>	MF-22			
<b>Explanation of Request:</b>	Wall Height Variance			
<b>Justification:</b>	Wall Height Variance at the NE corner of the property			



- GENERAL NOTES**
1. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
  2. ALL LOT BUILDINGS SHALL BE PER FOOT STANDARD PLANS INDEX #1-101.
  3. ALL SIDEWALKS SHALL BE PER FOOT STANDARD PLANS INDEX #1-101.
  4. ALL SIDEWALKS SHALL BE PER FOOT STANDARD PLANS INDEX #1-101.
  5. ALL SIDEWALKS SHALL BE PER FOOT STANDARD PLANS INDEX #1-101.
  6. ALL SIDEWALKS SHALL BE PER FOOT STANDARD PLANS INDEX #1-101.

- REVISIONS**
1. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
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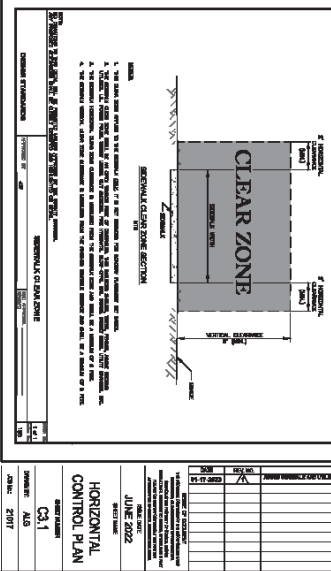
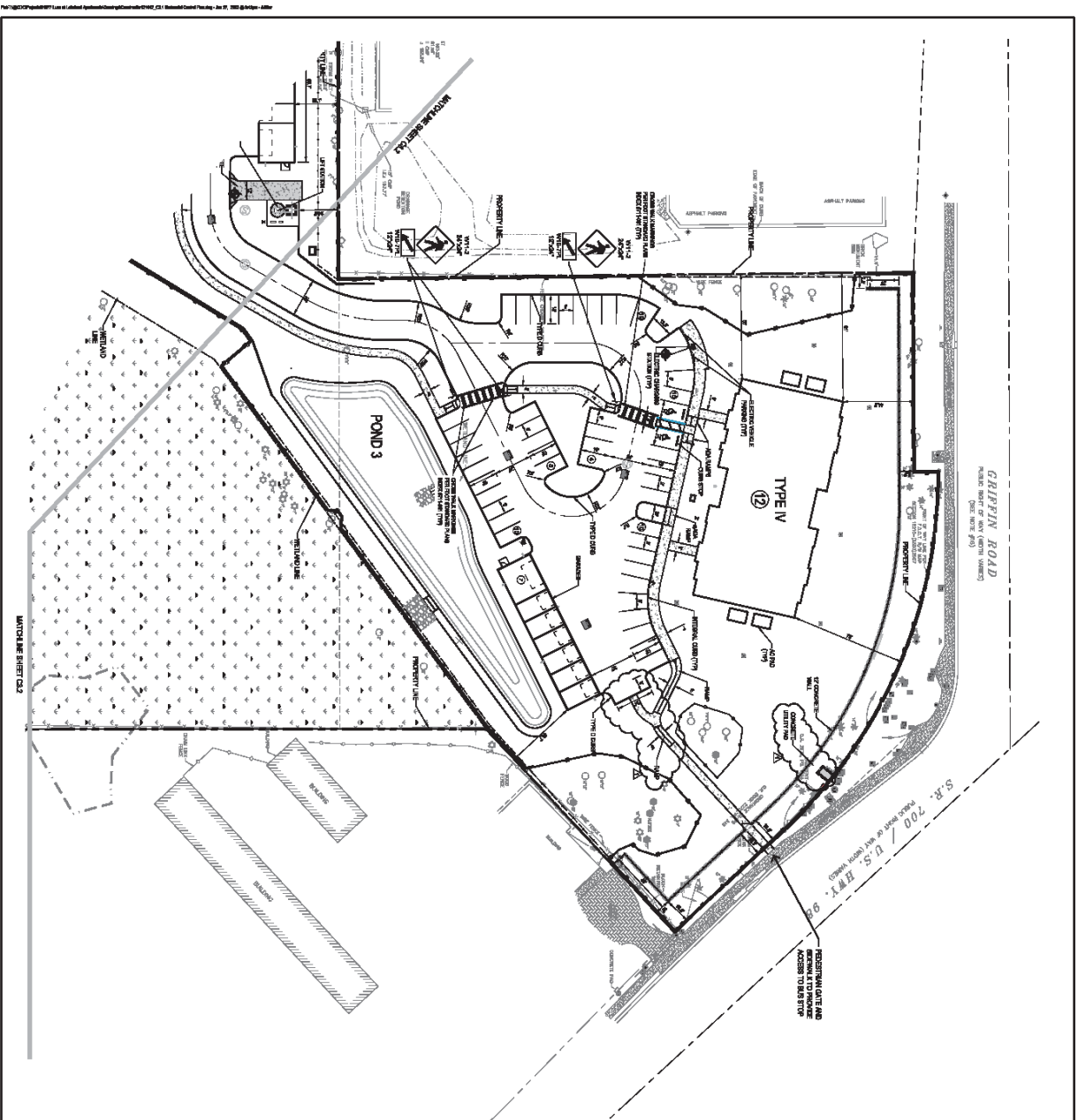
NO.	DATE	DESCRIPTION
1	01/15/22	ISSUED FOR PERMIT
2	01/15/22	ISSUED FOR PERMIT
3	01/15/22	ISSUED FOR PERMIT
4	01/15/22	ISSUED FOR PERMIT
5	01/15/22	ISSUED FOR PERMIT
6	01/15/22	ISSUED FOR PERMIT
7	01/15/22	ISSUED FOR PERMIT
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18	01/15/22	ISSUED FOR PERMIT
19	01/15/22	ISSUED FOR PERMIT
20	01/15/22	ISSUED FOR PERMIT

**COASTAL DESIGN CONSULTANTS**  
 PLANNING • ENGINEERING • CONSTRUCTION ADMINISTRATION  
 7024 LITTLE ROAD • BOY FORT BRIDGE, FLORIDA 34684  
 727-848-8010 • FAX 727-848-0050  
 CAD 00006876

**LUXE AT LAKELAND**  
 3000 PYRAMID PARKWAY, LAKELAND, FLORIDA

**HORIZONTAL CONTROL PLAN OVERALL**  
 SHEET C3.0  
 DATE: 2/17/22





- GENERAL NOTES**
1. ALL STOP SIGN WARNINGS SHALL BE 24" IN WIDTH, COLOR WHITE PER FOOT STANDARD PLANS INDEX #71-201.
  2. ALL STOP SIGN WARNINGS SHALL BE 24" IN WIDTH, COLOR WHITE PER FOOT STANDARD PLANS INDEX #71-201.
  3. ALL CROSSWALK SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
  4. ALL DETOURAL SIGNING AND HANDICAP SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
  5. ALL DETOURAL SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
- SIGNING/PAVING NOTES**
1. ALL INTERSECTION SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
  2. ALL INTERSECTION SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
  3. ALL INTERSECTION SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
  4. ALL INTERSECTION SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
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  6. ALL INTERSECTION SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
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  8. ALL INTERSECTION SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
  9. ALL INTERSECTION SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
  10. ALL INTERSECTION SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.

**GENERAL NOTES**

1. ALL STOP SIGN WARNINGS SHALL BE 24" IN WIDTH, COLOR WHITE PER FOOT STANDARD PLANS INDEX #71-201.
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4. ALL DETOURAL SIGNING AND HANDICAP SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.
5. ALL DETOURAL SIGNING SHALL BE PER FOOT STANDARD PLANS INDEX #71-201.

**COASTAL DESIGN CONSULTANTS**  
 PLANNING • ENGINEERING • CONSTRUCTION ADMINISTRATION  
 3000 PYRAMID PARKWAY, LAKELAND, FLORIDA 33803  
 733-248-8010 FAX 733-248-8020 CAP 02004674



**SUBJECT  
PROPERTY**

LUXE ON



VAR23-025 Luxe at Lakeland  
Parcel ID 232801016500000303





228 S MASSACHUSETTS AVE  
LAKELAND, FLORIDA 33801  
PLANNING@LAKELANDGOV.NET

RE: Variance Request - Project No. VAR23-025

Dear Property Owner:

This notice is to advise you that Spencer Bartram, Dorvidor Management, requests a 2' variance to allow a maximum wall height of 8', in lieu of the maximum height of six feet for residential fences and walls in street side yards specified by Figure 4.4.1 of the Land Development Code, to allow for the construction of an eight-foot high privacy wall in the northeast corner of property located at the southwest corner of U.S. Highway 98 North and Griffin Road (3000 Pyramid Parkway). The subject property is legally described as:

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1,  
TOWNSHIP 28 SOUTH, RANGE 23 EAST, LESS THE WEST 178 FEET AND LESS THE  
NORTH 424 FEET OF THE WEST 1038 FEET, POLK COUNTY, FLORIDA. (A COMPLETE  
LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC  
DEVELOPMENT DEPARTMENT.)

The public hearing to consider this request will be held before the Lakeland Zoning Board of Adjustments and Appeals at **9:00 a.m. on 8/1/2023** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property located in proximity to the subject property, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing. You may also submit your views to the Community & Economic Development Department by including your name, address, and the project number via email to [planning@lakelandgov.net](mailto:planning@lakelandgov.net), prior to the meeting date.

Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

PLEASE BE ADVISED in accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Greg James. Because providing a reasonable accommodation may require outside assistance, organizations, or resources, the City asks that any request be made with as much notice as possible, preferably 72 hours, but no later than 48 hours in advance of the event, at: (863) 834-6040, Email: [ADASpecialist@lakelandgov.net](mailto:ADASpecialist@lakelandgov.net). If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-(800) 955-8771 (TDD – Telecommunications Device for the Deaf) or the Florida Relay Service number: 1-(800) 955-8770 (VOICE), for assistance.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	8/1/2023	Reviewer:	Audrey McGuire
Project No:	VAR23-025	Subject Property:	3000 Pyramid Parkway
Owner:	Dorvidor Management		
Applicant:	Spencer Bartram, Dorvidor Management		
Current Zoning:	MF-22 (Multi-Family)/ LD (Limited Development)	Context District	Preservation, Conservation, Recreation (PCR)/ Urban Neighborhood (UNH)
Request:	A 2' variance to allow a maximum wall height of 8', in lieu of the maximum height of six feet for residential fences and walls in street side yards specified by Figure 4.4.1 of the Land Development Code, to allow for the construction of an eight-foot high privacy wall in the northeast corner of property located at the southwest corner of U.S. Highway 98 North and Griffin Road (3000 Pyramid Parkway).		

## 1.0 Background

The subject property, located at the southwest corner of U.S. Highway 98 North and Griffin Road, is approximately 26 acres in area with an MF-22 (Multi-Family Residential) zoning classification and Residential High (RH) future land use designation. The applicant recently received site plan approval for a 288-unit multi-family project and is seeking variance approval to construct an eight-foot-high wall adjacent to the U.S. Highway 98 North/Griffin Road intersection.

## 2.0 Discussion

The purpose of this request is to obtain variance relief to allow for the construction of an eight-foot- high precast wall along the street side property boundary adjacent to the U.S. Highway 98 North/Griffin Rd intersection. Section 4.4.3, Figure 4.4.1, of the Land Development Code specifies a maximum height of six feet for fences and walls. The proposed wall will run for a total distance of approximately 490 feet. To soften the visual appearance of the proposed wall, the applicant has agreed incorporate four 20-foot-long sections of decorative aluminum fencing at regularly spaced intervals. Where appropriate, these sections will also contain a gate to provide access for non-motorists.

When evaluating fence height variances, staff determines if there are unique features related to the land itself or external factors that would justify granting variance relief. Such features include a change in grade on the property itself or a change in elevation when compared to adjacent properties. In this case, the primary justification for the request is the proximity of the development to the U.S. Highway 98 North/Griffin Road intersection, which generates a substantial amount of noise and will infringe on the privacy of residents in the proposed 288-unit multi-family project. The parcel is not symmetrical, and a portion of the proposed apartment complex consists of a 24-unit building which will be directly adjacent to the intersection. U.S. Highway 98 North, which carries over 33,000 daily trips, is classified as a principal arterial roadway by the Polk County Roadway Network Database. Griffin Road is classified as an urban collector with an estimated 14,900 daily trips. These factors combined make the intersection one the busiest in the City. In addition, traffic accident data suggests that it is also one of most dangerous intersections in the City. The proposed wall height is therefore needed for privacy, security and as a buffer from the constant traffic and noise.

### 3.0 Recommendation

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The requested relief is reasonable and proportionate to the degree of hardship suffered by the applicant and approval would not be contrary to the public interest. Provided there are no substantive objections from adjacent property owners, staff recommends that the request for variance relief be considered for approval subject to the following condition(s):

The massing of the eight-foot-high wall shall be visually broken up through the incorporation of four 20-foot-long sections of eight-foot-high decorative metal fencing placed at regularly intervals along the wall. The metal fencing section may contain ADA compliant gates to provide access to pedestrians and non-motorized vehicles.



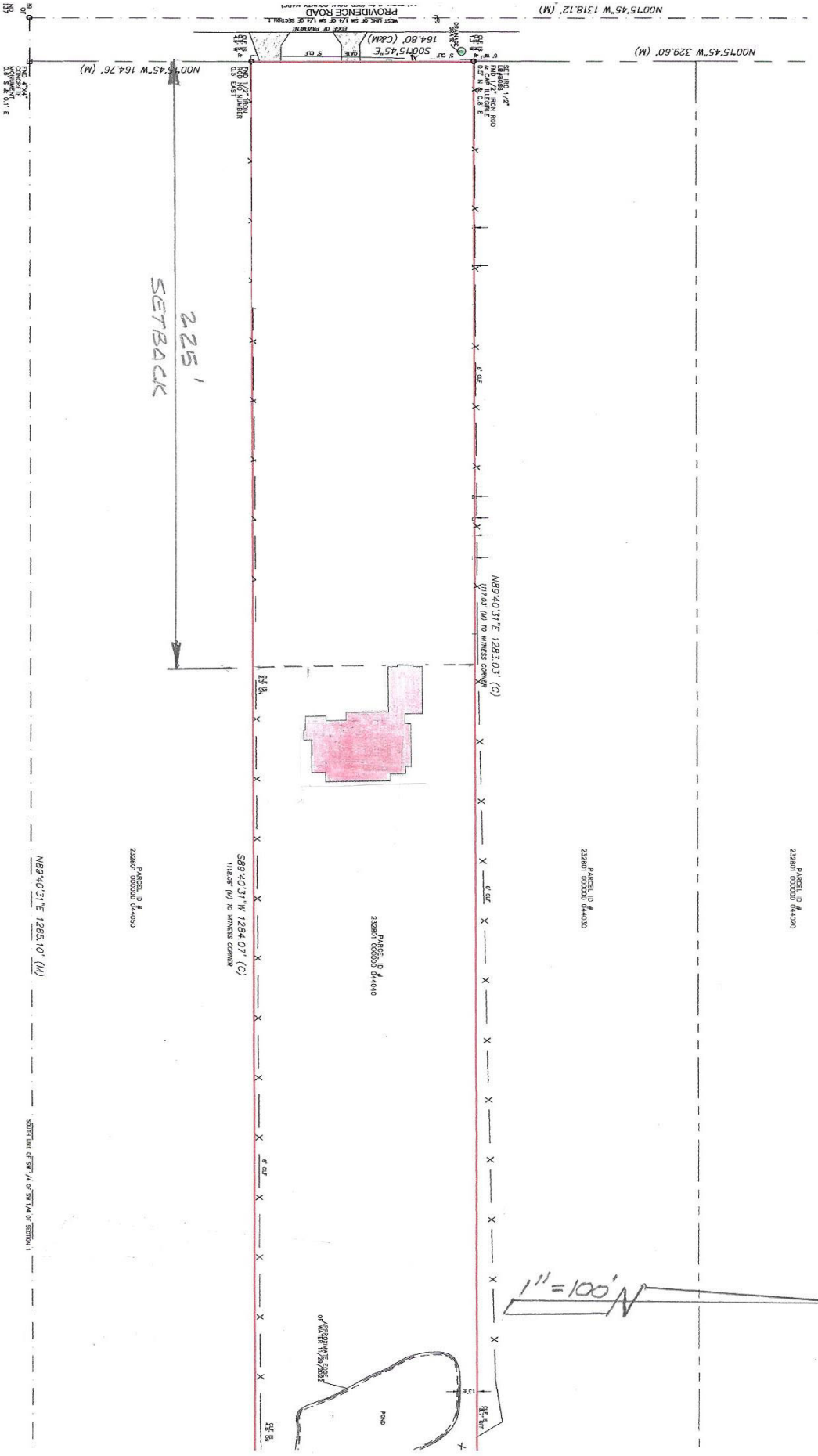
# Variance Application

## General Information:

<b>Project No:</b>	VAR23-026	<b>Application Date:</b>	7/4/2023		
<b>Project Name:</b>	1825 PROVIDENCE RD_FRONT SETBACK				
<b>Subject Property Address:</b>	1825 PROVIDENCE RD				
<b>Parcel ID:</b>	232801000000044040				
<b>Applicant Name:</b>	PRESTON CHATMON				
<b>Applicant Address:</b>	3969 SPRUCE CREEK DR	LAKELAND	FL	33811	
<b>Owner Name:</b>	DICKENS KARY W JR				
<b>Owner Address:</b>	1943 DEEP CREEK DR	LAKELAND	FL	338100655	

## Request:

<b>Application Type:</b>	VARIANCE			
<b>Current</b>				
<b>Zoning:</b>	RA-4 (Single Family)	<b>Context:</b>	Urban Neighborhood (UNH)	
<b>Lot Dimensions:</b>	165x1284.07	<b>Square Footage:</b>	211000	
<b>Present Use:</b>	The property if vacant and not being used			
<b>Explanation of Request:</b>	I am requesting a front yard setback of 190 feet			
<b>Justification:</b>	<p>The opportunity to live on a parcel in the area where I was raised presented itself and I've taken all the necessary precautions as well as followed instructions to have the existing structures demolished prior to completing this variance application.</p> <p>Working in law enforcement in the City of Lakeland sometimes poses a safety risk for not only me but my wife and child. Living in standard subdivisions is not feasible for adequate protection and safety; on more than one occasion I have had encounters with people that I have taken some type of law enforcement action against whilst off duty at my home. Being allowed to build our home further from the roadway coupled with continuing the concrete privacy fence from my next door neighbor would drastically aid in my continued efforts to keep my family safe.</p> <p>The request for the proposed lot split or being allowed to build a slightly larger ADU comes from me being assigned as my mothers caregiver. She has had multiple health issues (including a stroke); providing a safe home large enough for her to reside in allows her to keep her independence but also allowing me to be possibly seconds from my ailing parent.</p>			

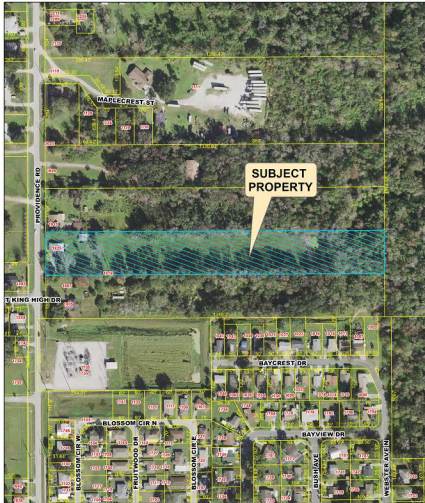


**Notes:**  
 not abstracted the land shown hereon for easements, right of record which may affect the title or use of the land. There are no public records of this county. Improvements have been located except as shown. The survey was conducted on the east side of 100 feet wide Providence Road, Section 1, Township 28 South, Range 23 East, Polk County, Florida. Contact your local F.P.M.A. member for confirmation.



I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.  
 GALEN K. BELL  
 CERT. F. 047 E  
 No. 4224  
 GALEN K. BELL  
 No. 4224  
 GALEN K. BELL  
 No. 4224

**Legal Description:**  
 The North 1/2 of the South 1/4 of the Southwest 1/4 of the Southwest 1/4 LESS the West 33 feet, Section 1, Township 28 South, Range 23 East, Polk County, Florida.



VAR23-026 1826 Providence Rd  
Parcel ID 232801000000044040







228 S MASSACHUSETTS AVE  
LAKELAND, FLORIDA 33801  
PLANNING@LAKELANDGOV.NET

RE: Variance Request - Project No. VAR23-026

Dear Property Owner:

This notice is to advise you that Preston Chatmon requests a 190' variance to allow a front yard setback of 225 feet, in lieu of the maximum front yard setback of 35 feet specified by Table 3.4-1 of the Land Development Code, to allow for the construction of a new single-family home on property located at 1825 Providence Road. The subject property is legally described as:

N1/2 OF S1/4 OF SW1/4 OF SW1/4 LESS W 33 FT FOR RD R/W. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

The public hearing to consider this request will be held before the Lakeland Zoning Board of Adjustments and Appeals at **9:00 a.m. on 8/1/2023** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property located in proximity to the subject property, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing. You may also submit your views to the Community & Economic Development Department by including your name, address, and the project number via email to [planning@lakelandgov.net](mailto:planning@lakelandgov.net), prior to the meeting date.

Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

PLEASE BE ADVISED in accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Greg James. Because providing a reasonable accommodation may require outside assistance, organizations, or resources, the City asks that any request be made with as much notice as possible, preferably 72 hours, but no later than 48 hours in advance of the event, at: (863) 834-6040, Email: [ADASpecialist@lakelandgov.net](mailto:ADASpecialist@lakelandgov.net). If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-(800) 955-8771 (TDD – Telecommunications Device for the Deaf) or the Florida Relay Service number: 1-(800) 955-8770 (VOICE), for assistance.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	8/1/2023	Reviewer:	Damaris Stull	
Project No:	VAR23-026	Subject Property:	1825 Providence Road	
Owner:	Kary W. Dickens Jr			
Applicant:	Preston Chatmon			
Current Zoning:	RA-4 (Single-Family)	Context District	Urban Neighborhood (UNH)	
Request:	A 190' variance to allow a front yard setback of 225 feet, in lieu of the maximum front yard setback of 35 feet specified by Table 3.4-1 of the Land Development Code, to allow for the construction of a new single-family home on property located at 1825 Providence Road.			

## 1.0 Background

The subject property, approximately 4.85 acres in area, consists of a 165.9' x 1319.2' parcel located on the east side of Providence Road. The subject property has an RA-4 (Single-Family Residential) zoning classification and is located within the Urban Neighborhood (UNH) Context district. In June 2023, a demolition permit was issued to raze an existing 2,060 sq. ft. single-family dwelling located on the subject property.

## 2.0 Discussion

The applicant requests a 190' variance to allow for the construction of a single-family home with a front yard setback of 225' from Providence Road. Providence Road is classified as a collector roadway and has a posted speed limit of 35 MPH. Pursuant to Table 3.4-1 of the Land Development Code, the maximum front yard setback within the RA-4/UNH context sub-district when adjacent to a collector roadway is 35 feet.

The applicant's justification for the request pertains to a need for privacy and the large lot, rural development pattern associated with the subject property and adjacent parcels located along Providence Road. Providence Road is classified by Polk County's Roadway Network Database as a two-lane Urban Collector roadway carrying over 7,700 daily trips. The setback relief request will provide a greater degree of privacy and reduce noise from vehicle traffic along the roadway. As a secondary justification, the applicant is employed in law enforcement and the setback relief being request would provide for a greater degree or protection and security.

In the immediate vicinity of Providence Road there are a series of large single-family lots with variable front setbacks. The requested front setback relief mirrors that of an existing home located on the opposite of Providence Road. In order to meet public safety requirements, a stabilized driveway at least 10-feet in width will be required to accommodate emergency vehicles. There is adequate depth to safely accommodate the applicant's request. All other setback and Land Development Code requirements will be maintained.

## 3.0 Recommendation

The requested relief is reasonable and proportionate to the degree of hardship associated with the large parcel size and the rural development pattern of properties long Kathleen Road. Approval of this request would not be contrary to the public interest, as impacts on adjacent property owners would be minimal. Provided that there are no substantive objections from adjacent property owners, staff recommends that the variance be considered for approval.



# Variance Application

## General Information:

<b>Project No:</b>	VAR23-027	<b>Application Date:</b>	7/5/2023		
<b>Project Name:</b>	837 MEADOWLARK DR REAR YARD SETBACK				
<b>Subject Property Address:</b>	837 MEADOWLARK DR				
<b>Parcel ID:</b>	242719161368000380				
<b>Applicant Name:</b>	CROSSROADS CONST OF CENT FL				
<b>Applicant Address:</b>	6001 SANDPIPERS DR	LAKELAND	FL	33809	
<b>Owner Name:</b>	VONDERFECHT TIMOTHY R				
<b>Owner Address:</b>	5926 GROUSE DR	LAKELAND	FL	338097312	

## Request:

<b>Application Type:</b>	VARIANCE				
<b>Current</b>					
<b>Zoning:</b>	PUD 5705 (Planned Unit Development)	<b>Context:</b>	Suburban Neighborhood (SNH)		
<b>Lot Dimensions:</b>	71 X 64	<b>Square Footage:</b>	2528		
<b>Present Use:</b>	SINGLE FAMILY NEW CONSTRUCTION				
<b>Explanation of Request:</b>	10' VARIANCE TO ALLOW A 5' REAR YARD SETBACK, IN LIEU OF THE 15' MINIMUM REAR YARD SETBACK SPECIFIED BY THE PUD ZONING FOR SANDPIPER GOLF & COUNTRY CLUB (Ordinance 3563, as amended) IN ORDER TO CONSTRUCT A 10' X 38' SCREEN ROOM WITH HARD ROOF				
<b>Justification:</b>	THIS WILL PROTECT THE HOME FROM ERRANT GOLF BALLS.				

# PLOT PLAN

## (THIS IS NOT A SURVEY)

### Description:

Lot 38, SANDPIPER GOLF & COUNTRY CLUB  
2019, as recorded in Plat Book 181, Page 46,  
Public Records of Polk County, Florida.

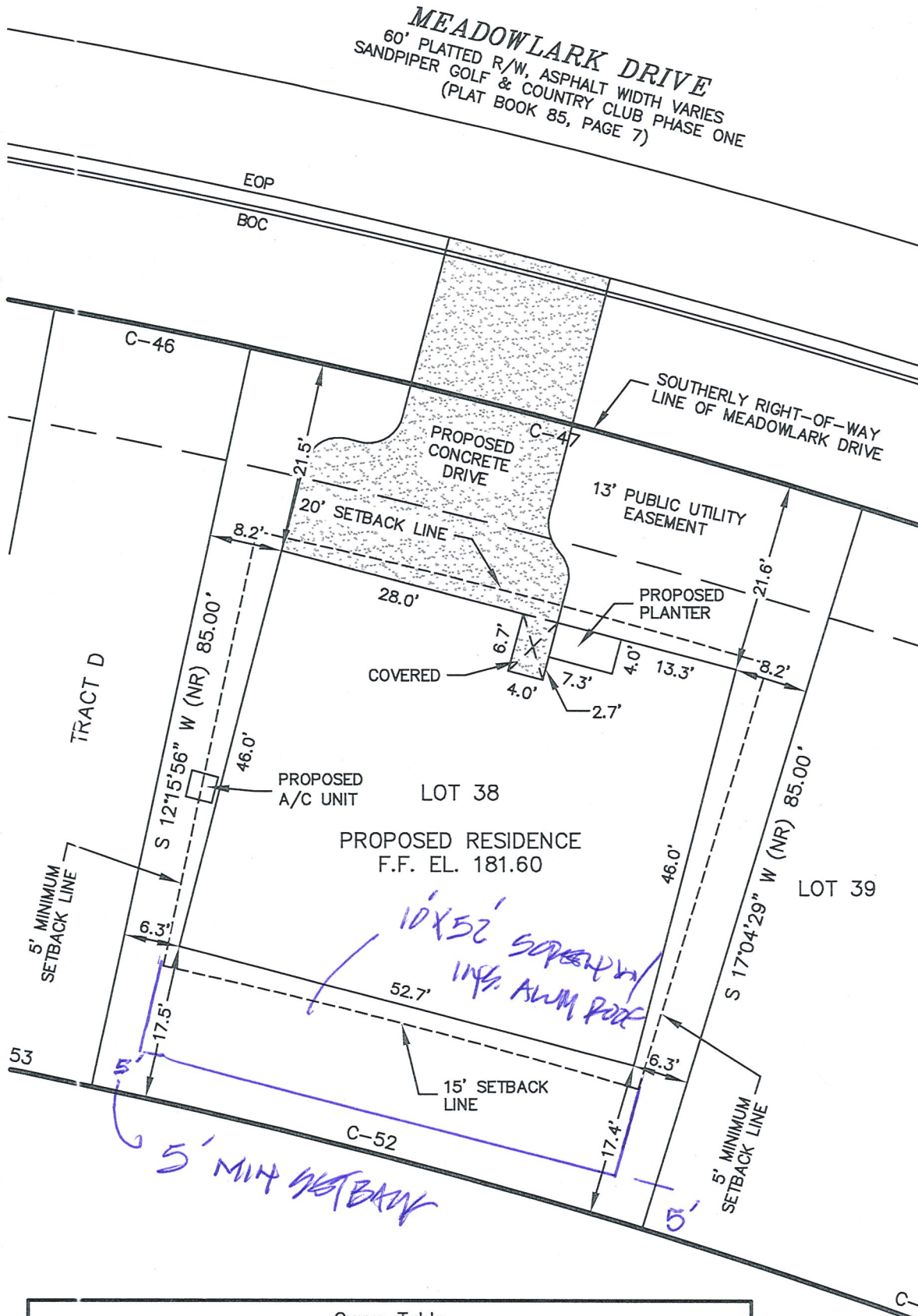
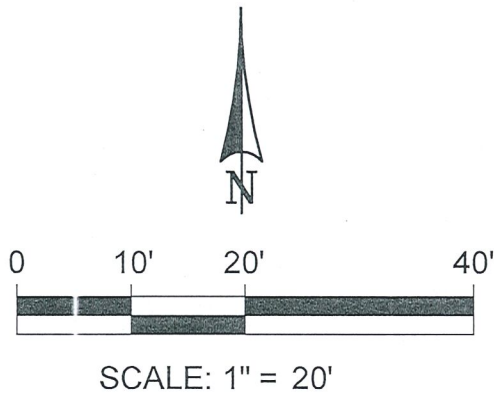
Owner: D Course Development LLC  
Physical Address: 837 Meadowlark Drive

### Survey Legend:

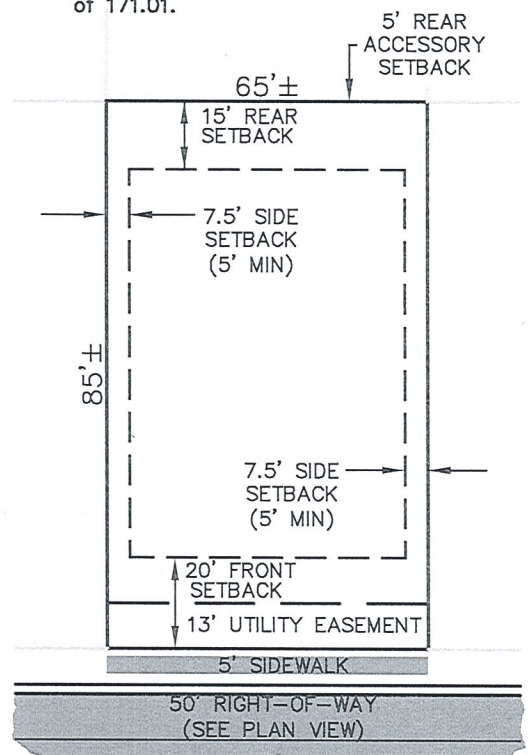
P.S.M.	PROFESSIONAL SURVEYOR & MAPPER
LB	LICENSED BUSINESS
FF	PROPOSED FINISHED FLOOR
CONC	PROPOSED CONCRETE
EL/ELEV	ELEVATION
EOP	EDGE OF PAVEMENT
BOC	BACK OF CURB

### Notes:

1. This is not a boundary survey as defined in Florida Administrative Code 5J-17.052.
2. Not valid without the original signature and seal of a Florida licensed Surveyor and Mapper unless affixed with a digital signature and seal. If digitally sealed, the seal appearing on this document was authorized by Danny R. Gann, P.S.M. on the date depicted on the accompanying digital signature.
3. The purpose of this plot plan is to show setback lines and proposed house in relation to platted lot lines. This plot plan is intended for permitting purposes only.
4. Any coordinates obtained from this plot plan or the associated AutoCAD drawing files are assumed unless otherwise noted.
5. Property shown hereon appears to be located in Flood Zone "X", per Flood Insurance Rate Map No. 12105C0302 G, dated 12/22/2016. There may be map amendments or revisions that were filed after the effective date of the map that were not found or provided. This surveyor makes no guarantees as to the accuracy of the above information. Local Federal Emergency Management Agency should be contacted for verification.
6. Foundation Models shown hereon were provided by email from Crossroads Construction, dated 05/31/2021.
7. Setback lines as shown hereon were provided on sheet C201 (Lot Layout) of the construction plans prepared by Kimley-Horn, dated 02/18/2020. (SEE BELOW)
8. Finished Floor elevation as shown hereon was provided on sheet C303 (Paving Grading and Drainage Plan) of the construction plans prepared by Kimley-Horn, dated 02/18/2020.
9. Vertical information shown hereon is referenced to NAVD 88 (North American Vertical Datum of 1988) and was based on National Geodetic Survey benchmark "G 743" being a standard 4"x4" concrete monument with survey disk stamped "G 743 2010", having a published elevation of 171.01.



Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C-47	845.00'	70.91'	004°48'30"	N 75°27'41" W	70.89'
C-52	760.00'	63.78'	004°48'29"	N 75°28'34" W	63.76'



**Sandpiper Golf &  
Country Club 2019**  
Plot Plan - Lot 38

SHEET 1 of 1    JOB NO. 3750    DATE 06/01/2022

CREW CHIEF \_\_\_\_\_ FIELD DATE \_\_\_\_\_ DRAWN BY LSS

I, THE UNDERSIGNED AS REPRESENTATIVE OF RAPID SURVEYING, INC., HEREBY CERTIFIES THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS OR EXCEEDS THE STANDARDS OF PRACTICE FOR SURVEYS SET FORTH BY CHAPTER 5J-17, OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

# Review 1

DANNY R. GANN, P.S.M. NO. 6188    STATE OF FLORIDA    DATE

## Rapid Surveying, Inc.

214 Lake Harris Drive  
Lakeland, Florida 33813

PROFESSIONAL SURVEYORS & MAPPERS  
LICENSED BUSINESS L.B. #7568  
EMAIL: RSI@RAPIDSURVEYING.NET  
PHONE (863)668-9124 FAX (863) 668-9091



**SUBJECT  
PROPERTY**

**MEADOWLARK DR**



VAR23-027 837 Meadowlark Dr  
Parcel ID 242719161368000380





228 S MASSACHUSETTS AVE  
LAKELAND, FLORIDA 33801  
PLANNING@LAKELANDGOV.NET

RE: Variance Request - Project No. VAR23-027

Dear Property Owner:

This notice is to advise you that David Tavlin, Crossroads Construction of Central Florida, requests a 10' variance to allow a 5' rear yard setback, in lieu of the 15' minimum rear yard setback specified by the PUD (Planned Unit Development) zoning for Sandpiper Golf and Country Club in order to construct a screen room with a hard roof on property located at 837 Meadowlark Drive. The subject property is legally described as:

Lot 38, Sandpiper Golf and Country Club 2019, as recorded in plat Book 181, Page 46  
Public records of Polk County. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN  
THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

The public hearing to consider this request will be held before the Lakeland Zoning Board of Adjustments and Appeals at **9:00 a.m. on 8/1/2023** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property located in proximity to the subject property, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing. You may also submit your views to the Community & Economic Development Department by including your name, address, and the project number via email to [planning@lakelandgov.net](mailto:planning@lakelandgov.net), prior to the meeting date.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	8/1/2023	Reviewer:	Audrey McGuire	
Project No:	VAR23-027	Subject Property:	837 Meadowlark Drive	
Owner:	Timothy R. Vonderfecht			
Applicant:	David Tavlin, Crossroads Construction of Central Florida			
Current Zoning:	PUD (Planned Unit Development) 5705	Context District	Suburban Neighborhood (SNH)	
Request:	A 10' variance to allow a 5' rear yard setback, in lieu of the 15' minimum rear yard setback specified by the PUD zoning for Sandpiper Golf and Country Club, in order to construct a 10' x 38' screen room with hard roof.			

## 1.0 Background

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The subject property consists of 0.13 acres and measures approximately 71 feet wide by 85 feet deep. The subject property is zoned PUD (Planned Unit Development) and is located within the Suburban Neighborhood (SNH) context district.

## 2.0 Discussion

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David Tavlin, Crossroads Construction of Central Florida, on behalf of Timothy Vonderfecht, requests relief from the required rear setback requirements to construct a hard-roofed screen room at the rear of a new single-family home. The Planned Unit Development requires a minimum 15-foot rear yard setback. The subject property is adjacent to the green for the first hole of the Sandpiper Golf Course and the proposed screen room will provide protection to the home from stray golf balls.

There is precedence for the construction of hard-roofed screen rooms at the rear of single-family residences abutting the golf course as similar variances have been approved throughout the Sandpiper development. Additionally, the Board approved a similar case for 813 Meadowlark Drive (VAR23-022) at the July 2023 meeting.

The hardship suffered by the applicant is related to the proximity of the subject property to the green for the 1st hole on the Sandpiper Golf Course.

## 3.0 Recommendation

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The hardship suffered is related to the proximity of the subject property to the golf course. There requested relief would not be contrary to the public interest as variance relief has been granted for similar circumstances throughout the Sandpiper development.

The requested relief is reasonable and proportionate to the degree of hardship suffered by the applicant and the minimal amount necessary to allow for maintenance of the home adjacent to the golf course. Due to the minimal impact on adjacent properties, staff recommends the requested variance be considered for approval.



# Variance Application

## General Information:

<b>Project No:</b>	VAR23-028	<b>Application Date:</b>	7/5/2023		
<b>Project Name:</b>	519 N STELLA AV_POOL SETBACK				
<b>Subject Property Address:</b>	519 N STELLA AV				
<b>Parcel ID:</b>	242818199000002071				
<b>Applicant Name:</b>	FREDERICK KOEHLER				
<b>Applicant Address:</b>	504 EAST BAY STREET	LAKELAND	FL	33801	
<b>Owner Name:</b>	FREDERICK KOEHLER				
<b>Owner Address:</b>	504 EAST BAY STREET	LAKELAND	FL	33801	

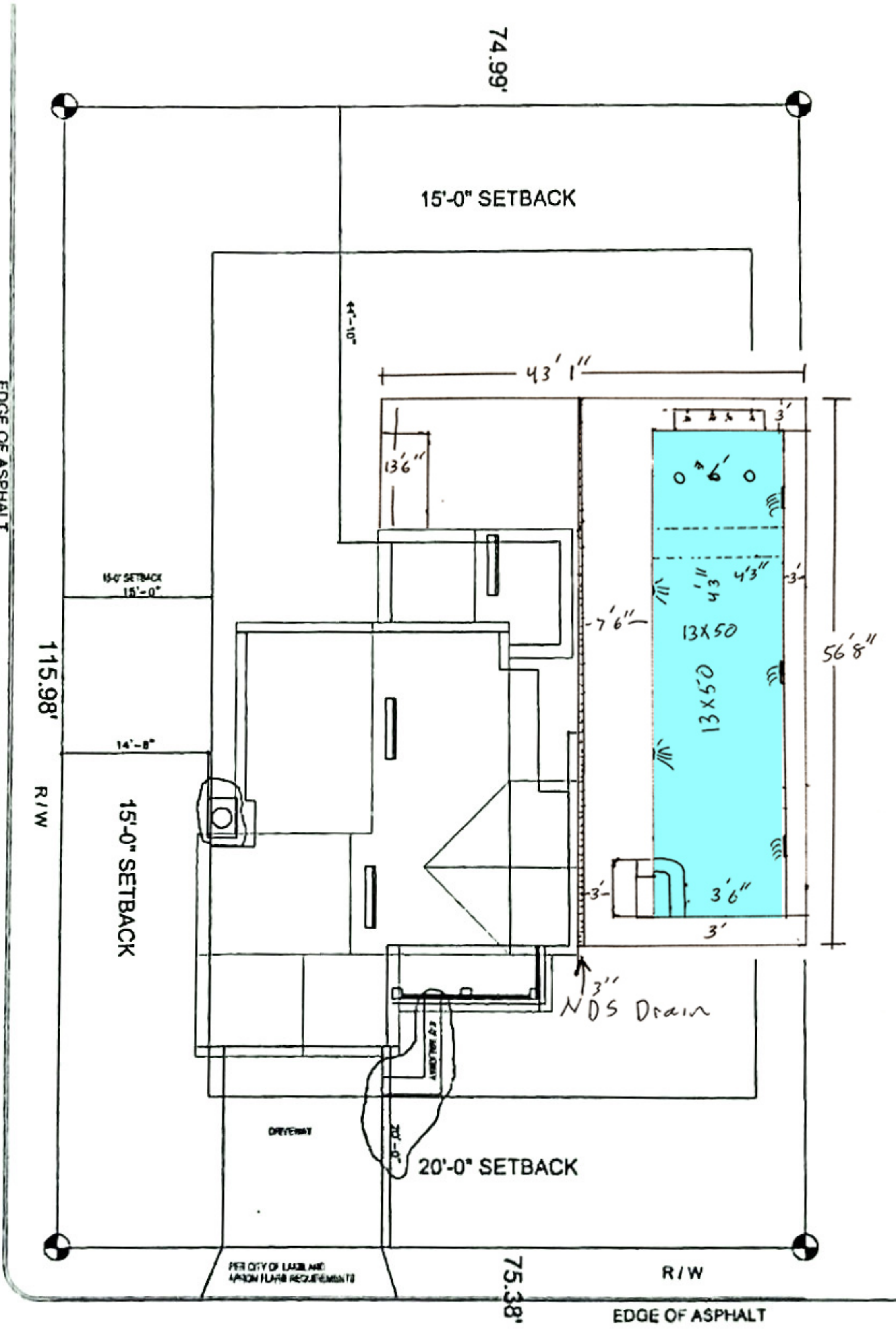
## Request:

<b>Application Type:</b>	VARIANCE			
<b>Current</b>				
<b>Zoning:</b>	RA-4 (Single Family)	<b>Context:</b>	Urban Neighborhood (UNH)	
<b>Lot Dimensions:</b>	115.98' x 75.38'	<b>Square Footage:</b>	2340	
<b>Present Use:</b>	Yard			
<b>Explanation of Request:</b>	Seeking 2 feet of setback in side yard to change 5 foot setback to 3 feet			
<b>Justification:</b>				

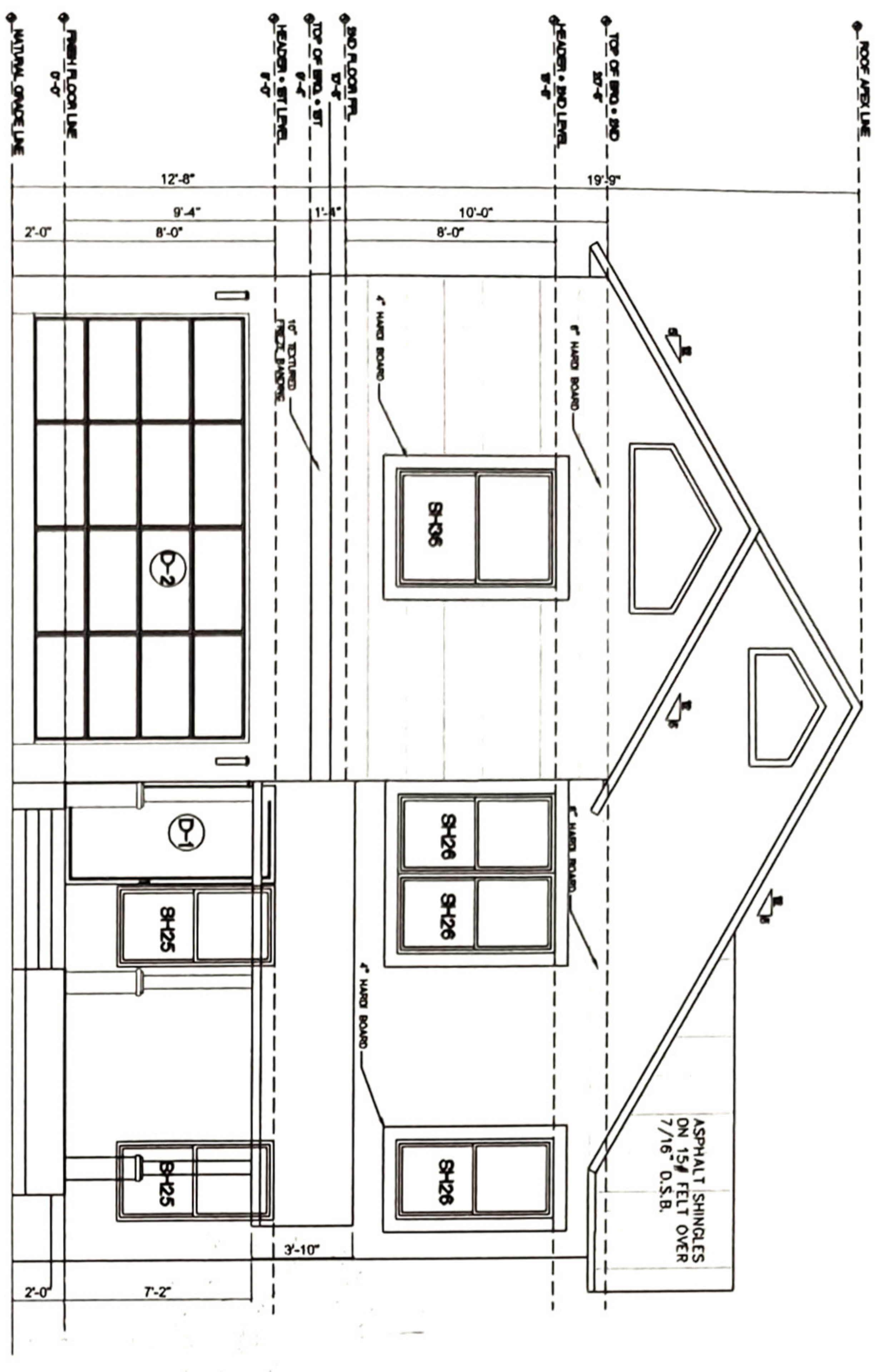


SITE PLACEMENT PLAN  
SCALE: NTS

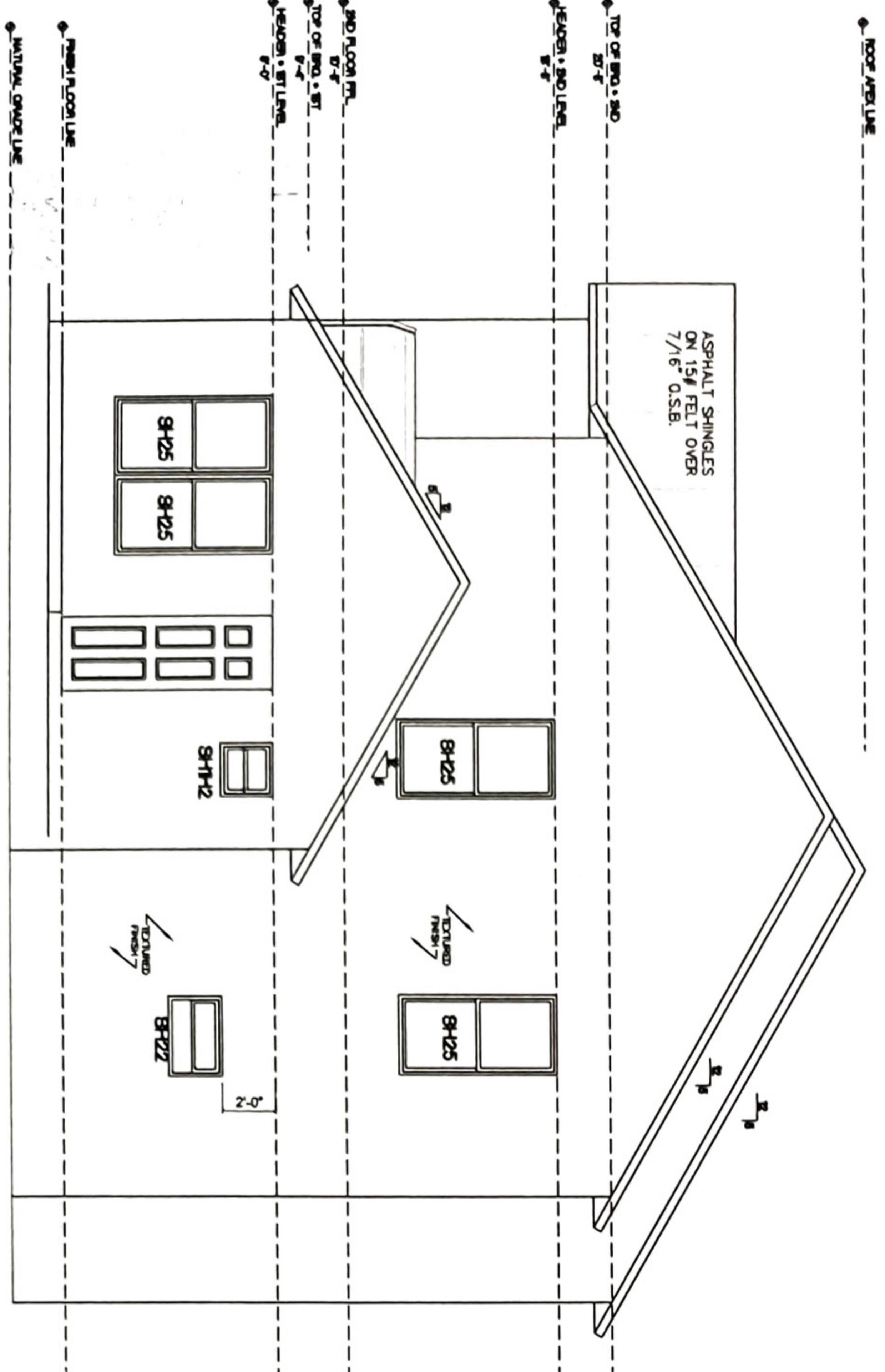
MAGNOLIA  
EDGE OF ASPHALT



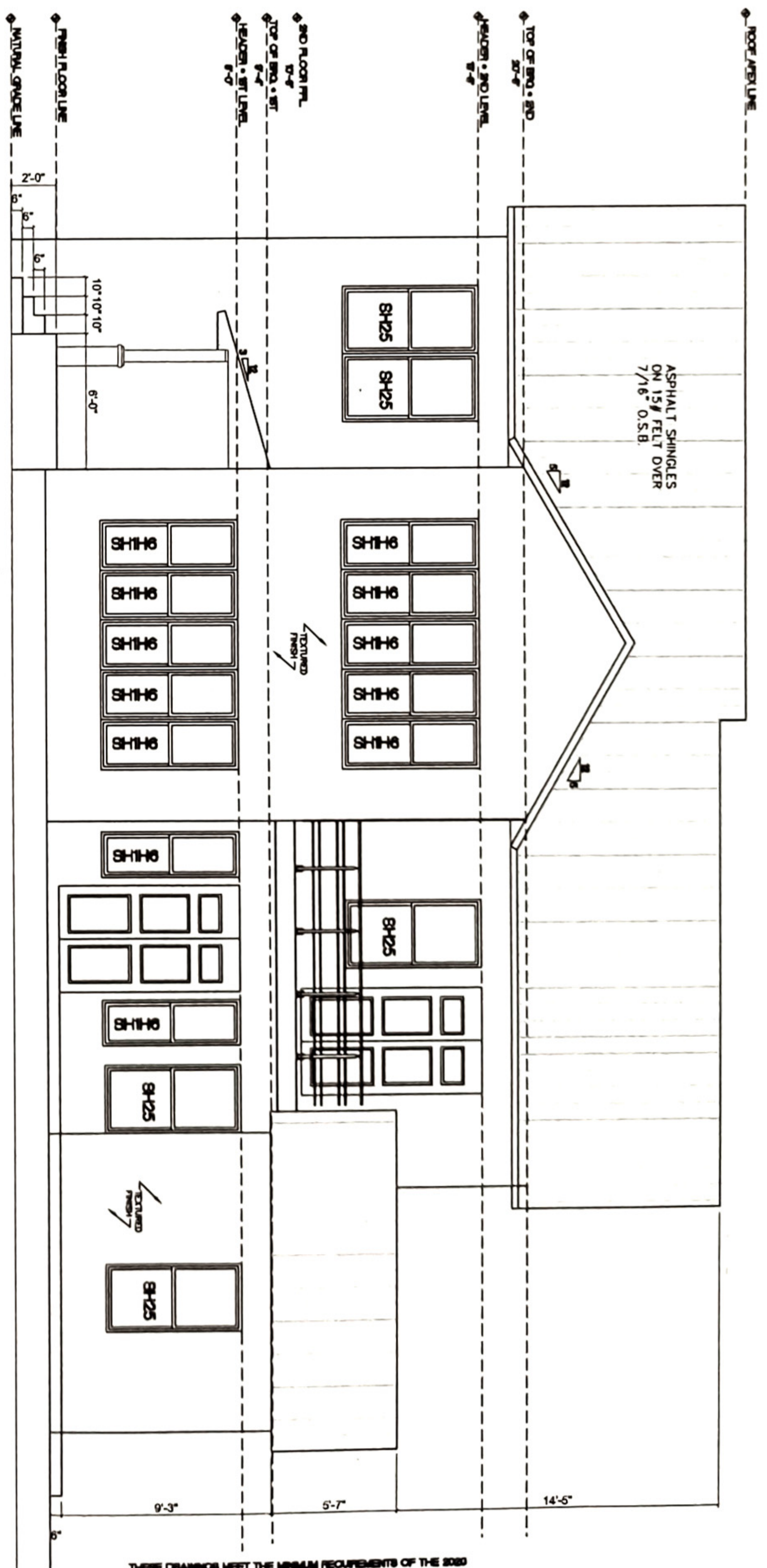
NORTH STELLA AVENUE



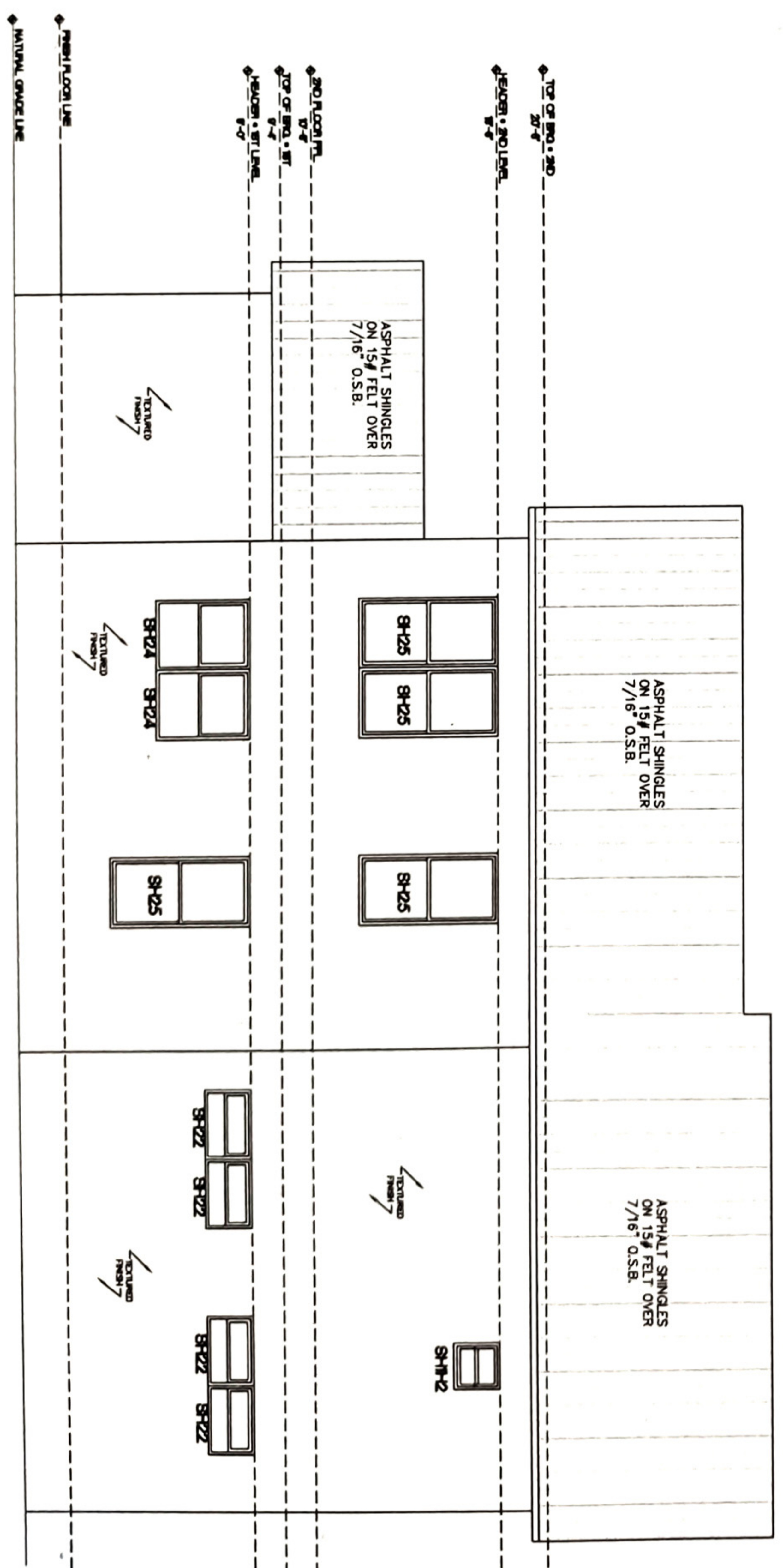
1 FRONT ELEVATION  
A-4 SCALE



1 REAR ELEVATION  
A-6 SCALE



1 SOUTH ELEVATION  
A-5 SCALE



1 ROAD SIDE ELEVATION  
A-7 SCALE

THESE CHANGES MEET THE MINIMUM REQUIREMENTS OF THE 2008 FLORIDA BUILDING CODE 7TH EDITION. THEY ARE FOR STRUCTURAL DESIGN ONLY + VALID FOR 12 MONTHS FROM THE SIGNED DATE.

This item has been electronically signed and sealed by Award Engineering, using a Digital Signature and date. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

PROJECT NO.	010121
DATE:	08/14/13
DRAWN BY:	NA
CHECKED BY:	AS

NUERA CONSTRUCTION, LLC  
KHOELER SINGLE FAMILY RESIDENCE  
519 NORTH STELLA AVENUE LAKELAND FLORIDA 33801

DN - civil, steelwork,  
HVAC, plumbing,  
or - Hovhannes P.  
Mouradian, P.E.  
Hovhannes P.  
Mouradian  
m.p.mouradian@awardeng.com  
Date: 2022.02.28  
08:44:35 -05'00'

AWARD ENGINEERING, IN  
HOVHANNES A MOURADIAN, ENGINEER  
FL P.E. # 78439  
TELEPHONE: (813) 238-4393  
PROJECT COORDINATOR:  
WILLIAM LUKELY II



Building Inspection Division  
State of Florida  
Professional Engineer Seal  
Hovhannes Mouradian  
License No. 78439  
Date: 08/14/13

SUBJECT  
PROPERTY

MAGNOLIA ST E

STELLA AVE N



VAR23-028 519 N Stella Ave



Parker St SPI

Parcel ID 242818199000002071





228 S MASSACHUSETTS AVE  
LAKELAND, FLORIDA 33801  
PLANNING@LAKELANDGOV.NET

RE: Variance Request - Project No. VAR23-028

Dear Property Owner:

This notice is to advise you that Frederick Koehler requests a 2' variance to allow a 3' interior side yard setback, in lieu of the 5' minimum setback specified for swimming pools in Table 4.3-3 of the Land Development Code, to allow for the construction of a 13' x 50' in-ground swimming pool in the interior side (south) yard of property located at 519 N. Stella Avenue. The subject property is legally described as:

GROVE PARK SUB PB 6 PG 9 BLK B N 75.15 FT OF LOTS 7 THRU 10. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

The public hearing to consider this request will be held before the Lakeland Zoning Board of Adjustments and Appeals at **9:00 a.m. on 8/1/2023** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property located in proximity to the subject property, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing. You may also submit your views to the Community & Economic Development Department by including your name, address, and the project number via email to [planning@lakelandgov.net](mailto:planning@lakelandgov.net), prior to the meeting date.

Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

PLEASE BE ADVISED in accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Greg James. Because providing a reasonable accommodation may require outside assistance, organizations, or resources, the City asks that any request be made with as much notice as possible, preferably 72 hours, but no later than 48 hours in advance of the event, at: (863) 834-6040, Email: [ADASpecialist@lakelandgov.net](mailto:ADASpecialist@lakelandgov.net). If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-(800) 955-8771 (TDD – Telecommunications Device for the Deaf) or the Florida Relay Service number: 1-(800) 955-8770 (VOICE), for assistance.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	8/1/2023	Reviewer:	Audrey McGuire	
Project No:	VAR23-028	Subject Property:	519 N Stella Avenue	
Owner:	Frederick Koehler			
Applicant:	Frederick Koehler			
Current Zoning:	RA-4 (Single-Family)	Context District	Urban Neighborhood (UNH)	
Request:	A 2' variance to allow a 3' interior side yard setback, in lieu of the 5' minimum setback specified for swimming pools in Table 4.3-3 of the Land Development Code, to allow for the construction of a 13' x 50' in-ground swimming pool in the interior side (south) yard of property located at 519 N. Stella Avenue.			

## 1.0 Background

The subject property, approximately 0.20 acres in area, consists of a 75' x 116' corner lot located at the southeast corner of N. Stella Avenue and E. Magnolia Street. The subject property is located within the Parker Street Special Public Interest (SPI) district and is zoned RA-4 (Single-Family) / UNH (Urban Neighborhood.)

## 2.0 Discussion

The applicant requests relief from the minimum five-foot setback requirement for pools to construct a 13' x 50' in-ground swimming pool located in the interior side (south) yard of a new single-family home under construction. The applicant's primary justification for the request is related to the floor plan layout of the residence and preferred placement of the pool.

The subject property is located within the Parker Street Special Public Interest (SPI) district, adopted by the City Commission in June of 1993 (Ordinance 3437, as amended). The SPI ordinance provides provisions primarily related to accessory dwelling units and setbacks of existing structures within the district. Under the Parker Street SPI, all new construction must comply with the development standards of the conventional zoning district. The SPI does not provide specific standards related to pools or similar features; therefore, the standards of Table 4.3-3 of the Land Development Code and the RA-4/UNH district are applicable.

Section 4.3.4 of the Land Development Code (LDC) allows for the placement of pools in interior side and rear yards in accordance with Table 4.3-3, which requires a minimum 5-foot interior side yard setback, as measured from the edge of water to the property boundary line. The applicants are requesting a 2-foot variance to allow a 3-foot interior side yard setback in lieu of the required 5-foot setback for the placement of the pool in the interior side (south) yard. It should be noted that there appears to be adequate space in the rear yard to accommodate a 650 square foot swimming pool meeting the standards of Table 4.3-3.

### 3.0 Recommendation

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The specific hardship suffered by the applicant is related to the layout and floor plan of the home under construction. While a swimming pool can be accommodated in the rear yard area, the location would not be optimal in terms of the layout and flow of the home's floor plan. However, while the hardship appears to be self-imposed, the adjacent property owner to the south has provided a letter of support indicating that they do not have any objections to granting a variance for the pool.

While the neighboring property owner to the south does not object to the request, the request appears to relate to personal circumstances of the applicant rather than the land itself. Should the Board approve this request it would establish a precedent for similar variances in the future. Therefore, due to the self-imposed nature of the hardship and available alternatives for locating a pool elsewhere on the property, staff is unable to recommend approval of the variance.



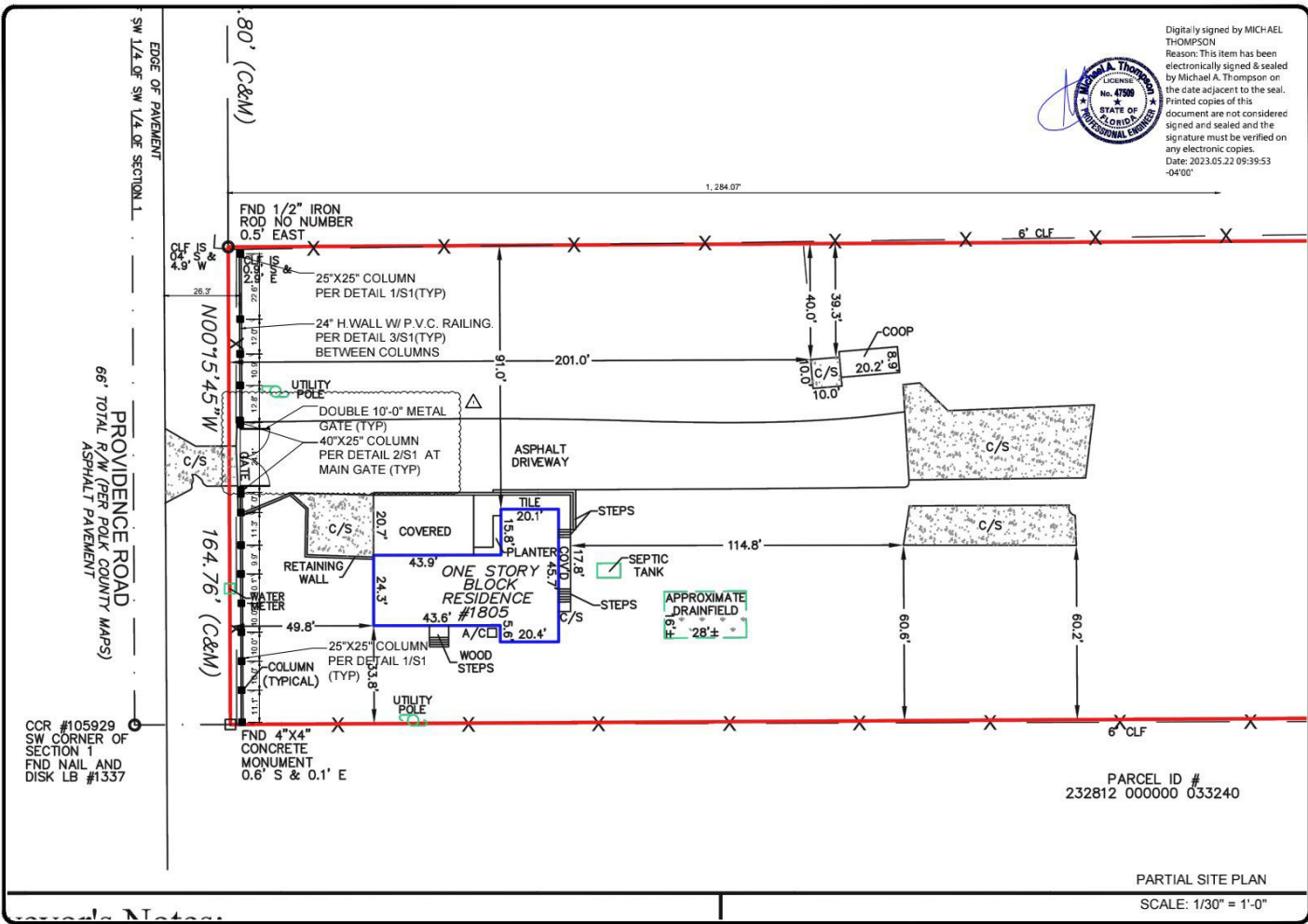
# Variance Application

## General Information:

<b>Project No:</b>	VAR23-029	<b>Application Date:</b>	7/5/2023		
<b>Project Name:</b>	1805 PROVIDENCE RD_FENCE				
<b>Subject Property Address:</b>	1805 PROVIDENCE RD				
<b>Parcel ID:</b>	232801000000044050				
<b>Applicant Name:</b>	ENMANUEL BAEZ ROSARIO				
<b>Applicant Address:</b>	1805 PROVIDENCE RD	LAKELAND	FL	33805	
<b>Owner Name:</b>	ENMANUEL BAEZ ROSARIO				
<b>Owner Address:</b>	1805 PROVIDENCE RD	LAKELAND	FL	33805	

## Request:

<b>Application Type:</b>	VARIANCE			
<b>Current</b>				
<b>Zoning:</b>	RA-4 (Single Family)	<b>Context:</b>	Urban Neighborhood (UNH)	
<b>Lot Dimensions:</b>	4.85 Acres	<b>Square Footage:</b>	60	
<b>Present Use:</b>	Single family Residence			
<b>Explanation of Request:</b>	6 feet tall on the front of the lot in concrete and PVC			
<b>Justification:</b>	Only 4 feet is allowed			



Digitally signed by MICHAEL THOMPSON  
Reason: This item has been electronically signed & sealed by Michael A. Thompson on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.  
Date: 2023.05.22 09:39:53 -04'00'

REVISIONS:
(1) 05/19/23 COUNTY COMMENTS

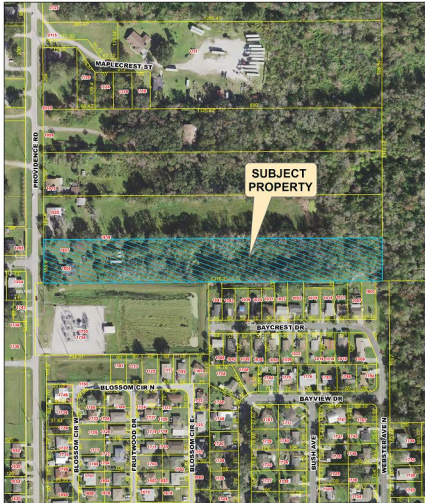
**1805 PROVIDENCE ROAD, LAKELAND, FL 33805**



DATE:	05/15/23
SCALE:	AS NOTED
DRAWN BY:	AN
SHEET	A1

CCR #105929  
SW CORNER OF SECTION 1  
FND NAIL AND DISK LB #1337





VAR23-029 1805 Providence Rd  
232801000000044050





228 S MASSACHUSETTS AVE  
LAKELAND, FLORIDA 33801  
PLANNING@LAKELANDGOV.NET

RE: Variance Request - Project No. VAR23-029

Dear Property Owner:

This notice is to advise you that Enmanuel Rosario requests a 2' variance to allow a maximum fence height of 6', in lieu of the maximum height of four feet for residential fences and walls in front yards as specified by Figure 4.4.1 of the Land Development Code, to allow for the construction of a six-foot-high wall with horizontal wood panels and a decorative metal gate adjacent to the front property line on property located at 1805 Providence Road. The subject property is legally described as:

S1/4 OF S1/2 OF SW1/4 OF SW1/4 LESS W 33 FT FOR RD R/W. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

The public hearing to consider this request will be held before the Lakeland Zoning Board of Adjustments and Appeals at **9:00 a.m. on 8/1/2023** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property located in proximity to the subject property, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing. You may also submit your views to the Community & Economic Development Department by including your name, address, and the project number via email to [planning@lakelandgov.net](mailto:planning@lakelandgov.net), prior to the meeting date.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	8/1/2023	Reviewer:	Phillip Searce	
Project No:	VAR23-029	Subject Property:	1805 Providence Road	
Owner:	Enmanuel Baez Rosario			
Applicant:	Enmanuel Baez Rosario			
Current Zoning:	RA-4 (Single-Family)	Context District	Urban Neighborhood (UNH)	
Request:	A 2' variance to allow a maximum fence height of 6', in lieu of the maximum height of four feet for residential fences and walls in front yards as specified by Figure 4.4.1 of the Land Development Code, to allow a six-foot-high wall with horizontal wood panels and a decorative metal gate adjacent to the front property line on property located at 1805 Providence Road			

## 1.0 Background

The subject property, approximately 4.85 acres in area, consists of a 166' x 1,285' parcel located on the east side of Providence Road. The subject property, zoned RA-4 (Single-Family Residential) and located within the Urban Neighborhood context sub-district, is presently improved with an existing 1,580 sq. ft. single-family home that was constructed in 1945 according to the Polk County Property Appraiser. On April 4, 2023, the owner of the property was cited by Code Enforcement for constructing a six-foot-high wall with horizontal wood panels and a decorative metal gate adjacent to the front property line without a building permit.

## 2.0 Discussion

The purpose of this request is to obtain variance relief to allow for the retention of an existing six-foot high wall with horizontal wood panels and a decorative metal gate along the front property line. Section 4.4.3, Figure 4.4.1, of the Land Development Code specifies a maximum height of four feet for fences and walls located in the required front yard area. The wall runs parallel to the front property line for an approximate distance of 166 feet.

When evaluating fence height variances staff determines if there are unique features related to the land itself that would justify granting variance relief. Such features include a change in grade on the property itself or a change in elevation when compared to adjacent properties. The applicant did not provide a justification for the request. The request, however, appears to be justified by the proximity of the single-family home located on the property to Providence Road and the large lot, rural development pattern associated with the subject property and adjacent parcels. Providence Road, which has a posted speed limit of 35 MPH, is classified by Polk County's Roadway Network Database as a two-lane Urban Collector roadway with an average daily trip count of 7,700 trips. Therefore, the proposed wall also acts as a buffer from the traffic and noise generated by the roadway.

## 3.0 Recommendation

The primary hardship suffered by the applicant is related to proximity of the existing home to Providence Road and the need to buffer impacts associated with traffic generated by the roadway. The requested relief is reasonable and proportionate to the degree of hardship suffered by the applicant and approval would not be contrary to the public interest. Provided there are no substantive objections from adjacent property owners, staff recommends that the request for variance relief be considered for approval.