



# Zoning Board of Adjustments and Appeals Meeting Agenda

**July 7, 2021 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.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, 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, Jenny Sykes, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: Jenny.sykes@lakelandgov.net. If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-800-9558771 (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:**

<b>ITEM 1:</b>	Call to Order
<b>ITEM 2:</b>	Roll Call
<b>ITEM 3:</b>	Approval of minutes from the June meeting
<b>ITEM 4:</b>	City Attorney explains purpose and authority of the Board
<b>ITEM 5:</b>	New Business: Appointment of Board Officers
<b>ITEM 6:</b>	<b>Conner Home Improvements, requests 7' variance to allow a rear yard setback of 8', in lieu of the 15' minimum setback specified by the PUD zoning for Sandpiper Golf &amp; Country Club (Ordinance 3563, as amended) to allow for the replacement of an existing screen room with a new hard-roofed sun room on property located at 1020 Canary Circle N. Owner: Sandra Sullivan. (VAR21-014)</b>
<b>ITEM 7:</b>	<b>Lennie Arnold, Chastain-Skillman, Inc., requests:</b> 1. A 24' variance to allow a maximum building height of 60', in lieu of the maximum height of 36' specified by Table 3.4-6 of the Land Development Code;  2. A 107' variance to allow a front setback of 182' in lieu of the 75' maximum setback specified by Table 3.4-6 of the Land Development Code; and  3. Relief from the 30% minimum frontage buildout specified by Table 3.4-6 of the Land Development Code to allow for the development of two 75,000 sq. ft. medical office buildings with a maximum height of three stories on property located at 2500 Kathleen Road. Owner: Lakeland Regional Health. (VAR21-019)
<b>ITEM 8:</b>	<b>Homeowner Timothy Crowder, requests 13.1% variance to allow a maximum lot coverage of 48.1%, in lieu of the 35% maximum specified by Table 3.4-5 of the Land Development Code, to allow for the construction of a covered screened entryway and an attached golf cart garage on property located at 2027 Spyglass Court. (VAR21-021)</b>
<b>ITEM 9:</b>	<b>Homeowner Jeff Lazenby, requests 5' variance to allow a 5' setback from the north property line, in lieu of the 10' minimum setback for swimming pools specified by Table 4.3-3 of the Land Development Code, in order to construct a new in-ground pool on property located at 1926 Cherokee Trail. (VAR21-022)</b>
<b>ITEM 10:</b>	Unfinished Business
<b>ITEM 11:</b>	Adjournment

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**The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, June 1, 2021 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.**

Present were Board Members Eden Konishi (Chair), Kent Culberson (Vice Chair), Gregory Kent, Tunesia Mayweather, Zach Miller, Leonard Raschke and Becky Schaffer. Also present were Ramona Sirianni, Assistant City Attorney; and staff from the Community & Economic Development Department Matthew Lyons, Chief Planner; Todd Vargo, Senior Planner; Joshua Cheney, 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 5: Lisa Malady, Cypress Signs**, requests a 5' variance to allow a 0' setback from the front property line along E. Highland Drive, in lieu of the required 5' minimum setback for ground signs specified by Sub-Section 4.9.4.3 of the Land Development Code, to construct a new 10-foot high monument sign as a replacement for a nonconforming ground sign on property located at 330 E. Highland Drive. Owner: East Highland Realty LLC. (VAR21-017)

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Lisa Malady, 1024 JPV Street Winter Haven, stated the request is to replace the existing sign. The existing sign encroaches four feet over the property line. There are existing bushes in the front of the building that will be removed for visibility.

Todd Vargo stated the existing sign is encroaching in the right of way. The location of the proposed sign will minimize the impact of illumination on the adjacent property to the east.

In response to Eden Konishi, Mr. Vargo stated there has been no public comment.

In response to Kent Culberson, Matthew Lyons stated because the existing sign encroaches into the right-of-way, it is nonconforming. The new sign will eliminate this encroachment.

In response to Leonard Raschke, Mr. Vargo stated the height of the existing sign is about four feet.

Mr. Lyons stated the sign code allows a maximum sign height of 10 feet by right.

In response to Ms. Konishi, Lisa Malady stated the Electronic Message Center signs typically run for 24-hours but do have a dim option for after hours.

**Leonard Raschke made a motion to approve staff's recommendation. Becky Schaffer seconded the motion and it passed 7—0.**

**Item 6: Lennie Arnold, Chastain-Skillman, Inc., requests:**

1. A 24' variance to allow a maximum building height of 60', in lieu of the maximum height of 36' specified by Table 3.4-6 of the Land Development Code;
2. A 7' variance to allow a front setback of 82' in lieu of the 75' maximum setback specified by Table 3.4-6 of the Land Development Code; and
3. Relief from the 30% minimum frontage buildout specified by Table 3.4-6 of the Land Development Code to allow for the development of two 75,000 sq. ft. medical office buildings with a maximum height of three stories on property located at 2500 Kathleen Road

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Matthew Lyons stated the applicant is requesting a one-month delay so they can discuss their options.

**Leonard Raschke made a motion to continue. Becky Schaffer seconded the motion and it passed 7—0.**

**Item 7: Mark Brenchley, West Central Florida Permits, requests** a 5' variance to allow a maximum sign height of 15', in lieu of the 10' maximum height for signs on non-commercial corridors specified by Sub-Section 4.9.4.4 of the Land Development Code to locate a 15-foot high ground sign adjacent to the Interstate-4 right-of-way on property located at 2550 Interstate Drive. Owner: IBE Lakeland LLC. (VAR21-020)

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Joshua Cheney stated the current zoning on property is PUD and the Future Land use is Business Park (BP). The subject property is not located within a designated commercial corridor or an Interchange Activity Center (IAC). The applicant's justification for the request pertains to the proximity of the subject property to I-4 rather than any sort of hardship associated with the land itself.

Mr. Cheney stated staff recommends denial and no calls, emails or comments were received from the public. Discussion ensued.

In response to Zach Miller, Eden Konishi stated current sign for Audi, which neighbors the property meets the code.

Mark Brenchley, 3790 Beacon Ridge Way, Clermont, stated the hardship for the request is the difficulty of the public reading the sign when travelling along Interstate-4.

Gregory Kent stated the current sign on the building is clearly visible from I-4.

Eden Konishi stated a 10-foot high sign would still be legible.

In response to Zach Miller, Matthew Lyons stated the height of signs adjacent to the subject property, with the exception of Keiser University, meet the code.

In response to Leonard Raschke, Ms. Konishi stated the previous request for Audi was for an additional sign on the property, not for a height variance.

**Kent Culberson made a motion to deny the request. Zach Miller seconded the motion and it passed 7—0.**

## **Adjourned**

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The meeting was adjourned at 9:44 a.m.

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**Eden Konishi, Chairperson**

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**Christelle Burrola, Secretary**

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# Variance Application

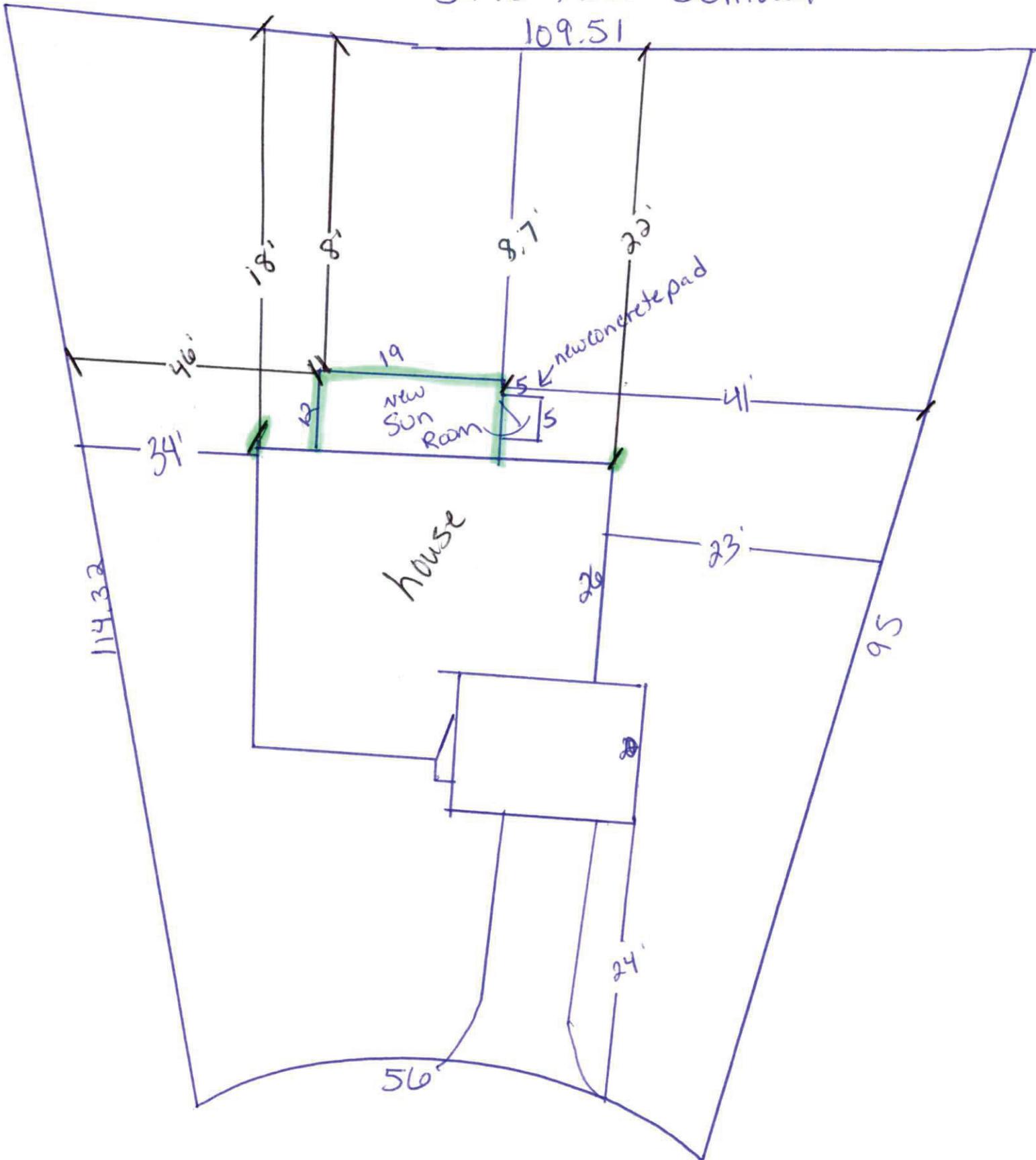
## General Information:

<b>Project No:</b>	VAR21-014	<b>Application Date:</b>	3/29/2021		
<b>Project Name:</b>	1020 CANARY CR N_SUN ROOM				
<b>Subject Property Address:</b>	1020 CANARY CR N				
<b>Parcel ID:</b>	242720161740001370				
<b>Applicant Name:</b>	CONNER HOME IMPROVEMENTS				
<b>Applicant Address:</b>	2825 PARKWAY ST SUITE #2	LAKELAND	FL	33811	
<b>Owner Name:</b>	SULLIVAN SANDRA M				
<b>Owner Address:</b>	1020 CANARY CIR N	LAKELAND	FL	338137342	

## Request:

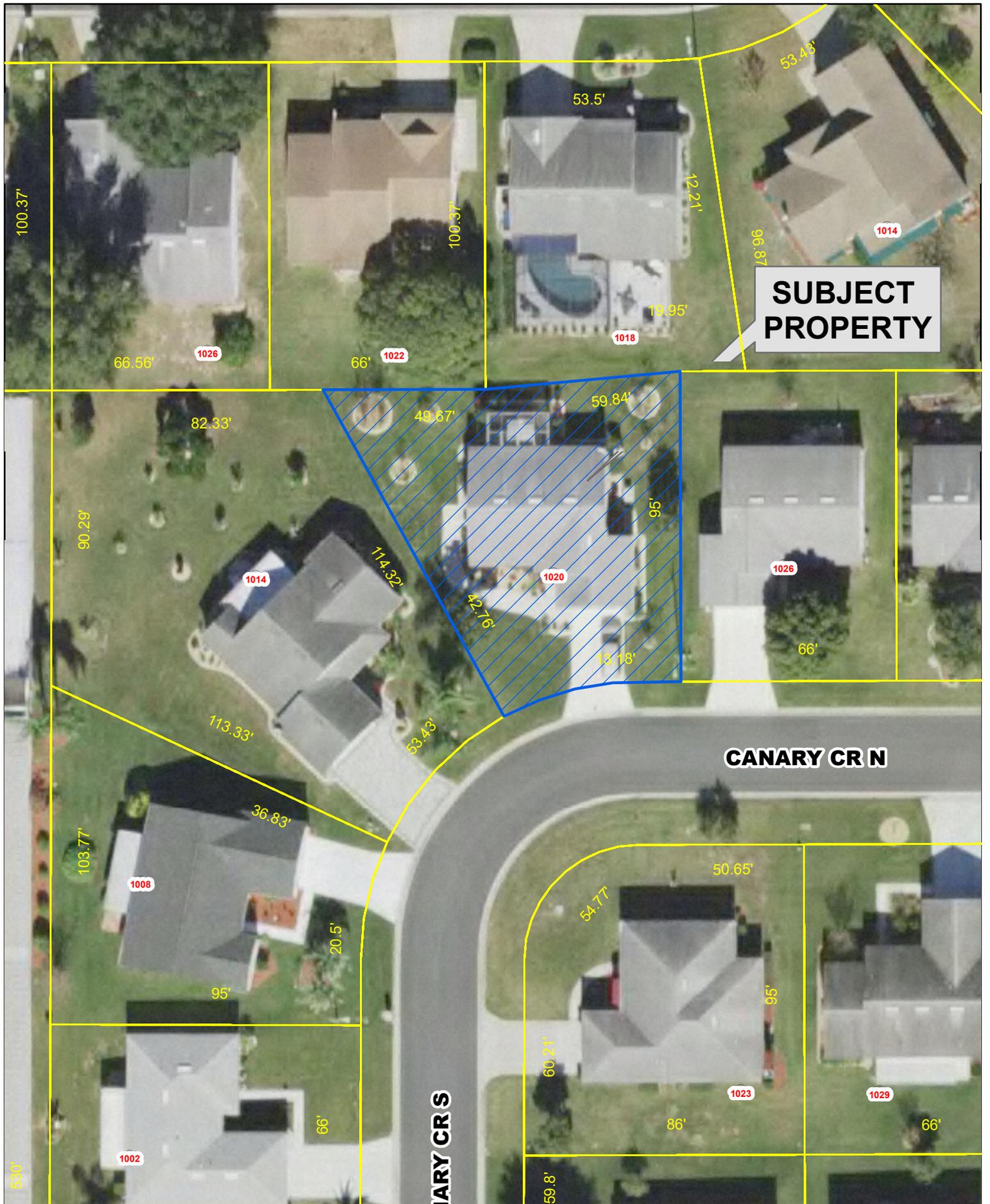
<b>Application Type:</b>	VARIANCE			
<b>Current</b>				
<b>Zoning:</b>	(PUD) Planned Until Development 3551 (C) Conservation	<b>Context:</b>	Suburban Neighborhood (SNH)	
<b>Lot Dimensions:</b>	114.32 x 109.51	<b>Square Footage:</b>	228	
<b>Present Use:</b>	screen enclosure			
<b>Explanation of Request:</b>	change and existing screen enclosure to a sun room with structull panel roof and acrylic windows			
<b>Justification:</b>	homeowner is requesting a variance to remove old screen enclosure and replace with a Structall panel roof and acrylic windows. Also pour concrete slab over existing pavers to level floor area and keep water from entering. The new planned structure would be located in the rear where the variance is being requested and does not encroach on the property located behind the home.			

# Site Plan - Sullivan



Sullivan  
1020 Canary Cir N  
Lakeland FL 33809

Variance



VAR21-014 Canary Cr N  
 Parcel ID 242720161740001370





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

RE: Variance Request - Project No. VAR21-014

Dear Property Owner:

This notice is to advise you that Conner Home Improvements requests a 7' variance to allow a rear yard setback of 8', in lieu of the 15' minimum setback specified by the PUD zoning for Sandpiper Golf & Country Club (Ordinance 3563, as amended) to allow for the replacement of an existing screen room with a new hard-roofed sun room on property located at 1020 Canary Circle N. The subject property is legally described as:

SANDPIPER GOLF & COUNTRY CLUB PHASE 13 PB 93 PGS 19 & 20 LOT 137 (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 7/7/2021** 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	7/7/2021	Reviewer:	JOSHUA CHENEY	
Project No:	VAR21-014	Subject Property:	1020 CANARY CR N	
Owner:	SANDRA M SULLIVAN			
Applicant:	CONNER HOME IMPROVEMENTS			
Current Zoning:	(PUD) Planned Unit Development 3551 C	Context District	Suburban Neighborhood (SNH)	
Request:	7' variance to allow a rear yard setback of 8', in lieu of the 15' minimum setback specified by the PUD zoning for Sandpiper Golf & Country Club (Ordinance 3563, as amended) to allow for the replacement of an existing screen room with a new hard-roofed sun room on property located at 1020 Canary Circle N.			

## 1.0 Background

The subject property consists of an interior lot, approximately 56' wide x 95' deep, with an existing 1,798 sq. ft. single-family detached home that was built in 1994 according to the Polk County Property Appraiser. The subject property is presently zoned PUD (Planned Unit Development) and located within the SNH (Suburban Neighborhood) context sub-district.

## 2.0 Discussion

The purpose of this request is to obtain variance relief which will allow for the construction of a new sunroom with a solid roof and acrylic windows as an addition on the rear side of the house. Screen rooms and sunrooms are common features on homes in Florida, and the rear yard area is the logical location for such an improvement. Unfortunately, lots in the Sandpiper subdivision are relatively shallow in depth, and a variance is often required prior to constructing any form of addition to homes near the rear property line.

Within Sandpiper, a precedent has been established by the Board in which variances for screen rooms and sun rooms have been granted when a property is adjacent to either the golf course, a drainage feature or a perimeter boundary. While the subject property does not abut any of these features; the relatively shallow lot depth severely constrains the ability to construct a sunroom addition on the back of the house in the rear yard area as it is considered an addition and must meet the same setbacks as the principal structure. As a result of this limitation, several similar variances have been granted to other lots in Sandpiper over the past few years.

Measured from the nearest point, the existing single-family home is located approximately 18 feet from the rear property line and the existing screen room is approximately 8 feet from the rear property line. Similarly, once constructed, the sun room will also be set back a minimum of eight feet from the rear property line. To the rear, the subject property abuts two other single family homes which should not be impacted negatively by the replacement of the existing screen room with a sun room. According to the documentation provided by the applicant, the Sandpiper Golf & Country Club's Architectural Review Committee voted in support of this request on January 21, 2021, and a copy of the approval letter has been attached to the application for this request.

### **3.0 Recommendation**

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The hardship suffered is not the result of any action taken by the applicant. The amount of relief requested is the minimal amount necessary to accommodate the proposed screen room enclosure. Due to a lack of viable alternatives and the minimal impact on adjacent properties, staff recommends that the request be considered for approval.



# Variance Application

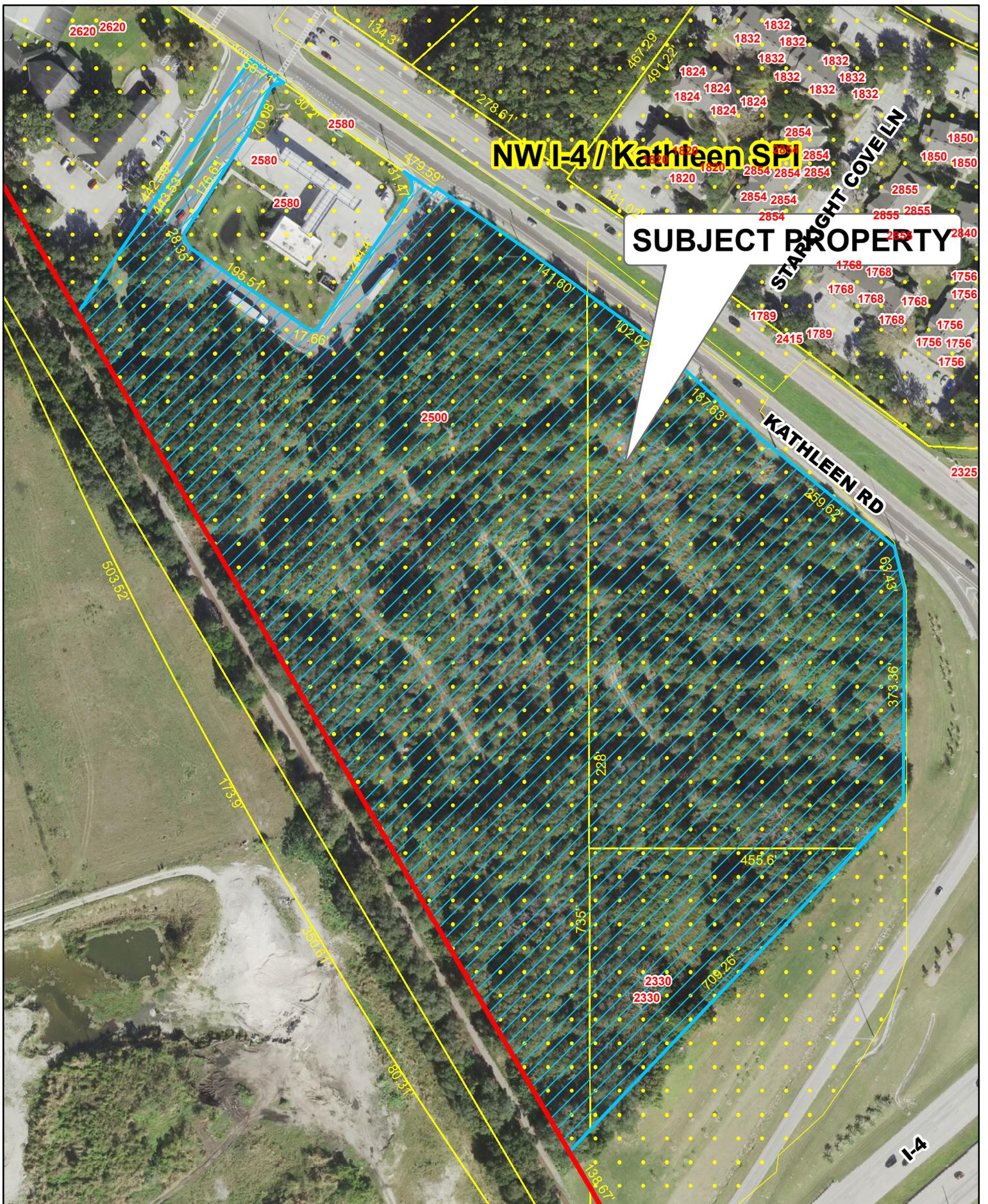
## General Information:

<b>Project No:</b>	VAR21-019	<b>Application Date:</b>	5/5/2021		
<b>Project Name:</b>	LRH KATHLEEN ROAD MOB				
<b>Subject Property Address:</b>	2500 KATHLEEN RD				
<b>Parcel ID:</b>	232803000000021020				
<b>Applicant Name:</b>	LENNIE ARNOLD				
<b>Applicant Address:</b>	205 E ORANGE ST; SUITE 110	LAKELAND	FL	33801	
<b>Owner Name:</b>	LAKELAND REGIONAL HEALTH				
<b>Owner Address:</b>	1324 LAKELAND HILLS BLVD	LAKELAND	FL	33805	

## Request:

<b>Application Type:</b>	VARIANCE			
<b>Current</b>				
<b>Zoning:</b>	(C-2) Highway Commercial	<b>Context:</b>	Suburban Corridor (SCO)	
<b>Lot Dimensions:</b>	707' x 1,373'	<b>Square Footage:</b>	897336	
<b>Present Use:</b>	Vacant			
<b>Explanation of Request:</b>	Seeking a variance on the max height and max setback limits on the property			
<b>Justification:</b>	location of the parcel in relationship to I-4 (limited access) and Kathleen Road.			





**NW I-4 / Kathleen SPI**

**SUBJECT PROPERTY**



VAR21-019 LRH Kathleen Road MOB

Parcel IDs 23280200000044030  
 23280300000021020  
 23280200000043020





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

RE: Variance Request - Project No. VAR21-019

Dear Property Owner:

This notice is to advise you that Lennie Arnold, Chastain-Skillman, Inc. requests:

1. A 24' variance to allow a maximum building height of 60', in lieu of the maximum height of 36' specified by Table 3.4-6 of the Land Development Code;
2. A 107' variance to allow a front setback of 182' in lieu of the 75' maximum setback specified by Table 3.4-6 of the Land Development Code; and
3. Relief from the 30% minimum frontage buildout specified by Table 3.4-6 of the Land Development Code to allow for the development of two 75,000 sq. ft. medical office buildings with a maximum height of three stories on property located at 2500 Kathleen Road. The subject property is legally described as:

An area of land in Sections 2 and 3, Township 28 South, Range 23 East, Polk County Florida, bound by Kathleen road to the east, I-4 to the south, CSX railway to the west, parcel 23280300000021040 to the north; less parcel 23280300000021080. (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 7/7/2021** 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	7/7/2021	Reviewer:	PHILLIP SCEARCE	
Project No:	VAR21-019	Subject Property:	2500 KATHLEEN RD	
Owner:	Lakeland Regional Health			
Applicant:	Lennie Arnold			
Current Zoning:	(C-2) Highway Commercial	Context District	Suburban Corridor (SCO)	
Request:	<ol style="list-style-type: none"> <li>1. A 24' variance to allow a maximum building height of 60', in lieu of the maximum height of 36' specified by Table 3.4-6 of the Land Development Code;</li> <li>2. A 107' variance to allow a front setback of 182' in lieu of the 75' maximum setback specified by Table 3.4-6 of the Land Development Code; and</li> </ol> Relief from the 30% minimum frontage buildout specified by Table 3.4-6 of the Land Development Code to allow for the development two 75,000 sq. ft. medical office buildings with a maximum height of three stories on property located at 2500 Kathleen Road.			

## 1.0 Background

The subject property, approximately 22 acres in area, is located at the northwest corner of I-4 and Kathleen Road with a C-2/SCO (Highway Commercial/Suburban Corridor) zoning classification and an Interchange Activity Center (IAC) future land use designation. The subject property was recently purchased by Lakeland Regional Health Systems for the purposes of developing 150,000 sq. ft. of medical office uses. In 2010, a conditional use was approved (Ordinance 5147) which allows for the development of hotels on the subject property with a maximum height of 65 feet.

## 2.0 Discussion

The proposed project consists of two 75,000 sq. ft. medical office buildings with a maximum height of three stories or 60 feet. Within the Suburban Corridor context sub-district, C-2 uses are limited to a maximum building height of 36 feet. If the property were zoned O-3 (Moderate Impact Office), the Suburban Corridor context sub-district designation would allow for office and medical office uses with a maximum height of 60 feet.

The C-2 designation was applied in recognition of the IAC future land use designation which is a special category of activity center intended to address the unique opportunities associated with land development at limited access highway interchanges. The IAC designation is intended to delineate a coordinated development area which, due to proximity to and/or direct access to an interstate or limited access expressway, can achieve a high intensity of development activity necessitating the need for coordinated access, signage and other special development controls. This land use category encourages high intensity centers which function well and provide aesthetically attractive gateways to the community.

Land uses in IACs are typically oriented towards regional travel with uses such as restaurants, lodging, motor vehicle fuel sales and other uses which cater to motorists. However, IACs may also be oriented toward a single retail destination, an office or employment center, a high-density residential center, or some other activity or mix of uses appropriate to an interchange location.

The applicant's justification for the height variance is to increase visibility and establish a greater presence adjacent to the I-4 frontage. There are no adjacent uses that would be impacted by the additional height. Therefore, the sites prior approvals as well as the O-3 height requirement allowing 60' by right are significant enough to justify the height variance.

As a secondary request, the applicant is requesting relief from the maximum setback and frontage buildout requirements due to the large, irregular parcel geometry, relationship to the I-4 frontage and the medical office use. As specified by Table 3.4-6 of the Land Development Code, the maximum front/street side setback is 75' and the minimum frontage buildout is 30%. The justification for the request is related to the large, irregular parcel geometry, the intended use of the property for medical offices, and the project's need for a high degree of visibility from Interstate-4.

### **3.0 Recommendation**

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The amount of relief requested is reasonable and proportional to the degree of hardship resulting from the irregular parcel geometry, the proposed medical office use and the orientation of the property towards the Interstate-4 interchange. Granting of a variance would not be contrary to the public interest, as the requested relief meets the spirit and intent of the Land Development Code and impacts on adjacent properties would be minimal. Staff recommends that the request be considered for approval provided that there are no substantive objections from adjacent property owners.



# Variance Application

## General Information:

<b>Project No:</b>	VAR21-021	<b>Application Date:</b>	5/19/2021		
<b>Project Name:</b>	2027 SPYGLASS CT_PORCHES & CART BARN				
<b>Subject Property Address:</b>	2027 SPYGLASS CT				
<b>Parcel ID:</b>	232734013004006580				
<b>Applicant Name:</b>	TIMOTHY CROWDER				
<b>Applicant Address:</b>	2027 SPYGLASS CT.	LAKELAND	FL	33810	
<b>Owner Name:</b>	TIMOTHY CROWDER				
<b>Owner Address:</b>	2027 SPYGLASS CT.	LAKELAND	FL	33810	

## Request:

<b>Application Type:</b>	VARIANCE			
<b>Current</b>				
<b>Zoning:</b>	(PUD) Planned Unit Development 3987	<b>Context:</b>	Suburban Neighborhood (SNH)	
<b>Lot Dimensions:</b>	60' x 100'	<b>Square Footage:</b>	2603	
<b>Present Use:</b>	Residential			
<b>Explanation of Request:</b>	Proposal to construct both a covered and screened-in front door (106 sq.ft.), as well as an attached cart barn/shed to store golf cart (169 sq.ft.)			
<b>Justification:</b>	Currently can't store both vehicles and golf cart in 2 car garage if we are expecting severe weather, therefore, proposal of adding a new cart barn/shed.			

# BOUNDARY SURV

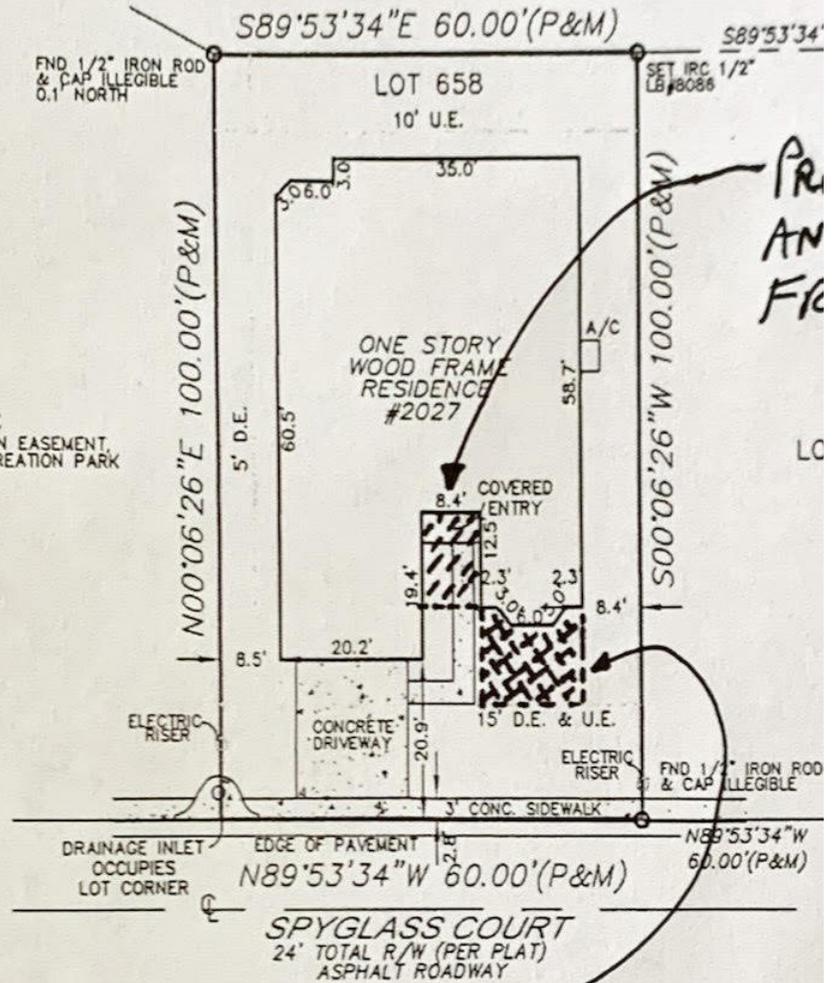


## Legal Description as furnished:

Lot 658, HIGHLAND FAIRWAYS PHASE III-C, according to the plat thereof as recorded in Plat Book 92, Page 2, of the public records of Polk County, Florida.

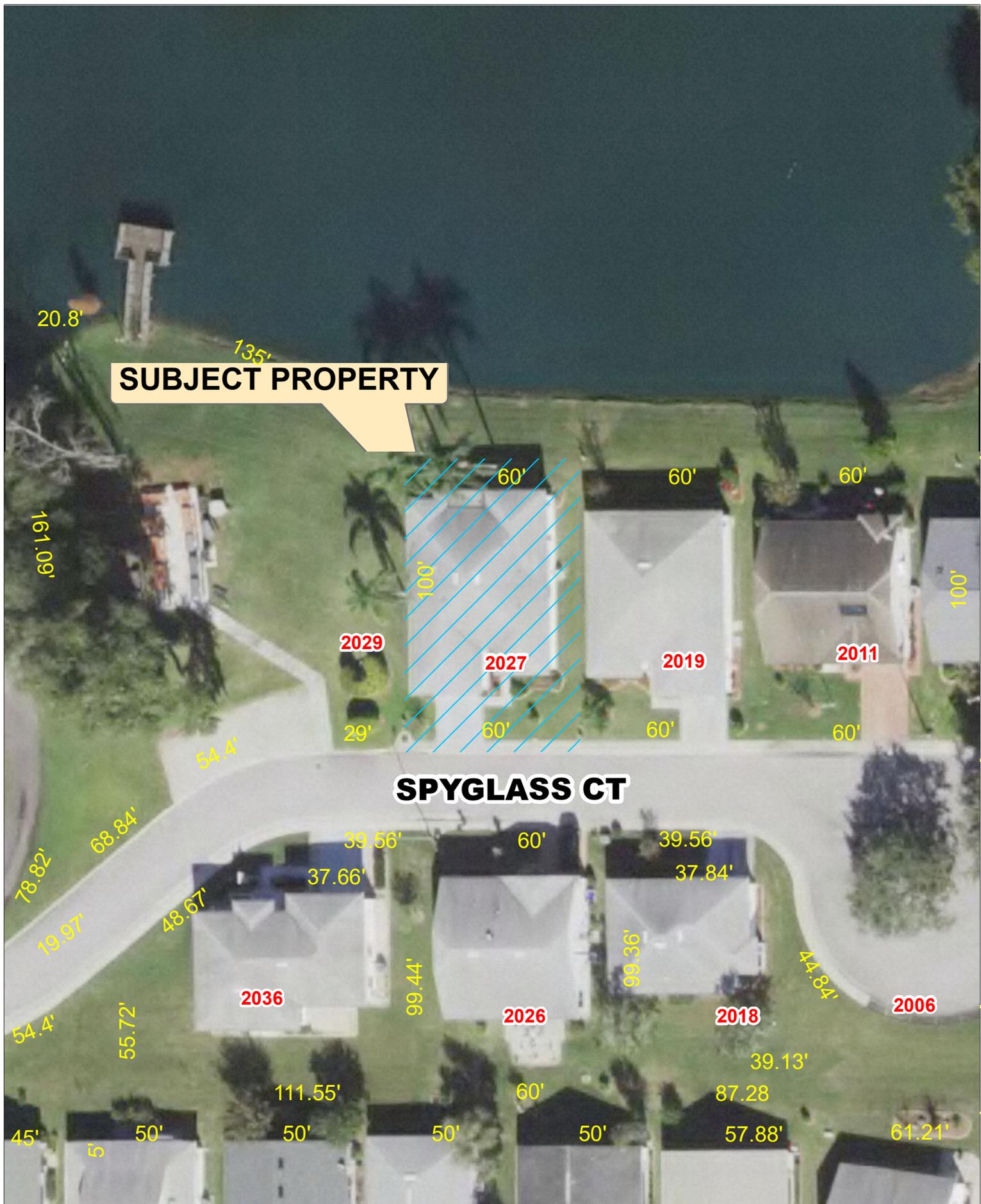
TRACT A  
DRAINAGE AND RETENTION EASEMENT, UTILITY EASEMENT,  
& RECREATIONAL AREA

TRACT C  
DRAINAGE AND RETENTION EASEMENT,  
UTILITY EASEMENT & RECREATION PARK



PR  
AN  
FC

LC



**SUBJECT PROPERTY**

**SPYGLASS CT**



VAR21-021 2027 Spyglass Ct  
Parcel ID 232734013004006580





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

RE: Variance Request - Project No. VAR21-021

Dear Property Owner:

This notice is to advise you that Timothy Crowder request a 13.1% variance to allow a maximum lot coverage of 48.1%, in lieu of the 35% maximum specified by Table 3.4-5 of the Land Development Code, to allow for the construction of a covered screened entryway and an attached golf cart garage on property located at 2027 Spyglass Court. The subject property is legally described as:

HIGHLAND FAIRWAYS PHASE THREE-C PB 92 PGS 2 & 3 LYING IN A PORTION OF SECS 34 & 35 T27 R23 & SECS 2 & 3 T28 R23 LOT 658 & INT IN COMMON AREAS (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 7/7/2021** 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	7/7/2021	Reviewer:	TODD VARGO	
Project No:	VAR21-021	Subject Property:	2027 SPYGLASS COURT	
Owner:	TIMOTHY CROWDER			
Applicant:	Timothy Crowder			
Current Zoning:	(PUD) Planned Unit Development 3987	Context District	Suburban Neighborhood (SNH)	
Request:	Request for a 13.1% variance to allow a maximum lot coverage of 48.1%, in lieu of the 35% maximum specified by Table 3.4-5 of the Land Development Code, to allow for the construction of a covered screened entryway and an attached golf cart garage on property located at 2027 Spyglass Court.			

## 1.0 Background

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The subject property, located in the Highland Fairways subdivision, consists of a 60' x 100' interior lot with an existing 2,603 sq. ft. single-family detached home that was built in 1992 according to the Polk County Property Appraiser. The subject property is presently zoned PUD (Planned Unit Development), as specified by Ordinance 3987, as amended, and located within the Suburban Neighborhood (SNH) context sub-district.

## 2.0 Discussion

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The purpose of this request is to obtain a lot coverage variance to allow for the construction of a covered screen entryway and a golf cart garage along the front of the house. Both structures will be attached to the existing residence and will meet the minimum front yard setback of 15 feet. The golf cart garage will be accessed by a side-loading garage door from the existing driveway and designed such that it mirrors the front facade of the existing home.

Lot Coverage is defined as the “collective square footage of all building footprints as a percentage of total lot area”. Highland Fairways was originally developed in the County prior to annexation by the City in the late 1990s. At the time the PUD was adopted, minimum development standards were established pertaining to setbacks and building heights. The PUD, however, is silent on lot coverage which means the standard 35% lot coverage for properties located in the Suburban Neighborhood context sub-district would be applicable.

At 35%, the maximum building footprint for a 60' x 100' lot is 2,100 square feet. As originally built in the County, the existing single home has 2,603 square feet under roof which translates to a lot coverage of 43.4%. The proposed golf cart garage and screen entryway will add an additional 274 sq. ft. under roof. Accounting for the existing home, the total building footprint would be 2,877 square feet, equivalent to a lot coverage of 48.1%.

### 3.0 Recommendation

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The subject property, like the surrounding Highland Fairways community, was developed in Polk County prior to annexation by the City. The majority of homes within Highland Fairways exceed the 35% lot coverage limit. The Highland Fairways Architectural Committee has reviewed and approved the proposed changes.

The hardship suffered is not the result of any action taken by the applicant. The amount of relief requested is the minimal amount necessary to allow for the proposed improvements. Approval of a variance would not be contrary to the public interest and impacts on adjacent properties would be minimal. Provided that there are no substantive objections from adjacent property owners, staff recommends that the request be considered for approval.



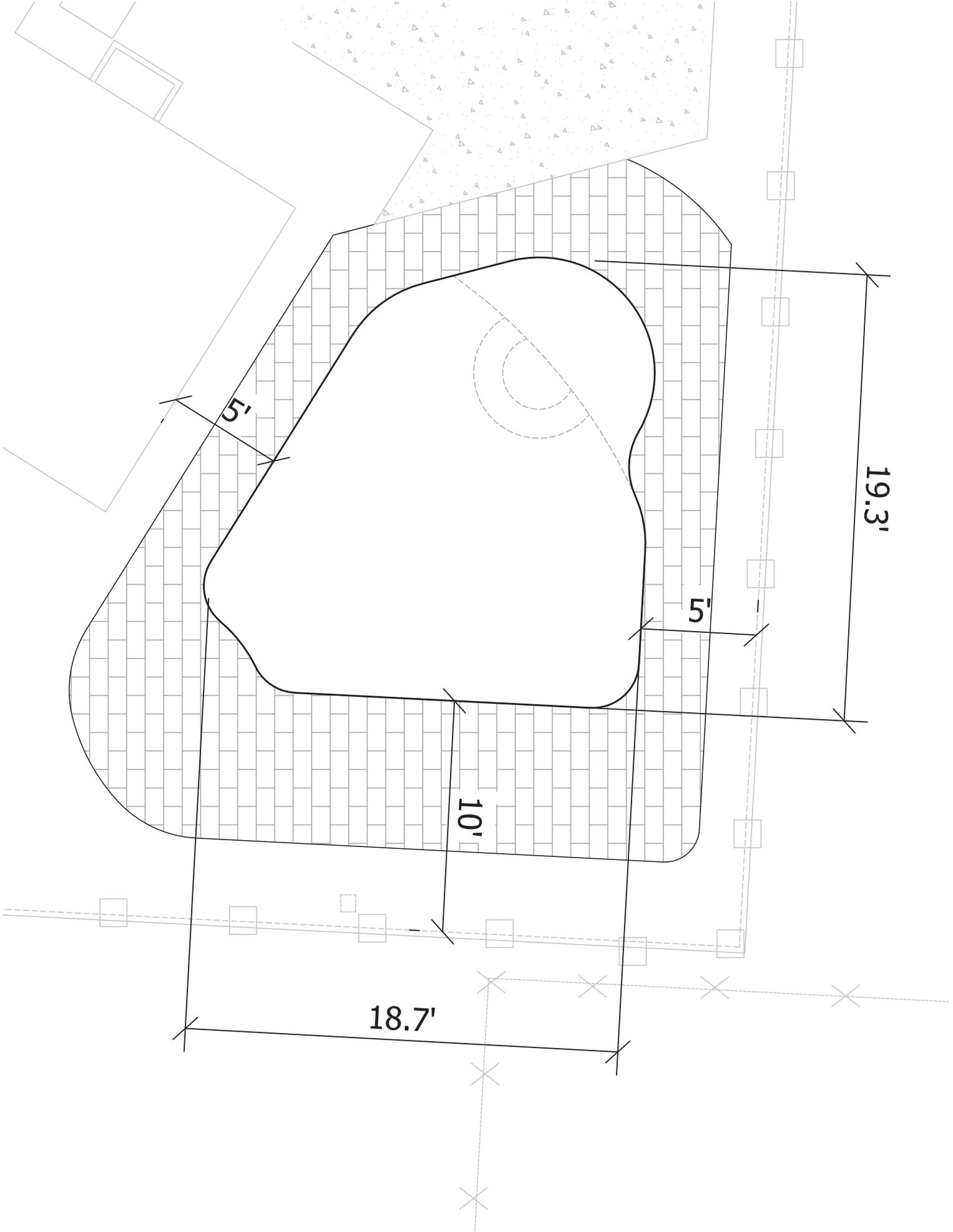
# Variance Application

## General Information:

<b>Project No:</b>	VAR21-022	<b>Application Date:</b>	5/20/2021		
<b>Project Name:</b>	LAZENBY HOME POOL				
<b>Subject Property Address:</b>	1926 CHEROKEE TR				
<b>Parcel ID:</b>	232825135500006010				
<b>Applicant Name:</b>	JEFF LAZENBY				
<b>Applicant Address:</b>	1926 CHEROKEE TRAIL	LAKELAND	FL	33803	
<b>Owner Name:</b>	JEFF LAZENBY				
<b>Owner Address:</b>	1926 CHEROKEE TRAIL	LAKELAND	FL	33803	

## Request:

<b>Application Type:</b>	VARIANCE			
<b>Current</b>				
<b>Zoning:</b>	(RA-1) Single Family	<b>Context:</b>	Urban Neighborhood (UNH)	
<b>Lot Dimensions:</b>	125'x116'	<b>Square Footage:</b>	13050	
<b>Present Use:</b>	Vacant Backyard			
<b>Explanation of Request:</b>	Putting a new in-ground pool (no screen enclosure) in backyard. Requesting a variance from the City's rule for a minimum distance of 10' to the water's edge. Requesting a 50% reduction (10' to 5') from the North property line & a 25% reduction (from 10' to 7.5') from the East property line			
<b>Justification:</b>	Home has been here for nearly 90 years. On an odd-shaped corner lot w/ home diagonally across the lot, leaving very little room in the backyard.			



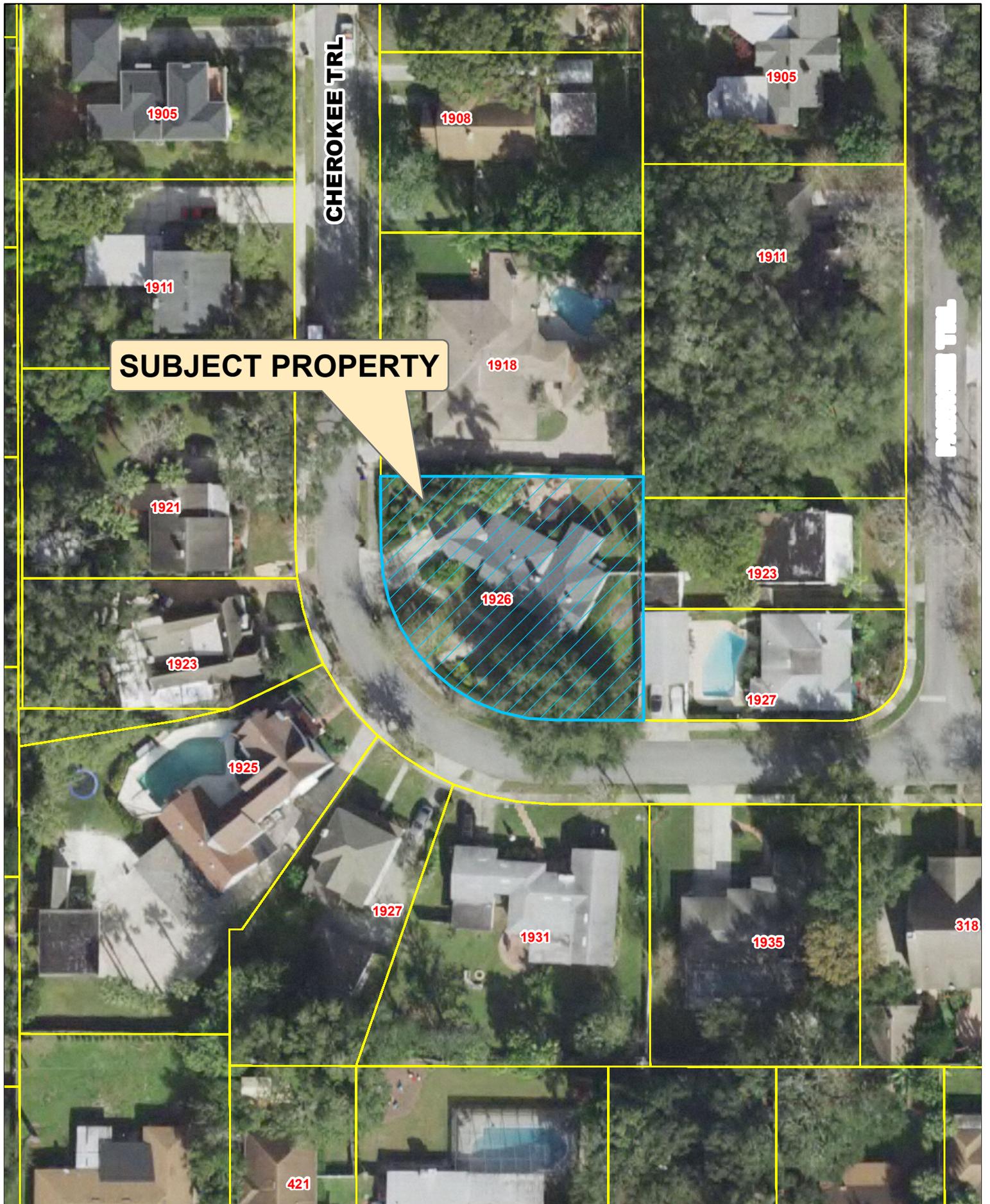
5'

10'

5'

18.7'

19.3'



**SUBJECT PROPERTY**



VAR21-022 Lazenby Home Pool  
Parcel ID 232825135500006010





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

RE: Variance Request - Project No. VAR21-022

Dear Property Owner:

This notice is to advise you that Jeff Lazenby requests a 5' variance to allow a 5' setback from the north property line, in lieu of the 10' minimum setback for swimming pools specified by Table 4.3-3 of the Land Development Code, in order to construct a new in-ground pool on property located at 1926 Cherokee Trail. The subject property is legally described as:

BEACON HILL PB 9 PG 17 BLK 6 LOTS 1 & 2 & S 10 FT OF 3 (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 7/7/2021** 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.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, 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, Jenny Sykes, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: [Jenny.Sykes@lakelandgov.net](mailto:Jenny.Sykes@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	7/7/2021	Reviewer:	JOSHUA CHENEY	
Project No:	VAR21-022	Subject Property:	1926 CHEROKEE TR	
Owner:	Jeff Lazenby			
Applicant:	Jeff Lazenby			
Current Zoning:	(RA-1) Single-Family	Context District	Urban Neighborhood (UNH)	
Request:	A 5' variance to allow a 5' setback from the north property line, in lieu of the 10' minimum setback for swimming pools specified by Table 4.3-3 of the Land Development Code, in order to construct a new in-ground pool on property located at 1926 Cherokee Trail.			

## 1.0 Background

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Located within the Beacon Hill Historic District, the subject property consists of an approximately 115' wide x 125' deep corner lot. The subject property is currently improved with a one-story, 2,065 sq. ft. single-family detached home which was originally built in 1936 according to the Polk County Property Appraiser.

## 2.0 Discussion

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The purpose of this request is to obtain variance relief which will allow for the construction of a new pool within the rear yard of the existing home. Swimming pools are common features on homes in Florida and the rear yard area is the logical location for such an improvement.

The particular hardship suffered by the applicant is related to the small rear yard resulting from the setbacks of the existing home in relation to the corner lot. Corner lots, by definition, have two sides abutting a road, and setbacks are typically greater for yards that abut rights-of-way for safety and aesthetic reasons. The existing house is setback approximately 24 feet from the front lot line and more than 40 feet from the street side property line to the south. So, while this parcel is typical in size for the Beacon Hill Subdivision, it has a smaller rear yard than most of the adjacent properties due to the substantial street side yard depth.

The requested setback relief will only be applicable to the north property boundary. Due to an overhead electrical distribution line which runs along the side east of the property, the pool will maintain the minimum 10-foot setback from the east property line.

## 3.0 Recommendation

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The particular hardship suffered is not the result of any action taken by the applicant. Staff recognizes that there is a small area in which to construct a pool given the setbacks for corner lots and the existing structures on the lot. The requested relief is reasonable and proportionate to the degree of hardship. The amount of relief requested is the minimal amount necessary to accommodate the proposed pool. Provided that there are no substantive objections from adjoining property owners, staff recommends that the variance be considered for approval.