



# Zoning Board of Adjustments and Appeals Meeting Agenda

**March 3, 2026 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, Kristin Meador, no later than 48 hours prior to the proceeding, at (863) 834-8444, 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 February meeting

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

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**ITEM 5: Homeowner Justin Miller requests:**

- I. A 3.5' variance to allow a 6.5' setback from the interior side property line, in lieu of the 10' minimum setback for pools and spas specified by Table 4.3-3 of the Land Development Code; to allow for the construction of an in-ground swimming pool and
  - II. A 0.7' variance to allow a 9.3' setback from the interior side property line, in lieu of the 10' minimum setback for pools and spas specified by Table 4.3-3 of the Land Development Code, to allow for the construction on an in-ground hot tub/spa on property located at 310 Eunice Road. (VAR26-001)
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**ITEM 6:** Unfinished Business

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**ITEM 7:** New Business

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**ITEM 8:** Adjournment

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**The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, February 3, 2026 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.**

Present were Board Members Jiwa Farrell, Werner Fomin, Tunesia Mayweather, Adam Russell, Daniel Sharrett and Kristen Tessmer. Also present were Ramona Sirianni, Deputy City Attorney; and staff from the Community & Economic Development Department: Todd Vargo, Senior Planner; Damaris Stull, Senior Planner and Christelle Burrola, Board Secretary.

The minutes from the previous meeting were approved as submitted, and Ms. Sirianni 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: Thomas Werner requests** a 5' variance to allow a rear setback of 10', in lieu of the 15' minimum rear setback for principal structures specified by the PUD (Planned Unit Development) Zoning for the Sandpiper Golf & Country Club Phase 1 in order to construct a hard-roofed screen room on property located at 6193 Seagull Lane. (VAR25-018)

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Angel Peña, Lozano Residential Solutions, representing the homeowner, provided an overview of the request.

Damaris Stull stated the subject property is presently zoned PUD (Planned Unit Development) and located within the Suburban Neighborhood (SNH) context sub-district. The purpose of this request is to obtain variance relief which will allow for the construction of a new screen room with a hard roof on an existing slab along the rear of the house. The particular hardship suffered by the applicant is related to the depth of the lots in the Sandpiper subdivision. Ms. Stull pointed to photos on the overhead screen of the subject property and proposed site plan.

Ms. Stull stated staff recommends approval.

In response to Jiwa Farrell, Ms. Stull stated staff did not receive public comment in response to the request.

**Daniel Sharrett made a motion to approve staff's recommendation. Kristen Tessmer seconded the motion, and it passed 5—0.**

**Adjourned**

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

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**Jiwa Farrell, Chairperson**

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**Christelle Burrola, Secretary**



# Variance Application

## General Information:

<b>Project No:</b>	VAR26-001	<b>Application Date:</b>	2/3/2026		
<b>Project Name:</b>	Inground Pool Variance Request				
<b>Subject Property Address:</b>	310 EUNICE RD				
<b>Parcel ID:</b>	242830260000003032				
<b>Applicant Name:</b>	Justin Miller				
<b>Applicant Address:</b>	310 Eunice Road	Lakeland	FL	33803	
<b>Owner Name:</b>	MILLER JUSTIN				
<b>Owner Address:</b>	310 EUNICE RD	LAKELAND	FL	33803	

## Request:

<b>Application Type:</b>	Variance
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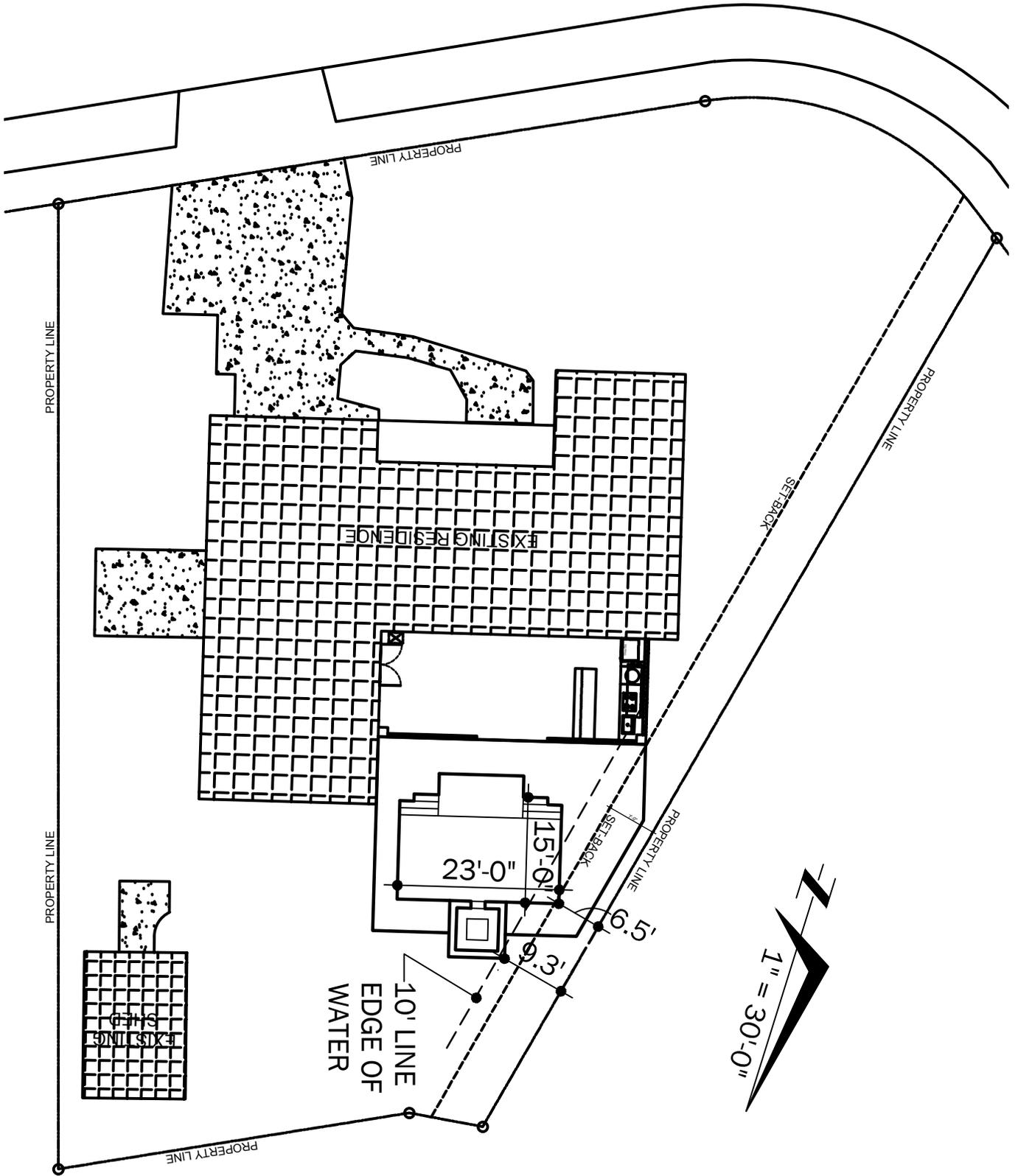
## Current

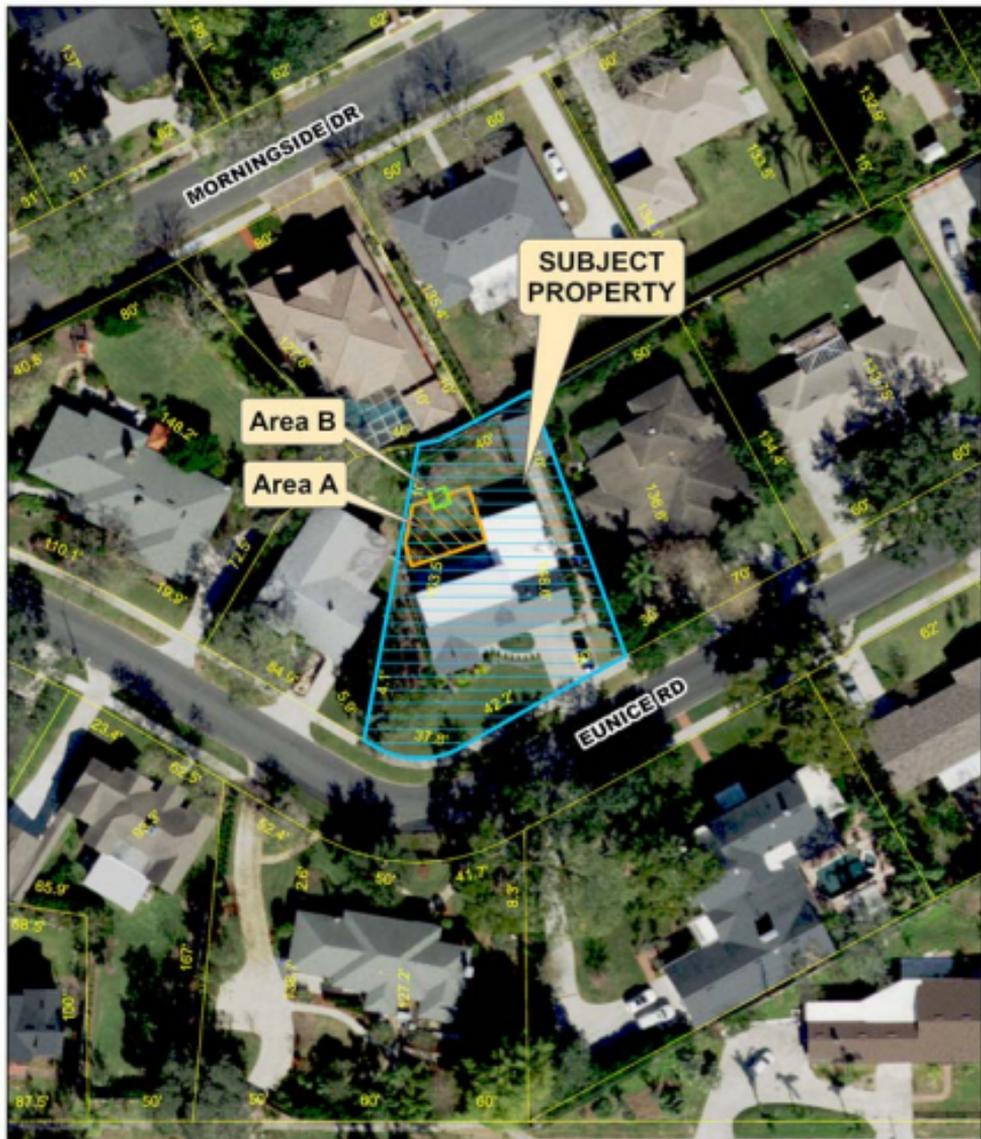
<b>Zoning:</b>	RA-1 (Single Family)	<b>Context:</b>	Urban Neighborhood (UNH)
<b>Lot Dimensions:</b>	40 x 42	<b>Square Footage:</b>	4,075

<b>Present Use:</b>	
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<b>Explanation of Request:</b>	The applicant requests approval of a variance to allow construction of a residential inground swimming pool that encroaches into the recommended 10-foot side yard setback on the subject property within the City of Lakeland.
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<b>Justification:</b>	Due to the existing lot configuration and placement of the residence, strict compliance with the setback requirement would create a practical hardship by limiting usable rear yard space and preventing reasonable placement of an inground pool. The proposed encroachment represents the minimum variance necessary and will not negatively impact adjacent properties, public safety, drainage, or neighborhood character. All applicable building and safety measures will be met, and approval of this request will allow reasonable use of the property while remaining consistent with the intent of the City of Lakeland Land Development Regulations.
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VAR26-001 310 Eunice Rd

Parcel ID: 242830260000003032

 Subject Property

 Area A

 Area B





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

RE: Project No. VAR26-001 – 310 Eunice Road

Dear Property Owner:

This notice is to advise you that Justin Miller requests:

- I. A 3.5' variance to allow a 6.5' setback from the interior side property line, in lieu of the 10' minimum setback for pools and spas specified by Table 4.3-3 of the Land Development Code; to allow for the construction of an in-ground swimming pool and
- II. A 0.7' variance to allow a 9.3' setback from the interior side property line, in lieu of the 10' minimum setback for pools and spas specified by Table 4.3-3 of the Land Development Code, to allow for the construction on an in-ground hot tub/spa on property located at 310 Eunice Road. The subject property is legally described as:

CASA BELLA PB 8 PG 1 BLK 3 LOTS 3 E 10 FT & 4 & 5 LESS E 30 FT

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 March 3, 2026** 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	March 3, 2026	Reviewer:	Johnathan (JP) Sims
Project No:	VAR26-001	Subject Property:	310 Eunice Road
Owner:	Justin Miller		
Applicant:	Justin Miller		
Current Zoning:	RA-1 (Single-Family Residential)	Context District	Urban Neighborhood (UNH)
Request:	I. A 3.5' variance to allow a 6.5' setback from the interior side property line, in lieu of the 10' minimum setback for pools and spas specified by Table 4.3-3 of the Land Development Code; to allow for the construction of an in-ground swimming pool and II. A 0.7' variance to allow a 9.3' setback from the interior side property line, in lieu of the 10' minimum setback for pools and spas specified by Table 4.3-3 of the Land Development Code, to allow for the construction on an in-ground hot tub/spa on property located at 310 Eunice Road.		

## 1.0 Background

The subject property consists of an unusually shaped lot in the Casa Bella subdivision which was originally platted in 1924. There is an existing, 4,075 square foot, single-family detached home that was built in 1951 according to the Polk County Property Appraiser. The subject property is presently zoned RA-1 and located within the Urban Neighborhood (UNH) 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 in-ground swimming pool and spa in the rear yard of the house. Pools and spas are common accessory features for homes in Florida, and the rear yard is the logical location for such improvements.

The lots in this subdivision, particularly Lots 3,4,5, and 6 of Section 3, are oddly shaped. The parcels as they are now have been modified from the original plat to accommodate 3 houses instead of 4 as was originally intended. Because of this, the property lines are skewed.

This particular hardship suffered by the applicant is related to the width of the parcel in the rear yard. Due to the odd shape of the property, the in-ground pool and spa, listed in the Exhibit as Area A for the pool and Area B for the spa, will slightly overreach into the designated setback area. In the RA-1 zoning and UNH context district, pools must be set 10 feet back from the interior side property line. Pool and spa setbacks are measured from the water's edge. Per the site plan provided by applicant, the water's edge for the pool will be 6.5 feet from the property line, and the water's edge for the spa will be 9.3 feet.

## 3.0 Recommendation

The The hardship suffered is not the result of any action taken by the applicant. Lots where the front yard is wider than the rear yard are not uncommon when the original platted lot lines have been reconfigured. When a property becomes narrower towards the rear, it makes utilizing the backyard for a pool and spa more difficult without a variance. The requested relief is reasonable and proportionate to the degree of hardship suffered by the applicant. The amount of relief requested is the minimal amount necessary to accommodate the installation of the in-ground pool and spa. Due to a lack of viable alternatives and the minimal impact on adjacent properties, staff recommends that the request be considered for approval.