



Zoning Board of Adjustments and Appeals Meeting Agenda

**May 5, 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

ITEM 2: Roll Call

ITEM 3: Approval of minutes from the April meeting

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

ITEM 5: **Marlon Lynn Architect, P.A requests** a 1' 4" variance to allow an interior side yard setback of 5' 8", in lieu of the 7' minimum interior side yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to allow for an addition in the side yard of an existing single-family home on property located at 418 Miramar Road. Owner: Laura Capioppo. (VAR26-002)

ITEM 6: **Homeowner Sara Olson requests** a 1' variance, to allow a rear yard setback of 2', in lieu of the 3' minimum rear yard setback for fences and walls when located adjacent to the right-of-way of an improved alley as specified by Figure 4.4-1 of the Land Development Code, to allow for the placement of a new wood fence along the rear property line on property located at 733 S. Rushing Avenue. (VAR26-004)

ITEM 7: **Homeowner Russell Johnson requests** a 7.4' variance to allow a rear yard setback of 7.6', in lieu of the 15' minimum rear yard setback for principal structures specified by the PUD (Planned Unit Development) zoning for Sandpiper Golf & Country Club Phase 12, in order to add a hard roof to an existing screen enclosure and construct a 10-foot-wide extension with a hard roof on property located at 5823 Cockatiel Court. (VAR26-008)

ITEM 8: **Polk County Pools Inc. requests** a 1.5' variance to allow a rear yard setback of 8.5', in lieu of the minimum 10' rear yard setback for swimming pools as specified by Table 4.3-3 of the Land Development Code, to allow for the construction of an inground pool on property located at 2323 Hollingsworth Hill Avenue Owner: Jeffrey Christoffersen. (VAR26-009)

ITEM 9: Unfinished Business

ITEM 10: New Business

ITEM 11: Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, April 7, 2026 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.

Present were Board Members Thomas Brawner, Jiwa Farrell, Werner Fomin, Tunesia Mayweather and Daniel Sharrett. Also present were Ramona Sirianni, Deputy City Attorney; and staff from the Community & Economic Development Department: Emily Foster, Senior Planner; Matt Lyons, Executive Planner; Audrey McGuire, Executive Planner, Damaris Stull, Senior Planner; Johnathan (JP) Sims, Senior Planner; Todd Vargo, 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: Marlon Lynn Architect, P.A requests a 1' 4" variance to allow an interior side yard setback of 5' 8", in lieu of the 7' minimum interior side yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to allow for an addition in the side yard of an existing single-family home on property located at 418 Miramar Road. Owner: Laura Capioppo. (VAR26-002)

The applicant was not present.

Daniel Sharrett made a motion to continue the item. Thomas Brawner seconded the motion, and it passed 5—0.

Item 6: Homeowner Walter Sucharski requests a 3' variance to allow a rear yard setback of 7', in lieu of the 10' minimum rear yard setback for principal structures specified by the PUD (Planned Unit Development) Zoning for Highland Fairways, in order to construct a hard-roofed screen room on property located at 3397 Highland Fairways Boulevard. (VAR26-003)

Walter Sucharski, 3397 Highland Fairways Boulevard, provided an overview of the request.

Todd Vargo stated the subject property consists of a lot, approximately 60' wide x 90' deep, with an existing 2,344 sq. ft. single-family detached home that was built in 1992. 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. Lots in the Highland Fairways subdivision are relatively shallow in depth.

Mr. Vargo pointed to photos on the overhead screen of the subject property and proposed site plan.

Mr. Vargo stated staff recommends approval.

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

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

Item 7: Homeowner Sara Olson requests a 3' variance, to allow a rear yard setback of 0', in lieu of the 3' minimum rear yard setback for fences and walls when located adjacent to the right-of-way of an improved alley as specified by Figure 4.4-1 of the Land Development Code, to allow for the placement of a new wood fence along the rear property line on property located at 733 S. Rushing Avenue. (VAR26-004)

Sara Olson, 733 S. Rushing Avenue, provided an overview of the request.

Audrey McGuire stated the subject property is located within the South Lake Morton Historic District and is a 60' x 93.4' (5,658 sq. ft.) lot platted as part of the Park Hill Replat in 1912. The subject property contains a 1,974 sq. ft. single-family home built in 1926 and a 120 sq. ft. shed. The purpose of this request is to

obtain variance relief to allow for a six-foot high privacy fence along the rear property line adjacent to an improved alley. Generally, fences along improved alleys are set back at least three feet from the alley to ensure solid waste and recycling collection trucks can navigate the alley and provide service. The improved north-south alley adjacent to the subject property terminates on each end at an east-west alley. While the alley is active for access by residents, due to the configuration, solid waste and recycling collection trucks do not provide service within this alley; instead, solid waste and recycling collection service is provided along the primary streets.

Ms. McGuire pointed to photos on the overhead screen of the subject property and proposed site plan.

Ms. McGuire stated the existing detached shed, built in 1962, is setback 5.8 ft. from the rear property line. The required 3-foot setback to the shed would leave only 2.8 ft. of space between the shed and fence (not accounting for any roof overhang) for maintenance of the shed, which is the primary concern of the applicant.

Ms. McGuire stated the hardship claimed by the applicant is not related to the land itself, but rather the ability to adequately provide maintenance to the shed due to the configuration of the existing home and shed on the property. Given the alley is active and the paved surface abuts the rear property, the requested 0-ft. setback is not feasible. As a compromise, staff recommends a lesser variance of 1' be considered to allow a rear yard setback for 2'.

Ms. McGuire stated staff recommends approval.

Ms. McGuire stated staff received one call in objection to the original request.

Ms. Olson stated besides maintenance of the building being a concern, so is safety of the building as her shed has been previously broken into.

Discussion ensued.

Daniel Sharrett made a motion to approve staff's recommendation. Thomas Brawner seconded the motion, and it failed 4—1. Jiwa Farrell voted against the motion.

Discussion ensued.

Daniel Sharrett made a motion to reconsider the request. Thomas Brawner seconded the motion, and it passed 5—0.

Daniel Sharrett made a motion to continue the item. Thomas Brawner seconded the motion, and it passed 5—0.

Item 8: Homeowner William Noah requests a variance to receive an exemption from Sub-Section 4.11.4.6.a of the Land Development Code, which specifies that driveways located in front yards shall terminate only in front of a garage, within a carport, or within the interior side yard of the principal structure, to allow for the construction of a new 10-foot-wide driveway in the front yard, which terminates in front of the principal structure, on property located at 1137 Dorothy Street. (VAR26-005)

William Noah, 1812 Sandy Knoll Circle S, made a presentation that provided an overview of the proposed request.

Damaris Stull stated the subject property, approximately 0.15 acres in acre, consists of a 50' x 135' interior lot. The subject property is located within the Lake Hunter Historic District and is zoned RA-3 (Single-Family Residential) and is within the Urban Neighborhood (UNH) context sub-district. The purpose of this request is to obtain variance relief to allow for the construction of a 10-foot-wide driveway in front of a single-family home currently under construction on the subject property. The plans approved by the Historic Preservation Board's Design Review Committee at the regular monthly meeting on June 26, 2025 allow for the construction of a 2,634 sq. ft. single-family detached home with a rear-loaded attached garage.

Ms. Stull stated pursuant to Sub-Section 4.11.4.6.a of the Land Development Code, driveways located in front yards may only terminate in front of an attached garage, within an attached carport, or within the interior side yard of the principal structure. Since the Design Guidelines for Historic Districts do not allow for front-loaded attached garages, the applicant's options at the time of HPB-DRC approval were either to select a narrower house plan which would allow for the construction of a 10-foot-wide, 40-foot-long driveway in the interior side yard or to revise the house plan such that the attached garage was located on the rear of the home with vehicle access limited to a platted 10-foot-wide alley which runs east-west through the middle of the block.

Ms. Stull pointed to photos on the overhead screen of the subject property and proposed site plan.

Ms. Stull stated the specific hardship suffered by the applicant is related to the house plan that was submitted for HPB-DRC approval which precluded the ability to have a driveway along Dorothy Street. While a smaller house plan with a bigger side yard would have allowed for a 10-foot-wide driveway in the interior side yard with access from Dorothy Street, the house plan that was submitted for approval by the HPB-DRC was for a larger home with a rear-loaded garage and a minimal side yard that was designed to the maximum building width allowed by the zoning.

Ms. Stull stated for the Board to grant a variance, it must conclude that literal enforcement of the terms of the Land Development Code would result in unnecessary hardship and that granting a variance would not be contrary to the public interest. The hardship which the applicant complains must be suffered by the applicant only, related to the land rather than personal circumstances, and must be unique or nearly so rather than one shared by surrounding properties. Lastly, the hardship must not be the result of the applicant's own actions or those of his or her agent. The hardship suffered by the applicant is related to personal preferences and design decisions which were made during the planning process for the new home rather than the land itself. The hardship suffered by the applicant is not unique as adjacent properties along both sides of Dorothy Street have the same site limitations and would not be permitted to have a new driveway in front of their homes as proposed by the applicant. The condition of the alley has not changed since the applicant received approval from HPB-DRC. While unpaved, it is fully functional and regularly used by the city to collect trash from homes located along the north side of Dorothy Street.

Ms. Stull stated should the Board approve this request it could establish a precedent for similar variances in the future. Therefore, due to the self-imposed nature of the hardship and the availability of parking in the rear yard, which is fully accessible from a functional alley, staff recommends that the request for a variance to allow for the construction of a 10-foot-wide driveway in front of the home be denied.

Elizabeth Hale, 1133 Dorothy Street, stated she does not think a driveway at the front of the home matches the style of the neighborhood. She stated she also has concerns with additional erosion and water runoff coming onto her property.

Wayne Seibel, 1136 Dorothy Street, stated he also does not think the driveway at the front of the home matches the neighborhood. He also has concerns with water runoff.

A lengthy discussion ensued between the applicant, Board and staff regarding the proposed request.

Daniel Sharrett made a motion to deny the request. Thomas Brawner seconded the motion, and it passed 5—0.

Adjourned

The meeting was adjourned at 9:55 a.m.

Jiwa Farrell, Chairperson

Christelle Burrola, Secretary



Variance Application

General Information:

Project No:	VAR26-002	Application Date:	2/4/2026		
Project Name:	418 Miramar Residential Setback Variance				
Subject Property Address:	418 MIRAMAR RD				
Parcel ID:	242830259000001171				
Applicant Name:					
Applicant Address:					
Owner Name:	CAPIOPPO LAURA				
Owner Address:	418 MIRAMAR RD	LAKELAND	FL	33803	

Request:

Application Type:	Variance	
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Current

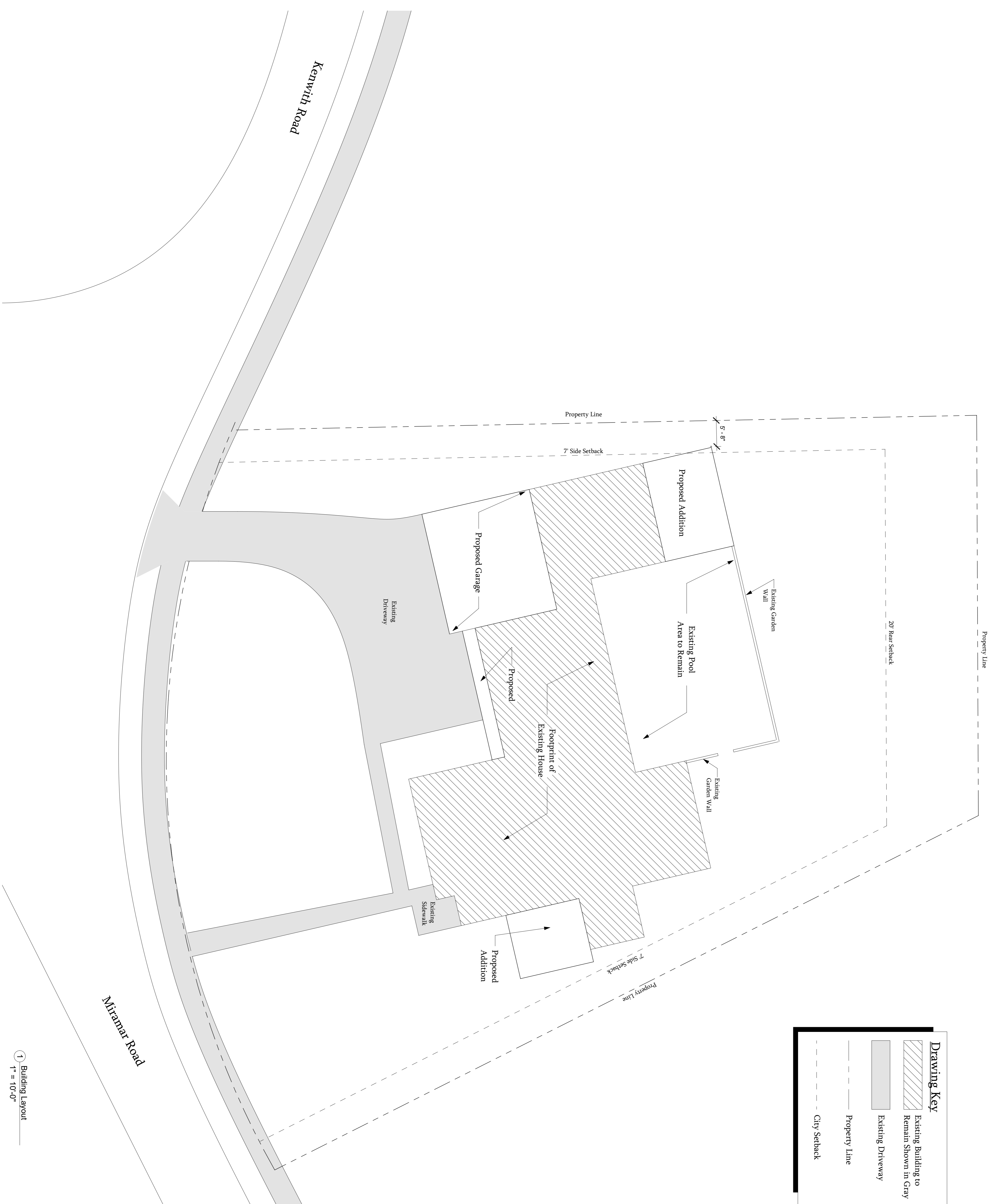
Zoning:	RA-1 (Single Family)	Context:	Urban Neighborhood (UNH)
Lot Dimensions:	60 x 106	Square Footage:	4,792

Present Use:	
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Explanation of Request:	Request for variance on side setback to allow for residential addition and home remodel project.
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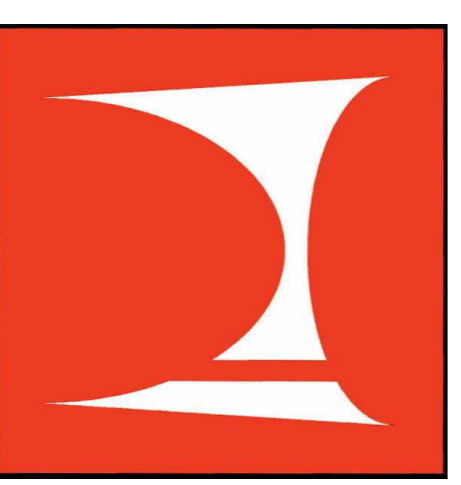
Justification:	A small corner of the proposed addition on the west end of the property extends into the 7 foot side setback due to the irregular lot shape and desire to align the extension with the existing exterior walls and existing garden wall.
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Drawing Key	
	Existing Building to Remain Shown in Gray
	Existing Driveway
	Property Line
	City Setback



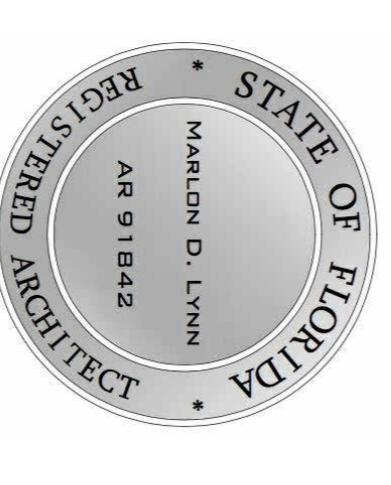
1 Building Layout
1" = 10'-0"

418 Miramar Rd
Lakeland, FL 33803



Marlon Lynn
Architect, P.A.
A A 2 6 0 0 1 4 7 7

212 East Pine Street
Lakeland, FL 33801
P. 863.802.5966
marlon@marlonlynn.com
https://marlonlynn.com/



This item has been electronically signed and sealed by Marlon D. Lynn using a digital signature. Documents are not considered sealed and sealed and the signatures must be verified on any electronic copies.

Project number	25017	
Date	06/09/2025	
No.	Description	Date

Building Layout Sheet

G2.11

MAXWELL STE

LK HOLLINGSWORTH DR

SUBJECT
PROPERTY

KENWITH RD

MIRAMAR RD



VAR26-002 - 418 Miramar Rd
Parcel ID: 242830259000001171





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

RE: Project No. VAR26-002 – 418 Miramar Road

Dear Property Owner:

This notice is to advise you that Marlon Lynn Architect, P.A. requests a 1' 4" variance to allow an interior side yard setback of 5' 8", in lieu of the 7' minimum interior side yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to allow for an addition in the side yard of an existing single-family home on property located at 418 Miramar Road. The subject property is legally described as:

KENWITH COURT PB 7 PG 36 BLK A LOT A LESS BEG 27.14 FT E OF NW COR CONT
E 44.76 FT S 60 DEG 43 MIN 25 SEC W 40 FT N 26 DEG 44 MIN 45 SEC W 21.19 FT TO
POB & B E 60 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 May 5, 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, 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.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	May 5, 2026	Reviewer:	JP Sims
Project No:	VAR26-002	Subject Property:	418 Miramar Road
Owner:	Laura Capioppo		
Applicant:	Marlon Lynn Architect, P.A.		
Current Zoning:	RA-1 (Single-Family Residential)	Context District	Urban Neighborhood (UNH)
Request:	A 1' 4" variance to allow an interior side yard setback of 5' 8", in lieu of the 7' minimum interior side yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to allow for an addition in the side yard of an existing single-family home on property located at 418 Miramar Road.		

1.0 Background

The subject property consists of an unusually shaped lot in the Kenwith Court subdivision which was originally platted in 1924. On the site there is an existing 4,792 square foot, single-family detached home that was built in 1925 according to the Polk County Property Appraiser. The subject property is presently zoned RA-1 (Single-Family Residential) 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 an addition to the existing primary structure on the northwest corner. Normally, there would need to be a 7' minimum interior side yard setback for principal structures.

The lots in this subdivision, particularly Lots A and B where the house is located, are oddly shaped. The parcel, as it is now, has been modified from the original plat to combine 2 lots into 1. Because of this, the property lines and orientation of the home are skewed, due to no fault of the property owner.

This particular hardship suffered by the applicant is related to the width of the rear yard as opposed to the front. Due to the odd shape of the property and orientation of the home, the addition to the primary structure slightly encroaches into the designated setback area. In the RA-1 zoning and UNH context district, primary structures must be set 7' back from the interior side yard. With this addition, the primary structure will only be 5' 8" away from the interior side yard setback.

3.0 Recommendation

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 can make expansions in the side yard 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 construction of the addition. 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:

Project No:	VAR26-004	Application Date:	2/26/2026		
Project Name:	Variance for Fence - 733 S. Rushing Avenue				
Subject Property Address:	733 RUSHING AVE S				
Parcel ID:	242819229000002130				
Applicant Name:	Sara Olson				
Applicant Address:	733 S. Rushing Avenue	Lakeland	FL	33801	
Owner Name:	Sara Lynn Olson				
Owner Address:	733 S RUSHING AVE	LAKELAND	FL	33801	

Request:

Application Type:	Variance	
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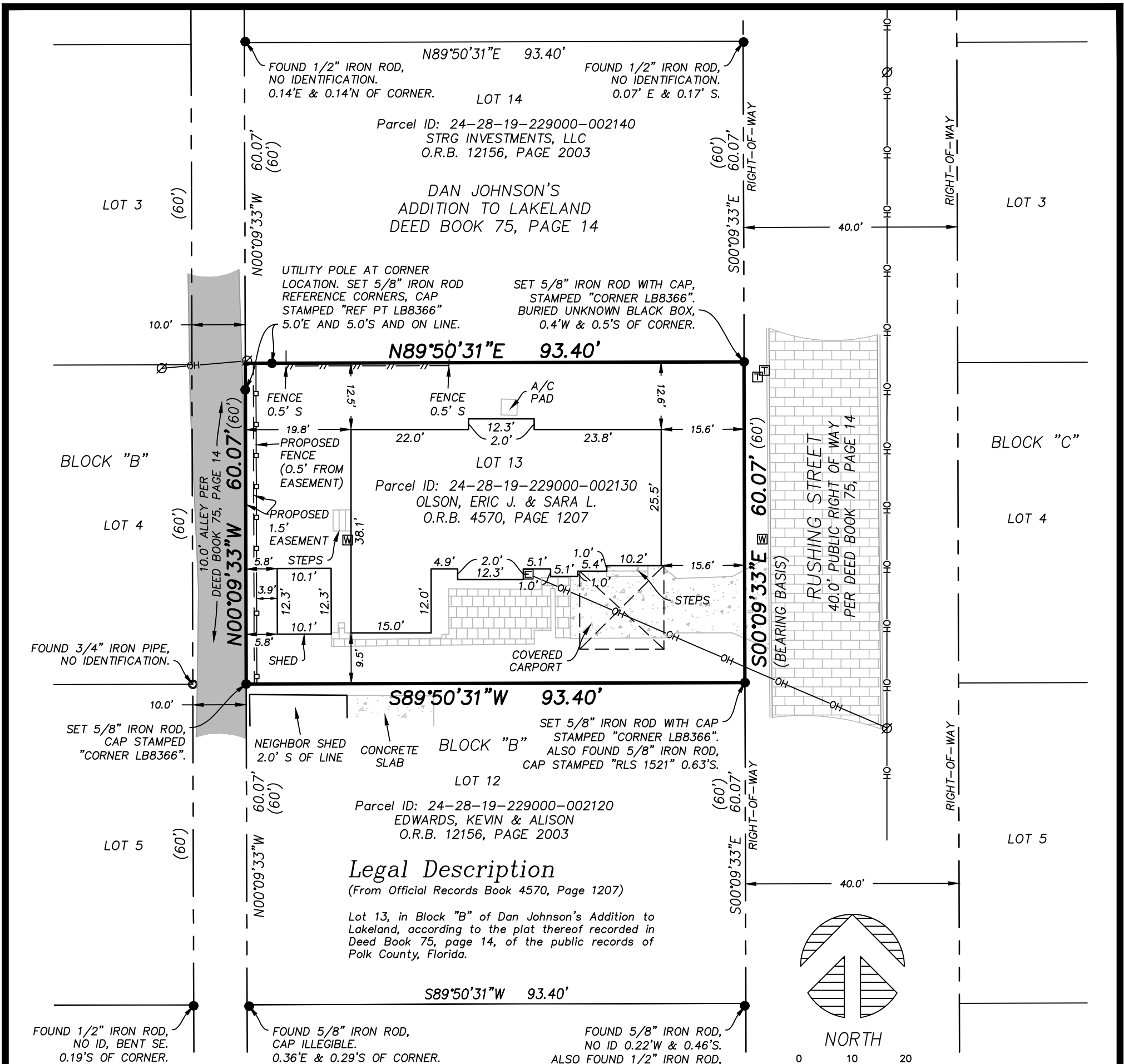
Current

Zoning:	(RA-4) Single Family	Context:	Urban Neighborhood (UNH)
Lot Dimensions:	60 x 93	Square Footage:	1,974

Present Use:	
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Explanation of Request:	Requesting a variance to install a wooden fence within the three-foot set back requirement.
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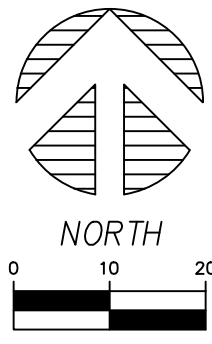
Justification:	My shed is located near the three-foot setback requirement. Having a fence near this permanent shed structure will make it difficult to maintain and/or repair the shed. Please note this alley does not have sanitation services.
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Legal Description
 (From Official Records Book 4570, Page 1207)

Lot 13, in Block "B" of Dan Johnson's Addition to Lakeland, according to the plat thereof recorded in Deed Book 75, page 14, of the public records of Polk County, Florida.

S89°50'31"W 93.40'



Surveyor's Notes:

- North and the bearings shown hereon are referenced to the West Zone of the Florida State Plane Coordinate System, North American Datum of 1983 (NAD'83) 2011 adjustment. The bearing of South 00°09'33" East along the West Right of Way line of Rushing Street as shown hereon is held as reference for all bearings. All measurements are in U.S. Survey Feet.
- The legal description shown hereon was taken from the current deed of record for the subject parcel as found in the Public Records of Polk County, Florida in Official Records Book 4570, Page 1207.
 The subject parcel contains 0.13 acre as field surveyed.
- This survey was completed without the benefit of a Title Commitment. There may be additional encumbrances affecting the subject parcel appearing in the Public Records that are not shown on this survey.
- The subject parcel falls in Flood Zone "X" - Area of Minimal Flood Hazard according to the Federal Emergency Management Agency - Flood Insurance Rate Map Number 12105C0315G with an effective date of December 22, 2016.
- Underground utilities were not located as part of this survey. Indicators of underground utilities (valves, risers, vaults, markers) have been located as shown from above ground visible features. No investigation was made as to how these surveyed features are connected below the surface.
- The adjoining parcel information was obtained from the Polk County Property Appraiser website.
- Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- This map is intended to be displayed at a scale of 1" = 20'.
- Property address: 733 S. Rushing Avenue, Lakeland, Florida 33801.

- LEGEND**
- SET 5/8" STEEL ROD
CAP STAMPED "LB 8366"
(UNLESS NOTED OTHERWISE)
 - FOUND IRON PIPE (AS NOTED)
 - A/C AIR CONDITIONER
 - ID IDENTIFICATION
 - O.R.B. OFFICIAL RECORDS BOOK
 - ☒ ELECTRIC METER
 - ☒ TELECOMMUNICATIONS RISER/VULT
 - ⊗ UTILITY POLE
 - ☒ WATER METER/VALVE
- ASPHALT
 - ▨ CONCRETE
 - OH— OVERHEAD WIRES
 - //— 6' WOOD PRIVACY FENCE



Justin B. Harris
 JUSTIN B. HARRIS, PSM
 FLORIDA SURVEYOR LICENSE No. LS 6812
 X-TERRA SURVEYING AND MAPPING, LLC

February 11, 2026
 SURVEY DATE

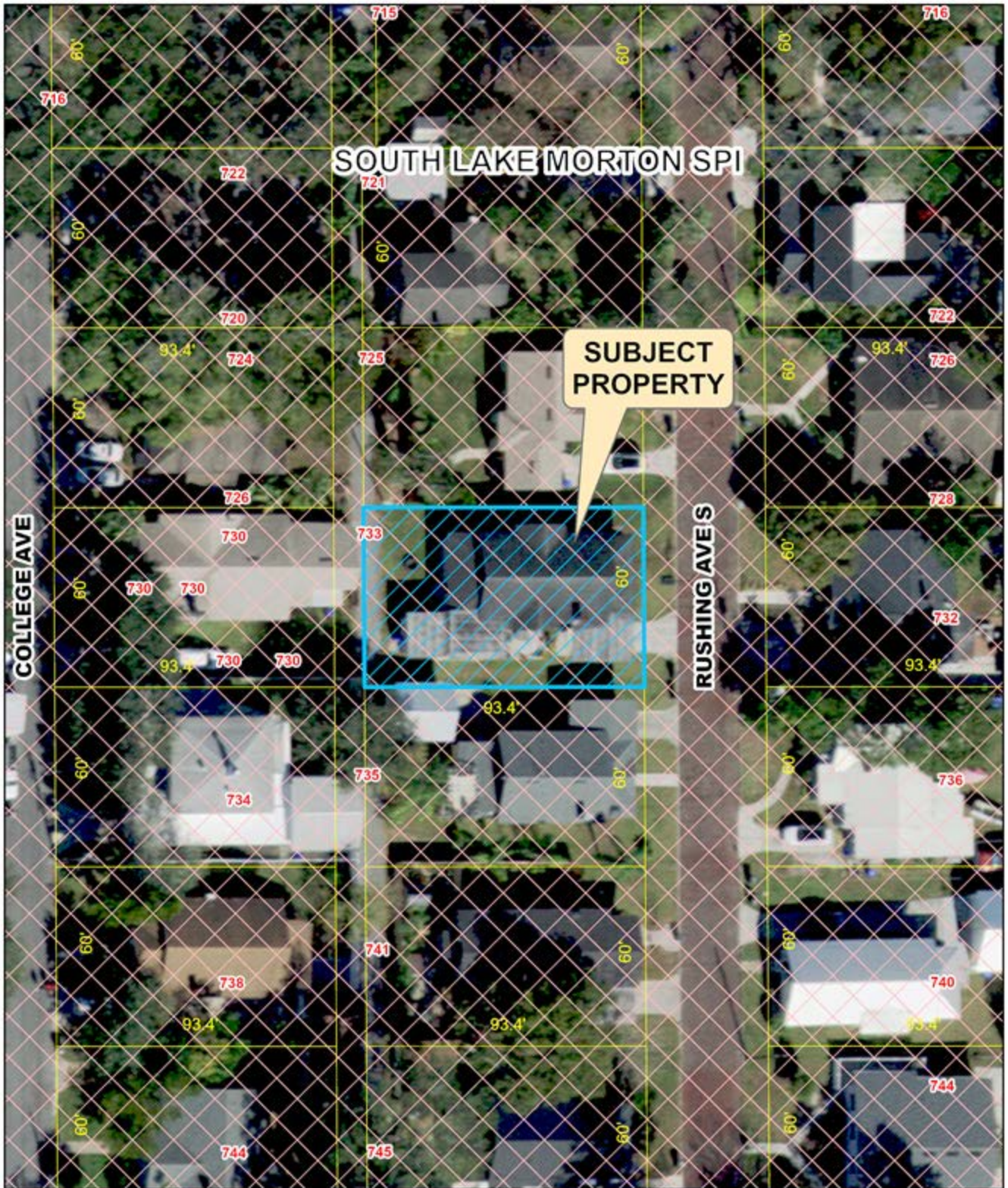
BOUNDARY SURVEY

LOCATED IN SECTION 19,
 TOWNSHIP 28 SOUTH, RANGE 24 EAST
 POLK COUNTY, FLORIDA
 PREPARED FOR: Sara Olson

X-TERRA 1255 SCOTTSLAND DRIVE
 LAKELAND, FL 33813
 (863)777-2355
 FLORIDA LICENSED SURVEY
 BUSINESS No. 8366
Surveying and Mapping

Sheet No. 1 of 1	Project No.: 20251222-02	Horiz. Scale: 1"=20'	Drawing Name: 20251222-02-OLSON -PROPOSED
Drawn by: BAC	Drawing No.: SD-26-001	Issue Date: March 20, 2026	

NOT VALID WITHOUT
 THE ORIGINAL
 SIGNATURE AND THE
 RAISED SEAL OR THE
 ELECTRONIC
 SIGNATURE AND
 COMPUTER
 GENERATED SEAL OF
 A FLORIDA LICENSED
 SURVEYOR AND
 MAPPER



SOUTH LAKE MORTON SPI

**SUBJECT
PROPERTY**

COLLEGE AVE

RUSHING AVE S

 VAR26-004 - 733 S Rushing Ave
Parcel ID: 242819229000002130

 South Lake Morton SPI





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

RE: Project No. VAR26-004 – 733 S. Rushing Avenue

Dear Property Owner:

This notice is to advise you that Sara Olson requests a 1' variance, to allow a rear yard setback of 2', in lieu of the 3' minimum rear yard setback for fences and walls when located adjacent to the right-of-way of an improved alley as specified by Figure 4.4-1 of the Land Development Code, to allow for the placement of a new wood fence along the rear property line on property located at 733 S. Rushing Avenue. The subject property is legally described as:

JOHNSONS DAN ADD DB 75 PG 14 BLK B LOT 13

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 May 5, 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, prior to the meeting date.

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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.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	May 5, 2026	Reviewer:	Audrey McGuire	
Project No:	VAR26-004	Subject Property:	733 S. Rushing Avenue	
Owner:	Sara Lynn Olson			
Applicant:	Sara Olson			
Current Zoning:	RA-4 (Single-Family Residential)	Context District	Urban Neighborhood (UNH)	
Request:	A 1' variance to allow a rear yard setback of 2' in lieu of the 3' minimum rear yard setback for fences and walls when located adjacent to the right-of-way of an improved alley as specified by Figure 4.4-1 of the Land Development Code, to allow for the placement of a new wood fence along the rear property line on property located at 733 S. Rushing Avenue.			

1.0 Background

Located in the South Lake Morton Historic District, the subject property is a 60' x 93.4' (5,658 sq. ft.) lot platted as part of the Park Hill Replat in 1912 (Plat Book 1C, Pg. 103). The subject property is located on the west side of S. Rushing Avenue, between E. Palmetto and Cumberland Streets. The subject property contains a 1,974 sq. ft. single-family home built in 1926 and a 120 sq. ft. shed.

2.0 Discussion

The purpose of this request is to obtain variance relief to allow for a six-foot high wood privacy fence to be set back 2' from the rear property line adjacent to an improved alley. The applicant's primary justification for this request is related to the configuration of the existing home and shed on the property and the ability to adequately secure and maintain the shed which is set back approximately 5.8' from the rear property line and features a window on the alley side.

Generally, fences along improved alleys are set back at least three feet from the alley to ensure solid waste and recycling collection trucks can navigate the alley and provide service. The improved north-south alley adjacent to the subject property terminates on each end at an east-west alley. While the alley is active for access by residents, due to the configuration, solid waste and recycling collection trucks do not provide service within this alley. Solid waste and recycling collection service is provided along the primary streets.

The existing detached shed, built in 1962, is set back 5.8' from the rear property line. The required 3' setback to the shed would leave only 2.8' of space between the wall of the shed and fence (not accounting for any roof overhang) for maintenance of the building, which is the primary concern of the applicant. The applicant's original request was for a 3' variance to allow a rear setback of 0' from the property line adjacent to the alley. The paved surface of the alley goes up to the rear property line (as evidenced through the survey) and although the alley is not serviced by solid waste and recycling collection vehicles, it is still actively used by residents. The 0' setback originally requested by the applicant is not feasible and would be a safety concern. The revised requested 1' variance to allow a rear yard setback of 2' in lieu of the 3' setback required by the Land Development would provide a 2' separation from the alley and an additional 1' of space between the fence and shed for maintenance purposes.

3.0 Recommendation

The hardship claimed by the applicant is related to the configuration of the existing home and shed on the property, and the ability to adequately provide maintenance to the shed. Approval of a 1' variance would not be contrary to the public interest and would meet the spirit and intent of the Land Development Code. Provided there are no substantive objections from adjoining property owners, staff recommends approval of a 1' variance to allow a rear yard setback of 2' in lieu of the 3' minimum rear yard setback for fences and walls when located adjacent to the right-of-way of an improved alley, as specified in Figure 4.1-1 of the Land Development Code.



Variance Application

General Information:

Project No:	VAR26-008	Application Date:	4/3/2026		
Project Name:	Patio improvement				
Subject Property Address:	5823 COCKATIEL CT				
Parcel ID:	242719161363000290				
Applicant Name:	Russell Johnson				
Applicant Address:	5823 Cockatiel Ct	Lakeland	FL	33809	
Owner Name:	Russell Johnson				
Owner Address:	5823 COCKATIEL CT	LAKELAND	FL	33809	

Request:

Application Type:	Variance
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Current

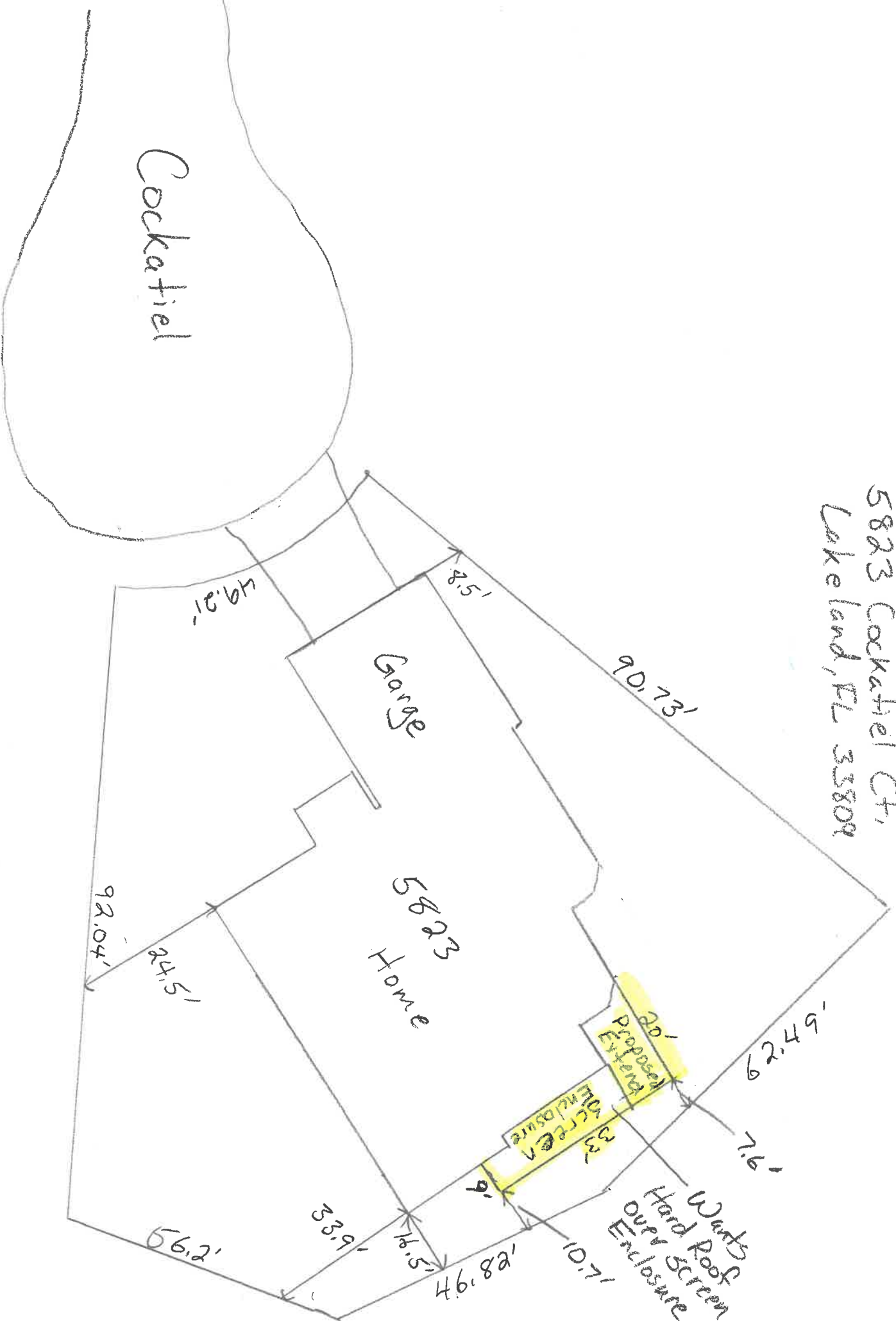
Zoning:	(PUD) 5705 Planned Unit Development	Context:	Suburban Neighborhood (SNH)
Lot Dimensions:	62 x 92	Square Footage:	2,357

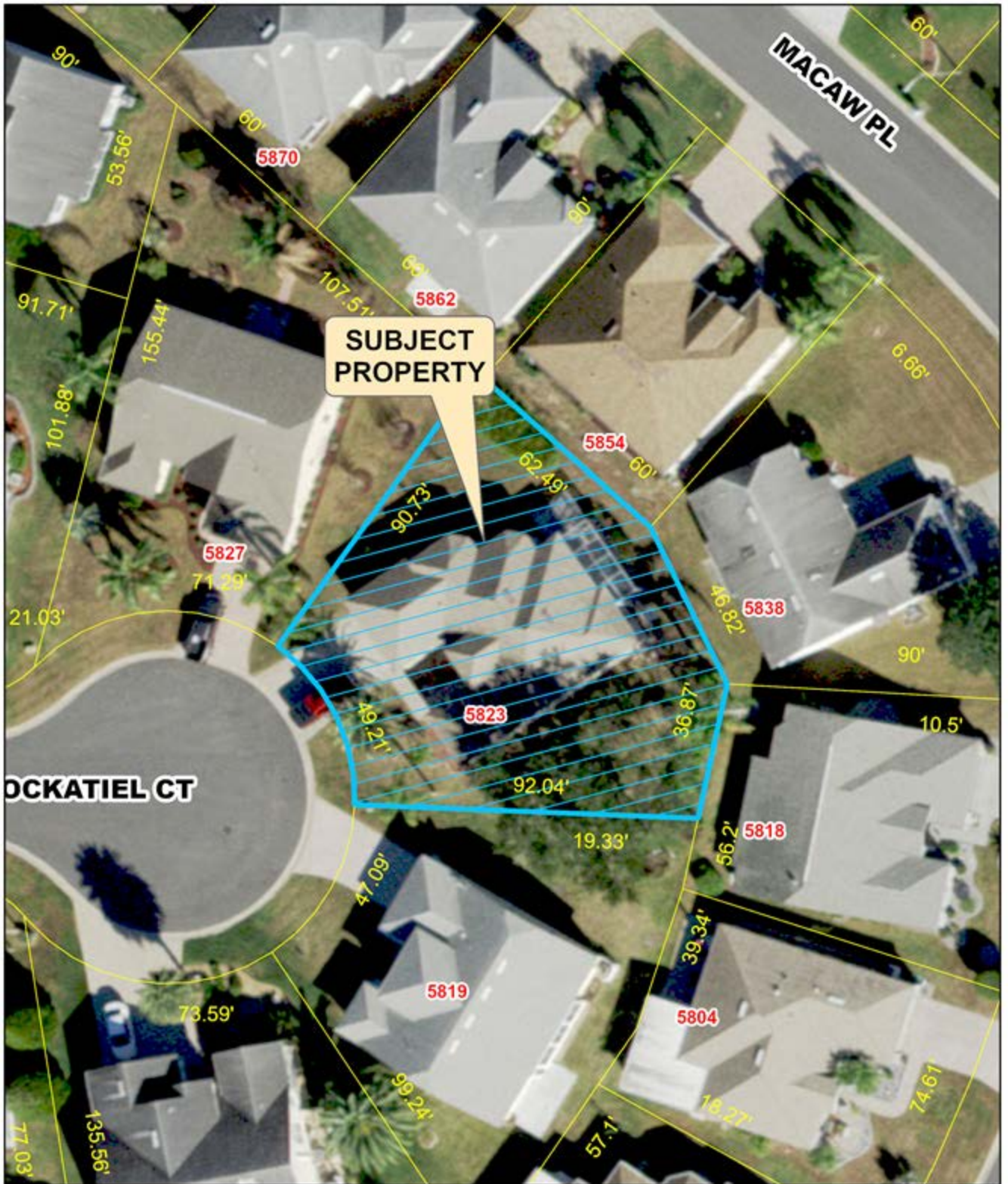
Present Use:	
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Explanation of Request:	Proposed Roof over existing screen porch and patio extension of 10'. need a 2.4' variance to allow a rear yard setback of 7.6', in lieu of the 10' minimum rear yard setback for principal structures.
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Justification:	I am requesting a variance to place a roof over my existing screened in porch and to extend that roof approximately 12 to cover the adjoining patio area. This will make the area usable and protected from the frequent rain and intense sun typical in Lakeland. My wife and I are both disabled and this would allow us to use the area safely and comfortably
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Site Plan
Russell Johnson
5823 Cockatiel Ct,
Lakeland, FL 33809





 VAR26-008 - 5823 Cockatiel St
 Parcel ID: 242719161363000290





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

RE: Project No. VAR26-008 – 5823 Cockatiel Court

Dear Property Owner:

This notice is to advise you that Russell Johnson requests a 7.4' variance to allow a rear yard setback of 7.6', in lieu of the 15' minimum rear yard setback for principal structures specified by the PUD (Planned Unit Development) zoning for Sandpiper Golf & Country Club Phase 12, in order to add a hard roof to an existing screen enclosure and construct a 10-foot-wide extension with a hard roof on property located at 5823 Cockatiel Court. The subject property is legally described as:

SANDPIPER GOLF & COUNTRY CLUB PHASE TWELVE PB 93 PG 41 LOT 29

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 May 5, 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, 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, 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.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	May 5, 2026	Reviewer:	JP Sims
Project No:	VAR26-008	Subject Property:	5823 Cockatiel Court
Owner:	Russell Johnson		
Applicant:	Russell Johnson		
Current Zoning:	PUD (Planned Unit Development) 5705	Context District	Suburban Neighborhood (SNH)
Request:	A 7.4' variance to allow a rear yard setback of 7.6', in lieu of the 15' minimum rear yard setback for principal structures specified by the PUD (Planned Unit Development) zoning for Sandpiper Golf & Country Club Phase 12, in order to add a hard roof to an existing screen enclosure and construct a 10-foot-wide extension with a hard roof on property located at 5823 Cockatiel Court.		

1.0 Background

The subject property consists of an unusually shaped lot in the Sandpiper subdivision which was originally platted and constructed in 1994. On the site there is an existing 2,357 square foot, single-family detached home that was built in 1994 according to the Polk County Property Appraiser. The subject property is presently zoned PUD5705 and located within the Suburban Neighborhood (SNH) context sub-district.

2.0 Discussion

The purpose of this request is to obtain variance relief which will allow for the construction of a hard roof over the existing open porch and extension of the current screen enclosure on the northeast corner of the house. Normally, there would need to be a 15' minimum rear yard setback for principal structures. This request would reduce the setback to 7.6'. By adding the hard roof and a hard roofed extension, the screen room and patio now become an extension of the principal structure; with the screen room it was considered an accessory structure.

The lots in this portion of the subdivision, which gain access from the Cockatiel Court cul-de-sac, are oddly shaped. When the plat was originally created in 1994, the orientation of the house around the cul-de-sac made it so that the rear yard is not straight or symmetrical. The parcel has an odd polygonal shape, making it so any expansions on the rear of the house would need a variance to be considered legally conforming.

This particular hardship suffered by the applicant is related to the depth of the lot, the odd shape of the property and orientation of the home. Due to these limitations the addition to the primary structure will encroach into the designated setback area. In PUD5705, primary structures in this Phase must be set 15' back from the rear yard. With this addition, the primary structure will be 7.6' away from the rear yard setback.

3.0 Recommendation

The hardship suffered is not the result of any action taken by the applicant. The particular hardship suffered by the applicant is related to the depth of the lots in Sandpiper subdivision, the lot configuration from being located on a cul-de-sac, and the orientation of the existing house. A typical lot in Sandpiper is only 90 feet deep, which allows for very little backyard space. As such, in the past variances for screen rooms have been granted by the Board in the Sandpiper subdivision. 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 construction of the addition. 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:

Project No:	VAR26-009	Application Date:	4/3/2026		
Project Name:	Christoffersen 2323 Hollingsworth Hill				
Subject Property Address:	2323 HOLLINGSWORTH HILL AVE				
Parcel ID:	242830256200000250				
Applicant Name:	POLK COUNTY POOLS INC				
Applicant Address:	11540 ROCKRIDGE RD	Lakeland	FI	33809	
Owner Name:	CHRISTOFFERSEN JEFFREY R				
Owner Address:	2323 HOLLINGSWORTH HILL AVE	LAKELAND	FL	33803	

Request:

Application Type:	Variance	
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Current

Zoning:	(RA-1) Single Family	Context:	Urban Neighborhood (UNH)
Lot Dimensions:	100 x 132	Square Footage:	6,068
Present Use:			
Explanation of Request:	Requesting a variance for pool construction		
Justification:	Applying for a variance to safely build a below ground swimming pool at this location. Requesting 2.5' of variance to allow us to build to the marked utility easement.		

Hardship Statement / Explanation of Request Variance Application – Rear Setback for Swimming Pool Property: 2323 Hollingsworth Hill Avenue, Lakeland, FL 33803 **Parcel ID:** 24-28-30-256200-000250 **Zoning:** RA-1 (Residential Agricultural-1) with Urban Neighborhood (UNH) context **Code Section:** Lakeland Land Development Code Table 4.3-3 (10 ft minimum rear setback for pools/spas, measured from water's edge) **Requested Variance:** 2.5 ft reduction to allow a 7.5 ft rear setback

The applicant respectfully requests a **2.5-foot variance** from the 10-foot minimum rear setback required by Table 4.3-3 to permit construction of a new inground swimming pool **by Polk County Pools** as shown on the submitted Site Plan.

Property and Proposal Description The subject property is an approximately 0.30-acre lot (roughly 100 ft × 131 ft) improved with an existing two-story single-family residence of approximately 5,891 square feet covered area, constructed circa 1985. The proposed pool (labeled “NEW POOL BY OTHERS” on the plans) measures approximately 35 ft in length by ~14.5 ft in width (water surface area), with an integrated sunshelf, steps, and 18 ft bench. The total water surface is approximately 435–500 sq ft. An approx. 7 ft paved deck separates the rear of the existing house from the rear pool edge to allow for safe circulation of foot traffic around the pool. The pool is intentionally aligned so its rear water's edge sits exactly at the inner boundary of the recorded 7.5 ft utility easement (as shown on the Site Plan).

Undue Hardship Unique to the Property Strict enforcement of the 10 ft rear setback would create a practical hardship that prevents reasonable use of the rear yard. The existing residence occupies a substantial portion of the lot footprint, leaving limited compliant rear-yard depth once the 7.5 ft utility easement, existing landscaping, drainage requirements, and code-compliant deck widths are accounted for. A fully compliant 10 ft setback would force the pool width (the dimension running into the yard) down to approximately 12 ft. This would result in an impractically narrow 12 ft × 35 ft pool of only ~420 sq ft—reading more like a long, skinny lap lane than a functional family recreational facility proportionate to a 5,891 sq ft residence.

Hardship Is Not Self-Created The constraint arises from the historic lot dimensions, the placement of the pre-existing residence (built in accordance with zoning standards in effect at the time), and the location of the recorded 7.5 ft utility easement. These conditions pre-date the current owner and were not created by any action of the applicant.

Variance Is the Minimum Relief Necessary The requested 2.5 ft reduction (to 7.5 ft setback) is the absolute minimum needed to allow a reasonably sized and proportioned pool that matches the scale of the existing home and the generous deck/patio area already designed. Any lesser variance would require shrinking the pool width below 14.5 ft, rendering the amenity functionally inadequate for typical family and entertaining use in a residence of this size. The design already respects all other setbacks, preserves existing mature vegetation where feasible, and maintains required safety barriers, equipment clearances, and positive drainage.

No Adverse Impact on Public Interest or Neighbors Granting the variance will not be contrary to the public interest. The pool remains entirely on private property, does not encroach into any easements beyond the alignment already shown, and complies with all Florida Building Code

safety and fencing requirements. The house-to-pool deck, proposed landscaping, and new entrance to the pool area ensure the project will enhance rather than detract from neighborhood character. No adverse effects on stormwater management, privacy, noise, or adjacent properties are anticipated.

This request is consistent with recent approvals by the Zoning Board of Adjustments and Appeals for similar modest pool-setback variances in the RA-1/UNH district (e.g., VAR26-001 at 310 Eunice Road, where staff recommended approval on nearly identical lot-configuration and existing-residence grounds).

Approval of this variance will allow reasonable enjoyment of the property consistent with the intent of the Land Development Code and with comparable residential uses throughout Hollingsworth Heights. The applicant is happy to provide a certified survey, neighbor notifications, or any additional information the Board may require.

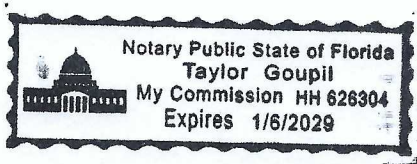
Thank you for your consideration.


Applicant: Jeff Christoffersen

Pool Contractor: Polk County Pools

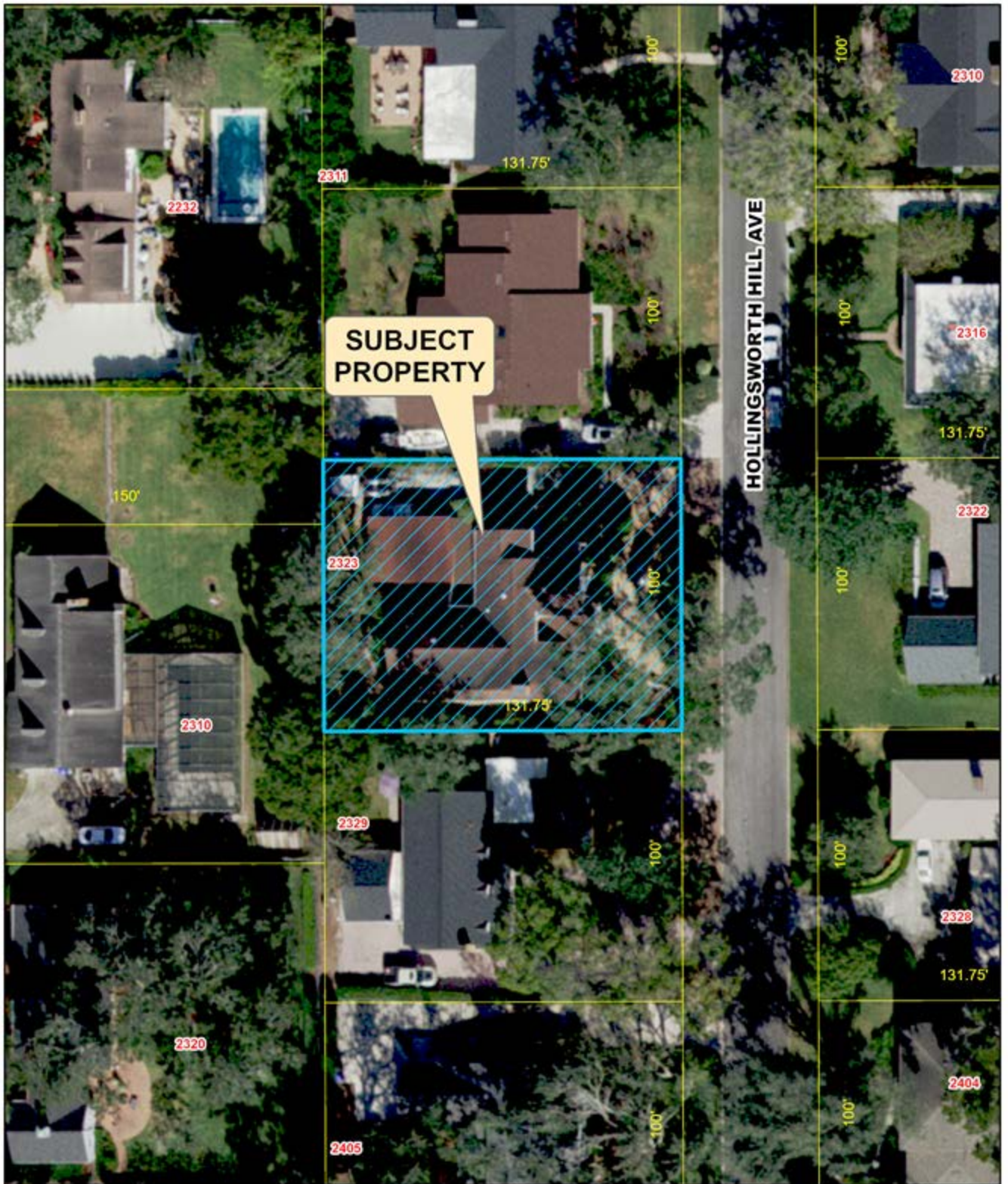
Date: April 2, 2026

Contact: 763-218-6695 / jrchristoffersen1@gmail.com



STATE OF FLORIDA
COUNTY OF Polk

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 2nd day of April, 2026, by Jeffrey Christoffersen
Taylor Goupil Notary Public's Signature Notary Name Taylor Goupil
Personally Known _____ OR Produced Identification
Type of Identification Produced: FLDL



HOLLINGSWORTH HILL AVE

SUBJECT PROPERTY



VAR26-009 - 2323 Hollingsworth Hill Ave
Parcel ID: 242830256200000250





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

RE: Project No. VAR26-009 – 2323 Hollingsworth Hill Avenue

Dear Property Owner:

This notice is to advise you that Polk County Pools, Inc., on behalf of Jeffrey Christoffersen, requests a 1.5' variance to allow a rear yard setback of 8.5', in lieu of the minimum 10' rear yard setback for swimming pools as specified by Table 4.3-3 of the Land Development Code, to allow for the construction of an inground pool on property located at 2323 Hollingsworth Hill Avenue. The subject property is legally described as:

HOLLINGSWORTH HTS SUB PB 47 PG 3 LOT 25

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 May 5, 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, 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	May 5, 2026	Reviewer:	Audrey McGuire
Project No:	VAR26-009	Subject Property:	2323 Hollingsworth Hill Avenue
Owner:	Jeffrey R. Christoffersen		
Applicant:	Polk County Pools, Inc.		
Current Zoning:	RA-1 (Single-Family Residential)	Context District	Urban Neighborhood (UNH)
Request:	A 1'-6" variance to allow a rear yard setback of 8'-6" in lieu of the 10' minimum rear yard setback for swimming pools specified by Table 4.3-3 of the Land Development Code, to allow for the construction of a swimming pool in the rear yard of an existing single-family home on property located at 2323 Hollingsworth Hill Avenue.		

1.0 Background

The subject property is a 13,175 sq. ft. lot platted as part of the Hollingsworth Heights subdivision in 1964. According to information obtained from the Polk County Property Appraiser, the property contains a 6,068 sq. ft. single-family home built in 1985. The subject property is zoned RA-1 (Single-Family Residential) and located within the Urban Neighborhood (UNH) context sub-district.

2.0 Discussion

The purpose of this request is to obtain variance relief to allow for the construction of a new 14.5' x 35' in-ground swimming pool in the rear yard of the property. Table 4.3-3, (Swimming Pool Standards) of the Land Development Code requires a 10 ft. interior side and rear yard setback for swimming pools in the RA-1 / UNH sub-district. These setbacks are measured from the water's edge of the pool to the respective property boundary line.

The particular hardship suffered by the applicant is related to the configuration of the existing home on the property. Built in 1985, the single-family home, measured from the nearest point, is located approximately 18.17' from the rear property line. The northwest portion of the home is further recessed and set back approximately 30.5' from the rear property line. The property features a driveway located in the interior side yard between the home and north property line which extends to the rear yard. The subject property also contains a 7.5' utility easement along the rear (west) property line where no structures may be built (including pool decking.)

The home is configured in such a way that a pool would be limited to the southwest quadrant of the property between the home and 7.5' wide utility easement. The applicant proposes a 22.75' wide pool deck with the water's edge of pool located 8.5' from the rear property line.

3.0 Recommendation

The hardship suffered by the applicant is related to the configuration of the existing single-family home on the subject property and is not the result of any action taken by the applicant. The requested relief is reasonable to the degree of hardship suffered by the applicant and is the minimal amount necessary to accommodate the proposed swimming pool. Due to a lack of viable alternatives and the minimal impact on adjacent properties, staff recommends the request be considered for approval.