



Zoning Board of Adjustments and Appeals Meeting Agenda

**July 7, 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 May meeting

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

ITEM 5: **Homeowner Tracy L. Cox requests** a 2' variance to allow an 8' privacy fence, in lieu of the maximum height of six feet for residential fences and walls specified by Figure 4.4-1 of the Land Development Code, in order to construct an eight-foot-high fence from the northeast corner of house to the east property boundary, along the east property boundary to the southeast corner of property and from the southwest corner of the detached storage building to the south property boundary and from the south boundary to the southeast corner of property on property located at 90 Lake Hunter Drive. (VAR26-010)

ITEM 6: **A&R Environmental Construction Inc. requests** a 7'-8" variance to allow a 7'-4" setback from the rear property line, in lieu of the 15' minimum setback for the single-family attached special building type specified by Table 3.4-11 of the Land Development Code to allow for the construction of a 14' x 13' hard-roofed screen room on property located at 1836 N. Crystal Lake Drive, #32. Owner: Robert F. and Brenda G. Bregler. (VAR26-011)

ITEM 7: **Brice Holley requests** a 2' variance to allow an 8' high privacy fence, in lieu of the maximum height of six feet for residential fences and walls specified by Figure 4.4-1 of the Land Development Code, in order to construct an eight-foot-high fence along the eastern (rear) property boundary on property located at 4448 S. Laurel Pointe Drive. Owner: Holley Family Revocable Trust. (VAR26-012)

ITEM 8: Unfinished Business

ITEM 9: New Business: Appointment of Board Officers
Current officers: Jiwa Farrell, Chair
Daniel Sharrett, Vice-Chair

ITEM 10: Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, May 5, 2026 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.

Present were Board Members Thomas Brawner, Emily Breheny, Jiwa Farrell, Werner Fomin, Tunesia Mayweather and Adam Russell. Also present were Ramona Sirianni, Deputy City Attorney; and staff from the Community & Economic Development Department: Matt Lyons, Executive Planner; Audrey McGuire, Executive Planner; Johnathan (JP) Sims, 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)

Marlon Lynn, 212 E. Pine Street, provided an overview of the request.

JP Sims stated the subject property consists of an unusually shaped lot in the Kenwith Court subdivision which was originally platted in 1924.

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

Mr. Sims stated staff recommends approval.

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

Emily Breheny made a motion to approve staff's recommendation. Adam Russell seconded the motion, and it passed 6—0.

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)

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 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.

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

Ms. McGuire stated that 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.

Ms. McGuire stated 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.

Ms. McGuire stated staff recommends approval.

Ms. McGuire stated staff did not receive additional comment after the April hearing from the property owner to the south who originally objected to the request. A letter in support of the request was received from the property owner across the alleyway.

Thomas Brawner made a motion to approve staff's recommendation. Emily Breheny seconded the motion, and it passed 6—0.

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)

Russell Johnson, 5823 Cockatiel Court, provided an overview of the proposed request.

JP Sims stated the subject property consists of an unusually shaped lot in the Sandpiper subdivision which was originally platted and constructed in 1994.

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

Mr. Sims stated staff recommends approval.

Mr. Sims stated staff did not receive public comment in response to the request.

Tunesia Mayweather made a motion to approve staff's recommendation. Adam Russell seconded the motion, and it passed 6—0.

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)

Chris McBride, representing the applicant, provided an overview of the proposed request.

Audrey McGuire stated the property contains a 6,068 sq. ft. single-family home built in 1985. The subject property is zoned RA-1 (Single-Family Residential). 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.

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

Ms. McGuire stated staff recommends approval.

Ms. McGuire stated staff did not receive public comment in response to the request.

Adam Russell made a motion to approve staff's recommendation. Emily Breheny seconded the motion, and it passed 6—0.

Adjourned

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

Jiwa Farrell, Chairperson

Christelle Burrola, Secretary



Variance Application

General Information:

Project No:	VAR26-010	Application Date:	5/8/2026		
Project Name:	Privacy Fence Installation				
Subject Property Address:	90 LAKE HUNTER DR				
Parcel ID:	232824110000001010				
Applicant Name:	Tracy L Cox				
Applicant Address:	90 Lake Hunter Drive	Lakeland	FL	33803	
Owner Name:	COX TRACY LUCINDA				
Owner Address:	90 LAKE HUNTER DR	LAKELAND	FL	33803	

Request:

Application Type:	Variance
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Current

Zoning:	(RA-3) Single Family	Context:	Urban Neighborhood (UNH)
Lot Dimensions:	79 X 226	Square Footage:	1,660

Present Use:	
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Explanation of Request:	Install 8' privacy fence from northeast corner of house to east property boundary, along east property boundary to southeast corner of property from southwest corner of detached storage building to southeast corner of property. On eastside of circular drive from southwest corner of house to northwest corner of detached storage building
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Justification:	Resident of the house has Alzheimer's disease. Resident is very physically active. Property needs to be secured to prevent wandering away from lake front home and safeguard from crossing 2 way streets
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Lake Hunter

LAKE HUNTER DR

PATTERS

SUBJECT PROPERTY

KING AVE

HARTSELL AVE

PARK



VAR26-010 - 90 Lake Hunter Dr
Parcel ID: 232824110000001010





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

RE: Project No. VAR26-010 – 90 Lake Hunter Drive

Dear Property Owner:

This notice is to advise you that Tracy L. Cox requests a 2' variance to allow an 8' privacy fence, in lieu of the maximum height of six feet for residential fences and walls specified by Figure 4.4-1 of the Land Development Code, in order to construct an eight-foot-high fence from the northeast corner of house to the east property boundary, along the east property boundary to the southeast corner of property and from the southwest corner of the detached storage building to the south property boundary and from the south boundary to the southeast corner of property on property located at 90 Lake Hunter Drive. The subject property is legally described as:

KIGHT H O SUB PB 10 PG 23 BLK A LOT 1

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 July 7, 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	July 7, 2026	Reviewer:	Todd Vargo
Project No:	VAR26-010	Subject Property:	90 Lake Hunter Drive
Owner:	Tracy Cox		
Applicant:	Tracy Cox		
Current Zoning:	RA-3 (Single-Family Residential)	Context District	Urban Neighborhood (UNH)
Request:	A 2' variance to allow an 8' privacy fence, in lieu of the maximum height of six feet for residential fences and walls specified by Figure 4.4-1 of the Land Development Code, in order to construct an eight-foot-high fence from the northeast corner of house to the east property boundary, along the east property boundary to the southeast corner of property and from the southwest corner of the detached storage building to the south property boundary and from the south boundary to the southeast corner of property on property located at 90 Lake Hunter Drive.		

1.0 Background

The subject property is approximately 0.38 acres in area and located on the southeast corner of the intersection of Lake Hunter Drive and Hartsell Avenue, south of Lake Hunter. The subject property contains an existing single-family detached home which was originally built in 1957 according to the Polk County Property Appraiser. The property is also within the Dixieland Historic District.

2.0 Discussion

The purpose of this request is to obtain variance relief which will allow for an 8' high privacy fence along the interior side (eastern) property line and a portion of the rear (southern) property line. The applicant's justification for this request is related to both a need for privacy and safety for a resident of the house living with a progressive neurodegenerative disorder who is physically active and enjoys spending time outdoors.

The subject property naturally slopes from the southeast north towards Lake Hunter, and there is a significant grade change between the subject property and the properties to the south and southeast. The home on the subject property, sits approximately 5' lower than the southeast corner of the property and the adjacent home to the southeast.

The 8' fence is necessary for privacy from neighbors to the east and southeast. The existing 6' fence, which is located along the east property line allows views from properties to the east and southeast into the rear yard and has not provided the privacy needed. The requested 8' fencing and additional 6' high fence being installed parallel to the western property line is also for safeguarding purposes, to keep the resident from wandering away. If approved, the variance will only apply to the fencing placed along the interior side and rear property line. The proposed 8' fence will provide both the resident and the caretaker (the property owner) privacy to provide proper care and allow the resident to enjoy outside activities without compromising their safety / security, which contributes to their overall quality of life.

3.0 Recommendation

The particular hardship suffered is not the result of any action taken by the applicant. The requested relief is reasonable and proportionate to the degree of hardship resulting from the hardship. Provided there are no substantive objections from adjoining property owners, staff recommends that the variance be considered for approval. If approved, a Certificate of Review from the Historic Preservation Board's Design Review Committee or its designee shall be obtained prior to installation of the fence. The following condition of approval is recommended:

1. The 8-foot tall fence shall be installed in accordance with the attached site plan.



Variance Application

General Information:

Project No:	VAR26-011	Application Date:	5/29/2026		
Project Name:	Screen Enclosure				
Subject Property Address:	1836 CRYSTAL LAKE DR N # 32				
Parcel ID:	242820239220022040				
Applicant Name:	A&R ENVIRONMENTAL CONSTRUCTION INC				
Applicant Address:	12768 165TH RD N	JUPITER	FL	33478	
Owner Name:	BREGLER ROBERT F				
Owner Address:	6504 TIMUCUANS CIR	LAKELAND	FL	33813	

Request:

Application Type:	Variance	
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Current

Zoning:	MF-12 (Multi Family)	Context:	Urban Neighborhood (UNH)
Lot Dimensions:	163 X 59	Square Footage:	1,206

Present Use:	
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Explanation of Request:	Homeowner is requesting a variance to allow her to install a 14 by 14 enclosed screen on the back of her townhouse.
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Justification:	To be able to take advantage of her outdoor space, which already has a paver patio that extends from the rear entrance out approximately 16ft. In order to sit comfortably outside she would like to install a screened enclosure that will be 14ft from the rear entrance of her building, approximately 2ft shorter than her existing paver patio.
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Lake Bonny

**SUBJECT
PROPERTY**



VAR26-011 - 1836 CRYSTAL LAKE DR N # 32
Parcel ID: 242820239220022040





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

RE: Project No. VAR26-011 – 1836 N. Crystal Lake Drive, #32

Dear Property Owner:

This notice is to advise you that A&R Environmental Construction Inc., on behalf of Robert F. and Brenda G. Bregler, requests a 7'-8" variance to allow a 7'-4" setback from the rear property line, in lieu of the 15' minimum setback for the single-family attached special building type specified by Table 3.4-11 of the Land Development Code to allow for the construction of a 14' x 13' hard-roofed screen room on property located at 1836 N. Crystal Lake Drive, #32. The subject property is legally described as:

THE GROVE PB 65 PG 29 BLK 22 LOT 4 AND INTEREST IN TRACT A

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 July 7, 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	July 7, 2026	Reviewer:	Audrey McGuire	
Project No:	VAR26-011	Subject Property:	1836 N. Crystal Lake Drive, #32	
Owner:	Robert F. and Brenda G. Bregler			
Applicant:	A&R Environmental Construction Inc.			
Current Zoning:	MF-12 (Multi-Family Residential)	Context District	Urban Neighborhood (UNH)	
Request:	A 7'-8" variance to allow a 7'-4" setback from the rear property line, in lieu of the 15' minimum setback for the single-family attached special building type specified by Table 3.4-11 of the Land Development Code to allow for the construction of a 14' x 13' hard-roofed screen room on property located at 1836 N. Crystal Lake Drive, #32.			

1.0 Background

The subject property is a 0.02-acre (19.59' wide by 59.1' deep) lot within the Grove Townhome subdivision, generally located on the south side of Lake Bonny, west of N. Crystal Lake Drive and northeast of US Hwy 98 S / Bartow Road. According to information from the Polk County Property Appraiser, the subject property contains a 1,206 sq. ft. two-story single-family attached (townhome) dwelling constructed in 1976. The subject property is zoned MF-12 (Multi-Family Residential) and is located within the Urban Neighborhood context district.

2.0 Discussion

The purpose of this request is to obtain variance relief to allow for the construction of a new hard-roofed screen room in the rear yard of the property. Screen rooms are common features on homes in Florida. Screen rooms with a hard roof, such as composite panels, are considered to be additions to the home rather than an accessory structure and are subject to the setback requirements for principal buildings.

The current MF-12 zoning designation has been in place since 1994 when the subject property was rezoned from PUD (Planned Unit Development) as part of a broader City-wide zoning conformance action following the adoption of the 1993 Land Development Code. The setback standards for the single-family attached (townhome) special building type were later adopted in 2014.

The hardship suffered by the applicant is related to the small lot size and configuration of the existing home on the lot. The Grove Townhome subdivision was platted in 1977 prior to the adoption of the current zoning code. Lots within the subdivision are relatively shallow in depth, limiting the ability to construct screen rooms or other similar enclosures in the rear yard. The subject property is only 59.1' in depth and abuts common area owned by the Grove homeowners association (HOA). In accordance with the special building type standards for single-family attached dwellings, the required minimum rear setback for principal structures is 15'. The proposed screen room addition will be set back approximately 7'-4" from the rear property line. With the addition, the overall lot coverage will be 60.08% which is still under the 70% maximum allowed by Table 4.3-11 of the Land Development Code for the single-family attached special building type.

3.0 Recommendation

The hardship suffered by the applicant is related to the relatively shallow lot size and configuration of the existing single-family attached dwelling 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 screen room. Provided there are no substantive objections from adjoining property owners, staff recommends the request be considered for approval.



Variance Application

General Information:

Project No:	VAR26-012	Application Date:	5/28/2026		
Project Name:	Holley Variance				
Subject Property Address:	4448 LAUREL POINTE DR S				
Parcel ID:	242906277760000330				
Applicant Name:	Brice Holley				
Applicant Address:	4448 South Laurel Pointe Dr	Lakeland	FL	33813	
Owner Name:	HOLLEY FAMILY REVOCABLE TRUST				
Owner Address:	4448 S LAUREL POINTE DR	LAKELAND	FL	33813	

Request:

Application Type:	Variance				
Current					
Zoning:	RA-1 (Single Family)	Context:	Suburban Neighborhood (SNH)		
Lot Dimensions:	133 X 103	Square Footage:	2,368		
Present Use:					
Explanation of Request:	Requesting 8 ft fence for privacy				
Justification:	Requesting an 8 ft fence to give privacy from people on Cleveland Heights				



VAR26-012 - 4448 LAUREL POINTE DR S

Parcel ID: 242906277760000330





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

RE: Project No. VAR26-012 – 4448 S. Laurel Pointe Drive

Dear Property Owner:

This notice is to advise you that Brice Holley, on behalf of Holley Family Revocable Trust, is requesting a 2' variance to allow an 8' high privacy fence, in lieu of the maximum height of six feet for residential fences and walls specified by Figure 4.4-1 of the Land Development Code, in order to construct an eight-foot-high fence along the eastern (rear) property boundary on property located at 4448 S. Laurel Pointe Drive. The subject property is legally described as:

LAUREL POINTE PB 65 PG 33 LOT 33

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 July 7, 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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Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	July 7, 2026	Reviewer:	JP Sims
Project No:	VAR26-012	Subject Property:	4448 S. Laurel Pointe Drive
Owner:	Brice Holley		
Applicant:	Brice Holley		
Current Zoning:	RA-1 (Single-Family Residential)	Context District	Suburban Neighborhood (SNH)
Request:	A 2' variance to allow an 8' high privacy fence, in lieu of the maximum height of six feet for residential fences and walls specified by Figure 4.4-1 of the Land Development Code, in order to construct an eight-foot-high fence along the eastern (rear) property boundary on property located at 4448 S. Laurel Pointe Drive.		

1.0 Background

The subject property consists of a parcel that backs up to Cleveland Heights Boulevard along the eastern rear side. On the site there is an existing 2,368 square foot, single-family detached home that was built in 1981 according to the Polk County Property Appraiser. The subject property is presently zoned RA-1 (Single-Family Residential) 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 an eight (8) foot fence along the rear side of the parcel. Normally, the maximum height of a fence is only allowed to be up to six (6) feet. By adding the additional two feet, this would help to block traffic noise and obscure sight of the rear yard from drivers on Cleveland Height Boulevard to the east.

This particular hardship suffered by the applicant is related to the height of the lot. When it was originally constructed, the elevation for the site sits below the road abutting the site to the east, making it so sound travels over the existing 6-foot-tall fence. It also allows drivers to see into the backyard unobstructed due to the lower elevation.

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 height of the lots in this 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 reduce noise and visibility from the abutting eastern road. Due to a lack of viable alternatives and the minimal impact on adjacent properties, staff recommends that the request be considered for approval.