



Zoning Board of Adjustments and Appeals Meeting Agenda

**October 6, 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 August meeting

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

ITEM 5: **Homeowner Benjamin J. LeFrancois requests** a 2' variance to allow a maximum fence height of 8', in lieu of the maximum height of 6' for residential fences in side and rear yards specified by Figure 4.4-1 of the Land Development Code, in order to construct a new 8' high privacy fence, approximately 30 feet in length, along the south 30 feet of the west (rear) property line on property located at 2407 Jonila Avenue. (VAR26-017)

ITEM 6: Unfinished Business

ITEM 7: New Business

ITEM 8: Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, August 4, 2026 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.

Present were Board Members Jiwa Farrell, Werner Fomin, Daniel Price, Daniel Sharrett, Adam Russell and Kristen Tessmer. Also present were Ramona Sirianni, Deputy City Attorney; and staff from the Community & Economic Development Department: Johnathan (JP) Sims, Senior Planner; Damaris Stull, 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: Spring Engineering Inc. requests a 10' variance to allow a maximum sign height of 25', in lieu of the maximum height of 15' for ground signs located along commercial corridors as specified by Section 4.9.4.4.a.1(e) of the Land Development Code, to replace an existing 38' high pole sign with a new 25' high pylon sign on property located at 925 Highway 98 South. Owner: SVC Holdings 2009 LLC. (VAR26-013)

Nicholas Lingle, 3014 U.S. Highway 19, Holiday, representing the applicant, provided an overview of the request.

JP Sims stated the purpose of this request is to obtain variance relief which will allow for the removal of an existing twenty-eight (28) foot tall pole sign and subsequent construction of a new twenty-five (25) foot tall Kia commercial dealership sign along the east side of the parcel abutting US Highway 98 South.

Mr. Sims pointed to photos on the overhead screen of the subject property and renderings of the proposed signs.

Mr. Sims stated staff recommends approval.

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

Daniel Sharrett made a motion to approve staff's recommendation. Werner Fomin seconded the motion, and it passed 5—1. Adam Russell voted against the motion.

Item 6: Lindsey Fischer requests a variance to allow a minimum ground floor building transparency of 5% along County Line Road and 22.8% along Great Oak Drive, in lieu of the 40% minimum ground floor building transparency for street facing building facades as specified by Sub-Section 3.4.7.4.b of the Land Development Code, in order to construct a new four-story hotel on property located at 5352 Great Oak Drive. Owner: Lake 23 LLC. (VAR26-014)

Ryan Rivett, 1910 8th Avenue NE, Aberdeen, South Dakota, representing the applicant, provided an overview of the request.

Todd Vargo stated that the subject property is located at the southeast corner of the intersection of County Line Road and Great Oak Drive. The site is currently undeveloped but was granted a zoning district change from I-2 (Medium Industrial) to O-3 (Moderate Impact Office). In 2025, the applicant submitted a concept plan review for guidance from the Development Review Team (DRT) on constructing a new hotel. The purpose of this request is to obtain variance relief which will allow for the construction of a 71 room, 4-story hotel on the subject site. Per Subsection 3.4.7.4.b of the city's Land Development Code, Ground Floor Transparency for Buildings on Properties located within O-1, O-2, O-3, C-2, C-3, C-4, C-5 and I-1 zoning districts, states that: "For street facing building facades, a minimum of forty percent (40%) of the ground floor facade, when measured between two feet above grade and ten feet above grade at the pedestrian/sidewalk level, shall consist of glass windows and doors with a visible transmittance rating of no less than forty percent (40%)." This particular hardship suffered by the applicant is related to the property being the only property zoned O-3 in an otherwise-zoned industrial park. None of the surrounding properties, zoned I-2, are required to meet the transparency requirement. Since Great Oak Drive serves as

access to the industrial area to the east, this roadway does not facilitate high amounts of traffic, either pedestrian or vehicular. The transparency requirement is also meant to break long uninterrupted facades. In this case, the proposed elevations for the hotel show substantial façade variation.

Mr. Vargo pointed to photos on the overhead screen of the proposed site plan and proposed elevations of the hotel.

Mr. Vargo stated staff recommends approval.

Discussion ensued.

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

Item 7: Duane McQuillen Construction requests a 85'-9 ¾" variance to allow a front yard setback of 125'-9 ¾" in lieu of the 40' maximum front yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to construct a new single-family detached dwelling on property located at 2214 Collins Lane. Owner: Austin T. Tones. (VAR26-015)

Austin Jones, 133 E. Maxwell Street, provided an overview of the request.

Damaris Stull stated the subject property consists of 1.25-acre, vacant lot. The subject property is zoned RA-1 (Single-Family Residential) and located within the Urban Neighborhood (UNH) context sub-district. The subject property is an estate-sized lot that is not part of a platted subdivision and is accessed by a privately maintained street. The lot previously contained a 3,890 square foot single-family home that was demolished in 2025.

Ms. Stull stated the subject property is an estate-sized lot that is not part of a platted subdivision and is accessed by a privately maintained street. The property is substantially larger than a typical residential lot within the RA-1 zoning district. The properties adjacent to the north and south are corner lots and oriented away from Collins Avenue, resulting in streetscape that does not reflect a traditional subdivision pattern. Consequently, the proposed setback will not disrupt a consistent front building line along Collins Avenue nor adversely affect the visual character of the surrounding neighborhood.

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

Ms. Stull stated the applicant's justification for the request pertains to the large lot size, unique physical characteristics and compatibility with other estate-sized lots in the neighborhood which have large homes. The proposed setback is compatible with the existing development pattern of the surrounding estate-size properties. Additionally, the applicant wanted to preserve the grandfather oak and other trees on the property. The specific hardship suffered by the applicant is related to the atypical lot size.

Ms. Stull stated staff recommends approval.

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

Steve Buck, 2215 Collins Lane, stated that he is in support of the request.

Daniel Sharrett made a motion to continue the item. Kristen Tessmer seconded the motion, and it passed 6—0.

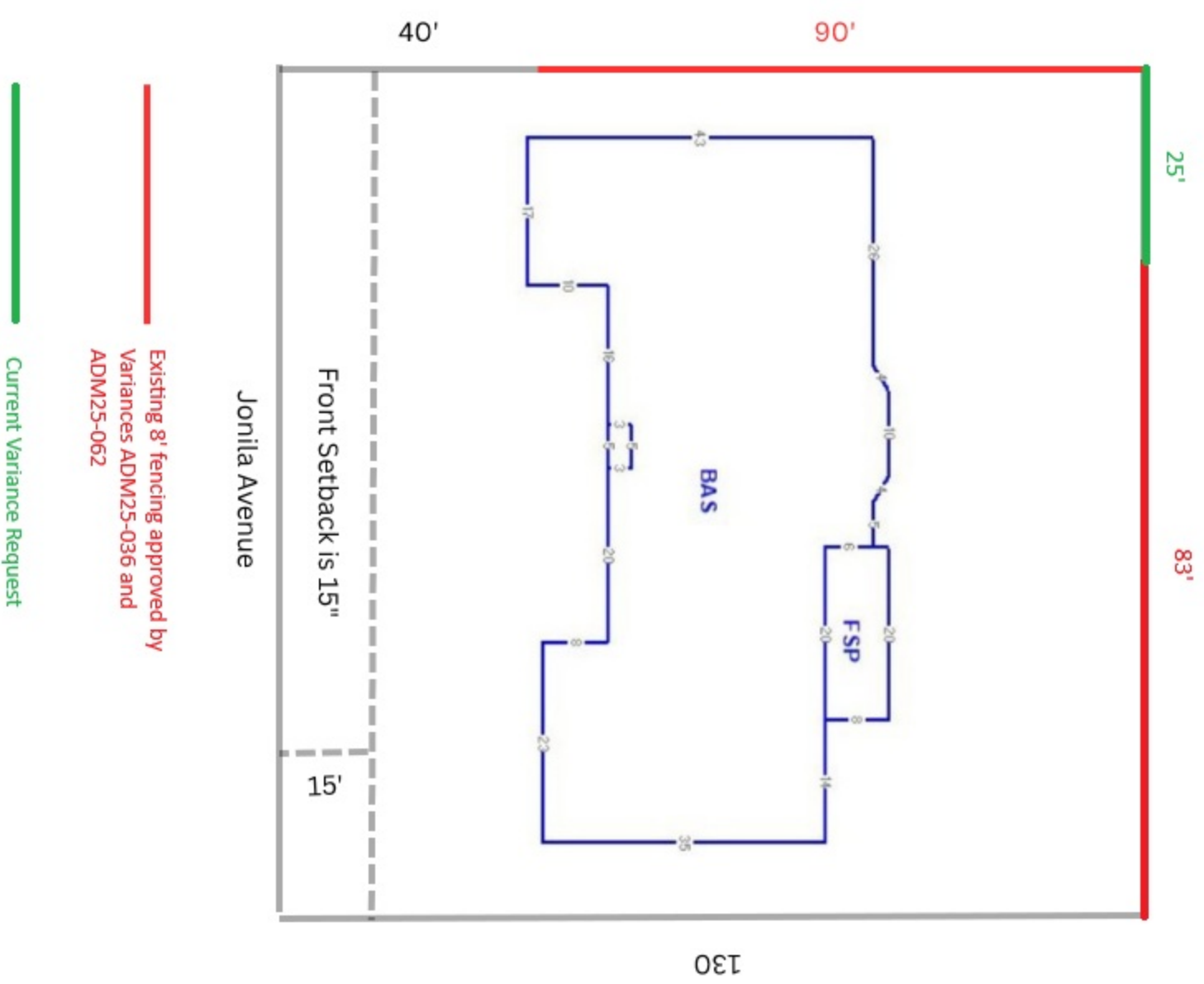
Adjourned

The meeting was adjourned at 9:36 a.m.



Variance Application

General Information:				
Project No:	VAR26-017	Application Date:	9/8/2026	
Project Name:	Variance Request for Rear 8' fence			
Subject Property Address:	2407 JONILA AVE			
Parcel ID:	242830254400000081			
Applicant Name:	Benjamin J. LeFrancois			
Applicant Address:	2407 Jonila Avenue	Lakeland	FL	33803
Owner Name:	LEFRANCOIS BENJAMIN J			
Owner Address:	2407 JONILA AVE	LAKELAND	FL	33803
Request:				
Application Type:	Variance			
Current				
Zoning:	(RA-1) Single Family	Context:	Urban Neighborhood (UNH)	
Lot Dimensions:	130 x 108	Square Footage:	3,169	
Present Use:				
Explanation of Request:	Applicant seeks a variance to allow an 8' fence along the rear of the property.			
Justification:	Special Conditions Unique to the Land: This property features a unique, natural topographical constraint consisting of a 10 -foot grade drop from the average living grade of the primary residence down to the rear property line abutting the neighboring parcel. This extreme change in elevation is entirely a natural condition of the land, is not self-imposed, and is not shared by the majority of residential parcels within this zoning district. Literal Enforcement Creates Undue Hardship: Strict application of the 6-foot fence height restriction under Section 4.4 creates an unnecessary and severe hardship. Because the fence must be anchored at the lower elevation of the property boundary, a standard 6-foot fence would functionally stand at or below eye level relative to the primary residence's outdoor living space. Conversely, the rear neighbor is forced into a direct upward sightline into our private backyard. Literal enforcement fails to provide the basic physical barrier required to secure the property. Deprivation of Rights Commonly Enjoyed: Denying this variance would deprive this property of the basic right to residential backyard privacy—a right commonly enjoyed by owners of standard, flat parcels in the same district. The requested 2-foot increase is the minimum adjustment necessary to compensate for the 10-foot elevation drop and restore a standard level of visual privacy. No Detriment to the Public Welfare: The proposed 8-foot fence will be structurally sound, aesthetically consistent with residential standards, and will not alter the essential character of the neighborhood, block traffic visibility triangles, or impair the use of adjacent properties.			





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

RE: Project No. VAR26-017 – 2407 Jonila Avenue

Dear Property Owner:

This notice is to advise you that Benjamin J. LeFrancois requests a 2' variance to allow a maximum fence height of 8', in lieu of the maximum height of 6' for residential fences in side and rear yards specified by Figure 4.4-1 of the Land Development Code, in order to construct a new 8' high privacy fence, approximately 30 feet in length, along the south 30 feet of the west (rear) property line on property located at 2407 Jonila Avenue. The subject property is legally described as:

IHLA HTS PB 36 PG 7 LOT 8 N 108 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 October 6, 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	October 6, 2026	Reviewer:	JP Sims
Project No:	VAR26-017	Subject Property:	2407 Jonila Avenue
Owner:	Benjamin J. LeFrancois		
Applicant:	Benjamin J. LeFrancois		
Current Zoning:	RA-1 (Single-Family Residential)	Context District:	Urban Neighborhood (UNH)
Request:	A 2' variance to allow a maximum fence height of 8', in lieu of the maximum height of 6' for residential fences in side and rear yards specified by Figure 4.4-1 of the Land Development Code, in order to construct a new 8' high privacy fence, approximately 30 feet in length, along the south 30 feet of the west (rear) property line on property located at 2407 Jonila Avenue.		

1.0 Background

The subject property, approximately 0.32 acres in area, consists of a 108'x 130' interior lot on the west side of Jonila Avenue. The subject property, zoned RA-1(Single-Family Residential) and located within the Urban Neighborhood context sub-district, is presently improved with an existing 3,169 sq. ft. single-family home that was constructed in 1962 according to the Polk County Property Appraiser.

2.0 Discussion

The purpose of this request is to obtain variance relief which will allow for an 8' high privacy fence along the south side of the western property line. Section 4.4.3 and Figure 4.4-1 in the Land Development Code specifies a maximum height of six feet for fences and walls located within the interior and rear yards of property zoned for residential uses.

The applicant's justification for this request is related to both a need for privacy due to the existence of a pool, as well as a significant change in grade in the backyard, which slopes from the front to the rear (east to west) of the property. The unique features to the land, including the varying elevation, limit the effectiveness of a standard six-foot-high fence in providing adequate screening. Therefore, the additional height is requested to ensure privacy from the neighbors to the west of the property to accommodate the site's natural topography.

3.0 Recommendation

The particular hardship suffered is not the result of any action taken by the applicant. Staff recognizes that there is a fairly significant change in grade of the property from east to west. The requested relief is reasonable and proportionate to the degree of hardship resulting from the natural grade change. Provided there are no substantive objections from adjoining property owners, staff recommends that the variance be considered for approval.