

**ORDINANCE NO. \_\_\_\_\_**

**PROPOSED ORDINANCE NO. 25-012**

**AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR THE REPEAL OF ATTACHMENT “C” OF ORDINANCE 3575 IN ORDER TO REPEAL PLANNED UNIT DEVELOPMENT ZONING ON APPROXIMATELY 2.67 ACRES LOCATED NORTH AND SOUTH OF BON AIR STREET, EAST OF N. VERMONT AVENUE, AND WEST OF GILMORE AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Board held a public hearing on April 15, 2025 to consider a request by the City of Lakeland for the repeal of Attachment “C” of Ordinance 3575 in order to repeal Planned Unit Development (“PUD”) zoning on approximately 2.67 acres located north and south of Bon Air Street, east of N. Vermont Avenue, and west of Gilmore Avenue, as more particularly described on Attachment “A” and graphically depicted on Attachment “B” (the “Property”); and

**WHEREAS**, the Planning and Zoning Board approved the requested repeal of PUD zoning on the Property on May 20, 2025 and recommended the repeal to the City Commission; and

**WHEREAS**, the City Commission of the City of Lakeland, Florida, after due public notice and a public hearing at which all interested persons were afforded the opportunity to be heard, finds that it is in furtherance of the public health, safety and welfare of the citizens of the City of Lakeland to repeal Attachment “C” of Ordinance 3575 in order to repeal the PUD zoning for the Property as provided herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:**

**SECTION 1.** The above findings are true and correct and are hereby adopted and made a part hereof.

**SECTION 2.** Attachment “C” of Ordinance 3575 is hereby repealed as follows:

- A. ~~Land Uses Intensity: PUD-45~~
- B. ~~Permitted Uses: Single family residential townhouses, along with customarily associated accessory uses.~~
- C. ~~Maximum total number of living units is forty four (44) to be situated as follows:~~
  - 1. ~~Fifteen (15) units facing Gilmore Avenue between First and Bon Air Streets.~~
  - 2. ~~Fifteen (15) units facing Vermont Avenue N between First and Bon Air Streets.~~
  - 3. ~~Seven (7) units facing Gilmore Avenue north of Bon Air Street.~~
  - 4. ~~Seven (7) units facing Vermont Avenue north of Bon Air Street.~~
- D. ~~Minimum living area per unit: One thousand (1,000) square feet.~~
- E. ~~Maximum Building Height: Two (2) stories~~
- F. ~~Minimum Setbacks From Public Rights-of-way Lines:~~
  - 1. ~~Buildings:~~
    - a. ~~Front yard: Twenty (20) feet~~
    - b. ~~Side yard: Ten (10) feet~~
  - 2. ~~Parking: Ten (10) feet~~
- G. ~~Minimum Building Setback from North Property Line: Fifteen (15) feet.~~
- H. ~~Access to the off-street parking for the fourteen (14) units north of Bon Air Street shall be from the north-south alley between Garden Steet and Bon Air Street.~~

I. ~~Because some of all of the townhouse units will be offered for sale and the parcels will not conform to the existing pattern of platted lots, the property shall be replatted to conform with the townhouse development. Prior to any development, the~~

~~owner/developer shall submit the replat along with the proposed mandatory property owners association documents and deed restrictions to the Planning and Zoning Board for review and approval.~~

J. ~~Prior to replat of the property, the owner/developer shall request and receive approval for the vacation of the N-S alley which extends from First to Bon Air Streets.~~



**SECTION 3.** The City Commission does hereby expressly find that the provisions of this Ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5885.

**SECTION 4.** If any word, sentence, clause, phrase or provision of this Ordinance, for any reason, is held to be unconstitutional, void or invalid, the validity of the remainder of this Ordinance shall not be affected thereby.

**SECTION 5.** This Ordinance shall take effect immediately upon its passage.

**PASSED AND CERTIFIED AS TO PASSAGE** this 7th day of July, A.D. 2025.

\_\_\_\_\_  
H. WILLIAM MUTZ, MAYOR

ATTEST: \_\_\_\_\_  
KELLY S. KOOS, CITY CLERK

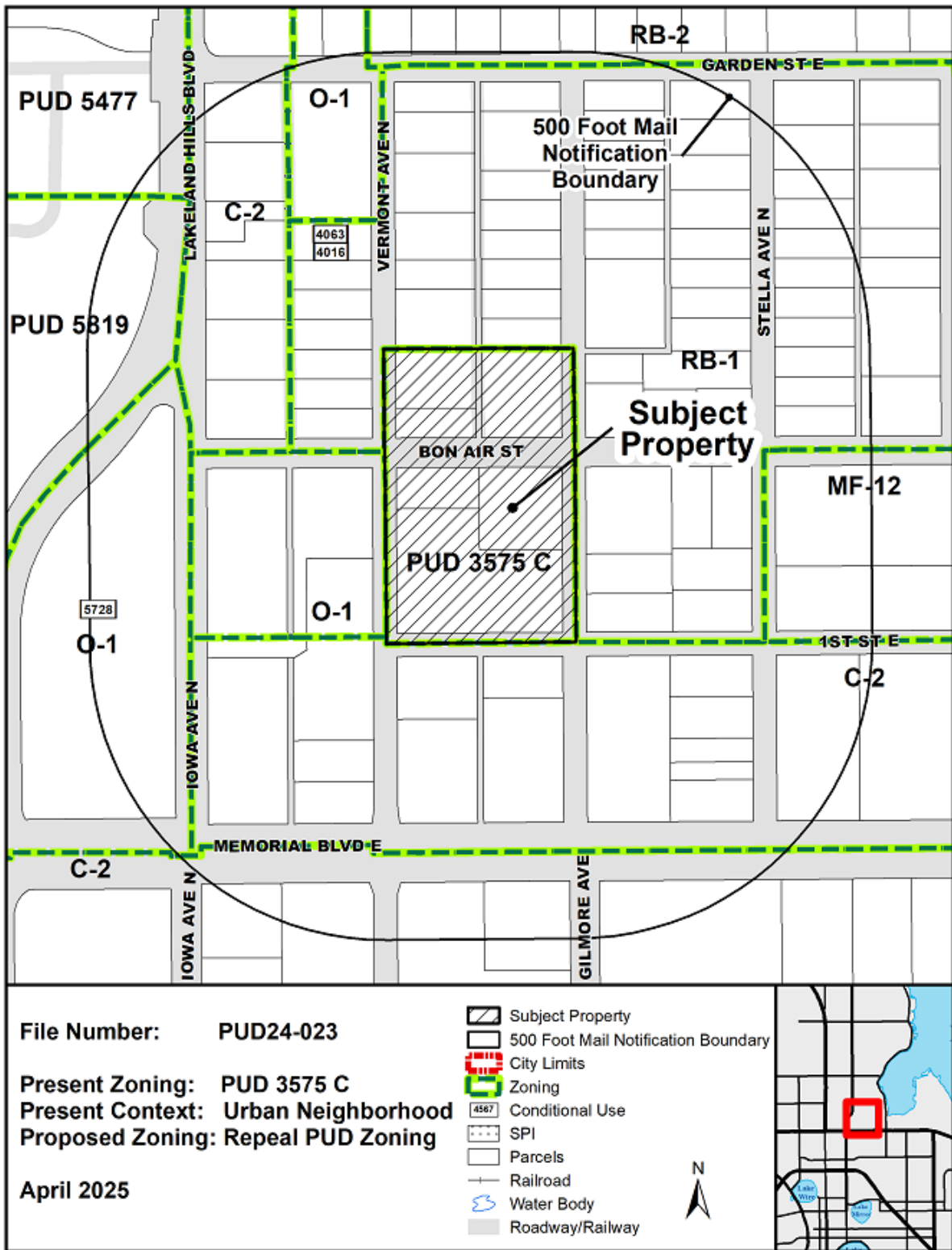
APPROVED AS TO FORM AND CORRECTNESS: \_\_\_\_\_  
PALMER C. DAVIS  
CITY ATTORNEY

ATTACHMENT "A"

**Legal Description:**

BON AIR ADD PB 1 PGS 114 & 115 BLK 3 LOTS 1 THRU 8 & THE VACATED ALLEY LYING BETWEEN LOTS 1 THRU 4 & LOTS 5 THRU 8 & BON AIR ADD PB 1 PGS 114 & 115 BLK 3 LOTS 10 THRU 15 & THE VACATED ALLEY LYING BETWEEN LOTS 10 THRU 12 & LOTS 13 THRU 15

ATTACHMENT "B"

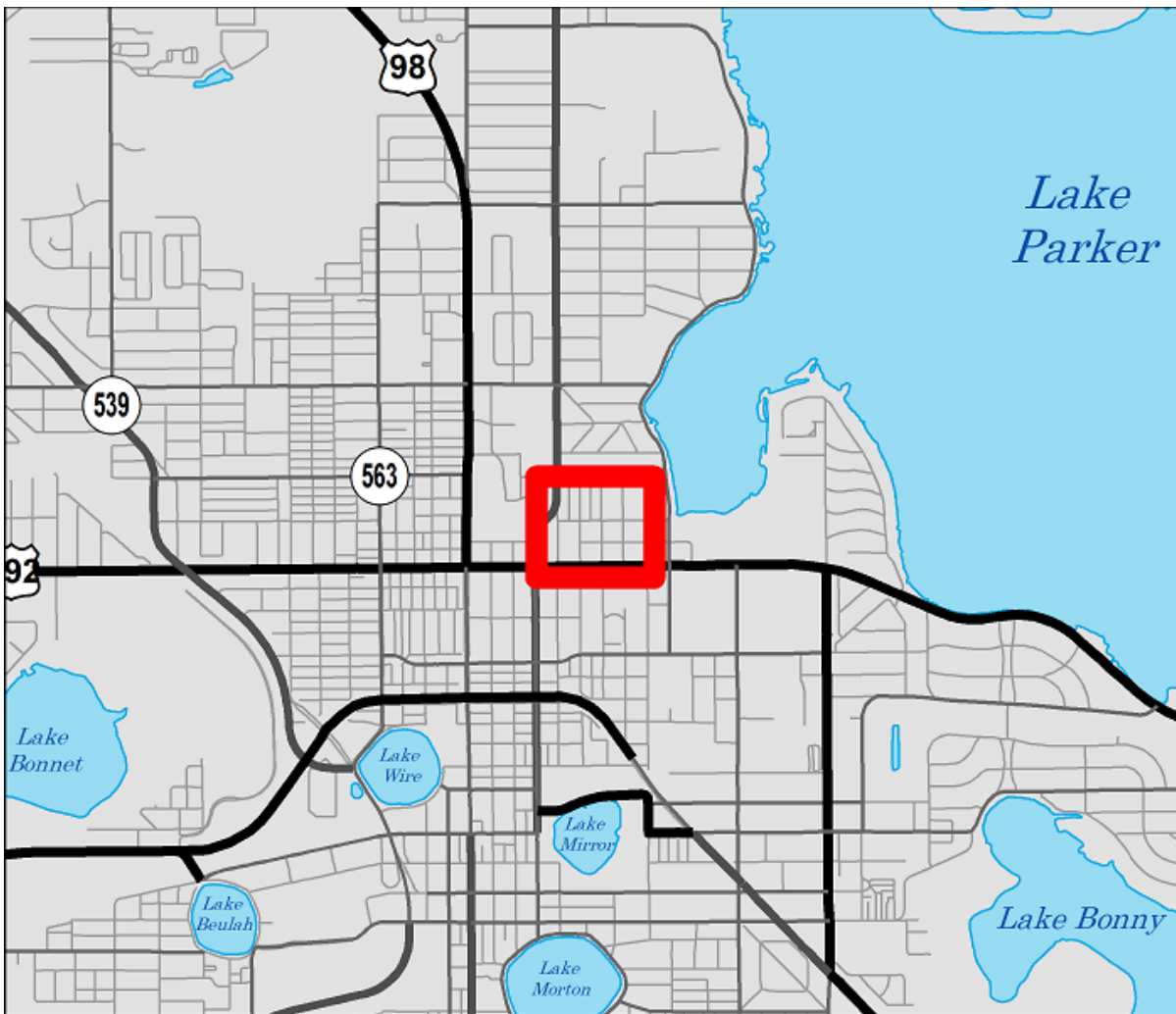


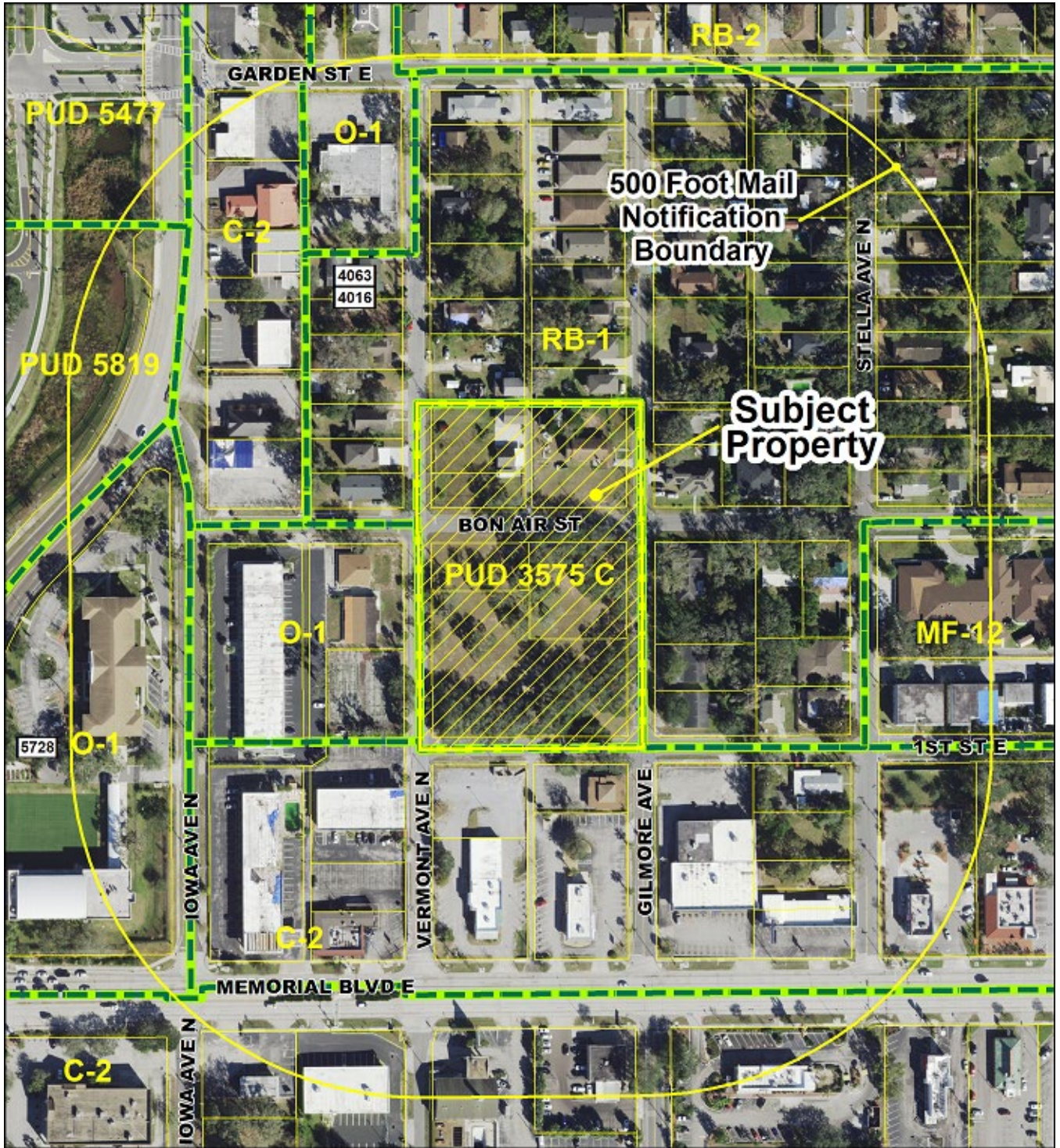


# Planning & Zoning Board Recommendation

Date:	June 16, 2025	Reviewer:	Damaris Stull
Project No:	PUD24-023	Location:	1046 and 1104 Gilmore Avenue, 1103 and 1111 N. Vermont Avenue
Owners:	Multiple		
Applicant:	City of Lakeland		
Current Zoning:	PUD (Planned Unit Development) 3575 C	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	April 15, 2025	P&Z Final Decision:	May 20, 2025
Request:	City-initiated application to repeal PUD (Planned Unit Development) zoning on approximately 2.67 acres located north and south of Bon Air Street, east of N. Vermont Avenue, and west of Gilmore Avenue (1046 and 1104 Gilmore Avenue, and 1103 and 1111 N. Vermont Avenue).		

## 1.0 Location Maps





## 2.0 Background

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### 2.1 Summary

The City of Lakeland requests the repeal of PUD (Planned Unit Development) zoning on approximately 2.67 acres located north and south of Bon Air Street, east of N. Vermont Avenue, and west of Gilmore Avenue (1046 and 1104 Gilmore Avenue, and 1103 and 1111 N. Vermont Avenue). A map of the subject property is included as Attachment “B.”

### 2.2 Subject Property

The subject property is comprised of six platted lots of record located north of Bon Air Street (Bon Air Addition, Block C, Lots 10 - 15) and the entire block located south of Bon Air Street, west of Gilmore Avenue and east of N. Vermont Avenue (Bon Air Addition, Block 3, Lots 1 – 8). The subject property has a future land use designation of Residential Medium (RM) and an Urban Neighborhood (UNH) context sub-district designation. The subject property is located within the Midtown District of the Lakeland Community Redevelopment Agency (CRA).

The block located south of Bon Air Street, comprised of three separate parcels, is currently vacant and under the ownership of the CRA. The six lots located north of Bon Air Street, which are under private ownership, are combined into three separate parcels and partially developed as follows:

- Adjacent to Gilmore Avenue, Lots 10 - 12, are currently improved with a one-story, single-family home with an address of 1104 Gilmore Avenue.
- Adjacent to N. Vermont Avenue, Lot 13 is currently vacant while Lots 14 and 15 are improved with a two-story, single-family home and a one-story guest house with an address of 1111 N. Vermont Avenue.

### 2.3 Project Background

The current PUD zoning allows for a 44-unit single-family attached (townhome) development which was adopted in 1994 through zoning conformance. Plans for the development, however, did not come to fruition and the property has remained vacant. Due to the age of the PUD and the fractured ownership, the project cannot be developed in accordance with the adopted site development plan.

The purpose of the request is to repeal the PUD zoning (Attachment “C” in Ordinance 3575). Concurrent with this request, a private developer, the Neiel Group LLC, requested the application of PUD zoning on the block south of Bon Air Street (PUD24-016) to allow for the development of a new 30-unit single-family attached (townhome) development, and the City initiated a request to apply RB (Two-Family) zoning for the six lots located north of Bon Air Street (ZON24-014).

### 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-Family Residential	RM	RB-1	UNH
South	Retail Commercial	MCC	C-2	UCO
East	Single-family Residential	RM	RB-1	UNH
West	Multi-family Residential	MCC	O-1	UCO

## 2.5 Attachments

Attachment A: Legal Description

Attachment B: Location Map

## 3.0 Discussion

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The current PUD zoning was approved in 1994 as part of a City-wide zoning conformance action following the adoption of the 1993 Land Development Code. The PUD zoning is considered functionally obsolete as it does not align with the development standards in the current Land Development Code. Further, the PUD cannot be developed in its current form due to the lack of unified control.

In 2009, the Lakeland CRA acquired the three parcels in the block located south of Bon Air Street. At the time, the property was largely vacant except for one single-family home which was subsequently demolished in 2010. In recent years, the CRA has actively solicited requests from private developers to redevelop this block with residential uses. One such developer, the Neiel Group LLC, requested concurrent PUD zoning to allow for a proposed 30-unit single-family community within this block. The repeal of PUD 3575 C is necessary to allow for the new PUD zoning.

While the block south of Bon Air Street is under CRA ownership, the six lots located north of Bon Air Street are privately owned and partially developed with single-family detached homes. The repeal of the PUD zoning is necessary to make the existing single-family residential uses legally conforming and to provide clarity to the current owners regarding their property rights. To do so, the City initiated a concurrent request to apply RB zoning.

During the public hearing on April 15<sup>th</sup>, the owners of the single-family home located at 1104 Gilmore Avenue requested additional clarification regarding the proposed zoning action. Following the public hearing, staff met with both owners on Thursday, May 1<sup>st</sup> to explain the purpose of the proposed zoning actions in further detail.

### 3.1 Transportation and Concurrency

This request is for repeal of the current PUD zoning only. Transportation and concurrency will be addressed separately for the Neiel Group PUD and City-initiated zoning applications which will run concurrent with this request.

### 3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with the Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan.

## 4.0 Recommendation

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### 4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends approval of the repeal of the PUD zoning. Letters of notification were mailed to 87 property owners within 500 ft of the subject property and no objections were received.

## 4.2 The Planning & Zoning Board

The recommendation was approved by a 5—0 vote of the Board.

It is recommended that the request to repeal PUD zoning on approximately 2.67 acres located north and south of Bon Air Street, east of N. Vermont Avenue, and west of Gilmore Avenue (1046 and 1104 Gilmore Avenue, and 1103 and 1111 N. Vermont Avenue); as described above and in Attachments “A” and “B” be approved:

**Note:** *It is the intent of the request to only repeal Attachment “C” of Ordinance 3575*

Attachment “C,” Ordinance 3575:

- A. ~~Land Uses Intensity: PUD-45~~
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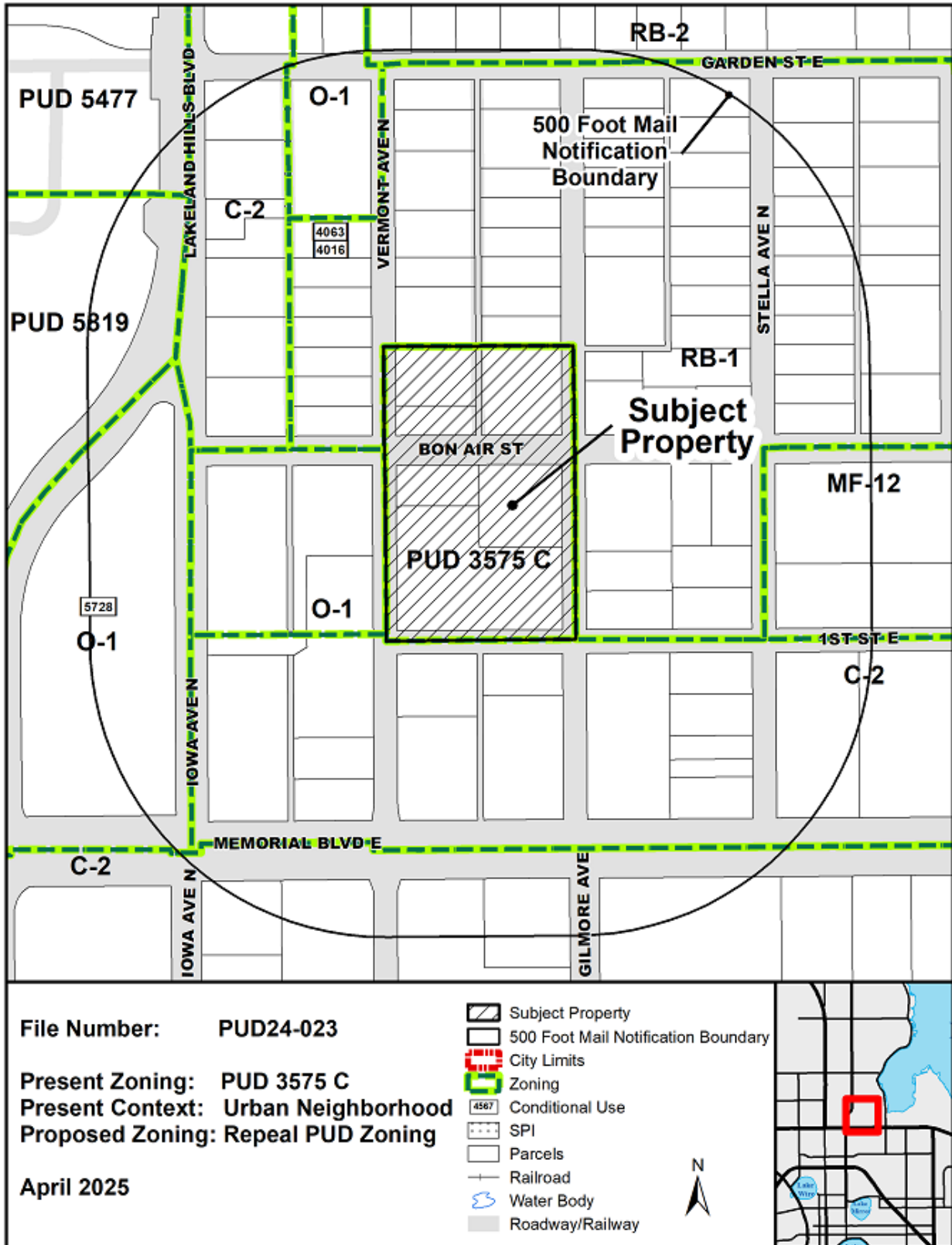


ATTACHMENT "A"











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ATTACHMENT "B"



File Number: PUD24-023  
 Present Zoning: PUD 3575 C  
 Present Context: Urban Neighborhood  
 Proposed Zoning: Repeal PUD Zoning  
 April 2025

-  Subject Property
-  500 Foot Mail Notification Boundary
-  City Limits
-  Zoning
-  Conditional Use
-  SPI
-  Parcels
-  Railroad
-  Water Body
-  Roadway/Railway

