

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

**PROPOSED ORDINANCE NO. 25-013**

**AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR RB (TWO-FAMILY RESIDENTIAL) ZONING ON APPROXIMATELY 0.93 ACRES LOCATED NORTH 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 the request of the City of Lakeland, to apply RB (Two-Family Residential) zoning on approximately 0.93 acres located north of Bon Air Street, east of N. Vermont Avenue and west of Gilmore Avenue, which property is more particularly described on Attachment “A” and graphically depicted on Attachment “B” (the “Property”); and

**WHEREAS**, the Planning and Zoning Board approved the request on May 20, 2025 and recommended approval to the City Commission; and

**WHEREAS**, the City Commission of the City of Lakeland, Florida, after conducting a duly-noticed public hearing at which all interested persons were given the opportunity to be heard, has determined that it is in furtherance of the public health, safety and welfare to apply RB (Two-Family Residential) zoning to the Property;

**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 incorporated herein by reference.

**SECTION 2.** The Property is hereby zoned RB (Two-Family Residential) as set forth in Attachment “B.”

**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**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5.** 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 6.** This Ordinance shall take effect immediately upon its adoption.

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

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

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

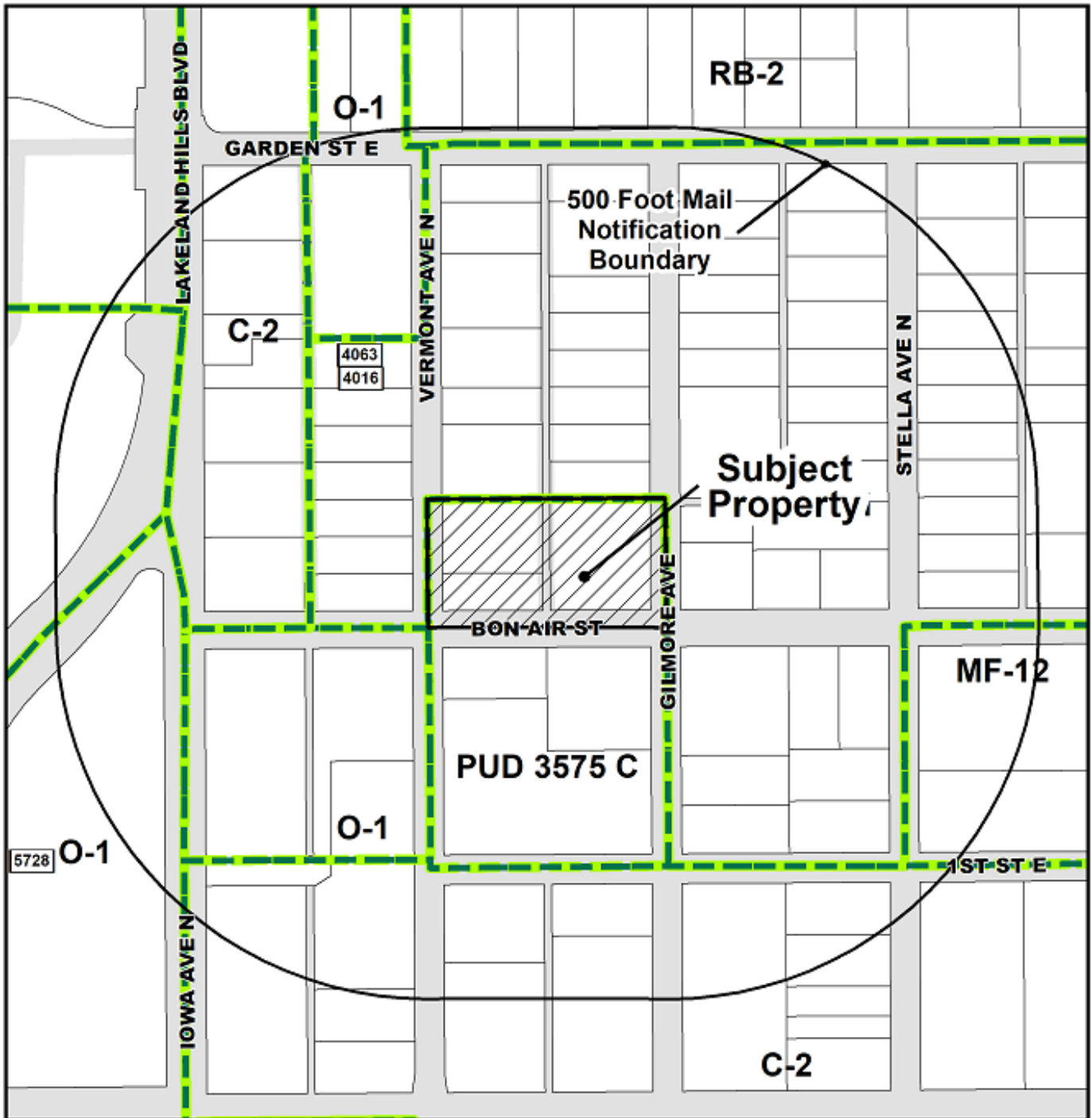
APPROVED AS TO FORM AND CORRECTNESS: \_\_\_\_\_  
PALMER C. DAVIS  
CITY ATTORNEY

ATTACHMENT "A"

**Legal Description:**











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

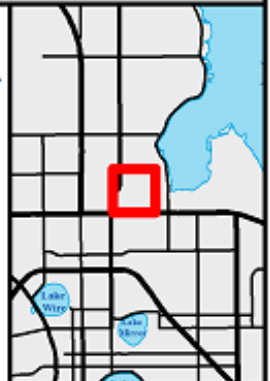
ATTACHMENT "B"



File Number: ZON24-014  
 Present Zoning: PUD 3575 C  
 Present Context: Urban Neighborhood  
 Proposed Zoning: RB (Two-Family)

April 2025

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

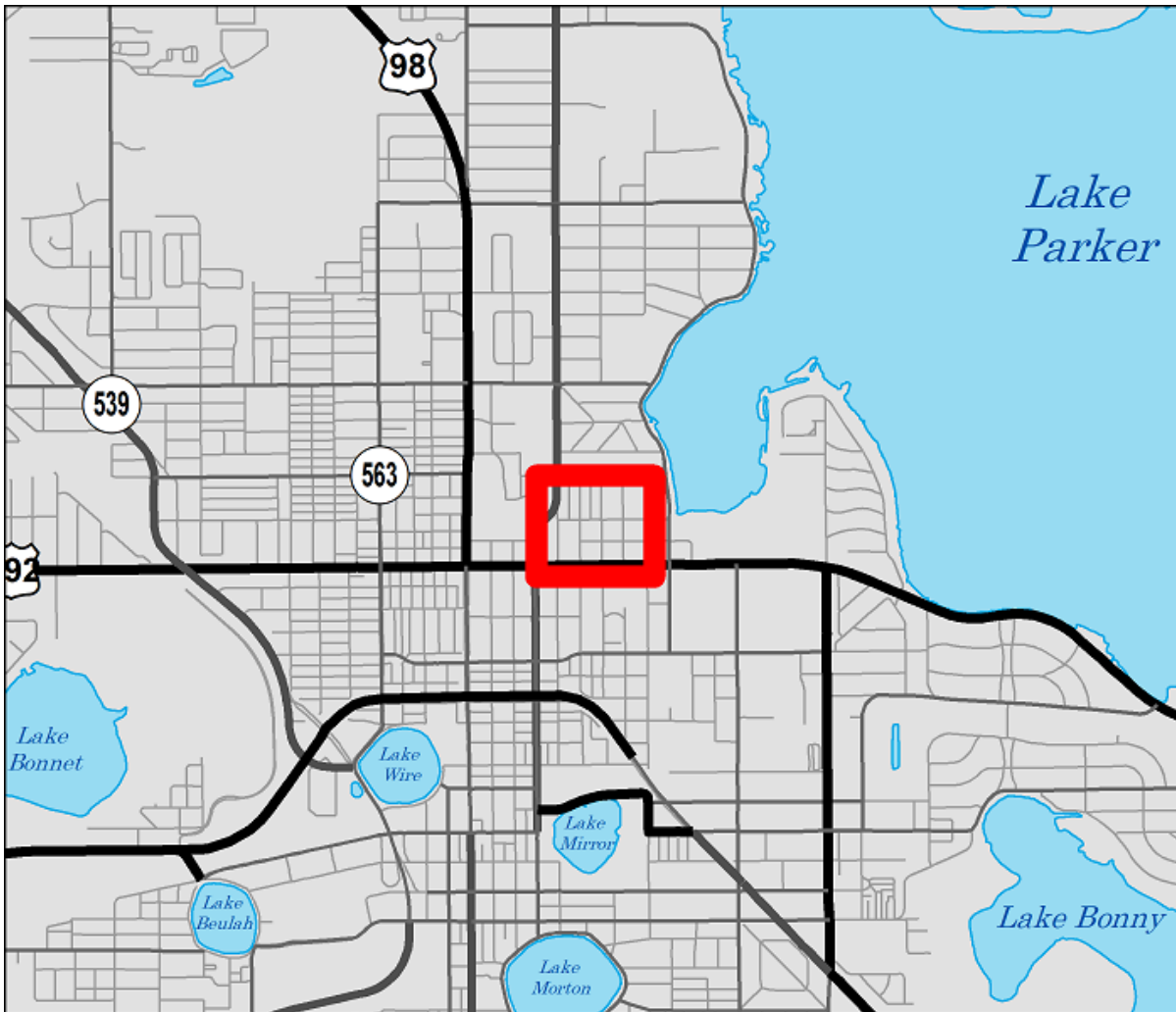




# Planning & Zoning Board Recommendation

Date:	June 16, 2025	Reviewer:	Damaris Stull
Project No:	ZON24-014	Location:	1046 Gilmore 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 apply RB (Two-Family Residential) zoning on approximately 0.93 acres located north of Bon Air Street, east of N. Vermont Avenue and west of Gilmore Avenue (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 application of RB (Two-Family Residential) zoning on approximately 0.93 acres located north of Bon Air Street, east of N. Vermont Avenue and west of Gilmore Avenue (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, approximately 0.93 acres in area, is located north of Bon Air Street, east of N. Vermont Avenue and west of Gilmore Avenue. The subject property has a future land use designation of Residential Medium (RM) with an Urban Neighborhood (UNH) context sub-district designation. The subject is presently zoned PUD (Planned Unit Development) as specified by Attachment “C” of Ordinance 3575. The subject property is located within the boundary of the Midtown District of the Lakeland Community Redevelopment Agency (CRA).

The subject property is comprised of six platted lots of record (Bon Air Addition, Block C, Lots 10 - 15) combined into three separate parcels. 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 purpose request is to assign RB-1 (Two-family Residential) zoning concurrent with the repeal of the PUD zoning through a separate City-initiated zoning action (PUD25-023).

### 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-Family Residential	RM	RB	UNH
South	Vacant	RM	PUD	UNH
East	Single-family Residential	RM	RB	UNH
West	Single-Family Residential	RM	RB	UNH

### 2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

## 3.0 Discussion

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The current PUD zoning, which was adopted in 1994 through zoning conformance, allows for the development of 44 single-family attached (townhomes). Plans for the proposed townhome community, which includes the subject property and the adjacent block to the south, however, never reached fruition. Due to the PUD zoning, the existing single-family homes are classified as legal, nonconforming uses under the Land Development Code. As legal, nonconforming uses, they cannot be expanded, and in the event of casualty, cannot be repaired or replaced should the damage exceed 50% of the replacement cost. Furthermore, while each home sits on two or more platted lots, individual lots cannot be split off and developed for additional dwellings while the PUD zoning remains in place.

The proposed RB (Two-Family) zoning allows for single-family detached, single-family, and two-family residential uses (duplexes) by right. Adjacent properties to the north, east and west share this zoning designation. Through the application of RB zoning, the existing single-family homes will become legal conforming uses and may be repaired or replaced without any restrictions. Individual lots may also be split off and developed for single-family or two-family uses.

Concurrent with this request and the request to repeal the current PUD zoning, the Neiel Group LLC is requesting approval for new PUD zoning on the CRA-owned block south of Bon Air Street. The proposed PUD, which will adopt a new site development plan and architectural elevations, will allow the development for a 30-unit single family attached (townhome) project which can be constructed independently from the subject property.

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

The existing single-family residential uses and the uses permitted under the proposed RB zoning designation are expected to have a de minimis impact on the surrounding street network. The subject property consists of six platted lots of record in an improved subdivision which have access to City water, sewer and electric services. While no new development is planned at the time, any future redevelopment will be subject to the development standards set forth in the Land Development Code.

### 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 change in zoning from PUD to RB. Letters of notification were mailed to 87 property owners within 500 feet of the subject property. No phone calls or emails were received in objection to this request.

## **4.2 Planning & Zoning Board**

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

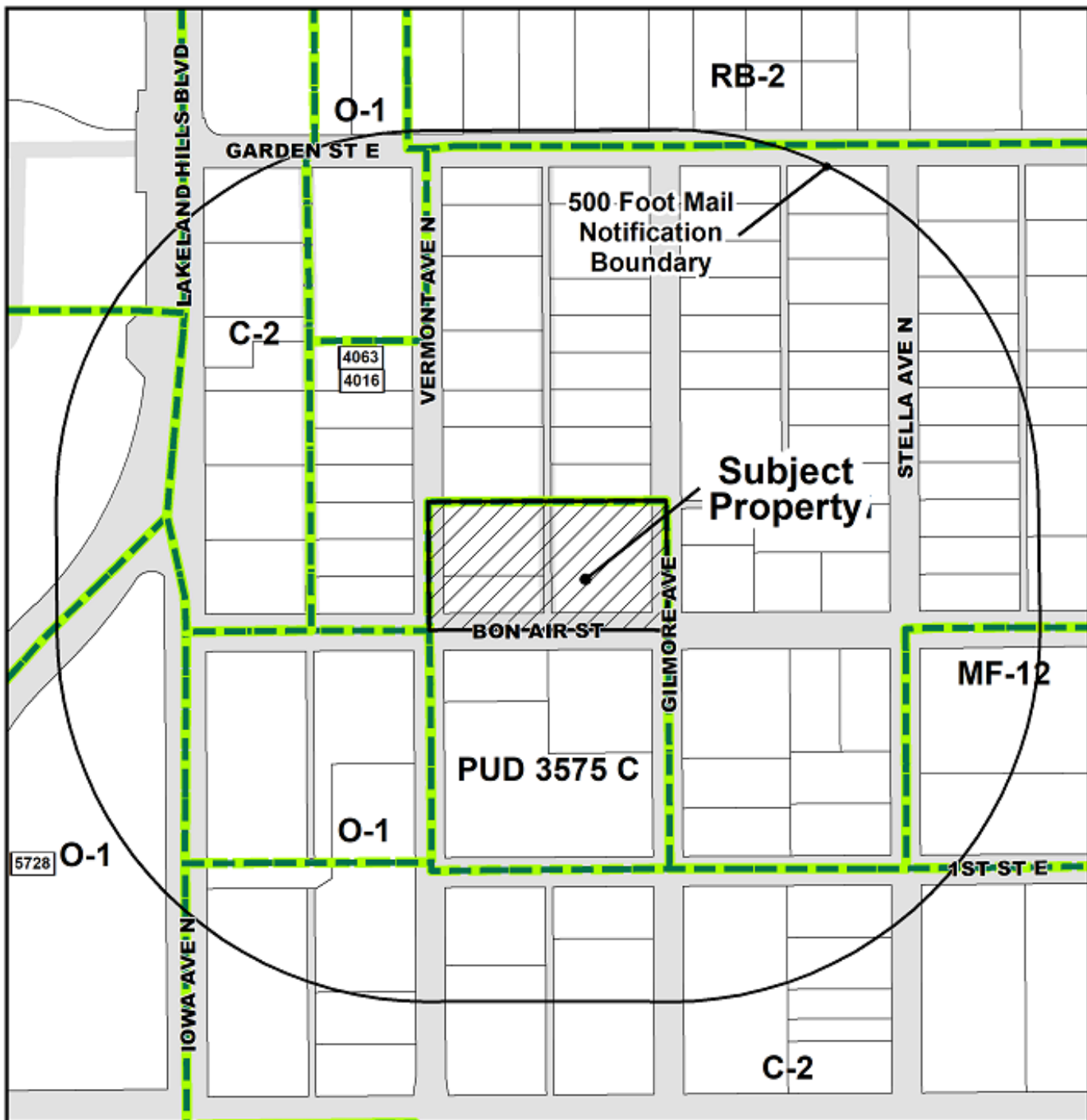
It is recommended that the request for in change in zoning from PUD3575C (Planned Unit Development) to RB (Two-family Residential), as described above and in Attachments “A” and “B”, be approved.

ATTACHMENT "A"

**Legal Description:**











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"



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