



Zoning Board of Adjustments and Appeals Meeting Agenda

**November 7, 2023 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 October meeting

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

ITEM 5: **Homeowner Rodger Roth requests** a side-yard setback variance from Table 3.4-5 to allow a setback of 6' in lieu of the required 7' side-yard setback in order to construct a 250 sq. ft. addition on property located at 312 Faye Circle North. (VAR23-030)

ITEM 6: **Marlon Lynn Architect, PA requests** a 5' 1" variance to allow a maximum roof height of 17' 7", in lieu of the maximum height of 12' 6" for accessory structures specified by Table 4.3-1 of the Land Development Code, in order to construct a 2,874 sq. ft. addition to an existing outdoor pool pavilion on property located at 1421 Seville Place. Owner: Dean Saunders. (VAR23-031)

ITEM 7: **Tammi Crotteau requests** a 2' variance to allow a maximum fence height of 8' feet, in lieu of the maximum height of six feet for fences and walls in residential zoning districts specified by Figure 4.4-1 of the Land Development Code, to allow for the construction of an eight-foot-high chain link fence on property located at 1224 Oakhill Street. Owner: Magnolia Montessori Academy. (VAR23-033)

ITEM 8: **Josh Bolger requests** a 2' variance to the maximum fence height of 4' for residential fences and walls in front and street side yards specified by Figure 4.4-1 of the Land Development Code, to construct a 6' high fence along the street side (south) property boundary line, on property located at 999 Lake Hollingsworth Drive. Owner: Wesley Beck. (VAR23-037)

ITEM 9: Patrick Duggan requests:

1. A 1.5' variance to allow a 6' fence to be 1.5' from an improved alley;
 2. A 2' variance to allow a maximum fence height of 6', in lieu of the maximum height of four feet for residential fences and walls in front and street side yards specified by Figure 4.4.1 of the Land Development Code, in order to construct a new six-foot high privacy fence along the street side property for a distance of approximately 100 feet, on property located at 426 Palmola Street. Owner: GSN Tampa, LLC. (VAR23-038)
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ITEM 10: Unfinished Business

ITEM 11: New Business

ITEM 12: Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, October 3, 2023 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.

Present were Board Members Thomas Brawner, Jiwa Farrell, Judith Hatfield, Gregory Kent, Tunesia Mayweather, Daniel Sharrett and Kristen Tessmer. Also present were Ramona Sirianni, Assistant City Attorney; and staff from the Community & Economic Development Department Matthew Lyons, Urban Planner Supervisor; Audrey McGuire, Urban Planner; Damaris Stull, Urban Planner and Christelle Burrola, Board Secretary.

The minutes from the previous meeting were approved as submitted, and Ramona 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, PA requests a 5' 1" variance to allow a maximum roof height of 17' 7", in lieu of the maximum height of 12' 6" for accessory structures specified by Table 4.3-1 of the Land Development Code, in order to construct a 2,874 sq. ft. addition to an existing outdoor pool pavilion on property located at 1421 Seville Place. Owner: Dean Saunders. (VAR23-031)

The applicant was not present.

Kristen Tessmer made a motion to continue the item to the next meeting. Jiwa Farrell seconded the motion and it passed 7—0.

Item 6: Homeowner Bill Schichtel requests a 2' variance to allow a maximum fence height of 8', 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, to allow for the replacement of an existing eight-foot-high privacy fence within the rear yard of property located at 2310 Cambridge Avenue. (VAR23-032)

Bill Schichtel stated the request is to replace an existing wood fence which is deteriorated and at the end of its useful life. The replacement of the existing eight-foot-high fence will provide privacy.

Audrey McGuire stated the subject property has a grade differential of approximately six feet between the front (west) and rear (south) property lines, putting the residence at the subject property at a significantly higher elevation than neighboring properties to the east.

Ms. McGuire stated staff recommends approval.

Jiwa Farrell made a motion to approve staff's recommendation. Daniel Sharrett seconded the motion and it passed 7—0.

Item 7: Homeowner Raquel DeWitt Conley requests:

1. Relief from Article 5, Sub-Section 5.17.3.5 of the Land Development Code to allow for the parking/storage of a motor home within the street side yard visible from Palencia Place; and
 2. A 2' variance to allow a maximum fence height of 6', in lieu of the maximum height of four feet for residential fences and walls in front and street side yards specified by Figure 4.4.1 of the Land Development Code, in order to construct a new six-foot high privacy fence along the street side property line on property located at 636 Prado Place. (VAR23-034)
-

Todd Conley, 636 Prado Place, stated the request is to allow for the parking of his motor home within the street side yard. The second part of the request is to construct a six-foot-high privacy fence along the streetside property line to partially screen the motor home from public view should the variance be approved.

Damaris Stull stated according to the survey provided by the applicant, the existing single-family detached home is setback approximately 24 feet from the east (interior side) property line. Within this side yard, behind an existing PVC privacy fence, there is approximately 90 feet of yard depth in which to store a motor home. The applicant's justification for the requested variance is that they are unable to back the Fifth

Wheel RV motor home into the interior side yard without going on to the adjacent property to the east. If approved by the Board, the requested variance would allow for the motor home to instead be stored in the street side yard on Palencia Place on an existing concrete pad. According to the survey provided by the applicant, the concrete pad where the motor home would be stored encroaches approximately three feet into the right-of-way for Palencia Place. As such, it would not be possible to install a fence to screen the motor home from view without cutting back the concrete pad to the property line.

Discussion ensued.

Raquel DeWitt Conley stated the motor home is not a recreational vehicle as it is gone for months at a time.

Ms. Stull stated the applicant has also not demonstrated that alternatives are not available, as there are multiple examples of properties throughout the City in which boats, trailers and motor homes are parked within side yards much smaller than the 24-foot-wide side yard of the subject property. In respect to the requested fence variance, a six-foot high fence along the street side property would not sufficiently buffer and screen the motor home from public view as a typical Fifth Wheel RV is 13 feet tall. Lastly, should the Board approve this request it would establish a precedent for similar variances in the future. Therefore, due to the self-imposed nature of the hardship, ample space available for parking the motor home elsewhere on the property, and the precedent that it would establish for similar variances in the future, staff is unable to recommend approval for either variance. Ms. Stull also stated that she received opposition from one person.

Discussion ensued.

Daniel Sharrett made a motion to deny the first part of the variance request. Jiwa Farrell seconded the motion and it passed 7—0.

Jiwa Farrell made a motion to deny the second part of the variance request. Daniel Sharrett seconded the motion and it passed 7—0.

Adjourned

The meeting was adjourned at 9:37 a.m.

Gregory Kent, Chairperson

Christelle Burrola, Secretary



Variance Application

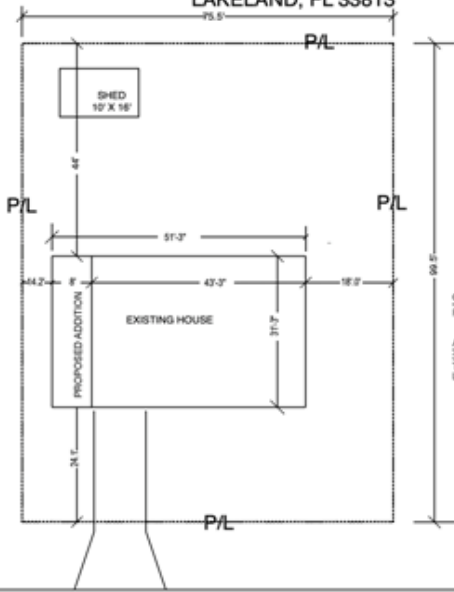
General Information:

Project No:	VAR23-030	Application Date:	8/8/2023		
Project Name:	312 FAYE CIR N				
Subject Property Address:	312 FAYE CR N				
Parcel ID:	232901139330000270				
Applicant Name:	RODGER ROTH				
Applicant Address:	312 FAYE CIR N	LAKELAND	FL	33813	
Owner Name:	RODGER ROTH				
Owner Address:	312 FAYE CIR N	LAKELAND	FL	33813	

Request:

Application Type:	VARIANCE				
Current					
Zoning:	RA-3 (Single Family)	Context:	Suburban Neighborhood (SNH)		
Lot Dimensions:	75.5' x 99.5'	Square Footage:	7512		
Present Use:	RA-3 Single Family Residence				
Explanation of Request:	<p>To reduce the required east side-yard variance from 7 feet to 6 feet. Current tax records show the residence to be 3 bedroom 2 bath with a living area of 1,030 square feet. The residence is actually 2 bedroom 1-1/2 bath with a living area of 884 sq feet. The proposed square feet under-roof, with the addition, is 1,605. Including a shed on the property, the total area under roof on the property would be 1800 square feet covering less than 24% of the 7,512 sq ft lot, in compliance with the 35% cap for RA-3. The owners of the residence on the east side has have no objection to the granting of a variance. Their home is a corner lot facing east with their west facing back-yard adjacent to this applicant's east side-yard. The applicant's side-yard does not have any trees. A small shed will be removed.</p>				
Justification:	<p>The owners and residents are both handicapped and in their 70's requiring assistance/care. Their son has been providing care for the last two and a half years and have provided in home assistance/care for the last six months. Future need will increase with age, and problems related to heart attack and stage three kidney disease. Three adults living in 884 sq feet of living space is very cramped. The additional bedroom/bath with provide much needed relief.</p>				

BATH - BEDROOM ADDITION
RODGER & CHERYL ROTH
 312 FAYE CIR N
 LAKELAND, FL 33813



SQUARE FOOTAGE TABLE			
	EXISTING	Proposed	Revised Total
Living Area	884 sq ft	---	884 sq ft
Garage	231 sq ft	---	231 sq ft
Under Roof Front Porch	50 sq ft	---	50 sq ft
Bedroom Addition	---	132 sq ft	132 sq ft
Bathroom Addition	---	69.1 sq ft	69.1 sq ft

Drawing Index	
SHEET	DESCRIPTION
A-1	Plot Plan - Scope of Work - South View

OWNERS:
 RODGER & CHERYL ROTH
 ADDRESS:
 312 FAYE CIR N
 TRIMBLE HGT'S
 LAKELAND, FL 33813

SCOPE OF WORK

REMOVE EXISTING WOODFRAME GARAGE WALLS (ADDED BY PREVIOUS OWNER TO CONVERT CARPORT INTO A GARAGE).

ADD MONOLITHIC SLAB TO LEFT SIDE OF STRUCTURE AND ON TOP OF EXISTING CARPORT SLAB TO THE SAME ELEVATION AS EXISTING LIVING AREAS. TIE INTO EXISTING SLAB AND FOUNDATION.

ERECT NEW EXTERIOR CONCRETE WALLS ENCLCING NEW ADDITION AND CARPORT AREA. ANCHOR INTO EXISTING WALLS.

REMOVE EXISTING LEFT ROOF GABLE AND SMALL FRONT GABLE OVER CARPORT AREA.

ADD NEW TRUSSES, GABLE TO ADDITION, DECK AND SHINGLE TO MATCH.

INSTALL PLUMBING AND ELECTRIC AS PER DRAWINGS.

INSTALL EXTERIOR DOOR AND WINDOWS AS PER DRAWINGS.

INSTALL CLOSED CELL FOAM ROOF INSULATION THROUGHOUT ENTIRE STRUCTURE.

INSTALL NEW AC HEAT DUCTS AND PACKAGE THROUGHOUT ENTIRE STRUCTURE.

STUCCO OUTSIDE OF FRONT WALL ADDITION TO MATCH

FAYE CIRCLE NORTH
 ASPHALT PAVEMENT

PLOT PLAN

MASTER BATH - BEDROOM ADDITION
 RODGER & CHERYL ROTH
 312 FAYE CIR N, LAKELAND, FL

PLOT PLAN - SQUARE FOOTAGE TABLE - SCOPE OF WORK

A-1



VAR23-030 312 Faye Cr

Parcel ID: 232901139330000270





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

RE: Variance Request - Project No. VAR23-030

Dear Property Owner:

This notice is to advise you that Rodger Roth requests a side-yard setback variance from Table 3.4-1 to allow a setback of 6' in lieu of the required 7' side-yard setback in order to construct a 250 sq. ft. addition on property located at 312 Faye Circle North. The subject property is legally described as:

THE SOUTH ½ OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ AND THE SOUTH ½ OF THE NORTH ½ OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ ALL IN SECTION 1, TOWNSHIP 29S., RANGE 23E. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

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 11/7/2023** 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	11/7/2023	Reviewer:	Phillip Searce
Project No:	VAR23-030	Subject Property:	312 Faye Circle North
Owner:	Rodger Roth		
Applicant:	Rodger Roth		
Current Zoning:	RA-3 (Single-Family)	Context District	Suburban Neighborhood (SNH)
Request:	A side-yard setback variance from Table 3.4-5 to allow a setback of 6' in lieu of the required 7' side-yard setback in order to construct a 250 sq. ft. addition on property located at 312 Faye Circle North.		

1.0 Background

The subject property, located in the Trimble Heights subdivision, consists of a 75.5' x 99.5' interior lot with an existing 1,376 sq. ft. (1,030 living area) single-family detached home that was built in 1972 according to the Polk County Property Appraiser. The subject property is zoned RA-3 (Single-Family Residential) and located within the Suburban Neighborhood (SNH) context sub-district.

2.0 Discussion

The subject property is zoned RA-3 (single-family) within the Suburban Neighborhood (SNH) context district. In accordance with Table 3.4-5 of the Land Development Code, the minimum side yard setback for this zoning district is 7' as opposed to 5' within the Urban Neighborhood (UNH) context district. According to Polk County Property Appraiser data the dwelling contains 3 bedrooms and 2-baths with a living area of 1,030 sq. ft. However, the applicant states that the dwelling actually contains 2 bedrooms and 1 ½ bathrooms with a living area of 884 sq. ft. The applicant proposes to construct a 250 sq. ft. bed and bathroom addition with a side yard setback 6'. Therefore a 1' variance from Table 3.4-5 is needed for the proposed addition.

The applicant's justification for the variance is that the residents are elderly and handicapped and require assistance. Their son has been providing assistance for the last 2 ½ years and moved in 6 months ago to provide in-home assistance. Therefore, more than the existing 884 sq. ft living space is needed. The applicant states that the adjoining neighbor to the east does not object to the variance as their home is a corner lot facing east with the west facing back yard adjacent to where the addition is proposed. In addition, the maximum lot coverage after the improvement will comprise of 24% of the lot which is under the 35% maximum as specified by Table 3.4-5.

3.0 Recommendation

The requested relief is reasonable and proportionate to the degree of hardship suffered by the applicant. Approval of this request would not be contrary to the public interest as it would have a minimal impact to the adjacent properties. Provided there are no substantive objections from adjacent property owners, staff recommends that the request for a 1' variance to allow a 6' side yard setback in order to construct a 250 sq. ft. bed and bathroom addition be considered for approval.



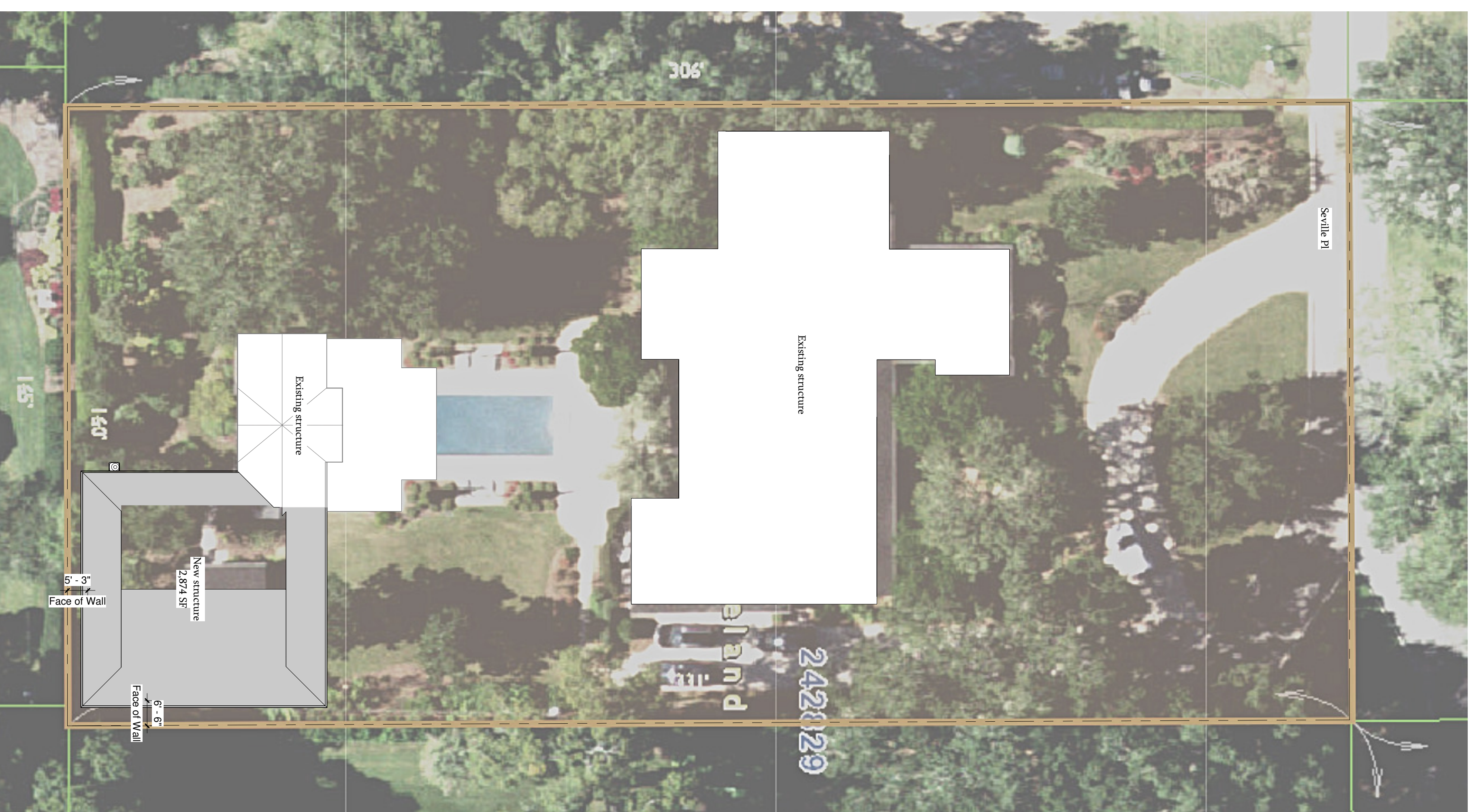
Variance Application

General Information:

Project No:	VAR23-031	Application Date:	8/14/2023		
Project Name:	ADDITION TO EXISTING PAVILION_1421 SEVILLE PL				
Subject Property Address:	1421 SEVILLE PL				
Parcel ID:	242829000000041120				
Applicant Name:	MARLON LYNN ARCHITECT PA				
Applicant Address:	212 E PINE	LAKELAND	FL	33801	
Owner Name:	SAUNDERS DEAN P				
Owner Address:	1421 SEVILLE PL	LAKELAND	FL	338032314	

Request:

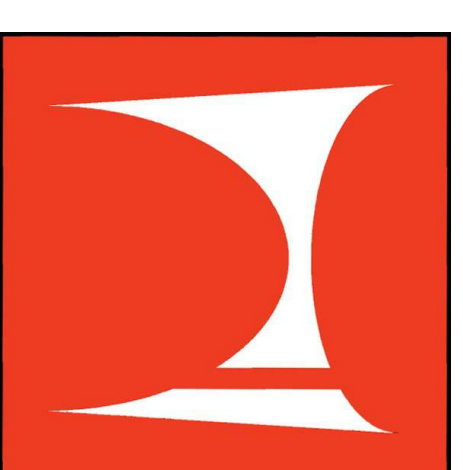
Application Type:	VARIANCE			
Current				
Zoning:	RA-1 (Single Family)	Context:	Urban Neighborhood (UNH)	
Lot Dimensions:	1.2 Acres	Square Footage:	2874	
Present Use:	Open pavilion			
Explanation of Request:	A required ceiling height of 16 feet for Mr. Saunders to display his personal collection of exotic animal specimens.			
Justification:	<p>Over the course of his lifetime, Mr. Saunders has invested significant time and resources into the pursuit of a unique passion. As a result, he has assembled a remarkable personal collection of exotic animal specimens which he is currently unable to display. The express purpose of the auxiliary building for which Mr. Saunders seeks a variance is to construct a space that will accommodate the display of these specimens. This will require a ceiling height of 16 feet – an auxiliary building ceiling height which is not accommodated within the current code.</p> <p>The building site for the proposed auxiliary building that is the subject of this Variance Application is on Mr. Saunders' 1.2-acre lot where his existing home is located. This lot is on a private street and is set among other homes that have been constructed under similar variances. After careful analysis of the structure and floorplan of Mr. Saunders' existing home, it became apparent to the architect and Mr. Saunders that the space required to accommodate his collection could not be added to his existing home. Finally, Mr. Saunders has discussed this proposed auxiliary building with all of his immediate neighbors. All are supportive of his application for a variance and none have any objections to the proposed auxiliary building.</p>			



PROPOSED SITE

scale: 1" = 20'-0"

Saunders Residence
 1421 Seville Pl
 Lakeland, FL 33803



Marlon Lynn
 Architects, P.A.
 A 2 0 0 1 4 7 7
 212 East Pine Street
 Lakeland, FL 33801
 P: 863.802.5966
 marlon@marlonlynn.com
 https://marlonlynn.com/

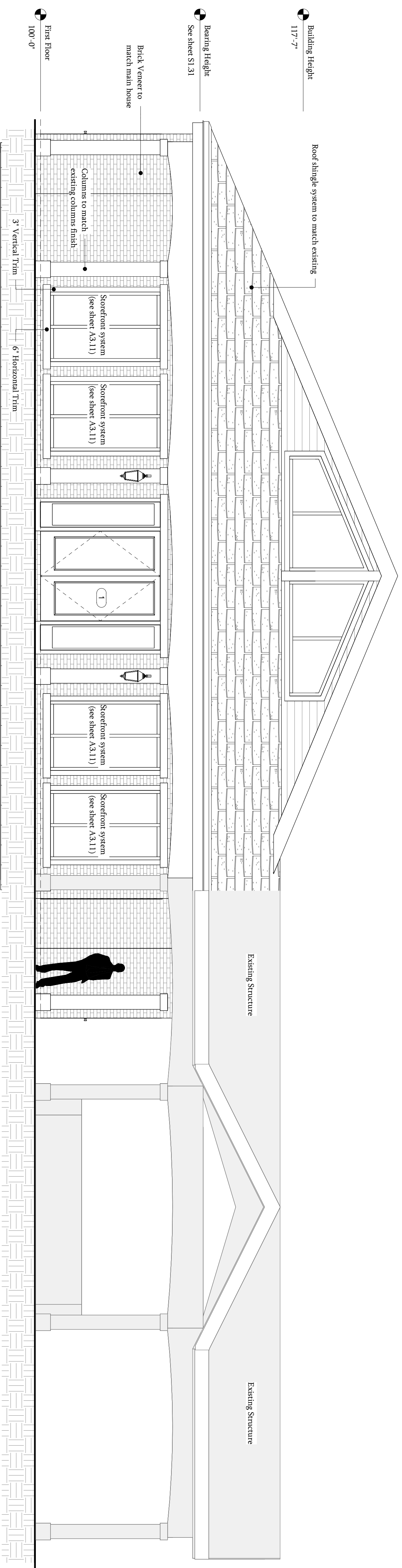


This item has been electronically signed and sealed by Marlon D. Lynn, P.A. on the Date and/or Time Stamp shown using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

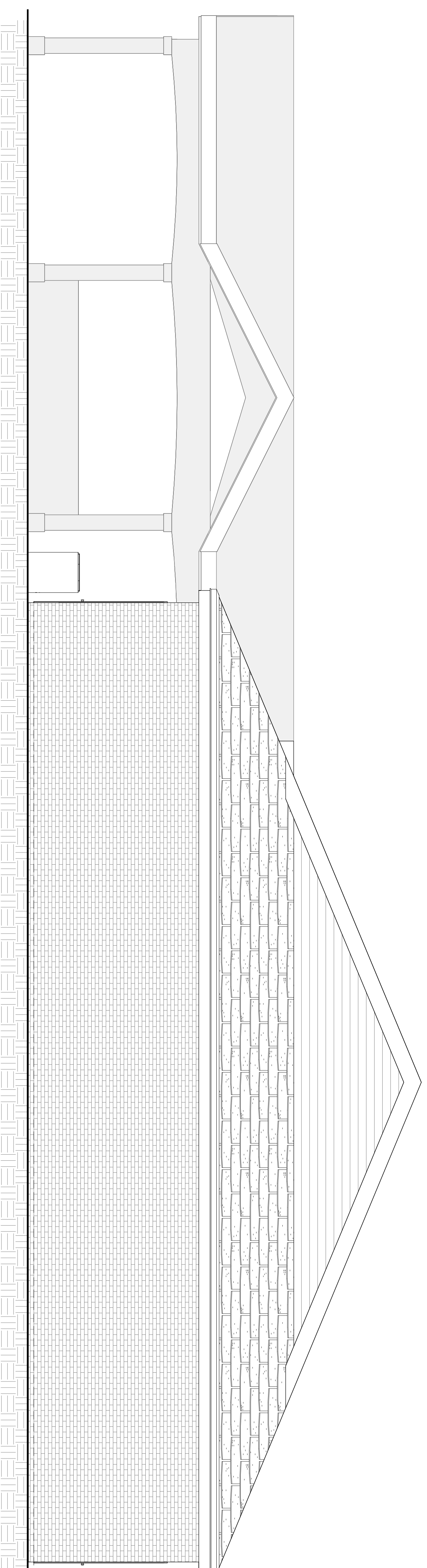
No.	Description	Date

PROPOSED SITE

SCH1.11

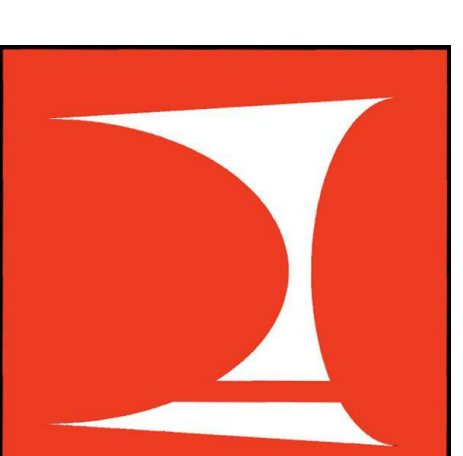


North Elevation
scale: 1/4" = 1'-0"



South Elevation
scale: 1/4" = 1'-0"

Saunders Residence
1421 Seville Pl
Lakeland, FL 33803



Marlon Lynn
Architect, P.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/
Project Number

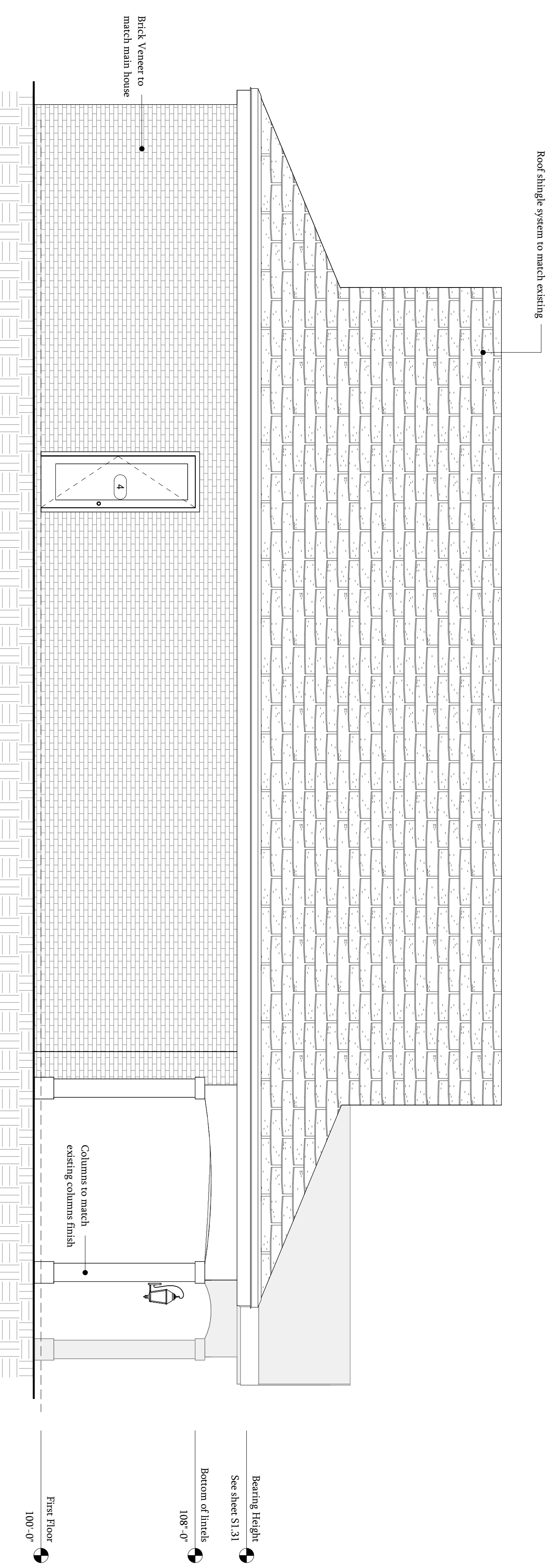


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No.	Description	Date

Building Elevations

A2.11

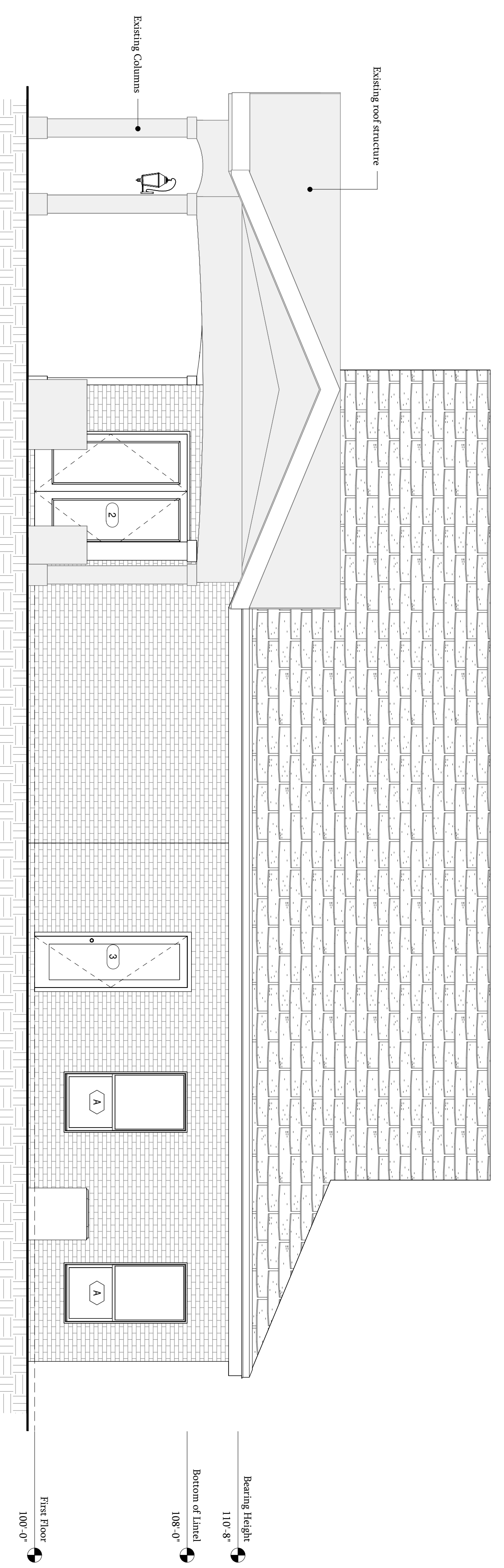


East Elevation
scale: 1/4" = 1'-0"

Bearing Height
See sheet S1.31

Bottom of Inset
108'-0"

First Floor
100'-0"



West Elevation
scale: 1/4" = 1'-0"

Bearing Height
110'-8"

Bottom of Inset
108'-0"

First Floor
100'-0"

Saunders Residence
1421 Seville Pl
Lakeland, FL 33803



Marlon Lynn
Architect, P.A.
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212 East Pine Street
Lakeland, FL 33801
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marl@marlonlynn.com
https://marlonlynn.com/



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No.	Description	Date

Building Elevations

A2.12



VAR23-031 1421 Seville Pl
Parcel ID: 242829000000041120





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

RE: Variance Request - Project No. VAR23-031

Dear Property Owner:

This notice is to advise you that Marlon Lynn Architect, PA, on behalf of Dean Saunders, requests a 5' 1" variance to allow a maximum roof height of 17' 7", in lieu of the maximum height of 12' 6" for accessory structures specified by Table 4.3-1 of the Land Development Code, in order to construct a 2,874 sq. ft. addition to an existing outdoor pool pavilion on property located at 1421 Seville Place. The subject property is legally described as:

S 331 FT OF E 160 FT OF W 500 FT OF NW1/4 OF NE1/4 OF SW1/4. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

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 11/7/2023** 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	11/7/2023	Reviewer:	Damaris Stull	
Project No:	VAR23-031	Subject Property:	1421 Seville Place	
Owner:	Dean Saunders			
Applicant:	Marlon Lynn Architect PA			
Current Zoning:	RA-1 (Single-Family)	Context District	Urban Neighborhood (UNH)	
Request:	A 5' 1" variance to allow a maximum roof height of 17' 7", in lieu of the maximum height of 12' 6" for accessory structures specified by Table 4.3-1 of the Land Development Code, in order to construct a 2,874 sq. ft. addition to an existing outdoor pool pavilion on property located at 1421 Seville Place.			

1.0 Background

The subject property consists of 160' x 331' (1.22-acre) lot located in the Lake Hollingsworth neighborhood with a 6,696 sq. ft. single-family home that was constructed in 1965 according to the Polk County Property Appraiser. Additional improvements to the property include a 448 sq. ft. detached garage constructed in 1982 and an outdoor kitchen/covered pool pavilion which was constructed in 2011. The subject property is zoned RA-1 (Single-Family) 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 2,874 sq. ft. addition with a mean roof height of 17' 7" to the existing covered pool pavilion. According to the applicant, the addition will be used to display the homeowner's collection of exotic animal specimens.

The subject property consists of a large, estate sized lot and is surrounded by properties with similar dimensions. The proposed building will be located in the southeast corner of the property with a 6' 6" setback from the east (interior side) property boundary and 5' 3" from the south (rear) property boundary. If the variance is approved, the existing detached garage located in this area will be demolished.

The applicant's justification for the request pertains to the large lot size and character of the surrounding neighborhood which consists of similar estate sized lots which are only accessible by privately maintained streets. According to the applicant, the homeowner has discussed the project with his immediate neighbors and all are supportive of the application for a variance. Under the Land Development Code, the homeowner could potentially build an 800 sq. ft. second story, garage apartment by right in this same area without the need for a variance.

3.0 Recommendation

The subject project is somewhat unique given the large lot size and character of the surrounding neighborhood. The proposed addition appears to be consistent in scale with the character of adjacent properties. Under the Land Development Code, a smaller, two-story structure could be built in this same area without a variance. Provided that there are no substantive objections from adjacent property owners, staff recommends that this request receive consideration for approval.



Variance Application

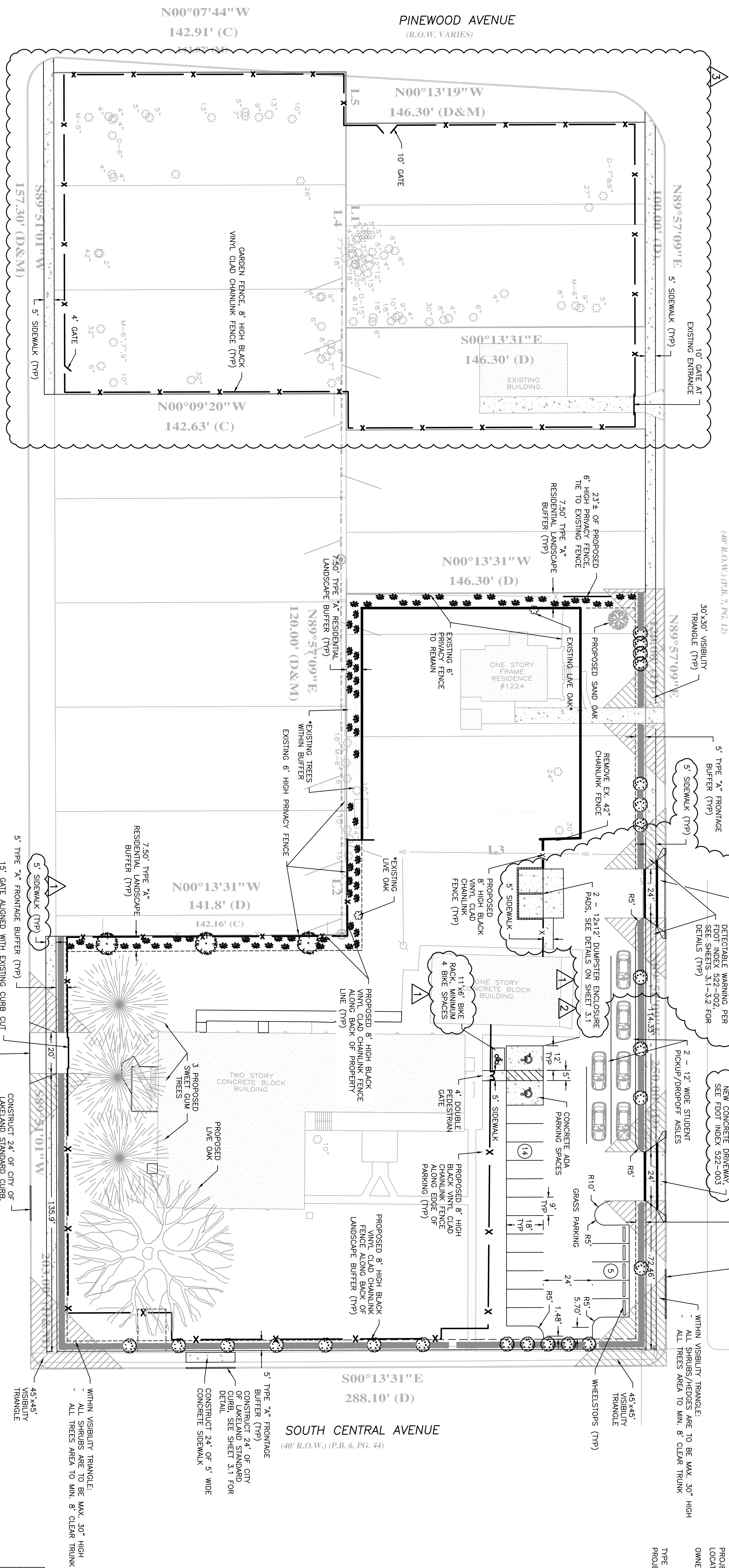
General Information:

Project No:	VAR23-033	Application Date:	8/25/2023		
Project Name:	815 S CENTRAL AV_FENCE HT				
Subject Property Address:	815 S CENTRAL AV				
Parcel ID:	232823101500000010				
Applicant Name:	TAMMI CROTTEAU				
Applicant Address:	815 S. CENTRAL AVE	LAKELAND	FL	33815	
Owner Name:	Magnolia Montessori Academy				
Owner Address:	815 S. CENTRAL AVE	LAKELAND	FL	33815	

Request:

Application Type:	VARIANCE			
Current				
Zoning:	RA-4 (Single Family)	Context:	Urban Neighborhood (UNH)	
Lot Dimensions:	335 x235 apprx	Square Footage:	130350	
Present Use:	unused			
Explanation of Request:	Extend existing 8 foot fence around unused adjacent lot and put 8 foot fence around empty lot and house at end of block, also allow for overflow parking in empty lot			
Justification:	Keeping children as safe as possible in their school environment and complying with the recommendations of the Florida School safety commission.			

LINE	DESCRIPTION	QUANTITY
L1	S 89°57'07" W 100.01'	1
L2	S 89°57'07" W 47.00'	1
L3	S 00°13'31" E 146.30'	1
L4	N 89°57'07" E 115.73'	1
L5	N 89°57'07" E 125.13'	1



- NOTES:**
- THE DESIGN AND CONSTRUCTION OF THIS PROJECT MUST COMPLY WITH FLORIDA ACCESSIBILITY CODE 2020 AND FLORIDA BUILDING CODE 2020.
 - PER 55.3504 (9) EXISTING BARRIERS AT COMMON OR EMERGENCY ENTRANCES AND EXITS OF BUSINESS OR PROFESSIONAL OFFICES, OR UNDER CONTRACT FOR CONSTRUCTION WHICH WOULD PREVENT A PERSON FROM USING SUCH ENTRANCES OR EXITS MUST BE REMOVED. 60% OF ENTRANCES SHOULD BE ACCESSIBLE USING SUCH ENTRANCES OR EXITS.

SITE DATA
 PROJECT NAME: MAGNOLIA MONTESSORI ACADEMY
 LOCATION: CITY OF LAKELAND, POLK COUNTY
 OWNER: MAGNOLIA MONTESSORI ACADEMY
 815 S. CENTRAL AVENUE
 LAKELAND, FL 33815
 PROJECT AREA: CHURCH CONVERSION TO SCHOOL
 1.50 AC

PARKING:
 ELEMENTARY AND MIDDLE SCHOOLS = 1.5 SPACES PER CLASSROOMS (FROM TABLE 4.11-1 OF THE CITY OF LAKELAND DEVELOPMENT CODE)
 SCHOOL TO HAVE 8 CLASSROOMS
 PROVIDED 12 SPACES
 PROVIDED 19 SPACES (INCLUDING 2 H/C SPACES)
 BICYCLE: REQUIRED 4 BICYCLE SPACES
 PROVIDED 6 BICYCLE SPACES

EXISTING TREE NOTE:
 * EXISTING TREES LOCATED WITHIN THE PROPOSED PERMETER BUFFERS WILL BE PRESERVED AND CREDITED TOWARD THE NUMBER OF TREES REQUIRED TO BE REPLANTED WITHIN PERMETER BUFFERS WITH DESIGN H.S.1012 OF THE LAKELAND FL LAND DEVELOPMENT CODE

TYPE "A" FRONTAGE LANDSCAPE BUFFER
 (8 TYPE C TREES PER 100')

LOCATION	LENGTH	NUMBER OF TYPE C TREES
NORTH BOUNDARY	310'	25
EAST BOUNDARY	288'	23
SOUTH BOUNDARY	203'	17
TOTAL TYPE C TREES REQUIRED BY LAND DEVELOPMENT CODE		65
TREE CREDIT		42
TOTAL PROPOSED TYPE C TREES WITHIN ALL TYPE A BUFFERS		23

TYPE "A" RESIDENTIAL LANDSCAPE BUFFER
 (4 TYPE B TREES PER 100')

LOCATION	LENGTH	NUMBER OF TYPE B TREES
WEST (SOUTH)	142'	6
SOUTH	160'	7
WEST (NORTH)	203'	6
TOTAL TYPE B TREES REQUIRED BY LAND DEVELOPMENT CODE		19.0
TREE CREDIT		16
TOTAL PROPOSED TYPE B TREES WITHIN ALL TYPE A RESIDENTIAL BUFFERS		3

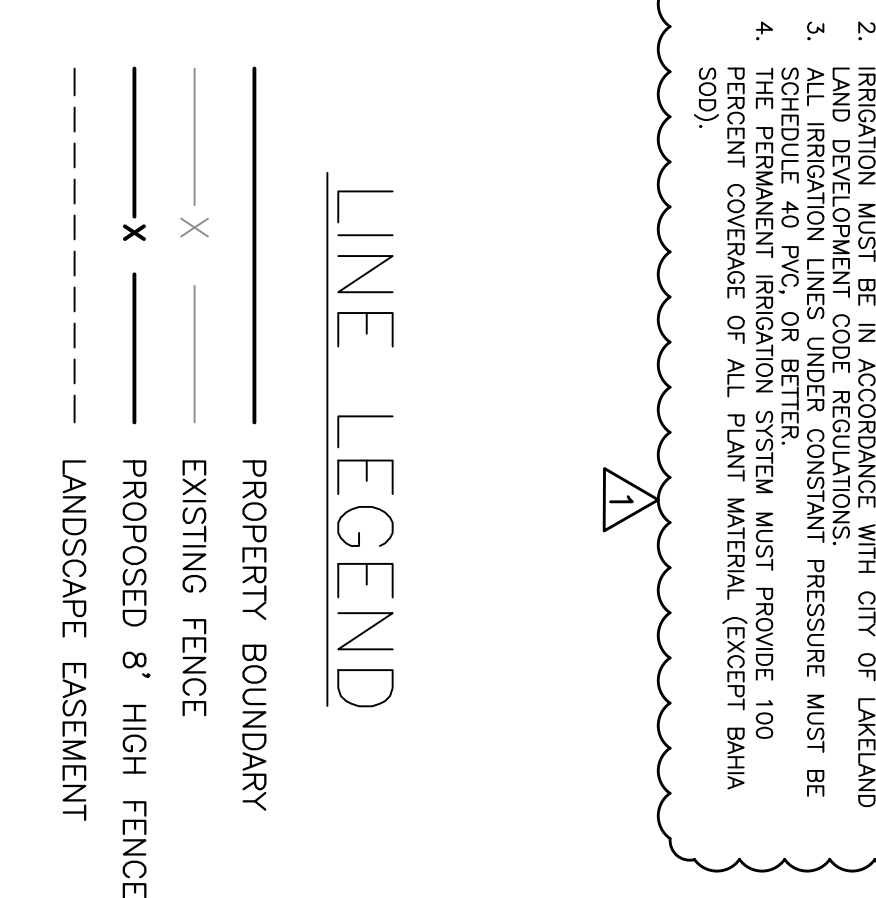
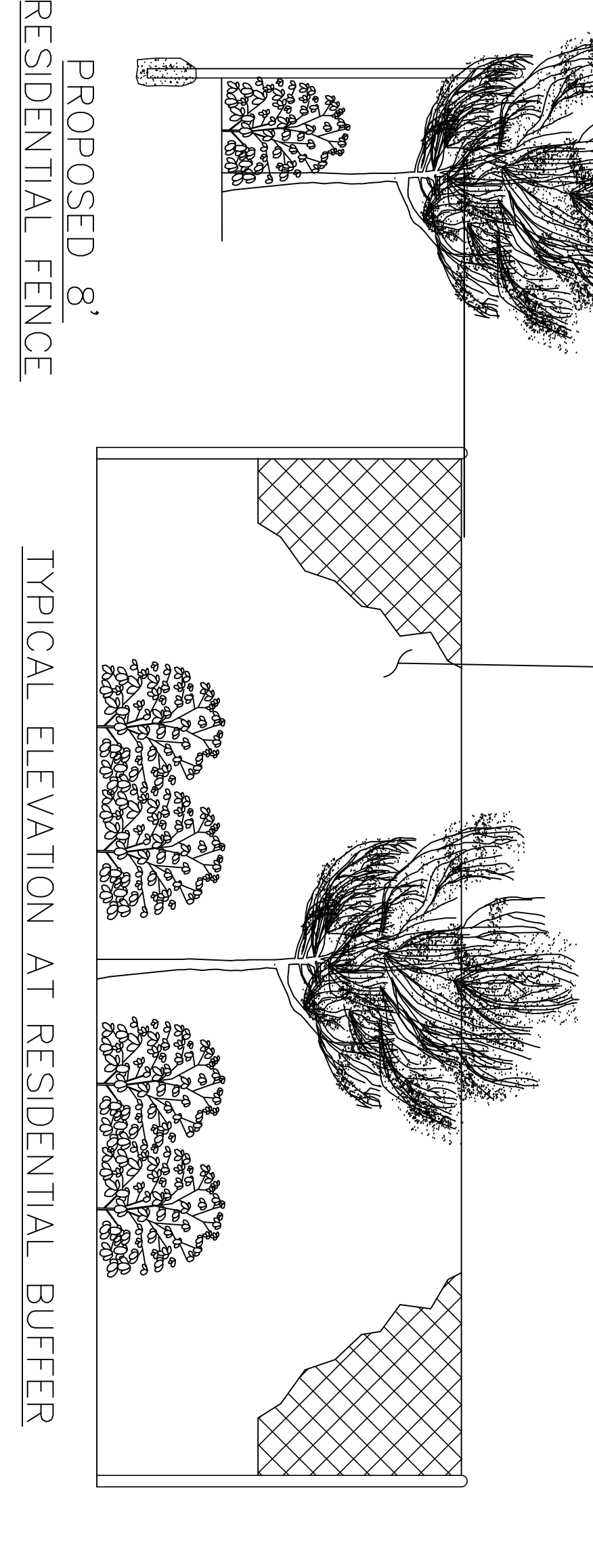
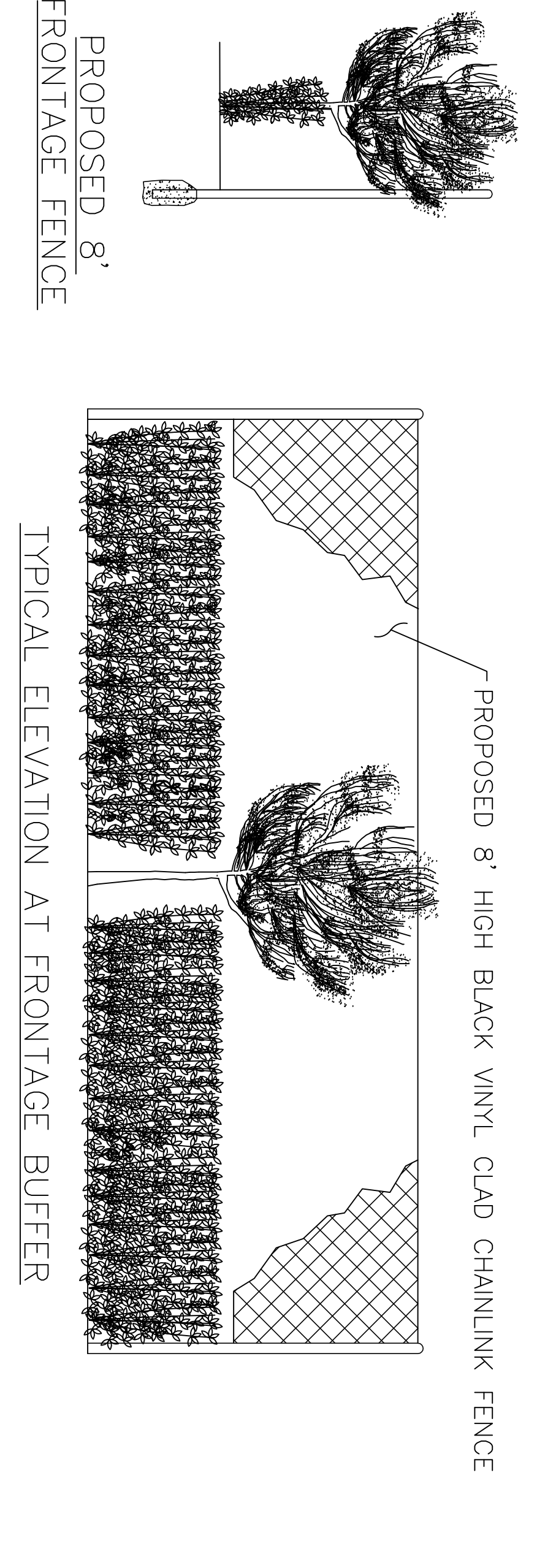
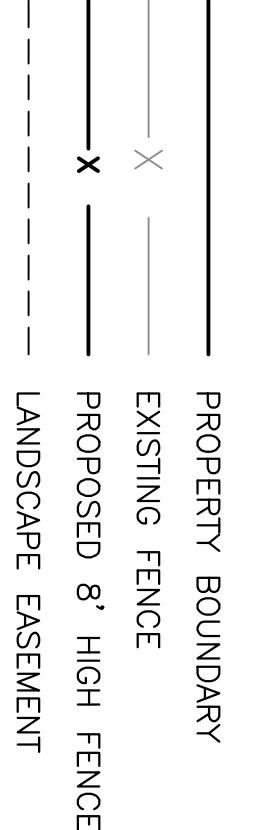
TREE CREDIT CLAIMED

EXISTING TREE TO BE PRESERVED	TYPE B TREES CREDIT AVAILABLE	TYPE C TREES CREDIT AVAILABLE	TYPE C TREES CREDIT CLAIMED
2 - 13' TO 19"	18	16	18
1 - 13' TO 19"	1	12	12
1 - 8" TO 12"	1	12	12
2 - 5" TO 7"		12	12

- GENERAL LANDSCAPE NOTES:**
- LANDSCAPING SHALL MEET THE MINIMUM REQUIREMENTS OF SPECIFICALLY LISTED SECTION 4.5. LAND MAINTENANCE SHALL CONFORM TO SECTION 4.5.11 OF THE CITY OF LAKELAND LAND DEVELOPMENT CODE.
 - THE SPACING STANDARDS INDICATES THE NUMBER OF TREES TO BE PLANTED, NOT THE PRECISE LOCATION OF TREES.
 - IF THERE ARE MORE OR LESS TREES PLANTED THAN INDICATED IN ALL PLANTER BEDS (INCLUDING BUFFER HEDGES), STAKING IS REQUIRED FOR ALL SINGLE-TRUNK TREES.

- GENERAL IRRIGATION NOTES:**
- ALL LANDSCAPE BUFFER AREAS TO RECEIVE IRRIGATION FOR APPROVAL PRIOR TO INSTALLATION. CONTROL AND OPERATION SHALL CONFORM WITH WATER MANAGEMENT DISTRICT AND CITY IRRIGATION CODE.
 - IRRIGATION MUST BE IN ACCORDANCE WITH CITY OF LAKELAND LAND DEVELOPMENT CODE REGULATIONS.
 - ALL IRRIGATION LINES UNDER CONSTANT PRESSURE MUST BE PERMANENTLY IRRIGATION SYSTEM MUST PROVIDE 100 PERCENT COVERAGE OF ALL PLANT MATERIAL (EXCEPT BAHIA SOO).

LINE LEGEND



MAGNOLIA MONTESSORI ACADEMY
 LAKELAND, FLORIDA
 SECTION 23, TWP 28S, RNG 23E POLK COUNTY, FL

3.0

SITE PLAN

REVISIONS

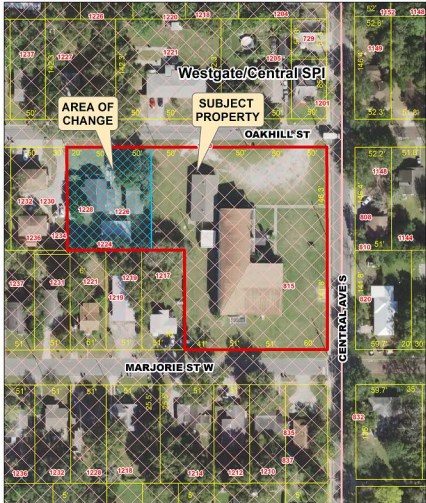
DATE	NO.	DESCRIPTION	NAME
07-16-2021	1	REVISIONS PER COMMENTS FROM CITY	JBB
08-05-2021	2	REVISIONS PER COMMENTS FROM CITY	JBB
12-08-2022	3	ADDED GARDEN FENCE	JBB




THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES

QUIGG ENGINEERING INC

CA#: 30924
 6150 S FLORIDA AVE, STE. 200
 LAKELAND, FL 33813
 863-422-5517
 www.quiggeengineering.com



-  Area of Change
-  Subject Property
-  Westgate/Central SPI

VAR23-033 815 Central Av

Parcel IDs: 232823101500000060
232823101500000010





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

RE: Variance Request - Project No. VAR23-033

Dear Property Owner:

This notice is to advise you that Magnolia Montessori Academy requests a 2' variance to allow a maximum fence height of 8' feet, in lieu of the maximum height of six feet for fences and walls in residential zoning districts specified by Figure 4.4-1 of the Land Development Code, to allow for the construction of an eight-foot-high chain link fence on property located at 1224 Oakhill Street. The subject property is legally described as:

MOODYS W. E. FIRST ADDITION, PB 6, PG 14, LOTS 6, 7 & 8 LESS W 30 FEET OF LOT 8. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

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 11/7/2023** 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.

PLEASE BE ADVISED in accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, 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, Greg James. Because providing a reasonable accommodation may require outside assistance, organizations, or resources, the City asks that any request be made with as much notice as possible, preferably 72 hours, but no later than 48 hours in advance of the event, at: (863) 834-6040, 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	11/7/2023	Reviewer:	Phillip Scearce
Project No:	VAR23-033	Subject Property:	1224 Oakhill Street
Owner:	Magnolia Montessori Academy		
Applicant:	Tammi Crotteau		
Current Zoning:	RA-4 (Single-Family)	Context District	Urban Neighborhood (UNH)
Request:	A 2' variance to allow a maximum fence height of 8' feet, in lieu of the maximum height of six feet for fences and walls in residential zoning districts specified by Figure 4.4-1 of the Land Development Code, on property located at 1224 Oakhill Street.		

1.0 Background

The subject property is approximately 0.4 acres in area and located on the south side of Oakhill Street west of Central Avenue. The site is associated with the Magnolia Montessori school located at 815 S. Central Avenue. The school was approved by the City Commission as a Conditional Use Permit (CUP20-005) to allow for the conversion of the former church to a public charter school. The subject property contained three (3) residential structures, two of which have recently been demolished. The oldest and still standing was built in 1930, according to the Polk County Property Appraiser.

2.0 Discussion

The purpose of this request is to obtain variance relief to allow for the placement of an eight-foot-high chain-link fence around the perimeter of the property at 1224 Oakhill Street (parcel id# 232831101500000060), which is part of the Magnolia Montessori school complex with the main address of 815 S. Central Avenue. Pursuant to Article 4, Sub-Section 4.4 and Figure 4.4-1, the maximum fence height in residential districts is 6'. In order to construct the proposed fence within the RA-4 (single-family) zoning district, a 2' variance is requested.

A similar variance (VAR21-001) was approved by the board for the primary campus with the primary justification being the safety and security for the students. The existing fence serving the primary campus is an 8' tall vinyl-coated chain link with black sheeting for privacy and security. This application is similar to VAR21-001 in that the applicant's justification for the additional height is for security purposes and the need to seamlessly incorporate the parcel into the overall school complex. As stated earlier there were three (3) residential structures on the parcel. Two of the dwellings were recently demolished leaving the oldest structure, built in 1930, still standing. The applicant states this structure will be utilized as a library as well as a program for the 7th and 8th graders. In addition, the school's garden will be moved to this parcel behind the structure.

Table 4.4-1 requires a minimum front and street side setback of 15 feet for fences four feet in height or greater and limits the maximum fence height to six feet. If approved, the proposed fence will be constructed to a minimum setback of 20-feet from the right-of-way of Oakhill Street with a five-foot wide Type A frontage buffer landscaping to soften the effect of the 8' chain link fence.

3.0 Recommendation

The subject property is unique in that it had three single-family structures and is now being repurposed as part of the school facility. With the exception of an adjacent multi-family structure, the predominant use along Oakhill Street is single-family. Therefore, the placement and concealment of the proposed fence is a consideration of approval. Impacts on adjacent property owners should be minimal and approval of a variance will not be contrary to the public interest. Strict conformance with the height requirement would result in an undue burden upon the applicant as security would be compromised. Staff recommends that this request receive consideration for approval provided that there are no substantive objections from adjacent property owners subject to the following conditions:

1. The fence shall be setback a minimum of 20' from the front property line behind a Type A landscape buffer.
2. Black vinyl screening cloth shall only be utilized on the side and rear.



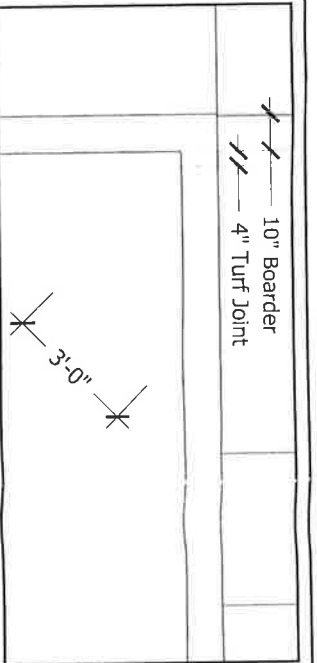
Variance Application

General Information:

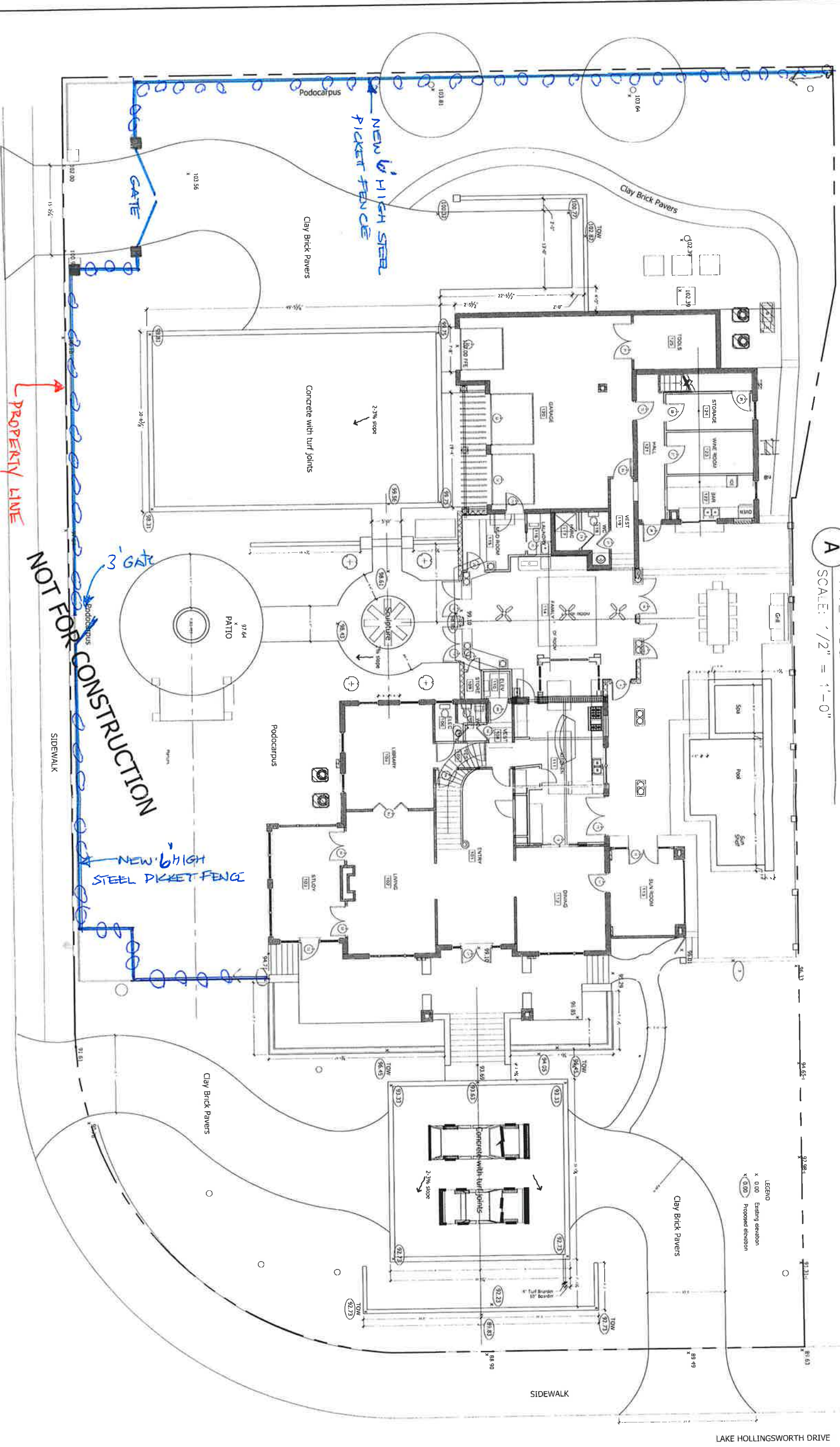
Project No:	VAR23-037	Application Date:	10/2/2023		
Project Name:	999 LK HOLLINGSWORTH DR_FENCE				
Subject Property Address:	999 LK HOLLINGSWORTH DR				
Parcel ID:	242830260000002240				
Applicant Name:	JOSH BOLGER				
Applicant Address:	4100 FRONTAGE ROAD SOUTH, SUITE 101	LAKELAND	FL	33815	
Owner Name:	WESLEY BECK				
Owner Address:	999 LAKE HOLLINGSWORTH DRIVE	LAKELAND	FL	33803	

Request:

Application Type:	VARIANCE				
Current					
Zoning:	RA-1 (Single Family)	Context:	Preservation, Conservation, Recreation (PCR), Urban Neighborhood (UNH)		
Lot Dimensions:	127x202.5	Square Footage:	38333		
Present Use:	Residential				
Explanation of Request:	6' high steel pickett fence along western and southern property lines				
Justification:	Security and elevation changes along property line				



PAVER DETAIL A
SCALE: 1/2" = 1'-0"



LEGEND
 x 0.00 Existing elevation
 x 0.00 Proposed elevation

LAKE HOLLINGSWORTH DRIVE

Whidden DesignStudio
 LANDSCAPE ARCHITECTURE & LAND PLANNING
 100 Palm Avenue • Frostproof, Florida 33843
 863.528.0746 • 863.676.8505 fax
 www.whiddendesign.com • info@whiddendesign.com

Land Planning
 Landscape Architecture
 Urban and Community Design
 Project Management
 Construction Administration

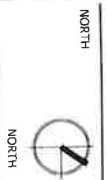
Beck Residence
 999 Lake Hollingsworth Dr.
 Lakeland, FL

Completed for:
 Beck

WDS PROJECT NO.: 22.008
 CAD FILE: 22.008 Beck Residence
 DRAWN BY: KLC
 APPROVED BY: MSW

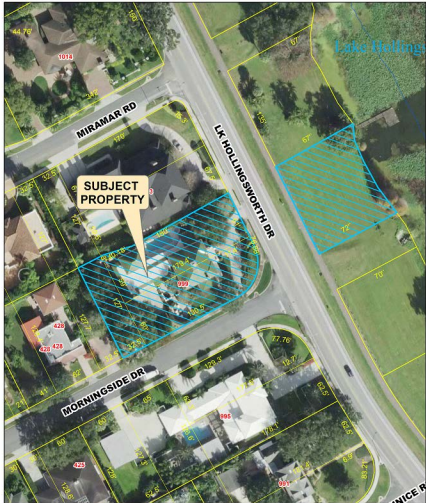
ISSUE	DATE
<input type="checkbox"/> Conceptual Design	01/29/23
<input type="checkbox"/> Design Development	01/29/23
<input checked="" type="checkbox"/> Construction Documents	05/23/23
<input type="checkbox"/> Permit Plans	06/08/23

REVISIONS:
 PLAN REVISION: 00/00/00



Drawing Title:
Paving Plan

Drawing No.:
LA-2



**SUBJECT
PROPERTY**



VAR23-037 999 Lake Hollingsworth Dr
Parcel ID: 242830260000002240





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

RE: Variance Request - Project No. VAR23-037

Dear Property Owner:

This notice is to advise you that Josh Bolger, on behalf of Wesley Beck, requests a 2' variance to allow a fence height of 6', in lieu of the maximum height of 4' for residential fences and walls in front and street side yards specified by Figure 4.4-1 of the Land Development Code, to construct a new 6' high fence along the street side (south) property boundary line on property located at 999 Lake Hollingsworth Drive. The subject property is legally described as:

CASA BELLA PB 8 PG 1 BLK 2 LOTS 24 25 & E1/2 OF 26 & A STRIP OF EQUAL WIDTH EXTENDING TO LK HOLLINGSWORTH & THAT PART OF LOT 23 DESC AS: BEG SW COR OF LOT 23 RUN N16-49-11W ALONG W LINE OF SAID LOT 23 8 FT N73-10-49E 4.21 FT N84-39-04E 36.71 FT S16-49-11E 0.70 FT TO PT ON S LINE OF LOT 23 RUN S73-10-49W ALONG SAID S LINE OF LOT 23 40.18 FT TO POB. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

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 11/7/2023** 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.

PLEASE BE ADVISED in accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, 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, Greg James. Because providing a reasonable accommodation may require outside assistance, organizations, or resources, the City asks that any request be made with as much notice as possible, preferably 72 hours, but no later than 48 hours in advance of the event, at: (863) 834-6040, 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	11/7/2023	Reviewer:	Audrey McGuire	
Project No:	VAR23-037	Subject Property:	999 Lake Hollingsworth Drive	
Owner:	Wesley Beck			
Applicant:	Josh Bolger			
Current Zoning:	RA-1 (Single-Family)	Context District	Conservation (C)	
Request:	2' variance to the maximum fence height of 4' for residential fences and walls in front and street side yards specified by Figure 4.4-1 of the Land Development Code, to construct a 6' high fence along the street side (south) property boundary line, on property located at 999 Lake Hollingsworth Drive.			

1.0 Background

Located in the Lake Hollingsworth neighborhood, the subject property is approximately 0.88 acres in size, with approximately 0.30 acres located across Lake Hollingsworth Drive, providing water access to Lake Hollingsworth. The subject property is a corner lot with an existing estate-sized single-family home built in 1925. The purpose of this request is to allow for the construction of a new 6-foot-high steel picket fence in the street-side yard area along Morningside Drive to provide additional security to the courtyard of the home.

2.0 Discussion

Figure 4.4-1 of the Land Development Code provides the maximum heights and setback requirements for residential fences in the City of Lakeland. The maximum height for fences within the street-side yard is 4 feet. Fences may be up to 6 feet in height within the street side yard if they are set back at least 5 feet from the adjacent property line. The applicant seeks a 2' variance to allow a 6-foot-high fence along the street-side property boundary abutting Morningside Drive.

Morningside Drive is a local street with approximately 50 feet of right-of-way. Five-foot-wide sidewalks extend along both the north and south sides of the street between S. Florida Avenue and Lake Hollingsworth Drive. The proposed fence will extend along the street side property line, stepping back at the driveway where a 6-foot-high double gate will be incorporated to secure vehicle access to the courtyard area. Locating a portion of the fence adjacent to the street-side property boundary will not create any visibility hazards with respect to the adjoining property owner.

The standard fence/wall height requirements do not account for large estate homes where a greater height may be appropriate due to the scale of the home and lot size. The existing courtyard area includes vehicle parking areas and an established mature garden/patio area the applicants are seeking to secure. Landscaping within the garden/patio area will conflict with the fence if a 5-foot setback is to be enforced.

The proposed fence appears to be reasonable given the scale of the residence, and existing precedence in the neighborhood. Several similar variances have been approved for fences and walls greater than 4 feet in height within the street-side setback area throughout the Lake Hollingsworth neighborhood, including for a neighboring residence. The proposed steel picket fence appears to be consistent with the architectural style and scale of the residence.

3.0 Recommendation

The requested relief is reasonable and would not be contrary to the public interest as there are multiple examples of fences and walls greater than 4-feet in height within the street-side setback areas of properties within the Lake Hollingsworth neighborhood. Provided there are no substantive objections from adjoining property owners, staff has no objections to granting the variance.



Variance Application

General Information:

Project No:	VAR23-038	Application Date:	10/5/2023		
Project Name:	426 PALMOLA ST_METAL SLAT FENCE				
Subject Property Address:	426 PALMOLA ST				
Parcel ID:	242819214000001211				
Applicant Name:	PATRICK DUGGAN				
Applicant Address:	5114 KIRKLAND DR	LAKELAND	FL	33811	
Owner Name:	GSN TAMPA LLC				
Owner Address:	998C OLD COUNTRY RD PMB 321	PLAINVIEW	NY	118034917	

Request:

Application Type:	VARIANCE			
Current				
Zoning:	RA-3 (Single Family)	Context:	Urban Neighborhood (UNH)	
Lot Dimensions:	143x183	Square Footage:	26169	
Present Use:	Fence around property			
Explanation of Request:	Change a 4' fence height to a 6' fence height Change a 5' setback to a 0' setback			
Justification:	<p>A 4' high fence will not allow privacy to the pool/backyard area. Because the land tapers down from the house, pedestrians on the sidewalk around Lake Hollingsworth would be able to see directly into the back yard.</p> <p>There is an existing 36" high by 12" wide retaining wall next to a 12"x 12" concrete raised footing between the property and the sidewalk. This already allows 2' of separation from the sidewalk. A 5' setback would create a difficult narrow strip of landscaping that would have to be maintained outside the fence. It would also greatly reduce the area of space in the backyard, especially in-between the fence and the pool.</p>			

BOUNDARY SURVEY

PAGE 1 OF 1

CERTIFIED TO:
GSN TAMPA, LLC.
PEER TITLE:
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

PROPERTY ADDRESS:
426 PALMOLO STREET
LAKELAND, FL 33803

SURVEY NUMBER: 375722
COMMUNITY NUMBER: 120267
PANEL: 0315
SUFFIX: G
FLOOD ZONE: X
FIELD WORK: 07/11/2019

LEGAL DESCRIPTION:
LOTS 20, 21, AND 22 IN BLOCK A, PALMOLO PARK
SUBDIVISION, ACCORDING TO THE PLAT
THEREOF, RECORDED IN PLAT BOOK 5, PAGE 30,
OF THE PUBLIC RECORDS OF POLK COUNTY,
FLORIDA, LESS THOSE LANDS DESCRIBED IN
THAT CERTAIN ORDER OF TAKING RECORDED IN
OFFICIAL RECORDS BOOK 1634, PAGE 1497.

ABBREVIATION DESCRIPTION:
ZFC AIR CONDITIONER
ID IDENTIFICATION
L LENGTH
LB LICENSED BUSINESS
N.A.V.D. NORTH AMERICAN VERTICAL DATUM
N.G.V.D. NATIONAL GEODETIC VERTICAL DATUM
P.K. PARKER KEYLON MAIL
P.R.C. POINT OF REVERSE CURVE
P.S.M. PROFESSIONAL SURVEYOR MAPPER
R.W. RIGHT-OF-WAY

SURVEY NOTES
CONCRETE DRIVE CROSSING PROPERTY
BOUNDARY ON SOUTHERLY SIDE OF LOT
THERE ARE FENCES & CBS WALLS NEAR
THE BOUNDARY OF THE PROPERTY

SYMBOL DESCRIPTIONS:

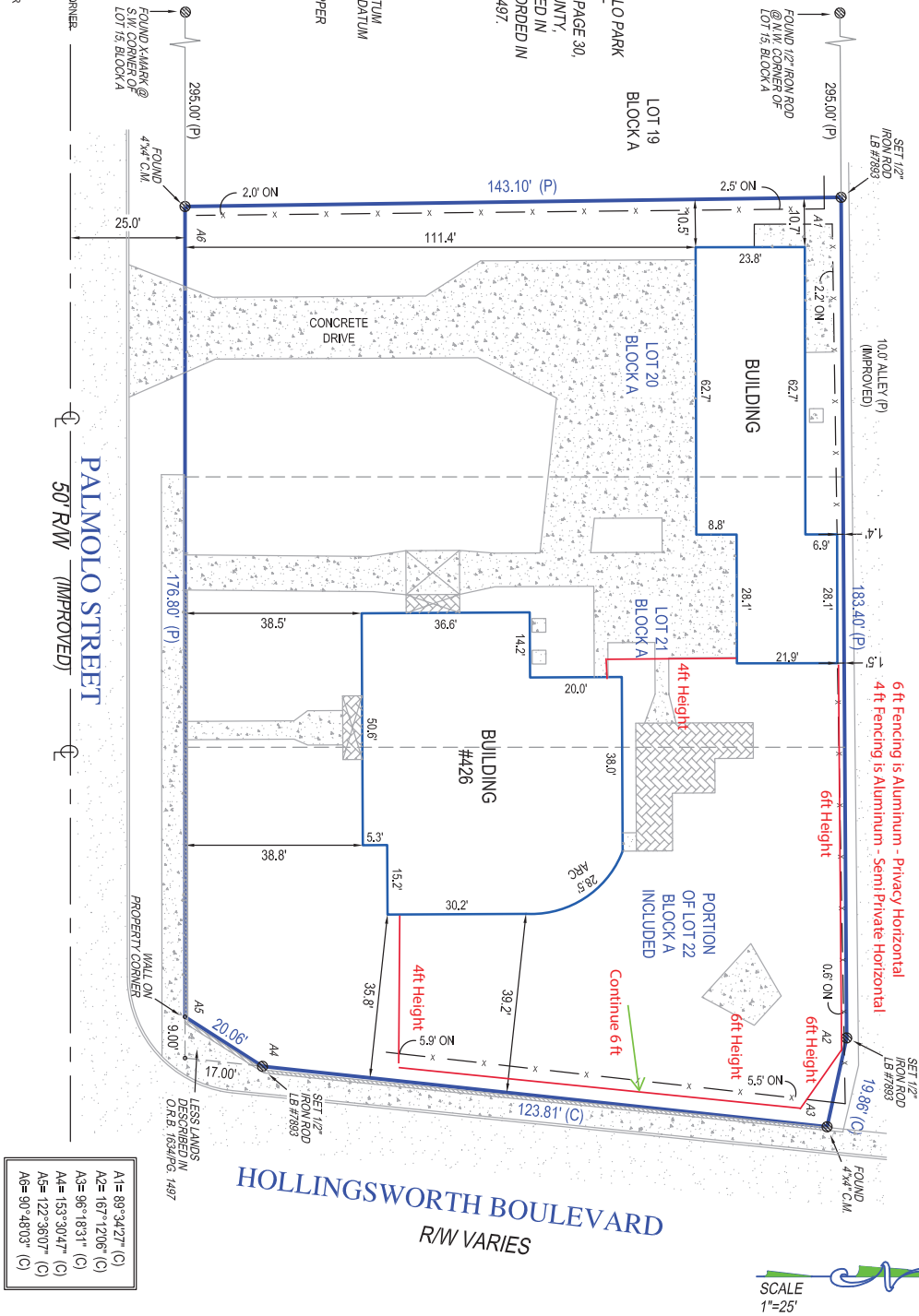
- CATCH BASIN
- CENTERLINE ROAD
- COVERED AREA
- EXISTING ELEVATION
- HYDRANT
- MANHOLE
- METAL FENCE
- MISC. FENCE
- REBAR CORNER
- UTILITY BOX
- UTILITY POLE
- WATER METER
- WELL
- WOOD FENCE

GENERAL NOTES:

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
- 2) DIMENSIONS SHOWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED
- 3) ELEVATIONS, IF SHOWN, ARE BASED ON N.G.V.D. 1929 DATUM, UNLESS OTHERWISE NOTED
- 4) IN SOME INSTANCES GRAPHIC REPRESENTATION HAVE BEEN ENLARGED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.
- 5) ONLY VISIBLE ENCROACHMENTS ARE LOCATED

- 6) DIMENSIONS SHOWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED
- 7) ELEVATIONS, IF SHOWN, ARE BASED ON N.G.V.D. 1929 DATUM, UNLESS OTHERWISE NOTED
- 8) IN SOME INSTANCES GRAPHIC REPRESENTATION HAVE BEEN ENLARGED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.

REVISIONS:



A1= 89°34'27" (C)
A2= 167°12'06" (C)
A3= 96°18'31" (C)
A4= 153°30'47" (C)
A5= 122°36'07" (C)
A6= 90°48'03" (C)

SCALE 1"=25'

SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE
AND CORRECT REPRESENTATION OF A SURVEY PREPARED
UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED
EMBOSSSED SEAL AND SIGNATURE.
Kenneth Osborne
Digitally signed by
Kenneth Osborne
Date: 2019.07.12 16:35:35 -0400
(SIGNED) **Osborne**

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415



LB #7893
SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

BELMAR ST E

**UNINCORPORATED
POLK COUNTY**

**SUBJECT
PROPERTY**

LK HOLLINGSWORTH DR

PALMOLA ST



VAR23-038 426 Palmola St
Parcel ID: 242819214000001211





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

RE: Variance Request - Project No. VAR23-038

Dear Property Owner:

This notice is to advise you that Patrick Duggan requests:

1. A 1.5' variance to allow a 6' fence to be 1.5' from an improved alley, and
2. A 2' variance to allow a maximum fence height of 6', in lieu of the maximum height of four feet for residential fences and walls in front and street side yards specified by Figure 4.4.1 of the Land Development Code, in order to construct a new six-foot high privacy fence along the street side property for a distance of approximately 100 feet, on property located at 426 Palmola Street. The subject property is legally described as:

PALMOLO PARK PB 5 PG 30 BLK A LOT 21 LESS W 3 FT & LOT 22 LESS R/W FOR LAKE HOLLINGSWORTH DR AS REC IN OR 1174-294. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

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 11/7/2023** 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.

PLEASE BE ADVISED in accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, 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, Greg James. Because providing a reasonable accommodation may require outside assistance, organizations, or resources, the City asks that any request be made with as much notice as possible, preferably 72 hours, but no later than 48 hours in advance of the event, at: (863) 834-6040, 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	11/7/2023	Reviewer:	Todd Vargo	
Project No:	VAR23-038	Subject Property:	426 Palmola Street	
Owner:	GSN Tampa, LLC			
Applicant:	Patrick Duggan			
Current Zoning:	Residential Medium (RM)	Context District	Urban Neighborhood (UNH)	
Request:	1. A 1.5' variance to allow a 6' fence to be 1.5' from an improved alley; and 2. A 2' variance to allow a maximum fence height of 6', in lieu of the maximum height of four feet for residential fences and walls in front and street side yards specified by Figure 4.4.1 of the Land Development Code, in order to construct a new six-foot high privacy fence along the street side property for a distance of approximately 100 feet, on property located at 426 Palmola Street.			

1.0 Background

The subject property, located in the Lake Hollingsworth neighborhood, consists of a 0.43-acre lot located at the northwest corner of the intersection of Lk Hollingsworth Rd and Palmola Street. The subject property is currently improved with an existing single-family detached home (which was originally built in 1922 according to the Polk County Property Appraiser but is undergoing extensive renovations) and a two-story detached structure.

2.0 Discussion

The purpose of this request is to obtain variance relief which will allow for a six-foot-high privacy fence along the street side property line. Also, the applicant is requesting to reduce the setback from an improved alleyway from three feet to 1.5 feet to construct a new six-foot-tall privacy fence.

The street side property line abuts Lake Hollingsworth Drive, which is a heavily traveled route for both vehicles and pedestrians. A six-foot-high fence to provide privacy by blocking the view of the swimming pool is not an unusual request.

Generally, fences along improved alleyways are set back at least three feet from the alleyway to ensure waste and recycling collection trucks can navigate the alley. The fence runs for approximately 70 feet along a portion of the rear property line. The applicant's primary justification for this request is related to a need for privacy and protection from nuisances generated by adjacent properties along E. Belmar Street.

The applicant's site plan does not take into account Section 4.12 of the Land Development Code, Visibility at Intersections. Subsection 4.12.2.b provides regulations for visual obstructions where alleys meet streets. In essence, a triangle is drawn with 30-foot-long sides along the edges of the pavement for the alley and the street. Those sides are then connected forming a triangle. Nothing between the height of 24 inches and 8.5 feet may be placed in said triangle. It is important to note that, for the safety of vehicles and pedestrians, staff is not recommending the fence be located within the clear visibility triangle.

3.0 Recommendation

The particular hardship suffered is not the result of any action taken by the applicant. The requested relief appears to be reasonable and proportionate to the degree of hardship suffered. Provided there are no substantive objections from adjoining property owners, staff recommends that the variance be considered for approval.