



Zoning Board of Adjustments and Appeals Meeting Agenda

**July 2, 2024 9:00 a.m.
in the Lakeland Electric Building Rooms 1A/B**

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 June meeting

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

ITEM 5: **Roger Grafton requests** a 12’ variance to allow a rear setback of 8’, in lieu of the 20’ minimum rear setback for principal structures specified by the PUD (Planned Unit Development) zoning for the Sandpiper Golf & Country Club Phase 13 in order to construct a hard-roofed screen room on property located at 1054 Canary Circle S. (VAR24-007)

ITEM 6: **Nancy and Pasquale Bianchino requests** a 6’ variance to allow a rear setback of 9’, in lieu of the 15’ minimum rear setback for principal structures specified by the PUD (Planned Unit Development) zoning for the Sandpiper Golf & Country Club in order to construct a hard-roofed screen room on property located at 5903 Cormorant Court. (VAR24-008)

ITEM 7: Unfinished Business

ITEM 8: New Business

ITEM 9: Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, June 4, 2024 in the Lakeland Electric Building, Room 1A/B, located at 501 E. Lemon Street.

Present were Board Members Thomas Brawner, Jiwa Farrell, Judith Hatfield, Gregory Kent, Tunesia Mayweather, and Daniel Sharrett. Also present were Ramona Sirianni, Assistant City Attorney; and staff from the Community & Economic Development Department: 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 6: Marcobay Construction, Inc. a 14' variance to allow a rear setback of 6', in lieu of the 20' minimum setback specified by Table 3.4-2 of the Land Development Code, in order to construct a new workshop on property located at 1910 Harden Boulevard. (VAR24-005)

Jesse Larson, 1910 Harden Boulevard, representing the applicant, was present in support of the request.

Todd Vargo stated the subject property has a C-2 (Highway Commercial) zoning classification and a future land use designation of Mixed Commercial Corridor (MCC). The applicant proposes to construct a 15 x 30 foot workshop to the rear of the existing structure. To accommodate the proposed workshop, the applicant requests a 14-foot variance to allow a 6-foot setback from the rear (eastern) property line.

Mr. Vargo pointed to photos on the overhead screen of the subject property.

Mr. Vargo stated no public comment was received regarding the request and staff recommends approval.

Jiwa Farrell made a motion to approve staff's recommendation. Judith Hatfield seconded the motion and it passed 6—0.

Adjourned

The meeting was adjourned at 9:11 a.m.

Gregory Kent, Chairperson

Christelle Burrola, Secretary



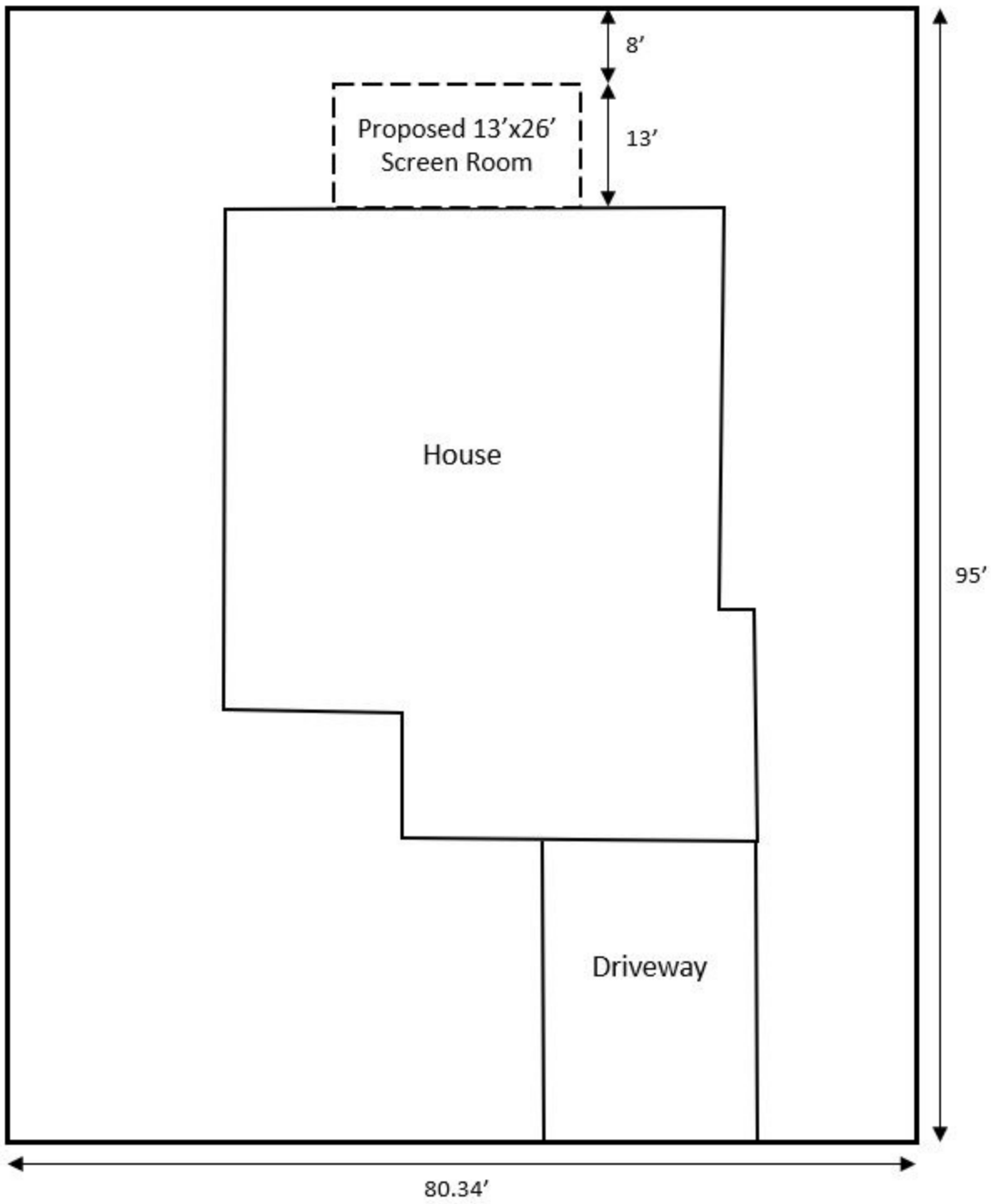
Variance Application

General Information:

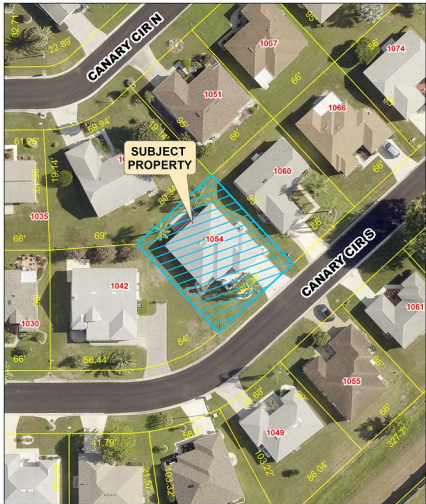
Project No:	VAR24-007	Application Date:	5/9/2024		
Project Name:	Screen Room				
Subject Property Address:	1054 CANARY CIR S				
Parcel ID:	242720161740001850				
Applicant Name:	Roger Grafton				
Applicant Address:	1054 CANARY CIR S	LAKELAND	FL	33809	
Owner Name:	Roger Grafton				
Owner Address:	1054 CANARY CIR S	LAKELAND	FL	33809	

Request:

Application Type:	Variance				
Current					
Zoning:	(PUD) 3551 C Planned Unit Development	Context:	Suburban Neighborhood (SNH)		
Lot Dimensions:	80 x 95	Square Footage:	7,841		
Present Use:					
Explanation of Request:	Screen Room 12 x 24				
Justification:	Water run off				



Canary Circle S



VAR24-007 1054 Canary Cir S
Parcel ID: 242720161740001850





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

RE: Variance Request - Project No. VAR24-007

Dear Property Owner:

This notice is to advise you that Roger Grafton requests request a 12' variance to allow a rear setback of 8', in lieu of the 20' minimum rear setback for principal structures specified by the PUD (Planned Unit Development) zoning for the Sandpiper Golf & Country Club Phase 13 in order to construct a hard-roofed screen room on property located at 1054 Canary Circle S. The subject property is legally described as:

SANDPIPER GOLF & COUNTRY CLUB PHASE 13 PB 93 PGS 19 & 20 LOT 185. (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 7/2/2024** in the Lakeland Electric Building rooms 1A/B, 501 E. Lemon Street. 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	7/2/2024	Reviewer:	Todd Vargo	
Project No:	VAR24-007	Subject Property:	1054 Canary Circle S	
Owner:	Roger Grafton			
Applicant:	Roger Grafton			
Current Zoning:	PUD (Planned Unit Development) 3551C	Context District	Suburban Neighborhood (SNH)	
Request:	A 12' variance to allow a rear setback of 8', in lieu of the 20' minimum rear setback for principal structures specified by the PUD (Planned Unit Development) zoning for the Sandpiper Golf & Country Club Phase 13 in order to construct a hard-roofed screen room on property located at 1054 Canary Circle S.			

1.0 Background

The subject property consists of an approximate 0.18-acre (80' wide by 95' deep) lot within the Sandpiper Golf and Country Club Phase 13 subdivision. According to information obtained from the Polk County Property Appraiser, the subject property contains a 2,653 square foot single-family home constructed in 1998. The property is zoned PUD (Planned Unit Development) and is located within the Suburban Neighborhood (SNH) context district.

2.0 Discussion

The purpose of this request is to obtain relief from the rear yard setback requirements to allow for the construction of a 13' x 26' (338 square foot) hard-roofed screen room addition at the rear of the home. Screen rooms are a common feature on homes in Florida and are generally located within the rear yard area. Screen rooms with hard roofs, such as composite panels, are considered additions rather than accessory structures and are subject to the setback requirements for principal structures.

Within the overall Sandpiper development, lots are relatively shallow in depth, limiting the ability to construct screen rooms/enclosures in rear yards. In accordance with the standards for Planned Unit Development (PUD) 3551C, the minimum rear yard setback for principal structures is 20 feet. The proposed screen room will be set back a minimum of 8 feet from the rear property line. The hardship suffered by the applicant is related to shallow lot depth and placement of the existing home on the lot. Several similar variances for screen rooms/enclosures have been granted to other lots within the overall Sandpiper subdivision over the years.

3.0 Recommendation

The primary hardship suffered by the applicant is related to size of the lot and placement of the dwelling on the lot and is not the result of any action taken by the applicant. The requested relief is the minimum amount necessary to accommodate the proposed screen room and approval would not be contrary to public interest. Provided there are no substantive objections from adjacent property owners, staff recommends the requested variance be considered for approval.



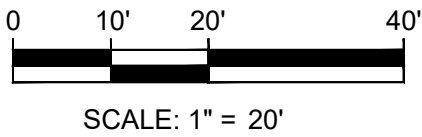
Variance Application

General Information:

Project No:	VAR24-008	Application Date:	5/23/2024
Project Name:	5903 CORMORANT CT Screen Room		
Subject Property Address:	5903 CORMORANT CT		
Parcel ID:	242719161368000010		
Applicant Name:	NANCY BIANCHINO		
Applicant Address:	5903 CORMORANT CT	LAKELAND	FL 33809
Owner Name:	BIANCHINO PASQUALE		
Owner Address:	6260 SILVER LAKES DR E	LAKELAND	FL 33810

Request:

Application Type:	Variance		
Current			
Zoning:	PUD 5705	Context:	Suburban Neighborhood
Lot Dimensions:	65 X 145	Square Footage:	6,774
Present Use:			
Explanation of Request:	17 x 6 screen enclosure with an insulated aluminum roof, we would like a variance to change for the 15' rear setback to a 9 foot rear setback to accommodate this structure		
Justification:	Disabled Veteran who needs shade to comfortably sit outside. This lot has no rear neighbor.		



PLOT PLAN

(THIS IS NOT A SURVEY)

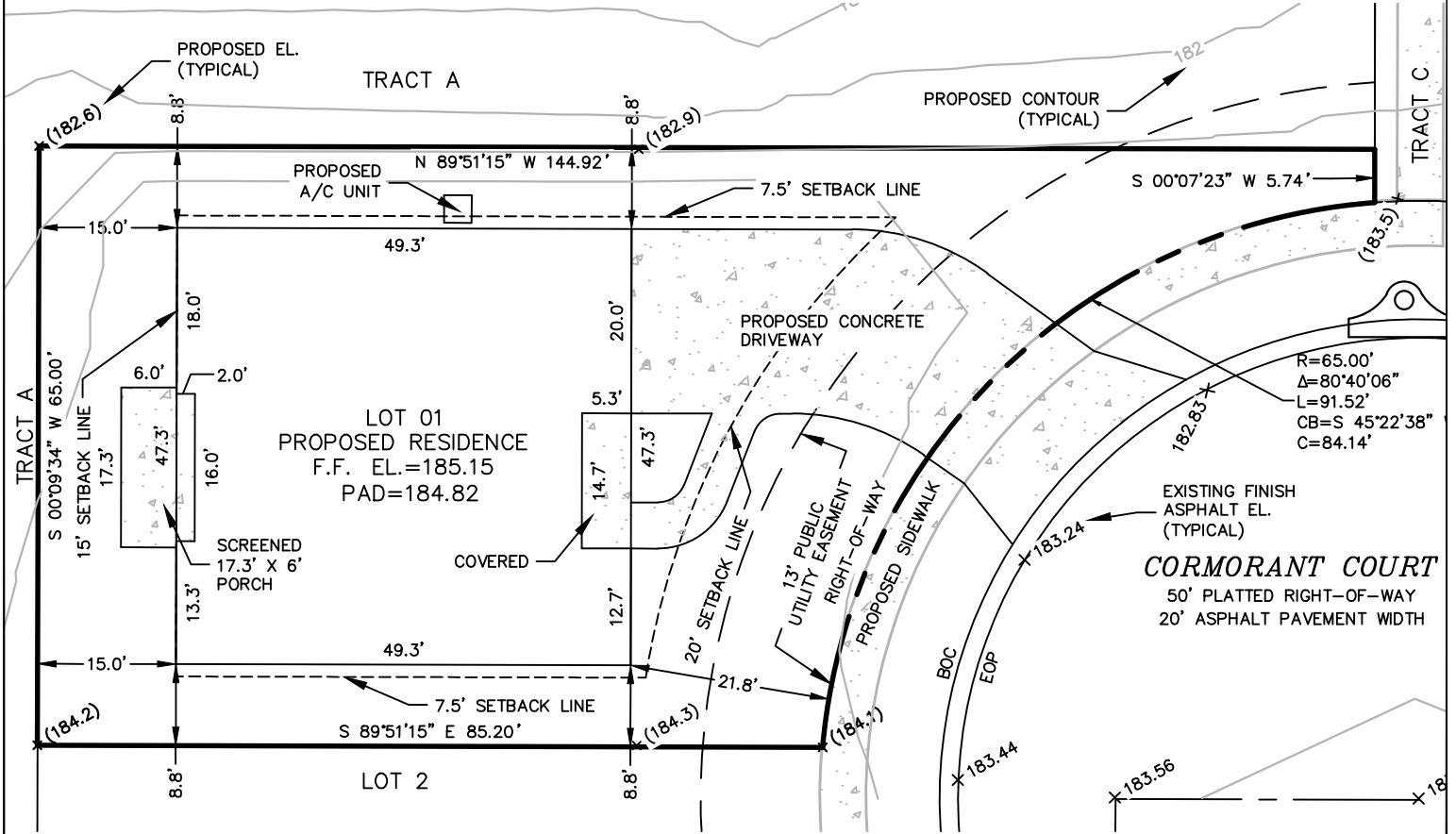
Description:

Lot 01, SANDPIPER GOLF & COUNTRY CLUB
2019, as recorded in Plat Book 181, Page 46,
Public Records of Polk County, Florida.

Owner: D Course Development, LLC.
Address: 5903 Cormorant Court

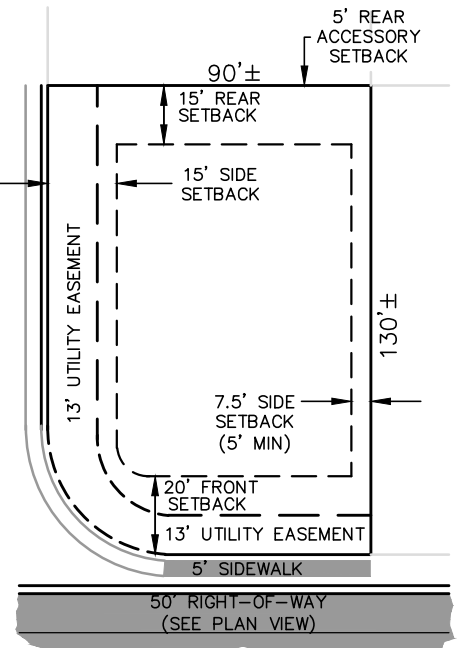
Survey Legend:

P.S.M.	PROFESSIONAL SURVEYOR & MAPPER
LB	LICENSED BUSINESS
CONC	CONCRETE
BOC	BACK OF CURB
EOP	EDGE OF PAVEMENT
R	RADIUS
Δ	DELTA
L	ARC LENGTH
CB	CHORD BEARING
C	CHORD DISTANCE
O.R.	OFFICIAL RECORDS BOOK
P.B.	PLAT BOOK
PG.	PAGE



Notes:

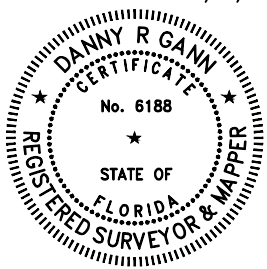
- This is not a boundary survey as defined in Florida Administrative Code 5J-17.052.
- Not valid without the original signature and seal of a Florida licensed Surveyor and Mapper unless affixed with a digital signature and seal. If digitally sealed, the seal appearing on this document was authorized by Danny R. Gann, P.S.M. on the date depicted on the accompanying digital signature.
- The purpose of this plot plan is to show setback lines and proposed house in relation to platted lot lines. This plot plan is intended for permitting purposes only.
- Any coordinates obtained from this plot plan or the associated AutoCAD drawing files are assumed unless otherwise noted.
- Property shown hereon appears to be located in Flood Zone "X", per Flood Insurance Rate Map No. 12105C0302 G, dated 12/22/2016. There may be map amendments or revisions that were filed after the effective date of the map that were not found or provided. This Surveyor makes no guarantees as to the accuracy of the above information. Local Federal Emergency Management Agency should be contacted for verification.
- Foundation Models shown hereon were provided by email form Crossroads Construction, dated 09/25/2023
- Setback lines as shown hereon were provided on sheet C200 (Lot Layout) of the construction plans prepared by Kimley-Horn, dated 02/18/2020. (SEE RIGHT)
- Finished Floor elevation as shown hereon was provided on sheet C300 (Paving Grading and Drainage Plan) of the construction plans prepared by Kimley-Horn, dated 02/18/2020
- Vertical information shown hereon is referenced to NAVD 88 (North American Vertical Datum of 1988) and was based on National Geodetic Survey benchmark "G 743" being a standard 4"x4" concrete monument with survey disk stamped "G 743 2010", having a published elevation of 171.01.



TYPICAL LOTS
N.T.S.

Sandpiper Golf & Country Club 2019
Plot Plan - Lot 01-Revised

SHEET 1 of 1 JOB NO. 3750 DATE 11/11/2023



CREW CHIEF _____ FIELD DATE _____ DRAWN BY LPB

I, THE UNDERSIGNED AS REPRESENTATIVE OF RAPID SURVEYING, INC., HEREBY CERTIFIES THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS OR EXCEEDS THE STANDARDS OF PRACTICE FOR SURVEYS SET FORTH BY CHAPTER 5J-17, OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DANNY R. GANN, P.S.M. NO. 6188 STATE OF FLORIDA DATE _____

RSI

Rapid Surveying, Inc.
1979 E. Edgewood Drive, Suite 101
Lakeland, Florida 33803
PROFESSIONAL SURVEYORS & MAPPERS
LICENSED BUSINESS L.B. #7568
EMAIL: RSI@RAPIDSURVEYING.NET
PHONE (863)668-9124 FAX (863) 668-9091



VAR24-008 5903 Cormorant Ct
 Parcel ID: 242719161368000010
 2023 Aerial Imagery





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

RE: Variance Request - Project No. VAR24-008

Dear Property Owner:

This notice is to advise you that Nancy & Pasquale Bianchino request a 6' variance to allow a rear setback of 9', in lieu of the 15' minimum rear setback for principal structures specified by the PUD (Planned Unit Development) zoning for the Sandpiper Golf & Country Club in order to construct a hard-roofed screen room on property located at 5903 Cormorant Court. The subject property is legally described as:

SANDPIPER GOLF & COUNTRY CLUB 2019 PB 181 PG 46-48 LOT 1. (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 7/2/2024** in the Lakeland Electric Building rooms 1A/B, 501 E. Lemon Street. 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	7/2/2024	Reviewer:	Audrey McGuire	
Project No:	VAR24-008	Subject Property:	5903 Cormorant Court	
Owner:	Nancy and Pasquale Bianchino			
Applicant:	Nancy and Pasquale Bianchino			
Current Zoning:	PUD (Planned Unit Development) 5705	Context District	Suburban Neighborhood (SNH)	
Request:	A 6' variance to allow a rear setback of 9', in lieu of the 15' minimum rear setback for principal structures specified by the PUD (Planned Unit Development) zoning for the Sandpiper Golf & Country Club in order to construct a hard-roofed screen room on property located at 5903 Cormorant Court.			

1.0 Background

The subject property consists of an approximate 0.15-acre lot (65' wide by 85.2' deep) within the Sandpiper Golf and Country Club Subdivision. A 2,305 square foot single-family home is currently under construction. The property is zoned PUD (Planned Unit Development) and is located within the Suburban Neighborhood (SNH) context district.

2.0 Discussion

The purpose of this request is to obtain relief from the rear yard setback requirements to allow for the construction of a 17' x 6' (102 square foot) hard-roofed screen room addition at the rear of the home. Screen rooms are common features on homes in Florida and are generally located within the rear yard area. Screen rooms with hard roofs are considered additions to the principal structure rather than accessory structures and are subject to the setback requirements for principal structures.

In accordance with Planned Unit Development (PUD) 5705, the required rear yard setback for principal structures is 15 feet. Per the plot plan, the home will be set back 15 feet from the rear property line and the proposed screen room will be set back 9 feet.

Within Sandpiper, lots are relatively shallow in depth and variances have previously been granted for hard-roofed screen rooms when a property is adjacent to a golf course, drainage feature or perimeter boundary. The rear yard of the subject property abuts a perimeter landscape buffer and beyond the landscape buffer is Socrum Loop Road, so there are no impacts to other Sandpiper residents. The hardship suffered by the applicant is related to the relatively small size of lots within the Sandpiper development.

3.0 Recommendation

The primary hardship suffered by the applicants is related to the size of the lot and is not the result of any action taken by the applicant. The requested relief is the minimum amount necessary to accommodate the proposed screen room and approval would not be contrary to public interest. Provided there are no substantive objections from adjacent property owners, staff recommends the requested variance be considered for approval.