



Zoning Board of Adjustments and Appeals Meeting Agenda

**May 2, 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, Jenny Sykes, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: Jennifer.Sykes@lakelandgov.net. If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-800-9558771 (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 April meeting
ITEM 4:	City Attorney explains purpose and authority of the Board
ITEM 5:	Dan Fowler requests an 8' 6" variance to allow a rear setback of 6' 6", in lieu of the required 15' minimum setback for principal structures specified by Table 3.4-1 in the Land Development Code, to allow for the construction of a two-story addition with a carport, utility room and a second-floor master suite in the rear yard of property located at 301 Allamanda Drive. Owners: Clayton Gaa and Margaret Gaa. (VAR23-009)
ITEM 6:	Homeowner Shannon Kelso requests an 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, in order to construct an eight-foot-high fence in the rear yard area along the north and south interior side property lines, for a distance of approximately 68.25-feet, and along the rear property line on property located at 2428 Hollingsworth Avenue. (VAR23-012)
ITEM 7:	Michael Childres requests a 15' variance to allow a minimum lot frontage of 60 feet, in lieu of the 75-foot minimum specified by Sub-Section 4.11.4.6 b.3. of the Land Development Code, in order to construct a new circular driveway addition on property located at 2313 Coventry Avenue. Owner: Melissa McIntosh. (VAR23-013)
ITEM 8:	Unfinished Business
ITEM 9:	Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, April 4, 2023 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.

Present were Board Members Eden Konishi (Chair), Gregory Kent (Vice Chair), Thomas Brawner, Jiwa Farrell, Tunesia Mayweather, and Kristen Tessmer. Also present were Ramona Sirianni, Assistant City Attorney; and staff from the Community & Economic Development Department Matthew Lyons, Chief Planner; Phillip Searce, Principal Planner; Damaris Stull, Senior Planner; Todd Vargo, Senior Planner and Brandy Gillenwater, 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 6: The Lakeland Community Redevelopment Agency requests a 2' high variance to allow a maximum fence height of 6', in lieu of the maximum height of four feet for residential fences and walls located in front and street side yards, to allow for the placement of a six-foot high chain link fence along the front and street side property lines on property located south of E. Parker Street, north of E. Myrtle Street, east of N. Tennessee Avenue and west of N. Kentucky Avenue. (VAR23-006)

Shelley Guiseppi, The Lakeland Community Redevelopment Agency, stated the request for the variance is to allow for the placement of a fence to keep others off of the subject property.

Todd Vargo stated the purpose of the request is to obtain variance relief which will allow for the placement of a 6' high chain link fence along the front and street side property lines for the entire block, excluding a platted improved alley which runs east-west through the middle of the block. The requested variance relief is necessary to secure the property from vehicles, vagrants and illegal dumping while the CRA markets the property for redevelopment. Mr. Vargo stated staff contacted the Traffic Operations and Parking Department to determine if locating the chain link fence within the site-visibility triangles would create a hazard for motorists. Since the streets that define the block are low-speed and chain link material provides a high degree of transparency, the Traffic Operations and Parking Department did not have any objections.

Mr. Vargo also stated staff recognizes that this variance will be for fencing of a temporary nature to restrict access to the property until redevelopment moves forward.

Mr. Vargo stated staff recommends approval.

In response to Eden Konishi, Mr. Vargo stated there will be no screening to the fence.

In response to Jiwa Farrell, Matthew Lyons stated there is no requirement for signage to notify motorists of possibility impaired visibility.

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

Item 7: Danielle Fence Manufacturing Company, Inc., 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 80-foot long, eight-foot-high wood privacy fence located along the south property line of property located at 2608 Coventry Avenue. Owner: Gaspar Kovach Jr. (VAR23-008)

Gaspar Kovach, 2608 Coventry Avenue, stated the request is to obtain variance relief which will allow for the replacement of an existing eight-foot-fence. He stated there is a significant natural change in grade on the land running west to west with the southeast corner of the subject property having a significant elevation difference. Mr. Kovach stated he has a letter of support from his adjacent neighbor.

Phillip Searce stated the lay of the land along Coventry Avenue naturally slopes northwards and drains towards Lake Hollingsworth. Due to this grade change, the adjacent property to the south sits at a higher elevation than the subject property.

Mr. Searce stated staff recommends approval. Mr. Searce stated staff received a couple of letters in support of the request.

Jiwa Farrell made a motion to approve staff's recommendation. Kristen Tessmer seconded the motion and it passed 5—1. Gregory Kent voted against the motion.

Item 8: Dan Fowler requests an 8' 6" variance to allow a rear setback of 6' 6", in lieu of the required 15' minimum setback for principal structures specified by Table 3.4-1 in the Land Development Code, to allow for the construction of an attached carport and utility room addition in the rear yard of property located at 301 Allamanda Drive. Owner: Clayton Gaa and Margaret Gaa. (VAR23-009)

Dan Fowler, the applicant, was present in support of the request and stated he agrees with the staff report.

Damaris Stull, stated the request is to obtain variance relief to allow for replacement of the detached carport and utility room with an attached carport and utility room. The applicant's justification for the request pertains to a lack of space in the rear yard area and the design, layout, and orientation of the existing home as built in 1929. While a new detached carport and utility room could be reconstructed to the east side of the existing home, it would require the installation of a new driveway on Glendale Street and would not be as accessible as the existing carport and utility room.

Ms. Stull stated staff recommends approval.

In response to Eden Konishi, Ms. Stull stated no public comment has been received in regard to the request.

In response to Ms. Konishi, Mr. Fowler stated the proposed carport will not extend over the subject property line.

In response to Ms. Konishi, Matthew Lyons stated the proposed carport/utility room addition will increase the square footage of the principal structure.

In response to Kristen Tessmer, Mr. Lyons stated the subject property is not located within the Historic District.

Mr. Lyons stated the application for the request does not mention a second story addition.

Mr. Fowler stated the application included the drawings and elevations for a second-floor addition.

In response to Ms. Konishi, Mr. Lyons stated the second-floor master suite was not included in the description of the request that was noticed.

Ramona Sirianni stated if the request was not properly noticed, a continuance should be taken into consideration.

Mr. Lyons stated the application was not clear and the request should be re-noticed.

Jiwa Farrell made a motion for a continuance in order for the request to be re-noticed. Kristen Tessmer seconded the motion and it passed 6—0.

Item 9: Mark Melnick 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, in order to replace an existing eight-foot-high wood privacy fence located in the rear yard area on property located at 425 Hunter Street.

Mark Melnick, 425 Hunter Street, stated the request is to allow for the replacement of an existing eight-foot-high privacy fence. He stated he has letters in support from all his neighbors. Mr. Melnick stated the setback from the alley is more than three and a half feet.

Phillip Searce stated the subject property is located within the Dixieland Historic District. He stated there is a significant grade change in the alleyway. He stated due to the proximity of the adjacent single-family home and elevation differences between the two properties, there would be a justification for a variance to allow an eight-foot-high fence due to a corresponding reduction in privacy. The fence that was installed in 2008, however, appears to be nonconforming in respect to the requirement that fences be setback a minimum of three feet from an improved alley. As such, if the variance is considered for approval, staff would recommend that it be conditioned upon the eight-foot-high fence being setback a minimum of three feet from the west property boundary.

Mr. Searce stated staff has received two letters in support of the request and one letter in opposition.

Matthew Lyons handed out printed copies of the letter that was received in opposition to the request to the board members in attendance.

In response to Gregory Kent, Mr. Searce stated the existing fence is currently eight feet in height.

In response to Eden Konishi, Mr. Searce stated the purpose of the variance is to retain the existing eight-foot-high fence which was partially replaced without a permit.

In response to Mr. Kent, Mr. Lyons stated that if a variance is approved it should be conditioned upon the fence complying with the three-foot setback from the alley. If Mr. Melnick does not want to move the fence, he would have to come back to the Board.

Discussion ensued.

In response to Mr. Kent, Mr. Searce stated since the fence was replaced without a permit the applicant would have to cut the fence down to six feet if the variance is not approved.

In response to Thomas Brawner, Mr. Melnick stated the current fence was partially replaced after Hurricane Ian.

Tom Lawrence, 425 Hunter Street, was present in support of the request.

Discussion ensued.

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

Adjourned

The meeting was adjourned at 9:56 a.m.

Eden Konishi, Chairperson

Christelle Burrola, Secretary



Variance Application

General Information:

Project No:	VAR23-009	Application Date:	2/23/2023
Project Name:	GAA RESIDENCE		
Subject Property Address:	301 ALLAMANDA DR		
Parcel ID:	242830254800004010		
Applicant Name:	DAN FOWLER		
Applicant Address:	2621 BERKELEY AVE	LAKELAND	FL 33803
Owner Name:	GAA CLAYTON GARRETT		
Owner Address:	301 ALLAMANDA DR	LAKELAND	FL 33803-2929

Request:

Application Type:	VARIANCE	
Current		
Zoning:	(RA-3) Single Family	Context: Urban Neighborhood (UNH)
Lot Dimensions:	80 X 111.24	Square Footage: 8899
Present Use:	residential	
Explanation of Request:	10 foot rear property setback to demolish an existing carport and replace with a new carport at same location	
Justification:	Carport needs to be replaced due to low ceiling heights and structural deficiency.. Adjacent to back door of home which is primary entrance	

VAR23-009

301 Allamanda Dr.

Explanation of Request

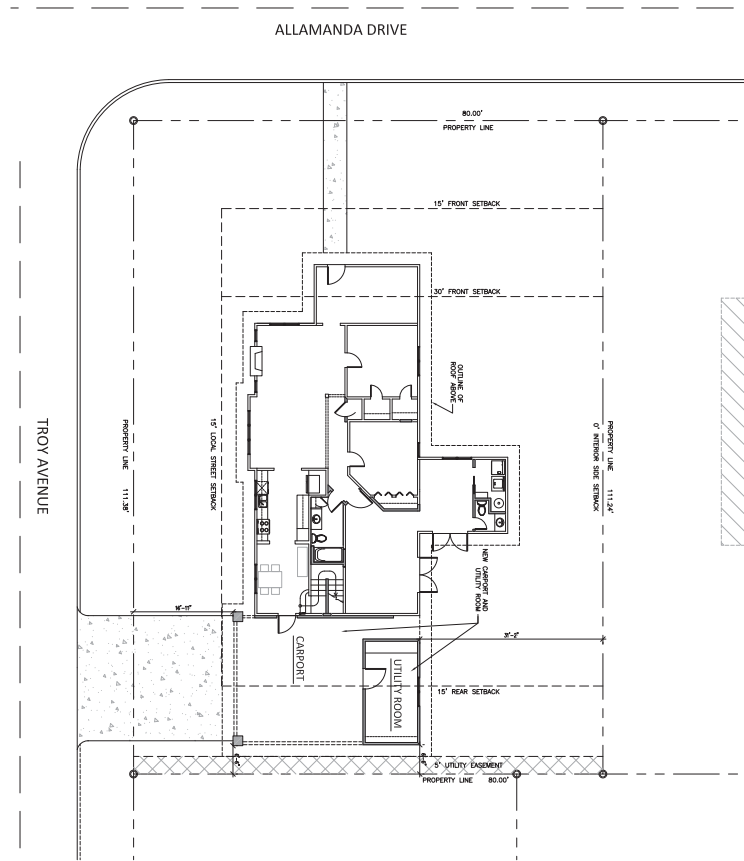
Request is for a 10' rear property setback variance to demolish an existing carport and construct a replacement at the same general location.

Due to structural deficiencies and a low ceiling height that is inadequate for today's vehicles the existing carport needs to be replaced. The existing carport is immediately adjacent to the home's back door which is used at the primary day to day entrance for the family, thus, it is desired to construct the new carport at the same general location. Due to the constraints posed by interior layout of the house, there is not another practical location on the lot in which to build a carport and have direct, convenient & functional access to the home.

In order to maximize an already limited family outdoor space, the new carport is shifted slightly to the west, towards the street, to gain additional yard space. Projecting the carport out from the house also aesthetically helps to soften the mass of the proposed second story.

The project includes a new Master Suite. The desire is to locate it above the carport in order to also maximize the outdoor yard space. The south facing windows in the Master Suite are high in the wall, designed to allow light into the space while providing privacy for the adjacent neighbor.

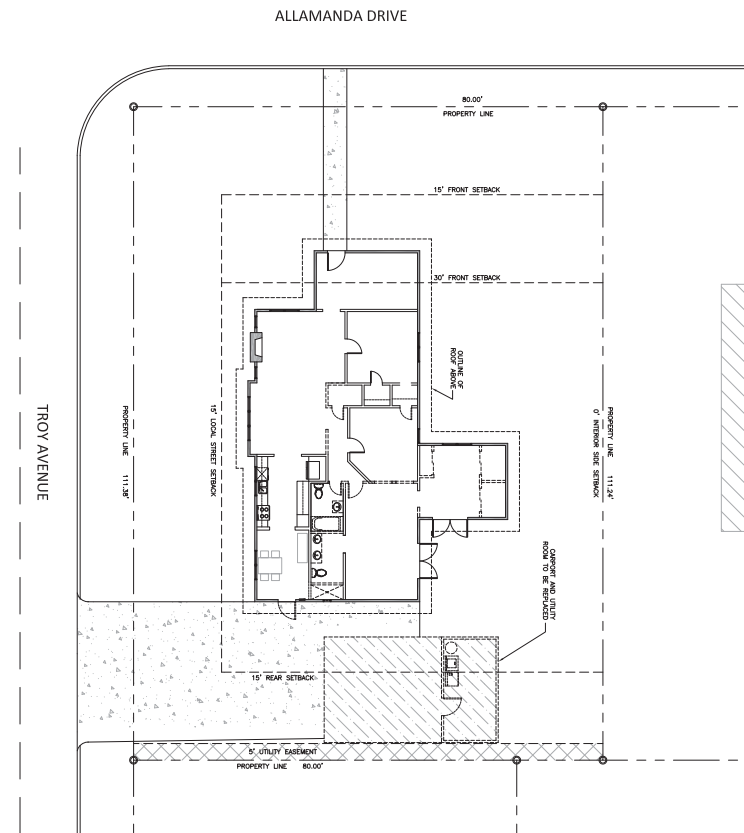
The design, detailing, and materials all harmonize with, or match, the existing home such that the addition will appear as it was always part of the home. It will add value to the home as well as the neighborhood.



B PROPOSED SITE PLAN
SCALE: 1" = 10'-0"

PROPOSED SQUARE FOOTAGE:

FIRST FLOOR: 1790 SF
SECOND FLOOR ADDITION: 484 SF
NEW UTILITY ROOM: 175 SF
NEW CARPORT: 484 SF
TOTAL UNDER ROOF: 2933 SF



A EXISTING SITE PLAN
SCALE: 1" = 10'-0"

EXISTING SQUARE FOOTAGES

FIRST FLOOR: 1790 SF
UTILITY ROOM: 175 SF
CARPORT: 360 SF
TOTAL UNDER ROOF: 2325 SF



daniel fowler ARCHITECT LLC
2621 Berkeley Avenue Lakeland Florida 33803
fowlerarchitecture@gmail.com 863.670.5133
Lic: AR0010996

GAA RESIDENCE
301 ALLAMANDA DRIVE
LAKELAND, POLK COUNTY, FLORIDA 33803
EXISTING AND PROPOSED SITE PLANS

RENOVATIONS FOR:

SCALE: AS NOTED
DRAWN BY: T.L.G.
SHEET:

S10

DATE: 2/23/2023



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

RE: Variance Request - Project No. VAR23-009

Dear Property Owner:

This notice is to advise you that Dan Fowler requests an 8' 6" variance to allow a rear setback of 6' 6", in lieu of the required 15' minimum setback for principal structures specified by Table 3.4-1 in the Land Development Code, to allow for the construction of a two-story addition with a carport, utility room and a second-floor master suite in the rear yard of property located at 301 Allamanda Drive. The subject property is legally described as:

CLEVELAND HEIGHTS UNIT NO 1 PB 8 PGS 26 TO 28 LOT 401 & W 20 FT OF 402. (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 5/2/2023** 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	5/2/2023	Reviewer:	Damaris Stull
Project No:	VAR23-009	Subject Property:	301 Allamanda Drive
Owner:	Clayton Gaa and Margaret Gaa		
Applicant:	Dan Fowler		
Current Zoning:	RA-3 (Single-Family)	Context District	Urban Neighborhood (UNH)
Request:	An 8' 6" variance to allow a rear setback of 6' 6", in lieu of the required 15' minimum setback for principal structures specified by Table 3.4-1 in the Land Development Code, to allow for the construction of a two-story addition with a carport, utility room and a second-floor master suite in the rear yard of property located at 301 Allamanda Drive.		

1.0 Background

The subject property, located in the Cleveland Heights subdivision, consists of 80' x 111' (0.20-acre) corner lot located at the southeast corner of Troy Avenue and Allamanda Drive. According to the Polk County Property Appraiser, existing improvements to the property include a 1,985 sq ft single family home and patio built in 1929 and a detached carport and utility room built in 1977. The subject property is zoned RA-3 (single-family residential) 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 replacement of the detached carport and utility room to allow for construction of a two-story addition with a carport, utility room and a second-floor master suite located 6' 6" from the rear (south) property line. The existing detached carport and utility room serves as the primary vehicle access point on the property.

The applicant's justification for this request pertains to a lack of space in the rear yard area and the design, layout, and orientation of the existing home as built in 1929. While a new detached carport and utility room could be reconstructed to the east side of the existing home, it would require the installation of a new driveway on Glendale Street and would not be as accessible as the existing carport and utility room. The second-floor master suite is intended to provide additional living area for the home. The proposed location above the carport and utility room is a logical choice given the layout and position of rooms within the existing single-family home.

The proposed two-story addition will be constructed to match the architectural design and finishing materials of the existing home. To account for a five-foot-wide utility easement which runs parallel to the rear property line, the applicant redesigned the structure and reduced the footprint by 18" to ensure there are no encroachments into this easement.

The adjacent single-family home to the south, located at 2514 Troy Avenue, which was constructed in 1950, is oriented such that it faces to the west towards Troy Avenue. Like the subject property, it also has a minimal rear yard area due to the orientation of the home and is setback approximately 10 feet from the rear (north) property line due to an attached carport. As a result, the yard space between the two homes functions more like an interior side yard than a traditional rear yard area.

3.0 Recommendation

The hardship suffered is not the result of any action taken by the applicant. 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 on the adjacent property to south. Provided there are no substantive objections from adjacent property owners, staff recommends that the request for a 8' 6" variance to allow a 6' 6" rear setback in order to construct an attached carport, utility room and a second-floor master suite addition be considered for approval.



Variance Application

General Information:

Project No:	VAR23-012	Application Date:	4/4/2023
Project Name:	2428 HOLLINGSWORTH AV_FENCE		
Subject Property Address:	2428 HOLLINGSWORTH HILL AV		
Parcel ID:	242830256200000140		
Applicant Name:	SHANNON KELSO		
Applicant Address:	2156 HARDEN BLVD	LAKELAND	FL 33803
Owner Name:	SHANNON KELSO		
Owner Address:	2156 HARDEN BLVD	LAKELAND	FL 33803

Request:

Application Type:	VARIANCE		
Current			
Zoning:	(RA-1) Single Family	Context:	Urban Neighborhood (UNH)
Lot Dimensions:	0.45 acres	Square Footage:	3936
Present Use:	6-9 ft Wood and 4ft chain link fences existing		
Explanation of Request:	Respectfully request to replace existing 4-9ft fences with 8-foot high fence. Our residence has a lower elevation than the neighboring properties. We have communicated our proposed plans for the fence to all of our surrounding neighbors and they have all verbally consented and agreed that this would be okay.		
Justification:	Due to the elevation of our home we lack the privacy that a 6ft fence would normally provide.		

SURVEYOR'S NOTES

1. DIMENSIONS SHOWN ARE BASED ON WEST LOT LINE BEING S. 0300° E. 75.00' PLAT.

2. ONLY VISIBLE ABOVE GROUND IMPROVEMENTS ARE SHOWN WITH THIS MAP. UNDERGROUND FOUNDATIONS AND OTHER SUBTERRANEAN FEATURES WERE NOT LOCATED EXCEPT AS SHOWN.

3. ALL DIMENSIONS WERE FIELD MEASURED UNLESS OTHER WERE NOTED. UNIT OF MEASURE IS THE U.S. SURVEY FOOT.

4. DATE OF SURVEY: MAY 4, 2020

5. DATE OF SURVEY: MAY 4, 2020

6. STREET ADDRESS: 2428 NORTHERNWOOD HILL AVE, LAKELAND, FL

7. SURVEY BASED ON OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY TITLE COMMITMENT #874097, WITH A COMMITMENT DATE OF APRIL 14, 2020 AT 11:00 PM.

8. THIS SURVEY MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, PULSANT TO SECTION 472.02, FLORIDA STATUTES.

9. THIS SURVEY MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, PULSANT TO SECTION 472.02, FLORIDA STATUTES.

10. THIS SURVEY MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, PULSANT TO SECTION 472.02, FLORIDA STATUTES.

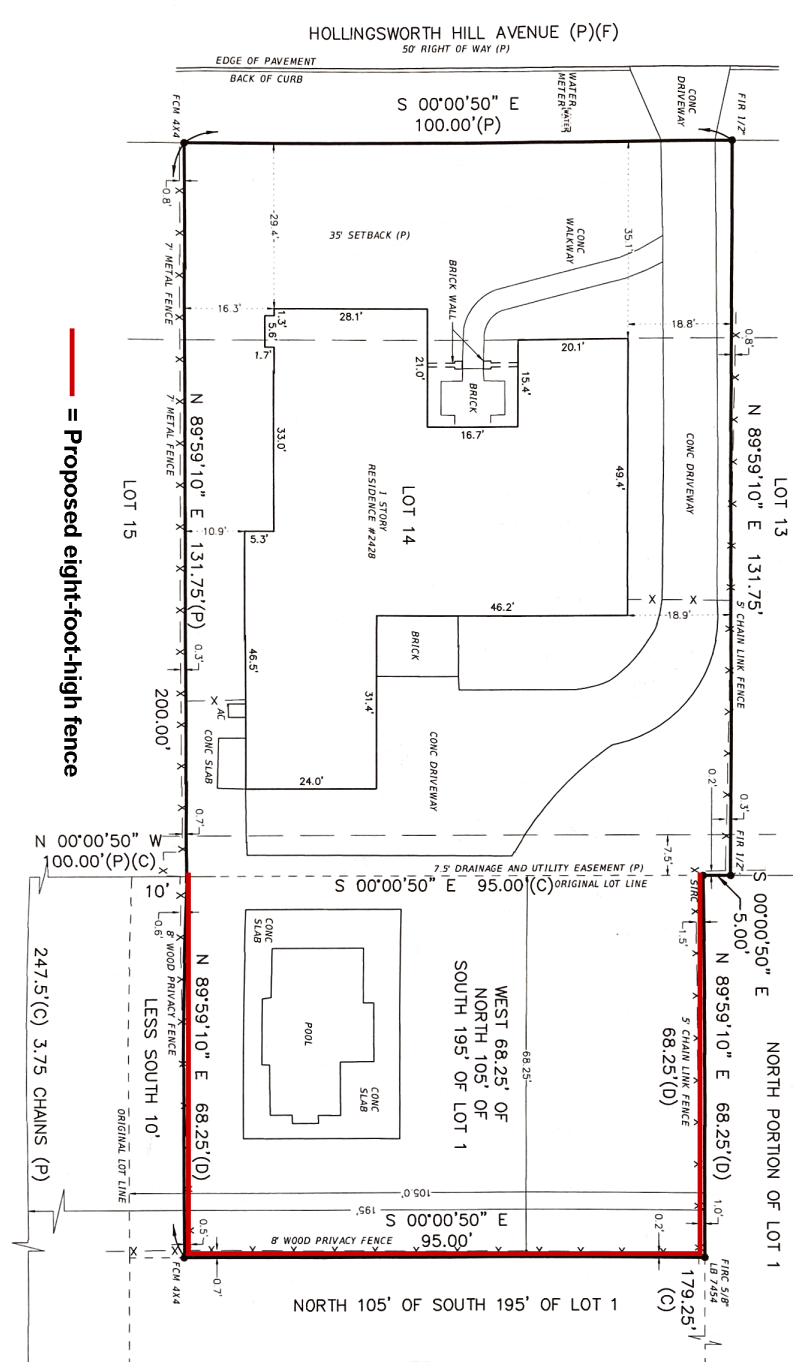
11. THIS SURVEY IS CARRIED TO STANNOX HELSO

12. TRUST BANKING/ATM/TA

PETERSON & MYERS, P/A THE INSURANCE COMPANY

[illegible]

Lot 14, HOLLINGSWORTH HEIGHTS, according to the map or plat thereof as recorded in Plat Book 47, Page 3, Public Records of Polk County, Florida AND The West 68.25 feet of the North 105.0 feet of the South 135.0 feet of Lot 1, G.H. WATSON'S SUBDIVISION, according to the plat thereof recorded in Deed Book L, Page 590, Public Records of Polk County, Florida: LESS And Except the South 10.0 feet thereof.



— = Proposed eight-foot-high fence

SGIS, INC.
SURVEYING MAPPING GIS
LICENSED BUSINESS NO. 8174
4479 US 27 S.
SEBRING, FL 33870
863.366.1693
pyle.will@gmail.com

William M. Pyle, Jr.

WILLIAM M. PYLE, JR.
FLORIDA LICENSE NO. 6993

HOLLINGSWORTH HILL AVE

SUBJECT
PROPERTY



VAR23-012 2428 Hollingsworth Ave

Parcel ID 242830256200000140





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

RE: Variance Request - Project No. VAR23-012

Dear Property Owner:

This notice is to advise you that Shannon Kelso 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, in order to construct an eight-foot-high fence in the rear yard area along the north and south interior side property lines, for a distance of approximately 68.25-feet, and along the rear property line on property located at 2428 Hollingsworth Avenue. The subject property is legally described as:

HOLLINGSWORTH HTS SUB PB 47 PG 3 LOT 14 & WATSONS G H SUB DB L PG 590
LOT 1 W 68.25 FT OF N 105 FT OF S 195 FT LESS S 10 FT THEREOF. (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 5/2/2023** 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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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW

Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	5/2/2023	Reviewer:	Todd Vargo
Project No:	VAR23-012	Subject Property:	2428 Hollingsworth Hill Avenue
Owner:	Shannon and Andrew Kelso		
Applicant:	Shannon Kelso		
Current Zoning:	RA-1 (Single-Family)	Context District	Urban Neighborhood (UNH)
Request:	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, in order to construct an eight-foot-high fence in the rear yard area along the north and south interior side property lines, for a distance of approximately 68.25-feet, and along the rear property line on property located at 2428 Hollingsworth Avenue.		

1.0 Background

The subject property is located in the Hollingsworth Height subdivision, south of Lake Hollingsworth Drive and on the east side of Hollingsworth Hill Avenue. The subject property is comprised Lot 14 within the Hollingsworth Heights Subdivision and the west 68.25 of the north 105 feet of the south 195 feet of Lot 1 of the Watsons G. H. subdivision. The subject property is currently improved with an existing single-family detached home which was originally built in 1968 according to the Polk County Property Appraiser.

2.0 Discussion

The purpose of this request is to obtain variance relief which to allow for the placement of an 8' high privacy fence on three sides of the swimming pool. The fence will run for 95 feet along the full length of the rear property and along the easternmost 68.25 feet of the north and interior side property lines. The applicant's justification for this request is related to a need for privacy when using the swimming pool from adjacent properties to the north, south and east.

To the east, the subject property abuts the rear yard of a single-family home located 2419 Nevada Road. The existing single-family home is setback approximately 25 feet from the rear property line. To the north, the subject property abuts the rear yard of a single-family home located at 2415 Nevada Road. However, to the south, the subject property abuts the rear yard of the adjoining single-family to the south located at 2434 Hollingsworth Hill Road. This unusual circumstance is due to both the subject property and the adjacent property to the south being comprised of the west 68.25 of feet of a portion of Lot 1 in the adjacent Watsons G. H. subdivision.

According to the topographic survey provided by the application, there is a elevation difference of approximately one feet between the north and south sides of the property. Photos taken by staff during a site visit show a modest change in grade running along this axis. The subject property currently has an eight-foot high wood privacy fence located along the easternmost 68.25 feet of the south property line, a six-foot high wood fence located along the east (rear) property line and a five-foot high chain link fence located along the north property line. To the south and east, mature hedges at least eight feet in height that are located on adjacent properties behind the wood fencing appears to provide a substantial degree of privacy. The five-foot chain link fence along the north property, while planted with vines, does not appear to provide sufficient privacy from the home to the northeast.

3.0 Recommendation

Based on the site visit, the request for a variance to allow an eight-foot high fence appears to be reasonable. While there are hedge plantings on adjacent properties to the south and east which provide a significant degree of privacy, the applicant has no control over these properties and the vegetation could be removed tomorrow with no recourse for the applicant. The particular hardship suffered is not the result of any action taken by the applicant. The requested relief is reasonable and proportionate to the degree of hardship resulting from the unusual parcel configuration and proximity of the swimming pool to adjacent properties, and minimal impact in relation to existing site conditions. Provided there are no substantive objections from adjoining property owners, staff recommends that the variance be considered for approval.



Variance Application

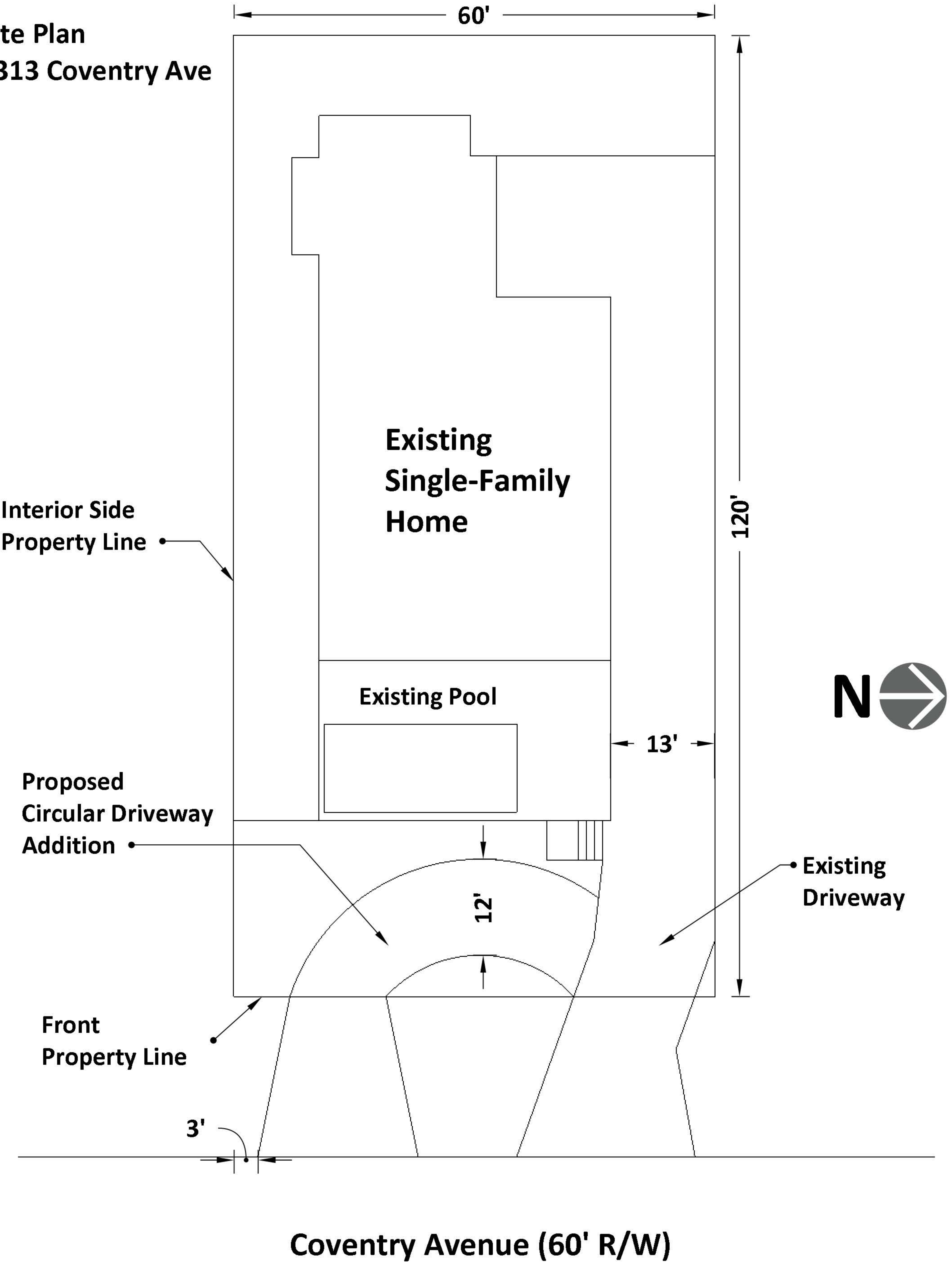
General Information:

Project No:	VAR23-013	Application Date:	4/10/2023
Project Name:	2313 COVENTRY AV_DRIVEWAY		
Subject Property Address:	2313 COVENTRY AV		
Parcel ID:	242830254800002140		
Applicant Name:	CHILDRES MICHAEL		
Applicant Address:	1524 BANKS PL	LAKELAND	FL 33803-2106
Owner Name:	MCINTOSH MELISSA K		
Owner Address:	2313 COVENTRY AVE	LAKELAND	FL 338033120

Request:

Application Type:	VARIANCE		
Current			
Zoning:	(RA-1) Single Family	Context:	Urban Neighborhood (UNH)
Lot Dimensions:	60 x 120	Square Footage:	7200
Present Use:	Driveway/Front Yard		
Explanation of Request:	Requesting variance of Ordinance 19-035 (2019), amendment of Ordinance 5425 (2013), requiring 75' minimum feet of lot frontage.		
Justification:	Resident would like to have a circular drive installed, similar to others in the neighborhood, that would mitigate the need to back out of her driveway onto Coventry which has almost lead to 2 accidents. Pulling forward onto Coventry would be much safer.		

Site Plan
2313 Coventry Ave





VAR23-013 2313 Coventry Ave
Parcel ID 242830254800002140





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

RE: Variance Request - Project No. VAR23-013

Dear Property Owner:

This notice is to advise you that Michael Childres, on behalf of Melissa McIntosh, requests a 15' variance to allow a minimum lot frontage of 60 feet, in lieu of the 75-foot minimum specified by Sub-Section 4.11.4.6 b.3. of the Land Development Code, in order to construct a new circular driveway addition on property located at 2313 Coventry Avenue. The subject property is legally described as:

CLEVELAND HEIGHTS UNIT 1 PB 8 PGS 26 27 & 28 LOT 214. (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 5/2/2023** 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.

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, Jenny Sykes, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: Jennifer.Sykes@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	5/2/2023	Reviewer:	Phillip Searce
Project No:	VAR23-013	Subject Property:	2313 Coventry Avenue
Owner:	Melissa McIntosh		
Applicant:	Michael Childres		
Current Zoning:	RA-1 (Single-Family)	Context District	Urban Neighborhood (UNH)
Request:	A 15' variance to allow a minimum lot frontage of 60 feet, in lieu of the 75-foot minimum specified by Sub-Section 4.11.4.6 b.3. of the Land Development Code, in order to construct a new circular driveway addition on property located at 2313 Coventry Avenue.		

1.0 Background

The subject property is located within the Cleveland Heights Unit #1 Subdivision and consists of a 60' x 120' interior lot with an existing 2,187 sq. ft. single-family detached home that was built in 1970 according to the Polk County Property Appraiser. The subject property is zoned RA-1 (Single-Family Residential) and located within the Urban Neighborhood (UNH) context sub-district

2.0 Discussion

The purposed of the request is to obtain variance relief to allow for the construction of the of a circular driveway addition to the existing driveway which is located on the north side of the property. The applicant was commissioned by the owner of the property to construct a circular driveway extension and began work in March without an approved driveway permit.

In 2019 the City Commission approved an amendment to Article 4 (General Site Development Standards) of the Land Development Code which adopted design standards for driveways for residential uses. The approved amendment established minimum design standards for the design and construction of vehicle use areas for single-family and two-family uses. The standards only apply to parking and driveways within front and street side yards. Existing improved driveways and off-street parking areas are deemed legal, nonconforming structures if noncompliant with the standards. Any construction of a new driveway or expansion of an existing driveway, however, is subject to conformance with the design standards.

In accordance with Sub-Section 4.11.4.6.b.3 of the Land Development, a minimum lot frontage of 75 feet is required in order to construct a circular driveway. The applicant seeks a variance to allow a circular driveway on the subject property which only has 60 feet of frontage. The homeowner's justification for the request relates primarily to safety, stating that it is unsafe to back out onto Coventry Avenue due to the speed and volume of traffic along the roadway. According to the applicant, there are several examples of circular driveways on Coventry Avenue on properties with less than 75 feet of frontage, which was confirmed by staff.

Coventry Avenue is a brick paved, local street (20'-wide) which runs north-south from E. Edgewood Drive to Lake Hollingsworth Drive. From E. Edgewood Drive, Coventry Avenue slopes downhill towards Lake Hollingsworth with homes on the west side of the street being located at t higher elevation than homes on the east side. Generally, narrow brick-paved streets have been shown to provide a traffic-calming affect with decreased driving speeds. However, the slope of the roadway may negate the traffic-calming effect if it encourages motorists to drive faster. During the site visit, staff witnessed several vehicles traveling along the street at a fairly high rate of speed. In addition to the slope of the roadway, there is also an allowance for on-

street parking which may result in impaired visibility for motorists when backing out of driveways if one or more vehicles are parked nearby on the street.

3.0 Recommendation

The initiation of work on the driveway without a permit, while an economic hardship, is not sufficient justification for granting a variance. The volume and speed of traffic along the roadway, presence of vehicles parked within the roadway, and the elevation of homes along the west side of the street, however, suggests that the owner of the property has legitimate safety concerns significant enough to justify a variance.

The requested relief is reasonable and would not be contrary to the public interest as there are multiple examples of nonconforming circular driveways along Coventry Ave. Provided there are no substantive objections from adjacent property owners, staff has no objections to granting a variance from the frontage requirement. However, many of the existing circular driveways also encroach into the right-of-way for Coventry Avenue which is expressly prohibited by the Land Development Code. To meet the spirit and intent of the Land Development Code, staff recommends that as a condition of approval the circular driveway addition, with the exception of the new driveway apron, be located entirely within the boundaries of the subject property.