



Zoning Board of Adjustments and Appeals Meeting Agenda

**June 4, 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 May meeting

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

ITEM 5: New Business: Appointment of Board Officers

Current officers: Gregory Kent, Chair

Tunesia Mayweather, Vice-Chair

ITEM 6: **Marcobay Construction, Inc. requests** 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. Owner: JLAR Properties, LLC. (VAR24-005)

ITEM 7: Unfinished Business

ITEM 8: New Business

ITEM 9: Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, May 7, 2024 in the Lakeland Electric Building, Room 1A/B, located at 501 E. Lemon Street.

Present were Board Members Emily Breheny, 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: Damaris Stull, Senior Planner; 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 5: The Lunz Group requests a 4' variance to allow a rear setback of 1', in lieu of the 5' minimum setback specified by Table 4.3-4 of the Land Development Code, a 4'3" variance to allow a side setback of 9", in lieu of the 5' minimum setback specified by Table 4.3-4 of the Land Development Code, and a 4' variance to allow a maximum height of 16.5', in lieu of the maximum height of 12.5' for accessory structures specified by Table 4.3-4 of the Land Development Code, in order to construct a new detached garage on property located at 200 Lake Morton Drive. Owner: Lake Morton Place LLC. (VAR24-003)

Emily Breheny recused herself from the vote for this item.

Stacy Witschen, 58 Lake Morton Drive, representing the applicant, was present in support of the request.

Todd Vargo stated adjacent uses to the north, south and west consist of off-street parking lots or structured parking facilities. The applicant proposes to convert the structure from professional office uses to multi-family residential. In August of 2023, the Zoning Board of Adjustments and Appeals approved a request by the applicant to reduce the rear setback from 5' to 2' and allow the detached garage to be 16.5' tall. The applicant is coming forward with this new variance to facilitate safer vehicle access for autos maneuvering into the detached garage. The garage will accommodate a total of four vehicles with the doors facing to the east, towards the existing building.

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

In response to Tunesia Mayweather, Neil O'Toole, stated there will be six available parking spaces for the residential units.

Jiwa Farrell made a motion to approve staff's recommendation. Judith Hatfield seconded the motion and it passed 5—0.

Item 6: Kimley-Horn and Associates, Inc. requests a 14' variance to allow a front setback of 44', in lieu of the maximum 30' front setback for principal structures specified by Table 3.4-2 in the Land Development code, to allow for construction of a self-storage facility on property located at 601 Wabash Avenue N. Owner: ALJ Self Storage LLC. (VAR24-004)

Richard Mills, Kimley-Horn and Associates, Inc., representing the applicant, stated the purpose of this request is to obtain variance relief which will allow for the construction of a new self-storage facility on the property.

Damaris Stull stated the subject property is presently zoned C-2 (Highway Commercial) and located within the Urban Corridor (UCO) context sub-district. The applicant is requesting a 14' variance to allow front yard setback of 44' from the right-of-way from Wabash Avenue N. The subject property is currently vacant.

Ms. Stull pointed to photos on the overhead screen of the subject property. The applicant's justification for the front setback variance is regarding FDOT regulations, a minimum driveway throat length of 30 feet is required for a one-lane exit driveway controlled by a stop sign. Additionally, a drive aisle width of 30 feet is essential to facilitate the passage of a fire truck around the site.

Ms. Stull stated no public comment was received regarding the request and staff recommends approval.

Daniel Sharrett made a motion to approve the request. Jiwa Farrel seconded the motion and it passed 6—0.

Adjourned

The meeting was adjourned at 9:19 a.m.

Gregory Kent, Chairperson

Christelle Burrola, Secretary



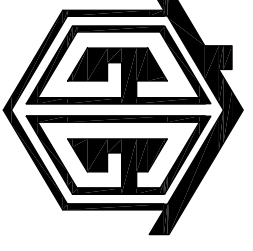
Variance Application

General Information:

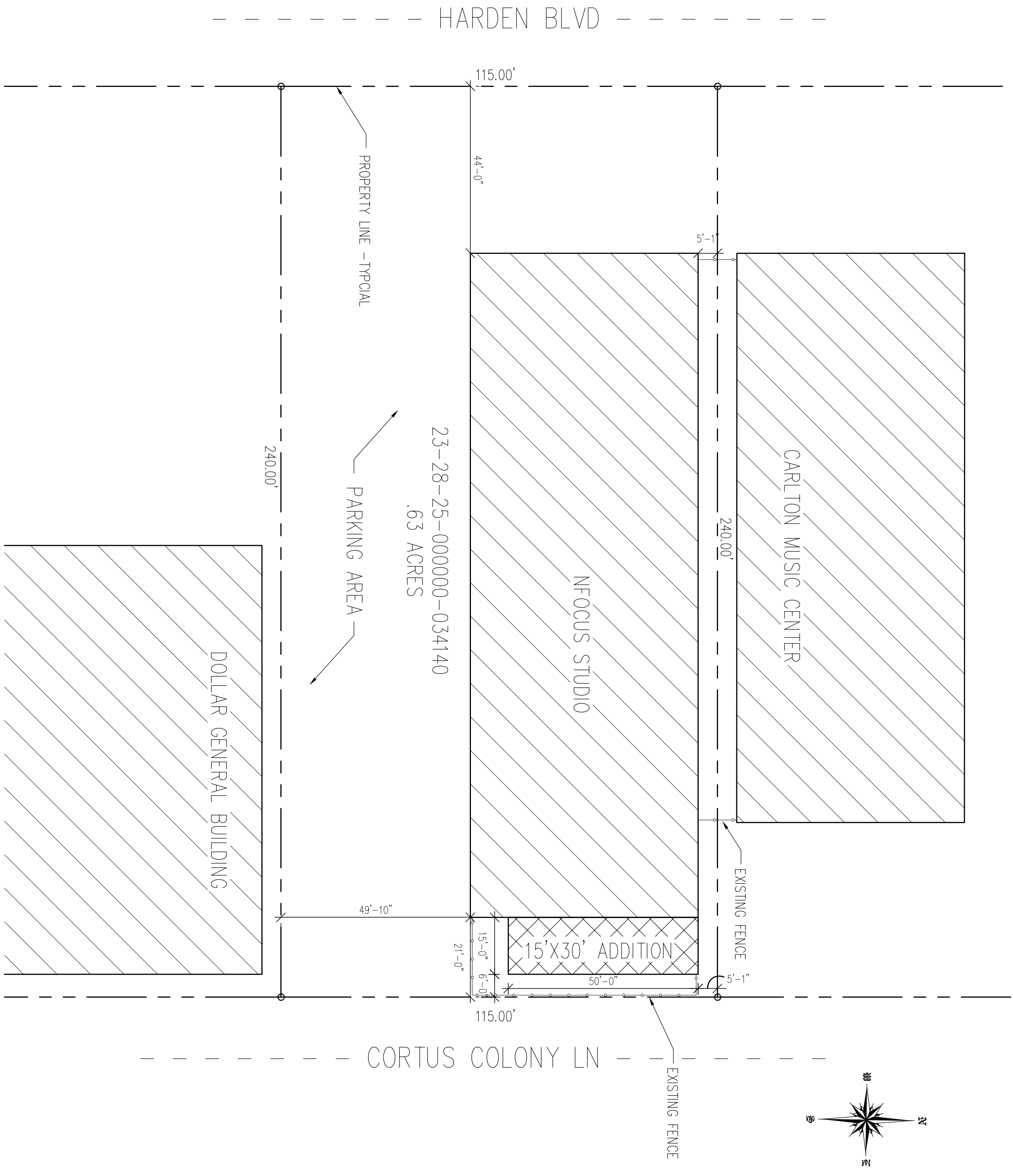
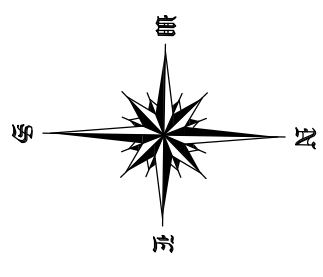
Project No:	VAR24-005	Application Date:	4/25/2024		
Project Name:	Workshop Addition				
Subject Property Address:	1910 HARDEN BLVD # 109				
Parcel ID:	232825000000034140				
Applicant Name:	MARCOBAY CONSTRUCTION INC				
Applicant Address:	3700 DMG DR	LAKELAND	FL	33811	
Owner Name:	JLAR PROPERTIES LLC				
Owner Address:	1910 HARDEN BLVD	LAKELAND	FL	33803	

Request:

Application Type:	Variance				
Current					
Zoning:	C-2	Context:	Urban Corridor		
Lot Dimensions:	100 x 60	Square Footage:	6,000		
Present Use:					
Explanation of Request:	Adding a new 15'x30' workshop				
Justification:					



GAUGE GROUP
DESIGN SERVICES
GAUGEDSGROUP@GMAIL.COM
888.210.1219



B SITE PLAN
SCALE: 1" = 20' - 0"



A LOCATION PLAN
SCALE: NOT TO SCALE

REVISIONS
1.
2.
3.
4.

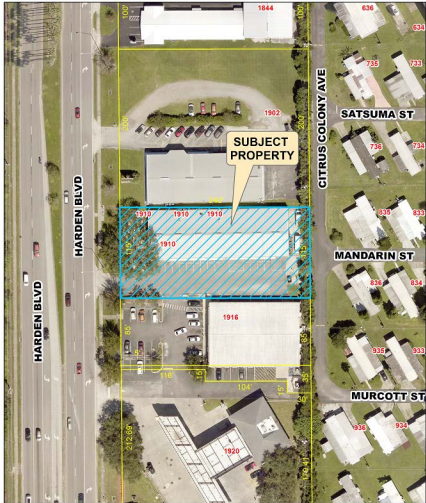
NFOCUS
1910 HARDEN BLVD
LAKELAND, POLK COUNTY, FLORIDA 33803
PROPOSED SITE PLAN

S1.0

DATE: 4/11/2024

workshop
addition





VAR24-005 - 1910 Harden Blvd

Parcel ID: 232825000000034140





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

RE: Variance Request - Project No. VAR24-005

Dear Property Owner:

This notice is to advise you that Marcobay Construction, Inc. requests 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. The subject property is legally described as:

N 115 FT OF S 200 FT OF N 1050 FT OF W 285 FT OF SW 1/4 OF NW 1/4 LESS W 45 FT FOR HARDEN BLVD R/W. (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 6/4/2024** 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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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	6/4/2024	Reviewer:	Todd Vargo
Project No:	VAR24-005	Subject Property:	1910 Harden Boulevard
Owner:	JLAR Properties, LLC		
Applicant:	Marcobay Construction, Inc.		
Current Zoning:	C-2 (Highway Commercial)	Current Zoning:	C-2 (Highway Commercial)
Request:	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.		

1.0 Background

The subject property, located on the east side of Harden Boulevard, is approximately 0.63 acres in area and currently improved with a 6,000 sq. ft., one-story steel office building which was constructed in 1977 according to the Polk County Property Appraiser. 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.

2.0 Discussion

To accommodate the proposed garage, the applicant requests a 14-foot variance to allow a 6-foot setback from the rear (eastern) property line. Five feet of a 10' wide City of Lakeland utility easement runs along the eastern property line – the remaining five feet is on property owned by the Citrus Center Colony Mobile Home Park to the east. The workshop will be located 1' from this easement. Adjacent uses to the north, south and west consist of other commercial uses to the north (Carlton Music Center) and south (Dollar General) and the Citrus Center Colony Mobile Home Park to the east.

The applicant's justification for the setback relief pertains to the position of the building as constructed in 1977. The building was set back approximately 44 feet from Harden Boulevard right-of-way, in line with the neighboring steel building at 1902 Harden Boulevard (Carlton Music Center). The workshop would not be aesthetically pleasing if located in the front yard (and would conflict with the front setback continuity established with 1902 Harden Boulevard). The workshop could not be located in the side yards as the north side yard is a zero-lot line and the southern side yard is the parking area.

The applicant is requesting the workshop due to the continued growth of the photography business (NFocus). The workshop will be used for storage (props, rigging, cameras) and maintenance and repair of equipment. The addition of the workshop will result in more space in the working studio, making it less cluttered and safer for clients.

3.0 Recommendation

The amount of relief requested is proportionate to the degree of hardship resulting from the relatively small parcel size as well as the placement of the existing steel office building on the parcel itself. The proposed workshop is compatible in terms of use and scale with the existing office building. The requested relief is reasonable and proportionate to the degree of hardship and the minimum amount necessary to allow for development of the workshop. Approval of a variance would not be contrary to the public interest. Provided that there are no substantive objections from adjacent property owners, staff recommends that the request be considered for approval.