



Zoning Board of Adjustments and Appeals Meeting Agenda

**December 3, 2024 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: **Graham Aluminum & Home Improvement requests** a 10’ variance to allow a rear yard setback of 10’, in lieu of the 20’ minimum rear yard setback for principal structures specified by the PUD (Planned Unit Development) zoning for the Sandpiper Golf & Country Club Phase 10 in order to construct a hard-roofed screen room on property located at 1022 Caracara Circle S. Owner: David Hutchinson. (VAR24-014)

ITEM 6: **Jonathan A. Kirk requests** a six-foot variance, to allow a maximum fence height of 12 feet in lieu of the maximum height of six-feet for fences as specified by Section 4.4.3 of the Land Development Code, in order to construct a new 12-foot-high fence around an outdoor play court on property located at 2815 Eden Parkway. Owner: School Board of Polk County Southwest Middle. (VAR24-021)

ITEM 7: Unfinished Business

ITEM 8: New Business

ITEM 9: Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, October 1, 2024 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.

Present were Board Members Emily Breheny, Thomas Brawner, Gregory Kent, Judith Hatfield, Daniel Sharrett and Kristen Tessmer. Also present were Ramona Sirianni, Assistant City Attorney; and staff from the Community & Economic Development Department: Todd Vargo, Senior Planner, Phillip Scarce, Executive 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: Cypress Signs requests an 18' 8" height variance to allow an accessory structure with a maximum height of 31' 2", in lieu of the maximum height of 12' 6" for accessory structures specified by the Table 4.3-4 of the Land Development Code and relief from Table 4.3-4 of the Land Development Code, to allow an accessory structure to be located in front of the principal structure, in order to construct a ground-mounted cross 31' 2" high x 12' 6" wide on property located at 1350 Main Street E. Owner: Family Worship Center Churches Inc. (VAR24-015)

Lisa Malady, 102 Fourth Street JPV, Winter Haven, representing the applicant, was present in support of the request. She stated the cross has been on the building since the building was constructed 60 years ago. To accommodate the growth of the congregation, there have been modifications to the building and the cross is no longer in scale with the building. The request is to obtain variance relief to allow for the cross to be relocated to the ground as an accessory structure instead of the top of the building. The cross will be installed with a concrete footer and will be fully engineered to withstand wind loads.

Mr. Vargo stated the subject property consists of that portion of the Family Worship Center property that lies north of Main Street E, south of Rose Street E and between Gary Rd N and Fern Rd N. The previous worship center has applied for a Conditional Use Permit to turn the building into the school. The Family Worship Center would like to relocate the 31' 2" tall cross to the traffic circle by Main Street. The variance request is necessary due to the height of the cross and the location of the cross (accessory structure) in the front yard of the property.

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

Mr. Vargo stated staff recommends approval.

Board Member Ms. Tunisia Mayweather arrived at 9:13 a.m.

Judith Hatfield made a motion to approve staff's recommendation. Thomas Brawner seconded the motion and it passed 7—0.

Item 6: Olivera Construction, Inc. requests a variance of 4'10" to allow the construction of a detached garage with proposed mean roof height of 17' 4", and a variance of 3' 9" to allow the construction of a detached pool cabana with a mean roof height of 16' 3"; in lieu of the maximum mean height of 12' 6" for accessory structures specified by the Table 4.3-4 of the Land Development Code, on property located at 1434 Fairhaven Drive. Owner: Brian Neslund. (VAR24-018)

Phillip Olivera, 2507 Jonila Avenue, Lakeland, representing the applicant, was present in support of the request. He stated that the subject property is a double lot property with a tennis court on one side and an empty lot on the other. He stated they have designed a primary residence that includes a detached garage and a detached pool house. He stated the requested variance was needed to keep the garage and pool house in harmony and consistency with the architecture of the home.

Mr. Searce stated the subject property, is 1.2 acres in size and is actually two lots combined and is zoned RA-1 in the Urban Neighborhood. He stated there is a significant vegetative buffer around the property. Mr. Searce presented the elevations of the house, garage and cabana (pool house). Mr. Searce pointed out that detached garages and pool houses are common fixtures of lots in the affluent neighborhood.

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

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

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

Adjourned

The meeting was adjourned at 9:25 a.m.

Gregory Kent, Chairperson

Christelle Burrola, Secretary



Variance Application

General Information:

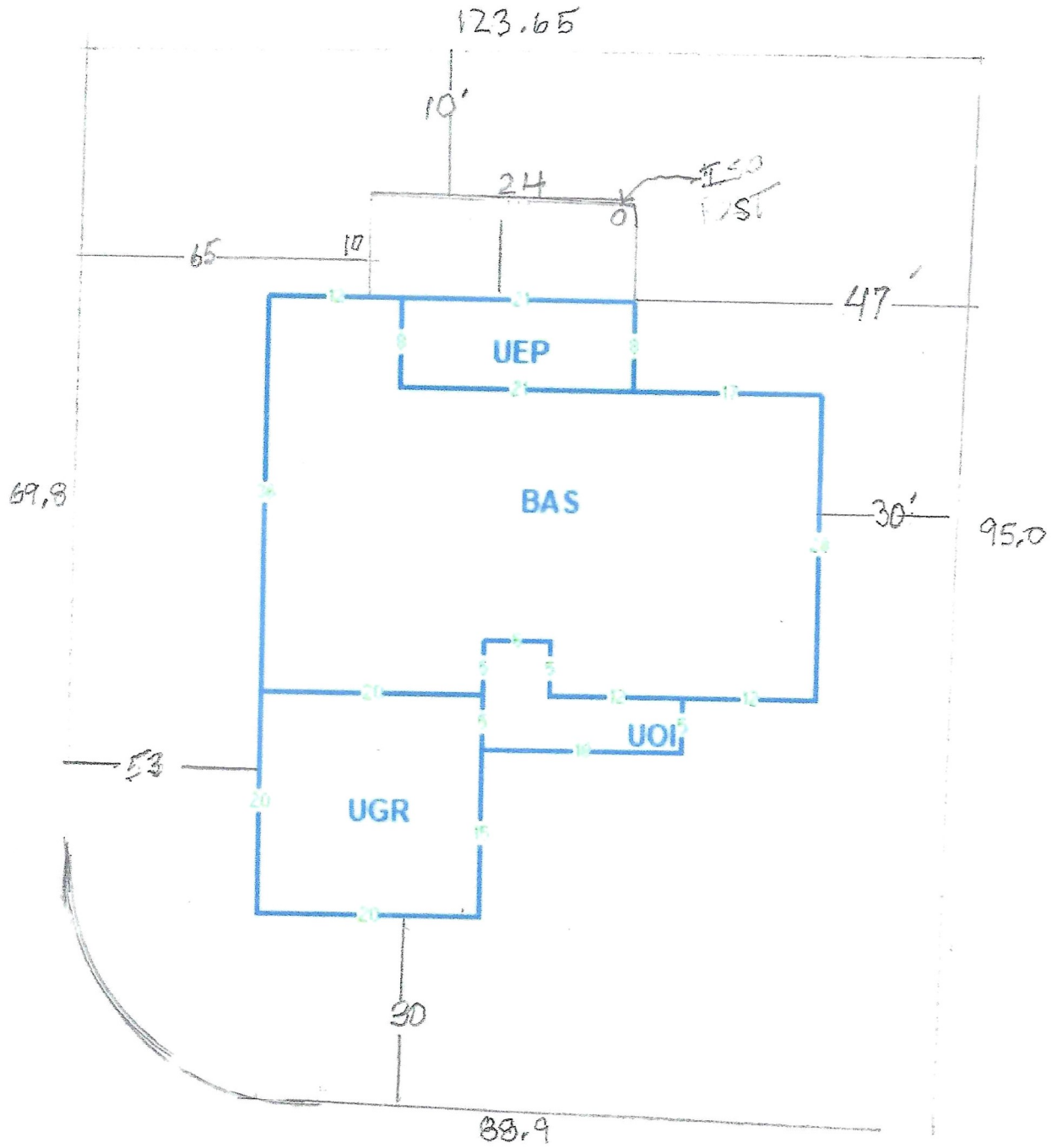
Project No:	VAR24-014	Application Date:	8/6/2024		
Project Name:	Hutchinson				
Subject Property Address:	1022 CARACARA CIR S				
Parcel ID:	242720161738001150				
Applicant Name:	GRAHAM ALUMINUM & HOME IMPROV				
Applicant Address:	2225 E MAIN ST	LAKELAND	FL	33801	
Owner Name:	HUTCHINSON DAVID O				
Owner Address:	1022 CARACARA CIR S	LAKELAND	FL	33809	

Request:

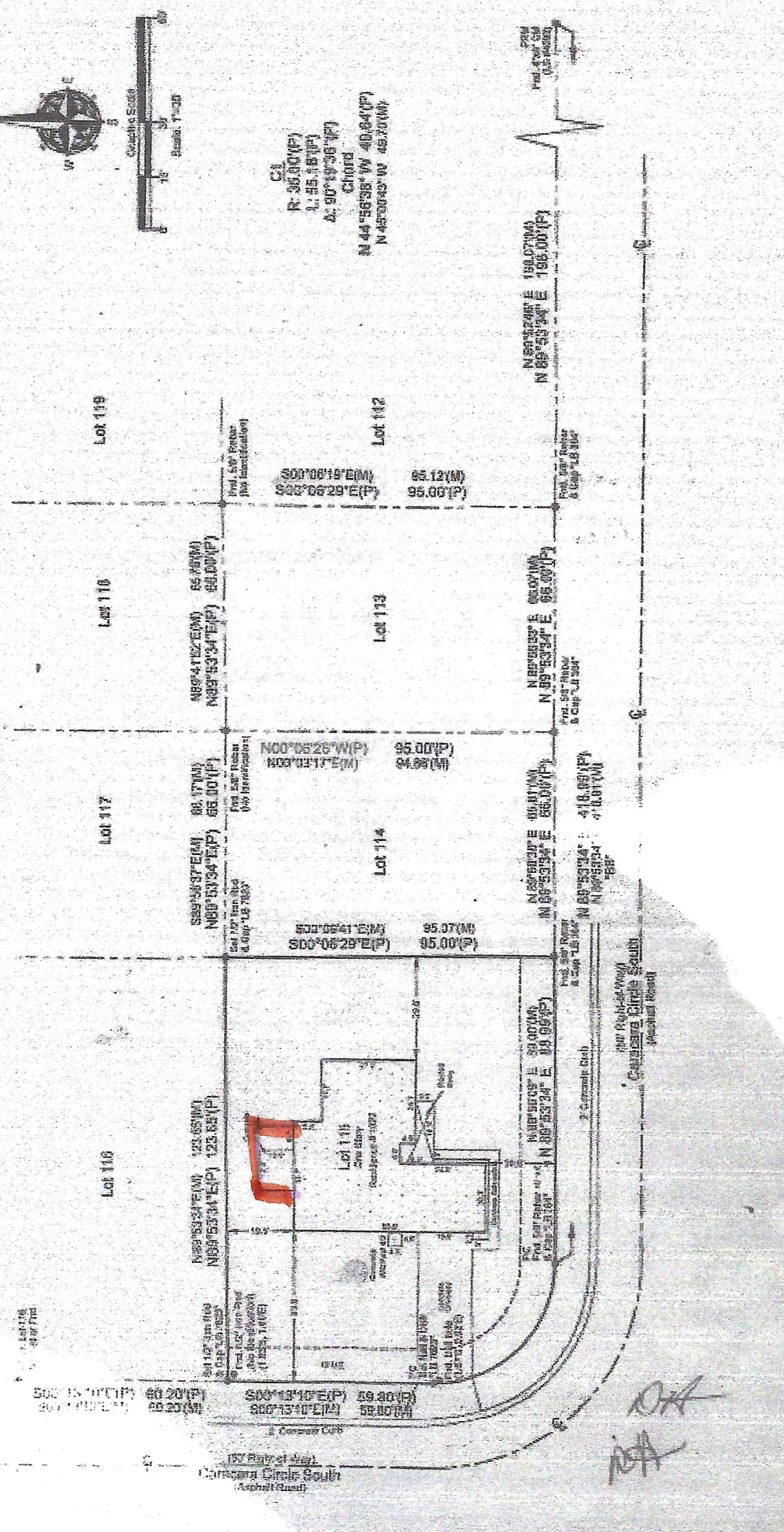
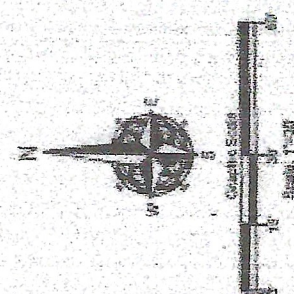
Application Type:	Variance	
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Current

Zoning:	(PUD) 3551 Planned Unit Development (C) Conservation	Context:	Suburban Neighborhood (SNH)
Lot Dimensions:	95 x 60	Square Footage:	2,154
Present Use:			
Explanation of Request:	SCREEN ROOM ON EXISTING CONCRETE WITH AN ELITE ROOF		
Justification:	TRYING TO GET ENOUGH ROOM TO BUILD A SCREEN ROOM ON THE EXISTING SLAB.		



DAVE HUTCHINSON
 1022 GARACARA CIRS
 LAKELAND 33809

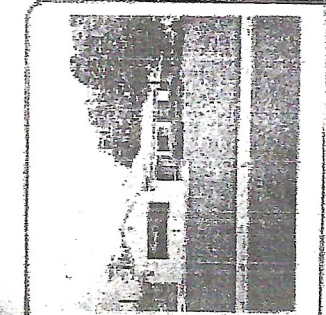


CI
 R: 30.00 (P)
 L: 55.18 (P)
 A: 90°49'38" (P)
 Chord
 N 44°58'38" W 48.84 (P)
 N 45°00'43" W 48.20 (M)

Ireland & Associates, Surveying, Inc.
 10000 E. 1st Ave., Suite 100
 Fort Lauderdale, FL 33304
 Phone: 954-575-3399 Fax: 954-575-5116

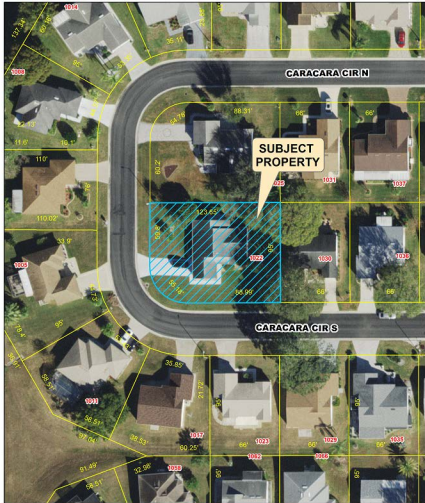
I certify that this is a true and correct copy of the original survey as shown on the attached plan. I am a duly licensed Professional Surveyor in the State of Florida. My license number is 10000. I am not providing this information as a warranty or representation of any kind. I am not responsible for any errors or omissions in this plan. I am not responsible for any actions taken by anyone in reliance on this plan. I am not responsible for any actions taken by anyone in reliance on this plan. I am not responsible for any actions taken by anyone in reliance on this plan.

Item	Description	Quantity	Unit
1	Survey	1	Sheet
2	Field Notes	1	Book
3	Office Notes	1	Book
4	Field Book	1	Book
5	Office Book	1	Book
6	Field Book	1	Book
7	Office Book	1	Book
8	Field Book	1	Book
9	Office Book	1	Book
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45	Office Book	1	Book
46	Field Book	1	Book
47	Office Book	1	Book
48	Field Book	1	Book
49	Office Book	1	Book
50	Field Book	1	Book



BOUNDARY SURVEY
 Legal Description:
 LOT 110, SANDPiper COVE & SOUTHWEST CLUB PHASE TEN, ACCORDING TO THE P.L.A. RECORDED IN PLAT BOOK 07, PAGE 236 OF THE PUBLIC RECORDS OF FLORIDA, COUNTY, FLORIDA.

I certify that this is a true and correct copy of the original survey as shown on the attached plan. I am a duly licensed Professional Surveyor in the State of Florida. My license number is 10000. I am not providing this information as a warranty or representation of any kind. I am not responsible for any errors or omissions in this plan. I am not responsible for any actions taken by anyone in reliance on this plan. I am not responsible for any actions taken by anyone in reliance on this plan. I am not responsible for any actions taken by anyone in reliance on this plan.




VAR24-014 1022 Caracara Cir S
 Parcel ID: 242720161738001150





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

RE: Variance Request - Project No. VAR24-014

Dear Property Owner:

This notice is to advise you that Graham Aluminum & Home Improvement requests a 10' variance to allow a rear yard setback of 10', in lieu of the 20' minimum rear yard setback for principal structures specified by the PUD (Planned Unit Development) zoning for the Sandpiper Golf & Country Club Phase 10 in order to construct a hard-roofed screen room on property located at 1022 Caracara Circle S. The subject property is legally described as:

SANDPIPER GOLF & COUNTRY CLUB PHASE TEN PB 92 PG 26 LOT 115

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 12/3/24** 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, 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.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	12/2/2024	Reviewer:	Todd Vargo	
Project No:	VAR24-014	Subject Property:	1022 Caracara Circle S	
Owner:	David Hutchinson			
Applicant:	Graham Aluminum and Home Improvements			
Current Zoning:	PUD (Planned Unit Development) 3551C	Context District	Suburban Neighborhood (SNH)	
Request:	A 10' variance to allow a rear setback of 10', 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 10 in order to construct a hard-roofed screen room on property located at 1022 Caracara Circle S.			

1.0 Background

The subject property consists of an approximate 0.26-acre (95' wide by 123' deep) lot within the Sandpiper Golf and Country Club Phase 10 subdivision. According to information obtained from the Polk County Property Appraiser, the subject property contains a 2,154 square foot single-family home constructed in 1993. The property is zoned PUD (Planned Unit Development) and is located within the Suburban Neighborhood (SNH) context district.

2.0 Discussion

The applicant applied for BLD24-04685, a building permit to construct a 10' x 24' (240 square foot) hard-roofed screen room to the rear of the home. In reviewing the permit, staff noted that the screen room would exceed the rear yard setback for principal structures (since the screen room has a hard roof, it is considered by the Building Inspection Division to be an extension of the principal structure). The rear yard setback is 20' in this PUD and the screen room would be 10' from the rear property line when constructed. Screen rooms are a common feature on homes in Florida and are generally located within the rear yard. However, when staff went to take pictures of the rear of the home for the ZBAA slideshow, it was discovered that the screen room had already been constructed, without either the variance or an approved building permit. The penalty issued by the Building Inspection Division for constructing without a permit is to charge double the building permit fees.

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 10 feet from the rear property line. The hardship suffered by the applicant is related to the placement of the existing home on the lot. Similar variances for screen rooms/enclosures have been granted to other lots within the overall Sandpiper subdivision over the years. The existing home to the north is approximately 27' from the property line shared with the subject property. If the variance is granted, the proposed screen room would be over 35' from the rear wall of the home to the north.

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, and even though the screen room was constructed without this variance or an approved building permit, staff recommends the requested variance be considered for approval.



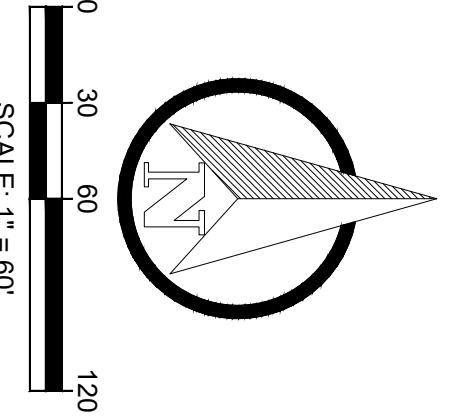
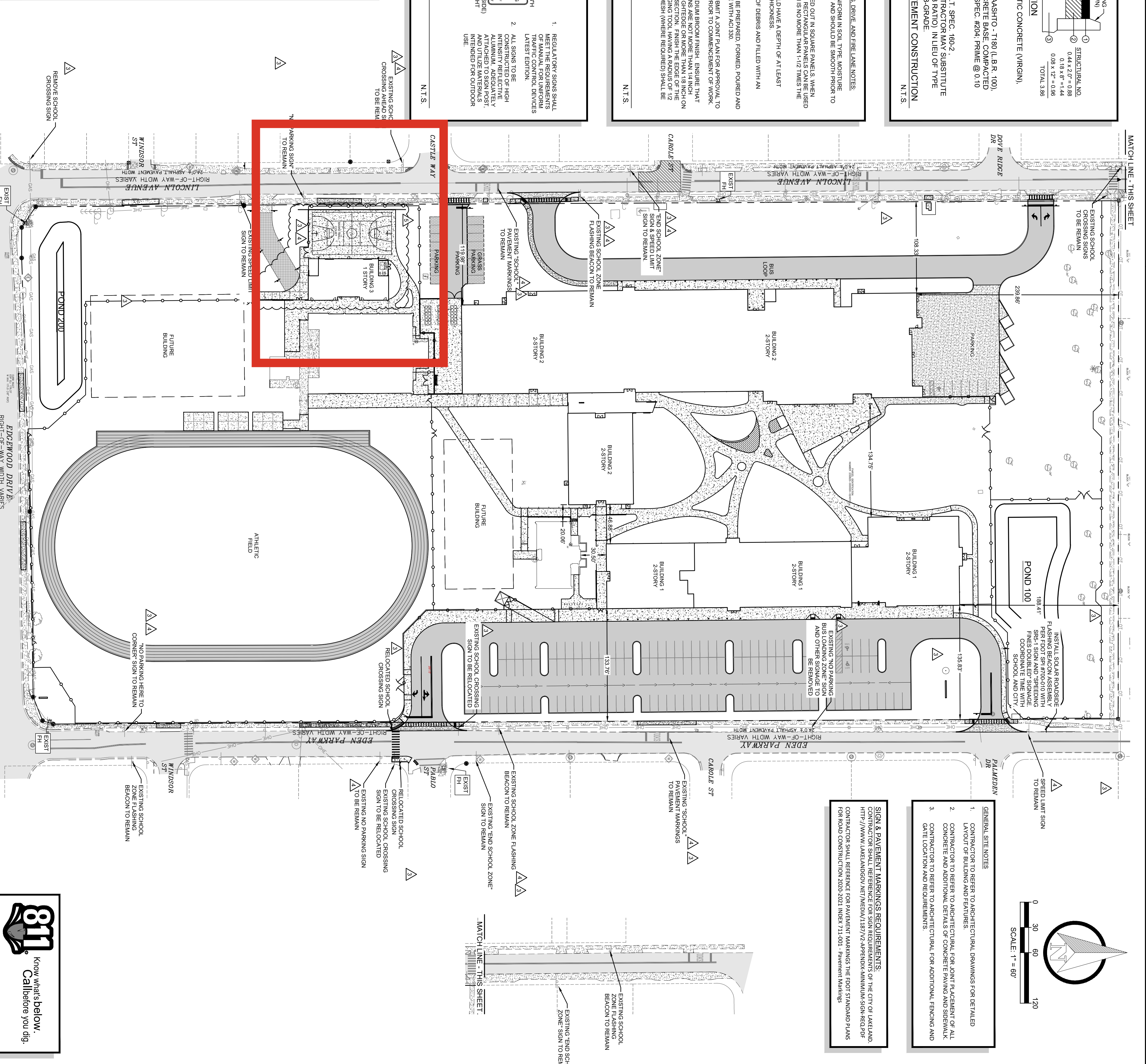
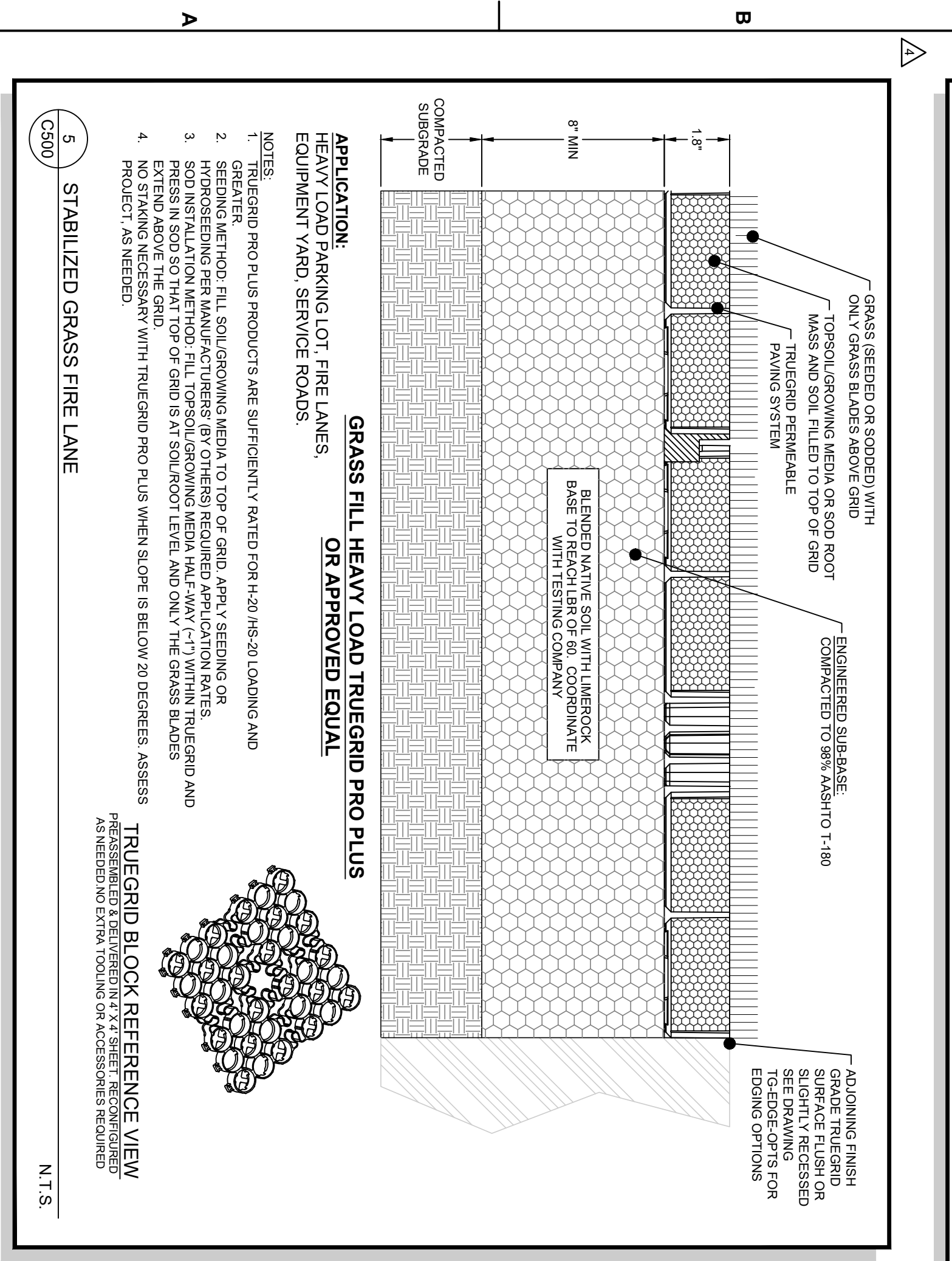
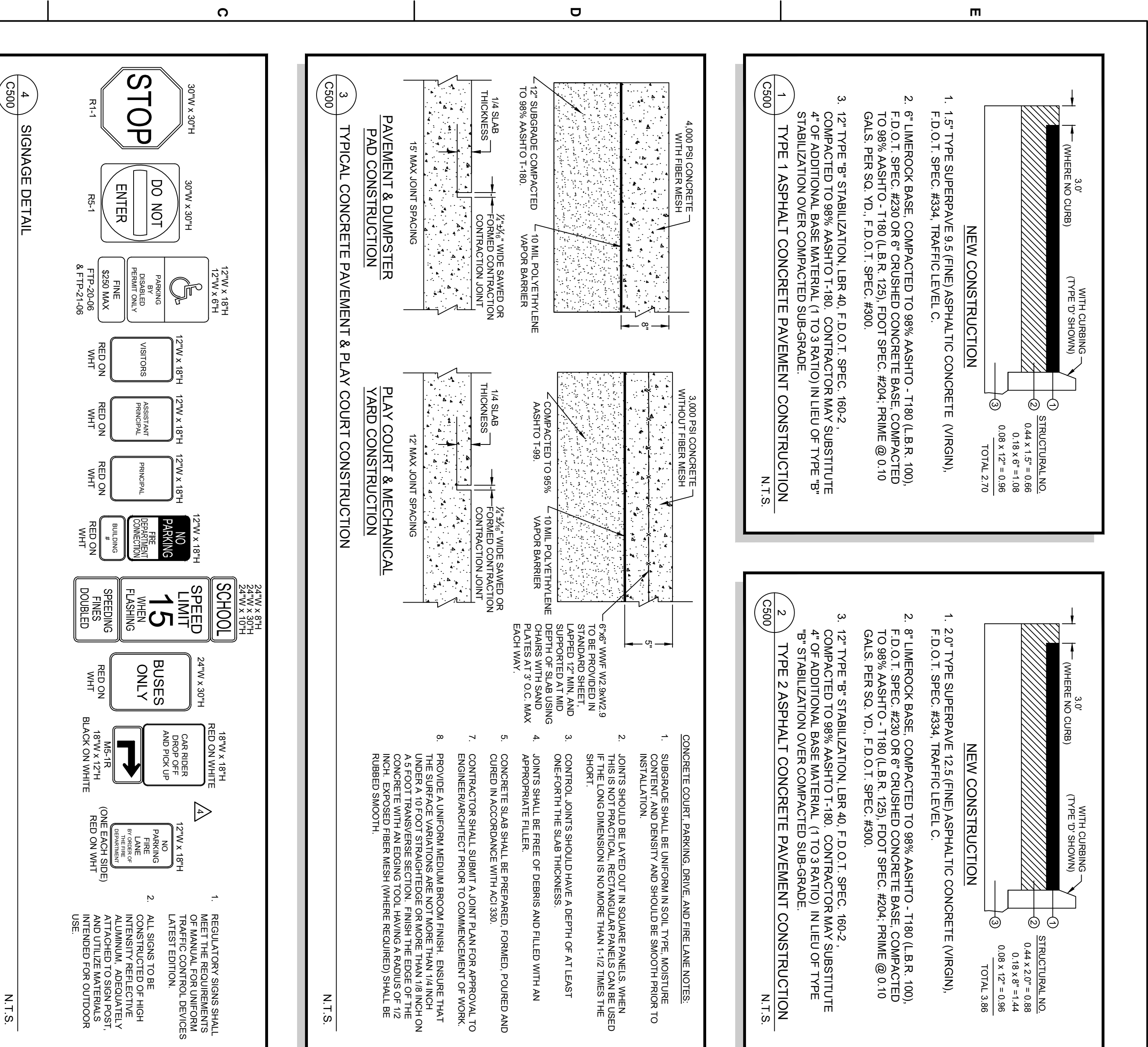
Variance Application

General Information:

Project No:	VAR24-021	Application Date:	11/8/2024	
Project Name:	Southwest Middle School			
Subject Property Address:	2815 EDEN PKWY			
Parcel ID:	232825000000024010			
Applicant Name:	JONATHAN A KIRK			
Applicant Address:			<input type="checkbox"/>	
Owner Name:	SCHOOL BOARD OF POLK COUNTY SOUTHWEST MIDDLE			
Owner Address:	PO BOX 391	BARTOW	FL	33831

Request:

Application Type:	Variance		
Current			
Zoning:	RA-3	Context:	Urban Neighborhood
Lot Dimensions:	50 x 149	Square Footage:	9,120
Present Use:			
Explanation of Request:	A 12' high, black or green, vinyl fence coated chain link fence surrounding the new outdoor play court in lieu of the 6' maximum height for fences, as specified by Section 4.4.3 of the City's Land Development Code, on property located at 2815 Eden Parkway.		
Justification:	The request for a higher fence is to help reduce the number of play court balls that could possibly bounce into the adjacent street - Lincoln ave.		



PERMIT DRAWINGS

#	DATE	ISSUED AS
06.30.21	PHASE I	
08.04.21	PHASE II	
09.17.21	PHASE III	
10.27.21	PHASE III	
12.08.21	PERMIT	
05.11.22	ADDENDUM 3 / REVIEW	
08.05.22	ADDENDUM 4	
01.23.24	ASI #19	
02.06.24	PERMIT SET	

SOUTHWEST MIDDLE RENOVATION PROJECT #C-00319 - P.E. LOCKER BLDG
 POLK COUNTY SCHOOL BOARD
 2815 SOUTH EDEN PARKWAY
 LAKELAND, FLORIDA 33803

RODNEY A. GADD, P.E.
 F.L.A. P.E. NO. 78875
 DATE

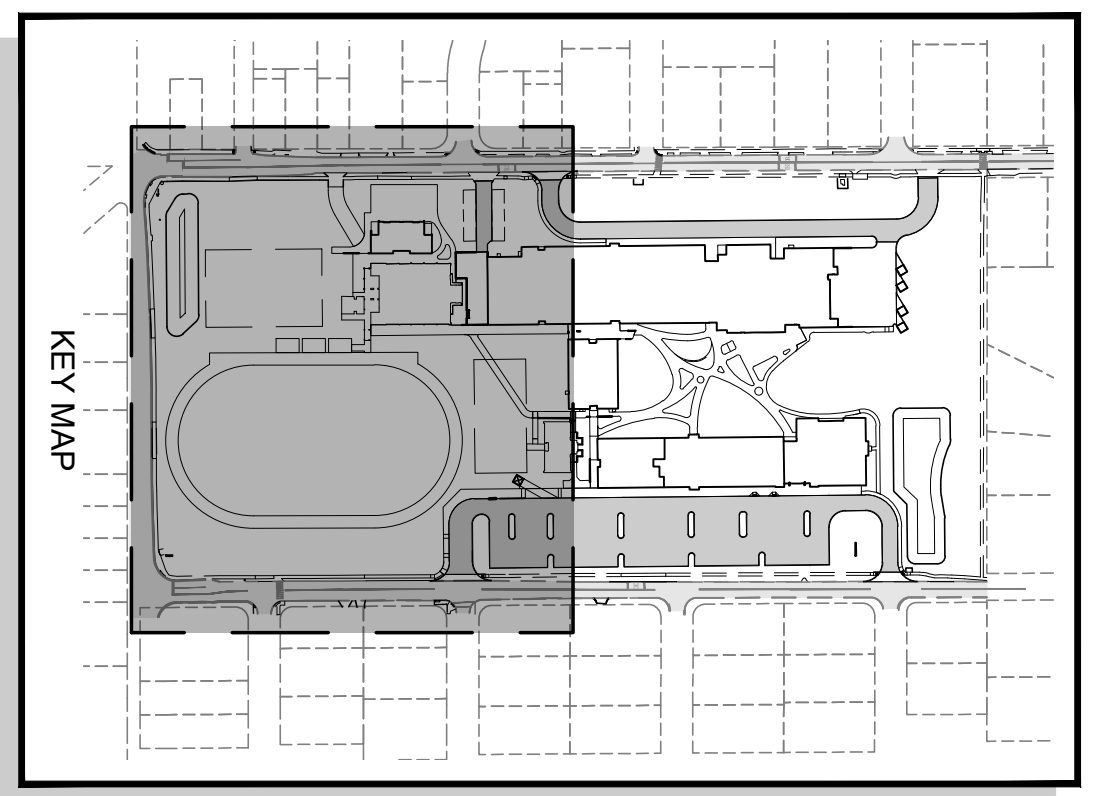
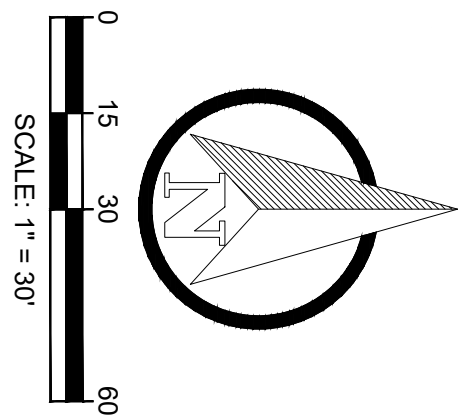
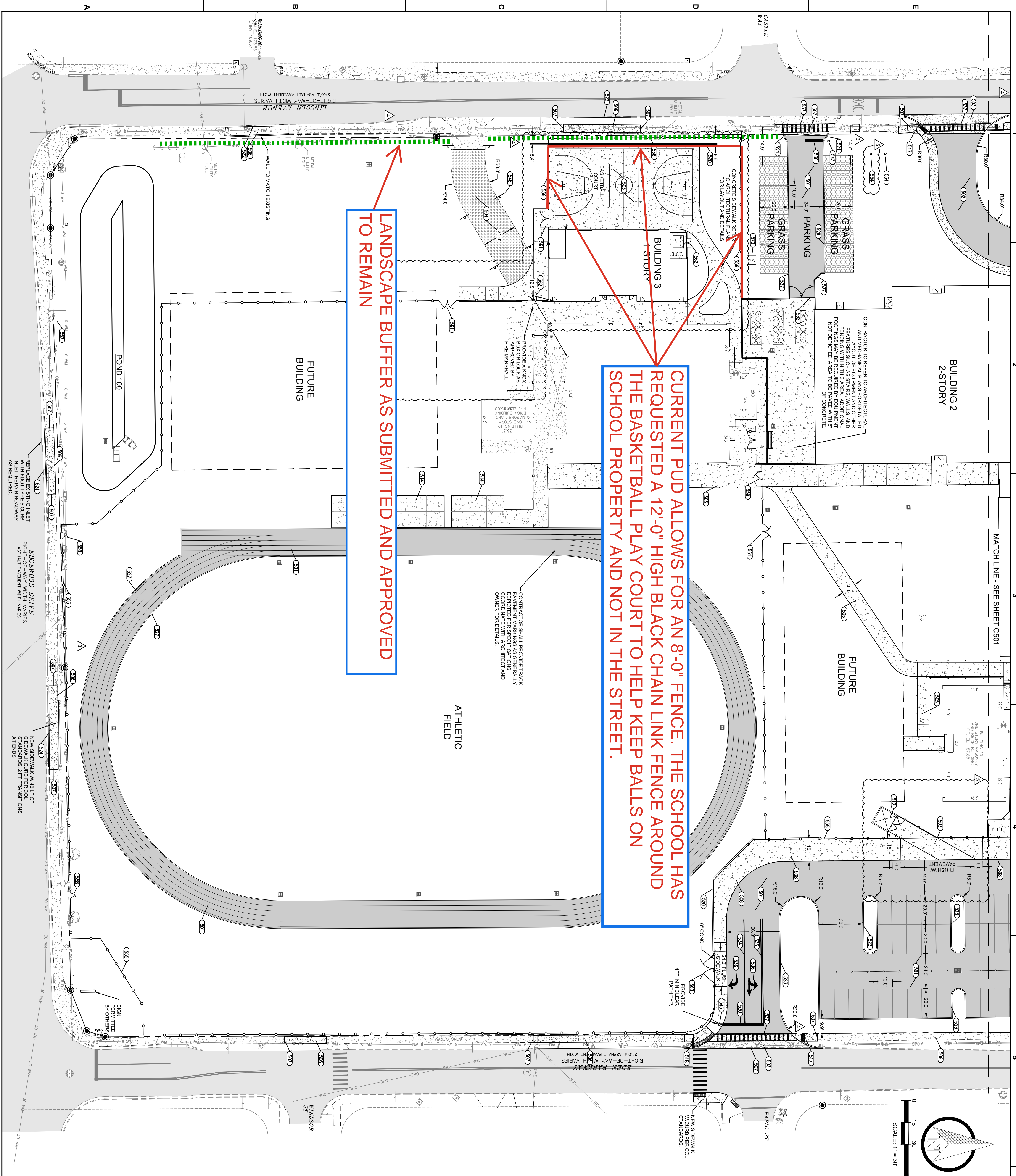
OVERALL GEOMETRY PLAN
C500

GADD & ASSOCIATES
 1825 US HWY 98 S, SUITE 201
 LAKELAND, FLORIDA 34099
 PHONE: (888) 340-9919
 www.gaddca.com
 CA Project #1031.05

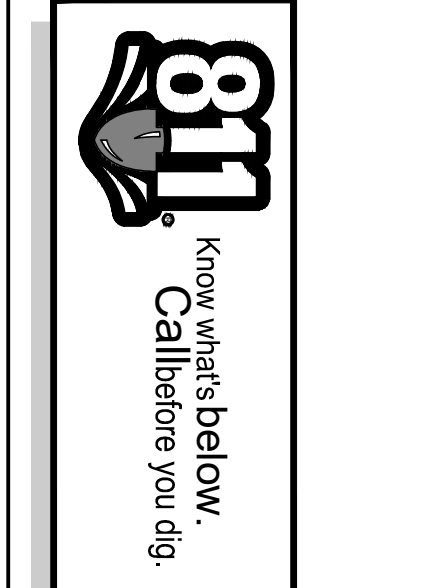
STRAUGHN TROUT ARCHITECTS
 2005 E. Edgewood Drive
 Lakeland, FL 34099
 Phone: (888) 340-9919
 www.gaddca.com
 CA Project #1031.05

CONSTRUCTION CONTRACTOR:
 STRAUGHN TROUT ARCHITECTS, LLC
 2005 E. Edgewood Drive
 Lakeland, FL 34099
 Phone: (888) 340-9919
 www.gaddca.com
 CA Project #1031.05

CONSTRUCTION CONTRACTOR:
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 Phone: (888) 340-9919
 www.gaddca.com
 CA Project #1031.05



- SHEET NOTES:**
- 501 PROPOSED TYPE II ASPHALT PAVEMENT. SEE TYPICAL SECTION
 - 502 PROPOSED TYPE I ASPHALT PAVEMENT. SEE TYPICAL SECTION
 - 503 PROPOSED CONCRETE PAVEMENT. SEE TYPICAL SECTION
 - 504 PROPOSED STABILIZED GRASS FIRE LANE. SEE TYPICAL SECTION
 - 505 CONSTRUCT CONCRETE SIDEWALK TYP. SEE DETAIL
 - 506 CONSTRUCT CONCRETE SIDEWALK PER COL. DETAIL
 - 507 PROVIDE SMOOTH TRANSITION TO EXISTING FEATURE TYP
 - 508 RAISED CONCRETE SIDEWALK WITH 9" X 9" FOOTING
 - 509 INVERTED CROWN PAVEMENT, TYP.
 - 510 DAMPSTER ENCLOSURE. REFER TO ARCHITECTURAL PLANS FOR DETAIL
 - 511 BICYCLE RACK. REFER TO ARCHITECTURAL PLANS FOR DETAIL
 - 512 CONSTRUCT CONCRETE AND PER. RAY CURB CONSTRUCTION SPECIFICATIONS FOR BLEACHERS TO BE RELOCATED
 - 513 INSTALL CURB BANNING. DETAIL E. MARKING SURFACE PER FOOT SP# 420-002. RAMP SHALL BE C&A.
 - 514 INSTALL CURB BANNING. DETAIL F. MARKING SURFACE PER FOOT SP# 420-002. RAMP SHALL BE C&A.
 - 515 INSTALL GRANTY WALL PER FOOT SP# 400-011
 - 516 INSTALL CITY STRAP CURB PER COL. INDEX #102
 - 517 FOOT TYPE 'D' CURB. REFERENCE FOOT SP# 520-001
 - 518 FOOT TYPE 'F' CURB. REFERENCE FOOT SP# 520-001
 - 519 RIBBON CURB. SEE DETAIL
 - 520 ADA PARKING. SEE DETAIL
 - 521 4" WHITE TRAFFIC MARKING PAINT TYP
 - 522 6" SOLID WHITE LINE (THERMOPLASTIC) PER FOOT SP# 711-001
 - 523 6" SOLID YELLOW LINE (THERMOPLASTIC) PER FOOT SP# 711-001
 - 524 6" SOLID YELLOW STRIPES (THERMOPLASTIC) PER FOOT SP# 711-001
 - 525 TURN ARROW (THERMOPLASTIC) PER FOOT SP# 711-001
 - 526 INSTALL SPECIAL EMPHASIS MARKINGS (THERMOPLASTIC) PER FOOT SP# 711-001
 - 527 INSTALL R1-1 STOP SIGN
 - 528 INSTALL R1-1 DO NOT ENTER SIGN
 - 529 INSTALL R7-4.9 NO PARKING FIRE LANE SIGN SPACED 90 FT MAXIMUM, 2 FT FROM EDGE OF FIRE LANE, TYP.
 - 530 ADA SIGN
 - 531 6" VINYL COATED CHAINLINK FENCE CONSTRUCTION
 - 532 8" VINYL COATED CHAINLINK FENCE CONSTRUCTION
 - 533 6" SINGLE BLACK CHAINLINK FENCE SWING GATE W/ P/ANO LOCK HARDWARE PER ARCHITECTURAL
 - 534 21" 10" SWING BLACK CHAINLINK GATES W/ CHAIN AND LOCK
 - 535 6" SWING BLACK CHAINLINK GATES W/ CHAIN AND LOCK
 - 536 2" SWING BLACK CHAINLINK GATES W/ CHAIN AND LOCK
 - 537 MAXIMIZE OPENING SIZE TO HARD FEATURE
 - 538 ELECTRIC TRANSFORMER. REFER TO ARCHITECTURAL AND ELECTRICAL DRAWINGS.



<p>PERMIT DRAWINGS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>#</th> <th>DATE</th> <th>ISSUED AS</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>06.30.21</td> <td>PHASE I</td> </tr> <tr> <td>2</td> <td>09.04.21</td> <td>PHASE II</td> </tr> <tr> <td>3</td> <td>09.17.21</td> <td>PHASE III</td> </tr> <tr> <td>4</td> <td>10.27.21</td> <td>PHASE IV</td> </tr> <tr> <td>5</td> <td>12.08.21</td> <td>PERMIT</td> </tr> <tr> <td>6</td> <td>05.11.22</td> <td>ADDENDUM 3 / REVIEW</td> </tr> <tr> <td>7</td> <td>08.05.22</td> <td>ADDENDUM 4</td> </tr> <tr> <td>8</td> <td>01.23.24</td> <td>ASI #19</td> </tr> <tr> <td>9</td> <td>02.06.24</td> <td>PERMIT SET</td> </tr> </tbody> </table>	#	DATE	ISSUED AS	1	06.30.21	PHASE I	2	09.04.21	PHASE II	3	09.17.21	PHASE III	4	10.27.21	PHASE IV	5	12.08.21	PERMIT	6	05.11.22	ADDENDUM 3 / REVIEW	7	08.05.22	ADDENDUM 4	8	01.23.24	ASI #19	9	02.06.24	PERMIT SET	<p>SOUTHWEST MIDDLE RENOVATION PROJECT #C-00319 - P.E. LOCKER BLDG</p> <p>POLK COUNTY SCHOOL BOARD</p> <p>2815 SOUTH EDEN PARKWAY LAKELAND, FLORIDA 33803</p>	<p>RODNEY A. GADD, P.E. FLA. P.E. NO. 70875</p> <p>DATE</p>	<p>PROJECT MGR.: JAK</p> <p>STA PROJECT #: 2111</p>	<p>STRAUGHN TROUT ARCHITECTS</p> <p>1825 US HWY 98 S, SUITE 201 LAKELAND, FLORIDA 34099 PHONE: (850) 840-8919 www.straughntrout.com GA Project #1031 05</p>
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**SUBJECT
PROPERTY**

 VAR24-021 2815 Eden Pkwy
Parcel ID: 232825000000024010
2023 Aerial





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

RE: Variance Request - Project No. VAR24-021

Dear Property Owner:

This notice is to advise you that Jonathan A. Kirk requests a 6' variance to allow a 12' high, black or green, vinyl fence coated chain link fence surrounding the new outdoor play court in lieu of the 6' maximum height for fences, as specified by Section 4.4.3 of the City's Land Development Code, on property located at 2815 Eden Parkway. The subject property is legally described as:

W1/2 OF SW1/4 OF SE1/4 LESS RD R/W & LESS ADDNL R/W AS DESC IN OR 7732 PG
1402

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 12/3/24** 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, 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.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	12/3/2024	Reviewer:	Todd Vargo	
Project No:	VAR24-021	Subject Property:	2815 Eden Parkway	
Owner:	School Board of Polk County			
Applicant:	Jonathan A. Kirk			
Current Zoning:	RA-3 (Single-Family Residential)	Context District	Urban Neighborhood (UNH)	
Request:	A six-foot variance, to allow a maximum fence height of 12 feet in lieu of the maximum height of six-feet for fences as specified by Section 4.4.3 of the Land Development Code, in order to construct a new 12-foot-high fence around an outdoor play court on property located at 2815 Eden Parkway.			

1.0 Background

The subject property consists of the southwest middle school campus. The school was originally constructed in 1956 as a junior high school for grades 7 – 9 and in 1992 was reclassified as a middle school for grades 6—8. In 2021, a conditional use was approved to allow for the demolition and reconstruction of the middle school campus as part of a modernization effort by the Polk County School Board. The subject property is zoned RA-2 (Single-Family Residential District) with a Future Land Use designation of RM (Residential Medium) and is located within the UNH (Urban Neighborhood) context sub-district. The subject property is approximately 18.24 acres.

2.0 Discussion

The purpose of this request is to obtain variance relief which will allow for a 12’ high black or green vinyl chain link fence on three sides of the basketball court, including adjacent to Lincoln Avenue. The subject site is located on the west side of the campus, adjacent to Lincoln Avenue.

Similar fencing has been installed at other recreational sports fields for educational facilities (Academy Prep School at 1201 Lakeland Hills Boulevard). In light of the proximity to Lincoln Avenue, a well-traveled residential corridor, a 12’ fence would be appropriate to limit sports equipment accidentally ending up on the roadway and causing traffic safety issues.

3.0 Recommendation

The subject property, Southwest Middle School campus, has recently undergone modernization and reconfiguration. Given the layout of the physical education amenities, which are a standard part of any school curriculum, the Polk County School Board is requesting a 12’ tall fence around the outdoor basketball court. Due to the need to address impacts on public safety, a variance to allow a taller fence is justified. The requested relief is reasonable and proportionate to the degree of hardship and the minimum amount necessary to address safety concerns. Provided there are no substantive objections from adjacent property owners, staff recommends that the variance be considered for approval.