



Zoning Board of Adjustments and Appeals Meeting Agenda

**January 7, 2025 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 December 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: **Lindsay Olj requests** a 19-foot variance, to allow a maximum sign height of 34 feet in lieu of the maximum height of 15 feet for signs in commercial corridors as specified by Section 4.9.4.4.a.1.(e) of the Land Development Code, in order to reconstruct a 34-foot-high sign on property located at 2515 Florida Avenue S. Owner: Southgate Shopping Center Inc. (VAR24-022)

ITEM 7: **Andrew Keith Bendall requests** a variance from Article 3 Urban Form Standards, Sub-Section 3.5.g. 1. and 2. related to entrance features of the Land Development Code. The variance would allow the construction of an 8,017 sq. ft. single-family dwelling unit on a non-conforming platted flag lot, on property located at 208 Heatherpoint Drive. Owner: Andrew Bendall (VAR24-023)

ITEM 8: Unfinished Business

ITEM 9: New Business

ITEM 10: Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, December 3, 2024 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.

Present were Board Members Emily Breheny, Thomas Brawner, Jiwa Farrell, Gregory Kent, Judith Hatfield, Tunesia Mayweather, and Kristen Tessmer. 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 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)

The applicant was not present.

Jiwa Farrell made a motion to continue the item to the next meeting. Kristen Tessmer seconded the motion and it passed 6—0.

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)

Jonathan A. Kirk, 5917 Coveview Drive W, was present in support of the request. Mr. Kirk stated an 8' foot fence would not be adequate enough for the play court on the subject property.

Todd Vargo stated previously that 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).

Mr. Vargo pointed to photos on the overhead screen of the subject property. He stated due to the need to address impacts on public safety, a variance to allow a taller fence is justified. He stated staff recommends approval.

In response to Gregory Kent, Mr. Vargo stated no public comment was received regarding the request.

Thomas Brawner made a motion to approve staff's recommendation. Jiwa Farrell 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:

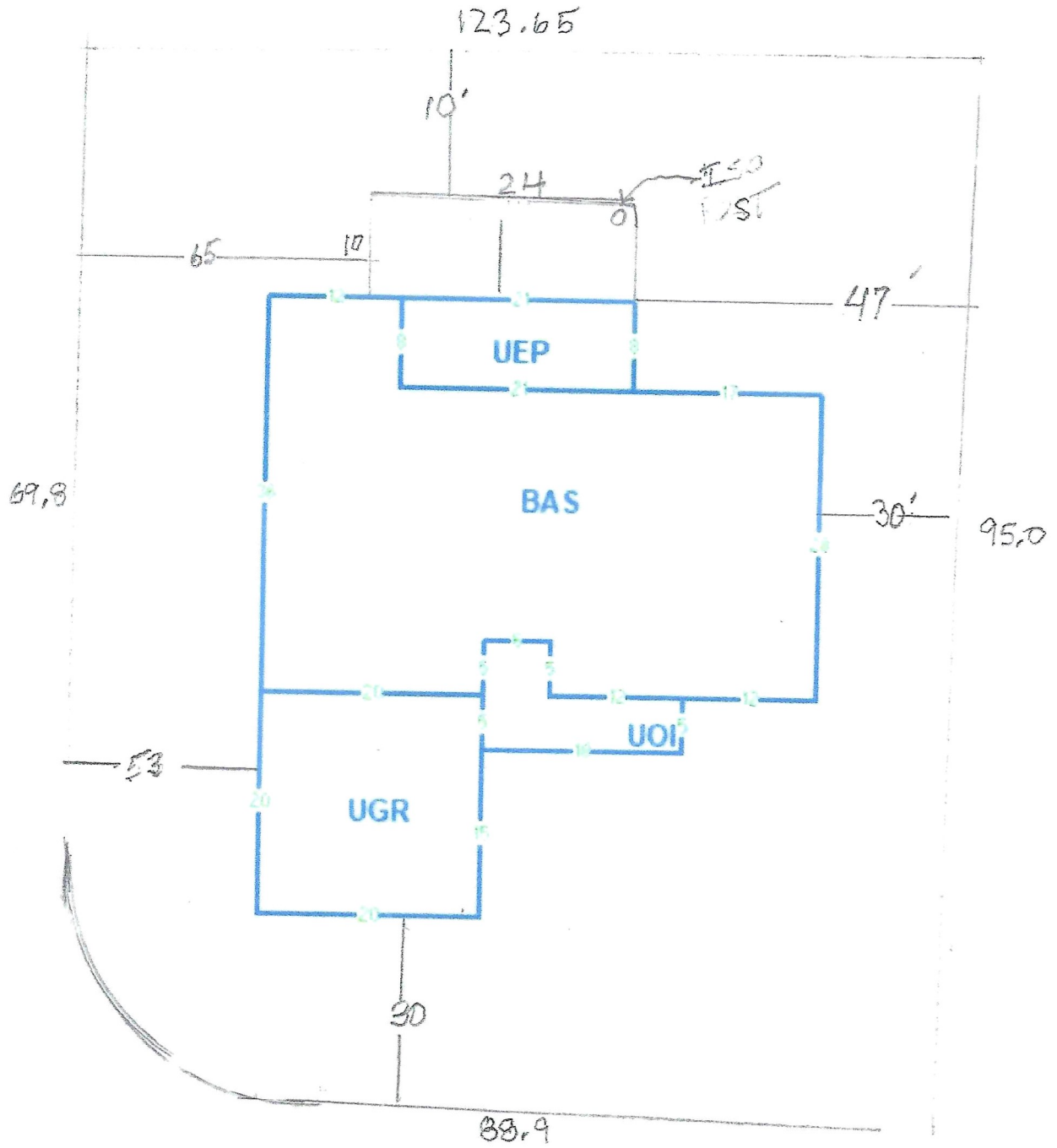
Project No:	VAR24-014	Application Date:	8/6/2024		
Project Name:	Hutchinson				
Subject Property Address:	1022 CARACARA CIR S				
Parcel ID:	242720161738001150				
Applicant Name:	GRAHAM ALUMINUM & HOME IMPROV				
Applicant Address:	2225 E MAIN ST	LAKELAND	FL	33801	
Owner Name:	HUTCHINSON DAVID O			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

Request:

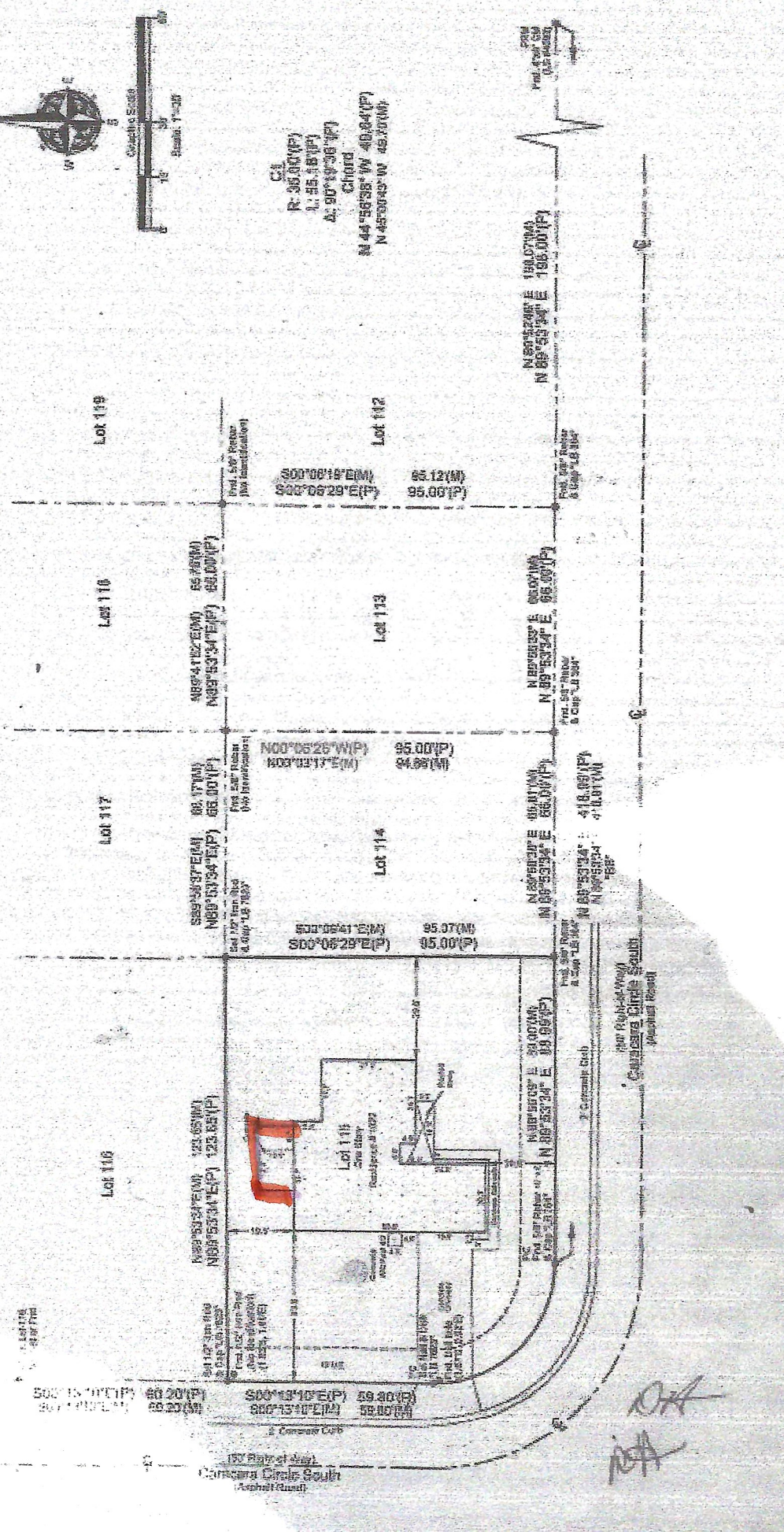
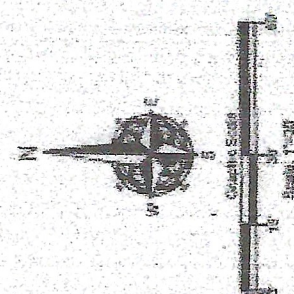
Application Type:	Variance	
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Current

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.		



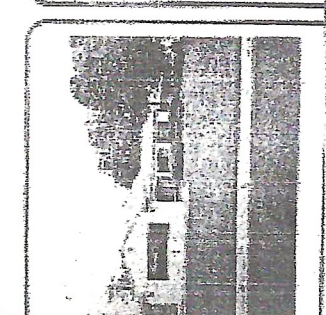
DAVE HUTCHINSON
 1022 GARACARA CIRS
 LAKELAND 33809



BOUNDARY SURVEY
 Legal Description:
 LOT 110, SANDPiper COVE & SOUTHWEST SUB PHASE TEN, ACCORDING TO THE P.L.A. RECORDED IN PLAT BOOK NO. PAGE 234 OF THE PUBLIC RECORDS OF FLORIDA, COUNTY, FLORIDA

BOUNDARY SURVEY
 Legal Description:
 LOT 110, SANDPiper COVE & SOUTHWEST SUB PHASE TEN, ACCORDING TO THE P.L.A. RECORDED IN PLAT BOOK NO. PAGE 234 OF THE PUBLIC RECORDS OF FLORIDA, COUNTY, FLORIDA

Item	Description	Value
1	Area of Lot	1.23
2	Area of Sub	1.23
3	Area of Phase	1.23
4	Area of Sub	1.23
5	Area of Phase	1.23
6	Area of Sub	1.23
7	Area of Phase	1.23
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9	Area of Phase	1.23
10	Area of Sub	1.23
11	Area of Phase	1.23
12	Area of Sub	1.23
13	Area of Phase	1.23
14	Area of Sub	1.23
15	Area of Phase	1.23
16	Area of Sub	1.23
17	Area of Phase	1.23
18	Area of Sub	1.23
19	Area of Phase	1.23
20	Area of Sub	1.23
21	Area of Phase	1.23
22	Area of Sub	1.23
23	Area of Phase	1.23
24	Area of Sub	1.23
25	Area of Phase	1.23
26	Area of Sub	1.23
27	Area of Phase	1.23
28	Area of Sub	1.23
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42	Area of Sub	1.23
43	Area of Phase	1.23
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96	Area of Sub	1.23
97	Area of Phase	1.23
98	Area of Sub	1.23
99	Area of Phase	1.23
100	Area of Sub	1.23



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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 1/7/25** 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	1/07/2025	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:	VAR24-022	Application Date:	11/20/2024
Project Name:	Southgate Plaza		
Subject Property Address:	2515 FLORIDA AVE S		
Parcel ID:	232825000000022020		
Applicant Name:	LINDSAY OLJ		
Applicant Address:	2335 APOLLO BEACH BL	APOLLO BEACH	FL 33572
Owner Name:	SOUTHGATE SHOPPING CENTER INC		
Owner Address:	5858 CENTRAL AVE	SAINT PETERSBURG	FL 33707

Request:

Application Type:	Variance
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Current

Zoning:	C-4	Context:	Urban Corridor
Lot Dimensions:	2522 X 190	Square Footage:	53,814

Present Use:

Explanation of Request: A 19-foot variance, to allow a maximum sign height of 34 feet in lieu of the maximum height of 15 feet for signs in commercial corridors as specified by Section 4.9.4.4.a.1.(e) of the Land Development Code, in order to reconstruct a 34-foot-high sign on property located at 2515 Florida Avenue S.

Justification:

- 1) The tree line that was planted on S. Florida Ave have all grown & if the sign were to be limited to 15' in height it would be hidden by the tree line. (See attached supporting photos)
- 2) The design of the sign is the same as it was prior to hurricane Milton. It was originally designed to tie the architecture of the iconic center to the sign. We want to maintain that tie.
- 3) S. Florida Ave is a very heavily traveled road w/ lots of congestion. The taller sign helps motorists to quickly identify and access the correct lanes to enter the center. A shorter 15' sign would be hindered by the landscaping.
- 4) We are fortunate that the sign supports & footers were not disturbed by the hurricane & will allow us to install the new sign back to its original place as approved Under the previous permit.
- 5) Last, given the overall size of the center, this sign looks to appear very proportionate to the center at its original height. The sign square footage will not change from the original sign and will be the same as before the hurricane. In no way do we feel this is not in harmony with the intent of the sign code. Installing this sign does not interfere with the flow of traffic or create any hardships within the center. We feel this is the minimum request we can do to maintain both the intent of the new code and the look for this iconic center. The square footage meets the code requirements, only the height requires the variance for a taller sign. Therefore we respectfully request your approval for this variance in height and allow us to simply duplicate what was here prior to Hurricane Milton.



November 18, 2024

Statement of why Variance is needed

- 1) The tree line that was planted on S. Florida Ave have all grown & if the sign were to be limited to 15' in height it would be hidden by the tree line. (See attached supporting photos)
- 2) The design of the sign is the same as it was prior to hurricane Milton. It was originally designed to tie the architecture of the iconic center to the sign. We want to maintain that tie.
- 3) S. Florida Ave is a very heavily traveled road w/ lots of congestion. The taller sign helps motorists to quickly identify and access the correct lanes to enter the center. A shorter 15' sign would be hindered by the landscaping.
- 4) We are fortunate that the sign supports & footers were not disturbed by the hurricane & will allow us to install the new sign back to its original place as approved Under the previous permit.
- 5) Last, given the overall size of the center, this sign looks to appear very proportionate to the center at its original height. The sign square footage will not change from the original sign and will be the same as before the hurricane.

In no way do we feel this is not in harmony with the intent of the sign code. Installing this sign does not interfere with the flow of traffic or create any hardships within the center. We feel this is the minimum request we can do to maintain both the intent of the new code and the look for this iconic center. The square footage meets the code requirements, only the height requires the variance for a taller sign.

Therefore we respectfully request your approval for this variance in height and allow us to simply duplicate what was here prior to Hurricane Milton.

Sincerely,

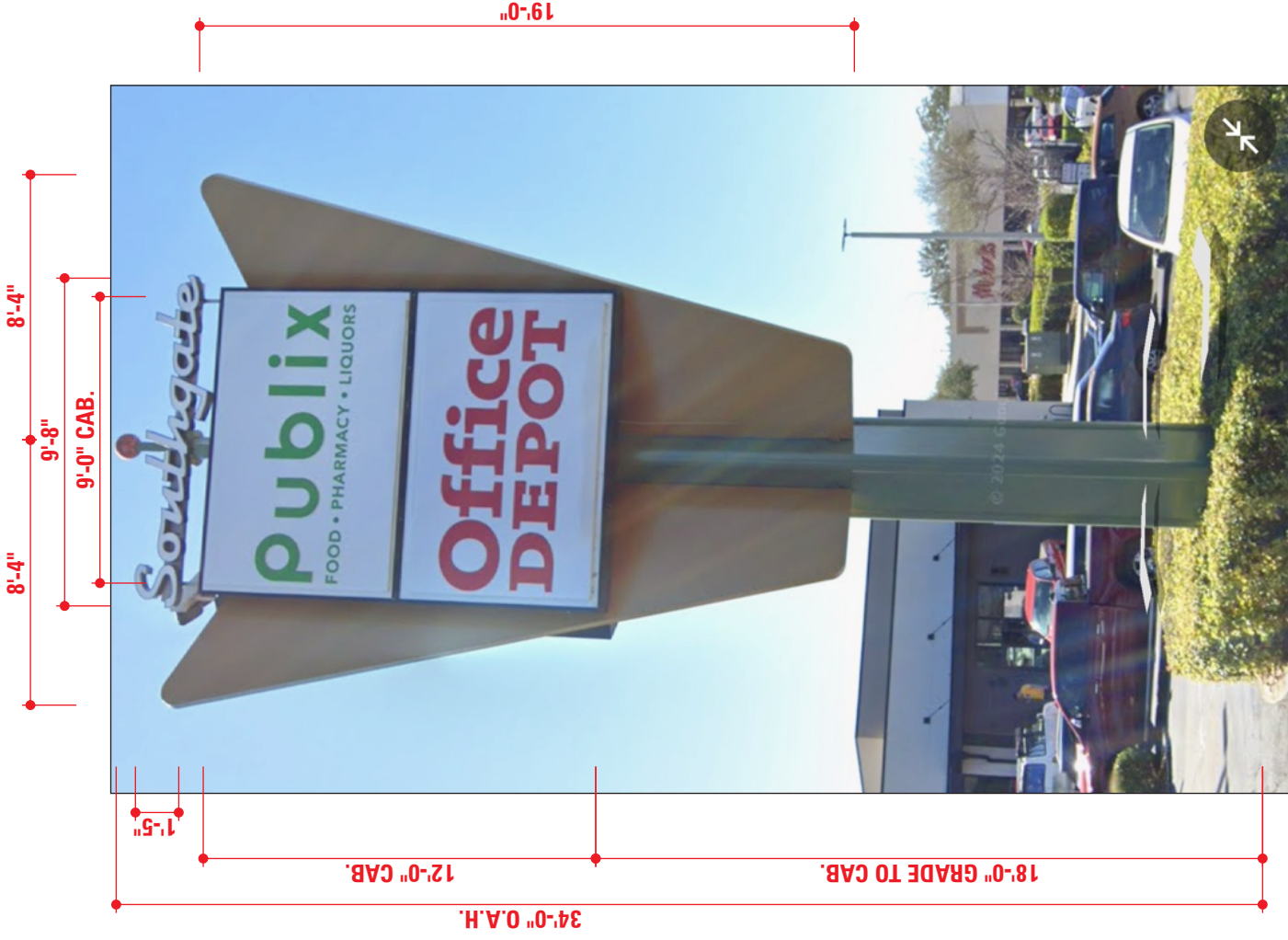
A handwritten signature in blue ink, appearing to read "Matt Clement".

Matt Clement
Owner

Southgate Shopping Center
2515 S Florida Ave
Lakeland FL 33803

PHOTOS: PYLON MEASUREMENTS

NOTE : ALL DIMENSIONS TO BE FIELD VERIFIED



- SIGNS
- AWNINGS
- GRAPHICS

1767 Lakewood Ranch Blvd. # 256
 Bradenton, FL 34211
 Ph: 941-932-4622 Fax: 941-747-7513

Created For Publix

Address / City / State
Southgate Plaza
Lakeland
FL

Sales Representative
Jeff Riggins

Customer Approval

Date

Landlord's Approval

Filename
/3060-Publix-Southgate

Drawing No. 3060

Scale Noted

Date 11/14/24

Sheet 1 of 1

Revisions

1	
2	
3	
4	

This drawing is the sole property of Riggins Associates (with the exception of registered trademarks) and is submitted for the sole purpose of conveying design intent. By accepting this document from Riggins Associates, the recipient agrees that it will not be copied or reproduced in any part nor, shall it be revealed in any manner to any person except in the purpose for which it was delivered without prior written permission from Riggins Associates. Violation of these terms may result in Riggins Associates implementing its right to charge for the drawing / design and / or may result in court action.



**SUBJECT
PROPERTY**

**Sign
Site**



VAR24-022 2515 Florida Ave S
Parcel ID: 232825000000022020





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

RE: Variance Request - Project No. VAR24-022

Dear Property Owner:

This notice is to advise you that Lindsay Olij requests a 19-foot variance, to allow a maximum sign height of 34 feet in lieu of the maximum height of 15 feet for signs in commercial corridors as specified by Section 4.9.4.4.a.1.(e) of the Land Development Code, in order to reconstruct a 34-foot-high sign on property located at 2515 Florida Avenue S. The subject property is legally described as:

NE1/4 OF SE1/4 OF SE1/4 LESS HY & LESS W 40 FT & PALMOREY HEIGHTS PB 16 PG 20 BLK 1 LOT 1 & RESUB OF PARTS BLKS 1 3 OF PALMOREY HEIGHTS PB 29 PG 11 BLK 1 LOT A LESS W 500 FT & OAKDALE PB 8 PG 44 BLK A LOTS 45 THRU 56 LESS ADD'L RD R/W ON LOT 55

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 1/7/25** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property located in proximity to the subject property, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing. You may also submit your views to the Community & Economic Development Department by including your name, address, and the project number via email to planning@lakelandgov.net, prior to the meeting date.

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Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	1/07/2025	Reviewer:	Todd Vargo	
Project No:	VAR24-022	Subject Property:	2515 Florida Avenue S	
Owner:	Southgate Shopping Center Inc			
Applicant:	Lindsay OIj			
Current Zoning:	C-4 (Community Center Commercial)	Context District	Urban Corridor (UCO)	
Request:	A 19-foot variance, to allow a maximum sign height of 34 feet in lieu of the maximum height of 15 feet for signs in commercial corridors as specified by Section 4.9.4.4.a.1.(e) of the Land Development Code, in order to reconstruct a 34-foot-high sign on property located at 2515 Florida Avenue S.			

1.0 Background

The subject property is the Southgate shopping plaza. The subject property is zoned C-4 (Community Center Commercial) with a Future Land Use designation of Community Activity Center (CAC) and is located within the Urban Corridor (UCO) context sub-district. The subject property is approximately 12.5 acres.

2.0 Discussion

The purpose of this request is to obtain variance relief which will allow for the reconstruction of a 34' high sign that fell during Hurricane Milton. The sign was located in a landscape island at the end of a parking aisle close to Florida Avenue S, near the Starbucks coffee store. The sign was originally constructed in 2008 when the Southgate Publix was remodeled. At that time, the Land Development Code allowed signs greater than 15 feet in height in the zoning district. However, the current sign regulations are more stringent, and a variance is required to replace the sign.

The reconstructed sign will match the sign prior to Hurricane Milton – no cosmetic or structural changes will be made. The sign is architecturally compatible with the Southgate arch so there are no aesthetic issues. The 34-foot height allows for visibility over the mature trees that buffer the shopping center from Florida Avenue S.

3.0 Recommendation

The requested relief is reasonable and proportionate to the degree of hardship and the minimum amount necessary to address visibility concerns. The sign will be an exact match for the sign that existed prior to Hurricane Milton. The 34-foot height is necessary to see the sign above the mature landscaping lining Florida Avenue S. Provided there are no substantive objections from adjacent property owners, staff recommends that the variance be considered for approval.



Variance Application

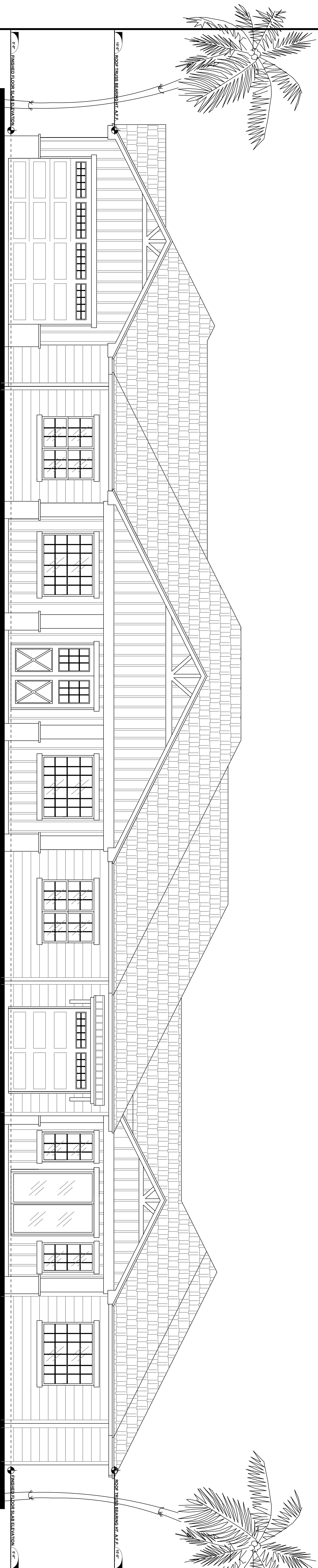
General Information:

Project No:	VAR24-023	Application Date:	11/27/2024
Project Name:	New Build - Bendall Family Home		
Subject Property Address:	208 HEATHERPOINT DR		
Parcel ID:	232725009221000170		
Applicant Name:	ANDREW KEITH BENDALL		
Applicant Address:	3842 BRITTON BEACH PLACE	LAKELAND	FL 33811
Owner Name:	BENDALL ANDREW		
Owner Address:	ROSE COTTAGE ALLTAMI RDALLTAMI	MOLD CH7 6RW	<input type="checkbox"/>

Request:

Application Type:	Variance		
Current			
Zoning:	PUD 4773 O	Context:	Suburban Neighborhood
Lot Dimensions:	70 x 196	Square Footage:	3,375
Present Use:			
Explanation of Request:	Proposed construction of a new single-family residence on the vacant lot - requires variance against LDC Section 3.4.5 (g) items 1 & 2.		
Justification:	The atypical/abnormal lot shape and extended (approx. 100ft) access to the buildable section of the lot precludes house design/orientation of the main front entrance door and porch in strict compliance with definitions in LDC Section 3.4.5 para (g) items 1 and 2.		

A CUSTOM HOME FOR:
"THE BENDALL FAMILY"
 208 HEATHERPOINT DRIVE
 LAKELAND, FLORIDA



FRONT ELEVATION

1/4" = 1'-0"

BUILDER OF RECORD:

MYERS CUSTOM HOMES
 LAKELAND, FLORIDA
 (863) 398-9141

CGC1510576

PLAN SHEET INDEX:

1	COVER SHEET/FRONT ELEVATION
2	PLOT PLAN
3	FLOOR PLAN
4	REAR & SIDE EXTERIOR ELEVATIONS
5	ELECTRICAL PLAN
6	ROOF PLAN
7	INTERIOR WALL FRAMING LAYOUT PLAN
8	ROOF FRAMING PLAN
9	FOUNDATION PLAN
10	LINTEL/HEADER PLAN
11	WALL SECTIONS/MISC. DETAILS
12	MISC. DETAILS
13	MECHANICAL/DUCT PLAN
14	CEILING DETAIL PLAN/NOTES
15	INTERIOR FINISH PLAN/NOTES

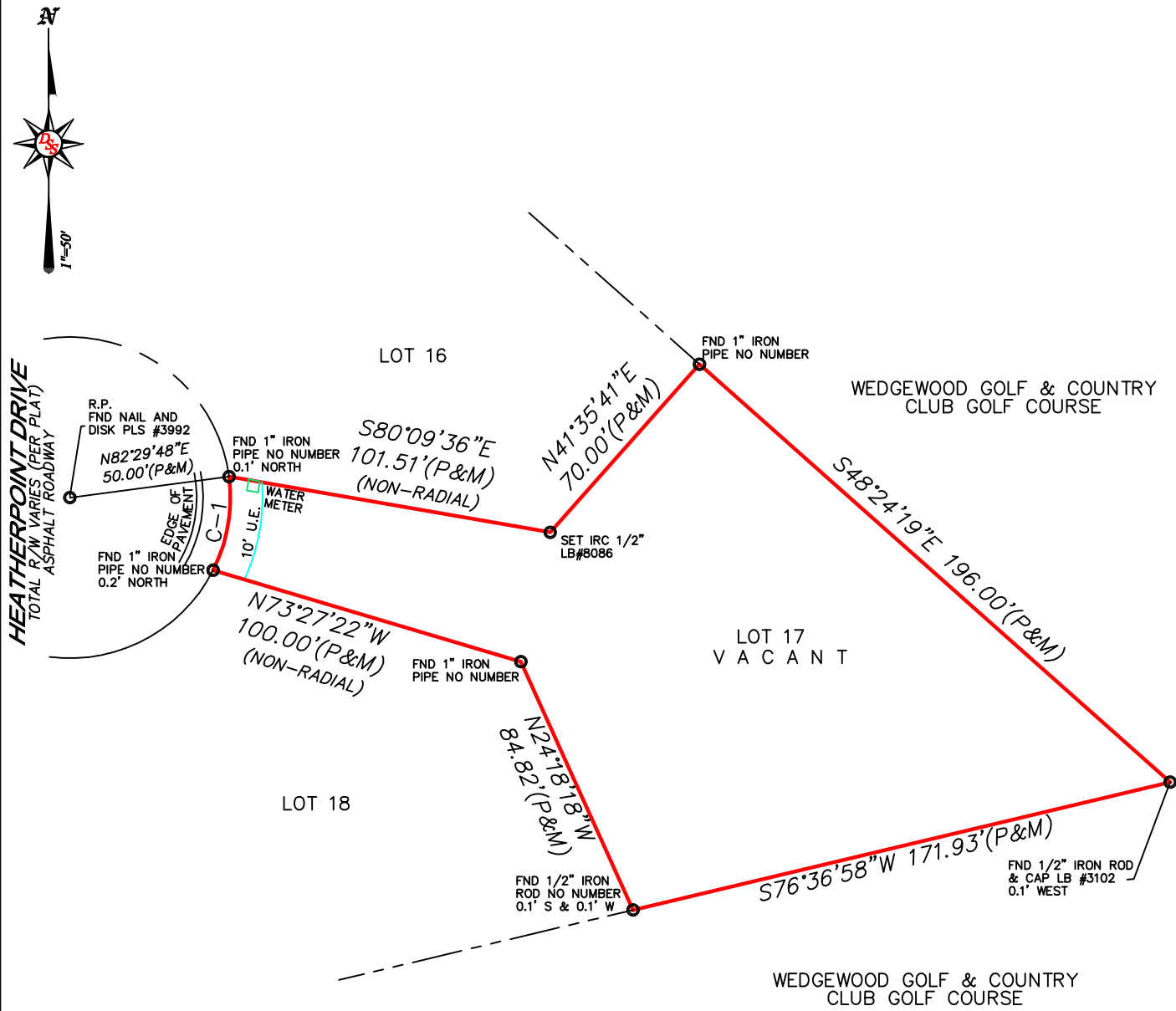
THE ARCHITECT HAS BEEN MADE IN THE PREPARATION OF THESE PLANS TO AVOID MISTAKES. THE CONTRACTOR MUST VERIFY AND BE RESPONSIBLE FOR DIMENSIONS, ELEVATIONS AND ALL CONDITIONS BEFORE CONSTRUCTION. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THESE PLANS. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONDITIONS AND SPECIFICATIONS BEFORE CONSTRUCTION. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THESE PLANS. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONDITIONS AND SPECIFICATIONS BEFORE CONSTRUCTION.

	PRELIMINARY TITLE PAGE	OF SHEETS	MYERS CUSTOM HOMES LAKELAND, FLORIDA (863) 398-9141	A CUSTOM HOME FOR: "THE BENDALL FAMILY" 208 HEATHERPOINT DRIVE LAKELAND, FLORIDA	CGC1510576
	JOB NUMBER 240419	DATE 4/19/24	SHEET 1	PRELIMINARY TITLE PAGE	PRELIMINARY TITLE PAGE

BOUNDARY SURVEY

Legal Description as furnished:

Lot 17, WEDGEWOOD LAKE ESTATES, according to the plat thereof as recorded in Plat Book 76, Pages 33 and 34, of the public records of Polk County, Florida.



C-1
 R=50.00'(P)
 L=30.00'(P)
 Δ=34°22'39"(P)
 CH=N09°40'50"E(P&M)
 C=29.55(P&M)

Legend:

	WF = WOOD FENCE
	CLF = CHAIN LINK FENCE
	VF = VINYL FENCE
	COVERED AREA
	CONCRETE
	ASPHALT
	PLAT
	MEASURED
	DEEDED
	CALCULATED
	P.O.C. = POINT OF CURVATURE
	P.O.C.C. = POINT OF COMPOUND CURVATURE
	P.R.C. = POINT OF REVERSE CURVATURE
	P.I. = POINT OF INTERSECTION
	P.T. = POINT OF TANGENCY
	C.M. = CONCRETE MONUMENT
	P.C.P. = PERMANENT CONTROL POINT
	P.O.B. = POINT OF BEGINNING
	P.O.C. = POINT OF COMMENCEMENT
	P.R.M. = PERMANENT REFERENCE MONUMENT
	I.P. = IRON PIPE
	I.R. = IRON ROD
	N&D = NAIL AND DISK
	R = CENTER LINE
	R/W = RIGHT OF WAY
	R = RADIUS
	L = ARC LENGTH
	Δ = CENTRAL ANGLE
	C = CHORD DISTANCE
	CH = CHORD BEARING
	FND = FOUND
	PG. = PAGES
	P.B. = PLAT BOOK
	D.U.E. = DRAINAGE AND UTILITY EASEMENT
	D.E. = DRAINAGE EASEMENT
	U.E. = UTILITY EASEMENT
	A/C = AIR CONDITIONER
	C/S = CONCRETE SLAB
	CONC. = CONCRETE
	P/E = POOL EQUIPMENT
	TX = TRANSFORMER
	O.R. = OFFICIAL RECORD
	LB = LICENSED BUSINESS
	O.H.L. = OVERHEAD LINES
	CATV = CABLE TV RAISER
	BLK. = BLOCK
	C.B.W. = CONCRETE BLOCK WALL
	M.B.S.L. = MINIMUM BUILDING SETBACK LINE
	A/C = AIR CONDITIONED

Property Address:
 208 Heatherpoint Drive
 Lakeland, Florida 33809

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DEEP SOUTH SURVEYING
 596 Terranova Circle
 Winter Haven, Florida 33884
 863.997.3766
 deepsouthsurveying@gmail.com
 Certificate of Authentication LB8086

I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.
 No. 4224
 Galen K. Bell, P.S.M. #4224
 06/21/2021

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Certified to/ for the exclusive use of:
 Suleiman Agway

Surveyor's Notes:
 1. The surveyor has not abstracted the land shown hereon for easements, right of way, or restrictions of record which may affect the title or use of the land. There may be additional easements and restrictions that are not shown on this survey, but may be found in the public records of this county.
 2. No underground improvements have been located except as shown.
 3. The property shown hereon appears to lie in "Zone X" an area outside of 100 year flooding, according to FIRM Map Number 12105C0302G, dated 12/22/2016. The surveyor makes no guarantees as to the above statement. Contact your local floodplain official or F.E.M.A. agent for verification.
 4. The survey shown hereon was conducted without the benefit of a current title commitment.
 5. This surveyor did not review the covenants and restrictions of the plat named in the legal description shown above.

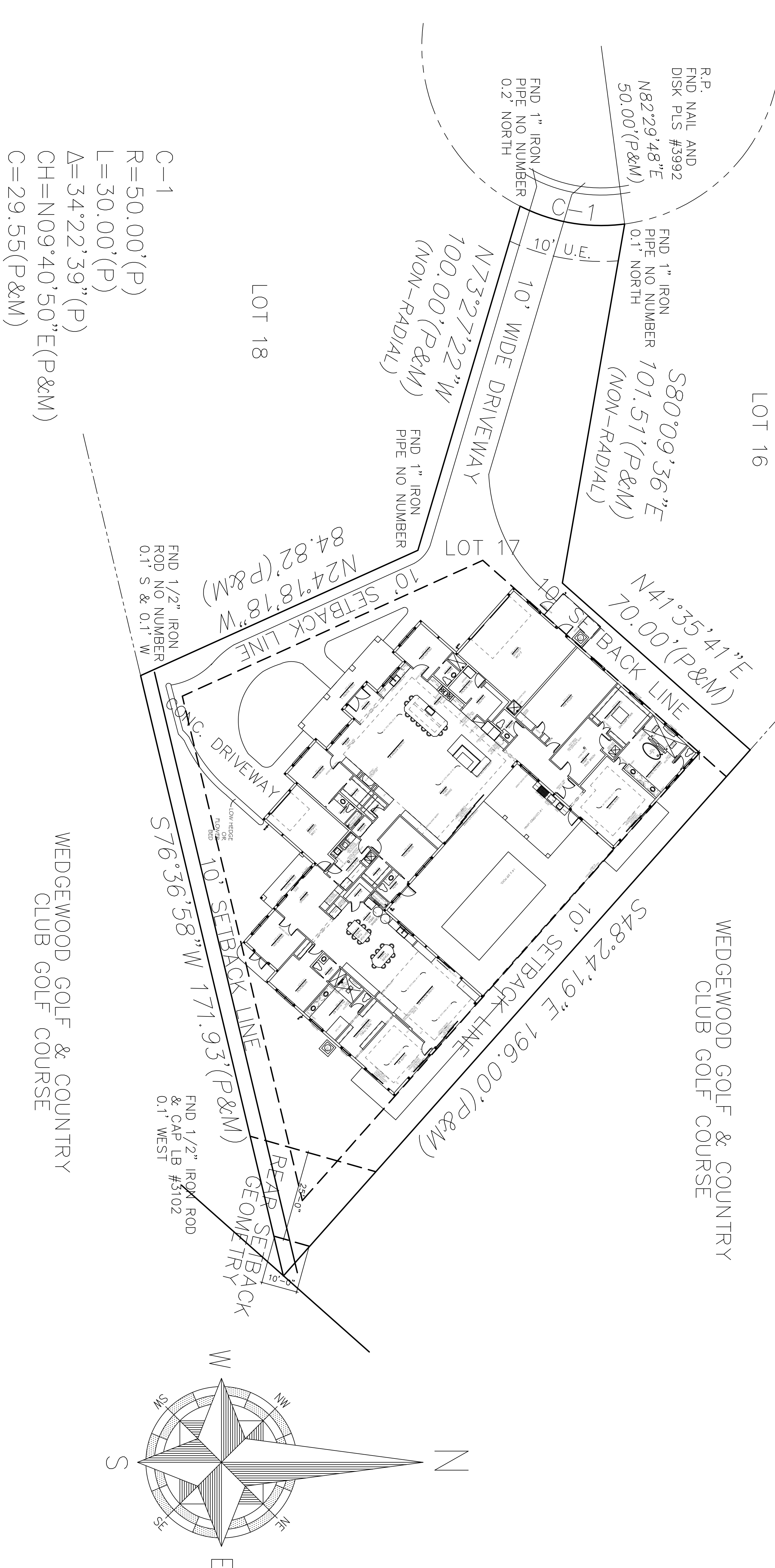
THE FLOOD DATA PROVIDED IS FOR INFORMATIONAL PURPOSES ONLY. THE SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE INFORMATION PROVIDED. THE LOCAL F.E.M.A. AGENCY SHOULD BE CONTACTED FOR VERIFICATION.

This Survey is intended for mortgage or refinance purposes only. Exclusively for use by those to whom it is certified. This Survey is not to be used for Construction, permitting, design, or any other use without the written consent of DEEP SOUTH SURVEYING, LLC. PHOTOCOPIING FORBIDDEN. COPYRIGHTED MATERIAL. ©

Basis of Bearing:
 Bearings shown hereon are based on the NORTHERLY LINE OF LOT 17, being N80°09'36"W, per plat.

SURVEY NO.: 21060002	SHEET NO.:
FIELD DATE: 06/15/2021	
REVIEWED BY: G.K.B.	1 of 1
SURVEYED BY: T.M./N.S.	
DRAWN BY: T.G.K.	

A CUSTOM HOME FOR:
"THE BENDALL FAMILY"
 208 HEATHERPOINT DRIVE
 LAKELAND, FLORIDA

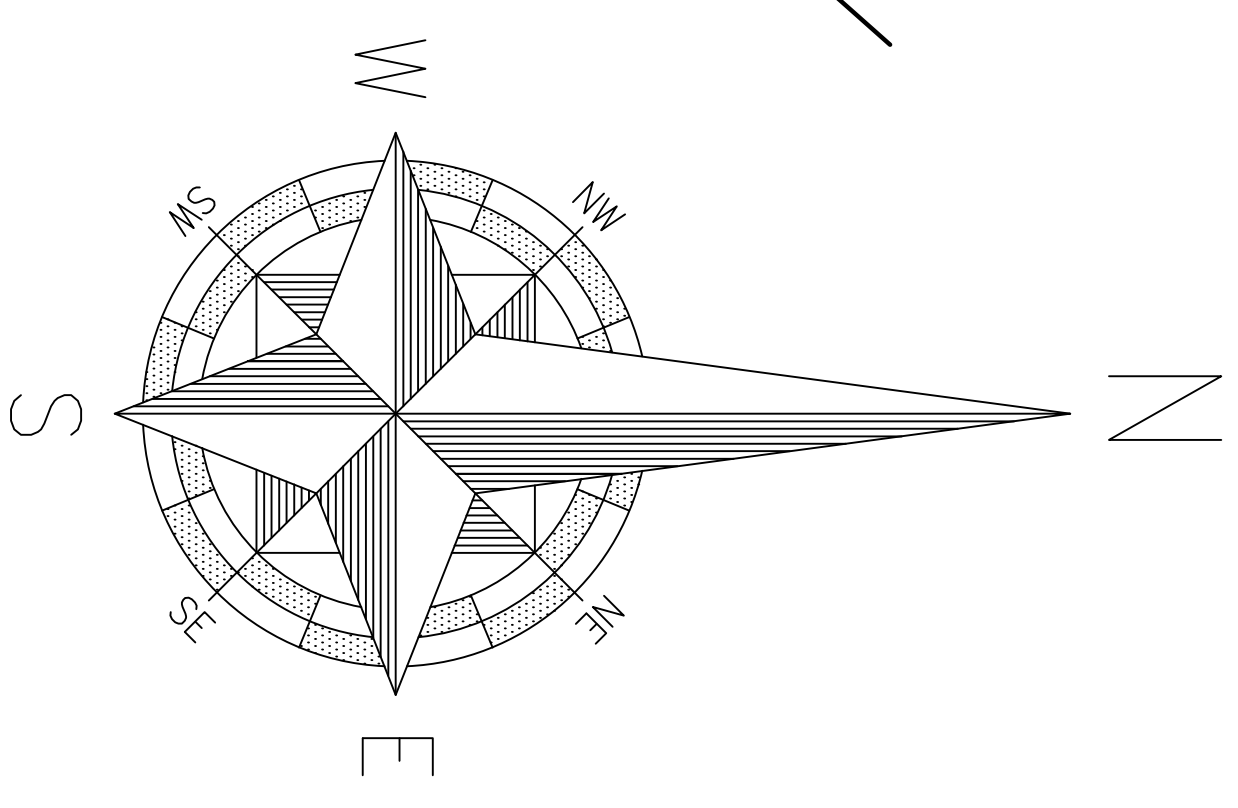


C-1
 R=50.00'(P)
 L=30.00'(P)
 $\Delta=34^{\circ}22'39''$ (P)
 CH=N09°40'50"E(P&M)
 C=29.55(P&M)

RESIDENTIAL PLOT PLAN

1/16" = 1'-0"

WEDGEWOOD GOLF & COUNTRY
 CLUB GOLF COURSE



Area Tabulations	
1ST FLOOR LIVING:	6,450 S.F.
TOTAL LIVING:	6,450 S.F.
LEFT 2-CAR GARAGE:	588 S.F.
RIGHT 1-CAR GARAGE:	280 S.F.
POOL COVERED LANAI:	336 S.F.
FRONT COVERED ENTRY #1:	286 S.F.
FRONT COVERED ENTRY #2:	77 S.F.
TOTAL AREA UNDER ROOF:	8,017 S.F.

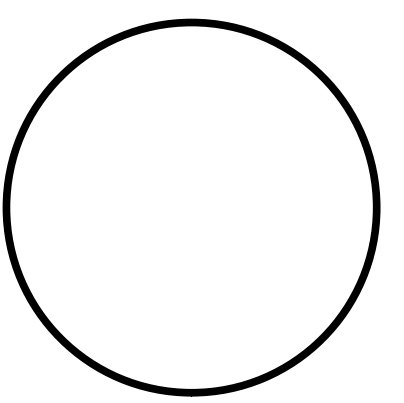
THIS DESIGN ATTENDANT HAS BEEN MADE THE PREPARATION OF THESE PLANS. TO AVOID MISUNDERSTANDING, THE CONTRACTOR MUST VERIFY AND BE RESPONSIBLE FOR DIMENSIONS, ELEVATIONS, AND ALL CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE JOB, AND DESIGN PROFESSIONALS MUST BE NOTIFIED IN WRITING OF ANY VIOLATION FROM THE DIMENSIONS, CONDITIONS AND SPECIFICATIONS APPEARING ON THESE PLANS. CONTRACTOR AND/OR SUB-CONTRACTOR TO VERIFY WITH OWNER OF CONDITIONS AND/OR RESPONSIBILITIES STATED IN THE CONTRACT, AND SHALL

A CUSTOM HOME FOR:
"THE BENDALL FAMILY"
 208 HEATHERPOINT DRIVE
 LAKELAND, FLORIDA

MYERS CUSTOM HOMES
 LAKELAND, FLORIDA
 (863) 398-9141

PLOT PLAN

JOB NUMBER	240419
DATE	4/19/24
SHEET	2
OF SHEETS	2
PLOT PLAN	





VAR24-023 208 Heatherpoint Dr

Parcel ID: 232725009221000170





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

RE: Variance Request - Project No. VAR24-023

Dear Property Owner:

This notice is to advise you that Andrew Keith Bendall requests a variance from Article 3: - Urban Form Standards, Sub-Section 3.4.5.g.1 and 2. related to entrance features of the Land Development Code. The variance would allow the construction of an 8,017 sq. ft. single-family dwelling unit on a non-conforming platted flag lot, on property located at 208 Heatherpoint Drive. The subject property is legally described as:

WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 17

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 1/7/25** 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	1/07/2025	Reviewer:	Phillip Searce	
Project No:	VAR24-023	Subject Property:	208 Heatherpoint Drive	
Owner:	Andrew Bendall			
Applicant:	Andrew Keith Bendall			
Current Zoning:	PUD (Planned Unit Development) 4773 O	Context District	Suburban Neighborhood (SNH)	
Request:	A variance from Article 3 Urban Form Standards, Sub-Section 3.5. g. 1. and 2. related to entrance features of the Land Development Code. The variance would allow the construction of an 8,017 sq. ft. single-family dwelling unit on a non-conforming platted flag lot, on property located at 208 Heatherpoint Drive.			

1.0 Background

The subject parcel is located in the Wedgewood Lake Estates Subdivision, on the south shore of Lake Gibson within the Carpenters Home PUD (Planned Unit Development) 4773 O. The 0.50-acre parcel is one of two undeveloped single-family lots within the subdivision and is a non-conforming flag lot. The subdivision was platted in 1984 prior to current subdivision standards which prohibits the creation of flag lots.

2.0 Discussion

The purpose of this request is to obtain variance relief from the entrance feature standards of Article 3 Sub-Section 3.5.g.1. and 2. The general intent of this section of the code is for the provision of clearly accessible entrance features related to the primary street as well as minimal architectural standards for residential and commercial entrance features such as stoops, porches, forecourts, and commercial shopfronts. The requirements that relate to single- and two-family entrances are listed below:

1. Entrance features shall include an operable entrance and the associated design elements as set forth herein. Entrances shall provide a clear, obvious, publicly-accessible connection between the primary street (front lot line) and the principal use(s) within the building(s).
2. Entrance features shall include an operable entrance and the associated design elements as set forth herein. Entrances shall provide a clear, obvious, publicly-accessible connection between the primary street (front lot line) and the principal use(s) within the building(s).

In the case of the subject non-conforming flag lot these policies offer few design alternatives. The lot is unusually “arrow” shaped; being wider at the front narrowing down to the rear. Therefore, the applicant’s proposed design orientates the dwelling on a sideways angle with the front of the house, including the primary entrance, facing the southwest. All other design aspects of the code and PUD (e.g. setbacks) are satisfied. The applicant is proposing 10’ side yard setbacks where the PUD standard is 7.5’ and over 50’ for the rear setback.

3.0 Recommendation

The particular hardship suffered is not the result of any action taken by the applicant as the unique shape of the non-conforming flag lot poses design challenges to meet the City’s Land Development Code Requirements. The requested relief is reasonable and proportionate to the degree of hardship resulting from the unusual parcel configuration. In addition, staff finds that the construction of the 8,017 sq. ft. dwelling unit is in character with the adjacent single-family uses and will not have any negative impacts. Provided there are no substantive objections from adjoining property owners, staff recommends that the variance be considered for approval.