



Zoning Board of Adjustments and Appeals Meeting Agenda

**December 2, 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 November meeting

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

ITEM 5: Olivera Construction Inc requests:

- I. A request for a 5' 4" variance to allow a maximum height of 17' 11" for an accessory dwelling unit, in lieu of the maximum height of 12' 6" for accessory dwelling units specified by Table 4.3-1 of the Land Development Code; and
- II. A request to allow a secondary driveway on Lake Hollingsworth Drive, in lieu of Sub-Section 4.11.4.6.d of the Land Development Code which limits single-family residential uses to no more than one (1) driveway apron/curb cut, per lot or parcel; and
- III. A request for an 84' 10" variance to allow a maximum front yard setback of 134' 10", in lieu of the 50' maximum front yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to construct a new single-family detached dwelling with an accessory dwelling unit on property located at 804 Lake Hollingsworth Drive.

Owner: Stephen Todd Baylis. (VAR25-017)

ITEM 6: Unfinished Business

ITEM 7: New Business

ITEM 8: Adjournment

The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, November 4, 2025 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.

Present were Board Members Thomas Brawner, Emily Breheny, Jiwa Farrell, Tunesia Mayweather, Adam Russell, Daniel Sharrett and Kristen Tessmer. Also present were Ramona Sirianni, Deputy City Attorney; and staff from the Community & Economic Development Department: Todd Vargo, Senior Planner; Damaris Stull, Senior Planner, Audrey McGuire, 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 6: Homeowner Benjamin J. LeFrancois requests a 2' variance to allow an 8' high fence, in lieu of the maximum fence height of 6' for residential fences specified by Figure 4.4-1 of the Land Development Code, in order to construct a new opaque fence, approximately 90 feet in length along the south (interior side) property line on property located at 2407 Jonila Avenue. (VAR25-013)

Benjamin LeFrancois, 2407 Jonila Avenue, provided an overview of the request.

Damaris Stull stated the subject property is zoned RA-1 (Single-Family Residential) and is located within the Urban Neighborhood context sub-district. The purpose of this request is to obtain variance relief which will allow for an 8' high privacy fence along the south side of the property line. Ms. Stull pointed to photos on the overhead screen of the subject property and proposed site plan. The applicant's justification for this request is related to both a need for privacy due to the existence of a pool, as well as a significant change in grade in the backyard, which slopes to the west of the property. The particular hardship suffered is not the result of any action taken by the applicant. Staff recognizes that there is a fairly significant change in grade of the property from east to west.

Ms. Stull stated staff did receive letters in support to the request from adjacent property owners.

Ms. Stull stated staff recommends approval.

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

Item 7: Esterline Construction requests a 7.5' variance to allow a building height of 20', in lieu of the maximum height of 12' 6" for accessory structures specified by Table 4.3-1 of the Land Development Code, in order to construct a new 1,348 sq. ft. two-story accessory structure on property located at 708 Frank Lloyd Wright Way. Owner: Matthew and Elizabeth Roush. (VAR25-014)

Thom Stull, Esterline Construction, provided an overview of the request.

Audrey McGuire stated the subject property is zoned RA-4 (Single-Family Residential) and is located within the Urban Neighborhood context district. The subject property is also located within the South Lake Morton Historic District. The purpose of this request is to obtain variance relief to allow for the construction of a 1,348 sq. ft. two-story detached garage with a mean roof height of 20 feet. The proposed structure has a certificate of review for approval issued by the Historic Preservation Board pending any zoning action that is necessary. Ms. McGuire pointed to photos on the overhead screen of the subject property, proposed site plan and elevations.

Ms. McGuire stated the subject property is non-conforming to the RA-4 (Single-Family Residential) zoning district as it contains a total of three dwelling units. To allow for the construction of the proposed two-story garage and any future additions to the home, prior to permitting, the degree of non-conformities on the

subject property must be reduced through alteration of the duplex to eliminate second electrical and water meters, and a conditional use must be obtained by the property owners.

Ms. McGuire stated staff did not receive any public comment in response to the request.

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

Adjourned

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

Jiwa Farrell, Chairperson

Christelle Burrola, Secretary



Variance Application

General Information:				
Project No:	VAR25-017		Application Date:	11/4/2025
Project Name:	Baylis Variances			
Subject Property Address:	804 LAKE HOLLINGSWORTH DR			
Parcel ID:	242830254000000301			
Applicant Name:	OLIVERA CONSTRUCTION INC			
Applicant Address:	PO BOX 7174	LAKELAND	FL	33813
Owner Name:	BAYLIS STEPHEN TODD			
Owner Address:	39 SHADOW LN	LAKELAND	FL	33813
Request:				
Application Type:	Variance			
Current				
Zoning:	(RA-1) Single-Family	Context:	Conservation (C), Recreation (R) ,Urban Neighborhood (UNH) ,Preservation (PCR)	
Lot Dimensions:	150 X 65	Square Footage:	6,923	
Present Use:				
Explanation of Request:	A request for a 5' 4" variance to allow a maximum height of 17' 11" for an accessory dwelling unit, in lieu of the maximum height of 12' 6" for accessory dwelling units specified by Table 4.3-1 of the Land Development Code. A request to allow a secondary driveway on Lake Hollingsworth Drive, in lieu of Sub-Section 4.11.4.6.d of the Land Development Code which limits single-family residential uses to no more than one (1) driveway apron/curb cut, per lot or parcel. A request for an 84' 10" variance to allow a maximum front yard setback of 134' 10", in lieu of the 50' maximum front yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to construct a new single-family detached dwelling with an accessory dwelling unit on property located at 804 Lake Hollingsworth Drive.			
Justification:	The zoning ordinance allows for accessory structures to be 12.5 ft high from the ground to the mean height of the roof with the mean height defined as the height between the ridge and eaves. The variance request will allow the construction style/roof pitch of the ADU to match the home currently to be built. The structures will be architecturally inconsistent with the home if the plate line and roof pitch is reduced. The owner is requesting an additional 5'-5 1/2" MOL of mean height over the zoning ordinance of 12'-6" for the ADU.Driveways: We are requesting a driveway variance to allow two separate driveways on the parcel instead of one driveway. We request the driveway variance on the following grounds:			

Our proposed site plan provides a single entrance driveway from Lake Hollingsworth (front) and a single entrance driveway from Jonila (rear). The previous home configuration (now demolished) included a circular driveway with two entrances along Lake Hollingsworth— this driveway currently remains with one of the entrances very close to the corner of Lake Hollingsworth and Jonila, creating a recognized safety concern. Our design consolidates access to one entrance on Lake Hollingsworth Drive, positioned a safe distance from the intersection. The west side of the property has a severe 25% cross-slope that begins immediately beyond our proposed retention wall. This grade makes a side-yard driveway extending from the rear driveway along Jonila impractical and unsafe. Additionally, a survey of corner lots on Lake Hollingsworth Drive —from Hollingsworth Oaks clockwise to Miramar Rd. (approximately 10 blocks in each direction)—shows that 55% of corner lots maintain two driveways. Most lots without a second driveway either feature significantly mounded front yards or are positioned too close to the roadway to accommodate additional access safely. Reducing this property to single driveway would likely require a four-car garage facing Jonila instead of a rear facing garage nicely hidden by a brick wall as currently proposed. Setback & Home Placement: We are requesting a front setback variance to allow the home to be positioned 135' from the road. We are requesting this variance based on the following grounds: The subject parcel is 1.6 acres and sits on the corner of Lake Hollingsworth Drive and Jonila Avenue. The proposed home is located consistent with the footprint of the previous home and sits farther north than the adjacent corner residence at Jonila and Lake Hollingsworth. This parcel is unusually deep—approximately 450 ft along the left property line —spanning three combined lots. Homes on Lake Hollingsworth with similar lot depths are all set back farther from the front property line like we are requesting. Parcels in the immediate vicinity of our lot are a fraction of the depth and therefore must sit closer to the road impacting the proposed front setback for our parcel. The site's topography includes a 17-foot elevation drop from rear to front. Placing the home at the suggested 55-foot setback would necessitate approximately 500 truckloads of fill to create a buildable front yard—resulting in an unnatural, mounded appearance inconsistent with the neighborhood character. Shallower lots do not face these topographic constraints. My client has also ruled out a basement due to widespread basement flooding experienced by Lake Hollingsworth properties during recent hurricanes. This is a uniquely deep and topographically challenging corner lot. The proposed driveway configuration and setback align closely with established precedents for comparable deep-lot and corner properties along Lake Hollingsworth.



Olivera

Constriction, Inc.

P. O. Box 7174 • Lakeland, FL 33807-7174
Phone: (863) 644-7844 • Fax: (863) 619-6846

This variance application includes three separate requests as follows:

1. **ADU roof height:** We are requesting a height variance to allow construction of a single-story ADU with a 12/12 roof pitch matching the proposed home to be built on the same property located at 804 Lake Hollingsworth Drive. We request the height variance on the following grounds:
 - a. The zoning ordinance allows for accessory structures to be 12.5 ft high from the ground to the mean height of the roof with the mean height defined as the height between the ridge and eaves.
 - b. The variance request will allow the construction style/roof pitch of the ADU to match the home currently to be built. The structures will be architecturally inconsistent with the home if the plate line and roof pitch is reduced.
 - c. The owner is requesting an additional 5'-5 1/2" MOL of mean height over the zoning ordinance of 12'-5" for the ADU.

2. **Driveways:** We are requesting a driveway variance to allow two separate driveways on the parcel instead of one driveway. We request the driveway variance on the following grounds:
 - a. Our proposed site plan provides a single entrance driveway from Lake Hollingsworth (front) and a single entrance driveway from Jonila (rear). The previous home configuration (now demolished) included a circular driveway with **two entrances** along Lake Hollingsworth— this driveway currently remains with one of the entrances very close to the corner of Lake Hollingsworth and Jonila, creating a recognized safety concern. Our design consolidates access to **one entrance** on Lake Hollingsworth Drive, positioned a safe distance from the intersection.
 - b. The west side of the property has a severe 25% cross-slope that begins immediately beyond our proposed retention wall. This grade makes a side-yard driveway extending from the rear driveway along Jonila impractical and unsafe.
 - c. Additionally, a survey of corner lots on Lake Hollingsworth Drive —from Hollingsworth Oaks clockwise to Miramar Rd. (approximately 10 blocks in each direction)—shows that **55% of corner lots maintain two driveways**. Most lots without a second driveway either feature significantly mounded front yards or are positioned too close to the roadway to accommodate additional access safely. Reducing this property to single driveway would likely require a four-car garage facing Jonila instead of a rear facing garage nicely hidden by a brick wall as currently proposed.

3. **Setback & Home Placement:** We are requesting a front setback variance to allow the home to be positioned 135' from the road. We are requesting this variance based on the following grounds:
 - a. The subject parcel is 1.6 acres and sits on the corner of Lake Hollingsworth Drive and Jonila Avenue.

- b. The proposed home is located consistent with the footprint of the previous home and sits farther north than the adjacent corner residence at Jonila and Lake Hollingsworth. This parcel is unusually deep—approximately **450 ft** along the left property line —spanning three combined lots. Homes on Lake Hollingsworth with similar lot depths are all set back farther from the front property line like we are requesting. Parcels in the immediate vicinity of our lot are a fraction of the depth and therefore must sit closer to the road impacting the proposed front setback for our parcel.
- c. The site's topography includes a **17-foot elevation drop** from rear to front. Placing the home at the suggested 55-foot setback would necessitate approximately **500 truckloads of fill** to create a buildable front yard—resulting in an unnatural, mounded appearance inconsistent with the neighborhood character. Shallower lots do not face these topographic constraints.
- d. My client has also ruled out a basement due to widespread basement flooding experienced by Lake Hollingsworth properties during recent hurricanes.

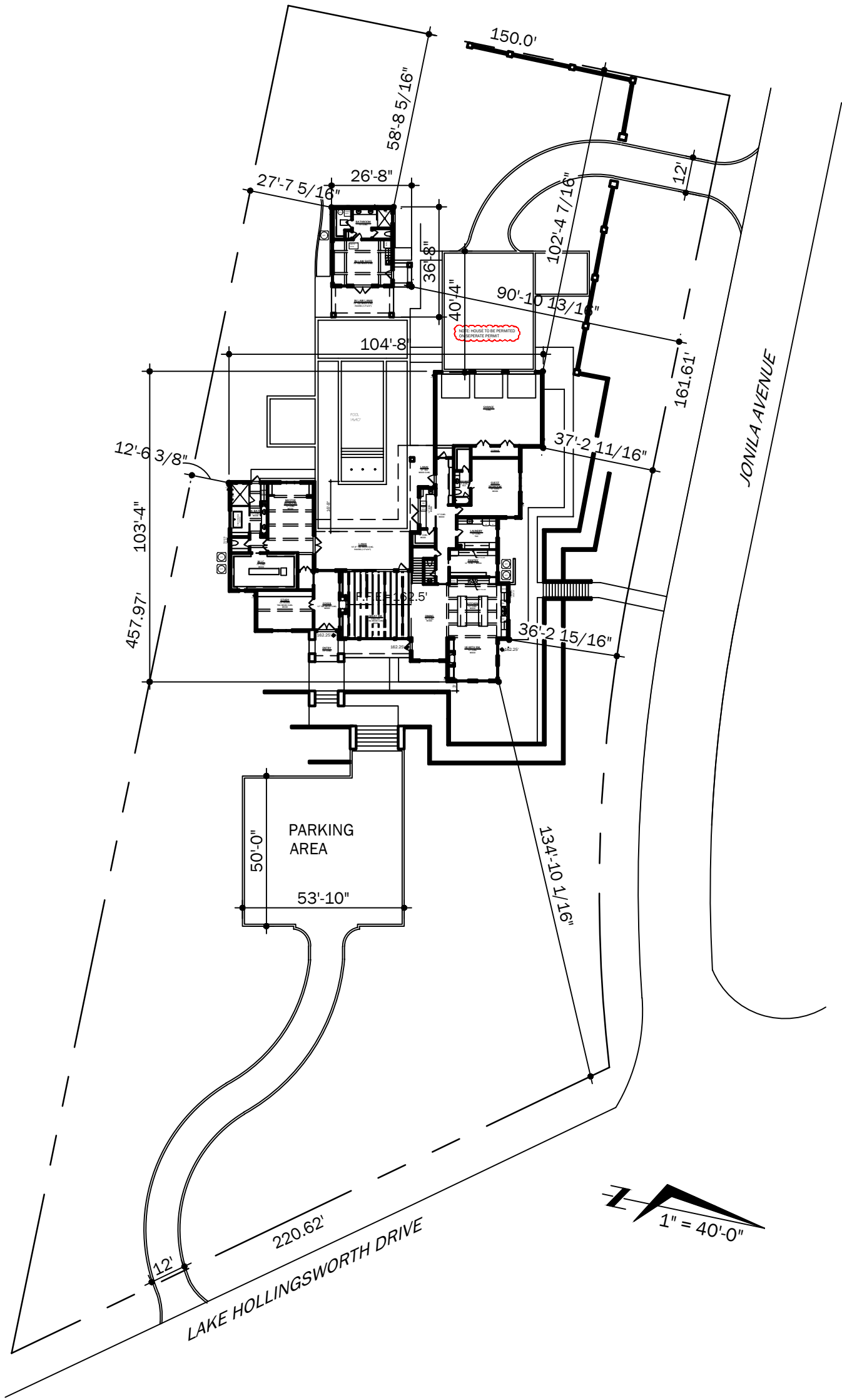
This is a uniquely deep and topographically challenging corner lot. The proposed driveway configuration and setback align closely with established precedents for comparable deep-lot and corner properties along Lake Hollingsworth.

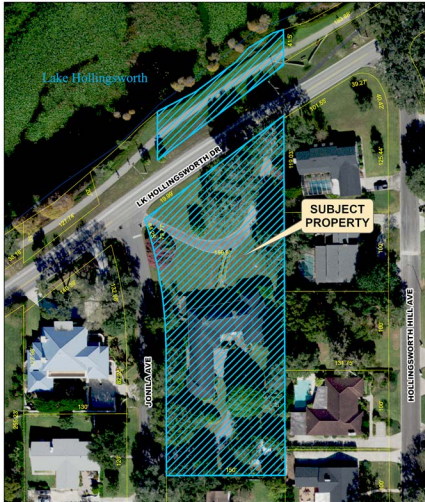
Best regards,

Phillip Olivera

President

Olivera Construction, Inc.





804 LAKE HOLLINGSWORTH DR

Parcel ID: 242830254000000301

2023 Aerial Imagery





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

UPDATED NOTICE

RE: Project No. VAR25-017 – 804 Lake Hollingsworth Drive

Dear Property Owner:

This notice is to advise you that Olivera Construction, on behalf of Stephen Todd Baylis, requests:

- I. A request for a 5' 4" variance to allow a maximum height of 17' 11" for an accessory dwelling unit, in lieu of the maximum height of 12' 6" for accessory dwelling units specified by Table 4.3-1 of the Land Development Code; and
- II. A request to allow a secondary driveway on Lake Hollingsworth Drive, in lieu of Sub-Section 4.11.4.6.d of the Land Development Code which limits single-family residential uses to no more than one (1) driveway apron/curb cut, per lot or parcel; and
- III. A request for an 84' 10" variance to allow a maximum front yard setback of 134' 10", in lieu of the 50' maximum front yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to construct a new single-family detached dwelling with an accessory dwelling unit on property located at 804 Lake Hollingsworth Drive.

The subject property is legally described as:

WATSONS G H SUB DB L PG 590 LOT 3 BEG SE COR RUN W 159.9 FT N 1405.95 FT M/L TO LAKE NELY ALONG LAKE 189.2 FT M/L TO E LINE LOT 3 S 1536.18 FT M/L TO POB LESS S 967.44 FT & LESS R/W FOR JONILA AVE & LESS R/W FOR LAKE HOLLINGSWORTH DR & TOGETHER WITH THAT PT OF LOT 3 DESC AS: COMM AT SE COR LOT 3 RUN W 159.9 FT N 1230.66 FT TO INTERSECTION WITH ELY R/W LN OF JONILA AVE FOR POB RUN NWLY ALONG CURVE OF R/W 64.25 FT TO SLY R/W LN OF LAKE HOLLINGSWORTH DR RUN NELY ALONG SAID SLY R/W LN 19.99 FT TO W LN OF E 159.9 FT OF LOT 3 RUN S 73.77 FT TO POB

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 December 2, 2025** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. Please note that a previous letter was sent for this case with the wrong hearing date. The public hearing will take place December 2, 2025. 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	December 2, 2025	Reviewer:	Damaris Stull
Project No:	VAR25-017	Subject Property:	804 Lake Hollingsworth Drive
Owner:	Stephen Todd Baylis		
Applicant:	Olivera Construction Inc		
Current Zoning:	RA-4 (Single-Family Residential)	Context District:	Preservation, Conservation, Recreation (PCR) Urban Neighborhood (UNH)
Request:	I. A request for a 5' 4" variance to allow a maximum height of 17' 11" for an accessory dwelling unit, in lieu of the maximum height of 12' 6" for accessory dwelling units specified by Table 4.3-1 of the Land Development Code; and II. A request to allow a secondary driveway on Lake Hollingsworth Drive, in lieu of Sub-Section 4.11.4.6.d of the Land Development Code which limits single-family residential uses to no more than one (1) driveway apron/curb cut, per lot or parcel; and III. A request for an 84' 10" variance to allow a maximum front yard setback of 134' 10", in lieu of the 50' maximum front yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to construct a new single-family detached dwelling with an accessory dwelling unit on property located at 804 Lake Hollingsworth Drive.		

1.0 Background

The subject property, a 1.61-acre estate size parcel within the G.H Watson Subdivision, consists of a 220.62'x 457.97' corner lot on Lake Hollingsworth Drive and Jonila Avenue.

The property previously contained a 6,923 sq. ft. single-family home, originally constructed in 1956, along with a 224 sq. ft. detached garage; both structures were demolished in September 2025. The subject property is zoned RA-1(Single-Family Residential) and located within the Urban Neighborhood context sub-district.

2.0 Discussion

The purpose of this request is to obtain variance relief from several standards of the Land Development Code to allow an increased front yard setback of 134'-10" for a new single-family home, to allow a second driveway along Lake Hollingsworth Drive, and to allow for the construction of an accessory dwelling unit with a maximum mean roof height of 17'11" within the rear yard of the subject property.

The subject property is a 220.62-foot-wide parcel created from a portion of Lot 3 within the G.H Watson Subdivision recorded in 1883. This subdivision was originally comprised of 5 lots, with Lot 3 measuring approximately 10.8 acres in area. Over time, Lot 3 was subdivided to allow for the creation of Jonila Avenue and additional parcels but was never replatted. In the RA-1/UNH sub-district, the maximum lot width is 150 ft. and the maximum lot area is 22,500 sq. ft. The subject property is approximately 220.62 ft. in width and 457.97 ft. in depth which exceeds the current standard lot size. The subject property naturally slopes to the north toward Lake Hollingsworth, with a 17-foot elevation change from the rear (south) to the front (north) property lines. In the RA-1/UNH sub-district, the maximum front yard setback is 50 feet and the average front setback on Lake Hollingsworth Drive is 55 feet. The applicant is proposing a 134'-10" front setback, in lieu of the maximum front setback of 50 feet, due to the elevation change at the front of the property, to allow the new home to be

built to the same setback as the previous home.

The Land Development Code limits single-family homes to one curb-cut per property, except in the case of circular driveways and properties with access to an alley. The previous home on the property had both a circular driveway on Lake Hollingsworth Drive and a standard driveway on Jonila Avenue, totaling three curb cut and two driveways. Although the structures on the property were demolished in September 2025, both driveways remain today. The applicant is proposing to maintain a curb cut on Jonila Avenue to allow a driveway at the rear of the property which leads to the garage. This access will be gated.

One of the curb-cuts for the existing circular driveway connects at the intersection and is a safety concern. The applicant is proposing to remove this curb cut, thereby reducing the number of existing curb cuts from three to two. Given the distance of the front of the home from Lake Hollingsworth Drive due to the topography and its distance from the driveway at the rear, the applicant is also requesting to maintain one of the curb cuts on Lake Hollingsworth Drive to allow for a driveway at the front of the property which will end at a courtyard and function similar to a circular driveway.

The proposed 551 sq. ft. accessory dwelling unit will be located in the rear yard, set back 58 ft. from the rear property line and 27 ft. from the interior side property line, exceeding the required 5 ft setback in the Land Development Code. The structure will have a mean roof of 17'11" and a roof pitch that is architecturally compatible with the roofline of the proposed single-family home. The standard accessory dwelling unit requirements do not account for circumstances where additional height may be appropriate due to the height and scale of the proposed home and lot size. By right, the property owner could construct a two story, garage apartment with a maximum mean height of 24 ft without a need for a variance.

3.0 Recommendation

The requested relief is reasonable and would not be contrary to the public interest. The subject property is somewhat unique give the large lot size and character of the surrounding neighborhood. Staff recognizes that there is a fairly significant change in grade of the property from south to north on the parcel, additionally, the proposed requests appear to be compatible in terms of scale and character with other estate lots. Provided there are no substantive objections from adjoining property owners, staff has no objections to granting the variance.