



# Zoning Board of Adjustments and Appeals Meeting Agenda

**April 7, 2026 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

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**ITEM 2:** Roll Call

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**ITEM 3:** Approval of minutes from the March meeting

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

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**ITEM 5: Marlon Lynn Architect, P.A requests** a 1' 4" variance to allow an interior side yard setback of 5' 8", in lieu of the 7' minimum interior side yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to allow for an addition in the side yard of an existing single-family home on property located at 418 Miramar Road. Owner: Laura Capioppo. (VAR26-002)

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**ITEM 6: Homeowner Walter Sucharski requests** a 3' variance to allow a rear yard setback of 7', in lieu of the 10' minimum rear yard setback for principal structures specified by the PUD (Planned Unit Development) Zoning for Highland Fairways, in order to construct a hard-roofed screen room on property located at 3397 Highland Fairways Boulevard. (VAR26-003)

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**ITEM 7: Homeowner Sara Olson requests** a 3' variance, to allow a rear yard setback of 0', in lieu of the 3' minimum rear yard setback for fences and walls when located adjacent to the right-of-way of an improved alley as specified by Figure 4.4-1 of the Land Development Code, to allow for the placement of a new wood fence along the rear property line on property located at 733 S. Rushing Avenue. (VAR26-004)

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**ITEM 8: Homeowner William Noah requests** a variance to receive an exemption from Sub-Section 4.11.4.6.a of the Land Development Code, which specifies that driveways located in front yards shall terminate only in front of a garage, within a carport, or within the interior side yard of the principal structure, to allow for the construction of a new 10-foot-wide driveway in the front yard, which terminates in front of the principal structure, on property located at 1137 Dorothy Street. (VAR26-005)

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**ITEM 9:** Unfinished Business

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**ITEM 10:** New Business

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**ITEM 11:** Adjournment

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**The Zoning Board of Adjustments and Appeals met in Regular Session on Tuesday, March 3, 2026 in the City Commission Chamber at Lakeland City Hall 228 South Massachusetts Avenue.**

Present were Board Members Thomas Brawner, Emily Breheny, Jiwa Farrell, Werner Fomin, 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; Johnathan (JP) Sims, 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: Thomas Werner requests:**

- I. A 3.5' variance to allow a 6.5' setback from the interior side property line, in lieu of the 10' minimum setback for pools and spas specified by Table 4.3-3 of the Land Development Code; to allow for the construction of an in-ground swimming pool and
- II. A 0.7' variance to allow a 9.3' setback from the interior side property line, in lieu of the 10' minimum setback for pools and spas specified by Table 4.3-3 of the Land Development Code, to allow for the construction on an in-ground hot tub/spa on property located at 310 Eunice Road.VAR25-018)

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Justin Miller, 310 Eunice Road, provided an overview of the request.

Johnathan (JP) Sims stated the subject property consists of an unusually shaped lot. This particular hardship suffered by the applicant is related to the width of the parcel in the rear yard. Per the site plan provided by applicant, the water's edge for the pool will be 6.5 feet from the property line, and the water's edge for the spa will be 9.3 feet. Mr. Sims pointed to photos on the overhead screen of the subject property. Mr. Sims stated this particular hardship suffered by the applicant is related to the width of the parcel in the rear yard.

In response to Jiwa Farrell, Mr. Sims stated staff recommends approval.

In response to Thomas Brawner, Mr. Sims stated staff did not receive public comment in response to the request.

**Thomas Brawner made a motion to approve staff's recommendation. Daniel Sharrett seconded the motion, and it passed 6—0.**

**Adjourned**

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The meeting was adjourned at 9:13 a.m.

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**Jiwa Farrell, Chairperson**

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**Christelle Burrola, Secretary**



# Variance Application

## General Information:

<b>Project No:</b>	VAR26-002	<b>Application Date:</b>	2/4/2026		
<b>Project Name:</b>	418 Miramar Residential Setback Variance				
<b>Subject Property Address:</b>	418 MIRAMAR RD				
<b>Parcel ID:</b>	242830259000001171				
<b>Applicant Name:</b>					
<b>Applicant Address:</b>					
<b>Owner Name:</b>	CAPIOPPO LAURA				
<b>Owner Address:</b>	418 MIRAMAR RD	LAKELAND	FL	33803	

## Request:

<b>Application Type:</b>	Variance	
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## Current

<b>Zoning:</b>	RA-1 (Single Family)	<b>Context:</b>	Urban Neighborhood (UNH)
<b>Lot Dimensions:</b>	60 x 106	<b>Square Footage:</b>	4,792

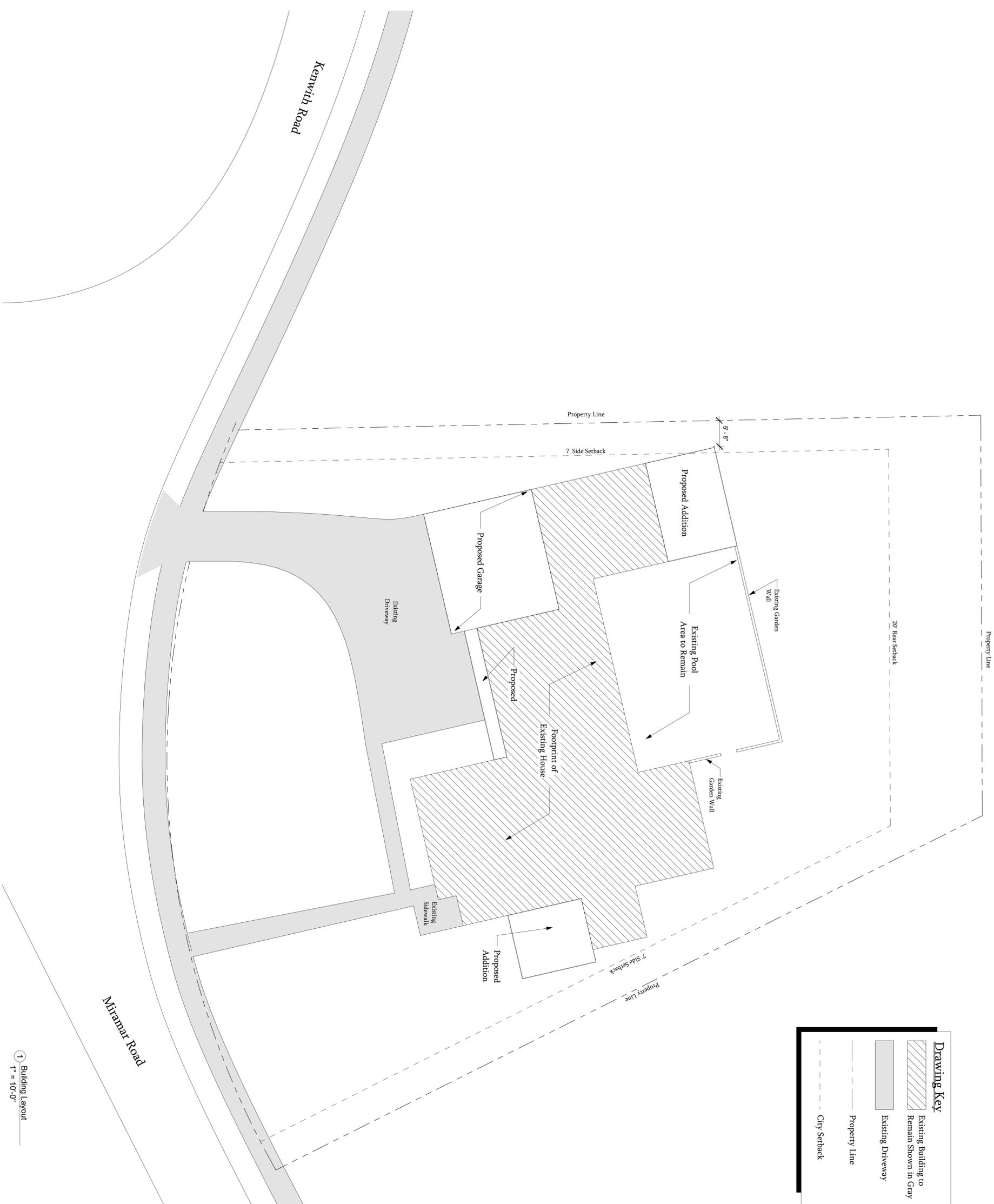
<b>Present Use:</b>	
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<b>Explanation of Request:</b>	Request for variance on side setback to allow for residential addition and home remodel project.
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<b>Justification:</b>	A small corner of the proposed addition on the west end of the property extends into the 7 foot side setback due to the irregular lot shape and desire to align the extension with the existing exterior walls and existing garden wall.
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**Drawing Key**

	Existing Building to Remain Shown in Gray
	Existing Driveway
	Property Line
	City Setback



1 Building Layout  
1" = 10'-0"

418 Miramar Rd  
Lakeland, FL 33803



**Marlon Lynn**  
Architect, P.A.  
A A 2 6 0 0 1 4 7 7

212 East Pine Street  
Lakeland, FL 33801  
P. 863.802.5966  
marlon@marlonlynn.com  
https://marlonlynn.com/



This item has been electronically signed and sealed by Marlon D. Lynn using a digital signature. Documents are not considered sealed and sealed and the signatures must be verified on any electronic copies.

Project number	25017	
Date	06/09/2025	
No.	Description	Date

**Building Layout Sheet**

G2.11

MAXWELL STE

LK HOLLINGSWORTH DR

SUBJECT  
PROPERTY

KENWITH RD

MIRAMAR RD



VAR26-002 - 418 Miramar Rd  
Parcel ID: 242830259000001171





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

RE: Project No. VAR26-002 – 418 Miramar Road

Dear Property Owner:

This notice is to advise you that Marlon Lynn Architect, P.A. requests a 1' 4" variance to allow an interior side yard setback of 5' 8", in lieu of the 7' minimum interior side yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to allow for an addition in the side yard of an existing single-family home on property located at 418 Miramar Road. The subject property is legally described as:

KENWITH COURT PB 7 PG 36 BLK A LOT A LESS BEG 27.14 FT E OF NW COR CONT  
E 44.76 FT S 60 DEG 43 MIN 25 SEC W 40 FT N 26 DEG 44 MIN 45 SEC W 21.19 FT TO  
POB & B E 60 FT

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 April 7, 2026** 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](mailto:planning@lakelandgov.net), prior to the meeting date.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	April 7, 2026	Reviewer:	JP Sims
Project No:	VAR26-002	Subject Property:	418 Miramar Road
Owner:	Laura Capioppo		
Applicant:	Marlon Lynn Architect, P.A.		
Current Zoning:	RA-1 (Single-Family Residential)	Context District	Urban Neighborhood (UNH)
Request:	A 1' 4" variance to allow an interior side yard setback of 5' 8", in lieu of the 7' minimum interior side yard setback for principal structures specified by Table 3.4-1 of the Land Development Code, to allow for an addition in the side yard of an existing single-family home on property located at 418 Miramar Road.		

## 1.0 Background

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The subject property consists of an unusually shaped lot in the Kenwith Court subdivision which was originally platted in 1924. On the site there is an existing 4,792 square foot, single-family detached home that was built in 1925 according to the Polk County Property Appraiser. The subject property is presently zoned RA-1 (Single-Family Residential) and located within the Urban Neighborhood (UNH) context sub-district.

## 2.0 Discussion

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The purpose of this request is to obtain variance relief which will allow for the construction of an addition to the existing primary structure on the northwest corner. Normally, there would need to be a 7' minimum interior side yard setback for principal structures.

The lots in this subdivision, particularly Lots A and B where the house is located, are oddly shaped. The parcel, as it is now, has been modified from the original plat to combine 2 lots into 1. Because of this, the property lines and orientation of the home are skewed, due to no fault of the property owner.

This particular hardship suffered by the applicant is related to the width of the rear yard as opposed to the front. Due to the odd shape of the property and orientation of the home, the addition to the primary structure slightly encroaches into the designated setback area. In the RA-1 zoning and UNH context district, primary structures must be set 7' back from the interior side yard. With this addition, the primary structure will only be 5' 8" away from the interior side yard setback.

## 3.0 Recommendation

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The hardship suffered is not the result of any action taken by the applicant. Lots where the front yard is wider than the rear yard are not uncommon when the original platted lot lines have been reconfigured. When a property becomes narrower towards the rear, it can make expansions in the side yard difficult without a variance. The requested relief is reasonable and proportionate to the degree of hardship suffered by the applicant. The amount of relief requested is the minimal amount necessary to accommodate the construction of the addition. Due to a lack of viable alternatives and the minimal impact on adjacent properties, staff recommends that the request be considered for approval.



# Variance Application

## General Information:

<b>Project No:</b>	VAR26-003	<b>Application Date:</b>	2/24/2026		
<b>Project Name:</b>	Screen Room				
<b>Subject Property Address:</b>	3397 HIGHLAND FAIRWAYS BLVD				
<b>Parcel ID:</b>	232734013003004190				
<b>Applicant Name:</b>	Walter Sucharski				
<b>Applicant Address:</b>	3397 Highland Fairways Blvd.	Lakeland	FL	33810	
<b>Owner Name:</b>	WALTER SUCHARSKI				
<b>Owner Address:</b>	3397 HIGHLAND FAIRWAYS BLVD	LAKELAND	FL	33810	

## Request:

<b>Application Type:</b>	<b>Variance</b>	
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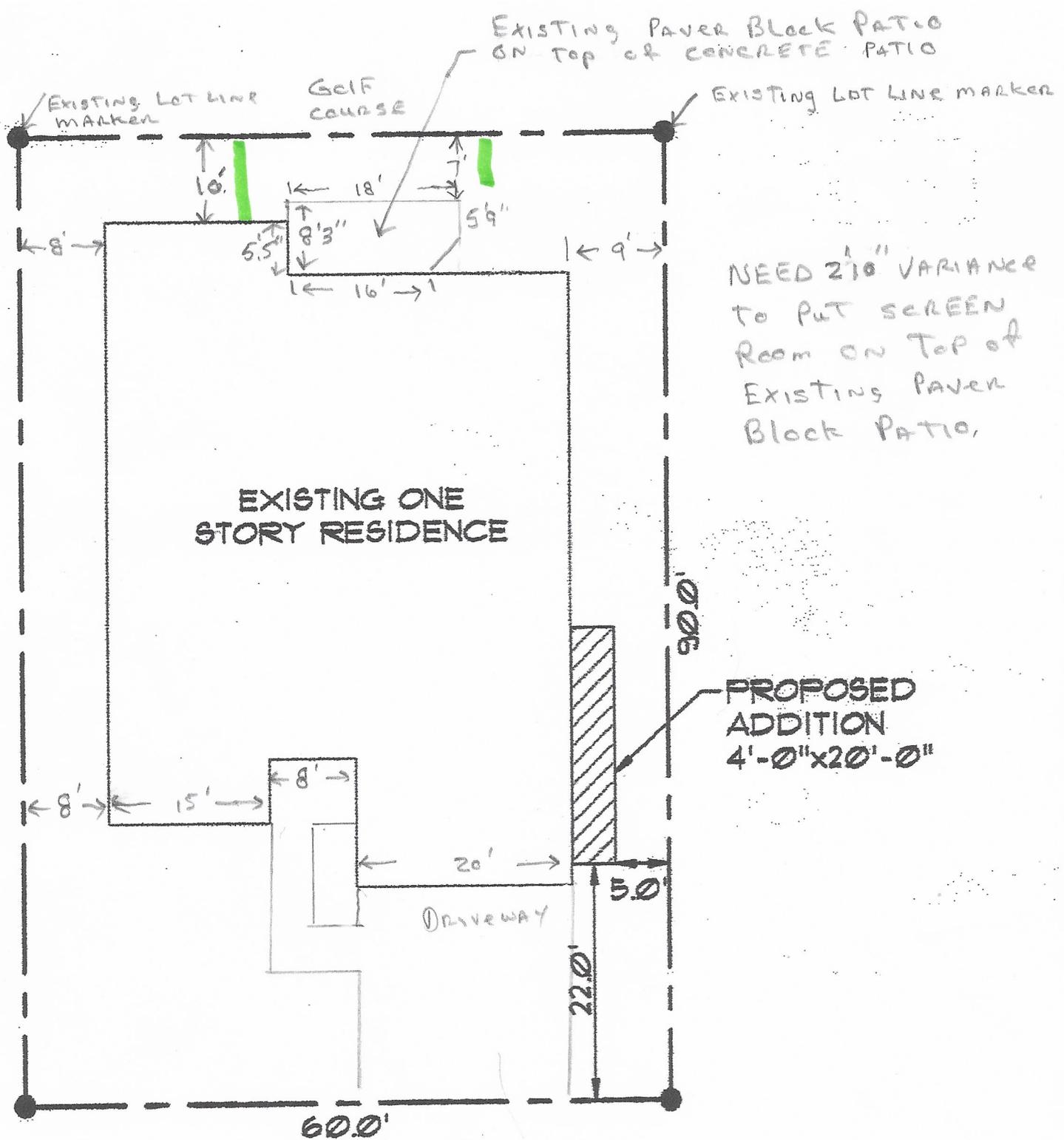
### Current

<b>Zoning:</b>	(PUD) 5917 Planned Unit Development	<b>Context:</b>	Suburban Neighborhood (SNH)
<b>Lot Dimensions:</b>	60 x 90	<b>Square Footage:</b>	1,664

<b>Present Use:</b>	
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<b>Explanation of Request:</b>	Putting screen room over current rear paver block patio. All paver blocks are on top of concrete slab. Patio faces golf course. Edge of patio is currently 3 ft. out of bounds from rear set-back. Would like a variance to allow me to construct a screen room over block patio. There are no structures near set-back, since it on the golf course. Thank You
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<b>Justification:</b>	I always wanted a screen room off the back of the house. If I can't get a variance, the room would be too small, and it would not be worth it to build it. Thank You for your consideration.
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228 S MASSACHUSETTS AVE  
LAKELAND, FLORIDA 33801  
PLANNING@LAKELANDGOV.NET

RE: Project No. VAR26-003 – 3397 Highland Fairways Boulevard

Dear Property Owner:

This notice is to advise you that Walter Sucharski requests a 3' variance to allow a rear yard setback of 7', in lieu of the 10' minimum rear yard setback for principal structures specified by the PUD (Planned Unit Development) Zoning for Highland Fairways, in order to construct a hard-roofed screen room on property located at 3397 Highland Fairways Boulevard. The subject property is legally described as:

HIGHLAND FAIRWAYS PHASE THREE-B PB 90 PGS 5 & 6 LOT 419 & INT IN COMMON AREAS

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 April 7, 2026** 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](mailto:planning@lakelandgov.net), prior to the meeting date.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	April 7, 2026	Reviewer:	Todd Vargo
Project No:	VAR26-003	Subject Property:	3397 Highland Fairways Boulevard
Owner:	Walter Sucharski		
Applicant:	Walter Sucharski		
Current Zoning:	PUD (Planned Unit Development) 5917	Context District	Suburban Neighborhood (SNH)
Request:	A 3' variance to allow a rear yard setback of 7', in lieu of the 10' minimum rear yard setback for principal structures specified by the PUD (Planned Unit Development) Zoning for Highland Fairways, in order to construct a hard-roofed screen room on property located at 3397 Highland Fairways Boulevard.		

## 1.0 Background

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The subject property consists of a lot, approximately 60' wide x 90' deep, with an existing 2,344 sq. ft. single-family detached home that was built in 1992 according to the Polk County Property Appraiser. The subject property is presently zoned PUD (Planned Unit Development) and located within the Suburban Neighborhood (SNH) context sub-district.

## 2.0 Discussion

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The purpose of this request is to obtain variance relief which will allow for the construction of a new screen room with a hard roof on an existing slab along the rear of the house. Screen rooms are common additions on homes in Florida, and the rear yard area is the logical location for such an improvement. Lots in the Highland Fairways subdivision however, are relatively shallow in depth.

The particular hardship suffered by the applicant is related to the depth of the subject lot, which is only 90 feet deep, allowing for very little backyard space. In the past, variances for screen rooms were granted by the Board when a property backs up to the golf course

Measured from the nearest point, the existing single-family home is located approximately 10 feet from the rear property line. When constructed, the screen room will be setback a minimum of 7 feet from the rear property line. To the rear, the property abuts the Highland Fairways Golf Course. As such, impacts on adjacent properties will be minimal, if any.

## 3.0 Recommendation

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The hardship suffered is not the result of any action taken by the applicant. The lots in Highland Fairways were platted as 90' deep lots, which could be considered shallow with a 2,344 sq ft dwelling is placed on such a lot. The PUID was approved with 15' front setbacks and 10' rear setbacks. The subject property abuts a golf course to the rear. As such, any impacts on adjacent lots would be minimal, if any, and the requested relief would not be contrary to the public interest. The requested relief is reasonable and proportionate to the degree of hardship suffered by the applicant. The amount of relief requested is the minimal amount necessary to accommodate the proposed screen room enclosure. Due to a lack of viable alternatives and the minimal impact on adjacent properties, staff recommends that the request be considered for approval.



# Variance Application

## General Information:

<b>Project No:</b>	VAR26-004	<b>Application Date:</b>	2/26/2026		
<b>Project Name:</b>	Variance for Fence - 733 S. Rushing Avenue				
<b>Subject Property Address:</b>	733 RUSHING AVE S				
<b>Parcel ID:</b>	242819229000002130				
<b>Applicant Name:</b>	Sara Olson				
<b>Applicant Address:</b>	733 S. Rushing Avenue	Lakeland	FL	33801	
<b>Owner Name:</b>	Sara Lynn Olson				
<b>Owner Address:</b>	733 S RUSHING AVE	LAKELAND	FL	33801	

## Request:

<b>Application Type:</b>	<b>Variance</b>	
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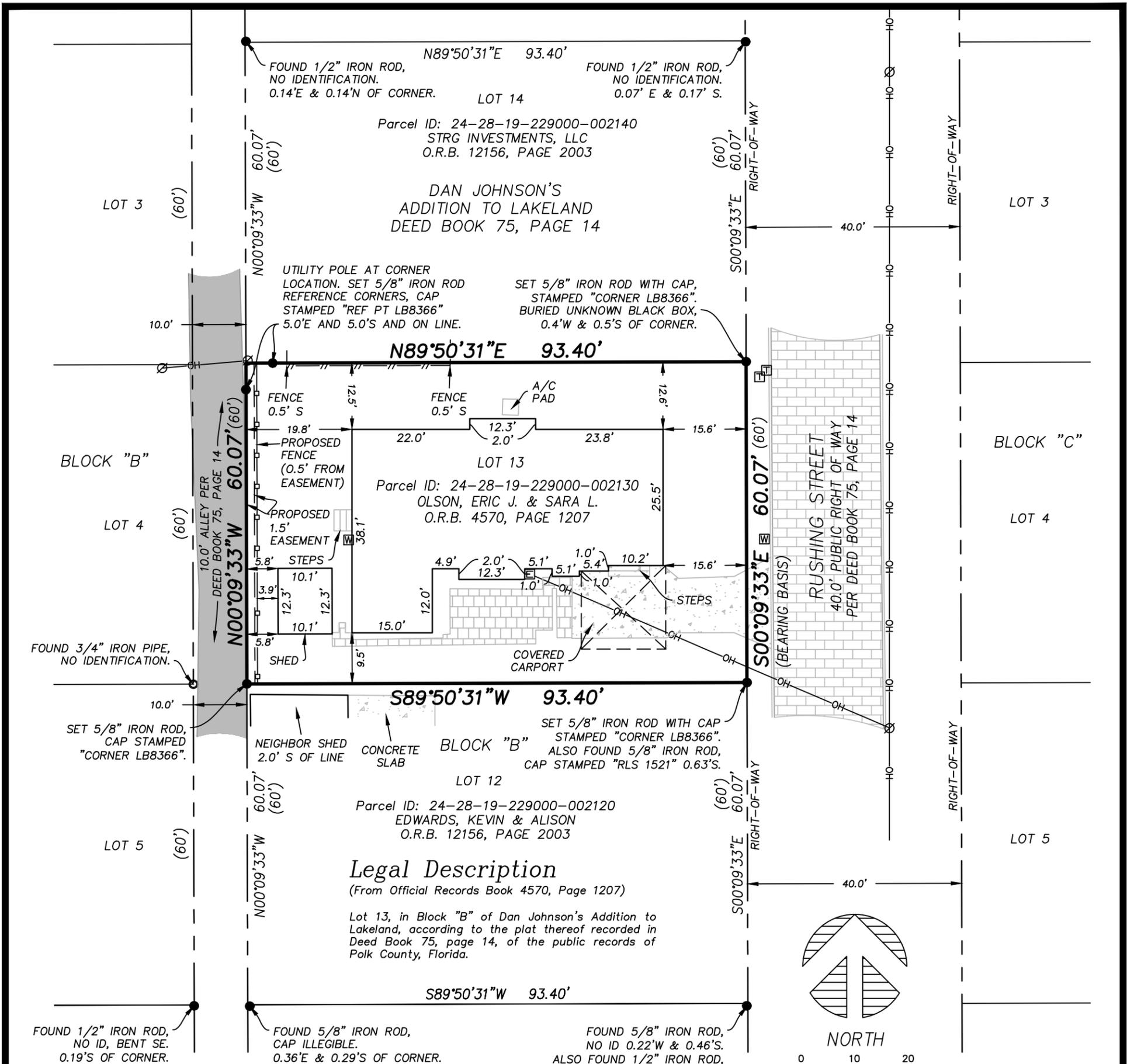
## Current

<b>Zoning:</b>	(RA-4) Single Family	<b>Context:</b>	Urban Neighborhood (UNH)
<b>Lot Dimensions:</b>	60 x 93	<b>Square Footage:</b>	1,974

<b>Present Use:</b>	
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<b>Explanation of Request:</b>	Requesting a variance to install a wooden fence within the three-foot set back requirement.
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<b>Justification:</b>	My shed is located near the three-foot setback requirement. Having a fence near this permanent shed structure will make it difficult to maintain and/or repair the shed. Please note this alley does not have sanitation services.
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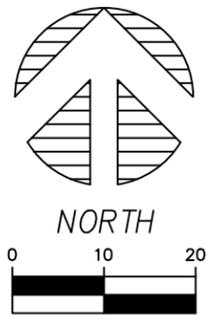


**Legal Description**  
(From Official Records Book 4570, Page 1207)

Lot 13, in Block "B" of Dan Johnson's Addition to Lakeland, according to the plat thereof recorded in Deed Book 75, page 14, of the public records of Polk County, Florida.

**Surveyor's Notes:**

- North and the bearings shown hereon are referenced to the West Zone of the Florida State Plane Coordinate System, North American Datum of 1983 (NAD'83) 2011 adjustment. The bearing of South 00°09'33" East along the West Right of Way line of Rushing Street as shown hereon is held as reference for all bearings. All measurements are in U.S. Survey Feet.
- The legal description shown hereon was taken from the current deed of record for the subject parcel as found in the Public Records of Polk County, Florida in Official Records Book 4570, Page 1207.  
The subject parcel contains 0.13 acre as field surveyed.
- This survey was completed without the benefit of a Title Commitment. There may be additional encumbrances affecting the subject parcel appearing in the Public Records that are not shown on this survey.
- The subject parcel falls in Flood Zone "X" - Area of Minimal Flood Hazard according to the Federal Emergency Management Agency - Flood Insurance Rate Map Number 12105C0315G with an effective date of December 22, 2016.
- Underground utilities were not located as part of this survey. Indicators of underground utilities (valves, risers, vaults, markers) have been located as shown from above ground visible features. No investigation was made as to how these surveyed features are connected below the surface.
- The adjoining parcel information was obtained from the Polk County Property Appraiser website.
- Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- This map is intended to be displayed at a scale of 1" = 20'.
- Property address: 733 S. Rushing Avenue, Lakeland, Florida 33801.



**LEGEND**

- SET 5/8" STEEL ROD  
CAP STAMPED "LB 8366"  
(UNLESS NOTED OTHERWISE)
- FOUND IRON PIPE (AS NOTED)
- A/C AIR CONDITIONER
- ID IDENTIFICATION
- O.R.B. OFFICIAL RECORDS BOOK
- ⊞ ELECTRIC METER
- ⊞ TELECOMMUNICATIONS RISER/VULT
- ⊘ UTILITY POLE
- ⊞ WATER METER/VALVE
- ▭ ASPHALT
- ▭ CONCRETE
- OH— OVERHEAD WIRES
- //— 6' WOOD PRIVACY FENCE



*Justin B. Harris*  
JUSTIN B. HARRIS, PSM  
FLORIDA SURVEYOR LICENSE No. LS 6812  
X-TERRA SURVEYING AND MAPPING, LLC

February 11, 2026  
SURVEY DATE

**BOUNDARY SURVEY**

LOCATED IN SECTION 19,  
TOWNSHIP 28 SOUTH, RANGE 24 EAST  
POLK COUNTY, FLORIDA  
PREPARED FOR: Sara Olson

**X-TERRA** 1255 SCOTTSLAND DRIVE  
LAKELAND, FL 33813  
(863)777-2355  
FLORIDA LICENSED SURVEY  
BUSINESS No. 8366  
**Surveying and Mapping**

Sheet No. 1 of 1	Project No.: 20251222-02	Horiz. Scale: 1"=20'	Drawing Name: 20251222-02-OLSON -PROPOSED
Drawn by: BAC	Drawing No.: SD-26-001	Issue Date: March 20, 2026	

NOT VALID WITHOUT  
THE ORIGINAL  
SIGNATURE AND THE  
RAISED SEAL OR THE  
ELECTRONIC  
SIGNATURE AND  
COMPUTER  
GENERATED SEAL OF  
A FLORIDA LICENSED  
SURVEYOR AND  
MAPPER



**SOUTH LAKE MORTON SPI**

**SUBJECT  
PROPERTY**

**COLLEGE AVE**

**RUSHING AVE S**



VAR26-004 - 733 S Rushing Ave  
Parcel ID: 242819229000002130



South Lake Morton SPI





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

RE: Project No. VAR26-004 – 733 S. Rushing Avenue

Dear Property Owner:

This notice is to advise you that Sara Olson requests a 3' variance, to allow a rear yard setback of 0', in lieu of the 3' minimum rear yard setback for fences and walls when located adjacent to the right-of-way of an improved alley as specified by Figure 4.4-1 of the Land Development Code, to allow for the placement of a new wood fence along the rear property line on property located at 733 S. Rushing Avenue. The subject property is legally described as:

JOHNSONS DAN ADD DB 75 PG 14 BLK B LOT 13

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 April 7, 2026** 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](mailto:planning@lakelandgov.net), prior to the meeting date.

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# Community and Economic Development Staff Recommendation for ZBAA

ZBAA Hearing	April 7, 2026	Reviewer:	Audrey McGuire
Project No:	VAR26-004	Subject Property:	733 S. Rushing Avenue
Owner:	Sara Lynn Olson		
Applicant:	Sara Olson		
Current Zoning:	RA-4 (Single-Family Residential)	Context District	Urban Neighborhood (UNH)
Request:	A 3' variance, to allow a rear yard setback of 0', in lieu of the 3' minimum rear yard setback for fences and walls when located adjacent to the right-of-way of an improved alley as specified by Figure 4.4-1 of the Land Development Code, to allow for the placement of a new wood fence along the rear property line on property located at 733 S. Rushing Avenue.		

## 1.0 Background

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Located in the South Lake Morton Historic District, the subject property is a 60' x 93.4' (5,658 sq. ft.) lot platted as part of the Park Hill Replat in 1912 (Plat Book 1C, Pg. 103). The subject property is located on the west side of S. Rushing Avenue, between E. Palmetto and Cumberland Streets. The subject property contains a 1,974 sq. ft. single-family home built in 1926 and a 120 sq. ft. shed.

## 2.0 Discussion

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The purpose of this request is to obtain variance relief to allow for a six-foot high privacy fence along the rear property line adjacent to an improved alley. The applicant's primary justification for this request is related to the need to adequately maintain and repair the existing shed on the property, which is setback 5.9' from the rear property line.

Generally, fences along improved alleys are set back at least three feet from the alley to ensure solid waste and recycling collection trucks can navigate the alley and provide service. The improved north-south alley adjacent to the subject property terminates on each end at an east-west alley. While the alley is active for access by residents, due to the configuration, solid waste and recycling collection trucks do not provide service within this alley. Solid waste and recycling collection service is provided along the primary streets.

The existing detached shed, built in 1962, is setback of 5.8 ft. from the rear property line. The required 3-foot setback to the shed would leave only 2.8 ft. of space between the wall of the shed and fence (not accounting for any roof overhang) for maintenance of the building, which is the primary concern of the applicant. However, the paved surface of the alley goes up to the rear property line (as evidenced through the survey). Although the alley is not serviced by solid waste and recycling collection vehicles, it is still active for use by nearby residents. The 0-ft. setback requested by the applicant is not feasible and would be a safety concern.

## 3.0 Recommendation

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The hardship claimed by the applicant is not related to the land itself, but rather the ability to adequately provide maintenance to the shed due to the configuration of the existing home and shed on the property. Given the alley is active and the paved surface abuts the rear property, the requested 0-ft. setback is not feasible.

As a compromise, staff recommends a lesser variance of 1' be considered to allow a rear yard setback for 2'. Approval of a 1' variance would not be contrary to public interest and would meet the spirit and intent of the Land

Development Code. Provided there are no substantive objections from adjoining property owners, staff recommends approval of a 1' variance to allow a rear yard setback of 2', in lieu of the 3' minimum rear yard setback for fences and walls when located adjacent to the right-of-way of an improved alley as specified in Figure 4.4-1 of the Land Development Code.



# Variance Application

## General Information:

<b>Project No:</b>	VAR26-005	<b>Application Date:</b>	3/4/2026		
<b>Project Name:</b>	Concrete Parking Pad				
<b>Subject Property Address:</b>	1137 DOROTHY ST				
<b>Parcel ID:</b>	232823103000001100				
<b>Applicant Name:</b>	William Noah				
<b>Applicant Address:</b>	1812 Sandy Knoll Cir S	Lakeland	FL	33813	
<b>Owner Name:</b>	NOAH WILLIAM R				
<b>Owner Address:</b>	1812 SANDY KNOLL CIR S	LAKELAND	FL	33813	

## Request:

<b>Application Type:</b>	Variance
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## Current

<b>Zoning:</b>	(RA-3) Single Family	<b>Context:</b>	-
<b>Lot Dimensions:</b>	50 x 135	<b>Square Footage:</b>	-

<b>Present Use:</b>	
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<b>Explanation of Request:</b>	Install a 24'L x 10'W concrete parking pad with curb cut apron with 3' flares in front of recess on east side of house. (We have 20' off the right away. We have the 5' set back from the property line.)
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<b>Justification:</b>	The only access to the driveway and garage is via a single lane, secluded, unpaved alley in the back of the house. The alley is dark, does not have public lighting, and is visually restricted by overgrown vegetation and fences. These conditions can create an intimidating environment, gaining access to the driveway and garage, especially at night. We have also encountered an idle car blocking the alley, on more than one occasion. Public lighting is only available on Dorothy Street, the main street in front of the house. A parking pad in the front of the house will create a safe alternative to the circumstances described. The hardship is not shared by many surrounding properties because nearly all of the houses have access to the front of their homes from Dorothy Street. The size of the lot restricted the house design we could choose. To construct a desirable home by today's standards, a two-car garage was necessary. Based on the size of the lot, the garage could only be constructed at the back of the house.
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REVIEWED FOR CODE COMPLIANCE  
TIM KILLER  
PK1701, RPS 204, 002114, MCP9412414  
DOR-HIGH CODE COMPLIANCE SOLUTIONS, LLC  
08/18/2025 4:06:37 PM





**SUBJECT  
PROPERTY**

**CENTRAL AVE S**

**DOROTHY ST**



VAR26-005 - 1137 Dorothy St  
Parcel ID: 232823103000001100





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

RE: Project No. VAR26-005 – 1137 Dorothy Street

Dear Property Owner:

This notice is to advise you that William Noah requests a variance to receive an exemption from Sub-Section 4.11.4.6.a of the Land Development Code, which specifies that driveways located in front yards shall terminate only in front of a garage, within a carport, or within the interior side yard of the principal structure, to allow for the construction of a new 10-foot-wide driveway in the front yard, which terminates in front of the principal structure, on property located at 1137 Dorothy Street. The subject property is legally described as:

HARDINS SECOND ADD PB 7 PG 16 S23/24 T28 R23 BLK A LOT 10

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 April 7, 2026** 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](mailto: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](mailto: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	April 7, 2026	Reviewer:	Damaris Stull
Project No:	VAR26-005	Subject Property:	1137 Dorothy Street
Owner:	William Noah		
Applicant:	William R. Noah		
Current Zoning:	RA-3 (Single-Family Residential)	Context District	Urban Neighborhood (UNH)
Request:	A variance to receive an exemption from Sub-Section 4.11.4.6.a of the Land Development Code, which specifies that driveways located in front yards shall terminate only in front of a garage, within a carport, or within the interior side yard of the principal structure, to allow for the construction of a new 10-foot-wide driveway in the front yard, which terminates in front of the principal structure, on property located at 1137 Dorothy Street.		

## 1.0 Background

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The subject property, approximately 0.15 acres in acre, consists of a 50' x 135' interior lot. The subject property is located within the Lake Hunter Historic District and is zoned RA-3 (Single-Family Residential) and is within the Urban Neighborhood (UNH) context sub-district.

## 2.0 Discussion

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The purpose of this request is to obtain variance relief to allow for the construction of a 10-foot-wide driveway in front of a single-family home currently under construction on property located at 1137 Dorothy Street. The subject property is located within the Lake Hunter Historic District and consists of 50' wide x 135' deep lot of record in a platted subdivision (Hardin's Second Addition, Block A, Lot 10). The plans approved by the Historic Preservation Board's Design Review Committee at the regular monthly meeting on June 26, 2025 allow for the construction of a 2,634 sq. ft. single-family detached home with a rear-loaded attached garage.

Pursuant to Sub-Section 4.11.4.6.a of the Land Development Code, driveways located in front yards may only terminate in front of an attached garage, within an attached carport, or within the interior side yard of the principal structure. Since the Design Guidelines for Historic Districts do not allow for front-loaded attached garages, the applicant's options at the time of HPB-DRC approval were either to select a narrower house plan which would allow for the construction of a 10-foot-wide, 40-foot-long driveway in the interior side yard or to revise the house plan such that the attached garage was located on the rear of the home with vehicle access limited to a platted 10-foot-wide alley which runs east-west through the middle of the block.

The hardship stated by the applicant as justification for this request pertains to the condition of the alley. According to the applicant, the alley does not have public lighting and is visually restricted by overgrown vegetation and fences. To verify the condition of the alley, staff visited the site and did not have any issues accessing the alley using a city vehicle. While unpaved, the alley is fully functional, free of any natural or manmade features which would limit access and is actively used for trash collection. While it does not have public lighting, this is not unusual as the City's streetlight program only provides night-time lighting for streets and roadways, not alleys.

### 3.0 Recommendation

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The specific hardship suffered by the applicant is related to the house plan that was submitted for HPB-DRC approval which precluded the ability to have a driveway along Dorothy Street. While a smaller house plan with a bigger side yard would have allowed for a 10-foot-wide driveway in the interior side yard with access from Dorothy Street, the house plan that was submitted for approval by the HPB-DRC was for a larger home with a rear-loaded garage and a minimal side yard that was designed to the maximum building width allowed by the zoning.

For the Board to grant a variance, it must conclude that literal enforcement of the terms of the Land Development Code would result in unnecessary hardship and that granting a variance would not be contrary to the public interest. The hardship which the applicant complains must be suffered by the applicant only, related to the land rather than personal circumstances, and must be unique or nearly so rather than one shared by surrounding properties. Lastly, the hardship must not be the result of the applicant's own actions or those of his or her agent.

The hardship suffered by the applicant is related to personal preferences and design decisions which were made during the planning process for the new home rather than the land itself. The hardship suffered by the applicant is not unique as adjacent properties along both sides of Dorothy Street have the same site limitations and would not be permitted to have a new driveway in front of their homes as proposed by the applicant. The condition of the alley has not changed since the applicant received approval from the HPB-DRC. While unpaved, it is fully functional and regularly used by the city to collect trash from homes located along the north side of Dorothy Street.

Should the Board approve this request it would establish a precedent for similar variances in the future. Therefore, due to the self-imposed nature of the hardship and the availability of parking in the rear yard, which is fully accessible from a functional alley, staff recommends that the request for a variance to allow for the construction of a 10-foot-wide driveway in front of the home be denied.