



Polk County Polk County Land Use Hearing Officer

Meeting Agenda

July 14, 2026 Land Use Hearing Officer meeting

CALL TO ORDER: 1:30 P.M. OR AS SOON THEREAFTER AS THE PARTICULAR CASE MAY BE HEARD

MINUTES APPROVAL:

Minutes for June 25, 2026, LUHO Hearing Date

NEW BUSINESS:

AGENDA ITEM:

1. LDLVAR-2026-16 (Lake Reedy Blvd Variance)
2. LDLVAR-2026-21 (Sundean Variance)
3. LDLVAR-2026-29 (Limedale Accessory Variance)
4. LDLVAR-2026-33 (Davis Variance)
5. LDLVAR-2026-35 (Archacki Accessory Variance)

ADJOURNMENT:



Polk County
Polk County Land Use Hearing Officer

Agenda Item

7/14/2026

SUBJECT

Minutes for June 25, 2026, LUHO Hearing Date

DESCRIPTION

Minutes for June 25, 2026, LUHO Hearing Date

RECOMMENDATION

Approval of Minutes

FISCAL IMPACT

Click or tap here to enter text.

CONTACT INFORMATION

Saralis Wons saraliswons@polkfl.gov <<mailto:saraliswons@polkfl.gov>> 863.534.6479



Polk County Polk County Land Use Hearing Officer

Meeting Minutes - Final

June 25, 2026 Land Use Hearing Officer meeting

**CALL TO ORDER: 1:30 P.M. OR AS SOON THEREAFTER AS THE PARTICULAR CASE
MAY BE HEARD**

MINUTES APPROVAL:

Minutes for April 23, 2026, LUHO Hearing Date

NEW BUSINESS:

AGENDA ITEM:

1. LDLVAR-2026-18 (Anderson Road Variance)

Minutes: CASE FILE # LDLVAR-2026-18 - (Anderson Road Variance)

Thimothy and Sarah Moss, property owners, are requesting a variance to allow an accessory structure to be larger than the primary structure in an Agriculture/Residential Rural (A/RRX) land use district. The property is located at 5803 Anderson Road, North of Cow Pen Road, east of 80 Foot Road, south of E Hwy 60, east of the city of Bartow in Section 07, Township 30, Range 26.

Erik Peterson, Land Development; Presented the case and reported that 28 mailers were sent on 6/10/26, with no response, 1 board was posted on 6/10/26 and the legal ad was published in the Polk Sun News on 6/10/26.

Aleya Inglima, Case Planner, showed a power point presentation, has a recommendation of approval, and stood for questions.

Thimothy and Sarah Moss, property owners, were available to answer questions and agree with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

2. LDLVAR-2026-22 (Chaisson Variance)

Minutes: CASE FILE #LDLVAR-2026-22 - (Chaisson Variance)

Shawn A. Chaisson, property owner, is requesting a rear and side setback variance to build a shed accessory structure toward the western rear of their property of approximately 0.30 acres within a residential neighborhood in a Residential Suburban (RS), Suburban Development Area (SDA) land use district. The property location is 7747 Nature Trail in the Derbyshire subdivision, East of Walt Williams Road, South of Old Polk City Road, North of Interstate 4, West of the city of Lakeland, Section 16, Township 27, Range 24.

Erik Peterson, Land Development; presented the case and reported that 29 mailers were sent on 6/10/26, with 1 opposition, 1 board was posted on 6/10/26 and the legal ad was published on 6/10/26.

Tyler Daniels, Case Planner, showed a power point presentation, has a recommendation of approval, and stood for questions.

Shawn A. Chaisson, property owner, were available to answer questions and agree with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

3. LDLVAR-2026-28 (Grand Canal Dr Variance)

Minutes: CASE FILE #LDLV-2026-28 (Grand Canal Dr Variance)

Marcos Davila, applicant and Regenia Thomas, Stanton Thomas, property owners, are requesting a primary structure rear setback reduction from fifteen (15) feet to ten (10) feet for the installation of a solid roof over an existing screened enclosure in a Poinciana Pre-Development of Regional Impact (DRI) 1, Planned Unit Development (PUD) 98-12, Solivita Phase IIIA land use district and the Southeast Village Selected Area Plan (SAP). The location is 413 Grand Canal Dr, North of Palmetto Street, south of Walnut Street, east of the city of Haines City in Section 24, Township 27, Range 28.

Erik Peterson, Land Development; presented the case and reported that 34 mailers were sent on 6/10/26, with no response, 1 board was posted on 6/10/26 and the legal ad was posted on 6/10/26.

Erik Peterson, Case Planner, showed a power point presentation, had recommendations of approval, and stood for questions.

Applicant was not present.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

4. LDLVAR-2026-39 (Lake Buffum Road Variance)

Minutes: CASE FILE #LDLV-2026-39 (Lake Buffum Road Variance)

Melissa Garcia, property owner, is requesting to reduce the principal structure right-of-way setback from thirty-five (35) feet to twelve (12) feet and reduce the southern principal structure side setback from fifteen (15) to six (6) feet to replace an existing covered patio in an Agricultural/Residential Rural (A/RR) land use district. The subject property is located at 3825 Alturas Babson Park Cutoff Road, west of Lake Buffum Road, southwest of Crews Road, southwest of Lake Wales in Section 29, Township 30, Range 27.

Erik Peterson, Land Development; presented the case and reported that 24 mailers were sent on 6/10/26, with no response, 1 board was posted on 6/10/26 and the legal ad was posted on 6/10/26.

Ian Nance, Case Planner, showed a power point presentation, had recommendations for approval, and stood for questions.

Melissa Garcia, property owners, were available to answer questions and agree with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

CASE FILE #LDLV-2026-39 (Lake Buffum Road Variance)

Melissa Garcia, property owner, is requesting to reduce the principal structure right-of-way setback from thirty-five (35) feet to twelve (12) feet and reduce the southern principal structure side setback from fifteen (15) to six (6) feet to replace an existing covered patio in an Agricultural/Residential Rural (A/RR) land use district. The subject property is located at 3825 Alturas Babson Park Cutoff Road, west of Lake Buffum Road, southwest of Crews Road, southwest of Lake Wales in Section 29, Township 30, Range 27.

Erik Peterson, Land Development; presented the case and reported that 24 mailers were sent on 6/10/26, with no response, 1 board was posted on 6/10/26 and the legal ad was posted on 6/10/26.

Ian Nance, Case Planner, showed a power point presentation, had recommendations for approval, and stood for questions.

Melissa Garcia, property owners, were available to answer questions and agree with

staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

ADJOURNMENT:

Minutes: 1:58 PM



Polk County
Polk County Land Use Hearing Officer

Agenda Item 1.

7/14/2026

SUBJECT

LDLVAR-2026-16 (Lake Reedy Blvd Variance)

DESCRIPTION

The applicant is requesting a variance to reduce the rear surface water setback from fifty (50) feet to thirty (30) feet for an existing shed. The subject site is located at 2235 North Lake Reedy Boulevard, west of Blue Jordan Road, south of CR 630, east of the City of Frostproof in Section 26, Township 31, Range 28

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima

Land Development Division

(863) 534-6764

aleyainglima@polkfl.gov

**POLK COUNTY
LAND USE HEARING OFFICER
STAFF REPORT**

DRC Date: May 28, 2026	CASE #: LDLVAR-2026-16 (Lake Reedy Blvd Variance)
LUHO Date: July 14, 2026	LDC Section: Chapter 6, Section 610.D.6

Request: The applicant is requesting a variance to reduce the rear surface water setback from fifty (50) feet to thirty (30) feet for an existing shed.

Applicant: Gary Roberts

Property Owner: Roberts Trust

Location: 2235 North Lake Reedy Boulevard, west of Blue Jordan Road, south of CR 630, east of the City of Frostproof in Section 26, Township 31, Range 28.

Parcel ID#: 283126-000000-021010

Size: ±0.67 acres

Land Use Designation: Agriculture/Residential Rural-X (A/RRX)

Development Area: Rural Development Area (RDA), Southeast Polk SAP

Case Planner: Aleya Inglima, Planner II
Abigail Hutchinson

Summary:

The applicant is requesting a variance to reduce the required surface water setback from fifty (50) feet from the 10-year flood hazard area to thirty (30) feet for an existing ±14' x 17' shed located at the rear of the property. The subject site is a legal lot of record within the Agriculture/Residential Rural-X (A/RRX) land use district and the Southeast Polk Selected Area Plan (SAP).

The applicant purchased the property in 2016 and, shortly thereafter, constructed the shed in 2017 without obtaining a building permit. The shed serves as an extension to an existing garage structure and is used primarily for storage in the southwest portion of the property.

Furthermore, it was initially thought that the shed encroached into the side yard setback. However, because the property is less than five acres, Section 208.E of the Land Development Code allows nonconforming lots to utilize the setback requirements of the land use district with the equivalent minimum lot size, as determined by Table 2.2. Based on the size of the subject property, the equivalent land use district is Residential Low-2 (RL-2), which requires a five-foot side setback for accessory structures. The existing shed complies with this requirement.

LDC Chapter 6, Section 610.D.6 requires structures adjacent to surface waters or watercourses to be located at least landward of the 100-year floodplain or 50 feet landward of the 10-year floodplain or whichever is less. The entire shed and property are in the 100-year floodplain, so the variance is to reduce the surface water setback from 50' to 30' of the 10-year flood hazard area. According to the applicant, no complaints have been received from the adjacent property owner since the shed was constructed.

Staff recommends approval of LDLVAR-2026-16 as it meets the following criteria listed in Section 931:

- **Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district** because the applicant's parcel is 0.67 acres (29,185 sq. ft.) making it smaller than the typical 5 acre lot size found within the A/RR district. The neighbor's property also has an accessory structure at the same distance from the property line.
- **The variance will not confer the applicant any special privilege that is denied by the provisions of this code** because the neighbor has a shed in the surface water setback.

Development Review Committee

The Development Review Committee, based on the criteria for granting variances, the submitted application, and a recent site visit, finds that the applicant's request as written **IS CONSISTENT** with Section 931 of the Polk County Land Development Code (LDC) and recommends **APPROVAL of LDLVAR-2026-16 with conditions.**

CONDITIONS OF APPROVAL:

1. The approval of this variance is to reduce the surface water setback from fifty (50) feet of the 10-year floodplain to thirty (30) feet for an existing ±14' x 17' shed. Further additions or structures placed on the property shall be required to meet the setback requirements of the Polk County Land Development Code or re-apply for another variance approval from the Land Use Hearing Officer.
2. This variance does not authorize any encroachments into easements, and the applicant shall be responsible to make certain there are no encroachments unless approval is granted by the easement holder and/or any applicable permitting agencies. The property owner(s) is also responsible for compliance with any restrictions of record pertaining to lots and/or land and this approval shall not be used to supersede authority over those restrictions.
3. The applicant shall have one (1) year from the date the Land Use Hearing Officer's Final Order is rendered to apply for all necessary building permits and pay all associated fees for the proposed addition.

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.

NOTE: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the variance approval.

NOTE: All written commitments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

NOTE: Approval of this variance shall not constitute a waiver or an additional variance from any applicable development regulation unless specifically noted in the conditions of approval and consistent with the LDC.

DEMONSTRATIONS OF THE CRITERIA FOR GRANTING VARIANCES SUMMARIZED BELOW:

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

Upon the submission of this variance, it was discovered by aerial images that an ±14' x 17' shed was built sometime in 2017 as an addition to an existing garage structure without the required permits. The applicant has a codes case (CMA-2025-1842) and is seeking to remedy the situation by bringing the existing shed addition into compliance. The applicant has applied for a building permit (BR-2026-55) pending approval of this variance. According to Section 610.D.2 of the LDC, surface water setbacks are primarily intended to protect surface water quality by maintaining a natural buffer between the structure and the waterway. Section 610.D.6 provides a secondary benefit of maintaining the aesthetic views for neighboring lake front properties. This accessory structure is not injurious to the area since it is a relatively small addition intended for storage and benign in use. It does not block the view of the neighbor because their shed occupied the same visual space.

2. *Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district;*

The subject property is in an A/RRX land use district (*Exhibit 2*) which requires a 5-acre minimum lot size. According to the Property Appraiser, the parcel is a legal lot of record. The lot was created in 1974 and met the minimum lot size of 15,000 sq ft. at that time. As a result, the lot is non-conforming to current standards, and its smaller size makes it difficult for the applicant to meet the 50-foot surface water setback. The neighbor has a shed that is closer to the 10-year flood plain that obscured their peripheral view. The applicants' shed does not interfere with the neighbors' view without any significance. The entirety of the property is within the 100-year flood zone.

3. *Whether provided the special conditions and circumstances present in the request do not result from the actions of the applicant;*

The circumstances present were solely the result of the actions from the applicant. However, the neighbors' shed was built closer to the shoreline in the surface water setback prior to the applicants' own. Therefore, it is reasonable to extrapolate that the applicant was not aware of any surface water setbacks before constructing due to the neighbors shed placement.

4. *Whether granting the requested variance will not confer on the applicant any special privilege that is denied by the provisions of this Code and will constitute unnecessary and undue hardship on the applicant;*

Every variance approval is a special privilege. The request represents reasonable accommodation for the property's limited acreage. Accessory structures are permitted on parcels located within the A/RRX land use designation. The neighbors shed is closer and the applicants shed does obstruct the view of the lake because the neighbors shed occupies the view space. With this variance, the neighbor's development rights will not be taken away because his shed was already on site.

5. *Whether the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;*

The requested variance is to recognize an existing shed. The structure has existed since 2017 without any complaints from the neighbor. LDC Section 610 allows structures up to 100 square feet to be exempt.

6. *Whether that in no case shall a variance be granted which will result in a change of land use that would not be permitted in the applicable land use designation;*

Granting this variance will not result in a change of land use. The property will remain designated as Agriculture Residential Rural-X (A/RRX).

7. *Whether that in no case shall a variance be granted which would result in creation of any residual lot or parcel which does not meet the requirements of this Code; and*

Granting this request is not anticipated to result in the creation of a lot or parcel that does not meet the requirements of the Code.

8. *Whether that the granting of the variance does not circumvent a condition, or the intent of a condition placed on a development by the Planning Commission or the BoCC.*

Granting this variance will not circumvent a condition or the intent of a condition placed on the development by the Planning Commission or the BoCC.

Surrounding Future Land Use Designations and Existing Land Use Activity:

The table to follow provides details of abutting uses and their lot dimensions.

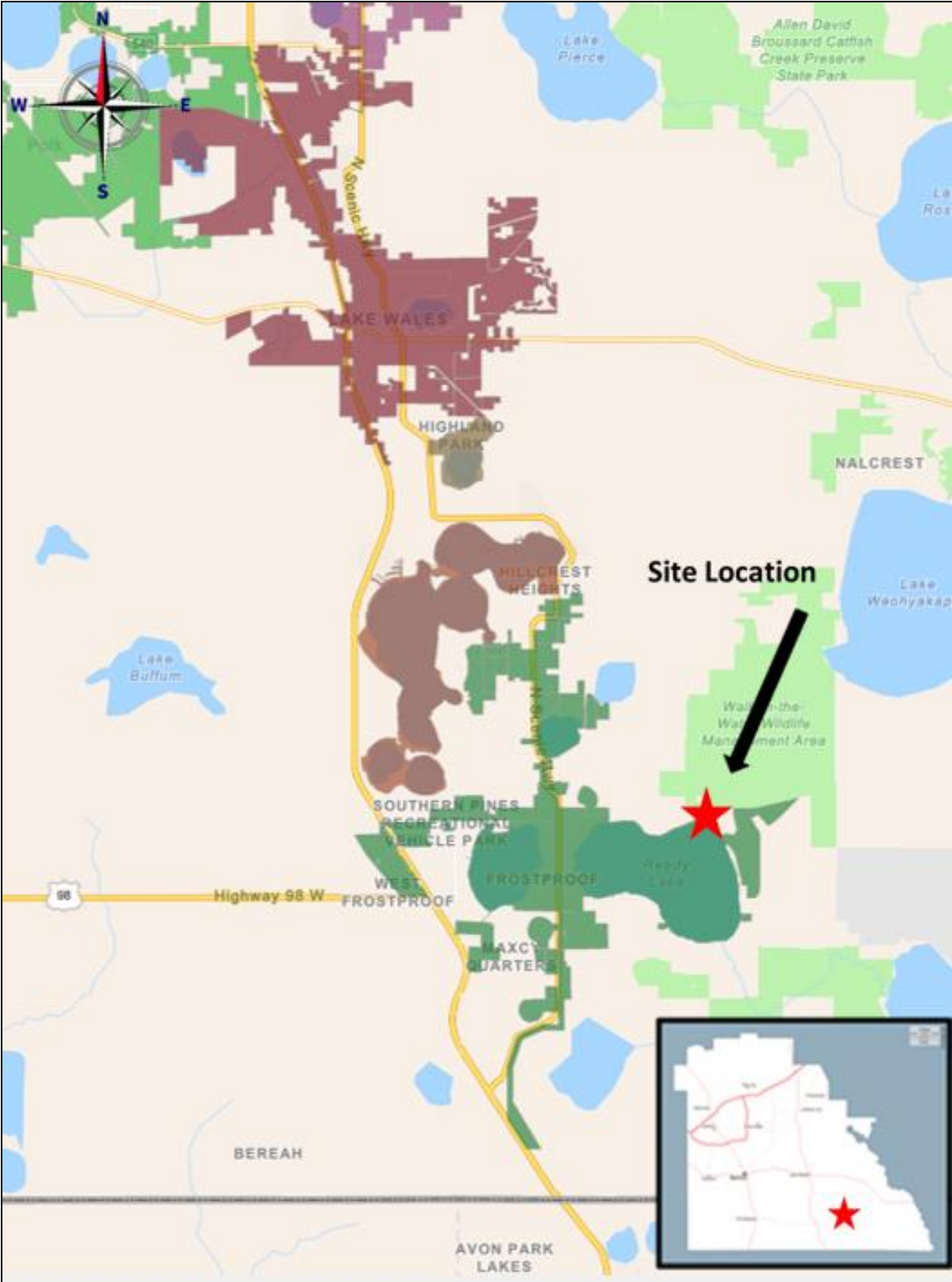
<p>Northwest: A/RR Single Family Home ±4.05 acres (176,418 sq. ft.) No existing shed</p>	<p>North: City of Frostproof Vacant</p>	<p>Northeast: City of Frostproof Vacant</p>
<p>West: A/RR Single Family Home ±0.48 acres (20,909 sq. ft.) Existing shed size: ±210 sq. ft.</p>	<p>Subject Property: A/RR Single Family Home ±0.67 acres (29,185 sq. ft.) Existing shed size: ± 238 sq. ft.</p>	<p>East: A/RR Vacant ±1.35 acres (58,806 sq. ft.)</p>
<p>Southwest: Reedy Lake</p>	<p>South: Reedy Lake</p>	<p>Southeast: Reedy Lake</p>

The subject lot is bordered by Reedy Lake to the south, city of Frostproof to the north and northeast. The surrounding lots were created prior to the Comprehensive Plan and fall under 5 acres. The abutting lot to the west is ±0.19 acres smaller than the subject site.

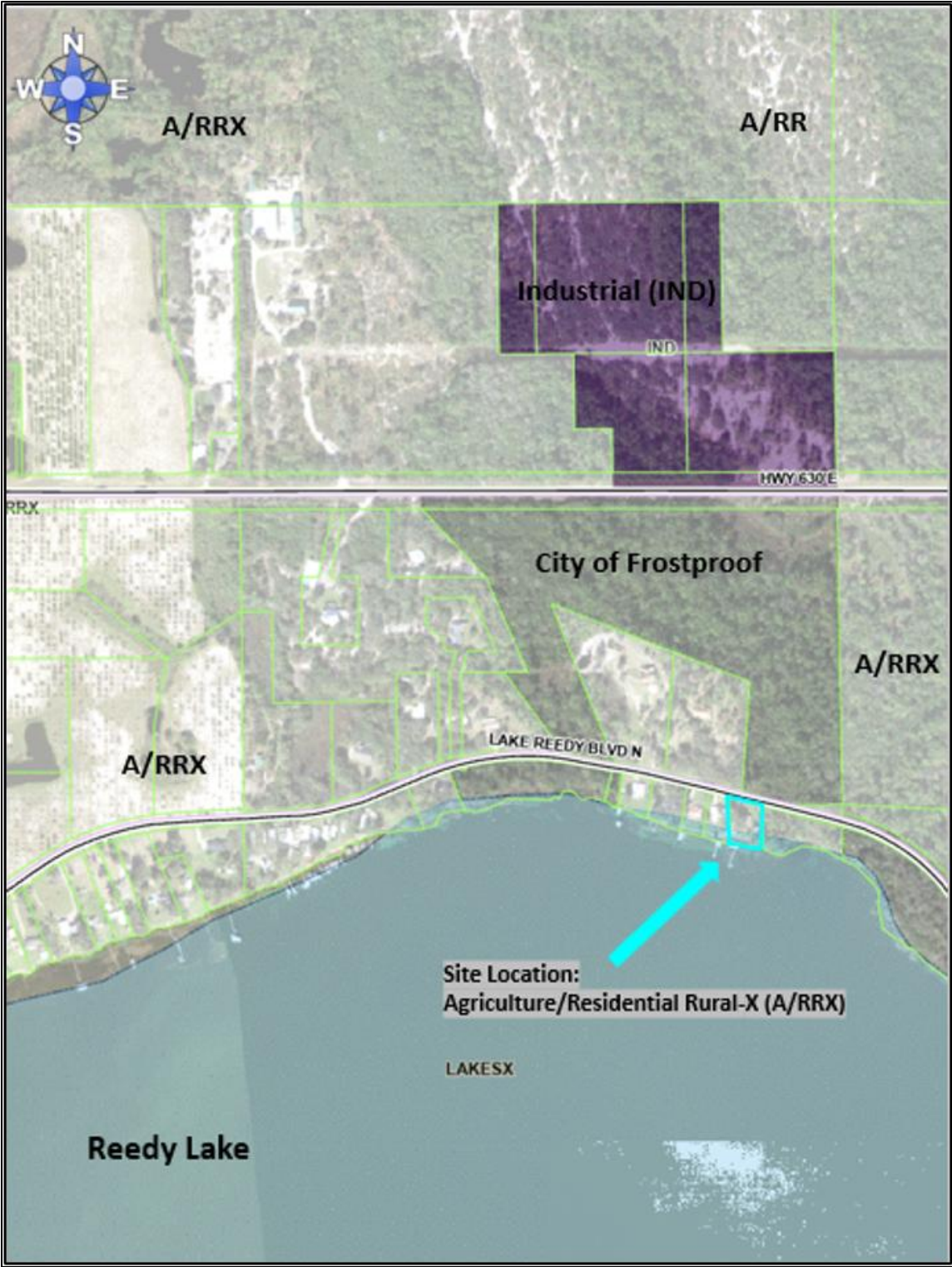
Multiple boat houses are identified along the waterfront like the subject site. However, these boat houses are exempt from Section 610 of the LDC and do not require setbacks from surface water frontage. The applicants shed is on the far west side of the property in close proximity to the neighbors shed. It will not adversely impact the water view of the vacant lot to the east. See Exhibit 5.

Exhibits:

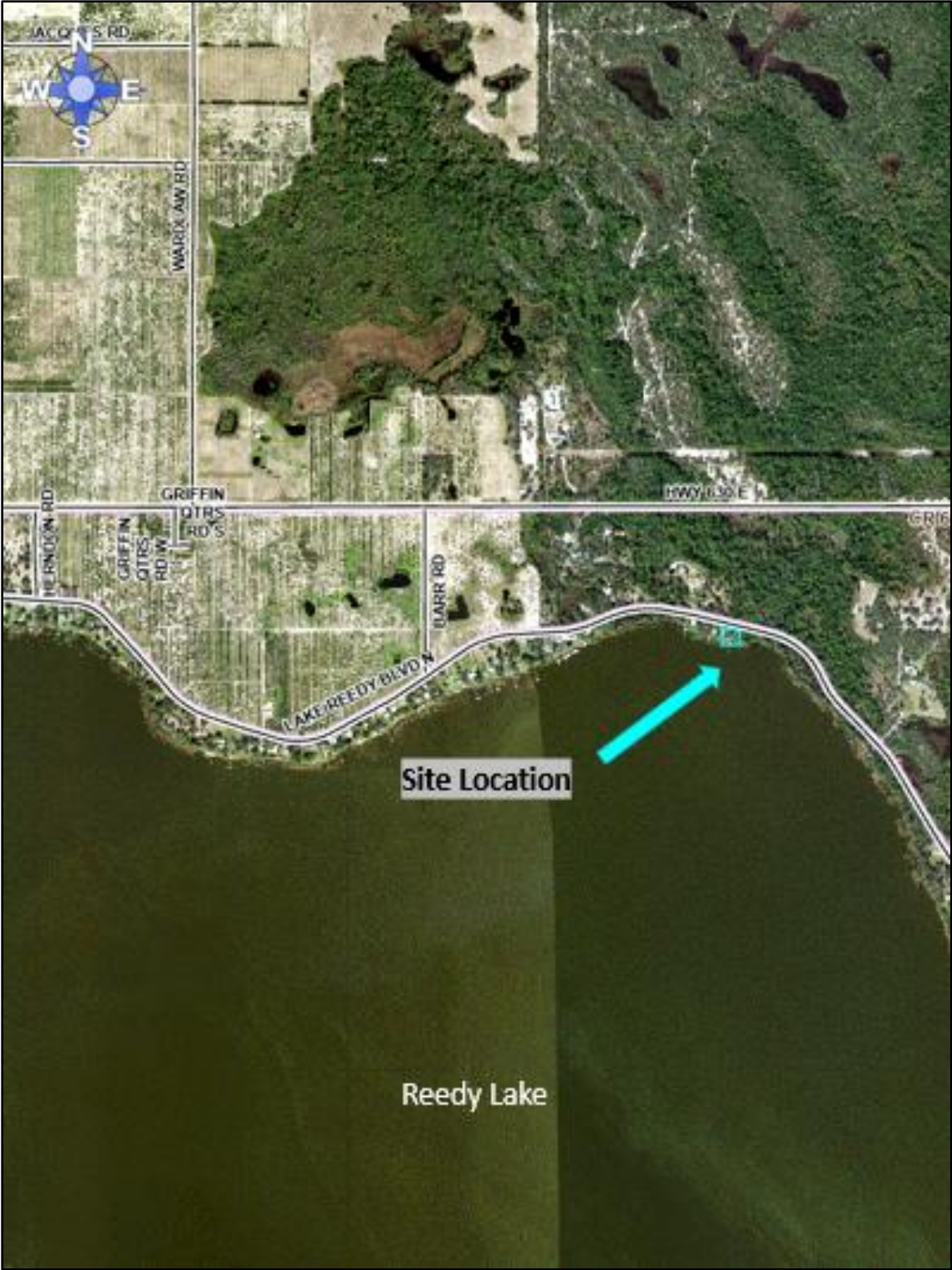
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Imagery (Context)
- Exhibit 4 Aerial Imagery (Close)
- Exhibit 5 Aerial Imagery (Flood Plain)
- Exhibit 6 Site Plan
- Exhibit 7 Justification



Location Map



Future Land Use Map



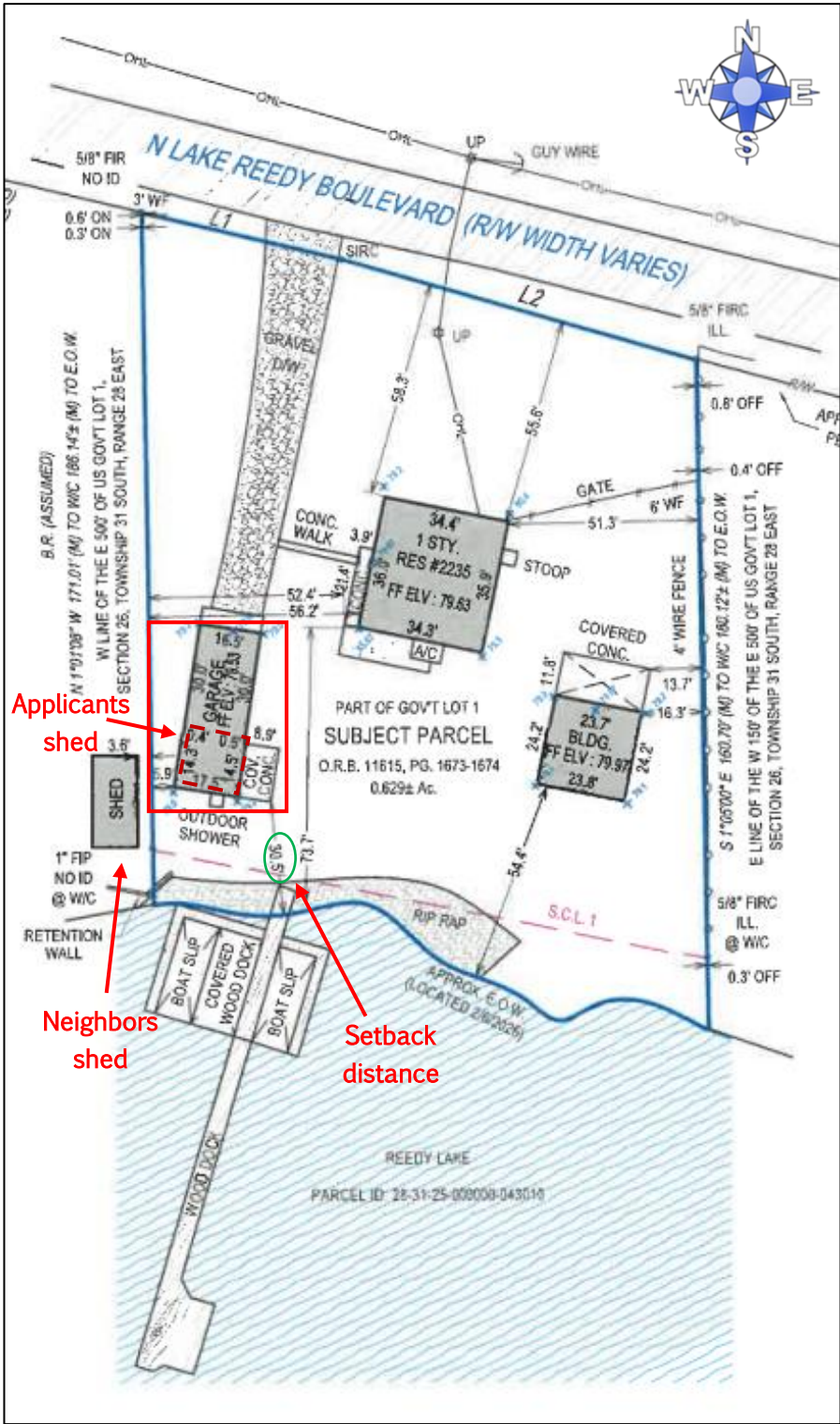
Aerial Imagery (Context)



Aerial Imagery (Close)



Aerial Imagery (Flood Plain)



Site Plan

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?

No

What special conditions exist that are peculiar to the land, structure, or building involved?

None

When did you buy the property and when was the structure built? Permit Number?

None

What is the hardship if the variance is not approved?

Tear down

Is this the minimum variance required for the reasonable use of the land?

Don't know

Do you have Homeowners Association approval for this request?

No hoa

Applicants Justification



www.exactalands.com | office: 866.735.1916 | fax: 866.744.2682



PROPERTY ADDRESS:
2235 N LAKE REEDY BOULEVARD, FROSTPROOF, FLORIDA 33843

SURVEY NUMBER: 2602.0029

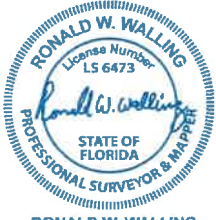
DATE SIGNED: 02/10/26 **FIELD WORK DATE:** 2/6/2026

REVISION DATE(S):
(REV.0 2/10/2026)

POINTS OF INTEREST
NONE VISIBLE

SURVEYORS CERTIFICATE

I hereby certify that this Survey of the lands described hereon was made under my direct supervision, and to the best of my knowledge and belief is a true and accurate representation of said lands and meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.053, Florida Administrative Code, pursuant to section 472.027, Florida Statutes. This survey is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper, except when the electronic signature and seal of a Florida licensed surveyor and mapper is affixed hereto.



RONALD W. WALLING
State of Florida Professional Surveyor and Mapper
License Number 6473
Exacta Land Surveyors, LLC | LBS 8291

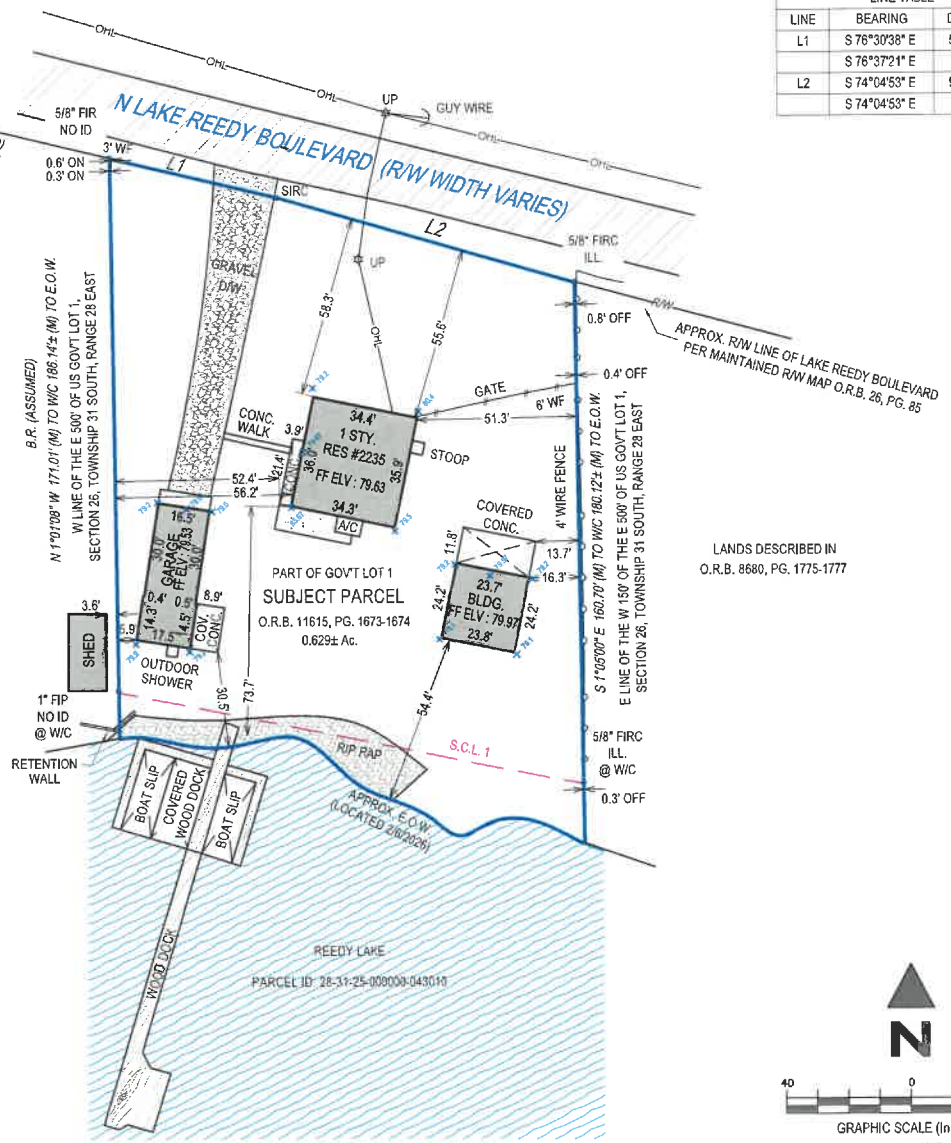
Exacta Land Surveyors, LLC
LWS 6291
o: 866.735.1916 | f: 866.744.2682
131 West Broadway Street, Suite 1001, Ocala, FL 32765



2602.0029
BOUNDARY SURVEY
POLK COUNTY

5/8" FIR NO ID
PARCEL ID: 28-31-26-000000-012030
PARCEL ID: 28-31-26-000000-012020

LANDS DESCRIBED IN
O.R.B. 12645, PG. 101-103



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 76°30'38" E	56.47± (D)
	S 76°37'21" E	55.06' (M)
L2	S 74°04'53" E	99.80± (D)
	S 74°04'53" E	99.80' (M)

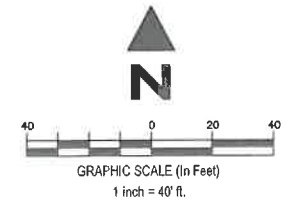
LANDS DESCRIBED IN
O.R.B. 8660, PG. 1775-1777

BASIS OF ELEVATIONS SHOWN
DESIGNATION: K084
PID: AF7617
ELEVATION: 87.00
DATUM: NAVD88

SURVEY CLOSURE LINES:
1. N 78°43'49" W 152.48'

SURVEYOR'S NOTES:
FENCE OWNERSHIP NOT DETERMINED.
ORDINARY HIGH WATER LINE (OHWL) WAS NOT LOCATED.

SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES



LDLVAR-2026-16 - Roberts Varinace

Menu Reports Help

Application Name: [Roberts Varinace](#)

File Date: [03/10/2026](#)

Application Type: [LUHO - Variance](#)

Application Status: [Approved For Hearing](#)

Application Comments:	View ID	Comment	Date
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Description of Work: [Variance for shed already built on property](#)

Application Detail: [Detail](#)

Address: [2235 N LAKE REEDY BLVD, FROSTPROOF, FL 33843](#)

Parcel No: [28312600000021010](#)

Owner Name: [ROBERTS TRUST](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	Gary Roberts		Engineer	Mailing, 2235 north la...	Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #
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Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$1,057.00](#)

Total Fee Invoiced: [\\$1,057.00](#)

Balance: [\\$0.00](#)

Custom Fields: LD_GEN_BOA

GENERAL INFORMATION

Expedited Review

Number of Lots

-

Will This Project Be Phased

Acreage

[.67](#)

DRC Meeting Time

DRC Meeting

[05/28/2026](#)

Rescheduled DRC Meeting

Rescheduled DRC Meeting Time

Green Swamp

Number of Units

[No](#)

-

Case File Number

Is this Polk County Utilities

-

One Year Extension

FS 119 Status

[Non-Exempt](#)

-

PUBLIC HEARINGS

Development Type

Application Type

[Land Use Hearing](#)

[Variance](#)

[Officer](#)

Variance Type

Brownfields Request

[Dimensions](#)

-

[Table](#)

Affordable Housing

ADVERTISING

Advertising Board

Legal Advertising Date

[Land Use Hearing](#)

-

[Officer](#)

MEETING DATES

LUHO Hearing Date

[07/14/2026](#)

ALCOHOL BEVERAGE DIST REQ

COMMUNICATION TOWER

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?
[No](#)

What special conditions exist that are peculiar to the land, structure, or building involved?
[None](#)

When did you buy the property and when was the structure built? Permit Number?
[None](#)

What is the hardship if the variance is not approved?
[Tear down](#)

Is this the minimum variance required for the reasonable use of the land?
[Don't know](#)

Do you have Homeowners Association approval for this request?
[No hoa](#)

LD_GEN_BOA_EDL

[Opening DigEplan List...](#)
 DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID POLKCO-26EST-00000-13815	DocumentGroupforDPC DIGITAL PROJECTS LD	RequiredDocumentTypes - Activate DPC
RequiredDocumentTypesComplete No	AdditionalDocumentTypes Applications, AutoCad File, Binding, Site Plans (PDs, and CUs), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous, Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter, Survey, Title Opinion	Yes
Activate FSA Yes	DigitalSigCheck Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
[x](#)

LAND USE

Selected Area Plan LU Code

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
LUHO	1	22	06/26/2026	06/26/2026	

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	Application Submittal	Lisa Simons-Iri...	Application ...	05/15/2026	Lisa Simons-Iri...
	Roads and Drainage Review	Phil Irven	Approve	05/18/2026	Phil Irven
	Planning Review	Aleya Inglima	Approve	06/09/2026	Aleya Inglima
	Review Consolidation	Saralis Wons	Approved for...	06/12/2026	Saralis Wons
	Public Notice				
	Hearing Officer				
	Final Order				
	Archive				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments	
Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments	



Polk County
Polk County Land Use Hearing Officer

Agenda Item 2.

7/14/2026

SUBJECT

LDLVAR-2026-21 (Sundean Variance)

DESCRIPTION

The applicant is requesting a variance to construct a pole barn that has a square footage greater than 150% of the primary residence in the A/RR land use district. The subject site is located 5619 Highway 60 East, west of 80 Foot Road, south of Bomber Road, north of Wells Road, east of Hankin Road, in Section 06, Township 30, and Range 26.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Kyle Rogus

Land Development Division

863-534-7553

kyl erogus@polkfl.gov

**POLK COUNTY
LAND USE HEARING OFFICER
STAFF REPORT**

DRC Date	June 11, 2026	CASE #:	LDLVAR-2026-21 (Sundean Variance)
LUHO Date	July 14, 2026	LDC Section:	Chapter 2, Section 209.G

Request: The applicant is requesting a variance to construct a pole barn that has a square footage greater than 150% of the primary residence in the A/RR land use district.

Applicant: Eric Langston

Property Owner: David R. Sundean & Dawn Sundean

Location: The subject site is located on 5619 Highway 60 East, west of 80 Foot Road, north of Wells Road, west of Hankin Road, south and east of the city of Bartow in Section 06, Township 30, and Range 26.

Parcel ID#: 263006-000000-033120

Size: ±1.18 acres

Land Use Designation: Agricultural/Residential-Rural (A/RR)

Development Area: Rural Development Area (RDA)

Case Planner: Andrew Grohowski, Robert Lisenby

Summary:

The applicant is requesting a variance to Chapter 2, Section 209.G of the Land Development Code (LDC) for the construction of a pole barn larger than the primary residence on site. The site is in the Agricultural/Residential-Rural (A/RR) use district and the County’s Rural Development Area (RDA). According to the applicant, the proposed pole barn will be approximately 6,000 square feet, 25 feet high, and store personal belongings. Pursuant to Section 209.G of the Land Development Code, an accessory structure may be permitted to be larger in square footage or in height of the principal structure following approval from the Land Use Hearing Officer (LUHO) pursuant to Sections 930 and 931 of the Land Development Code.

According to the site plan, the proposed accessory structure will sit on the southern portion of the property. The size of the property and adherence to setbacks makes this request relatively benign in intensity. In 2021, a similar property received variance approval for a similar request. The accessory structure building was 30’ x 84’ (1,230 sq. ft.), about 35% larger than the 924 sq. ft. primary residence. This property is about 0.9 miles from the subject property, and it was surrounded by single-family homes in the same A/RR land use district. It was set back roughly 250 feet from public right of way view and complies with required accessory structure setback in the Agricultural/Residential-Rural land use district.

While this request is much larger (543% larger than the primary structure), the site has different characteristics. Staff finds that the request meets the following criteria listed in Section 931:

- The request will not be injurious to the area involved or otherwise detrimental to the public welfare because the new structure meets all accessory structure setback requirements in the A/RR land use district. The structure has limited visibility from the public right-of-way and is not anticipated to adversely impact the livelihood or safety of the abutting and adjacent property owners.
- Special circumstances exist which are peculiar to the land, building, or structure. The neighbor to the east has a 60,894 square foot commercial building on their property, rendering the 6,000 square foot pole barn proposed is benign in comparison.

Development Review Committee

The Development Review Committee, based on the criteria for granting variances, the submitted application, and a recent site visit, finds that the applicant's request as written **IS CONSISTENT** with Section 931 of the Polk County Land Development Code (LDC) and recommends **APPROVAL of LDLVAR-2026-21**.

CONDITIONS OF APPROVAL:

1. This variance approval to Section 209.G of the Land Development Code allows one (1) accessory pole barn of 6,000 sq. ft. and 25 feet tall at its highest point. Further additions or structures placed on the property shall be required to meet the development standards of the Land Development Code or re-apply for another variance from the Land Use Hearing Officer.
2. The applicant must apply for all necessary permits within one (1) year of the date for which the Land Use Hearing Officer's Final Order is rendered.
3. The use of the accessory structure approved herein is limited to the storage of items associated with the residential use of the property. No commercial uses shall be permitted to occur within the accessory structure.
4. This variance does not authorize any encroachments into easements, and the applicant shall be responsible to make certain there are no encroachments unless approval is granted by the easement holder and/or any applicable permitting agencies. The property owner(s) is also responsible for compliance with any restrictions of record pertaining to lots and/or land and this approval shall not be used to supersede authority over those restrictions.

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this variance shall not constitute a waiver or an additional variance from any applicable development regulation unless specifically noted in the conditions of approval and consistent with the LDC.

NOTE: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the variance approval.

NOTE: All written commitments made in the application and subsequent submission of information made during the application review process, which are on file with the Land Development Division, shall be considered to be

binding upon the applicant, provided such commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

DEMONSTRATIONS OF THE CRITERIA FOR GRANTING VARIANCES SUMMARIZED BELOW:

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

Staff finds that this request will not be injurious to the surrounding area or detrimental to public welfare. The parcel is in an area with a cluster of lots ranging in size from 1.22 acres to 2.58 acres. The current property is over one acre in size. Although the proposed structure is 5.5 times the size of the residence, it is open on all sides. There is one 1,104 sq. ft. mobile home that is 14 feet, 8 inches tall on the property set in 1990. The pole barn will be \pm 75 feet from the nearest residence, behind the existing home, and roughly 189 feet from the public right of way. The site plan (*Exhibit 5*) indicates the barn will be 60 feet from the southern and 40 feet from the western property lines respectively, meeting all setbacks prescribed in the A/RR land use district, according to Table 2.2 of the LDC. Given the large backyard and placement of the structure compliantly set back from the public right of way, this request is relatively benign. The closest residence to the proposed pole barn is \pm 75 feet and separated by a thick line of trees. It will block some of the view of the heavy commercial property on the eastside of the site.

2. *Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district;*

The property abuts a legally non-conforming heavy commercial land use to the east. Additionally, the property was created in November of 1989, which is prior to the adoption of the Comprehensive Plan and LDC. The proposed pole barn will form a buffer between the commercial use east of the property from the residences to the south and west. Given the scale of the subject property at under \pm 1.18 acres with a depth of over 80 feet from the arterial roadway, accessory structures such as this are negligible in size and height. According to the applicant, the size of the accessory structure is necessary to store their personal items and belongings in an environment sheltered from the elements.

3. *Whether provided the special conditions and circumstances present in the request do not result from the actions of the applicant;*

The current owners purchased the property in June 2024, with the lot at its current dimensions. The property owner would like to store personal belongings that require a structure of this size. The accessory structure on the property is about 6,000 square feet and 25 feet tall. This is about 5.5 times larger than the principal structure at 1,104 sq. ft. which stands at 14 feet, 8 inches in height. It will provide more visual separation between the residence to the west and the commercial use to the east.

4. *Whether granting the requested variance will not confer on the applicant any special privilege that is denied by the provisions of this Code and will constitute unnecessary and undue hardship on the applicant.*

The neighboring commercial use has a 60,984 sq. ft. building. This pole barn will be 1/10th of that size. Staff have received an application for an accessory structure larger than the primary in the immediate vicinity. In 2021, another property within a one (1) mile radius received variance approval to construct a 1,230 sq. ft. accessory storage building on a site with a 924 sq. ft. primary residence. (LDVAR-2021-131). The approved structure is located along the subject site's southern property boundary.

Accessory structures up to 100% the size of the primary structure or 150%, if the lot is 2 + acres, is permitted by right in this land use district. The accessory side and rear setback requirements in the A/RR district are five and ten feet respectively. This structure exceeds this distance without requiring a variance.

5. *Whether the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.*

The requested variance is believed to be the minimal variance necessary to optimize the use of the owner's land and build the structure as requested according to the applicant. Approval of this variance is necessary for the owner in order to store personal items and belongings to protect them from potentially harmful weather conditions. Sheltering these items and belongings from the elements will extend their useful lifespan. The height does not exceed the maximum height of 50 feet for the A/RR land use district.

6. *Whether that in no case shall a variance be granted which will result in a change of land use that would not be permitted in the applicable land use designation.*

Granting this variance will not result in a change of land use.

7. *Whether that in no case shall a variance be granted which would result in creation of any residual lot or parcel which does not meet the requirements of this Code; and*

Granting this request will not result in the creation of a lot or parcel that does not meet the requirements of the Code. The variance request will not change the size, shape or use of the property.

8. *Whether that the granting of the variance does not circumvent a condition, or the intent of a condition placed on a development by the Planning Commission or the BoCC.*

Granting this request will not circumvent a condition or the intent of a condition placed on the development by the Planning Commission or the BoCC.

Surrounding Future Land Use Designations and Existing Land Use Activity:

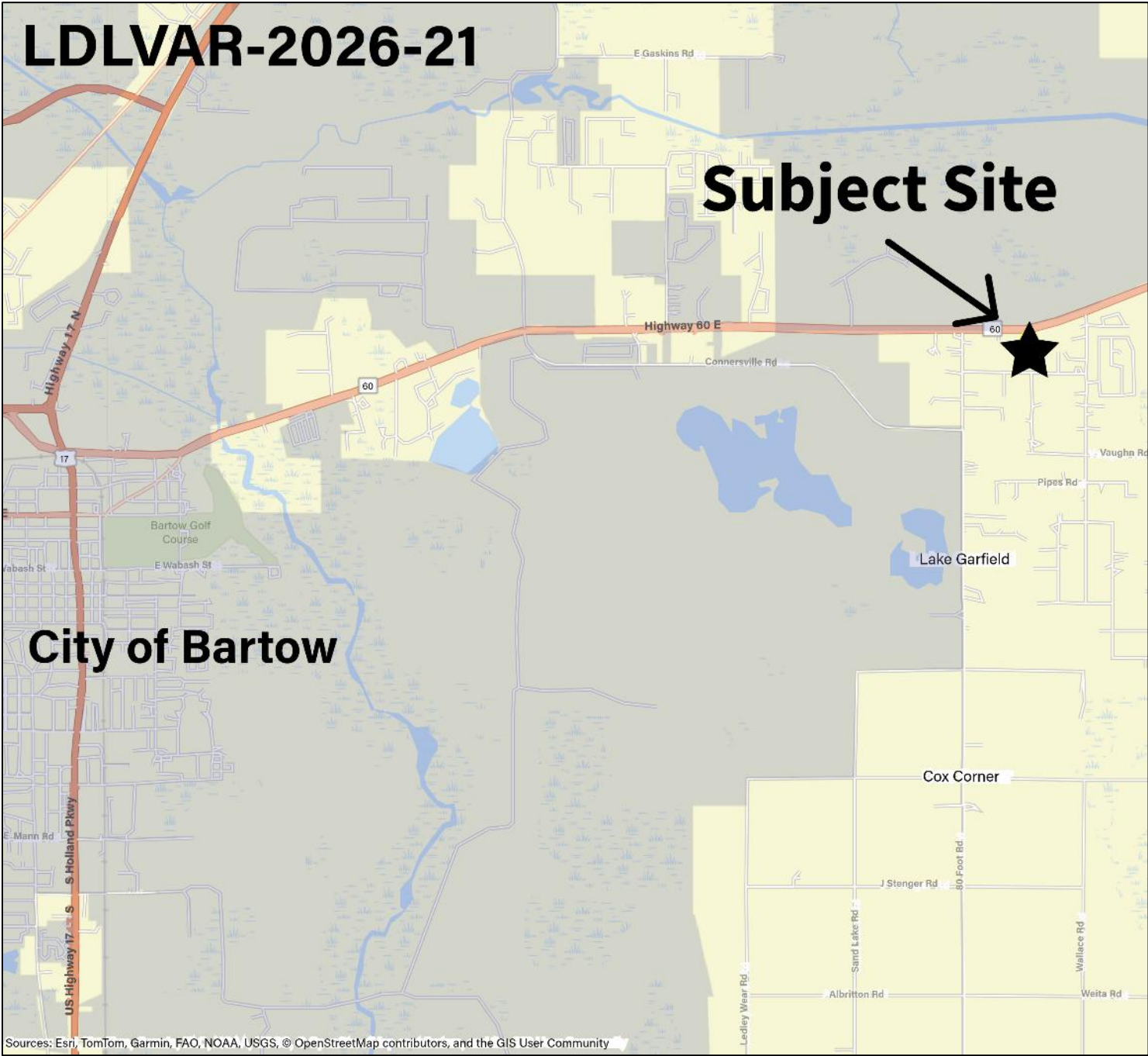
<p>Northwest: Highway 60 E. State Highway City of Bartow Land Use District Mixed Use Planned Development</p>	<p>North: Highway 60 E. State Highway City of Bartow Land Use District Mixed Use Planned Development</p>	<p>Northeast: Highway 60 E. State Highway City of Bartow Land Use District Mixed Use Planned Development</p>
<p>West: A/RR ± 2.12 acres 3,286 sq. ft. Single-Family Dwelling ± 35 ft. from property line</p>	<p>Subject Property: A/RR ± 1.18 acres 1,104 sq. ft. Single-Family Dwelling</p>	<p>East: A/RR ± 1.22 acres Grandfathered Commercial Use 60,984 sq. ft. commercial building and outside storage</p>
<p>Southwest: A/RR ± 2.12 acres 1,000 sq. ft. Residence 465+ ft. from property line</p>	<p>South: A/RR ± 2.58 acres 3,269 sq. ft. Residence 370+ ft. from proposed structure</p>	<p>Southeast: A/RR ± 2.76 acres 1,245 sq. ft. Residence is 94+ ft. from property line</p>

The subject site has frontage on Highway 60 East with the property and surrounding vicinity designated as Agricultural/Residential-Rural (A/RR). The current owners purchased the property in June of 2024 according to the Property Appraiser’s website. A 1,104 sq. ft. mobile home was placed on the property around 1990. A similar variance was approved on the property less than one (1) mile southeast of the subject property. The closest residence is at least 75 feet from the proposed pole barn. There is a legally non-conforming heavy commercial use on the eastern boundary of the site.

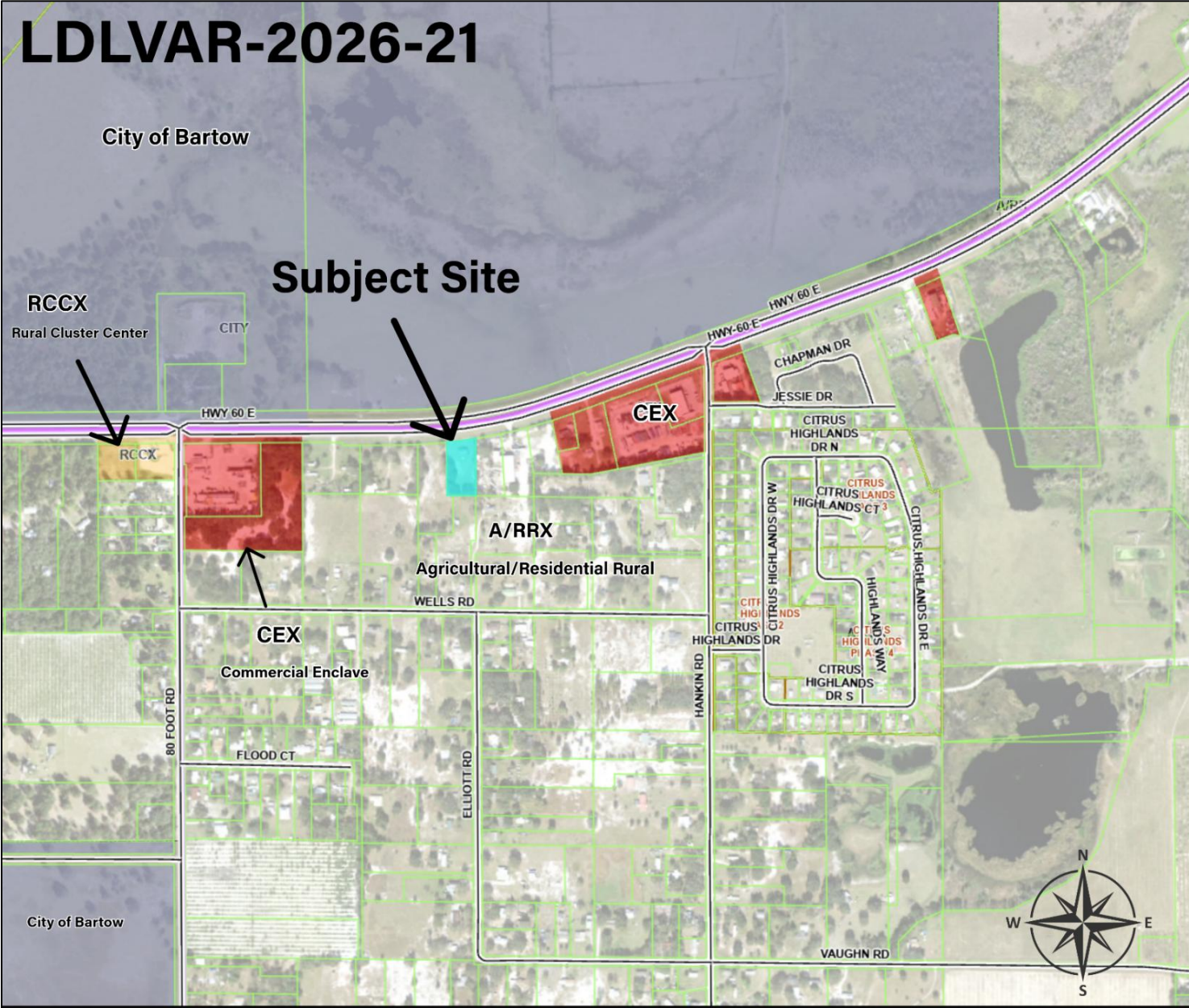
Comments from other Governmental Agencies: None

Exhibits:

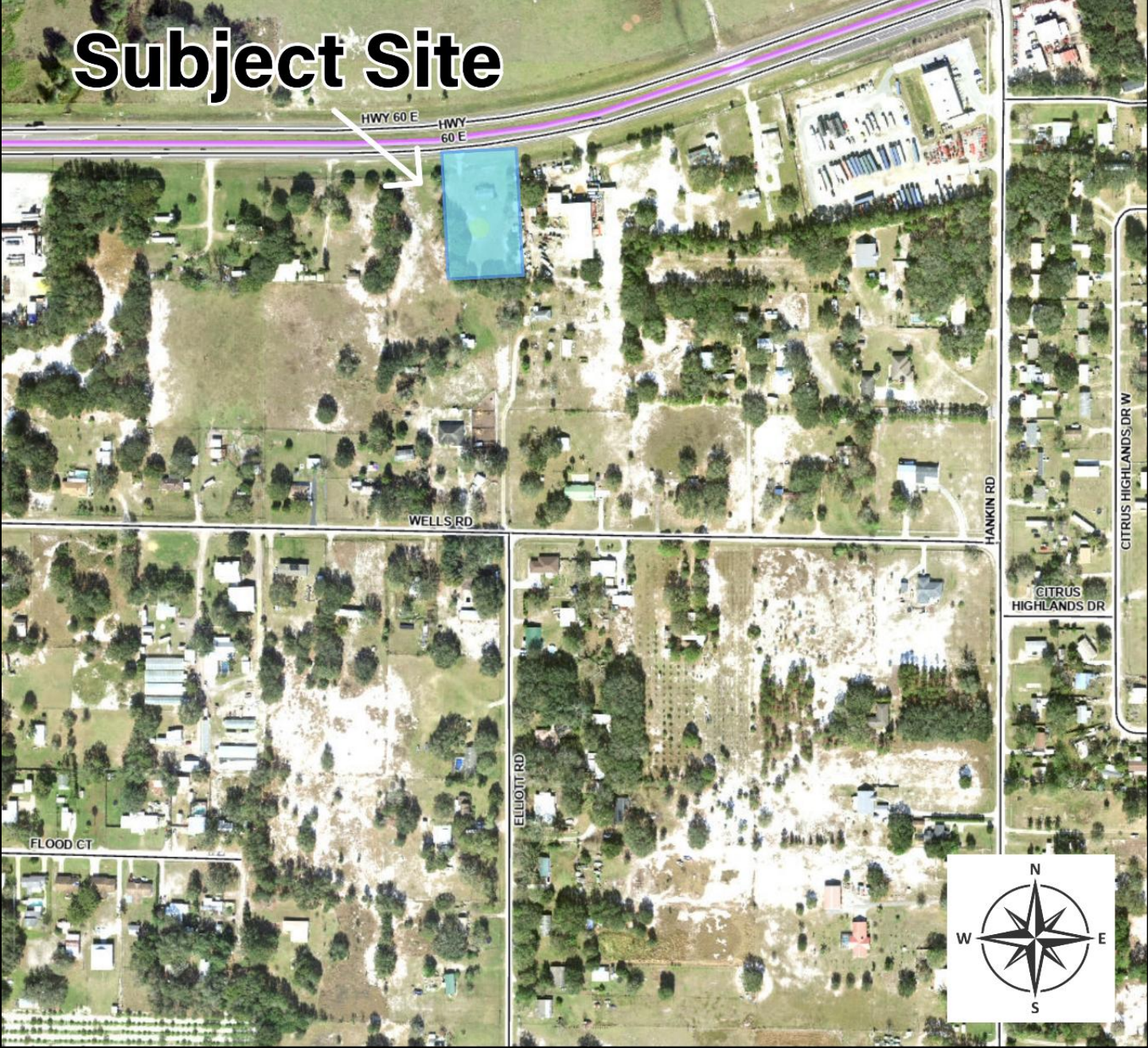
- Exhibit 1 – Location Map
- Exhibit 2 – Future Land Use Map
- Exhibit 3 – 2024 Aerial Photo (Context)
- Exhibit 4 – 2025 Satellite Image (Close-up)
- Exhibit 5 – Site Plan
- Exhibit 6 – Justification



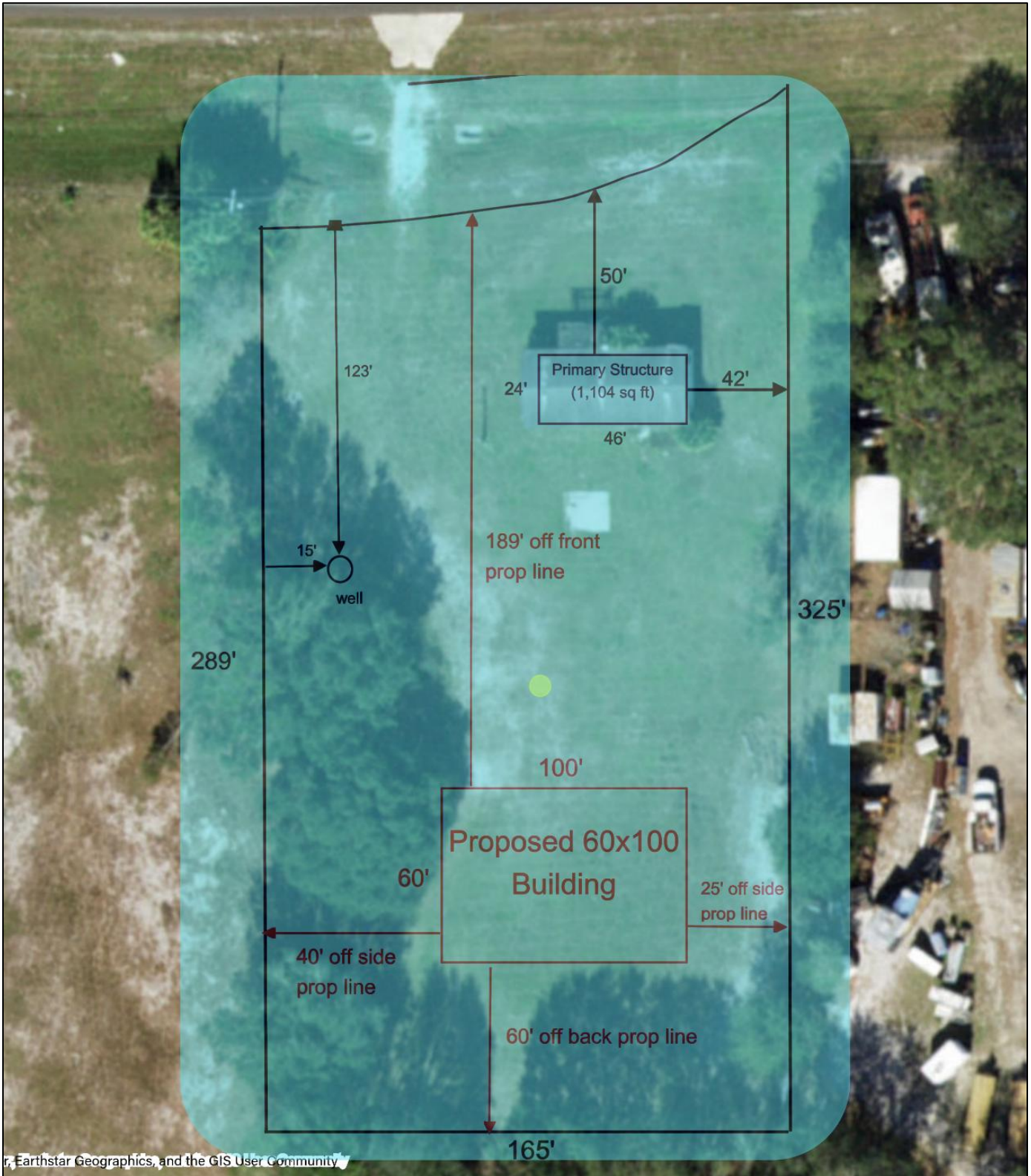
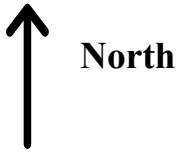
Location Map



Future Land Use Map



2024 Aerial Photo (Context)



Site Plan

Justification

1. Will the variance be injurious to the area involved or detrimental to the public welfare? **No**

2. What special conditions exist that are peculiar to the land, structure, or building involved? **N/A**

3. When was the property purchased and when was the structure built? Permit Number? **Property purchased June 18, 2024 | Proposed accessory structure has yet to be built.**

4. What is the hardship if the variance is not approved? **Personal belongings and items exposed to harmful weather. Wasted resources.**

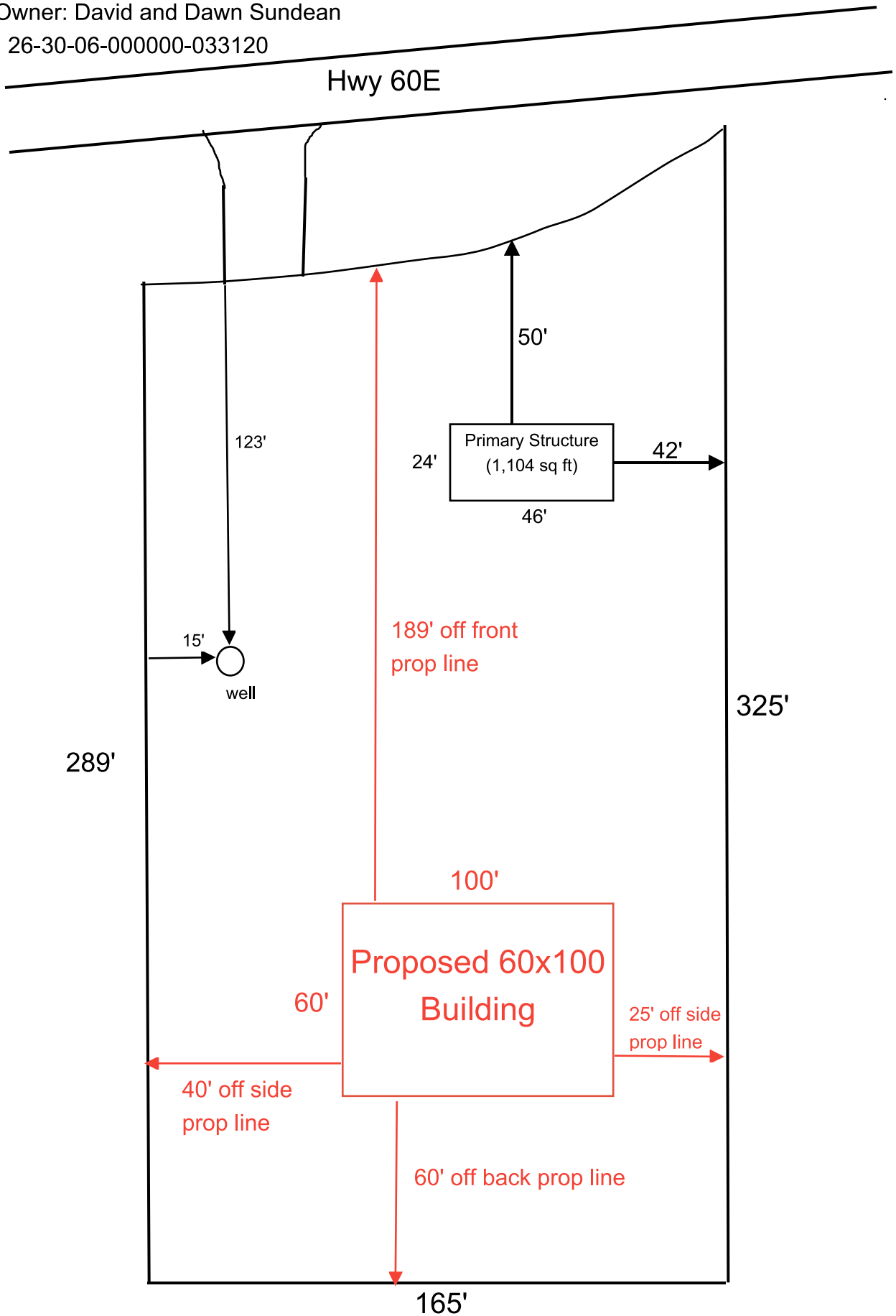
5. Is the minimum variance required for the reasonable use of the land? **Yes**

6. Is there a Homeowners Association approval for this request? **Property is not in an HOA.**

Address: 5619 Hwy 60 E, Bartow FL 33830

Property Owner: David and Dawn Sundean

Parcel ID: 26-30-06-000000-033120



LDLVAR-2026-21 - SUNDEAN ACCESSORY STRUCTURE VARIANCE

Menu Reports Help

Application Name: [SUNDEAN ACCESSORY STRUCTURE VARIANCE](#)

File Date: [03/16/2026](#)

Application Type: [LUHO - Variance](#)

Application Status: [Approved For Hearing](#)

Application Comments:	View ID	Comment	Date
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Description of Work: [Variance request for a 60x100 \(on 20' tall legs\) accessory structure exceeding the size of the primary residence at 5619 HWY 60E, Bartow FL 33830. The accessory stru needed for storage purposes.](#)

Application Detail: [Detail](#)

Address: [5619 E HWY 60, BARTOW, FL 33830](#)

Parcel No: [26300600000033120](#)

Owner Name: [SUNDEAN DAVID R](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	Eric W Langston		Engineer	Mailing, PO Box 4617, ...	Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #
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Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$541.00](#)

Total Fee Invoiced: [\\$541.00](#)

Balance: [\\$0.00](#)

Custom Fields: **LD_GEN_BOA**

GENERAL INFORMATION

Expedited Review

Number of Lots

-

Will This Project Be Phased

Acreage

[1.18](#)

DRC Meeting Time

DRC Meeting

[06/11/2026](#)

Rescheduled DRC Meeting

Rescheduled DRC Meeting Time

-

Green Swamp

Number of Units

[No](#)

-

Case File Number

Is this Polk County Utilities

-

One Year Extension

FS 119 Status

[Non-Exempt](#)

-

PUBLIC HEARINGS

Development Type

Application Type

[Land Use Hearing](#)

[Variance](#)

[Officer](#)

Variance Type

Brownfields Request

[Accessory](#)

-

[Larger than](#)

[Principle](#)

[Affordable Housing](#)

ADVERTISING

Advertising Board

Legal Advertising Date

[Land Use Hearing](#)

-

[Officer](#)

MEETING DATES

LUHO Hearing Date

[07/14/2026](#)

ALCOHOL BEVERAGE DIST REQ

COMMUNICATION TOWER

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?
[No. The proposed accessory structure will not be injurious to the surrounding area or detrimental to the public welfare. The structure will meet all required setbacks and building codes and will be located on a large parcel where it will not negatively impact neighboring properties. The use is consistent with other rural/residential properties in the area that contain accessory structures used for storage, equipment, and personal use.](#)

What special conditions exist that are peculiar to the land, structure, or building involved?
[The property consists of a larger parcel where the primary residence occupies a relatively small footprint compared to the available land area. The size and configuration of the lot allow adequate space for a larger accessory structure without affecting neighboring properties. The structure is intended to store equipment, vehicles, and materials that cannot reasonably be accommodated within a smaller building.](#)

When did you buy the property and when was the structure built? Permit Number?
[Property was purchased in 2024 and structure has not been built yet.](#)

What is the hardship if the variance is not approved?
[Without the variance, the owner would be unable to construct a structure large enough to store necessary equipment on-site. This would limit the reasonable use of the property and require storing equipment outdoors or off-site, which is less practical and could create clutter or inefficiencies. The variance allows the property to be used in a functional and orderly manner.](#)

Is this the minimum variance required for the reasonable use of the land?
[Yes. The requested size is the minimum necessary to accommodate the intended storage of equipment, vehicles, and materials while maintaining safe access and functionality within the building. The structure has been sized to meet the owner's needs without requesting any additional variances beyond the accessory structure size.](#)

Do you have Homeowners Association approval for this request?
[There is no HOA.](#)

LD_GEN_BOA_EDL

[Opening DigEplan List..](#)
 DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID
[POLKCO-26EST-00000-14919](#)
 RequiredDocumentTypesComplete
[Yes](#)

DocumentGroupForDPC
[DIGITAL PROJECTS LD](#)
 AdditionalDocumentTypes
[Applications, AutoCad File, Binding, Site Plans \(PDs, Yes and CUs\), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous, Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter, Survey, Title Opinion](#)
 RequiredDocumentTypes
 - Activate DPC
 Yes

Activate FSA
[Yes](#)

DigitalSigCheck
[Yes](#)

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
[√](#)

LAND USE

Selected Area Plan LU Code

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
LUHO	1	20	06/26/2026	06/26/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lisa Simons-Iri...	Application ...	05/15/2026	Lisa Simons-Iri...
Roads and Drainage Review	Phil Irven	Approve	05/18/2026	Phil Irven
Planning Review	LD Intern	Approve	06/16/2026	Andrew Grohowski
Review Consolidation		Approved for...	06/16/2026	Saralis Wons

Record Details

Task	Assigned To	Status	Status Date	Action By
Public Notice				
Hearing Officer				
Final Order				
Archive				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
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Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
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Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
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Polk County
Polk County Land Use Hearing Officer

Agenda Item 3.

7/14/2026

SUBJECT

LDLVAR-2026-29 (Limedale Accessory Variance)

DESCRIPTION

Andrew Pring requests a 2,400 square footage accessory structure to be 208 percent larger than the primary structure in a Residential Suburban land use district on approximately +/- 1.15 acres. The subject property is located at 2111 Limedale Road, north of Interstate 4, south of Old Polk City Road, east of Walt Williams Road, west of Tomkow Road, northwest of the City of Lakeland in Section 09, Township 27, Range 24.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Kyle Rogus, Planner II
Land Development Division
863-534-7553
kylerogus@polkfl.gov

**POLK COUNTY
LAND USE HEARING OFFICER
STAFF REPORT**

DRC Date: May 14, 2026	CASE #: LDLVAR-2026-29 (Limedale Accessory Variance)
LUHO Date: July 14, 2026	LDC Section: Section 209.G

Request: The applicant is requesting a 2,400 square footage accessory structure to be 208 percent larger than the primary structure in a Residential Suburban land use district on approximately +/- 1.15 acres.

Applicant: Andrew Pring

Property Owner: Andrew Pring

Location: The subject property is located at 2111 Limedale Road, north of Interstate 4, south of Old Polk City Road, east of Walt Williams Road, west of Tomkow Road, northwest of the City of Lakeland in Section 09, Township 27, Range 24.

Parcel ID#: 242709-000000-023100

Size: ±1.15 acres

Land Use Designation: Residential Suburban-X (RSX)

Development Area: Suburban Development Area (SDA)
Green Swamp Area of Critical State Concern (GSACSC)

Case Planner: Kyle Rogus, Planner II

Summary:

The applicant is requesting a variance to allow an accessory structure larger than the primary structure. The accessory structure is a 60' by 40' (2,400 square feet) garage and the primary residence is 1,152 square feet. The property is within an Residential Suburban (RS) land use district. The requested accessory structure is over 200% the size of the residence, therefore the applicant is seeking approval of a variance from the Land Use Hearing Officer pursuant to Sections 930 and 931. These cases are less about hardships and more about whether they cause harm on the neighbors and surrounding community. The structure will be an open pole barn so it will not seem as large. It is also at the dead end of the road, which backs up to a conservation easement and large tracts of undeveloped County and City land.

Staff finds this request will cause no direct or indirect harm to the community and recommends approval, as it meets the following criteria listed in Section 931:

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

The location of the proposed structure will not block the view of traffic off Limesdale Road and the access easement. The accessory structure will be a minimum 48 feet from any property boundary, well exceeding the 5-foot side and 10-foot rear setbacks. The nearest home is over 170 feet on the neighboring property to the north. The accessory structure will be 208% larger than the principal structure square footage and will be located 48 feet from the neighboring property line to the north, meeting accessory structure interior side setbacks in the RS land use district.

2. *Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district;*

Special conditions exist with both the land and the structure. The structure is open and the property is located at the end of the road backing up to a conservation easement and large undeveloped tracts of City Land.

Development Review Committee

The Development Review Committee, based on the criteria for granting variances, the submitted application, and a recent site visit, finds that the applicant's request as written **IS CONSISTENT** with Section 931 of the Polk County Land Development Code (LDC) and recommends **APPROVAL of LDLVAR-2026-29**

CONDITIONS OF APPROVAL:

1. The approval of this variance to Section 209.G of the Land Development Code to allow an accessory structure (2,400 square feet) to be larger than the primary structure as described in the staff report. Further additions or structures placed on the property shall be required to meet Section 209.G of the Polk County Land Development Code or re-apply for another variance approval from the Land Use Hearing Officer.
2. This variance does not authorize any encroachments into easements, and the applicant shall be responsible to make certain there are no encroachments unless approval is granted by the easement holder and/or any applicable permitting agencies. The property owner(s) is also responsible for compliance with any restrictions of record pertaining to lots and/or land and this approval shall not be used to supersede authority over those restrictions.
3. The applicant shall have one (1) year from the date the Land Use Hearing Officer's Final Order is rendered to apply for all necessary building permits and pay all associated fees for the proposed addition.
4. The use of the accessory structure approved herein is limited to the storage of items associated with the residential use of the property. No home-based business or commercial uses shall be permitted to occur within the accessory structure. This structure shall not be used for an Accessory Dwelling Unit (ADU).

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.

NOTE: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the variance approval.

NOTE: All written commitments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

NOTE: Approval of this variance shall not constitute a waiver or an additional variance from any applicable development regulation unless specifically noted in the conditions of approval and consistent with the LDC.

DEMONSTRATIONS OF THE CRITERIA FOR GRANTING VARIANCES SUMMARIZED BELOW:

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

According to Polk County Property Appraiser, the home was built in 1984 at 1,152 square feet. Historical aerial photos place the mobile home residence on site between 1988 and 2002. The accessory structure was not placed on site until at least May of 2023, and no building permits were issued for the structure prior to 2026. Building permit No. BR-2026-2604 was filed in response to a code violation under CMA-2026-326 which cited the owner and/or applicant for building without a permit. The accessory structure is approximately 2,400 square feet. According to the applicant's site plan, the structure will meet all the setbacks for the RS land use district (see Exhibit 5). The accessory structure will be setback 48 feet from the north, 48 feet from the south, and 160 feet from the east property line. The nearest home is over 170 feet on the neighboring property to the north.

The granting of this request will not be injurious to the area as the closed structure will not block the view of traffic. The accessory structure is setback significantly from Limesdale Road and the property is located at the end of the roadway, therefore no vehicular traffic will be passing the property. Pole Barns provide protection from the elements and organized storage of vehicles and equipment.

In addition, the surrounding properties to the south and east of the subject site are either under a conservation easement or large undeveloped tracts of land minimizing any offsite visual impacts. The property is fully screened from offsite view by a combination of opaque fencing along the northern property boundary and dense vegetation along the remaining property boundaries. The location of the structure meets and exceeds Land Development Code (LDC) requirements and existing site conditions help mitigate any incompatibilities.

2. *Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district;*

The property is located in the Residential Suburban (RS) land use district and is approximately 1.15 acres. While this lot is below the RS minimum lot size of 5 acres, 1.15 acres provides ample space for a structure of such size as shown on the applicants site plan. The site plan illustrates the location of the structure exceeds the accessory structure setback requirements in the RS.

The site is located at the end of the roadway abutting large undeveloped tracts of land within City of Lakeland jurisdiction and conservation easements. The location of the site along with the surrounding area minimize offsite visual impacts. The structure is fully open on all size becoming less of an eyesore and will be less intrusive than a fully enclosed structure.

3. *Whether provided the special conditions and circumstances present in the request do not result from the actions of the applicant;*

The applicant purchased the property in August 2012, according to the Polk County Property Appraiser. The home was built in 1984 at 1,152 square feet. The proposed accessory garage structure will be 2,400 square feet, which is 208% larger than the primary structure. The Property Appraiser's website does not identify the home was constructed with a garage and no additions have been added. According to Accela, there is one building permit record, BR-2026-2604, associated with the subject parcel. BR-2026-2604 is the active building permit for the proposed accessory structure requiring the variance approval.

4. *Whether granting the requested variance will not confer on the applicant any special privilege that is denied by the provisions of this Code and will constitute unnecessary and undue hardship on the applicant;*

Every variance approval is a special privilege to some degree. Other surrounding parcels have accessory structures. Garages, unlike other accessory structures, are permitted in front yards. This property is approximately 1.15 acres. If the property was 2 acres, Section 209.G allows accessory structures administratively to be permitted up to 2,000 sq. ft. or 150% of the principal structure square footage, whichever is greater. If the subject site was 2 acres, the applicant would be allowed to construct an accessory structure 2,000 square feet by right, which is 400 square feet smaller than what is being currently proposed.

5. *Whether the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;*

The requested variance is believed to be the minimal variance necessary to optimize the use of the owner's land. The applicant intends to use the accessory structure as a garage for vehicle parking. The accessory structure in question is 60' by 40' (2,400 square feet). There are other other accessory structures above 2,000 square feet in the area. The property under Parcel ID No. 242709-000000-021080 has a accessory structure measuring approximately 2,180 square feet (see Exhibit 3).

6. *Whether that in no case shall a variance be granted which will result in a change of land use that would not be permitted in the applicable land use designation;*

Granting this variance will not result in a change of land use.

7. *Whether that in no case shall a variance be granted which would result in creation of any residual lot or parcel which does not meet the requirements of this Code; and*

Granting this request is not anticipated to result in the creation of a lot or parcel that does not meet the requirements of the Code.

8. *Whether that the granting of the variance does not circumvent a condition, or the intent of a condition placed on a development by the Planning Commission or the BoCC.*

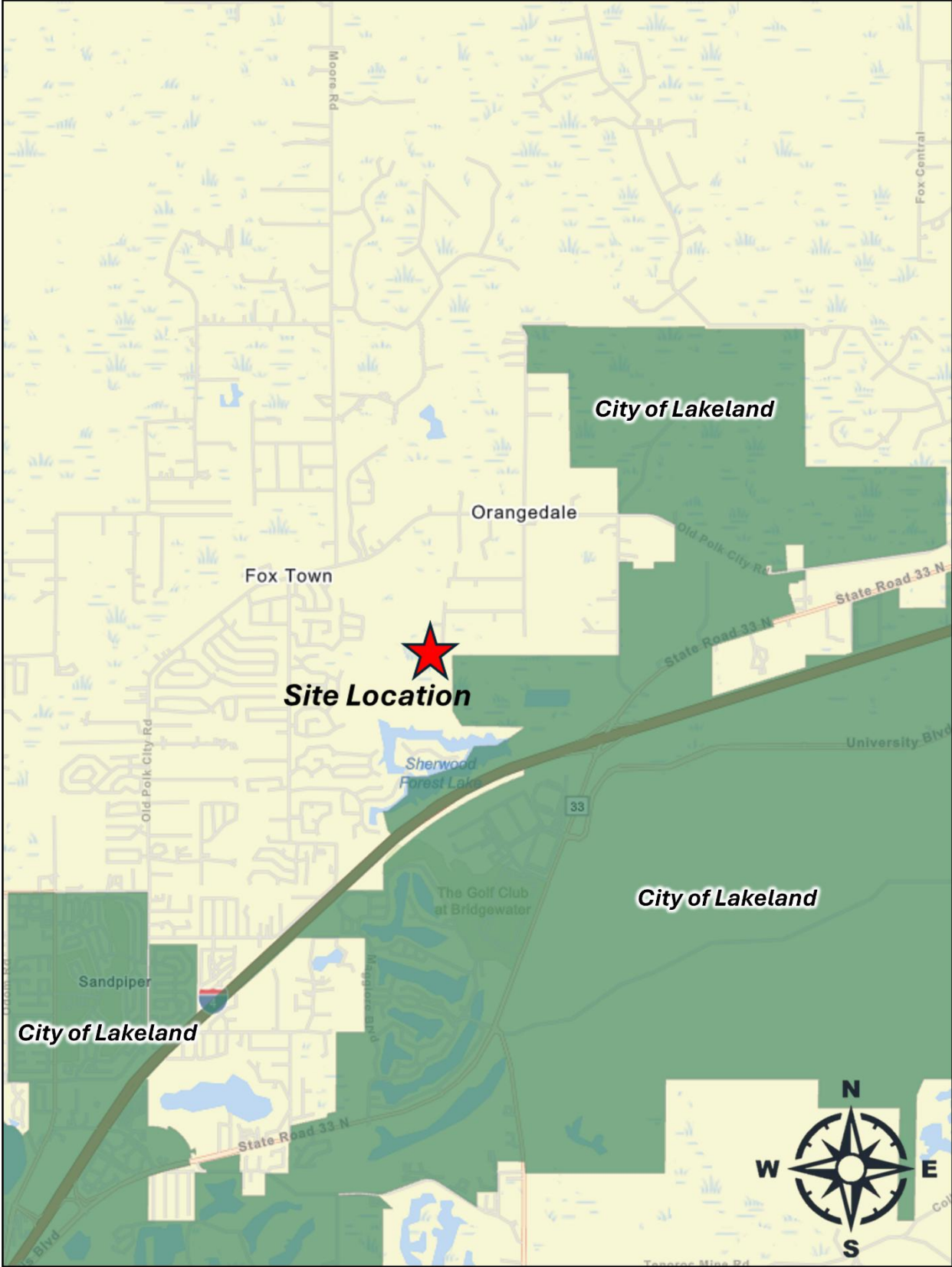
The evidence found suggests the proposed request will not circumvent the intent of a condition placed on a development by the Planning Commission or the Board of County Commissioners. The property is not part of a Planned Unit Development (PUD) and was originally zoned RC. Per Chapter 2, Section 205, Table 2.2 of the Land Development Code, the RS land use district requires side yard setbacks of 10 feet and rear yard setbacks of 15 feet.

Surrounding Future Land Use Designations and Existing Land Use Activity:

<p>Northwest: Residential Suburban Mobile Home (1,215 sq.ft.) No accessory structures 1.01 acres</p>	<p>North: Residential Suburban Mobile Home (2,280 sq.ft.) No accessory structures 2.52 acres</p>	<p>Northeast: Residential Suburban Pasture No accessory structures 23.03 acres</p>
<p>West: Residential Suburban Mobile Home (960 sq.ft.) Multiple accessory structures 1.19 acres</p>	<p>Subject Property: Residential Suburban Mobile Home (1,152 sq.ft.) Proposed 2,400 sq.ft. accessory structure 1.15 acres</p>	<p>East: Residential Suburban Pasture No accessory structures 23.03 acres</p>
<p>Southwest: Residential Suburban Conservation Easement OR 5358-2092 45.51 acres</p>	<p>South: Residential Suburban Conservation Easement OR 5358-2092 45.51 acres</p>	<p>Southeast: City of Lakeland Vacant 61.12 acres</p>

Many of the surrounding properties are below the minimum 5-acre residential lot size in the RS land use district ranging in size from 1.01 acres to 2.52 acres. Recent aerial data viewers show multiple properties in the immediate surrounding area to have an accessory structure. The property under Parcel ID No. 242709-000000-021080 to the northeast of the subject site has an existing accessory structure that measures 2,180 square feet (see Exhibit 3).

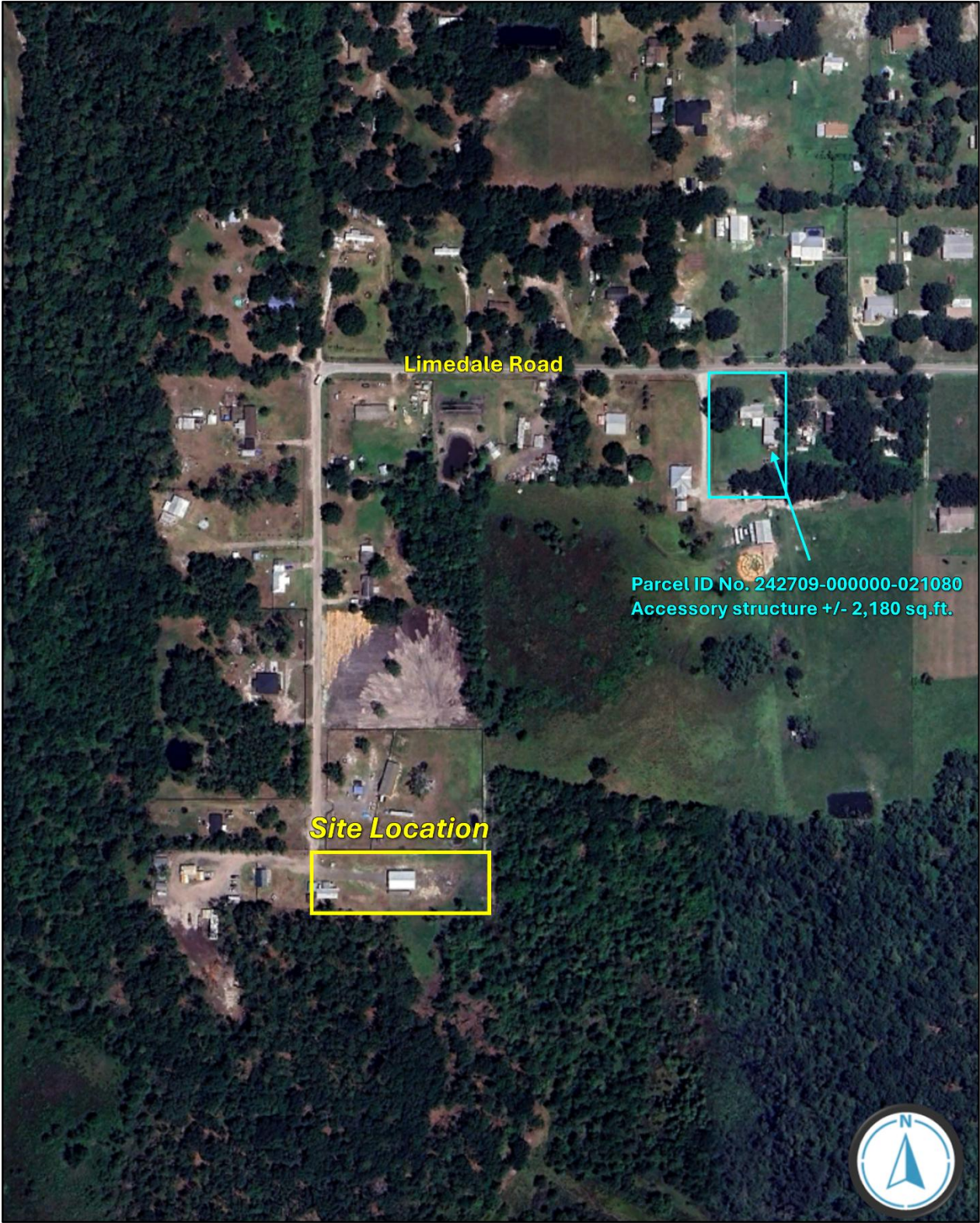
Exhibits:	Exhibit 4	Aerial Imagery (Close)
Exhibit 1	Location Map	Exhibit 5
Exhibit 2	Future Land Use Map	Exhibit 6
Exhibit 3	Aerial Imagery (Context)	Justification



Location Map



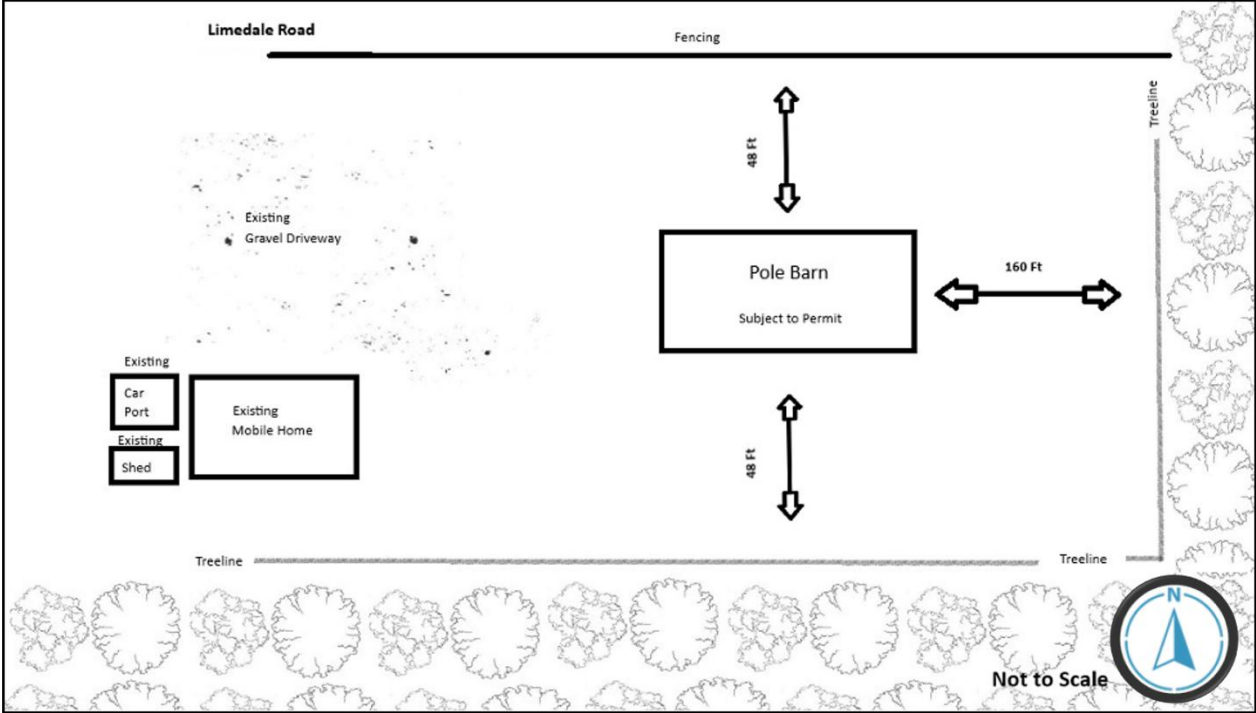
Future Land Use Map



Aerial Imagery (Context)



Aerial Imagery (Close)



Site Plan

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?

No. The structure is located well behind the residence with approximately 48-foot setbacks and over 150 feet from neighboring properties, and is screened by existing trees. It is not visible from the roadway and does not impact traffic, drainage, noise levels, or neighboring properties. The use is strictly personal and non-commercial, and therefore it is not injurious to the area or detrimental to public welfare.

What special conditions exist that are peculiar to the land, structure, or building involved?

The property is directly adjacent to a second parcel of equal size under the same ownership, creating a combined functional area of approximately 2.38 acres. Additionally, the configuration of the lot, existing residence, and access points limit placement options for accessory structures. The structure has been placed in a location that maximizes setbacks and utilizes natural tree buffering, making it uniquely suited to this property layout.

When did you buy the property and when was the structure built? Permit Number?

The property was purchased in 02/2012 the structure was constructed in 09/2025. We are currently working with the County to bring the structure into compliance. Permit Number: BR-2026-2604

What is the hardship if the variance is not approved?

Due to the layout of the property, existing structures, and access considerations, there are limited alternative locations or configurations for an structure. Reducing the size would significantly limit the reasonable use and functionality of the property for storage purposes. Additionally, removal or major modification of the existing structure would create an unnecessary financial hardship, despite the structure having no negative impact on surrounding properties.

Is this the minimum variance required for the reasonable use of the land?

Yes. The requested variance is the minimum necessary to allow for reasonable use of the property. The structure has been placed to maximize setbacks and minimize visibility and impact, and any reduction in size would not meaningfully reduce impact but would limit the functional use of the building.

Do you have Homeowners Association approval for this request?

No, the property is not located within a Homeowners Association. It is in unincorporated Polk and at the end of a dirt road surrounded by polk county vacant land.

Justification

LDLVAR-2026-29 - Pring Variance 2111 Limedale

Menu Reports Help

Application Name: [Pring Variance 2111 Limedale](#)

File Date: [04/21/2026](#)

Application Type: [LUHO - Variance](#)

Application Status: [In Review](#)

Application Comments: View ID Comment Date

Description of Work: [We are requesting a variance to allow a 2,400 square foot accessory structure \(pole barn\) on a 1.19-acre parcel located at 2111 Limedale Road. While the parcel is 1.19; individually, it is directly adjacent to a second parcel of equal size under the same ownership \(2110 Limedale Road\), resulting in a combined functional area of approximal acres. The structure has been placed in a manner consistent with that larger footprint, with approximately 48-foot setbacks from property boundaries and over 150 feet frc adjacent properties, and is screened by existing tree lines. The structure is used for personal, non-commercial storage of large class A RV and does not create additional noise, drainage, or visual impacts to neighboring properties. Due to the configuration of the property, existing structures, and access considerations, the size and placeme structure represent a reasonable and minimal request. We are working in good faith with the County to bring the property into full compliance and respectfully request app. this variance. This property is currently being purchased by Andrew Pring from Samantha Meek post divorce.](#)

Application Detail: [Detail](#)

Address: [2111 LIMEDALE RD, LAKELAND, FL 33809](#)

Parcel No: [24270900000023100](#)

Owner Name: [Samantha Meek / Andrew Pring](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	MEEKS SAMANTHA LEANN		Engineer	Mailing_2140 Limedale...	Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$541.00](#)

Total Fee Invoiced: [\\$541.00](#)

Balance: [\\$0.00](#)

Custom Fields: **LD_GEN_BOA**

GENERAL INFORMATION

Expedited Review

Number of Lots

[1](#)

Will This Project Be Phased

Acreage

[1.19](#)

DRC Meeting Time

-

DRC Meeting

[05/14/2026](#)

Rescheduled DRC Meeting

-

Rescheduled DRC Meeting Time

Green Swamp

[No](#)

Number of Units

-

Case File Number

-

Is this Polk County Utilities

One Year Extension

-

FS 119 Status

[Non-Exempt](#)

PUBLIC HEARINGS

Development Type

[Land Use Hearing](#)

[Officer](#)

Application Type

[Variance](#)

Variance Type

[Dimensions](#)

[Table](#)

Affordable Housing

Brownfields Request

-

ADVERTISING

Advertising Board

[Land Use Hearing](#)

[Officer](#)

Legal Advertising Date

-

MEETING DATES

LUHO Hearing Date

[07/14/2026](#)

ALCOHOL BEVERAGE DIST REQ

COMMUNICATION TOWER

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?
No. The structure is located well behind the residence with approximately 48-foot setbacks and over 150 feet from neighboring properties, and is screened by existing trees. It is not visible from the roadway and does not impact traffic, drainage, noise levels, or neighboring properties. The use is strictly personal and non-commercial, and therefore it is not injurious to the area or detrimental to public welfare.

What special conditions exist that are peculiar to the land, structure, or building involved?
The property is directly adjacent to a second parcel of equal size under the same ownership, creating a combined functional area of approximately 2.38 acres. Additionally, the configuration of the lot, existing residence, and access points limit placement options for accessory structures. The structure has been placed in a location that maximizes setbacks and utilizes natural tree buffering, making it uniquely suited to this property layout.

When did you buy the property and when was the structure built? Permit Number?
The property was purchased in 02/2012 the structure was constructed in 09/2025. We are currently working with the County to bring the structure into compliance. Permit Number: BR-2026-2604

What is the hardship if the variance is not approved?
Due to the layout of the property, existing structures, and access considerations, there are limited alternative locations or configurations for an structure. Reducing the size would significantly limit the reasonable use and functionality of the property for storage purposes. Additionally, removal or major modification of the existing structure would create an unnecessary financial hardship, despite the structure having no negative impact on surrounding properties.

Is this the minimum variance required for the reasonable use of the land?
Yes. The requested variance is the minimum necessary to allow for reasonable use of the property. The structure has been placed to maximize setbacks and minimize visibility and impact, and any reduction in size would not meaningfully reduce impact but would limit the functional use of the building.

Do you have Homeowners Association approval for this request?
No, the property is not located within a Homeowners Association. It is in unincorporated Polk and at the end of a dirt road surrounded by polk county vacant land.

LD_GEN_BOA_EDL

[Opening DigEplan List...](#)

DigEplan Document List

-

PLAN REVIEW FIELDS

TMPRecordID

[POLKCO-26EST-00000-20159](#)

DocumentGroupforDPC

[DIGITAL PROJECTS LD](#)

RequiredDocumentTypes

-

AdditionalDocumentTypes

[Applications](#), [AutoCad File](#), [Binding Site Plans \(PDs and CUs\)](#), [CSV Calculations](#), [Correspondence](#), [Design Drawings](#), [Flood/Traffic Studies](#), [Impact Statement](#), [Inspections](#), [Miscellaneous](#), [Plats Record Drawings](#), [Response Letter Resubmittal Complete](#), [Staff Report/Approval Letter](#), [Survey](#), [Title Opinion](#)

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

LAND USE

Selected Area Plan LU Code

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board Number of Boards (Number) Number of Mailers (Number) Date Mailed Date Posted NOR

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
LUHQ	1	24	06/26/2026	06/26/2026	

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	Application Submittal	Lisa Simons-Iri...	Application ...	04/30/2026	Lisa Simons-Iri...

Task	Assigned To	Status	Status Date	Action By
Roads and Drainage Review	Phil Irven	Resubmittal ...	05/01/2026	Phil Irven
Planning Review	Kyle Rogus	Approve	07/01/2026	Kyle Rogus
Review Consolidation		Revisions Re...	07/01/2026	Saralis Wons
Public Notice				
Hearing Officer				
Final Order				
Archive				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
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Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
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Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
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REVIEWED FOR CODE COMPLIANCE

PX3701-RPX284-BU2124-BN6824

TIM MILLER

MC641040

Parcel ID: 24270900000023050

Address: 2111 Limedale Road, Lakeland FL 33809

03/30/2026 6:21:08 PM

Parcel Size: 1.18 Acres

Limedale Road

Fencing

48'

Existing
Gravel Driveway



- Existing Car Port
- Existing Shed



Treeline

Treeline

Not to Scale

INSTR # 2012115205
BK 08686 PGS 0920-0921 PG(s) 2
RECORDED 06/29/2012 10:05:22 AM
RICHARD M WEISS, CLERK OF COURT
POLK COUNTY
DEED DOC 245.00
RECORDING FEES 18.50
RECORDED BY V Epperson

Prepared by and return to:



Office Box
D. Brian Kuehner, P.A.
4921 Southfork Drive, Ste. 4
Lakeland, FL 33813-2078
863-646-5728
File No.: 11-5753
Parcel Identification No. 092724-000000-023100

Warranty Deed

This Warranty Deed made this 1st day of February, 2012 between

NATALIE BROWN, formerly known as NATALIE LANG

whose post office address is
P.O. Box 6500, Lakeland, FL 33807
grantor, and

ANDREW PRING and SAMANTHA L. PRING, husband and wife

whose post office address is
8764 Viking Lane, Lakeland, FL 33809
grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Polk County Florida to-wit:

Parcel 1:

The South 129 feet of the North 1317 feet of the West 388.0 feet of the East 2265 feet of the Southeast 1/4 of Section 9, Township 27 South, Range 24 East, Polk County, Florida.

Parcel 2:

The North 1/2 of the Southeast 1/4 of Section 9, Township 27 South, Range 24 East, Polk County, Florida, LESS the North 1188.00 feet and LESS the East 2265.0 feet thereof.

Subject to restrictions and easements, if any, appearing of record.

GRANTOR WARRANTS THAT AT THE TIME OF THIS CONVEYANCE, THE SUBJECT PROPERTY IS NOT THE GRANTOR'S HOMESTEAD WITHIN THE MEANING SET FORTH IN THE CONSTITUTION OF THE STATE OF FLORIDA, NOR IS IT CONTIGUOUS TO OR A PART OF THE HOMESTEAD PROPERTY.

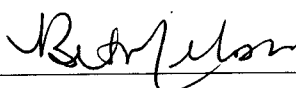
TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

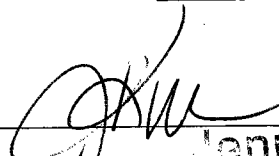
AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2011.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

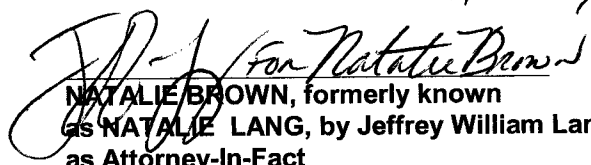
Signed and Sealed in Our Presence:



Witness Printed Name _____



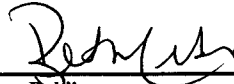
Witness Printed Name **Jennifer Kuehner**

ATTORNEY IN FACT


NATALIE BROWN, formerly known
as NATALIE LANG, by Jeffrey William Lang,
as Attorney-in-Fact

State of Florida
County of Polk

The foregoing instrument was acknowledged before me this 1st day of February, 2012, by NATALIE BROWN, formerly known as NATALIE LANG, by Jeffrey William Lang, as Attorney-In-Fact, who is/are personally known to me or who has produced a driver's license as identification.



Notary Public
Print Name: _____
My Commission Expires: _____





Polk County
Polk County Land Use Hearing Officer

Agenda Item 4.

7/14/2026

SUBJECT

LDLVAR-2026-33 (Davis Variance)

DESCRIPTION

The applicant is requesting a side yard setback variance for the placement of a detached two-story accessory structure, containing a ground-floor garage and an accessory dwelling unit above, on the west side of a residential property of approximately 0.365 acres. The subject property is located at 1370 Crescent Woods Loop, South of Crescent Woods Circle, North of Crescent Woods Circle, West of Carter Road, East of Crescent Lake Dr. subdivision, North of the city of Mulberry, Section 19, Township 29, Range 24.

RECOMMENDATION

Approval

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Tyler-christiandaniels@polkfl.gov <mailto:Tyler-christiandaniels@polkfl.gov>
863-534-7515

**POLK COUNTY
LAND USE HEARING OFFICER
STAFF REPORT**

DRC Date	6/11/2026	CASE #:	LDLVAR-2026-33 (Davis Variance)
LUHO Date	7/14/2026	LDC Section:	Section 208, Table 2.2

Project Number: LDLVAR-2026-33

Request: The applicant is requesting a side yard setback variance for the placement of a detached two-story accessory structure, containing a ground-floor garage and an accessory dwelling unit above, on the west side of a residential property of approximately 0.365 acres.

Applicant: Roderick D. Davis (Agent: Paul Harper, Harper Construction and Management)

Property Owner: Roderick D. Davis

Location: The subject property is located at 1370 Crescent Woods Loop, South of Crescent Woods Circle, North of the Crescent Woods Circle, West of Carter Road, East of Crescent Lake Dr. subdivision, North of the city of Mulberry, Section 19, Township 29, Range 24.

Parcel ID#: 242919-286038-000420

Size: ± 0.365 acres

Land Use Designation: Residential Low-3

Development Area: Transit Supportive Development Area (TSDA)

Case Planner: Tyler Daniels, Planner II

Summary:

The applicant is requesting a west side yard setback reduction from five (5) feet to about two feet (2'), a reduction of three feet (3'), for the placement of a detached two-story structure in the west side yard, pursuant to Section 208, Table 2.2 of the Polk County Land Development Code. The lower level is a 533 square foot garage used for storage and vehicle parking. The upper level is 465 square feet of conditioned living space serving as the accessory dwelling unit. Total floor area is 998 square feet. The applicant states the second-floor interior may follow one of two layout options with no change to the area totals.

Accessory dwelling units are permitted as an accessory use in the Residential Low-3 (RL-3) land use district subject to a Level 1 Review and are limited to 1,000 square feet, and may be located in the side or rear yard of the principal dwelling, pursuant to Sections 206 and 209 of the Land Development Code. The conditioned living area of the proposed unit is 465 square feet, within the 1,000 square foot limit. The proposed structure is approximately 20 feet wide. At the proposed setback, it sits approximately four (4) feet from the existing two-story residence and, per the

applicant, approximately 32 feet from the nearest neighboring structure across the west property line.

As the subdivision is private, County Roads and Drainage Division requested a letter from the homeowners association stating no objection. The applicant states the HOA President and Architectural Review Committee Chair indicated by text message that they have no objection and expect the HOA to approve once the variance is granted. A formal HOA no-objection letter is not in the record.

Staff finds the request to be consistent with the criteria for granting variances and with the established pattern of accessory structures within the Crescent Woods subdivision, and recommends approval subject to the conditions listed below.

Development Review Committee

The Development Review Committee, based on the criteria for granting variances, the submitted application, and staff review, finds that the applicant's request as written IS CONSISTENT with Section 931 of the Polk County Land Development Code (LDC).

Development Review Committee Recommendation: APPROVAL WITH CONDITIONS of LDLVAR-2026-33, subject to the conditions listed below.

Conditions of Approval:

1. A variance to the standards in Section 208, Table 2.2 of the Land Development Code shall be granted for a west side yard setback reduction from five (5) feet to two feet (2') for the placement of a detached accessory structure containing an accessory dwelling unit not to exceed 1,000 square feet of conditioned floor area. Any further additions, expansions, or structures placed on the property shall be required to meet the setback requirements of Table 2.2 of the Polk County Land Development Code or re-apply for another variance approval from the Land Use Hearing Officer.
2. The accessory dwelling unit shall not be approved or used for short-term rental or vacation rental.
3. The applicant shall have one (1) year from the date the Land Use Hearing Officer's Final Order is rendered to apply for all necessary building permits and pay all associated fees for the proposed structure.
4. This variance does not authorize any encroachments into easements, and the applicant shall be responsible for making certain there are no encroachments unless approval is granted by the easement holder and/or any applicable permitting agencies. The property owner(s) is also responsible for compliance with any restrictions of record pertaining to lots and/or land, and this approval shall not be used to supersede authority over those restrictions.

General Notes

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this variance shall not constitute a waiver or an additional variance from any applicable development regulation unless specifically noted in the conditions of approval and consistent the LDC.

NOTE: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the variance approval.

NOTE: All written commitments made in the application and subsequent submission of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Demonstrations of the Criteria for Granting Variances Summarized Below:

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

The proposed structure is a detached two-story accessory structure, approximately 20 feet wide, with a 533 square foot ground-floor garage and a 465 square foot accessory dwelling unit above. It is located in the west side yard, behind the front building line of the existing residence. At the proposed setback the structure sits approximately four (4) feet from the existing residence, and the applicant represents it is approximately 32 feet from the nearest neighboring structure across the west property line. A five (5) foot drainage easement runs along the rear (north) property line. The structure is set within the west side yard and does not extend into that easement. The adjacent property to the West is a two story structure according to Polk County property appraiser and is about 4,401 square feet.

2. *Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district;*

The subject property is a standard platted interior lot of approximately 0.365 acres (110 feet by 145.01 feet). The existing two-story residence, constructed by the developer in 2006, occupies the central portion of the lot, with its west building face approximately 26.8 feet from the west property line. A five (5) foot drainage easement runs along the rear (north) property line. Per the applicant, a bedroom served by required egress on that portion of the residence prevents attaching the accessory structure to the home. The combined effect of the residence's placement, the bedroom egress the applicant identifies, and the rear drainage easement constrains the area available for a detached accessory structure to the west side yard. This condition arises from the configuration of existing improvements on the parcel and is not generally applicable to other lots in the RL-3 land use district.

3. *Whether provided the special conditions and circumstances present in the request do not result from the actions of the applicant;*

The applicant's stated purpose, to house an elderly parent on site for daily care and support, reflects a family need but does not alter the physical site conditions that determine where a detached accessory structure may be placed. The proposed site for the structure is based on ease of access to the driveway and garage area. The proposed structure is new construction; however, the conditions that constrain its placement are not the result of the applicant's actions. County records indicate the principal residence was constructed by the developer in 2006, and the applicant purchased the property in 2007. The residence's footprint and the bedroom egress the applicant identifies both pre-existed the applicant's ownership. The lot dimensions are fixed by the recorded subdivision plat and cannot be modified by the applicant.

4. *Whether granting the requested variance will not confer on the applicant any special privilege that is denied by the provisions of this Code and will constitute unnecessary and undue hardship on the applicant;*

Accessory dwelling units within the 1,000 square foot limit are permitted accessory uses in the RL-3 land use district subject to Level 1 Review, pursuant to Sections 206 and 209 of the Land Development Code. The conditioned living area of the proposed unit is 465 square feet. In response to staff review, the applicant submitted an exhibit identifying five properties within Crescent Woods that contain accessory structures (6639, 6645, 6756, and 6644 Crescent Woods Circle, and 1392 Crescent Woods Loop), and represents that the structure at 6645 Crescent Woods Circle has a side setback comparable to the requested reduction. Accessory structures of similar character exist within the subdivision, (see Exhibit 7) indicating that granting the requested setback would not confer a special privilege denied to other lands in the district.

5. *Whether the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;*

The requested reduction is a three foot (3') reduction, from five (5') feet to about 2 feet (2'). The buildable area between the west property line and the existing residence is approximately 26.8 feet. A 20 foot wide structure placed at a compliant five (5) foot setback would sit approximately 1.8 feet from the existing residence. At the proposed setback it sits approximately four (4) feet from the residence. The applicant states the structure cannot attach to the residence due to the existing bedroom egress. The proposed setback represents the minimum reduction necessary to provide reasonable separation between the accessory structure and the existing residence while accommodating the unit.

6. *Whether that in no case shall a variance be granted which will result in a change of land use that would not be permitted in the applicable land use designation;*

The property is and will remain a single-family residential use within the Residential Low-3 (RL-3) land use district. Accessory dwelling units are permitted accessory uses in RL-3 pursuant to Sections 206 and 209 of the Land Development Code. The variance affects only the west side yard setback applicable to the accessory structure under Table 2.2.

7. *Whether that in no case shall a variance be granted which would result in creation of any residual lot or parcel which does not meet the requirements of this Code; and*

The request affects only the dimensional side yard setback for a proposed accessory structure. The size, shape, configuration, and lot dimensions of the parcel are unchanged. No subdivision, lot split, or boundary adjustment is proposed or implied by the request.

8. *Whether that the granting of the variance does not circumvent a condition or the intent of a condition placed on a development by the Planning Commission or the BoCC.*

The subject property is located within the Crescent Woods subdivision, a standard residential subdivision that was approved under the RL-3 standards in 2005. Staff review of the recorded plat and County records identified no Planning Commission or Board of County Commissioners conditions specific to this parcel or to the subdivision that would be circumvented by granting the requested setback variance. Architectural and use approvals administered by the homeowners association are separate from County conditions.

Surrounding Future Land Use Designations and Existing Land Use Activity:

The table below provides details of abutting structures and lot parameters. Properties that would abut the proposed structure are highlighted in blue.

Northwest: Residential Low-3 (RL-3) single-family home, Lot 54 Crescent Woods, 0.3647 acres 1 Story, 4,818 sqft	North: Residential Low-3 (RL-3) single-family home, Lot 55 Crescent Woods, 0.3645 acres, 2 Story, 4,742 sqft	Northeast: Residential Low-3 (RL-3) single-family home, Lot 56 Crescent Woods, 0.3643 acres (6651 Crescent Woods Circle)
West: Residential Low-3 (RL-3) single-family home, Lot 43 Crescent Woods, 0.3652 acres 2 Story, 4,401 sqft	Subject Property: Residential Low-3 (RL-3) single-family home, Lot 42 Crescent Woods, 0.365 acres, 2 Story, 4,109	East: Residential Low-3 (RL-3) single-family home, Lot 41 Crescent Woods, 0.3647 acres (1376 Crescent Woods Loop)
Southwest: Residential Low-3 (RL-3) single-family home, Lot 38 Crescent Woods, 0.4154 acres (1363 Crescent Woods Loop)	South: Residential Low-3 (RL-3) single-family home, Lot 33 Crescent Woods, 0.3662 acres (1369 Crescent Woods Loop)	Southeast: Residential Low-3 (RL-3) single-family home, Lot 34 Crescent Woods, 0.3662 acres (1375 Crescent Woods Loop)

The subject property is Lot 42 of the Crescent Woods subdivision, recorded according to the Polk County Property Appraiser. The lot is approximately 0.365 acres in the Residential Low-3 (RL-3) land use district within the Transit Supportive Development Area (TSDA). The subject parcel is surrounded entirely by single-family residential homes within the same subdivision, all in the RL-3 land use district. The structure abuts homes on the West, Northwest and North. The property to the directly West is 2 story and 4,401 feet and the proposed structure will be approximately 30 feet away from the neighboring property. The Northwest property is 1 story and 4,818 square feet and the North 2 stories with 4.742 square feet. The proposed placement is farthest from the nearest single story structure.

Comments from other Governmental Agencies:

None.

Exhibits:

Exhibit 1 – Location Map

Exhibit 2 – Future Land Use

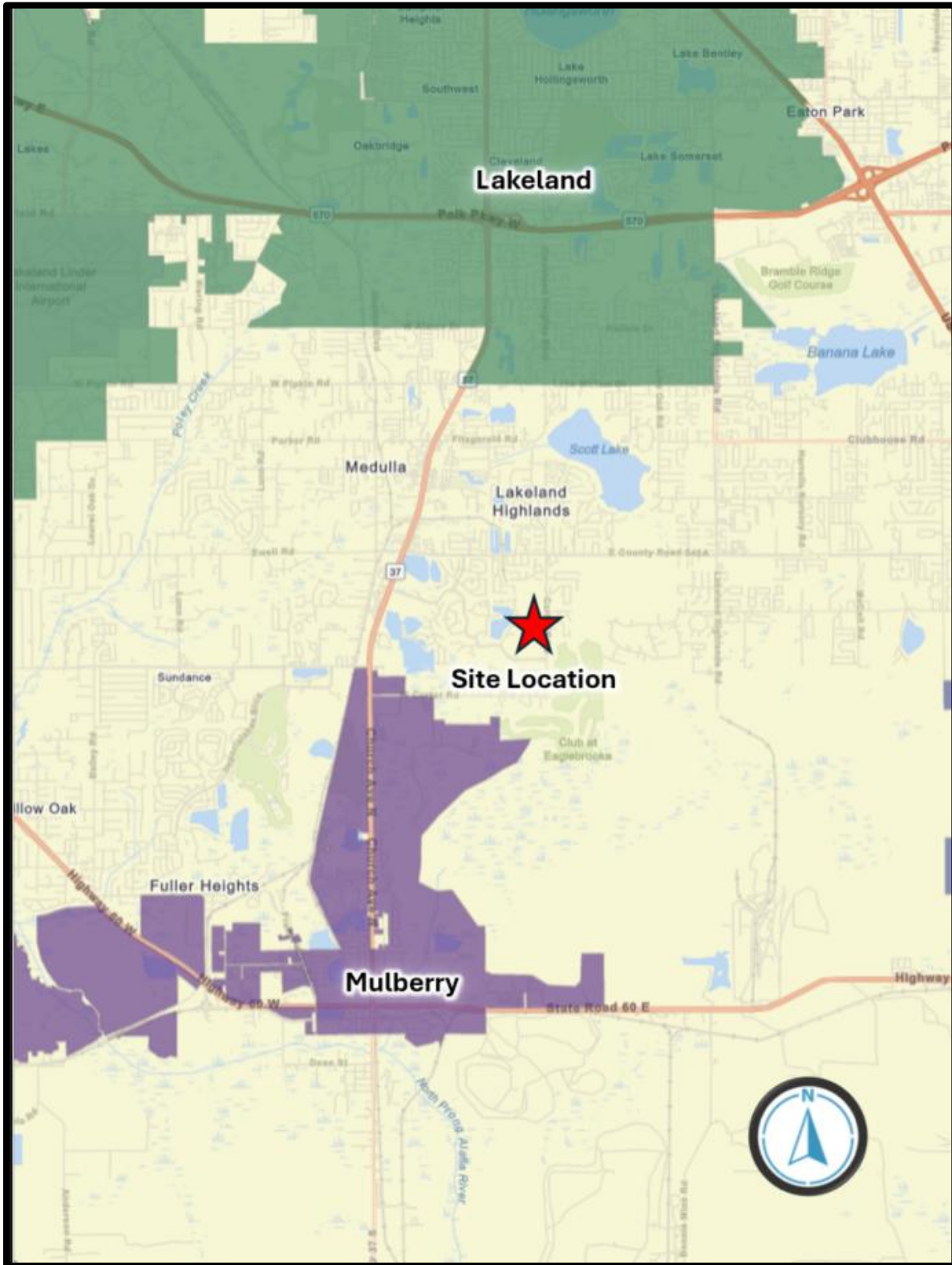
Exhibit 3 – 2023 Aerial Context

Exhibit 4 – 2023 Aerial Close-up

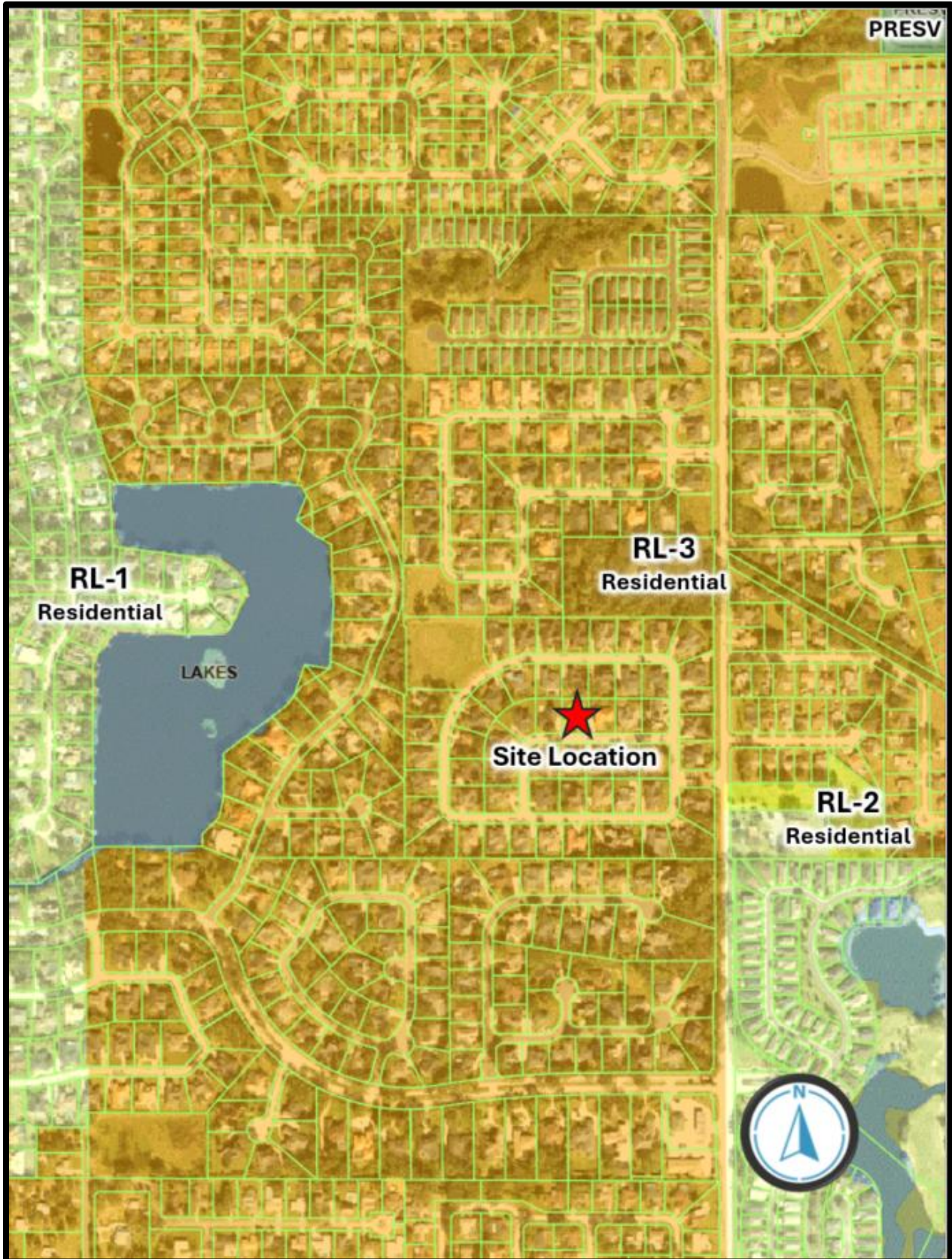
Exhibit 5 – Applicant Site Plan

Exhibit 6 – Applicant's Justification

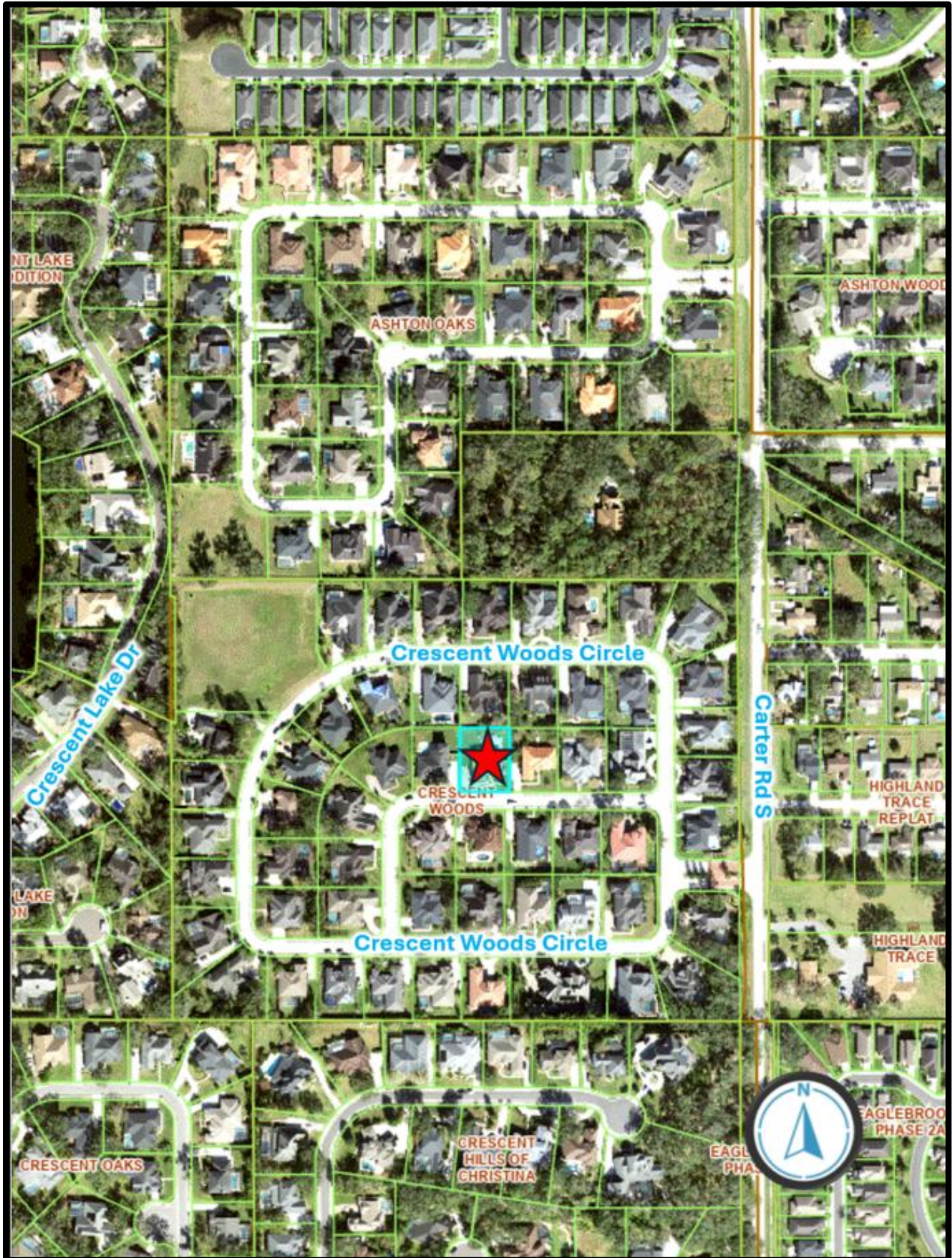
Exhibit 7 – Aerial Context



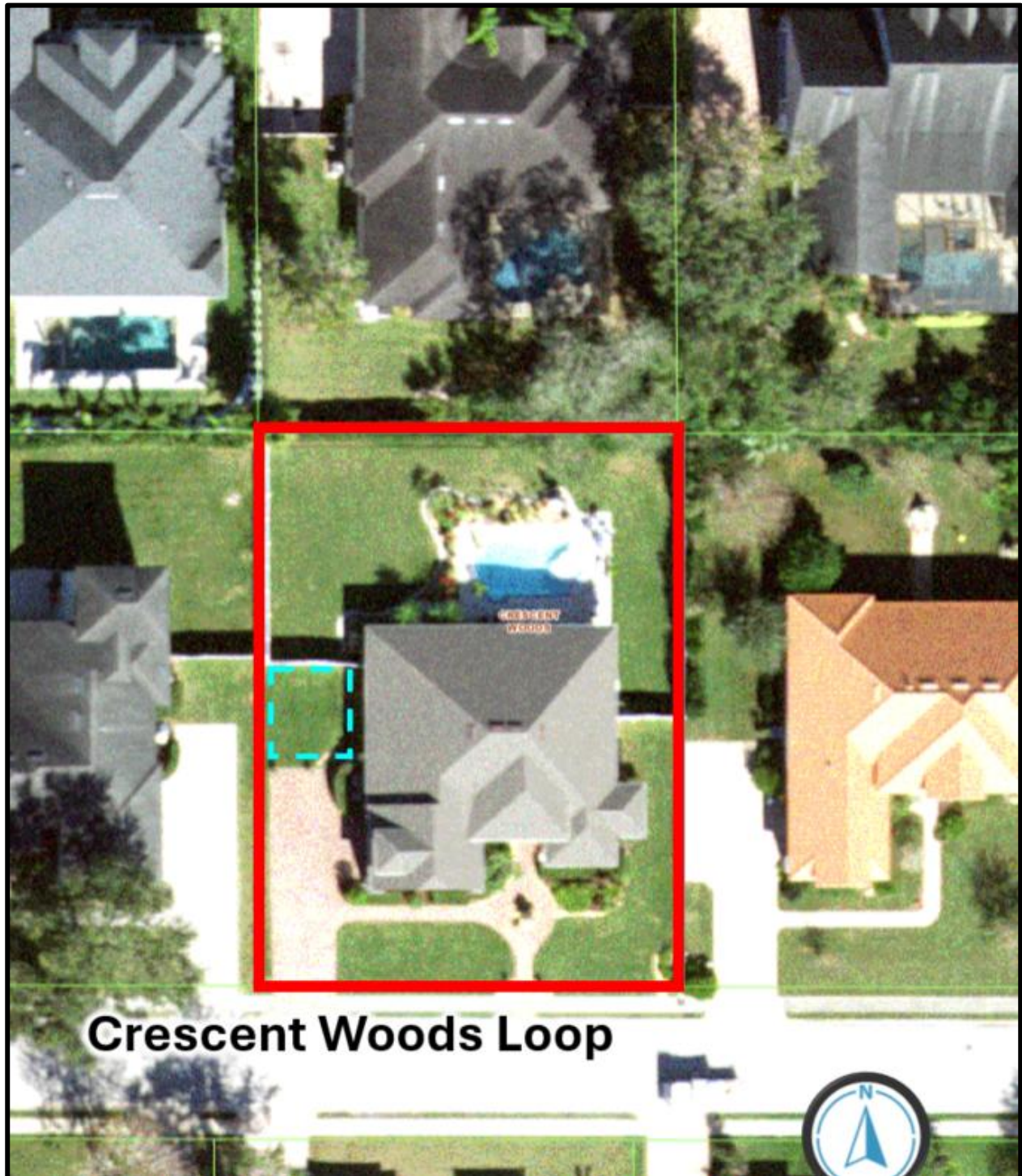
Location Map



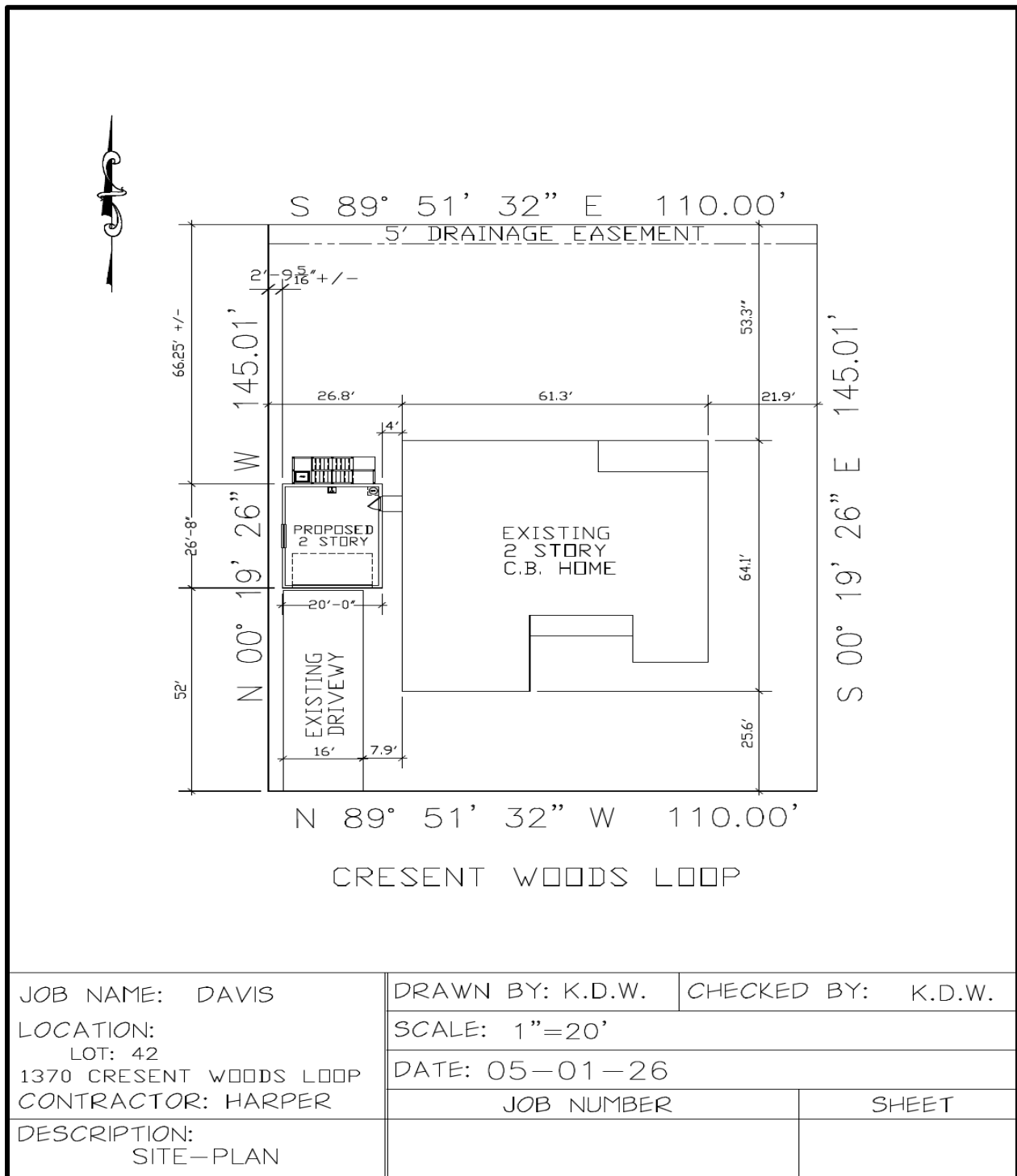
Future Land Use



2023 Aerial Context



2023 Aerial Close-Up



Site Plan

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?

NO

What special conditions exist that are peculiar to the land, structure, or building involved?

The site is flat and we expect no site conditions. There is an existing fence that will need to be moved.

When did you buy the property and when was the structure built? Permit Number?

Purchased property 10/17/2007 Property built by developer 2/27/2006

What is the hardship if the variance is not approved?

The hardship is that without approval of the variance, the homeowner will be unable to create adequate living space for their elderly mother, who requires close proximity to family for care and support.

The accessory dwelling unit is intended to provide a safe living environment with enough space for her personal belongings and daily needs.

Is this the minimum variance required for the reasonable use of the land?

yes

Do you have Homeowners Association approval for this request?

HOA indicated that they will approve if variance is approved.

Applicant's Justification



Similar Accessory Structures in the subdivision

2023 Aerial Context



LDLVAR-20...	STATUS	LOCATION	CONTACT	WORKFLOW
Variance Applicat... Requesting a vari...	> Approved For ... 06/24/2026 b...	> 1370 CRESC... LAKELAND, FL...	> Roderick Davis	> 8 total Task ●...

LDLVAR-2026-33 - Variance Application 1370 Crescent Woods Loop Lakeland

Menu Reports Help

Application Name: [Variance Application 1370 Crescent Woods Loop Lakeland](#)

File Date: [05/07/2026](#)

Application Type: [LUHO - Variance](#)

Application Status: [Approved For Hearing](#)

Application Comments:	View ID	Comment	Date
-----------------------	---------	---------	------

Description of Work: [Requesting a variance for the placement of an accessory dwelling unit \(under 1,000 square feet\) on the west side of the prc 2 feet, 2 11/16 inches \(based on a 5-foot setback requirement\). This situates the structure approximately 32 feet from the cl](#)

Application Detail: [Detail](#)

Address: [1370 CRESCENT WOODS LOOP, LAKELAND, FL 33813](#)

Parcel No: [242919286038000420](#)

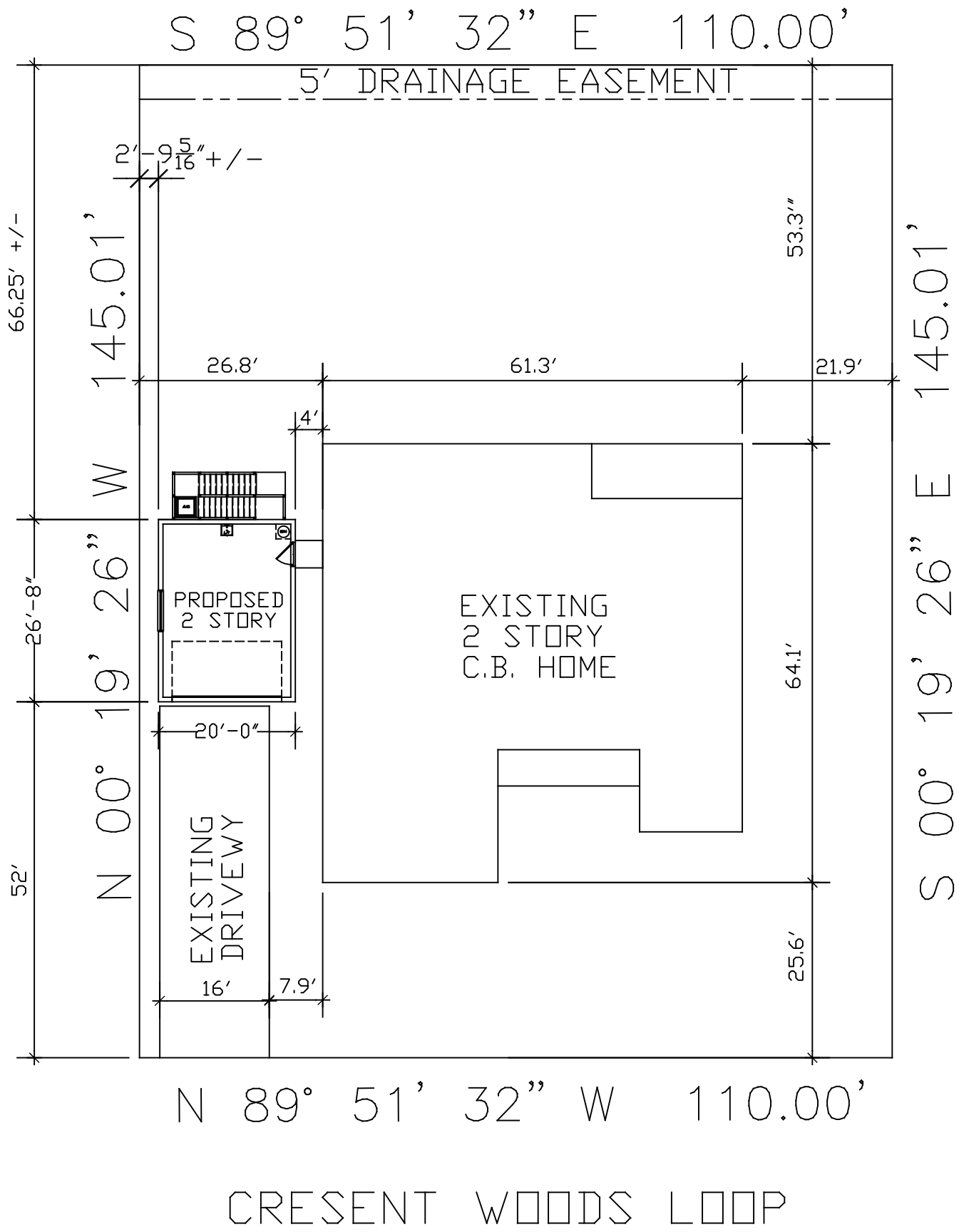
Owner Name: [DAVIS RODERICK D](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address
	DAVIS RODERICK D		Engineer	Mailing, 1320 Crescent...
	SEAN HARPER	HARPER CONSTRUC...	Authorized Agent	Mailing, 1420 S FLORID...

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name
------------------------------	---------	----------------	--------------	------	---------------

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$541.00](#)



JOB NAME: DAVIS	DRAWN BY: K.D.W.	CHECKED BY: K.D.W.
LOCATION: LOT: 42 1370 CRESENT WOODS LOOP	SCALE: 1"=20'	
CONTRACTOR: HARPER	DATE: 05-01-26	
DESCRIPTION: SITE-PLAN	JOB NUMBER	SHEET

330 West Church Street
PO Box 9005 • Drawer GM03
Bartow, Florida 33831-9005



PHONE: 863-534-6792
FAX: 863-534-6407
www.polk-county.net

LAND DEVELOPMENT DIVISION

AUTHORIZATION FORM

LAND DEVELOPMENT PROJECTS LOCATED IN POLK COUNTY, FLORIDA

I, Roderick D Davis (print owner's name), as the owner of the real property described as follows, 1370 Crescent Woods Loop, Lakeland, do hereby authorize to act as my/our agent Paul Sean Harper (print agent's name) to execute all applications, petitions and other documents necessary to affect the application approval requested and to appear on my/our behalf before all County boards and committees considering this application and to act in all respects as our agent in matters pertaining to the application. This authorization expires one year from today.

Roderick D Davis
Property Owner Signature

Roderick D Davis
Property Owner Printed Name

5/4/2026
Date

Parcel Identification Numbers and Addresses (use additional sheet if needed):

24-29-19-286038-000420

1370 Crescent Woods Loop
Lakeland, FL 33813

State of Florida County of Polk

I certify that the forgoing instrument was acknowledged before me this 4th day of May, 2026, by Roderick D Davis

Personally known _____ Produced Identification Type of Identification produced and verified: D.C.

Laurie Barker
Notary Public Signature



Laurie Barker
Notary Public Printed Name

Jan 26, 2029
My Commission Expires

Processing Time & Extension Procedures
Polk County
Office of Planning and Development

Contact Information:

Name of Applicant/Property Owner/Agent: Paul Sean Harper
Mailing Address: 1420 South Florida Ave Lakeland, FL 33803
Phone: 863.581.6661 Email: sharper@harperrealtyfl.com
Location of Property: 1370 Crescent Woods Loop Lakeland 33813

Per F.S. 125.022(1), the County must process applications for development orders and development permits pursuant to timeframes set forth in the statute and as adopted by Land Development Code (LDC) Sections 905 through 908, as follows:

- The County shall notify applicants indicating the application is complete or specify deficiencies within 30 days after receipt of the application.
- If deficiencies are identified, applicants shall have 30 days to submit the required additional information or the application will be withdrawn. Both parties may agree to a reasonable request for an extension of time only in the event of a *force majeure* or other extraordinary circumstance.
- Within 120 days after a Level 2 Review (LDC Section 905) application is deemed complete, the County must approve, approve with conditions, or deny each application. These limits may be reasonably extended by mutual agreement of the applicant and the County for up to 120 days.
- Within 180 days after a Level 3-5 Review (LDC Sections 906-908) application is deemed complete, the County must approve, approve with conditions, or deny each application. These limits may be reasonably extended by mutual agreement of the applicant and the County for up to 90 days.
- Additionally, per F.S. 125.022(2), when reviewing an application for a development permit or development order that is certified by a professional listed in F.S. 403.0877, the County may not request additional information from the applicant more than three times unless the applicant waives the limitation in writing.

To request an extension of processing time and waiver of the limitation on requests for additional information, please fill out and sign this form and return it to OPD staff. **Applicants may request an extension of processing time at the time of filing an initial application or at any time an application is pending before final action.** Please be advised that the Applicant may incur additional advertising fees.

As the Applicant/Agent for Applicant for a development order or development permit from Polk County, I acknowledge the timeframes as listed above and hereby request (check all that apply):

- Decline the waiver and agree to comply with the timeframes set forth in F.S. 125.022(1) and the LDC.
- A waiver of the limitation on requests for additional information per F.S. 125.022(2).

N/A

An extension of _____ days for the submittal of additional information necessary for a complete application. (*Granted in the event of extraordinary circumstances*)

An extension of _____ days for the County to issue final action approving, approving with conditions, or denying an application for development permit or development order. (*Maximum 120 days for Level 2 Reviews; maximum 90 days for Level 3-5 Reviews*)

5-5-20

Signature of Applicant/Agent for Applicant

Date

**Not applicable to Comprehensive Plan Amendments, LDC text amendments, or the Green Swamp Area of Critical State Concern*

For Official Use Only:

Date Received: _____

Meeting Date: _____

Project Number: _____

Approved/Denied: _____



Polk County
Polk County Land Use Hearing Officer

Agenda Item 5.

7/14/2026

SUBJECT

LDLVAR-2026-35 (Archacki Accessory Variance)

DESCRIPTION

Kyle Archacki requests a 3,456 square footage accessory structure that is larger than the primary structure in an Agriculture/Residential Rural land use district on approximately +/- 1.11 acres. The subject property is located at 4221 Sam Keen Road, north of Kissimmee Shores Road, south of Lake Kosta Drive, east of Tiger Lake Road, west of Sam Keen Road, East of Lake Wales in Section 08, Township 30, Range 30.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Kyle Rogus, Planner II
Land Development Division
863-534-7553
kylerogus@polkfl.gov

**POLK COUNTY
LAND USE HEARING OFFICER
STAFF REPORT**

DRC Date: June 11, 2026	CASE #: LDLVAR-2026-35 (Archacki Accessory Variance)
LUHO Date: July 14, 2026	LDC Section: Section 209.G

Request: The applicant is requesting a 3,456 square footage accessory structure that is larger than the primary structure in an Agriculture/Residential Rural land use district on approximately +/- 1.11 acres.

Applicant: Kyle Archacki

Property Owner: Kyle Archacki

Location: The subject property is located at 4221 Sam Keen Road, north of Kissimmee Shores Road, south of Lake Kosta Drive, east of Tiger Lake Road, west of Sam Keen Road, East of Lake Wales in Section 08, Township 30, Range 30.

Parcel ID#: 303008-000000-011190

Size: ±1.11 acres

Land Use Designation: Agriculture/Residential Rural (A/RR)

Development Area: Rural Development Area (RDA)

Case Planner: Kyle Rogus, Planner II

Summary:

The applicant is requesting a variance to allow an accessory structure larger than the primary structure. The accessory structure is a 48' by 72' (3,456 square feet) carport and the primary residence is 624 square feet. The primary residence is 20 feet high and the proposed accessory structure is 23 feet tall. The property is within an Agriculture/ Residential Rural (A/RR) land use district.

The subject property is +/- 1.11 acres, which is below the 5-acre minimum lot size, within the A/RR land use district. The purpose of the A/RR district is to provide lands for agricultural uses and to provide for very low density residential development. The larger lot size, lower density, and rural nature of the A/RR typically invites for larger residential dwellings. The subject site is 1.11 acres and has an existing residence that totals 624 square feet, both uncharacteristic of the A/RR and is more related to new developments with higher densities in more urban areas. The residence is unusually small for the size of the lot, only utilizing 1.29 percent of the property. While the accessory structure will be significantly larger in size than the primary, the structure will be open on all sides, which will be less intrusive to the surrounding area, and will be incidental in use.

Staff finds this request will cause no direct or indirect harm to the community and recommends approval. Staff recommends approval of LDLVAR-2026-35 as it meets the following criteria listed in Section 931:

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

The location of the proposed structure will not block the view of traffic off Sam Keen Road. The accessory structure will be 50 feet from the right-of-way, meeting A/RR setbacks, in addition to 15 feet separation from edge of pavement. The nearest home is 85 feet on the neighboring property to the east. The existing residence is minimal to the size of the property, therefore the accessory structure will be 5.5 times larger than the principal structure square footage and will be located 15 feet from the neighboring property line to the east, meeting accessory structure interior side setbacks in the A/RR land use district. The structure will be less intrusive to the surrounding area as it will be open on all sides.

Development Review Committee

The Development Review Committee, based on the criteria for granting variances, the submitted application, and a recent site visit, finds that the applicant's request as written **IS CONSISTENT** with Section 931 of the Polk County Land Development Code (LDC) and recommends **APPROVAL of LDLVAR-2026-35**

CONDITIONS OF APPROVAL:

1. The approval of this variance to section 209.G of the Land Development Code to allow an accessory structure (48' by 72' carport) to be larger than the primary structure as described in the staff report. Further additions or structures placed on the property shall be required to meet the setback requirements of Table 2.2 of the Polk County Land Development Code or re-apply for another variance approval from the Land Use Hearing Officer.
2. This variance does not authorize any encroachments into easements, and the applicant shall be responsible to make certain there are no encroachments unless approval is granted by the easement holder and/or any applicable permitting agencies. The property owner(s) is also responsible for compliance with any restrictions of record pertaining to lots and/or land and this approval shall not be used to supersede authority over those restrictions.
3. The applicant shall have one (1) year from the date the Land Use Hearing Officer's Final Order is rendered to apply for all necessary building permits and pay all associated fees for the proposed addition.
4. The use of the accessory structure approved herein is limited to the storage of items associated with the residential use of the property. No home-based business or commercial uses shall be permitted to occur within the accessory structure. This structure shall not be used for an Accessory Dwelling Unit (ADU).

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.

NOTE: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the variance approval.

NOTE: All written commitments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

NOTE: Approval of this variance shall not constitute a waiver or an additional variance from any applicable development regulation unless specifically noted in the conditions of approval and consistent with the LDC.

DEMONSTRATIONS OF THE CRITERIA FOR GRANTING VARIANCES SUMMARIZED BELOW:

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

According to Polk County Property Appraiser, the home was built in 1973 at 624 square feet. The proposed accessory structure will be 48 by 72 feet, or 3,456 square feet. According to the applicant's site plan, the structure will meet all the setbacks for the A/RR land use district (see Exhibit 5). The accessory structure will be 15 feet from the east property line and 41 feet from the west property line.

The granting of this request will not be injurious to the area as the closed structure will not block the view of traffic. The accessory structure will be setback 50 feet from the right-of-way located in the front yard. Garages unlike other accessory structures are allowed in the front yard. The accessory structure will be approximately 65 feet from the edge of pavement at its nearest point and will be 15 feet from the neighboring property line to the east. The nearest home is 85 feet on the neighboring property to the east. There are no platted easements. The open structure will provide for an organized storage of vehicles and equipment while being less of an eyesore to the surrounding neighborhood.

2. *Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district;*

The property is located in the Agriculture/Residential Rural (A/RR) land use district and is approximately 1.11 acres. This lot is below the A/RR minimum lot size of 5 acres. The home was built in 1973, and the applicant purchased the property in 2022.

Per Chapter 2, Section 209.G, of the Polk County Land Development Code (LDC) accessory structures are customarily associated with, subordinate in size, and incidental in use to the principal structure located on the same site. The subject site is below the 5 acre

minimum lot size in the A/RR land use district and is slightly below the minimum 2-acre lot size allowance in Chapter 2, Section 209.G. If the subject site was 0.89 acres larger it would have met the 2 acre minimum lot size, therefore no variance would be required and the applicant would be allowed to construct an accessory structure up to 2,000 square feet. The variance request is for 3,456 square feet, 1,456 square feet larger. The variance for such a larger structure is result of the unusual size of the residence. Larger vehicles and equipment require additional room for storage and maneuverability within the structure.

3. *Whether provided the special conditions and circumstances present in the request do not result from the actions of the applicant;*

The applicant purchased the property in August 2022, according to the Polk County Property Appraiser. The home was built in 1973 at 624 square feet. The proposed accessory garage structure will be 3,456 square feet, which is 5.5 times larger than the primary structure. The Property Appraiser's website does not identify the home was constructed with a garage and no additions have been added. According to Accela, there is one building permit record, BR-2026-2707, associated with the subject parcel. BR-2026-2707 is the active building permit for the proposed accessory structure requiring the variance approval.

4. *Whether granting the requested variance will not confer on the applicant any special privilege that is denied by the provisions of this Code and will constitute unnecessary and undue hardship on the applicant;*

Every variance approval is a special privilege to some degree. Other parcels have accessory structures. Garages, unlike other accessory structures, are permitted in front yards. This property is approximately 1.11 acres. If the property was 2 acres, Section 209.G allows accessory structures administratively to be permitted up to 2,000 sq. ft. or 150% of the principal structure square footage, whichever is greater. If the subject site was 2 acres, the applicant would be allowed to construct an accessory structure 2,000 square feet by right, which is 1,456 square feet smaller than what is being currently proposed.

5. *Whether the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;*

The requested variance is believed to be the minimal variance necessary to optimize the use of the owner's land. The applicant intends to use the accessory structure as a garage for vehicle parking. The accessory structure in question is 48' by 72' (3,456 square feet). There are other other accessory structures above 2,000 square feet in the area. The neighboring property under Parcel ID No. 303008-000000-011090 has an pole shed 60' by 40' (2,400 square feet) according to Polk County Property Appraiser. The pole shed was built in 2017, the same year the primary 1,296 square foot residence was constructed.

When evaluating accessory structures intended for the storage and protection of vehicles and equipment, maneuverability is an important design consideration. Larger accessory structures, such as pole barns, are commonly used to accommodate recreational vehicles, campers, boats, and smaller equipment. These vehicles require not only sufficient parking space but also adequate clearance for safe maneuvering, door clearance, loading and unloading, and the storage of related accessories and equipment. As a result, the requested structure size is intended to provide protection rather than excess building area.

6. *Whether that in no case shall a variance be granted which will result in a change of land use that would not be permitted in the applicable land use designation;*

Granting this variance will not result in a change of land use.

7. *Whether that in no case shall a variance be granted which would result in creation of any residual lot or parcel which does not meet the requirements of this Code; and*

Granting this request is not anticipated to result in the creation of a lot or parcel that does not meet the requirements of the Code.

8. *Whether that the granting of the variance does not circumvent a condition, or the intent of a condition placed on a development by the Planning Commission or the BoCC.*

The evidence found suggests the proposed request will not circumvent the intent of a condition placed on a development by the Planning Commission or the Board of County Commissioners. The property is not part of a Planned Unit Development (PUD) and was originally zoned RC. There are no easements in the front of the property. Per Chapter 2, Section 205, Table 2.2 of the Land Development Code, the A/RR land use district requires right-of-way setbacks of 35 feet off collector roadways; side yard setbacks of 15 feet; and rear yard setbacks of 20 feet.

Surrounding Future Land Use Designations and Existing Land Use Activity:

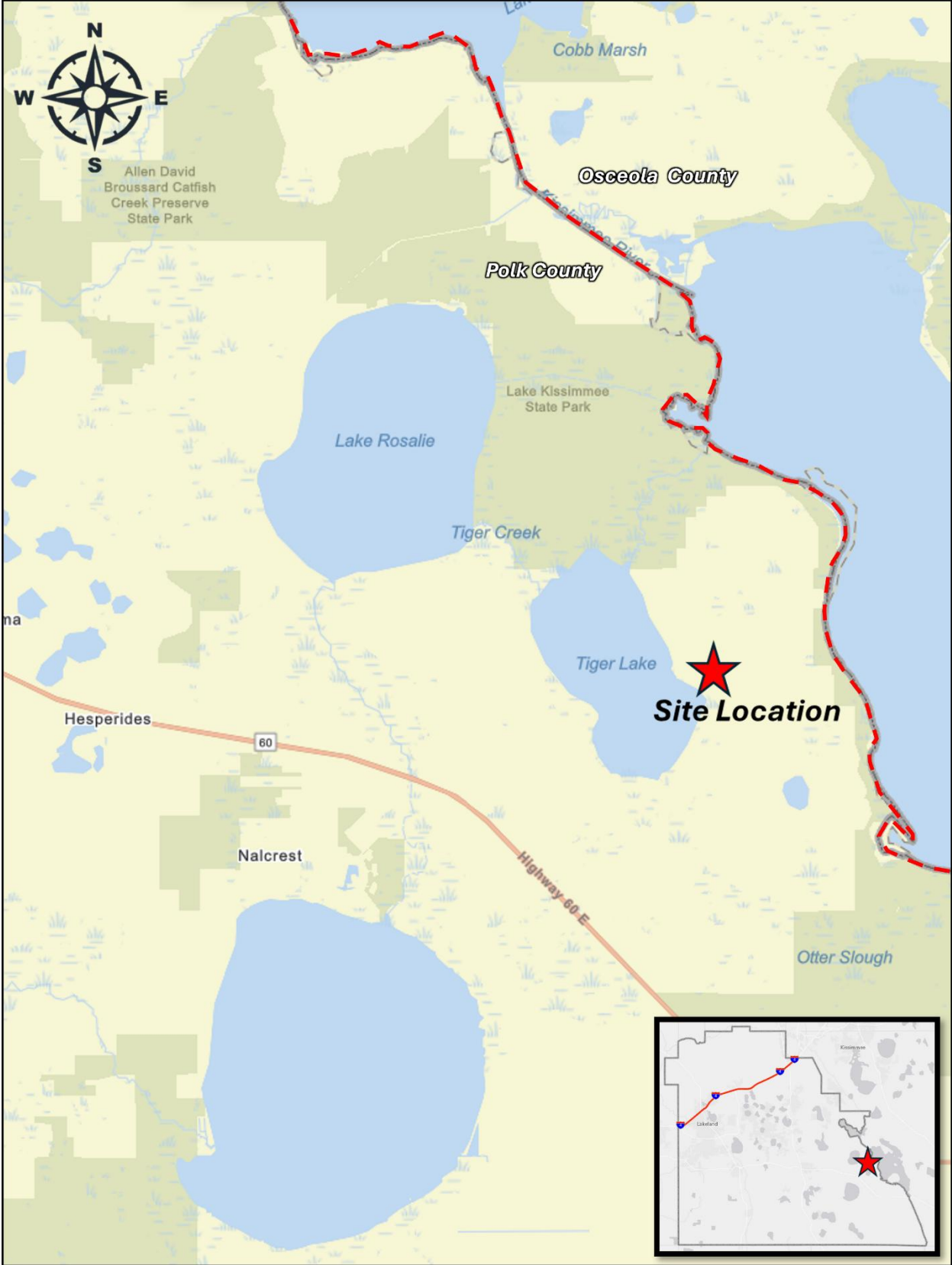
<p>Northwest: Agriculture/Residential Rural Mobile Home (840 sq.ft.) No accessory structures 1.07 acres</p>	<p>North: Agriculture/Residential Rural Mobile Home (1,104 sq.ft.) No accessory structures 1.09 acres</p>	<p>Northeast: Agriculture/Residential Rural Single-Family Residence (1,417 sq.ft.) 1,080 sq.ft. Pole Shed 1.07 acres</p>
<p>West: Agriculture/Residential Rural Mobile Home (1,056 sq.ft.) No accessory structures 1.07 acres</p>	<p>Subject Property: Agriculture/Residential Rural Mobile Home (624 sq.ft.) Proposed 3,456 sq.ft. accessory structure 1.11 acres</p>	<p>East: Agriculture/Residential Rural Mobile Home (672 sq.ft.) No accessory structures 1.07 acres</p>
<p>Southwest: Agriculture/Residential Rural Pasture w/ Mobile Home (1,296 sq.ft.) 1,040 sq.ft. Pole Shed 22.11 acres</p>	<p>South: Agriculture/Residential Rural Pasture w/ Mobile Home (1,296 sq.ft.) 1,040 sq.ft. Pole Shed 22.11 acres</p>	<p>Southeast: Agriculture/Residential Rural Pasture w/ Mobile Home (1,296 sq.ft.) 1,040 sq.ft. Pole Shed 22.11 acres</p>

Many of the surrounding properties are below the minimum 5-acre residential lot size in the A/RR land use district ranging in size from 1.07 acres to 22.11 acres. Recent aerial data viewers show multiple properties in the immediate surrounding area to have an accessory structure. The property directly to the south of the subject site has an existing accessory structure that measures 1,040 square feet. The property to the northeast has an existing accessory structure that measures

1,080 square feet. The Property Appraiser website cites the single-family dwelling on that property to be 1,417 square feet, making the accessory structure larger than the primary structure.

Exhibits:

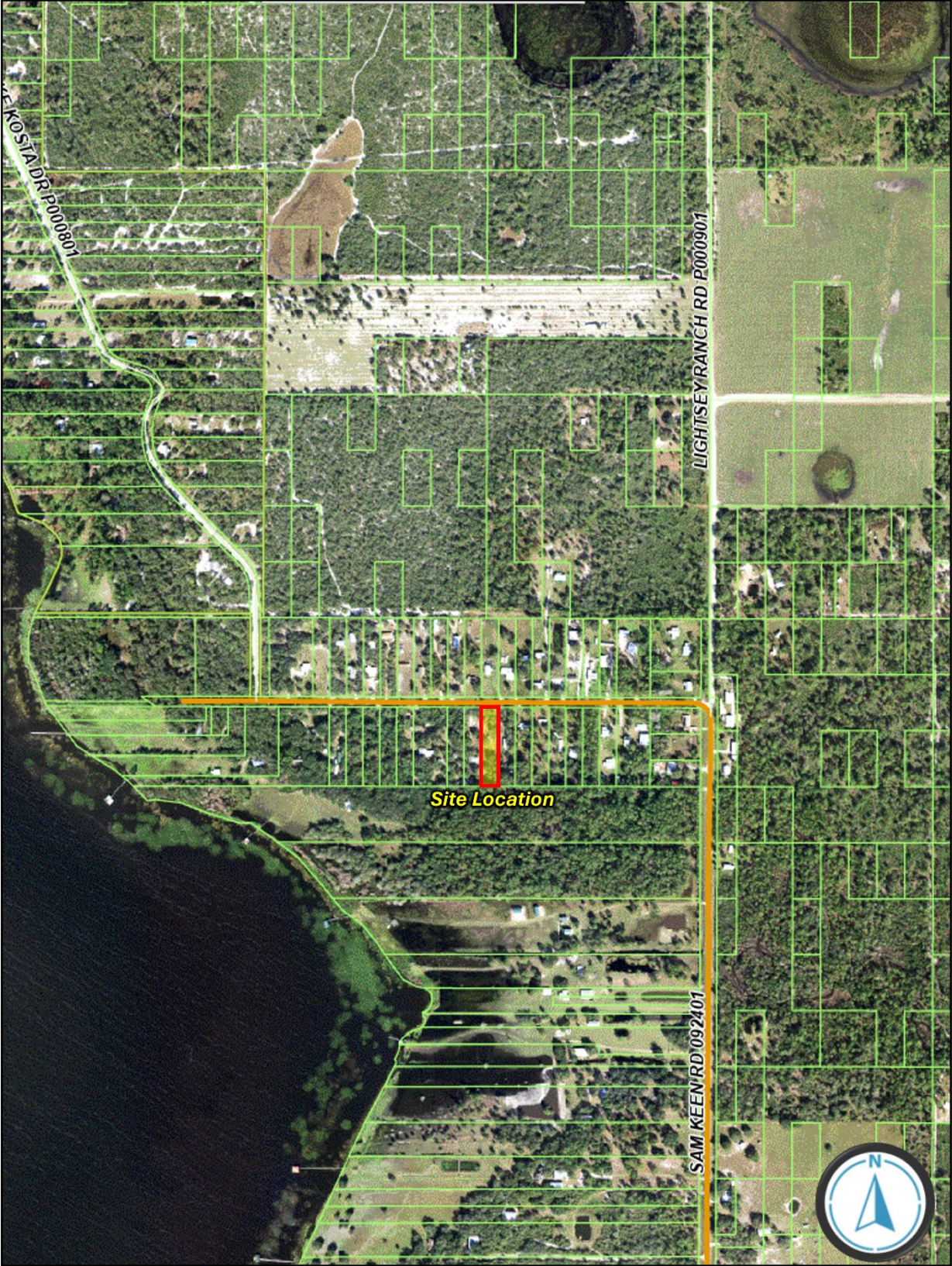
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Imagery (Context)
- Exhibit 4 Aerial Imagery (Close)
- Exhibit 5 Site Plan
- Exhibit 6 Justification



Location Map



Future Land Use Map



Aerial Imagery (Context)



Aerial Imagery (Close)

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?
No

What special conditions exist that are peculiar to the land, structure, or building involved?
Initial planning of project the 2 acre minimum rule was non existent

When did you buy the property and when was the structure built? Permit Number?
property was bought in 2022, structure is not built, record number is BR-2026-2707

What is the hardship if the variance is not approved?
The structure is needed to keep vehicles and equipment out of the inclement weather

Is this the minimum variance required for the reasonable use of the land?
Yes

Do you have Homeowners Association approval for this request?
Not Applicable

Justification

LDLVAR-2026-35 - Archacki residence

Menu Reports Help

Application Name: [Archacki residence](#)

File Date: [05/12/2026](#)

Application Type: [LUHO - Variance](#)

Application Status: [Approved For Hearing](#)

Application Comments:

View ID	Comment	Date
Description of Work: Asking for a size variance for the proposed carport. When we began the planning of our home and carport/pole barn project the minimum 2 acre rule without variance was ordinance.		

Application Detail: [Detail](#)

Address: [4221 SAM KEEN RD, LAKE WALES, FL 33898](#)

Parcel No: [30300800000011190](#)

Owner Name: [ARCHACKI KYLE](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	ARCHACKI KYLE		Engineer	Mailing, 4221 Sam Keen...	Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #
Job Value:	\$0.00					
Total Fee Assessed:	\$541.00					
Total Fee Invoiced:	\$541.00					
Balance:	\$0.00					

Custom Fields: **LD_GEN_BOA**

GENERAL INFORMATION

Expedited Review

Number of Lots

-

Will This Project Be Phased

Acreage

[1.11](#)

DRC Meeting Time

DRC Meeting

[06/11/2026](#)

Rescheduled DRC Meeting

Rescheduled DRC Meeting Time

-

Green Swamp

Number of Units

[No](#)

-

Case File Number

Is this Polk County Utilities

-

One Year Extension

FS 119 Status

[Non-Exempt](#)

PUBLIC HEARINGS

Development Type

[Land Use Hearing](#)

Application Type

[Variance](#)

[Officer](#)

Variance Type

[Accessory](#)

Brownfields Request

[Larger than](#)

-

[Principle](#)

[Affordable Housing](#)

ADVERTISING

Advertising Board

[Land Use Hearing](#)

[Officer](#)

Legal Advertising Date

-

MEETING DATES

LUHO Hearing Date

[07/14/2026](#)

ALCOHOL BEVERAGE DIST REQ

COMMUNICATION TOWER

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?
[No](#)

What special conditions exist that are peculiar to the land, structure, or building involved?
[Initial planning of project the 2 acre minimum rule was non-existent](#)

When did you buy the property and when was the structure built? Permit Number?
[property was bought in 2022, structure is not built, record number is BR-2026-2707](#)

What is the hardship if the variance is not approved?
[The structure is needed to keep vehicles and equipment out of the inclement weather](#)

Is this the minimum variance required for the reasonable use of the land?
[Yes](#)

Do you have Homeowners Association approval for this request?
[Not Applicable](#)

LD_GEN_BOA_EDL

[Opening DigEplan List...](#)

DigEplan Document List

-

PLAN REVIEW FIELDS

TMPRecordID
[POLKCO-26EST-00000-27255](#)
RequiredDocumentTypesComplete
[Yes](#)

DocumentGroupforDPC
[DIGITAL PROJECTS LD](#)
AdditionalDocumentTypes
[Applications, AutoCad File, Binding Site Plans \(PDs, Yes and CUs\), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous, Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter, Survey, Title Opinion](#)
DigitalSigCheck
[Yes](#)

RequiredDocumentTypes
-
Activate DPC

Activate FSA
[Yes](#)

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
[x](#)

LAND USE

Selected Area Plan LU Code

NOR

[Neighborhood Organization Registry \(NOR\)](#)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
LUHO	1	25	06/26/2026	06/26/2026	

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	Application Submittal	Lisa Simons-Iri...	Application ...	05/15/2026	Lisa Simons-Iri...
	Roads and Drainage Review	Phil Irven	Approve	05/28/2026	Phil Irven
	Planning Review	Kyle Rogus	Approve	06/08/2026	Kyle Rogus
	Review Consolidation		Approved for...	06/08/2026	Saralis Wons
	Public Notice				
	Hearing Officer				

Task	Assigned To	Status	Status Date	Action By
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Final Order
Archive

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
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Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
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Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
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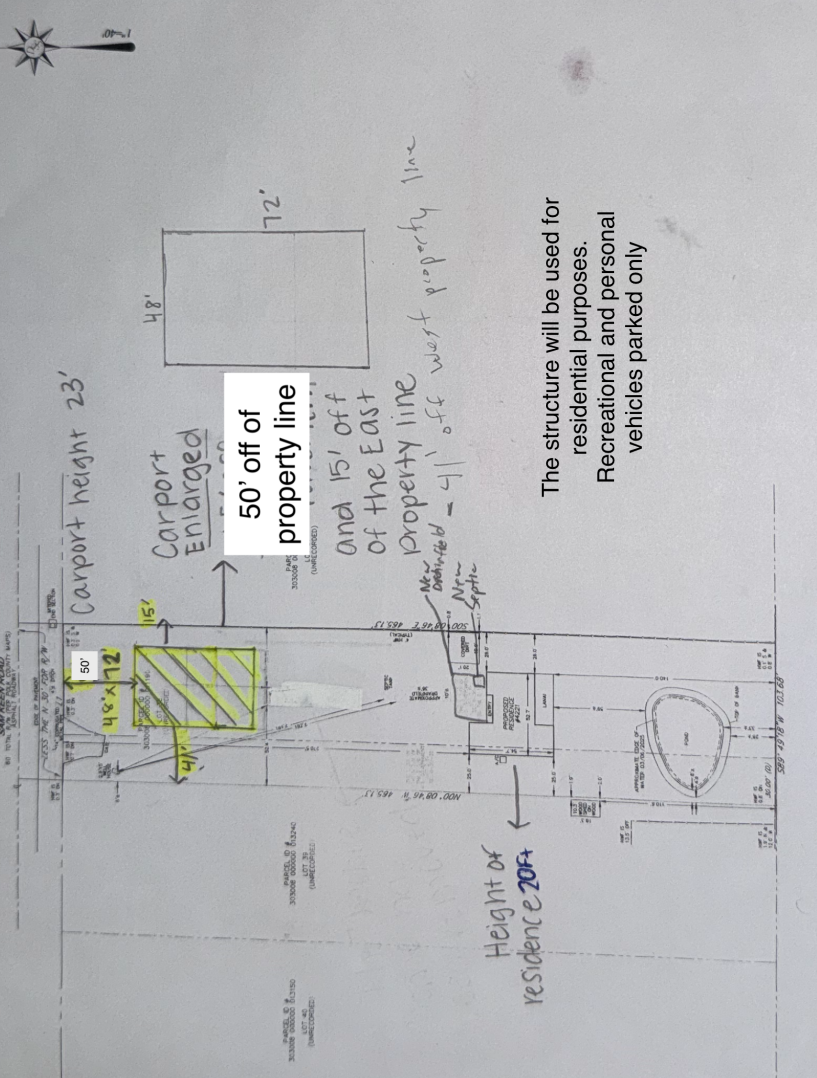
SITE PLAN



Legal Description:
 Lot 14 of the first recorded subdivision described as follows: All of the North 3/8 of the South 5/8 of U.S. Government Lot 1 in Section 8, Township 30 South, Range 30 East, LESS the North 30,000 feet therefor for road easement, AND LESS the East 1250.00 feet, AND ALSO the East 30,000 feet of the North 3/8 of the South 5/8 of U.S. Government Lot 1 in Township 30 South, Range 30 East, Polk County, Florida.

TOGETHER with that certain Mobile Home described as ID NO. L1829

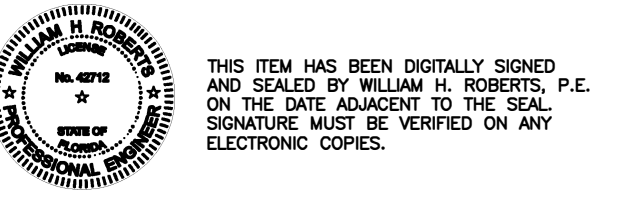
- Legend:**
- ASPHALT
 - CONCRETE
 - SHURFLO PREVENTER
 - CATCH BASIN
 - TRANSFORMER
 - UTILITY POLE
 - VERDOL REEF
 - WATER PILE
 - WELL
 - METEOR PILE
 - AIR CONDITIONER
 - CALCULATED FENCE
 - CABLE TV ROOF
 - CHAIR BEARING
 - CHAIR DISTANCE
 - CHAIR LINE FENCE
 - CHAIR LINE
 - COV'D
 - CONCRETE SLAB
 - DRAINAGE EASEMENT
 - EDGE OF PAVEMENT
 - FIELD FENCE
 - FINISHED FLOOR ELEVATION
 - IRON ROD
 - IRON ROD AND CAP
 - LICENSED BUSINESS
 - MEASURED SURVEYOR
 - MINIMUM BUILDING SETBACK LINE
 - METAL FENCE
 - NORTH AMERICAN VERTICAL DATUM 1988
 - NORTH AMERICAN HORIZONTAL DATUM 1983
 - OFFICIAL RECORDS BOOK
 - PLAT BOOK
 - POINT OF CURVATURE
 - POINT OF INTERSECTION
 - POINT OF COMMENCEMENT
 - PERMANENT REFERENCE MARK
 - POINT OF TANGENCY
 - RIGHT OF WAY
 - UTILITY EASEMENT
 - WOOD FENCE
 - WOOD FENCE



<p>Property Address: 4221 Sam Keen Road Lake Wales, Florida 33888</p>	<p>Basis of Bearing: Bearings shown herein are based on the Southely right of way line of Sam Keen Road, being N89°49'18" E, assumed</p>	<p>Certified to/ for the exclusive use of: Kyle Archacki and Codie Archacki</p>	<p>Revisions: 05/05/2025 - Building moved</p>
<p>This Survey is intended for mortgage or reference purposes only and not to be used for construction, subdivision, design, or other uses without the written consent of DEEP SOUTH SURVEYING, INC. and OCCUPANCY FORGIVEN. COPYRIGHT MATERIAL ©</p>	<p>GRAPHIC SCALE</p>	<p>05/05/2025</p>	<p>David P. Winters, LS #7034</p>
<p>SURVEY NO.: 25020025 REVIEWED BY: S.D.B. DRAWN BY: K.B.O.</p>	<p>SHEET NO.: 1 of 1</p>	<p>05/05/2025</p>	<p>05/05/2025</p>

01/23/2026
DATE
WILLIAM H. ROBERTS
PE #4212

I HEREBY CERTIFY THAT THE CONSTRUCTION PLANS SHOWN HERE ON COMPLY WITH CHAPTER 18, SECTION 909 OF THE 8TH EDITION 2023 FBC BUILDING CODE FOR A 130 MPH ULTIMATE DESIGN WIND SPEED (RISK CATEGORY I) (WIND EXPOSURE C) ALONG WITH THE 8TH EDITION 2023 FBC BUILDING & RESIDENTIAL CODE.



Project Name:

KYLE ARCHAKI RESIDENCE POLE BARN CONSTRUCTION PLANS

OWNER: KYLE ARCHAKI

ADDRESS: 4221 SAM KEEN RD
LAKE WALES
FL. 33898

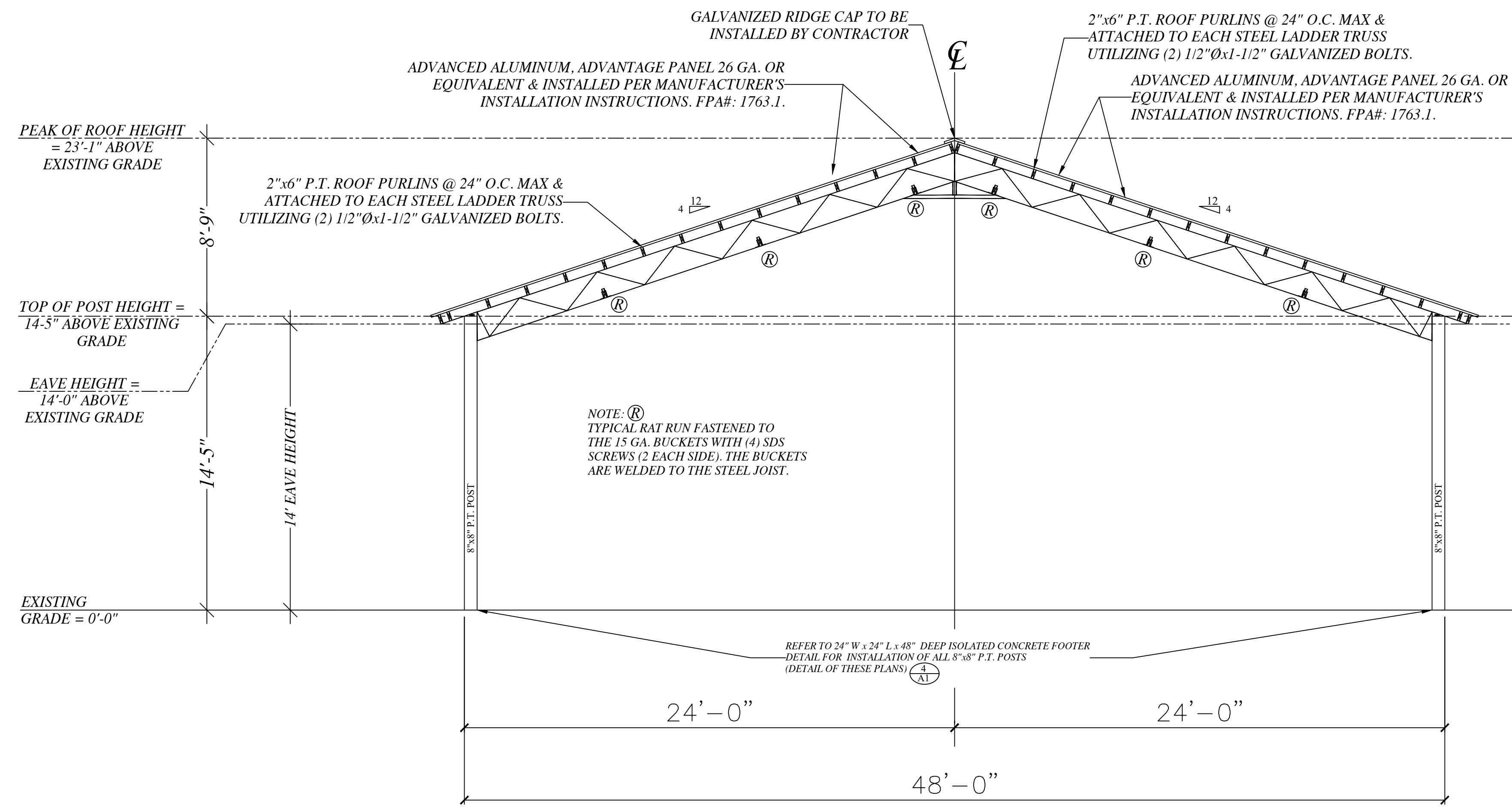
NO	DATE	DESCRIPTION
0	01/23/2026	ISSUED FOR PERMITTING

DWG FILE: 26-862.001-KYLE ARCHAKI
DRAWN BY: DWH CHKD BY: WHR

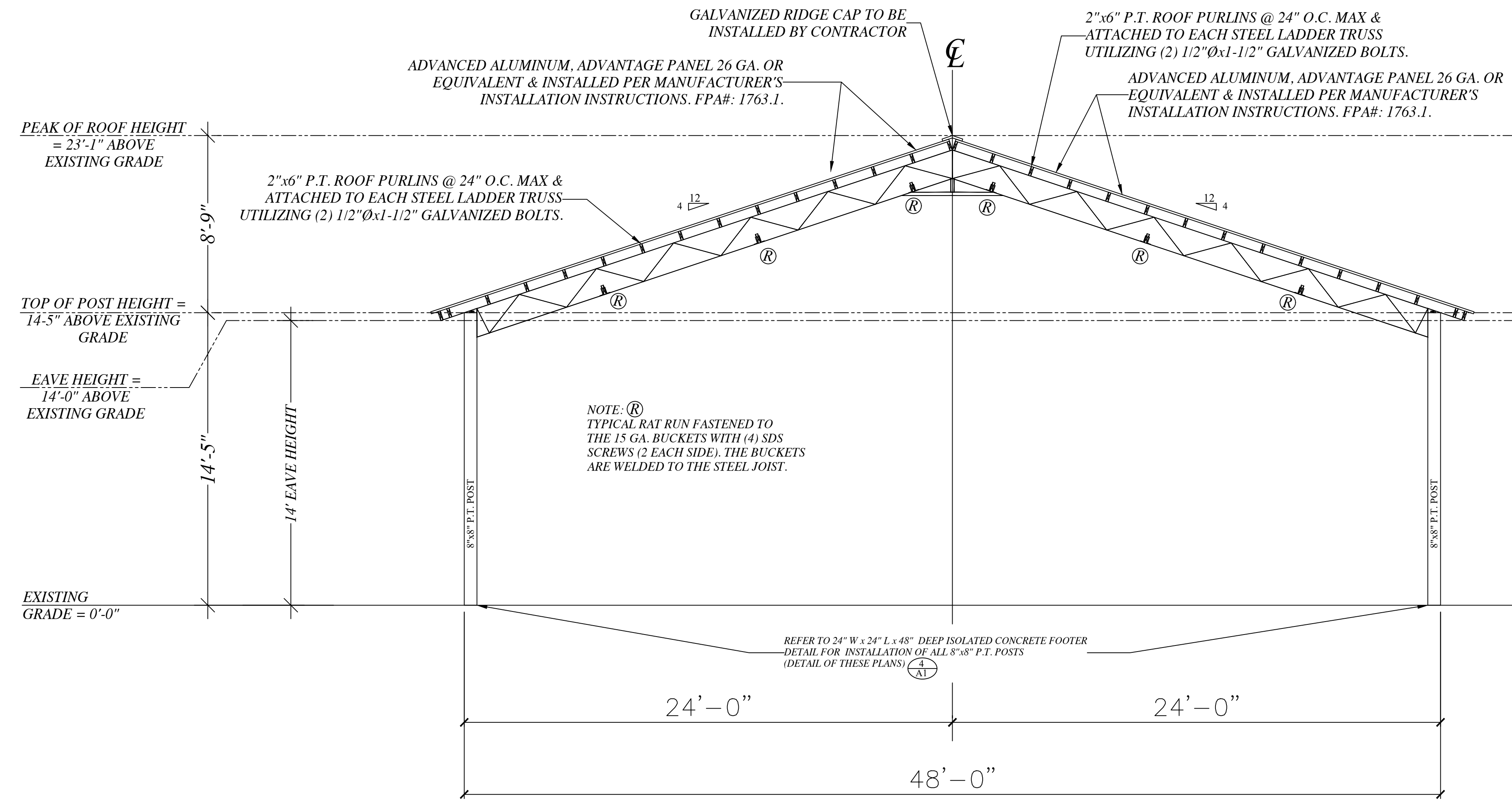
SHEET TITLE:

PROPOSED FRONT SIDE & REAR ELEVATION VIEWS

SHEET COUNT: 2 OF 7
SHEET IDENTIFICATION:



1 PROPOSED FRONT ELEVATION VIEW
SCALE: NTS



2 PROPOSED REAR ELEVATION VIEW
SCALE: NTS

Prepared by and return to:
Thomas D. Oates, Esq.
Attorney at Law
Law Offices of Oates & Oates, P.A.
1701 East Atlantic Blvd Suite 4
Pompano Beach, FL 33060
954-942-6500
File Number: **22-13093 Archak**
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 30th day of August, 2022 between **William Smith, Jr., a single man and Vicki L. Henson, a single woman** whose post office address is 4221 Sam Keen Road, Lake Wales, FL 33898, grantor, and **Kyle Archacki, a single man** whose post office address is 4340 SW 2nd Court, Plantation, FL 33317, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Polk County, Florida** to-wit:

Lot 38 of an unrecorded subdivision, described as follows:

All of the North 3/8 of the South 5/8 of U.S. Government Lot 1 in Section 8, Township 30 South, Range 30 East, LESS the North 30.00 feet thereof for road easement, AND LESS the East 1250.00 feet; AND ALSO the East 30.00 feet of the North 3/8 of the South 5/8 of U.S. Government Lot 2 in Section 8, Township 30 South, Range 30 East, Polk County, Florida.

TOGETHER with that certain Mobile Home described as ID NO. L1829

Parcel Identification Number: 30-30-08-000000-011190

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2021**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:



Witness Name: Thomas D. Oates



Witness Name: Drena Wilkinson

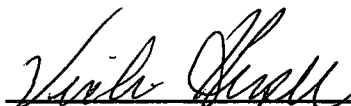


Witness Name: Thomas D. Oates



Witness Name: Diane Wilkinson

 (Seal)
William Smith

 (Seal)
Vicki Henson

State of Florida

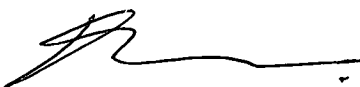
County of Broward

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30th day of August, 2022 by William Smith and Vicki Henson, who are personally known or have produced a driver's license as identification.

[Notary Seal]



Diana Wilkinson
Notary Public
State of Florida
Comm# HH075659
Expires 12/29/2024



Notary Public

Printed Name: _____

My Commission Expires: _____