



Polk County Polk County Land Use Hearing Officer

Meeting Minutes - Final

September 25, 2025 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:

August 26, 2025 - Minutes

OLD BUSINESS:

1 LDLVAR-2025-39 Prestwood Variance

Minutes: CASE FILE # LDLVAR-2025-39

Bobby and Mary Prestwood, property owners, request a Right of Way setback reduction for a previously constructed carport in an Agricultural/Residential Rural (A/RR) land use district. The property location is 1001 Lake Lowery Road, west and south of County Road 17 (Polk City Road), north of Old Haines City Lake Alfred Road, east of Oakdale Road, North of Haines City, in Section 12, Township 27, and Range 26.

Erik Peterson, Land Development; presented the case and reported that 22 mailers were sent on 8/7/25, with no response, 1 board was posted on 8/5/25 and the legal ad was published in the Polk Sun News on 8/13/25.

Johnathan Sims, Case Planner, showed a power point presentation, has a recommendation of approval, and stood for questions. Case has a code violation CMA-2024-24.

Bobby and Mary Prestwood, Property Owners/Applicants, were 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.

NEW BUSINESS:

AGENDA ITEM:

2 LDLVAR-2025-42 (Old Winter Haven Road ADU)

Minutes: CASE FILE # LDLSE-2025-42 - (Winter Haven Road Variance)

David Span, applicant, Sandra Fashbaugh & Rickey N. Welch, property owners, are requesting a variance to allow an accessory structure to be larger than the primary structure in a Residential Suburban (RS) land use district. The property location is 801 Old Winter Haven Road, south of US Highway 92, north of Havendale Boulevard, west of Jersey Road, east of Charlotte Road, southeast of the city of Auburndale, in Section 25, Township 28, Range 12.

Erik Peterson, Land Development; presented the case and reported that 19 mailers were sent 9/4/25, with no response, 1 board was posted on 8/29/25 and the legal ad was published in the Polk Sun News on 9/10/25.

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

David Spain, need address applicant, and Ricky Welch, owner, were available to answer questions and agreed with staff recommendations. Owner had a question regarding the size of the home.

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-2025-44 (1404 Wyngate Lane Variance)

Minutes: CASE FILE # LDLVAR-2025-44 - (Ruggiero Variance)

Marcus and Kendra Ruggiero, property owner, are requesting a variance to reduce the rear side setback for an accessory structure in a Residential Suburban (RS) land use district. The property location is 1404 Wyngate Lane, north of Interstate 4, south of Old Polk City Road, east of US Highway 98, west of Polk Parkway, north of city of Lakeland, in Section 17, Township 27, Range 24.

Erik Peterson, Land Development; presented the case and reported that 26 mailers were sent on 9/4/25, with no response, 1 board was posted on 9/2/25 and the legal ad was published in the Polk Sun News on 9/10/25.

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

Marcus Ruggiero, owner, was 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.

4 LDLVAR-2025-47 Deer Creek - St George Drive Variance

Minutes: CASE FILE #LDLVAR-2025- 47 - (Teegarden Variance)

Daniel & Cynthia Herbert, property owners, are requesting a variance to reduce the rear and side setback for an existing structure in a Leisure/Recreation-X(LRX), PUD 86-24, North Ridge Selected Area Plan (SAP) land use district. The property location is 2403 St. George Drive within the Deer Creek Golf & Tennis RV Resort Phase 3 subdivision, south of Ernie Caldwell Boulevard, east of US Highway 27, north of Citrus Ridge Drive, south of I-4, north of Haines City in Section 17, Township 26, Range 27.

Erik Peterson, Land Development; Presented the case and reported that 31 mailers were sent on 9/4/25 with no response, 1 board was posted on 8/29/25 and the legal ad was published in the Polk Sun News on 9/10/25.

Aleya Inglema, Case Planner, showed a power point presentation, has a recommendation for approval, and stood for questions. Luho has question regarding every structure having a 0-foot setbacks. Planner stated that this lot began as an RV park that is why the lots are small.

Daniel and Cynthia Herbert, owner/applicant, were available to answer questions and agree with staff recommendations. Said that they bought property with all the structures there. Owner wants to make the patio usable by screen it in.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

5 LDLVAR-2025-48 (Publix Alcohol Variance)

Minutes: CASE FILE #LDLVAR-2025-48 - (Publix Liquor Variance)

David Smith, Applicant and Publix Super Markets, INC, Owner, are requesting an alcohol-distance variance in an Employment Center-X (ECX), North Ridge Selected Area Plan, Ridge Special Protection Area (SPA) Land Use District. The property location is 42660 Minute Maid Ramp Road, north of Polk City Road, south of Ernie Calwell Boulevard, east of Interstate 4, west of US Highway 17/92, north of Haines City, in Section 19, Township 26, Range 27.

Erik Peterson, Land Development; presented the case and reported that 84 mailers were sent on 9/4/25, with no response, 2 board was posted on 9/2/25 and the legal ad was published on 9/10/25.

Kyle Rogus, Case Planner, showed a power point presentation, has a recommendation of approval, and stood for questions. LUHO officer asked if the Montessori schools had any objection to the Liquor Variance, planner said didn't receive any.

David Smith, applicant , was 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: 2:40