



Polk County Polk County Land Use Hearing Officer

Meeting Minutes - Final

November 12, 2024 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:

Meeting Minutes for 10/24/2024

OLD BUSINESS:

LDLVAR-2024-39 (Catfish St Variance)

Minutes: CASE FILE # LDLVAR-2024-39

David Cochran, applicant, requests a side setback reduction in a Rural Cluster Center-Residential (RCC-R) land use district. The property location is 172 Catfish Street, north of Buoy Street, east of Bass Street, south of Lakeview Drive North, east of the city of Dundee, in Section 19, Township 28, and Range 29.

Erik Peterson, Land Development, presented the case and reported that 36 mailers were sent on 10/4/2024 with no response. 1 board was posted on 9/27/2024, and the legal ad was published in the Polk Sun News on 10/9/2024.

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

The applicant, David Cochran, was available to answer questions and agrees with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public hearing.

NEW BUSINESS:

AGENDA ITEM:

LDLSE-2024-8 (Brooke Road SE)

Minutes: CASE FILE # LDLSE-2024-8

Rafael Mejias, owner, requests a special exception for a commercial vehicle parking in an Agricultural/Residential Rural (A/RR) land use district. The property location is 2720 Brooke Road, north of Stokes Road, south of Garfield Road, west of Lake Hendry Road, east of Ft. Meade, in Section 17, Township 31, and Range 26.

Erik Peterson, Land Development, presented the case and reported that 16 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/22/2024, and the legal ad was published in the Polk Sun News on 10/30/2024.

Kyle Rogus presenting for Ian Nance, Land Development, showed a power point presentation, has a recommendation of approval, and stood for questions.

The owner, Judith Garcia Hernandez along with Juana Bustos (interpreter), were available to answer questions and agrees with staff recommendations.

The LUHO opened the public hearing.

David Holey, 2683 Brook Road North, Fort Meade, is in opposition to granting the special exception. He provided photos to the LUHO of trucks parked on the property.

The LUHO closed the public hearing.

LDLVAR-2024-40 (Lake Marion Rd Variance)

Minutes: CASE FILE # LDLVAR-2024-40

Annalisa Hamamy, owner, requests a primary structure side setback reduction in an Agricultural/Residential Rural (A/RR) land use district. The property location is 9500 West Lake Marion Road, west of Edwards Shores Street, east of South Bay Drive, south of Lake Marion, east of the city of Dundee, in Section 08, Township 28, and Range 28.

Erik Peterson, Land Development, presented the case and reported that 13 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/23/2024, and the legal ad was published in the Polk Sun News on 10/30/2024.

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

The owner's representative, Robin Hamamy, was available to answer questions and agrees with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public hearing.

LDLVAR-2024-43 Shim Variance (PUD 73-28)

Minutes: CASE FILE # LDLVAR-2024-43

Jacqueline Shim, owner, requests a Right of Way (ROW) primary structure setback reduction in a Residential Low-1X (RL-1X) land use district. The property is located north of Interstate 4, south of Commonwealth Avenue SW, east of Highway 33 N, west of Berkley Road, enclosed by Polk City, in Section 06, Township 27, and Range 25.

Erik Peterson, Land Development, presented the case and reported that 32 mailers were sent on 10/23/2024 with no response. 2 boards were posted on 10/23/2024, and the legal ad was published in the Polk Sun News on 10/30/2024.

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

The owners, John and Diane Shim, were available to answer questions and agree with staff recommendations.

The LUHO opened the public hearing.

Lynn Newman, 5045 Mt. Olive Shores Dr., Polk City has concerns with the granting of the variance.

The LUHO closed the public hearing.

LDLVAR-2024-45 (Citrus Ridge - Heikkinen Variance)

Minutes: CASE FILE # LDLVAR-2024-45

Marie Heikkinen, owner, requests a side setback reduction for an accessory reduction for an accessory structure in a Residential Medium-X (RMX) land use district. The property location is 180 Citrus Ridge Dr., west of Mineolo Road, east of Dancy Road, south of Tangelo Road, east of the city of Haines City, in Section 20, Township 26, and Range 27.

Erik Peterson, Land Development, presented the case and reported that 85 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/23/2024, and the legal ad was published in the Polk Sun News on 10/30/2024.

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

The owner, Marie Heikkinen, was available to answer questions and agrees with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public hearing.

LDLVAR-2024-46 (U.S. 27 Chipotle Beer & Wine)

Minutes: CASE FILE # LDLVAR-2024-46

Kelvin Ready, applicant and WMG Exchange 3 LLC, owner, request an alcohol distance variance in a Town Center (TCX) land use district. The property location is 46539 U.S. Highway 27 East, south of Sand Mine Road, north of Student Drive, west of Osceola County line, north of Haines City in Section 13, Township 25, and Range 26.

Erik Peterson, Land Development, presented the case and reported that 16 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/25/2024, and the legal ad was published in the Polk Sun News on 10/30/2024. He then proceeded to show a power point presentation, has a recommendation of approval, and stood for question.

The applicant, Kelvin Ready, was available to answer questions and agrees with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public hearing.

LDLVAR-2024-47 (Meadow Oak Circle Storage Building)

Minutes: CASE FILE # LDLVAR-2024-47

Abigail Rivera Pacheco, owner, requests a variance for an accessory structure large than the primary structure in a Residential Low-3X (RL-3X) land use district. The property location is 1952 Meadow Oak Circle, south of DeRosa Road, south of Mount Olive Road, east of Marker Road, west of Berkley Road, in Phase 1 of the Meadow Oak Acres Subdivision, west of the City of Auburndale, east of the City of Lakeland, in Section 08, Township 27, and Range 25.

Erik Peterson, Land Development, presented the case and reported that 17 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/25/2024, and the legal ad was published in the Polk Sun News on 10/30/2024. He then proceeded to show a power point presentation, has a recommendation of approval, and stood for questions.

The owners, Abigail Rivera Pacheco, Francisco Zayas Ortiz along with Juana Bustos (interpreter) agree with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public hearing.

LDLVAR-2024-48 (5th St W Variance)

Minutes: CASE FILE # LDLVAR-2024-48

Ryan P White, applicant, Alvaro Romero Aguilar, owner, request a rear accessory structure setback reduction in a Residential Suburban-X (RSX) land use district. The property location is 120 West 5th Street, west of Riffle Range Road, east of Avenue A West, north of 6th Street West, west of the city of Winter Haven, in Section 17, Township 29, and Range 26.

Erik Peterson, Land Development, presented the case and reported that 30 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/23/2024, and the legal ad was published in the Polk Sun News on 10/30/2024.

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

The applicant, Ryan White, was available to answer questions and agrees with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public hearing.

LDLVAR-2024-51 (Pasco Road ADU Variance)

Minutes: CASE FILE # LDLVAR-2024-51

Patrick Duggan, DCR Tampa, LLC, applicant, Ronald and Leslie Mount, owners, request a rear accessory structure setback reduction in a Residential Low-3 (RL-3) land use district. The property location is 116 Pasco Road, south of Wakulla Drive, north of Okaloosa Drive, west of Overlook Drive, east and north of Winter Haven, in Section 34, Township 28, and Range 26.

Erik Peterson, Land Development, presented the case and reported that 28 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/22/2024, and the legal ad was published in the Polk Sun News on 10/30/2024.

Ian Nance, Land Development, showed a power point presentation, has a recommendation of approval and stood for questions.

The applicant, Patrick Duggan, was available to answer questions and agrees with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public hearing.

LDLVAR-2024-52 (Laura Court Pole Barn)

Minutes: CASE FILE # LDLVAR-2024-52

Esther Chavez Lopez, owner, requests a variance for an accessory structure that is larger than the primary residence in a Residential Low-4X (RL-4X), land use district within the Ronald Reagan Parkway Selected Area Plan (SAP). The property location is 25 Laura Court, south of Lone Pine Court, east of Grand Reserve Drive, south of Ronald Reagan Parkway, east of I-4, west of U.S. Highway 17/92, in the Lone Pine Subdivision, north of the City of Davenport, in Section 11, Township 26, and Range 27.

Erik Peterson, Land Development, presented the case and reported that 18 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/25/2024, and the legal ad was published in the Polk Sun News on 10/30/2024. He then proceeded to show a power point presentation, has a recommendation of approval and stood for questions.

The owner, Esther Chavez Lopez, along with Krystal Morales (interpreter) 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 hearing.

LDLVAR-2024-53 (Lombardi Ct Variance)

Minutes: CASE FILE # LDLVAR-2024-53

Troy Shannon Brown and Billie Jean Brown, owners, request a rear primary setback reduction in Planned Unit Development 98-12 (PUD 98-12) and within the Poinciana DRI. The property location is 1400 Lombardi Court of the Solivita Subdivision Phase 5D, south of Cypress Parkway, north of Village Center Road, west of Milano Road, east of Via Galuppi Street, south of Osceola County, in Section 14, Township 27, and Range 28.

Erik Peterson, Land Development, presented the case and reported that 16 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/25/2024, and the legal ad was published in the Polk Sun News on 10/30/2024. He then proceeded to show a power point presentation, has a recommendation of approval and stood for questions.

The applicant Arturo Mendez, White Aluminum & Windows, was available to answer questions and agrees with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public hearing.

LDLVAR-2024-55 (Ritter Road Swiss Valley Clubhouse)

Minutes: CASE FILE # LDLVAR-2024-55

Jeffrey Scallon, applicant and VISCA Corporation, Inc., owner, request an alcohol beverage setback variance in a Residential Low-4 (RL-4) land use district and within LDPD-2023-10. The property location is 1527 Ritter Road, west of Highway 98, south of Banana Road, east of Chase Road, north of Lakeland, in Section 11, Township 27, and Range 23.

Erik Peterson, Land Development, presented the case and reported that 38 mailers were sent on 10/23/2024 with no response. 1 board was posted on 10/25/2024, and the legal ad was published in the Polk Sun News on 10/30/2024. He then proceeded to show a power point presentation, has a recommendation of approval and stood for questions.

The applicant, Jeffrey Scallon, was available to answer questions and agrees with staff recommendations.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public hearing.

ADJOURNMENT:

Minutes: 3:48PM