



Polk County Polk County Land Use Hearing Officer

Meeting Minutes - Final

March 28, 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:

February 22, 2024, Approved Minutes

Attachments: [MeetingMinutes 22- Feb-2024](#)

OLD BUSINESS:

LDLSE-2023-15 (Tabbitha Way 1 SE)

Attachments: [1. LDLSE-2023-15 Tabbitha Way 1 SE Staff Report](#)
[2. LDLSE-2023-15 Site Plan](#)
[3. LDLSE-2023-15 Accela Application](#)
[4. LDLSE-2023-15 Permit Package](#)
[5. LDLSE-2023-15 Registration & Pics](#)
[6. LDLSE-2023-15 LOA](#)

Minutes: CASE FILE # LDLSE-2023-15

Nora Frayre, applicant, requests a special exception for a commercial vehicle parking in an Agricultural Rural Residential (A/RR) land use district. The property location is 5051 Tabbitha Way, east of north of Avon Park Cutoff Road, south of U.S. Highway 27, west of the City of Frostproof, in Section 30, Township 32, and Range 28.

Erik Peterson, Land Development, presented the case and reported that 12 mailers were sent on 3/11/2024, with 1 opposition received. 1 board was posted on 3/8/2024, and the legal ad was published in the Lakeland Ledger on 3/15/2024.

Ian Nance, Land Development proceeded to show a power point presentation; has a recommendation of approval and stood for questions.

The LUHO had question on Item #6 of the staff report.

Staff stated that it's an error and will be corrected.

The applicant, Nora Frayre, was available to answer questions and agrees with staff recommendations. She stated that the shed that is on the property was acquired when the property was purchased. The vehicle is used to transport sod.

Staff stated that if the commercial vehicle is used for business they can apply for a Conditional Use with Planning Commission in which case the process is a 3 to 4 month process.

The LUHO stated if this SE is approved, all conditions of approval needs to be adhered too.

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-2023-26 (Old Polk City Road SE)

Attachments: [1. LDLSE-2023-26 \(Old Polk City Road\) SE Staff Report](#)
[2. LDLSE-2023-26 Updated Site Plan](#)
[3. Truck Front Picture](#)
[4. Truck Right Side Picture](#)
[5. Registration](#)
[6. Accela Application](#)

Minutes: CASE FILE # LDLSE-2023-26

Ismel Gonzalez Espinosa and Cristina Cossio, owners, request a special exception for a commercial vehicle parking in a Residential Suburban – X (RSX) land use district. The property location is 1142 Old Polk City Road, east of Tom Constine Road East, west of Walt William Road, north of Meadowood Drive, south of Victoria Lane, north and west of Lakeland, in Section 08, Township 27, and Range 24.

Erik Peterson, Land Development, presented the case and reported that 17 mailers were sent on 3/11/2024, with 1 opposition and 2 letters in support received. 1 board was posted on 3/11/2024, and the legal ad was published in the Lakeland Ledger on 3/15/2024.

Malissa Celestine, Land Development proceeded to show a power point presentation; has a recommendation of approval and stood for questions.

The owner, Cristina Cossio, was available to answer questions and agrees with staff recommendations. She stated that the truck is their livelihood and it will only be home 2 to 3 times a month as her husband is mostly traveling. The truck is currently in a storage that is one hour away.

The LUHO reviewed the conditions of approval with the owner in which she stated she understood and agrees.

The LUHO opened the public hearing.

Melody Jacobs, 1209 Timberidge Dr., Lakeland is in opposition.

James Charlton, 1206 Timberidge Dr., Lakeland is in opposition.

Joanne Fletcher, 1210 Old Polk City Road, Lakeland is in support.

The LUHO closed the public hearing.

LDLVAR-2023-69 Chelsea Ave Variance

Attachments: [1 - LDLVAR-2023-69 Chelsea Ave Staff Report](#)
 [2 - LDLVAR-2023-69 Application](#)
 [3 - LDLVAR-2023-69 Site Plan](#)
 [4 - LDLVAR-2023-69 Justification](#)
 [5. LDLVAR-2023-69 LOA](#)

Minutes: CASE FILE # LDLVAR-2023-69

Stanley Bernard Rice, Jr., owner, requests a variance for a reduction to the rear primary structure setback in a Residential Low -4X (RL-4X) land use district within Planned Unit Development 89-10 (PUD 89-10). The property location is 336 Chelsea Avenue, east of Highway 17/92 North, south and west of Providence Blvd., west of DeRosa Road, Davenport, In Section 13, Township 26, and Range 27.

Erik Peterson, Land Development, presented the case and reported that 27 mailers were sent on 3/11/2024, with no response. 1 board was posted on 3/11/2024, and the legal ad was published in the Lakeland Ledger on 3/15/2024. He proceeded to show a power point presentation; has a recommendation of approval and stood for questions.

The owner Stanley Rice along with Miss Jarquin were available to answer questions and are in agreement 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-2024-2 (Fraser Dr Variance)

Attachments: [1. LDLVAR-2024-2 Fraser Dr Variance Staff Report](#)
[2. LDLVAR-2024-2 Site Plan](#)
[3. LDLVAR-2024-2 Justification](#)
[4. LDLVAR-2024-2 Application](#)
[5. LDLVAR-2024-2 LOA](#)

Minutes: CASE FILE # LDLVAR-2024-2

Cameron Baker, applicant, requests a variance for a rear primary setback reduction in a Development Regional Impact (DRI) land use district within Planned Unit Development 71-10 (PUD 71-10). The property location is 895 Fraser Drive, north of Lake Hatchineha Road, west of Marigold Avenue, south of Greenfield Road, east of Jennings Road, in Section 15, Township 28, and Range 28.

Erik Peterson, Land Development, presented the case and reported that 33 mailers were sent on 3/11/2024, with no response. 1 board was posted on 3/12/2024, and the legal ad was published in the Lakeland Ledger on 3/15/2024.

Aleya Inglema, Land Development, proceeded to show a power point presentation; has a recommendation of approval and stood for questions.

The owner, Carlos Rodriguez Lopez, 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-2024-3 (Fox Lane Variance)

Attachments: [1. LDLVAR-2024-3 Fox Lane Staff Report](#)
 [2. LDLVAR-2024-3 Site Plan](#)
 [3. LDLVAR-2024-3 Justification](#)
 [4. LDLVAR-2024-3 Accela Application](#)

Minutes: CASE FILE # LDLVAR-2024-3

Francisco Caracheo Frias, owner, requests a variance for a primary structure right of way (ROW) and rear setback reduction in a Rural Cluster Center – Residential (RCC-R) land use district. The property location is 3905 Timberwood Drive, west of Old Highway 37, south of Little Orange Avenue, east of Cain Street, Mulberry, in Section 11, Township 31, and Range 23.

Erik Peterson, Land Development, presented the case and reported that 38 mailers were sent on 3/11/2024, with no response. 1 board was posted on 3/7/2024, and the legal ad was published in the Lakeland Ledger on 3/15/2024.

Ian Nance, Land Development, proceeded to show a power point presentation; has a recommendation of approval and stood for questions.

The owner , Francisco Caracheo Frias, along with Lemayra (interpreter) 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: