

City of Lake Alfred  
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**Community Development**

Building | Code Enforcement | Planning | Zoning

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**AGENDA**

**BOARD OF ADJUSTMENT MEETING**

**CITY COMMISSION CHAMBERS  
CITY HALL**

**February 21, 2017  
REGULAR MEETING 5:00 P.M.**

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**CALL TO ORDER: CHAIRMAN IKE FOUNTAIN**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**ROLL CALL: MAMIE DRANE, ADMINISTRATIVE ASSISTANT**

**APPROVAL OF MINUTES: OCTOBER 11, 2016**

**BUSINESS ITEMS**

**1) PUBLIC HEARING: CONSIDER A REQUEST FOR VARIANCE FROM SECTION 2.04.01(B) OF THE LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE RELATING TO FRONT BUILDING SETBACKS, FILED BY ALAN CLOUD OWNER OF 360 E OAK STREET.**

**2) PUBLIC HEARING: CONSIDER A REQUEST FOR VARIANCE FROM SECTION 2.05.00(B)(2) OF THE LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE RELATING TO ACCESSORY BUILDING SIDE SETBACKS, FILED BY LUIS G. UZHCA AUCAQUIZHPI OWNER OF 228 S LAKE SHORE WAY.**

**PUBLIC COMMENTS**

**BOARD MEMBER COMMENTS**

**ADJOURN**

*Any person who decides to appeal any decision of the Board of Adjustment with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities needing special accommodations to participate in this proceeding should contact the City Clerk no later than five days prior to the proceeding at (863) 291-5747.*

**BOARD OF ADJUSTMENT MEETING**

**CITY COMMISSION CHAMBERS  
CITY HALL**

**OCTOBER 11, 2016  
REGULAR MEETING 5:30 P.M**

**CALL TO ORDER: CHAIRMAN IKE FOUNTAIN**

**INVOCATION: JOYCE SCHMIDT**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Those in attendance were Chairman Ike Fountain, Vice Chairman Joyce Schmidt, William Castle, Wanda Daley, Rick Roach, and Irving Spokony. Also in attendance were Community Development Director Valerie Vaught and Administrative Assistant Mamie Drane.

**APPROVAL OF MINUTES:** Board Member Roach made a motion to approve the minutes of the April 12, 2016 meeting, the motion was seconded by Board Member Spokony. Motion carried by unanimous vote.

**BUSINESS ITEMS**

- 1) PUBLIC HEARING: CONSIDER A REQUEST FOR VARIANCE FROM SECTION 2.04.01(B) OF THE LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE RELATING TO REAR BUILDING SETBACKS, FILED BY ALBERTUS MAULTSBY OWNER OF 610-612 MARTIN LUTHER KING JR STREET.**

**Community Development Director Valerie Vaught** presented the variance application filed by Albertus Maultsby. The request includes reduction of rear building setbacks in order to build two laundry rooms on the back of the duplex. However the property does not meet today's setbacks. She stated a public hearing notice was provided to all the residents within a 300 feet radius 15 days prior to the meeting. No one has come forward with objections or concerns.

**Albertus Maultsby** stated he was trying to improve the tenant's quality of living by offering them a laundry room outside of their apartments.

After discussing the apartments and setback requirements, **Board Member Castle** made a motion to grant the variance request presented after hearing competent substantial evidence that meets all the variance criteria set forth; and hereby authorize the Chairman to sign a Development Order to be recorded in Polk County Public Records. **Board Member Spokony** seconded and the motion was approved by unanimous voice call vote:

<b>Chair Fountain</b>	<b>AYE</b>
<b>Vice Chair Schmidt</b>	<b>AYE</b>
<b>Board Member Castle</b>	<b>AYE</b>
<b>Board Member Daley</b>	<b>AYE</b>
<b>Board Member Roach</b>	<b>AYE</b>
<b>Board Member Spokony</b>	<b>AYE</b>

## **2) APPOINTMENT OF CHAIR AND VICE CHAIR FOR 2016-2017.**

**Chair Fountain** opened the floor for nominations for the 2016-2017 appointments for Chair and Vice Chair. **Board Member Castle** made the motion to nominate and re-appoint the current officers. **Board Member Roach** seconded, and the motion was approved by unanimous vote.

## **3) APPROVE BOARD MEETING SCHEDULE FOR 2016-2017.**

**Chair Fountain** asked if any of the Board Members had a conflict with the schedule as it is presented. After discussion **Board Member Roach** made a motion to accept the proposed schedule and **Board Member Spokony** seconded, and the motion was approved by unanimous vote.

**Chair Fountain** asked if there were any more comments or business.

**Chair Fountain** adjourned the meeting at 5:55PM.

Respectfully submitted,

Mamie Drane  
Administrative Assistant

**LAKE ALFRED BOARD OF ADJUSTMENT AGENDA  
FEBRUARY 21, 2017**

**Business Item No. 1**

**1) PUBLIC HEARING: CONSIDER A REQUEST FOR VARIANCE FROM SECTION 2.04.01(B) OF THE LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE RELATING TO FRONT BUILDING SETBACKS, FILED BY ALAN CLOUD OWNER OF 360 E OAK STREET.**

**VARIANCE REQUESTED:**

The applicant is requesting a variance from Section 2.04.01(B) of the Lake Alfred Unified Land Development Code in order to build a room addition within the minimum required front building setbacks of the single family residence located at 360 E Oak Street.

**SITE INFORMATION:**

Address: 360 E. Oak Street  
 Legal: Lot 15, LESS the West 20 feet thereof and All of Lots 16 and 17, Block D, TWIN LAKES SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 4, Page 90, Public Records of Polk County, Florida  
 Existing Land Use/Zoning: Low Density Residential/R-1A Single Family Dwelling District  
 Current Use: Residential  
 Last Sale: September 1995 to Alan Cloud

**EXCERPT FROM ULDC SECTION 2.04.01(B):**

**Table 2.04.01(B), Table of Development Standards**

	Zoning District	Max. Density (residential units per acre)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)		
							Front	Rear	Side
9	R-1A	4.2	10,000	80	1,200	--	30	15	10

**ATTACHMENTS:**

- A.) Application with variance criteria
- B.) Aerial location map and parcel map
- C.) Staff Photos
- D.) Public Hearing Notice, Map and Mailing List, published and mailed 2/6/17
- E.) Site plan with proposed addition

**LAKE ALFRED BOARD OF ADJUSTMENT AGENDA  
FEBRUARY 21, 2017**

**BOARD MOTION OPTIONS:**

**Approval** – “I make a motion to grant the variance request presented after hearing competent substantial evidence that meets all the variance criteria set forth; and hereby authorize the Chairman to sign a Development Order to be recorded in Polk County Public Records”

**Denial** – “I make a motion to deny the variance request presented as the applicant provided insufficient evidence and the request does not meet all the variance criteria set forth and hereby authorize the Chairman to sign a Denial Order to be recorded in Polk County Public Records.”

**LAKE ALFRED BOARD OF ADJUSTMENT AGENDA  
FEBRUARY 21, 2017**

**Business Item No. 2**

**1) PUBLIC HEARING: CONSIDER A REQUEST FOR VARIANCE FROM 2.05.00(B)(2) OF THE LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE RELATING TO ACCESSORY BUILDING SIDE SETBACKS, FILED BY LUIS G. UZHCA AUCAQUIZHPI OWNER OF 228 S LAKE SHORE WAY.**

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**VARIANCE REQUESTED:**

The applicant is requesting a variance from Section 2.05.00(B)(2) of the Lake Alfred Unified Land Development Code in order to add an accessory storage shed within the minimum required side accessory building setbacks located at 228 S Lake Shore Way.

**SITE INFORMATION:**

Site Address: 228 S Lake Shore Way  
Legal Description: REPLAT OF N1/2 OF BLK 43 OF LAKE ALFRED PB 10 PG 37 LOTS 6 THRU 8 S 15 FT LESS E 6 FT OF LOT 6 & W 140 FT OF 9 & NLY 7 FT OF ELY 12.7 FT OF WLY 152.7 FT OF LOT 9  
Parcel ID: 262732-507000-000062  
Existing Land Use/Zoning: Commercial/C-2 Retail Commercial District  
Current Use: Commercial Restaurant and related storage  
Last Sale: April 2007 to Luis G. Uzhca-Aucaquizhpi

**EXCERPT FROM ULDC SECTION 2.05.00(B)(2):**

***2.05.00 General Regulations for Accessory Uses and Structures***

(B)(2) Setbacks – Street side setback shall be a minimum of 15 feet and interior/rear/**side setbacks shall be a minimum of 5 feet.**

**ATTACHMENTS:**

- A.) Application with variance criteria
- B.) Aerial location map and parcel map
- C.) Staff Photos
- D.) Public Hearing Notice, Map and Mailing List, published and mailed 2/6/17
- E.) Site plan with proposed shed location

**BOARD MOTION OPTIONS:**

**Approval** – “I make a motion to grant the variance request presented after hearing competent substantial evidence that meets all the variance criteria set forth; and hereby authorize the Chairman to sign a Development Order to be recorded in Polk County Public Records”

**Denial** – “I make a motion to deny the variance request presented as the applicant provided insufficient evidence and the request does not meet all the variance criteria set forth and hereby authorize the Chairman to sign a Denial Order to be recorded in Polk County Public Records.”