

EAGLE LAKE PLANNING COMMISSION  
REGULAR MEETING  
MONDAY, OCTOBER 4, 2021 at 6:30 P.M.  
TO BE HELD IN THE COMMISSION CHAMBERS,  
LOCATED AT 675 E EAGLE AVE  
EAGLE LAKE, FLORIDA 33839

AGENDA

I. **CALL TO ORDER**

II. **INVOCATION**

III. **PLEDGE OF ALLEGIANCE TO THE FLAG**

IV. **ROLL CALL**

V. **STAFF REPORTS**

VI. **PUBLIC HEARING**

- A. Consideration of a variance request made by Brian Walsh and Shaun Miller representatives for Clayton Properties, owner of the property located at 941 First Drive, City of Eagle Lake, Florida.

VII. **OLD BUSINESS**

VIII. **NEW BUSINESS**

IX. **CONSENT AGENDA**

- A. Approval of the Planning Commission Minutes -----09/08/2021

X. **AUDIENCE**

XI. **PLANNING COMMISSION**

XII. **ADJOURNMENT**

Please be advised that if you desire to appeal any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases a verbatim record is required. You must make your own arrangements to produce this record. (Florida Statutes 286.0105)

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact City Clerk Dawn Wright at 75 North Seventh Street, P.O. Box 129, Eagle Lake, Florida 33839 or phone (863) 293-4141 within 2 working days of your receipt of this notification; if you are hearing or voice impaired, call 1-800-955-8771.

POSTED AT CITY HALL AND THE EAGLE LAKE POST OFFICE ON  
TUESDAY, SEPTEMBER 28, 2021 BY CITY CLERK DAWN WRIGHT, MMC, FCRM, PHRP

**VARIANCE APPLICATION**  
City of Eagle Lake  
75 North 7th Street, Eagle Lake, FL 33839  
Phone: (863) 293-4141

Fee Amount \$ 300.00 Date Received \_\_\_\_\_  
Received By \_\_\_\_\_ Receipt # \_\_\_\_\_

**FEE IS NON-REFUNDABLE**

The following information is required for submission of a variance application. It is important that all information be complete and accurate when submitted to the City. Please print or type the requested information below.

**Property Identification**

Property Address or General Location: 941 First Drive, Eagle Lake FL 33839

Present Use of the Property: RESIDENTIAL NEW CONSTRUCTION

Existing Structures Located on the Site: N/A

Parcel ID 25-29-12-359052-000680 Total Acreage 0.17 ACRES

Legal Description of Property Lot 68, CANNINGS AT EAGLE LAKE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 181, PAGES 28 & 29, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA

Describe the variance you are requesting: 4' VARIANCE ON FRONT SETBACK OF NEW RESIDENTIAL CONSTRUCTION NAME. HOME IS CURRENTLY AT 21' FOR THE FRONT SETBACK.

Variance from Code Section SEC. 6.3.1.20 - FURNITURES 1, E.

Applicant must address the criteria listed on page 3 of this application, to support the request.  
(Use sheet that is provided, or use other sheets if necessary)

I hereby depose and say that all the above statements and information contained in all of the exhibits transmitted are true.

Applicant Name Brian Walsh Signature: 

Mailing Address 3020 S Florida Ave Suite 101 Lakeland, FL 33803

Phone 863-619-7103 ext 246 E-Mail Address permitting@highlandhomes.org

(If applicant is not the owner, a notarized letter of authorization is required)

Name of Representative, if applicable Shawn Miller

Mailing Address 3020 S Florida Ave Suite 101 Lakeland, FL 33803

Phone 863-899-6127 E-Mail Address s.miller@highlandhomes.org

A SURVEY COPY MUST BE ATTACHED, TOGETHER WITH A SKETCH OF THE REQUEST.

**SPEAKING LIMITATIONS:** All speakers shall be limited to no more than five (5) minutes, unless the speaker requests planning staff for additional time, no less than 48 hours prior to the public hearing. In the event speaker(s) request additional time, the determination of the amount of time to be allowed shall be at the discretion of the Chair, but in no event shall speaker be allowed to speak longer than 15 minutes. This time limitation shall not apply to presentations made by the city staff and/or their consultants.

**VERBATIM TRANSCRIPT MAY BE REQUIRED TO APPEAL:** Any person deciding to appeal any decision made by the Planning Commission, with respect to any matter considered at such meeting, will need a record of that proceeding, and for such purpose, may need to ensure that a verbatim record be made which record includes the testimony and evidence upon which the appeal is to be made.

**SPECIAL ACCOMMODATIONS:** In accordance with the American with Disabilities Act (ADA), any person with a disability requiring reasonable accommodation in order to participate in this meeting should contact the City Clerk at 863-293-4141 at least four days prior to the meeting.

**APPEALS OF DECISIONS:** Should the Planning Commission deny the request, it is up to the applicant to apply to the circuit court within 30 days.

.....

OFFICE USE ONLY:

ZONING DISTRICT: \_\_\_\_\_

CODE SECTION: \_\_\_\_\_

DATE OF HEARING: \_\_\_\_\_

DATE HEARING ADVERTISED: \_\_\_\_\_

VARIANCE REQUEST: \_\_\_\_\_



**City of Eagle Lake**  
**Land Development Regulations**

**Sec. 6.3.1.20. - Evaluations.**

1. The planning commission shall render a decision based on the following criteria:
  - A. 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 same zoning district.
  - B. Special conditions and circumstances do not result from the actions of the applicant.
  - C. Granting the variance will not confer any special privilege on the applicant that is denied by this section to other lands, buildings, or structures in the same zoning district.
  - D. The literal interpretation of the provisions of this section would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
  - E. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
  - F. Granting the variance will be in harmony with the general intent and purpose of this section and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
2. The planning commission may impose reasonable conditions or restrictions on any variance it grants.

Please explain how your request satisfies these criteria:

1. 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 same zoning district. (Example: There is a sinkhole on part of the property; or the lot is irregularly shaped)

N/A

2. Special conditions and circumstances do not result from the actions of the applicant. (Example: The property or structure was nonconforming when the applicant purchased it.)

N/A

3. Granting the variance will not confer any special privilege on the applicant that is denied by this section to other lands, buildings, or structures in the same zoning district. (Example: Allowing a three-story structure in a zone that only allows for two-story structures would confer a special privilege on the applicant)

N/A

4. The literal interpretation of the provisions of this section would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant. (Example: Forcing setbacks on a parcel with a wetland so that the applicant cannot build their house)

N/A

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure. (Example: If a 5-foot variance to a setback will allow the homeowner to build, then a 10 foot variance will not be granted)

N/A

6. Granting the variance will be in harmony with the general intent and purpose of this section and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. (Example: Allowing a 5 foot variance to the front setback is in harmony with the general intent of setbacks and will not cause injury to the area or be detrimental to the public welfare.)

Allowing a 4' variance (4 foot) to the front setback will not cause injury or be detrimental to the public welfare in the community.



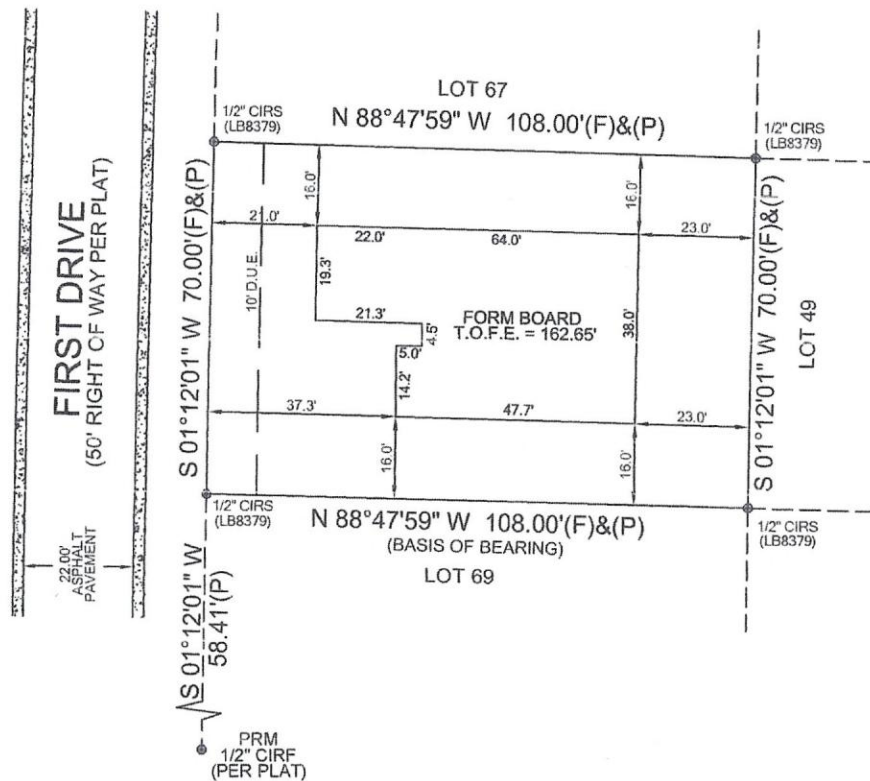
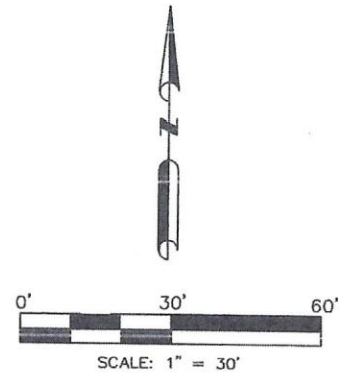
# PLAT OF A FORM BOARD SURVEY

## DESCRIPTION

LOT 68, LANDINGS AT EAGLE LAKE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 181, PAGES 28 & 29, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA

## LEGEND & ABBREVIATIONS

(P) = PLAT MEASURE  
(F) = FIELD MEASURE  
CIRS = CAPPED IRON ROD SET (AS SHOWN)  
PRM = PERMANENT REFERENCE MONUMENT  
D.U.E. = DRAINAGE & UTILITY EASEMENT  
T.O.F.E. = TOP OF FORM ELEVATION  
[Pattern] = CONCRETE



## SURVEY NOTES:

- BEARINGS ARE BASED ON THE EAST LINE OF THE SUBJECT PARCEL, ESTABLISHING AN ASSUMED BEARING OF N.88°47'59"W. AS SHOWN ON THE PLAT OF RECORD.
- DESCRIPTION AS SHOWN HEREON WAS PROVIDED.
- BASIS OF THIS SURVEY IS DESCRIPTION, RECORDED PLAT, AND MONUMENTATION FOUND IN PLACE.
- NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
- THIS SURVEY OF VISIBLE FEATURES ONLY. UNDERGROUND ENCROACHMENTS, IF ANY, WERE NOT LOCATED.
- ADDITIONS, DELETIONS, REPRODUCTION OF SURVEY DRAWINGS BY OTHER THAN THE SIGNED PARTY OR PARTIES IS PROHIBITED BY LAW WITHOUT CONSENT OF THE SIGNED PARTY OR PARTIES.
- THIS SURVEY MAP IS VALID ONLY TO THOSE PERSONS OR ENTITIES NAMED HEREON.
- ELEVATIONS AS SHOWN HEREON IF ANY, ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
- PROPERTY LIES IN SECTION 13, TOWNSHIP 16 SOUTH, RANGE 22 EAST, MARION COUNTY, FLORIDA.
- THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT OR TITLE ABSTRACT.
- THE PROPERTY SHOWN HEREON HAS A STREET ADDRESS OF, 941 FIRST DRIVE, EAGLE LAKE, FLORIDA. (AS FURNISHED)
- THE EXPECTED USE OF THE PROPERTY AS DESCRIBED HEREON, AS CLASSIFIED IN THE STANDARDS OF PRACTICE (5J-17 OF THE FLORIDA ADMINISTRATIVE CODE), IS "SUBURBAN". THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 7,500 FEET. THE ACCURACY OBTAINED BY MEASUREMENTS AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO MEET OR EXCEED THIS REQUIREMENT.
- THE PROPERTY DESCRIBED HEREON APPEARS TO BE IN FLOOD ZONE X (AREA DETERMINED TO FALL OUTSIDE OF THE 0.2% CHANCE ANNUAL FLOODPLAIN) AS SCALED FROM THE FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 120385, MAP NUMBER 12105C, PANEL NUMBER 05106, EFFECTIVE DATE 12/22/2016.

**SURVEYORS CERTIFICATE**  
THIS SURVEY MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.



SAMUEL J. A. TRAVIESO  
PROFESSIONAL SURVEYOR AND MAPPERS  
FLORIDA CERTIFICATE NO. 157255 THIS SURVEY MAP IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPERS.

## CERTIFIED TO:

- PEYTON C SPEC.
- INNOVATIVE TITLE, LLC.
- FIRST AMERICAN TITLE INSURANCE COMPANY.
- HIGHLAND HOMES.

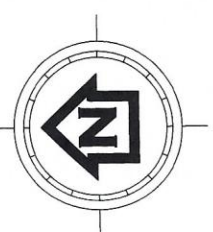
PROJECT NO.	DATE	SURVEYOR	DRAW BY:	FIELD DATE
212035	08/06/2021	SJAT	HNN	08/04/2021
NO.	DATE	REVISIONS		

SAMUEL J. A. TRAVIESO, P.S.M.

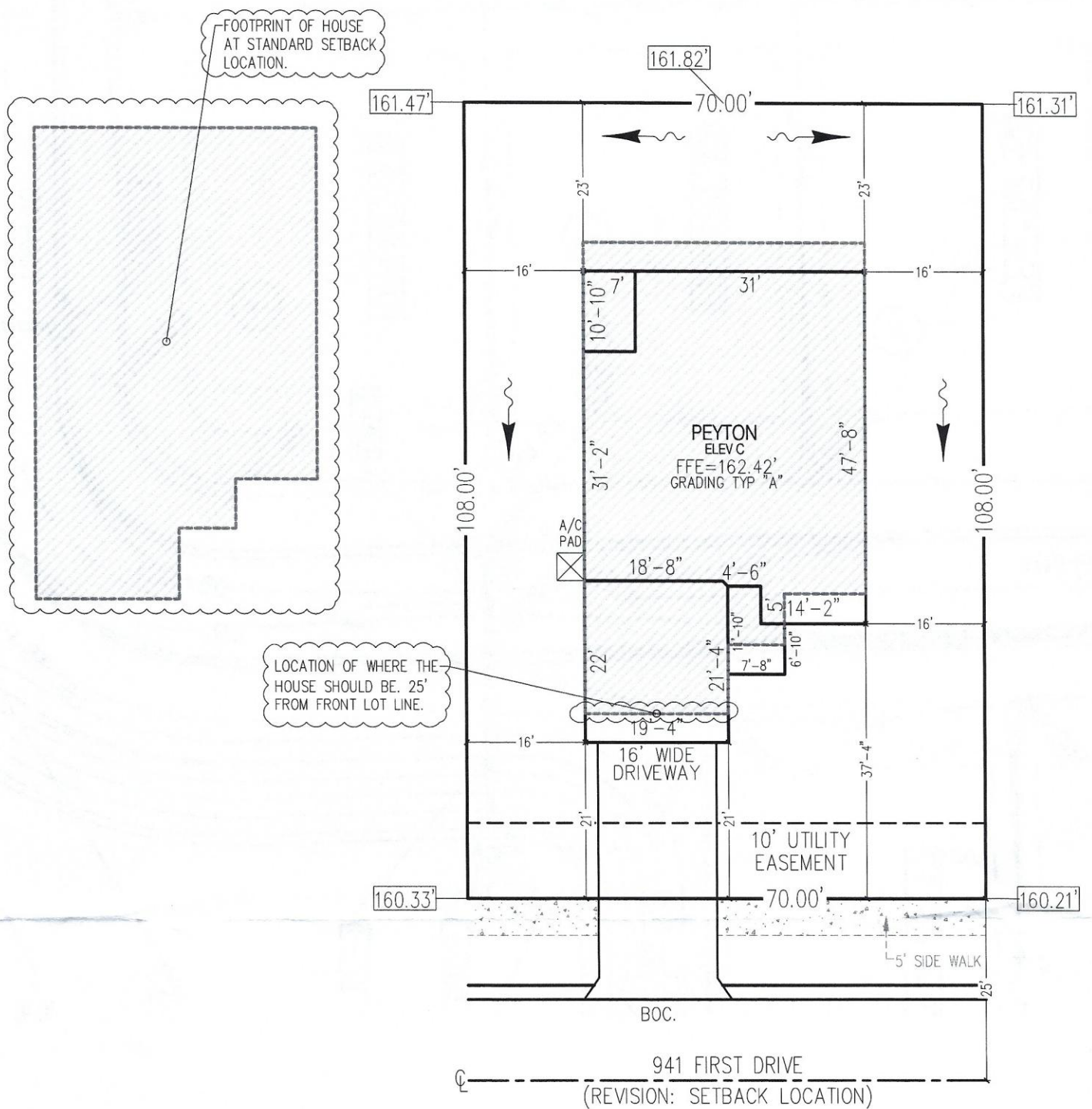
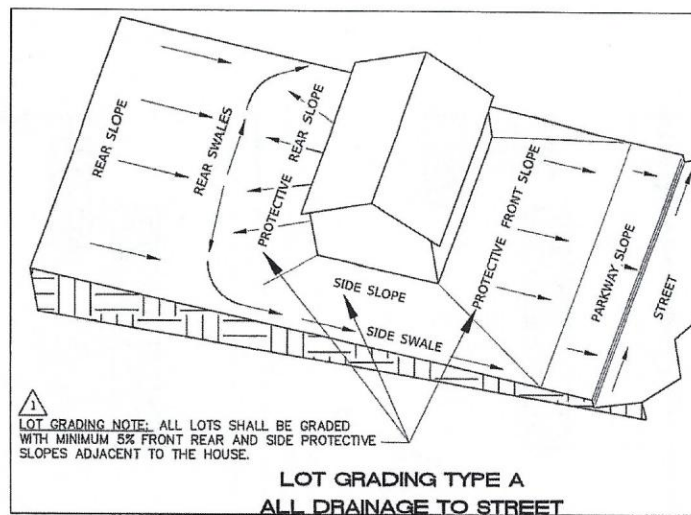
3443 S. DEAN TER  
INVERNESS, FLORIDA 34452  
PHONE (409) 469-9167

**PLOT PLAN**  
**LOT 68,**  
**LANDINGS AT EAGLE LAKE,**  
**P.B 181, PG 28 & 29**  
**EAGLE LAKE, FL**

SETBACK CHART	
FRONT:	25'
REAR:	10'
SIDE:	5'
CORNER:	15'

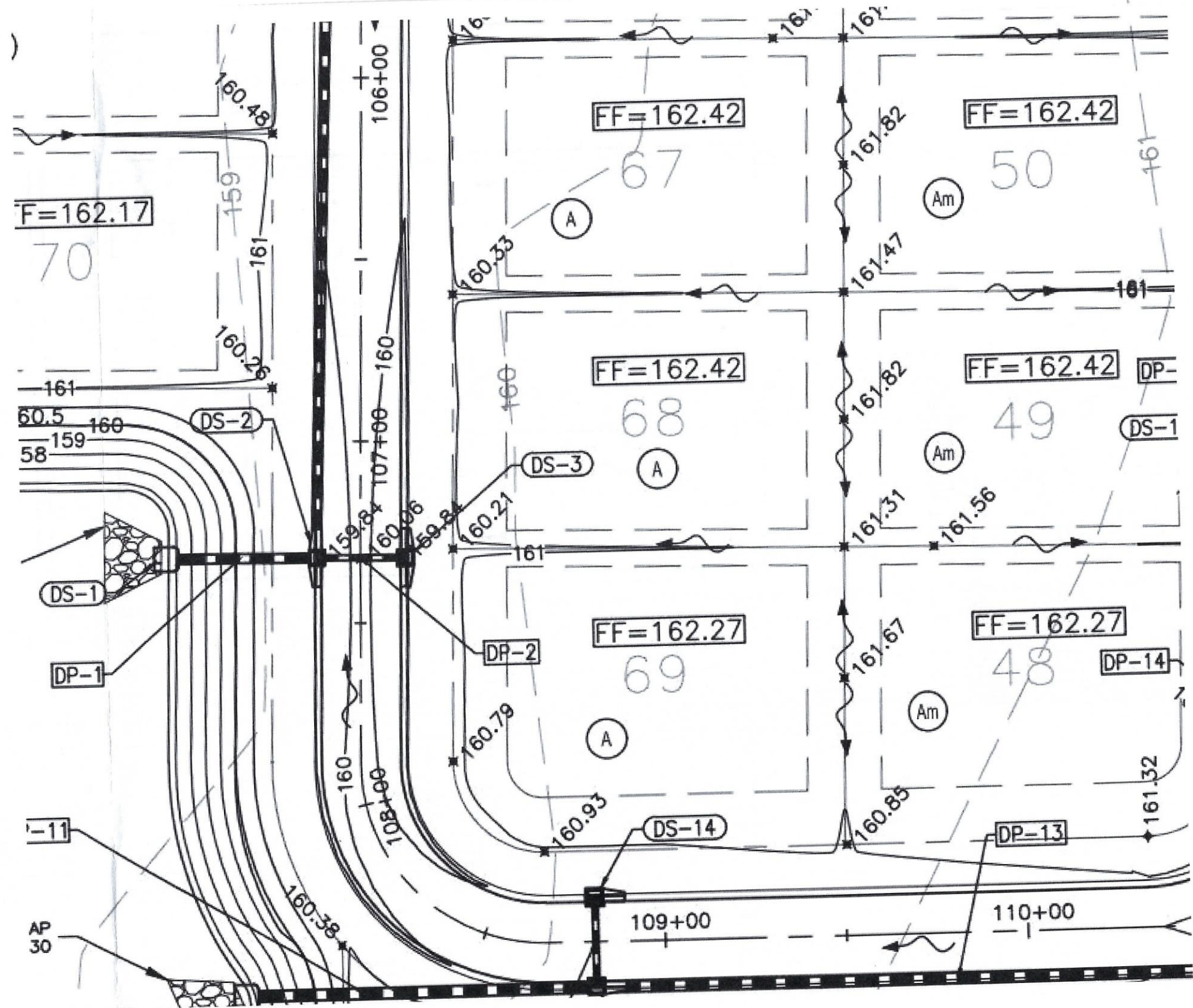


SCALE 1" = 20'



NGVD29  
NAVD88 + 0.863'







CITY OF EAGLE LAKE

75 N 7TH STREET  
EAGLE LAKE, FL 33839

# Sales Receipt

DATE	SALE NO.
9/10/2021	4277

SOLD TO
CLAYTON PROPERTIES GROUP INC

CHECK NO.	PAYMENT METH...	PROJECT
54850	Check	

DESCRIPTION	QTY	RATE	AMOUNT
VARIANCE APPLICATION - 941 FIRST DR, EAGLE LAKE, FL 33839		300.00	300.00
Sales Tax - Polk County		7.00%	0.00
		<b>Total</b>	\$300.00

EAGLE LAKE PLANNING COMMISSION  
REGULAR MEETING  
WEDNESDAY, SEPTEMBER 8, 2021 at 6:00 P.M.  
COMMISSION CHAMBERS  
675 E EAGLE AVE  
EAGLE LAKE, FLORIDA 33839

**I. CALL TO ORDER**

Vice Chairman Eriksen called the meeting to order at 6:00 p.m.

**II. INVOCATION**

Vice Chairman Eriksen gave the invocation.

**III. PLEDGE OF ALLEGIANCE TO THE FLAG**

The Commission and audience said the Pledge of Allegiance to the Flag.

**IV. ROLL CALL**

PRESENT: Spofford, Roe, Eriksen

ABSENT: Aleman, Metosh

**V. STAFF REPORTS**

There were no staff reports.

**VI. PUBLIC HEARING**

- A. Consideration of proposed Ordinance No.: O-21-12, An Ordinance Amending the City of Eagle Lake, Florida 2030 Comprehensive Plan by Revising the Future Land Use Map Series to Assign Low-Density Residential Future Land Use to One (1) Annexed Parcel; Repealing all Ordinances in Conflict Herewith; and, Providing an Effective Date. (General Location: A parcel of land, approximately 0.99 acre in size, lying north of Eagle Lake Loop Road, with a street address of 1057 Eagle Lake Loop Road, Eagle Lake, Florida 33839 and referenced as the "Thousand Oaks Development")

City Manager advised when this project was addressed in the spring the legal description inadvertently missed this one-acre parcel. This ordinance corrects that oversight.

**MOTION** was made by Commissioner Roe and seconded by Commissioner Spofford to recommend approval of the proposed Ordinance and forward to the City Commission for approval.

Vice Chairman Eriksen asked for audience and Commission discussion; there was none.

The roll call vote was as follows:

AYES: Spofford, Roe, Eriksen

NAYS: None



- B. Consideration of proposed of Ordinance No. O-21-13, An Ordinance Amending the City of Eagle Lake, Florida Land Development Regulations by Revising the Zoning Map to Assign Planned Development – Housing (PD H) to Six (6) Annexed Parcels; Repealing all Ordinances in Conflict Herewith; and Providing an Effective Date. (General Location: A parcel of land, approximately 109.16 acres in size, lying north of Eagle Lake Loop Road, with a street address of 1057 and 1065 Eagle Lake Loop Road, Eagle Lake, Florida 33839 and referenced as the “Thousand Oaks Development”)**

**MOTION** was made by Commissioner Roe and seconded by Vice Chairman Eriksen to recommend approval of the proposed Ordinance and forward to the City Commission for approval.

Vice Chairman Eriksen asked for audience and Commission discussion.

Commissioner Spofford stated that there are items not addressed in this description; she stated water from this land flows into Lake McLeod then to the Wahneta Water Shed and eventually into the Peace River. Her concern is that development doesn't impede the water flow.

The roll call vote was as follows:

AYES: Spofford, Roe, Eriksen

NAYS: None

**VII. OLD BUSINESS**

There was no old business.

**VIII. NEW BUSINESS**

There was no new business.

**IX. CONSENT AGENDA**

- A. Approval of the Planning Commission Minutes -----08/02/2021**

**MOTION** was made by Commissioner Spofford and seconded by Commissioner Roe to approve the Planning Commission Minutes of 08/02/2021.

Vice Chairman Eriksen asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 3

NAYS: 0

**X. AUDIENCE**

There were no comments from the audience.

**XI. PLANNING COMMISSION**

There were no comments from the Planning Commission.

**XII. ADJOURNMENT**

**MOTION** was made by Commissioner Spofford and seconded by Commissioner Roe to adjourn at 6:06 p.m.

The vote was as follows:

AYES: 3

NAYS: 0

---

VICE CHAIRMAN MARC ERIKSEN

ATTEST:

---

CITY CLERK DAWN WRIGHT