



CITY OF BARTOW
ZONING BOARD OF ADJUSTMENT REGULAR MEETING
THURSDAY, JANUARY 22, 2026 AT 5:30 PM
OR AS SOON THEREAFTER AS POSSIBLE
450 NORTH WILSON AVE., BARTOW, FL 33830

AGENDA

1. CALL TO ORDER AND ROLL CALL
2. ELECTION OF OFFICERS FOR 2026
 - a. Nomination for and election of Chairperson for 2026
 - b. Nomination for and election of Vice Chairperson for 2026
3. APPROVAL OF MINUTES
 - a. November 20, 2025, Regular Meeting
4. CONSIDERATION OF QUESTIONS FROM THE FLOOR, PETITIONS, COMMUNICATIONS
 - a. Public Comment:
 1. Matters not appearing on this agenda.
 2. Matters appearing on this agenda but not scheduled for a separate public hearing.
5. OLD BUSINESS
6. NEW BUSINESS
 - a. Application #V-26-01 Rodrigo Ferreire, applicant, Sagapo Real Estate 3 LLC, owner of the property located at 310 South 9th Avenue requests a variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single-family residence.
 - b. Application #SE-26-01 Rodrigo Ferreire, applicant, VRP Property Group Corporation, owner of the property located at 1290 Martin Luther King Jr. Boulevard, requests a Special Exception Use approval to construct a single-family residential dwelling in a C-2, Community Commercial zoning district.
7. NEXT MEETING DATE
 - a. February 26, 2026; March 26, 2026; April 23, 2026

8. ADJOURNMENT

Please be advised that if you desire to appeal from any decisions made because 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 Statute 286.0105). The City Commission may continue the public hearing(s) to other dates and times as it deems necessary. Any interested party shall be advised that the date, time, and place of any continuation of these or continued public hearings may be announced during the hearing and that no further notices regarding this matter will be published. If you are a person with a disability who needs any accommodation to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Clerk's Office at 450 N. Wilson Avenue, P.O. Box 1069, Bartow, Florida 33831-1069 or phone (863) 534-0100 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771.

CITY OF BARTOW
ZONING BOARD OF ADJUSTMENT
Thursday, November 20, 2025 – 5:30 p.m. (EST)
City Hall Commission Chamber
450 N. Wilson Ave., Bartow, FL 33830

MINUTES

The Zoning Board of Adjustment held a Regular Meeting on Thursday, November 20, 2025, at 5:30 p.m. in the Commission Chamber located at City Hall, 450 N. Wilson Avenue, Bartow, FL 33830. Notice of this meeting was posted at City Hall, on the City's website, www.cityofbartow.net, and published in the local newspaper.

CALL MEETING TO ORDER:

Chairperson Wright called the meeting to order at 5:30 p.m.

CLERK TO CALL ROLL:

Deputy City Clerk Donna Donaldson called the roll, and attendance was as follows:

BOARD MEMBERS PRESENT: Board Member James Burt, Board Member Scott Lowery, Vice Chairperson, Alternate 1 Board Member Carrie Brewton, Alternate 2 Board Member Damian Wilson, and Board Member Orlando Wright, Chairperson.

BOARD MEMBERS ABSENT: Board Member Velmon Collins, Board Member Colin Ethridge, and Board Member Thomas Kelley

STAFF PRESENT: Planning Director Bob Wieggers and Deputy City Clerk Donna Donaldson.

Planning Director Wieggers noted that Board Members Velmon Collins, Colin Ethridge, and Thomas Kelley had informed the staff of their absence from tonight's meeting.

READING OF MINUTES: September 25, 2025, Regular Meeting

MOTION was made by Alternate 1 Board Member Brewton, seconded by Vice Chairperson Lowery, to approve the September 25, 2025, Regular Meeting minutes as presented.

VOTE TO THE MOTION WAS AS FOLLOWS:

AYE: Burt, Lowery, Brewton, Wilson, Wright

NAY: None

Motion carried.

CONSIDERATION OF QUESTIONS FROM THE FLOOR, PETITIONS, AND COMMUNICATIONS:

1. Public Comment:

A) Matters not appearing on this agenda.

Chairperson Wright opened and closed the floor for public comments on matters not appearing on this agenda. There were no comments.

B) Matters appearing on this agenda but are not scheduled for a separate public hearing.

Chairperson Wright opened and closed the floor for public comment on matters appearing on this agenda but not scheduled for a separate public hearing. There were no comments.

NEW BUSINESS:

1. Application #V-25-06 Miguel Cardoso, applicant, Juan Cardoso, owner of the property located at 1460 East Davidson Street, requests a variance of 15' to allow a 10' front yard setback in-lieu-of 25' to construct an enclosed/screened front porch addition on an existing single-family residence.

Planning Director Wieggers read the application into the record by title only:

"Application #V-25-06 Miguel Cardoso, applicant, Juan Cardoso, owner of the property located at 1460 East Davidson Street, requests a variance of 15' to allow a 10' front yard setback in-lieu-of 25' to construct an enclosed/screened front porch addition on an existing single-family residence."

Planning Director Wieggers reminded the board to review the application, conduct a public hearing, and make a decision.

Planning Director Wieggers stated that this request is to approve the construction of a front porch addition to an existing home. He stated that this home has been on this site since 1947 and will continue to be accessed from East Davidson Street. He stated that everything else remains the same; they want to square off the front of their home. Public notice of this request was sent to thirteen property owners within the notification radius. He has not received any communications regarding this request.

Chairperson Wright opened the public hearing.

Alternate 2 Board Member Wilson asked why they are doing this.

Mr. Miguel Cardoso, the owner's son, responded that his mother wants to extend the existing front porch to the edge of the house and have it screened in.

With no other questions, Chairperson Wright closed the public hearing.

(A copy of the staff report is attached therein and described as Exhibit A.)

MOTION was made by Vice Chairperson Lowery, seconded by Alternate 1 Board Member Brewton, to approve Application #V-25-06 Miguel Cardoso, applicant Juan Cardoso, owner of the property located at 1460 East Davidson Street, requests a variance of 15' to allow a 10' front yard setback in-lieu-of 25' to construct an enclosed/screened front porch addition on an existing single family residence.

VOTE TO THE MOTION WAS AS FOLLOWS:

AYE: Burt, Lowery, Brewton, Wilson, Wright

NAY: None

Motion carried.

2. **Application #V-25-07 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, requests 1) Variance of 14' to allow 16' of separation distance for a point of access from the intersection of the right of way lines of any public road in lieu of 30' as required by Section 3.02.02(B)(2) of the ULDC; and 2) Variance of 12 1/2' to allow a 2 1/2' side street setback in lieu of 15' as required by Table 2.04.01(b) of the ULDC to construct an accessory building.**

Planning Director Wieggers read the application into the record by title only:

"Application #V-25-07 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, requests 1) Variance of 14' to allow 16' of separation distance for a point of access from the intersection of the right of way lines of any public road in lieu of 30' as required by Section 3.02.02(B)(2) of the ULDC; and 2) Variance of 12 1/2' to allow a 2 1/2' side street setback in lieu of 15' as required by Table 2.04.01(b) of the ULDC to construct an accessory building."

Planning Director Wieggers reminded the board to review the application, conduct a public hearing, and make a decision.

Planning Director Wieggers stated that the applicant is requesting permission to place a driveway in front of the house, designed for a pull-through configuration. He explained that due to the house's location, which is closer to the south side of the

property line, a traditional U-shaped driveway is not feasible. The proposed driveway will extend from Jackson Avenue toward the front of the house and will exit onto Lemon Street.

Planning Director Wieggers noted a concern about the exit onto Lemon Street, as city codes require it to be at least 30 feet from the intersection property lines at the corner of Lemon Street and Jackson Avenue, while the current proposal shows a 16-foot separation. Staff does not view this as a significant problem, primarily because there is a stop sign on Lemon Street, which should enhance safety. The city's Public Works Department has assessed the situation and does not see it as an issue. Additionally, the city is considering street improvements along Jackson Avenue that may include the addition of bicycle lanes.

Planning Director Wieggers stated the second portion of the request is for the construction of a pool addition to the back of the home. It would be located inside the lot and use an accessory building as a screen for more privacy. The accessory building will have a garage area and will become a guest house. He mentioned that the existing residence sits at least 2 ½ feet from the side property line. The accessory building would be built to be in line with the existing residence.

Public notice of this request was published in the local newspaper and posted on the city's website and bulletin board. Sixteen adjacent property owners were notified within the required notification radius. Planning Director Wieggers received one comment from a neighbor who stated they were in favor of this request.

Chairperson Wright opened the public hearing.

Mr. and Mrs. Carson Bassett, 595 South Jackson Avenue, thanked the board members for their time and consideration of this application. Mr. Carson stated that they are lifelong residents, but had to move away for about 8 years due to active duty. He stated they have moved back and have made Bartow their permanent home.

Alternate 1 Board Member Brewton inquired about the existing driveways on Lemon Street and the proposed new driveway.

Mr. Bassett confirmed that there would be three driveways total. However, they are considering positioning the garage opening away from the road and using the existing driveway and eliminating the new driveway.

Mrs. Bassett stated that the proposed plan presented shows three driveways; however, their plan is not to use the third one. They aim to reposition the garage so that it does not face the road and instead utilizes the existing driveway. She mentioned that they did not have time to make corrections to the rendering prior to the meeting.

Planning Director Wieggers mentioned that if the board approves this application, they could place a condition requiring the removal of the third driveway. This would allow continued use of the existing driveway for the side entrance.

Mr. Bassett stated that he has submitted the revised site plan with the third driveway being removed.

With no further comments, Chairperson Wright closed the public hearing.

MOTION was made by Board Member Burt, seconded by Alternate 1 Board Member Brewton, to approve Application #V-25-07 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, requests 1) Variance of 14' to allow 16' of separation distance for a point of access from the intersection of the right of way lines of any public road in lieu of 30' as required by Section 3.02.02(B)(2) of the ULDC; and 2) Variance of 12 ½' to allow a 2 ½' side street setback in lieu of 15' as required by Table 2.04.01(b) of the ULDC to construct an accessory building subject to receiving a revised plan.

VOTE TO THE MOTION WAS AS FOLLOWS:

AYE: Burt, Lowery, Brewton, Wilson, Wright

NAY: None

Motion carried.

3. Application #SE-25-06 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, request a Special Exception Use approval for a guest house in an R-3, Multiple Family Residential zoning District.

Planning Director Wieggers read the application into the record by title only:

"Application #SE-25-06 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, request a Special Exception Use approval for a guest house in an R-3, Multiple Family Residential zoning District."

Planning Director Wieggers reminded the board to review the application, conduct a public hearing, and make a decision.

Planning Director Wieggers stated this application is for a Special Exception Use to allow the construction of a guest house. He noted that two-thirds of the building would be designated as living quarters, with the garage facing the east end of the property toward the residence.

Public notice of this request was published in the local newspaper and posted on the city's website and bulletin board. Sixteen adjacent property owners were notified within the required notification radius. Planning Director Wieggers received one comment from a neighbor who stated they were in favor of this request.

Planning Director Wieggers noted that the request for a guest house on this site represents a reasonable use of the property and the application satisfies the requirements of Section 3.10.01.01 of the city's Unified Land Development Code (ULDC). This section specifically states that:

1. The house shall not be rented;
2. All utilities shall be serviced from the principal residence;
3. All yard setback requirements shall be met;
4. The minimum floor space shall not be less than 400 square feet; and
5. The combined floor space of the guest house and principal structure shall not exceed the maximum building area of the zoning district.

The applicant is aware of the restrictions mentioned above and has one year from the date of approval for the special exception use to complete the construction of the building and obtain a Certificate of Occupancy (CO) for the project. If the CO is not obtained within this timeframe, the special exception use will expire and become null and void, unless an extension has been approved by city staff.

It is staff's opinion that the following conditions are necessary in the event this application is approved:

1. Development shall conform to the application, dated "October 29, 2025", and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and local laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the City of Bartow.
2. The requirements and limitations of Section 3-10-01-01 of the city's ULDC related to Guest Houses shall be binding on the current property owner and all future owners.

Chairperson Wright opened and closed the public hearing. There were no comments.

MOTION was made by Alternate 1 Board Member Brewton, seconded by Vice Chairperson Lowery, to approve Application #SE-25-06 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, request a Special Exception Use approval for a guest house in an R-3, Multiple Family Residential zoning District.

VOTE TO THE MOTION WAS AS FOLLOWS:

AYE: Burt, Lowery, Brewton, Wilson, Wright

NAY: None

Motion carried.

NEXT MEETINGS: December 18, 2025, January 22, 2026, and February 26, 2026.

Planning Director Wieggers announced the next meetings are scheduled for December 18, 2025, January 22, 2026, and February 26, 2026. He stated that at this time, he has no application for the December 18, 2025, meeting. He wished everyone a Happy Thanksgiving and a Merry Christmas.

ADJOURNMENT:

With no further business to discuss, Chairperson Wright adjourned the meeting at 5:57 p.m.

Chairperson Orlando Wright

ATTEST:

Deputy City Clerk Donna Donaldson

(SEAL)

Case #V-26-01 / Sagapo Real Estate 3 LLC
Planning Department Staff Report
Board of Adjustments Hearing Date: January 22, 2026



GENERAL INFORMATION

Request: Variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single family residence.

Owner: Sagapo Real Estate 3 LLC

Applicant: Rodrigo Ferreire

Location: 310 S. 9th Avenue

Tract Size: 5,362 Sq. Ft.

LAND USE SUMMARY

Zoning District: R-2, Multiple Family Residential

Minimum Lot Size:	6,000 Square Feet
Minimum Lot Width:	60'
Minimum Floor Area:	600 Square Feet
Maximum Lot Coverage:	45 Percent
Maximum Building Height:	30'
Minimum Building Setbacks:	
Front Yard	25'
Rear Yard	20'
Side Yard	7 1/2'
Side Street	15'

Adjacent Zoning: N: R-2, Two Family Residential
S: R-2, Two Family Residential
E: R-2, Two Family Residential
W: R-2, Two Family Residential

Adjacent Land Uses: N: Vacant
S: Single Family Residence
E: Single Family Residence
W: Single Family Residence

SPECIAL INFORMATION

Transportation/Access: The site will have access to 9th Avenue and Gay Street.

Utility Services: The site will connect to City utility services.

Development History: None.

Public Notice: Public notice of the request was published in a newspaper with local circulation and posted in City Hall and on the City's website. Eighteen nearby property owners were notified within the required notification radius.

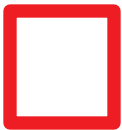
STAFF RECOMMENDATION

The granting of a variance shall be based on a determination by the Board of Adjustment that the request will not be contrary to the public interest and the intent of this Code, and that strict enforcement of the regulation in question would create an undue and unnecessary hardship for the applicant. Considerations of health, convenience or economics shall not be considered as justification for a variance. Approval of a variance shall be based solely on the following criteria, all of which must be fully satisfied:

- (A) Special conditions and circumstances exist that are peculiar to the land or structure involved and that are not applicable to other lands or structures in the same land use classification.
- (B) The special conditions and circumstances do not result from the actions of the applicant.
- (C) The requested variance, if approved, will not confer on the applicant any special privilege that is denied by the provisions of this Code to other lands or structures in the same land use classification.
- (D) Literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the identical land use classification and will constitute an unnecessary and undue hardship on the applicant.
- (E) That the variance granted is the minimum variance that will make possible a reasonable use of the land or structure.
- (F) That the granting of the variance will be in harmony with the general intent of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Variances granted by the Board shall be the minimum necessary to provide a reasonable use of the property and may be approved subject to time limits or any other conditions that the Board deems appropriate. It is planning staff's opinion that the explanation given by the applicant in requesting this variance is sufficient for the Board to take action on the request.

Location Map



Application No. V-26-01 – Subject Property

APPLICATION FOR VARIANCE

City of Bartow, Post Office Box 1069, Bartow, Florida 33831

This application is for use in preparing a variance request for consideration by the Board of Adjustment. **The request must be submitted as an original form which may be reproduced as necessary.**

Please **PRINT** unless otherwise specified: Project Name* 310 S 9th Ave

Applicant's Name: Rodrigo Ferreira Owner's Name: Sagapo Real Estate 3 LLC

Street Address: 11943 Fiore Drive Street Address: 8850 Finson Street

City, State, & Zip: Orlando, FL 32827 City, State, & Zip: Orlando, FL 32827-7640

Telephone #: 914-562-9911 Telephone #: 914-562-9911

Email Address: Rferreira32@gmail.com Email Address: Rferreira32@gmail.com

(*Indicate name of company, group, or organization represented.)

Any person, firm or corporation owning property in the City of Bartow may apply for a variance from specific provisions of the Unified Land Development Code, excepting those relating to permitted land uses, concurrency and consistency with the Comprehensive Plan. Consideration by the City shall be based solely on the criteria identified in Article 7.11.00 of the Land Development Code. Any variance granted shall be the minimum necessary to provide a reasonable use of the property and may be approved subject to time limits or any other conditions that are deemed appropriate.

The following information is required on this form or in an acceptable form:

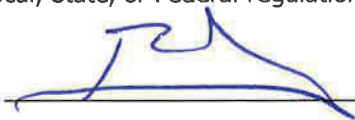
- (1) Complete application form with all necessary attachments.
- (2) An application review fee of \$150.00
- (3) The following request is made: *(attach additional sheets as necessary)*

A variance of 5' is requested to allow
a 15' rear yard setback in-lieu-of 20' to
construct a new single family residence

- (4) A site plan or sketch plan drawn to scale showing the dimensions of the property, the existing and proposed location of structures on the property and the measurements of existing and proposed setbacks, distances between buildings, and other relevant information.

Applicant states that she/he has read and understands the instructions on this application. **Any false information or misrepresentation made on this application may be grounds for revocation of any approval granted by the City.** Approval granted by the City in no way constitutes a waiver from any other applicable Local, State, or Federal regulations.

Owner's Signature:



Date:

12/12/25

INSTRUCTIONS TO APPLICANT

1. Other property owners within 150 feet will be notified by first class mail of all variance requests.
2. Applicants must be present at all meetings. The Board, at its discretion, may defer action, or take decisive action on any application. If you are not present, the Commission may deny the request.
3. Variance applications must be consistent with the City of Bartow's Unified Land Development Code and Comprehensive Plan (C.P.) Future Land Use (F.L.U.) designation.
4. Approval of a variance may subject the property to restrictions greater than the minimums set forth in the City's Unified Land Development Code.
5. The granting of a variance shall be based on a determination by the Board that the request will not be contrary to the public interest and the intent of this Code, and that strict enforcement of the regulation in question would create an undue and unnecessary hardship for the applicant. Considerations of health, convenience or economics shall not be considered as justification for a variance.
6. **The completed application shall be accompanied by a written statement which explains how your request addresses the following criteria at the Board meeting. Approval of a variance shall be based solely on these criteria, all of which must be fully satisfied. This information will be included in the agenda packet that is distributed to members prior to the meeting. Failure to provide this statement will cause the application to be returned to the applicant and may result in a delay in processing.**
 - (A) **Special conditions and circumstances exist that are peculiar to the land or structure involved and that are not applicable to other lands or structures in the same land use classification.**
 - (B) **The special conditions and circumstances do not result from the actions of the applicant.**
 - (C) **The requested variance, if approved, will not confer on the applicant any special privilege that is denied by the provisions of this Code to other lands or structures in the same land use classification.**
 - (D) **Literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the identical land use classification and will constitute an unnecessary and undue hardship on the applicant.**
 - (E) **That the variance granted is the minimum variance that will make possible a reasonable use of the land or structure.**
 - (F) **That the granting of the variance will be in harmony with the general intent of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

OFFICE USE ONLY

Findings required by Section 7.11.01 of the Land Development Code.

- | | | |
|--|----|-----|
| 1) Unique and special circumstances apply to this situation. | No | Yes |
| 2) Special circumstances don't result from action of applicant. | No | Yes |
| 3) Granting variance won't grant special privilege. | No | Yes |
| 4) Does this prevent reasonable use of applicant's property? | No | Yes |
| 5) A lesser variance is not possible. | No | Yes |
| 6) Granting a variance will be in harmony with general intent of zoning ordinance. | No | Yes |

Receipt # 0239692 Location 310 S. 9th Ave

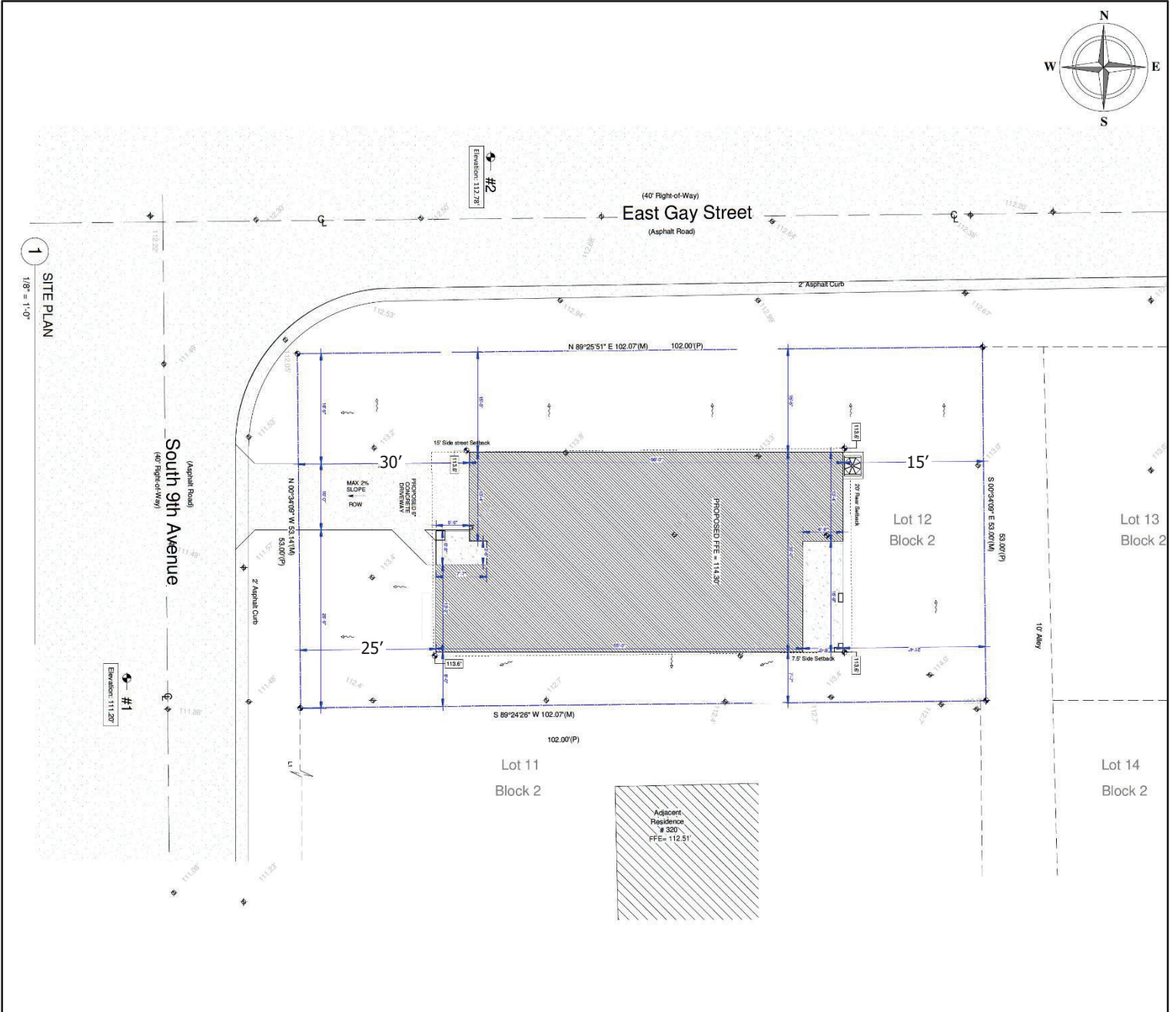
Current Comprehensive Plan FLUM Designation MDR Zoning Classification R-2

Property Appraiser Identification Number 253005 - 367000 - 002120

City Commission District Number E

Coordinates _____

Board of Adjustments Agenda Item # V-26-01 Date 1/22/26



NOTICE OF PUBLIC HEARING
CITY OF BARTOW

On Thursday, January 22, 2026, at 5:30 PM (EST), or as soon thereafter as possible, in the Commission Chambers, at 450 North Wilson Avenue, Bartow, Florida, the Board of Adjustment will hold a Public Hearing on the following application(s):

Application #V-26-01 Rodrigo Ferreire, applicant, Sagapo Real Estate 3 LLC, owner of the property located at 310 South 9th Avenue requests a variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single family residence. The property is legally described as Lot 12, Block 2, Lockwoods East Bartow, PB 6, PG 14, Polk County, Florida. (Tax Parcel No. 253005-367000-002120)

Application #SE-26-01 Rodrigo Ferreire, applicant, VRP Property Group Corporation, owner of the property located at 1290 Martin Luther King Jr. Boulevard, requests a Special Exception Use approval to construct a single family residential dwelling in a C-2, Community Commercial zoning district. The property is legally described as Lot 8, less the West 40', Tier 5, Block 2, South Florida RR Addition, PB 1, PG 27, Polk County, Florida. (Tax Parcel Nos. 253008-414500-052082)

Complete copies of the applications are available from the Office of the City Clerk located at 450 N. Wilson Avenue, Bartow, Fl. Interested parties may examine it there or appear at the meeting and be heard with respect to the application. 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. (F.S. 286.0105) The Board may continue the public hearing(s) to other dates and times as it deems necessary. Any interested party shall be advised that the date, time, and place of any continuation of these or continued public hearings may be announced during the hearing and that no further notices regarding this matter will be published. In accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this proceeding should contact the City Clerk's Office no later than five (5) days prior to this proceeding at telephone number 863-534-0100 for assistance; if hearing impaired call 1-800-955-8771 or voice impaired call 1-800-955-8770 (VOICE) for assistance.

CSX CORPORATION
500 WATER ST DEPT J910
JACKSONVILLE FL 32202-4423

CARLOS ROSADO
303 S 9TH AVE
BARTOW FL 33830-5220

KEVIN LEWIS
1819 DOWNING OAKS LN
DOVER FL 33527-5050

HERNANDEZ CRUZ RONALDO
325 S 9TH AVE
BARTOW FL 33830-5220

GRIMSTEAD ARAUJO TREVOR LEN
385 S 9TH AVE
BARTOW FL 33830-5220

STEPHANIE MORGAN
340 S 9TH AVE
BARTOW FL 33830-5219

IZQUIERDO YANELLA HERNANDEZ
320 S 9TH AVE
BARTOW FL 33830-5219

SAGAPO REAL ESTATE 3 LLC
8850 FINSEN ST
ORLANDO FL 32827-7640

SHARON LEVON VASQUEZ
910 HILLSIDE CT S
WINTER HAVEN FL 33881-9774

Blackshire Holdings Group LLC
PO Box 1552
Bartow Fl 33831-1552

MARSHALL L BUSH
757 RANTOUL LN
LAKE MARY FL 32746-4249

Mt Olive Free Will Baptist Ch Inc
PO Box 897
Bartow Fl 33831-0897

JOAN MCKAY ET AL
1232 N VIRGINIA AVE
LAKELAND FL 33805-4853

ZAID ABU RICHARDSON
1695 LAGOON CIR
BARTOW FL 33830-6870

MARIUS JOHN LINK
6523 EAGLE RIDGE WAY
LAKELAND FL 33813-5684

JONATHAN DIXON
285 S 10TH AVE
BARTOW FL 33830-5226

ESTATE OF LORENZO MCCLOUD SR
2095 ML KING JR BLVD
BARTOW FL 33830-5343

EDDIE ROBINSON
630 S 9TH AVE
BARTOW FL 33830-5204

As a property owner within 150' of the property described below located in Bartow, FL, please note the City of Bartow's Board of Adjustment will review the following application on **Thursday, January 22, 2026**, at **5:30 PM (EST)**, in the City Commission Chambers, at 450 N. Wilson Ave, Bartow, FL.

Application #V-26-01 Rodrigo Ferreire, applicant, Sagapo Real Estate 3 LLC, owner of the property located at 310 South 9th Avenue requests a variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single family residence.



All parties are invited to comment on this application. If no objections are raised, it is presumed none exist. To appeal decisions made by the Board you will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The complete application is available for inspection at City Hall, 450 N. Wilson Ave., Bartow, Florida during normal business hours. The telephone number of City Hall is 863-534-0100. If you are disabled and need any accommodations to participate in this proceeding, you are entitled, at no cost to you, to certain assistance. Please contact the Bartow City Clerk's office at 450 N. Wilson Ave., Bartow, FL 33930 or phone (863) 534-0100 within 2 working days of you receipt of this meeting notification. If you are hearing or vision impaired call 1-800-955-8771.

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Application #V-26-01 Rodrigo Ferreire, applicant, Sagapo Real Estate 3 LLC, owner of the property located at 310 South 9th Avenue requests a variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single family residence.



All parties are invited to comment on this application. If no objections are raised, it is presumed none exist. To appeal decisions made by the Board you will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The complete application is available for inspection at City Hall, 450 N. Wilson Ave., Bartow, Florida during normal business hours. The telephone number of City Hall is 863-534-0100. If you are disabled and need any accommodations to participate in this proceeding, you are entitled, at no cost to you, to certain assistance. Please contact the Bartow City Clerk's office at 450 N. Wilson Ave., Bartow, FL 33930 or phone (863) 534-0100 within 2 working days of you receipt of this meeting notification. If you are hearing or vision impaired call 1-800-955-8771.



**MEETING AGENDA
BOARD OF ADJUSTMENT**

Thursday, January 22, 2026
5:30 P.M. (EST) or As Soon Thereafter As Possible
450 North Wilson Avenue, Bartow, Florida 33830

CALL MEETING TO ORDER:

CLERK TO CALL ROLL:

ELECTION OF OFFICERS FOR 2025:

1. Nominations for and election of Chairperson
2. Nominations for and election of Vice-Chairperson

READING OF MINUTES: Regular Meeting of November 20, 2025

CONSIDERATION OF QUESTIONS FROM THE FLOOR, PETITIONS, COMMUNICATIONS:

1. Public Comment:
 - A) Matters not appearing on this agenda.
 - B) Matters appearing on this agenda but not scheduled for a separate public hearing.

NEW BUSINESS:

1. Application #V-26-01 Rodrigo Ferreire, applicant, Sagapo Real Estate 3 LLC, owner of the property located at 310 South 9th Avenue requests a variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single family residence.
2. Application #SE-26-01 Rodrigo Ferreire, applicant, VRP Property Group Corporation, owner of the property located at 1290 Martin Luther King Jr. Boulevard, requests a Special Exception Use approval to construct a single family residential dwelling in a C-2, Community Commercial zoning district.

NEXT MEETINGS: February 26, 2026; March 26, 2026; April 23, 2026

ADJOURNMENT:

Please be advised that if you desire to appeal from any decisions made because 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 Statute 286.0105). If you are a person with a disability who needs any accommodation to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Clerk's Office at 450 N. Wilson Avenue, P.O. Box 1069, Bartow, Florida 33831-1069 or phone (863) 534-0100 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771.

CITY OF BARTOW
ZONING BOARD OF ADJUSTMENT
Thursday, November 20, 2025 – 5:30 p.m. (EST)
City Hall Commission Chamber
450 N. Wilson Ave., Bartow, FL 33830

MINUTES

The Zoning Board of Adjustment held a Regular Meeting on Thursday, November 20, 2025, at 5:30 p.m. in the Commission Chamber located at City Hall, 450 N. Wilson Avenue, Bartow, FL 33830. Notice of this meeting was posted at City Hall, on the City's website, www.cityofbartow.net, and published in the local newspaper.

CALL MEETING TO ORDER:

Chairperson Wright called the meeting to order at 5:30 p.m.

CLERK TO CALL ROLL:

Deputy City Clerk Donna Donaldson called the roll, and attendance was as follows:

BOARD MEMBERS PRESENT: Board Member James Burt, Board Member Scott Lowery, Vice Chairperson, Alternate 1 Board Member Carrie Brewton, Alternate 2 Board Member Damian Wilson, and Board Member Orlando Wright, Chairperson.

BOARD MEMBERS ABSENT: Board Member Velmon Collins, Board Member Colin Ethridge, and Board Member Thomas Kelley

STAFF PRESENT: Planning Director Bob Wieggers and Deputy City Clerk Donna Donaldson.

Planning Director Wieggers noted that Board Members Velmon Collins, Colin Ethridge, and Thomas Kelley had informed the staff of their absence from tonight's meeting.

READING OF MINUTES: September 25, 2025, Regular Meeting

MOTION was made by Alternate 1 Board Member Brewton, seconded by Vice Chairperson Lowery, to approve the September 25, 2025, Regular Meeting minutes as presented.

VOTE TO THE MOTION WAS AS FOLLOWS:

AYE: Burt, Lowery, Brewton, Wilson, Wright

NAY: None

Motion carried.

CONSIDERATION OF QUESTIONS FROM THE FLOOR, PETITIONS, AND COMMUNICATIONS:

1. Public Comment:

A) Matters not appearing on this agenda.

Chairperson Wright opened and closed the floor for public comments on matters not appearing on this agenda. There were no comments.

B) Matters appearing on this agenda but are not scheduled for a separate public hearing.

Chairperson Wright opened and closed the floor for public comment on matters appearing on this agenda but not scheduled for a separate public hearing. There were no comments.

NEW BUSINESS:

1. Application #V-25-06 Miguel Cardoso, applicant, Juan Cardoso, owner of the property located at 1460 East Davidson Street, requests a variance of 15' to allow a 10' front yard setback in-lieu-of 25' to construct an enclosed/screened front porch addition on an existing single-family residence.

Planning Director Wieggers read the application into the record by title only:

"Application #V-25-06 Miguel Cardoso, applicant, Juan Cardoso, owner of the property located at 1460 East Davidson Street, requests a variance of 15' to allow a 10' front yard setback in-lieu-of 25' to construct an enclosed/screened front porch addition on an existing single-family residence."

Planning Director Wieggers reminded the board to review the application, conduct a public hearing, and make a decision.

Planning Director Wieggers stated that this request is to approve the construction of a front porch addition to an existing home. He stated that this home has been on this site since 1947 and will continue to be accessed from East Davidson Street. He stated that everything else remains the same; they want to square off the front of their home. Public notice of this request was sent to thirteen property owners within the notification radius. He has not received any communications regarding this request.

Chairperson Wright opened the public hearing.

Alternate 2 Board Member Wilson asked why they are doing this.

Mr. Miguel Cardoso, the owner's son, responded that his mother wants to extend the existing front porch to the edge of the house and have it screened in.

With no other questions, Chairperson Wright closed the public hearing.

(A copy of the staff report is attached therein and described as Exhibit A.)

MOTION was made by Vice Chairperson Lowery, seconded by Alternate 1 Board Member Brewton, to approve Application #V-25-06 Miguel Cardoso, applicant Juan Cardoso, owner of the property located at 1460 East Davidson Street, requests a variance of 15' to allow a 10' front yard setback in-lieu-of 25' to construct an enclosed/screened front porch addition on an existing single family residence.

VOTE TO THE MOTION WAS AS FOLLOWS:

AYE: Burt, Lowery, Brewton, Wilson, Wright

NAY: None

Motion carried.

- Application #V-25-07 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, requests 1) Variance of 14' to allow 16' of separation distance for a point of access from the intersection of the right of way lines of any public road in lieu of 30' as required by Section 3.02.02(B)(2) of the ULDC; and 2) Variance of 12 1/2' to allow a 2 1/2' side street setback in lieu of 15' as required by Table 2.04.01(b) of the ULDC to construct an accessory building.**

Planning Director Wieggers read the application into the record by title only:

"Application #V-25-07 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, requests 1) Variance of 14' to allow 16' of separation distance for a point of access from the intersection of the right of way lines of any public road in lieu of 30' as required by Section 3.02.02(B)(2) of the ULDC; and 2) Variance of 12 1/2' to allow a 2 1/2' side street setback in lieu of 15' as required by Table 2.04.01(b) of the ULDC to construct an accessory building."

Planning Director Wieggers reminded the board to review the application, conduct a public hearing, and make a decision.

Planning Director Wieggers stated that the applicant is requesting permission to place a driveway in front of the house, designed for a pull-through configuration. He explained that due to the house's location, which is closer to the south side of the

property line, a traditional U-shaped driveway is not feasible. The proposed driveway will extend from Jackson Avenue toward the front of the house and will exit onto Lemon Street.

Planning Director Wieggers noted a concern about the exit onto Lemon Street, as city codes require it to be at least 30 feet from the intersection property lines at the corner of Lemon Street and Jackson Avenue, while the current proposal shows a 16-foot separation. Staff does not view this as a significant problem, primarily because there is a stop sign on Lemon Street, which should enhance safety. The city's Public Works Department has assessed the situation and does not see it as an issue. Additionally, the city is considering street improvements along Jackson Avenue that may include the addition of bicycle lanes.

Planning Director Wieggers stated the second portion of the request is for the construction of a pool addition to the back of the home. It would be located inside the lot and use an accessory building as a screen for more privacy. The accessory building will have a garage area and will become a guest house. He mentioned that the existing residence sits at least 2 ½ feet from the side property line. The accessory building would be built to be in line with the existing residence.

Public notice of this request was published in the local newspaper and posted on the city's website and bulletin board. Sixteen adjacent property owners were notified within the required notification radius. Planning Director Wieggers received one comment from a neighbor who stated they were in favor of this request.

Chairperson Wright opened the public hearing.

Mr. and Mrs. Carson Bassett, 595 South Jackson Avenue, thanked the board members for their time and consideration of this application. Mr. Carson stated that they are lifelong residents, but had to move away for about 8 years due to active duty. He stated they have moved back and have made Bartow their permanent home.

Alternate 1 Board Member Brewton inquired about the existing driveways on Lemon Street and the proposed new driveway.

Mr. Bassett confirmed that there would be three driveways total. However, they are considering positioning the garage opening away from the road and using the existing driveway and eliminating the new driveway.

Mrs. Bassett stated that the proposed plan presented shows three driveways; however, their plan is not to use the third one. They aim to reposition the garage so that it does not face the road and instead utilizes the existing driveway. She mentioned that they did not have time to make corrections to the rendering prior to the meeting.

Planning Director Wieggers mentioned that if the board approves this application, they could place a condition requiring the removal of the third driveway. This would allow continued use of the existing driveway for the side entrance.

Mr. Bassett stated that he has submitted the revised site plan with the third driveway being removed.

With no further comments, Chairperson Wright closed the public hearing.

MOTION was made by Board Member Burt, seconded by Alternate 1 Board Member Brewton, to approve Application #V-25-07 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, requests 1) Variance of 14' to allow 16' of separation distance for a point of access from the intersection of the right of way lines of any public road in lieu of 30' as required by Section 3.02.02(B)(2) of the ULDC; and 2) Variance of 12 ½' to allow a 2 ½' side street setback in lieu of 15' as required by Table 2.04.01(b) of the ULDC to construct an accessory building subject to receiving a revised plan.

VOTE TO THE MOTION WAS AS FOLLOWS:

AYE: Burt, Lowery, Brewton, Wilson, Wright

NAY: None

Motion carried.

3. Application #SE-25-06 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, request a Special Exception Use approval for a guest house in an R-3, Multiple Family Residential zoning District.

Planning Director Wieggers read the application into the record by title only:

"Application #SE-25-06 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, request a Special Exception Use approval for a guest house in an R-3, Multiple Family Residential zoning District."

Planning Director Wieggers reminded the board to review the application, conduct a public hearing, and make a decision.

Planning Director Wieggers stated this application is for a Special Exception Use to allow the construction of a guest house. He noted that two-thirds of the building would be designated as living quarters, with the garage facing the east end of the property toward the residence.

Public notice of this request was published in the local newspaper and posted on the city's website and bulletin board. Sixteen adjacent property owners were notified within the required notification radius. Planning Director Wieggers received one comment from a neighbor who stated they were in favor of this request.

Planning Director Wieggers noted that the request for a guest house on this site represents a reasonable use of the property and the application satisfies the requirements of Section 3.10.01.01 of the city's Unified Land Development Code (ULDC). This section specifically states that:

1. The house shall not be rented;
2. All utilities shall be serviced from the principal residence;
3. All yard setback requirements shall be met;
4. The minimum floor space shall not be less than 400 square feet; and
5. The combined floor space of the guest house and principal structure shall not exceed the maximum building area of the zoning district.

The applicant is aware of the restrictions mentioned above and has one year from the date of approval for the special exception use to complete the construction of the building and obtain a Certificate of Occupancy (CO) for the project. If the CO is not obtained within this timeframe, the special exception use will expire and become null and void, unless an extension has been approved by city staff.

It is staff's opinion that the following conditions are necessary in the event this application is approved:

1. Development shall conform to the application, dated "October 29, 2025", and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and local laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the City of Bartow.
2. The requirements and limitations of Section 3-10-01-01 of the city's ULDC related to Guest Houses shall be binding on the current property owner and all future owners.

Chairperson Wright opened and closed the public hearing. There were no comments.

MOTION was made by Alternate 1 Board Member Brewton, seconded by Vice Chairperson Lowery, to approve Application #SE-25-06 R. Carson and Dr. Christine A. Bassett, owners of the property located at 595 South Jackson Avenue, request a Special Exception Use approval for a guest house in an R-3, Multiple Family Residential zoning District.

VOTE TO THE MOTION WAS AS FOLLOWS:

AYE: Burt, Lowery, Brewton, Wilson, Wright

NAY: None

Motion carried.

NEXT MEETINGS: December 18, 2025, January 22, 2026, and February 26, 2026.

Planning Director Wieggers announced the next meetings are scheduled for December 18, 2025, January 22, 2026, and February 26, 2026. He stated that at this time, he has no application for the December 18, 2025, meeting. He wished everyone a Happy Thanksgiving and a Merry Christmas.

ADJOURNMENT:

With no further business to discuss, Chairperson Wright adjourned the meeting at 5:57 p.m.

Chairperson Orlando Wright

ATTEST:

Deputy City Clerk Donna Donaldson

(SEAL)

Case #V-26-01 / Sagapo Real Estate 3 LLC
Planning Department Staff Report
Board of Adjustments Hearing Date: January 22, 2026



GENERAL INFORMATION

Request: Variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single family residence.

Owner: Sagapo Real Estate 3 LLC

Applicant: Rodrigo Ferreire

Location: 310 S. 9th Avenue

Tract Size: 5,362 Sq. Ft.

LAND USE SUMMARY

Zoning District: R-2, Multiple Family Residential

Minimum Lot Size:	6,000 Square Feet
Minimum Lot Width:	60'
Minimum Floor Area:	600 Square Feet
Maximum Lot Coverage:	45 Percent
Maximum Building Height:	30'
Minimum Building Setbacks:	
Front Yard	25'
Rear Yard	20'
Side Yard	7 1/2'
Side Street	15'

Adjacent Zoning: N: R-2, Two Family Residential
S: R-2, Two Family Residential
E: R-2, Two Family Residential
W: R-2, Two Family Residential

Adjacent Land Uses: N: Vacant
S: Single Family Residence
E: Single Family Residence
W: Single Family Residence

SPECIAL INFORMATION

Transportation/Access: The site will have access to 9th Avenue and Gay Street.

Utility Services: The site will connect to City utility services.

Development History: None.

Public Notice: Public notice of the request was published in a newspaper with local circulation and posted in City Hall and on the City's website. Eighteen nearby property owners were notified within the required notification radius.

STAFF RECOMMENDATION

The granting of a variance shall be based on a determination by the Board of Adjustment that the request will not be contrary to the public interest and the intent of this Code, and that strict enforcement of the regulation in question would create an undue and unnecessary hardship for the applicant. Considerations of health, convenience or economics shall not be considered as justification for a variance. Approval of a variance shall be based solely on the following criteria, all of which must be fully satisfied:

- (A) Special conditions and circumstances exist that are peculiar to the land or structure involved and that are not applicable to other lands or structures in the same land use classification.
- (B) The special conditions and circumstances do not result from the actions of the applicant.
- (C) The requested variance, if approved, will not confer on the applicant any special privilege that is denied by the provisions of this Code to other lands or structures in the same land use classification.
- (D) Literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the identical land use classification and will constitute an unnecessary and undue hardship on the applicant.
- (E) That the variance granted is the minimum variance that will make possible a reasonable use of the land or structure.
- (F) That the granting of the variance will be in harmony with the general intent of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Variances granted by the Board shall be the minimum necessary to provide a reasonable use of the property and may be approved subject to time limits or any other conditions that the Board deems appropriate. It is planning staff's opinion that the explanation given by the applicant in requesting this variance is sufficient for the Board to take action on the request.

APPLICATION FOR VARIANCE

City of Bartow, Post Office Box 1069, Bartow, Florida 33831

This application is for use in preparing a variance request for consideration by the Board of Adjustment. **The request must be submitted as an original form which may be reproduced as necessary.**

Please **PRINT** unless otherwise specified: Project Name* 310 S 9th Ave

Applicant's Name: Rodrigo Ferreira Owner's Name: Sagapo Real Estate 3 LLC

Street Address: 11943 Fiore Drive Street Address: 8850 Finson Street

City, State, & Zip: Orlando, FL 32827 City, State, & Zip: Orlando, FL 32827-7640

Telephone #: 914-562-9911 Telephone #: 914-562-9911

Email Address: Rferreira32@gmail.com Email Address: Rferreira32@gmail.com

(*Indicate name of company, group, or organization represented.)

Any person, firm or corporation owning property in the City of Bartow may apply for a variance from specific provisions of the Unified Land Development Code, excepting those relating to permitted land uses, concurrency and consistency with the Comprehensive Plan. Consideration by the City shall be based solely on the criteria identified in Article 7.11.00 of the Land Development Code. Any variance granted shall be the minimum necessary to provide a reasonable use of the property and may be approved subject to time limits or any other conditions that are deemed appropriate.

The following information is required on this form or in an acceptable form:

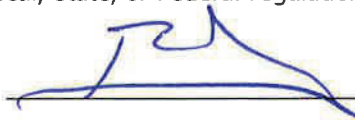
- (1) Complete application form with all necessary attachments.
- (2) An application review fee of \$150.00
- (3) The following request is made: *(attach additional sheets as necessary)*

A variance of 5' is requested to allow
a 15' rear yard setback in-lieu-of 20' to
construct a new single family residence

- (4) A site plan or sketch plan drawn to scale showing the dimensions of the property, the existing and proposed location of structures on the property and the measurements of existing and proposed setbacks, distances between buildings, and other relevant information.

Applicant states that she/he has read and understands the instructions on this application. **Any false information or misrepresentation made on this application may be grounds for revocation of any approval granted by the City.** Approval granted by the City in no way constitutes a waiver from any other applicable Local, State, or Federal regulations.

Owner's Signature:



Date:

12/12/25

INSTRUCTIONS TO APPLICANT

1. Other property owners within 150 feet will be notified by first class mail of all variance requests.
2. Applicants must be present at all meetings. The Board, at its discretion, may defer action, or take decisive action on any application. If you are not present, the Commission may deny the request.
3. Variance applications must be consistent with the City of Bartow's Unified Land Development Code and Comprehensive Plan (C.P.) Future Land Use (F.L.U.) designation.
4. Approval of a variance may subject the property to restrictions greater than the minimums set forth in the City's Unified Land Development Code.
5. The granting of a variance shall be based on a determination by the Board that the request will not be contrary to the public interest and the intent of this Code, and that strict enforcement of the regulation in question would create an undue and unnecessary hardship for the applicant. Considerations of health, convenience or economics shall not be considered as justification for a variance.
6. **The completed application shall be accompanied by a written statement which explains how your request addresses the following criteria at the Board meeting. Approval of a variance shall be based solely on these criteria, all of which must be fully satisfied. This information will be included in the agenda packet that is distributed to members prior to the meeting. Failure to provide this statement will cause the application to be returned to the applicant and may result in a delay in processing.**
 - (A) **Special conditions and circumstances exist that are peculiar to the land or structure involved and that are not applicable to other lands or structures in the same land use classification.**
 - (B) **The special conditions and circumstances do not result from the actions of the applicant.**
 - (C) **The requested variance, if approved, will not confer on the applicant any special privilege that is denied by the provisions of this Code to other lands or structures in the same land use classification.**
 - (D) **Literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the identical land use classification and will constitute an unnecessary and undue hardship on the applicant.**
 - (E) **That the variance granted is the minimum variance that will make possible a reasonable use of the land or structure.**
 - (F) **That the granting of the variance will be in harmony with the general intent of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

OFFICE USE ONLY

Findings required by Section 7.11.01 of the Land Development Code.

- | | | |
|--|----|-----|
| 1) Unique and special circumstances apply to this situation. | No | Yes |
| 2) Special circumstances don't result from action of applicant. | No | Yes |
| 3) Granting variance won't grant special privilege. | No | Yes |
| 4) Does this prevent reasonable use of applicant's property? | No | Yes |
| 5) A lesser variance is not possible. | No | Yes |
| 6) Granting a variance will be in harmony with general intent of zoning ordinance. | No | Yes |

Receipt # 0239692 Location 310 S. 9th Ave

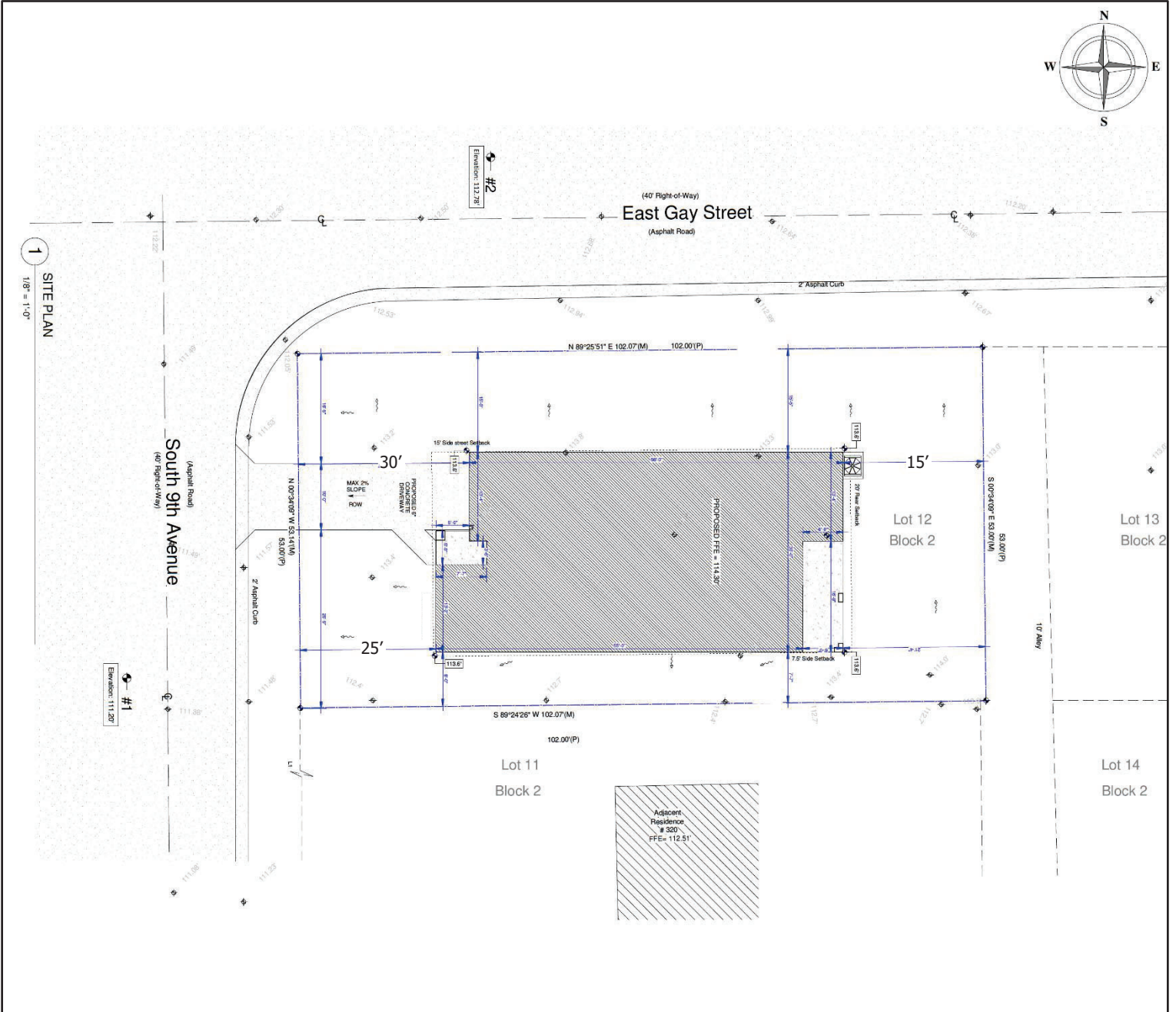
Current Comprehensive Plan FLUM Designation MDR Zoning Classification R-2

Property Appraiser Identification Number 253005 - 367000 - 002120

City Commission District Number E

Coordinates _____

Board of Adjustments Agenda Item # V-26-01 Date 1/22/26



NOTICE OF PUBLIC HEARING
CITY OF BARTOW

On Thursday, January 22, 2026, at 5:30 PM (EST), or as soon thereafter as possible, in the Commission Chambers, at 450 North Wilson Avenue, Bartow, Florida, the Board of Adjustment will hold a Public Hearing on the following application(s):

Application #V-26-01 Rodrigo Ferreire, applicant, Sagapo Real Estate 3 LLC, owner of the property located at 310 South 9th Avenue requests a variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single family residence. The property is legally described as Lot 12, Block 2, Lockwoods East Bartow, PB 6, PG 14, Polk County, Florida. (Tax Parcel No. 253005-367000-002120)

Application #SE-26-01 Rodrigo Ferreire, applicant, VRP Property Group Corporation, owner of the property located at 1290 Martin Luther King Jr. Boulevard, requests a Special Exception Use approval to construct a single family residential dwelling in a C-2, Community Commercial zoning district. The property is legally described as Lot 8, less the West 40', Tier 5, Block 2, South Florida RR Addition, PB 1, PG 27, Polk County, Florida. (Tax Parcel Nos. 253008-414500-052082)

Complete copies of the applications are available from the Office of the City Clerk located at 450 N. Wilson Avenue, Bartow, Fl. Interested parties may examine it there or appear at the meeting and be heard with respect to the application. 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. (F.S. 286.0105) The Board may continue the public hearing(s) to other dates and times as it deems necessary. Any interested party shall be advised that the date, time, and place of any continuation of these or continued public hearings may be announced during the hearing and that no further notices regarding this matter will be published. In accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this proceeding should contact the City Clerk's Office no later than five (5) days prior to this proceeding at telephone number 863-534-0100 for assistance; if hearing impaired call 1-800-955-8771 or voice impaired call 1-800-955-8770 (VOICE) for assistance.

CSX CORPORATION
500 WATER ST DEPT J910
JACKSONVILLE FL 32202-4423

CARLOS ROSADO
303 S 9TH AVE
BARTOW FL 33830-5220

KEVIN LEWIS
1819 DOWNING OAKS LN
DOVER FL 33527-5050

HERNANDEZ CRUZ RONALDO
325 S 9TH AVE
BARTOW FL 33830-5220

GRIMSTEAD ARAUJO TREVOR LEN
385 S 9TH AVE
BARTOW FL 33830-5220

STEPHANIE MORGAN
340 S 9TH AVE
BARTOW FL 33830-5219

IZQUIERDO YANELLA HERNANDEZ
320 S 9TH AVE
BARTOW FL 33830-5219

SAGAPO REAL ESTATE 3 LLC
8850 FINSEN ST
ORLANDO FL 32827-7640

SHARON LEVON VASQUEZ
910 HILLSIDE CT S
WINTER HAVEN FL 33881-9774

Blackshire Holdings Group LLC
PO Box 1552
Bartow Fl 33831-1552

MARSHALL L BUSH
757 RANTOUL LN
LAKE MARY FL 32746-4249

Mt Olive Free Will Baptist Ch Inc
PO Box 897
Bartow Fl 33831-0897

JOAN MCKAY ET AL
1232 N VIRGINIA AVE
LAKELAND FL 33805-4853

ZAID ABU RICHARDSON
1695 LAGOON CIR
BARTOW FL 33830-6870

MARIUS JOHN LINK
6523 EAGLE RIDGE WAY
LAKELAND FL 33813-5684

JONATHAN DIXON
285 S 10TH AVE
BARTOW FL 33830-5226

ESTATE OF LORENZO MCCLOUD SR
2095 ML KING JR BLVD
BARTOW FL 33830-5343

EDDIE ROBINSON
630 S 9TH AVE
BARTOW FL 33830-5204

As a property owner within 150' of the property described below located in Bartow, Fl, please note the City of Bartow's Board of Adjustment will review the following application on **Thursday, January 22, 2026**, at **5:30 PM (EST)**, in the City Commission Chambers, at 450 N. Wilson Ave, Bartow, Fl.

Application #V-26-01 Rodrigo Ferreire, applicant, Sagapo Real Estate 3 LLC, owner of the property located at 310 South 9th Avenue requests a variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single family residence.



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As a property owner within 150' of the property described below located in Bartow, Fl, please note the City of Bartow's Board of Adjustment will review the following application on **Thursday, January 22, 2026**, at **5:30 PM (EST)**, in the City Commission Chambers, at 450 N. Wilson Ave, Bartow, Fl.

Application #V-26-01 Rodrigo Ferreire, applicant, Sagapo Real Estate 3 LLC, owner of the property located at 310 South 9th Avenue requests a variance of 5' to allow a 15' rear yard setback in-lieu-of 20' as required by Table 2.04.01(b) of the ULDC to construct a new single family residence.



All parties are invited to comment on this application. If no objections are raised, it is presumed none exist. To appeal decisions made by the Board you will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The complete application is available for inspection at City Hall, 450 N. Wilson Ave., Bartow, Florida during normal business hours. The telephone number of City Hall is 863-534-0100. If you are disabled and need any accommodations to participate in this proceeding, you are entitled, at no cost to you, to certain assistance. Please contact the Bartow City Clerk's office at 450 N. Wilson Ave., Bartow, Fl 33930 or phone (863) 534-0100 within 2 working days of you receipt of this meeting notification. If you are hearing or vision impaired call 1-800-955-8771.

**Case #SE-26-01 / VRP Property Group Corporation
Planning and Community Development Staff Report
Board of Adjustments Hearing Date: January 22, 2026**



GENERAL INFORMATION

Request: Special Exception Use approval to construct a single family residential dwelling in a C-2, Community Commercial zoning district.

Owner: VRP Property Group Corporation

Applicant: Rodrigo Ferreire

Location: 1290 Martin Luther King Jr. Boulevard

Tract Size: 5,200 SF

LAND USE SUMMARY

Zoning District: C-2, Community Commercial. The district is intended primarily to meet the retail shopping and service needs of several neighborhoods or a substantial territory. Residential uses are permissible as a special exception use.

Performance Standards:

Maximum Density:	12 du/ac
Minimum Lot Size:	n/a
Minimum Lot Width:	n/a
Minimum Floor Area:	n/a
Maximum Lot Coverage:	n/a
Maximum Building Height:	40'
Minimum Building Setbacks:	
Front Yard	25'
Rear Yard	20'
Side Yard	0'
Corner Yard	25'

Adjacent Zoning:

- N: C-2, Community Commercial
- S: PI, Public Institutional
- E: C-2, Community Commercial
- W: C-2, Community Commercial

Adjacent Land Uses:

- N: Single Family Residence (Under Construction)
- S: Judah Deliverance Temple
- E: Two Family Residence (Under Construction)
- W: Commercial Building

SPECIAL INFORMATION

- Transportation/Access: The development site has access to Martin Luther King Jr. Blvd or 6th Avenue.
- Utility Services: The site will connect to City utility services.
- Development History: None. Since the property is located in the City's historic district the design of the residential structure will be reviewed by City staff to ensure compliance with its adopted historic architectural guidelines.
- Public Notice: Public notice of the request was published in the local newspaper, posted in City Hall and placed on the City's website. Fourteen nearby property owners were notified within the required notification radius.

IMPACT ANALYSIS

- Land Use Compatibility: Residential dwellings are a Special Exception Use in the C-2, Community Commercial zoning district. Subject to the findings of the Board, the request is consistent with the underlying zoning classification and is compatible with the surrounding area.
- Consistency with Comp Plan: Subject to the findings of the Board, the request is consistent with the Goals, Objectives and Policies of the City's Comprehensive Plan; specifically, the following.
- Future Land Use Policy 1.1.2(e):* Residential uses are permissible in areas designated Commercial on the Comprehensive Plan's Future Land Use Map, provided that they are compatible and appropriately integrated with surrounding land uses. Residential development may be permitted at densities of up to 12 units per acre, depending on the zoning category of the particular site, the development suitability of the site, and the availability of public facilities and services.
- Future Land Use Policy 1.1.3:* Approval of development proposals will be conditioned on the availability of public facilities and services necessary to serve the proposed development and that the facilities meet the City's established level of service standards.
- Future Land Use Policy 1.1.5:* The City will promote infill development and redevelopment through designation of appropriate land uses and densities on the future land use map

series, and support of downtown revitalization, historic preservation, and neighborhood revitalization efforts.

Concurrency Management: Sufficient capacity exists in the City's infrastructure facilities to serve this project.

STAFF ANALYSIS

The property is currently vacant. If the Special Exception Use request is approved the applicant intends to construct a single family residential dwelling. With adequate access to adjacent roadways the subject property is well integrated into the transportation network of the City of Bartow. The surrounding utility infrastructure systems also provide the full range of urban services that are necessary for the development of this property for residential uses.

Approval of the request will assist in achieving a goal of the City and its Community Redevelopment Agency of providing additional housing opportunities in this area of Bartow. The development is consistent with the goals and objectives of the Citywide Master Plan; the Community Redevelopment Agency's *Bartow Community Redevelopment Plan Update (2021)* and *East End Community Vision Plan (2014)*

The applicant will have one year from the date of special exception use approval in which to obtain permits, complete the construction of the new residential unit and obtain a certificate of occupancy (CO) for the project. If a CO is not obtained within this timeframe, the special exception use approval shall expire and become null and void unless an extension request is applied for by the applicant and granted by City staff.

CONDITIONS AND SAFEGUARDS

It is staff's opinion that the following conditions are necessary in the event this application is approved:

1. Development shall conform to the application, dated "December 4, 2025", and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and local laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the City of Bartow.
2. The development shall obtain water, wastewater, electrical, and solid waste services as applicable from the City of Bartow subject to applicable City rate resolutions and ordinances. Master water, wastewater, electrical distribution, and stormwater plans, including preliminary calculations for the entire project shall be required to be submitted for review and approval concurrent with the construction plan.

The Board of Adjustment may recommend and impose any conditions or safeguards found to be necessary to ensure the compatibility of the special exception with surrounding properties or the community in general. These may include, but are not limited to, requiring restrictions on hours of operation and size of buildings, additional landscape and buffer areas, limiting vehicular access points and location of off-street parking, and similar conditions. Violation of any such condition or safeguard shall be deemed a violation of this Code and may result in a revocation of any special exception, in addition to any other remedy for such violation provided in this Code.

STAFF RECOMMENDATION

Recommend approval of the Special Exception Use for a single family residential dwelling as allowed in Table 2.04.01(A) of the Unified Land Development Code for the City of Bartow subject to the above mentioned conditions of approval and for the following reasons:

1. The request allows land uses that are compatible with existing/planned development in the area and allows for a reasonable use of the property;
2. The request is consistent with the City of Bartow's Comprehensive Policy Plan; and
3. The proposed amendment and subsequent site development will not degrade the Level of Service of the City's public facilities or services.

Location Map



Application No. SE-26-01 – Subject Property

APPLICATION FOR SPECIAL EXCEPTION

City of Bartow
Post Office Box 1069
Bartow, Florida 33831

This application provides a list of required information for use in preparing a Special Exception request in the City of Bartow. **The request must be submitted as an original form.** Additional applications may be obtained by mail or picked up at City Hall. Reproductions of this application will be accepted provided that it is clear and legible.

Please **PRINT** unless otherwise specified: Project Name* 1290 Martin Luther King Jr
 Applicant's Name: Rodrigo Ferreira Owner's Name: VRP Property Group Corp.
 Street Address: 11943 Fiore Drive Street Address: 1317 Edgewater Drive Suite 419
 City, State, & Zip: Orlando FL 32827 City, State, & Zip: Orlando FL 32804
 Telephone #: 9145629911 Telephone #: 914-562-9911
 Email Address: RFERREIRA32@gmail.com Email Address: RFERREIRA32@gmail.com

(*Indicate name of project, company, group, or organization)

Special exceptions shall be granted only for those activities specified as Special Exception uses and identified by an "S" in the Table of Land Uses Article 2.04.01(A). The following information is required to accompany this application:

- (1) Completed application forms with all necessary attachments.
- (2) An application review fee. (*See Fee Schedule for Appropriate Fee)
- (3) Five (5) copies of the proposed site plan containing the information required by Article 7.09.01.

Applicant states that she/he has read and understands the instructions on this application. **Any false information or misrepresentation made on this application may be grounds for revocation of any approval granted by the City.** Approval granted by the City in no way constitutes a waiver from any applicable Local, State, or Federal regulations.

Applicant's Signature:  Date: 12/04/2025




INSTRUCTIONS TO APPLICANT

1. Abutting property owners may be notified by first class mail of any variance or administrative determination request. (*"abutting property" is any property located within 150 feet of the boundary of the property*)
2. An applicant or representative must be present at all required meetings. The reviewing body, at its discretion, may defer action, or take decisive action on any application. If you are not present, the Commission MAY deny the request.
3. Special Exception applications must be consistent with the City of Bartow's Unified Land Development Code and Comprehensive Plan (C.P.) Future Land Use (F.L.U.) designation.
4. Approval of a Special Exception may subject the property to restrictions greater than the minimums set forth in the City's Unified Land Development Code.
5. If the applicant is not the owner-of-record of the property, the owner must agree to this application either by signing the application form, or by submitting a notarized letter authorizing the applicant to act as an agent.

OFFICE USE ONLY

Receipt # 02396926 Location 1290 MLK ST. BLD
Comprehensive Plan FLUM Designation COM Zoning Classification C-2
Property Appraiser Identification Number 253008 - 414500 - 052082
City Commission District Number E
Coordinates _____



131 W. BROADWAY ST
STE 1001
OMEGA, FL 32765
OFFICE: (407) 542-4977
INFO@HHSURVEY.COM
LR: 8291

LEGAL DESCRIPTION

LOT 8, TIER 5, BLOCK 2, SOUTH FLORIDA RAILROAD ADDITION TO BARTOW, AS RECORDED IN MAP BOOK 1, PAGE 27, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA LESS THE WEST 40 FEET

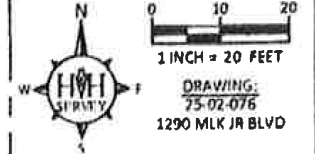
SITE ADDRESS

1290 MLK JR BLVD

JOB NUMBER

24295411

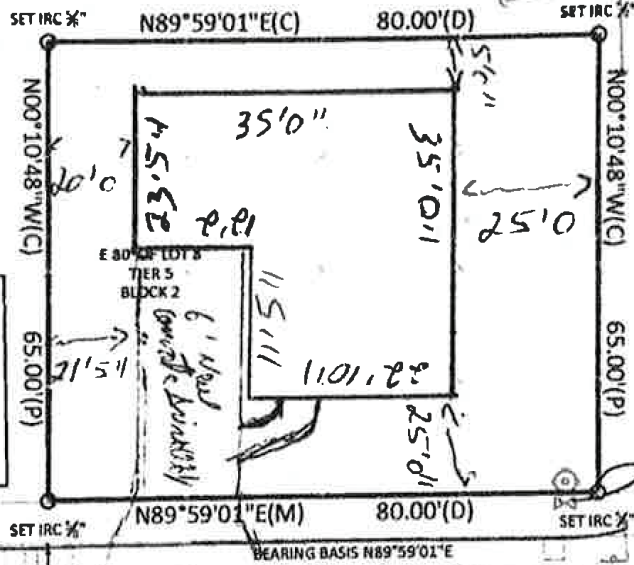
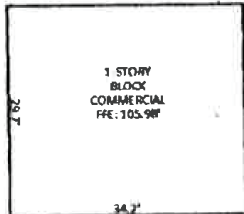
BOUNDARY &
TOPOGRAPHIC SURVEY



LOT 6
TIER 5
BLOCK 2

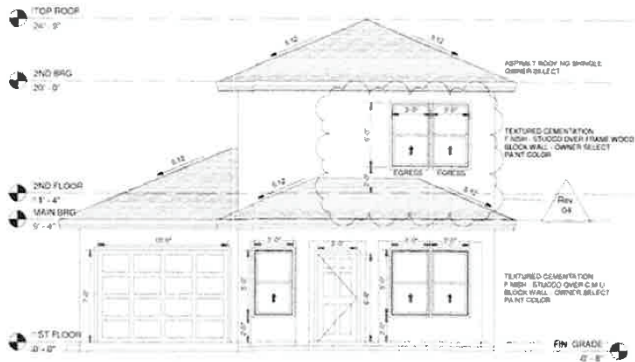
W 40' OF LOT 8
TIER 5
BLOCK 2
IMPROVED
FFE: 105.98'

1 STORY
BLOCK
COMMERCIAL
FFE: 105.98'

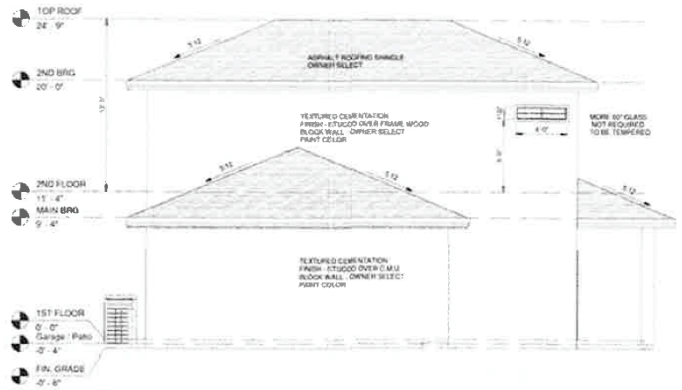


SOUTH 5TH AVENUE
5TH STREET, 50.0' R/W (P)

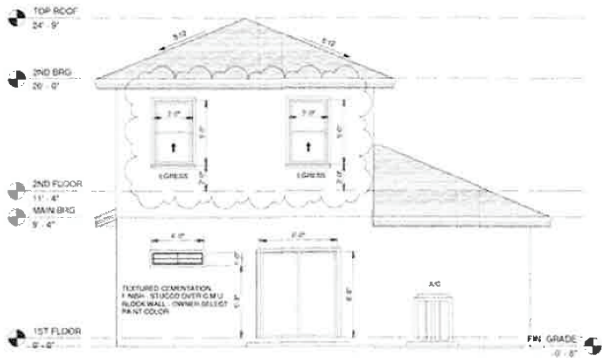
MARTIN LUTHER KING JR BOULEVARD
PALMETTO STREET, 50.0' R/W (P)



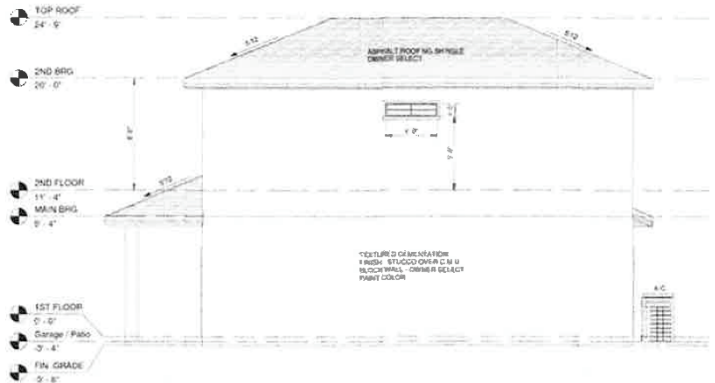
1 FRONT
14' x 1'-0"



4 LEFT
14' x 1'-0"



2 BACK
14' x 1'-0"



3 RIGHT
14' x 1'-0"

Elevation