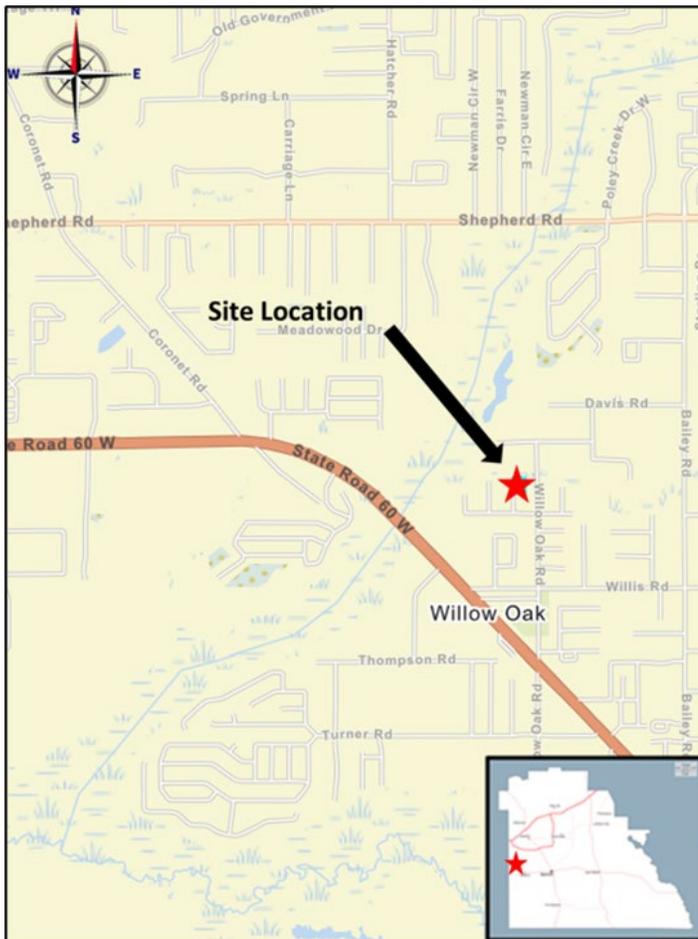


**POLK COUNTY  
DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT**

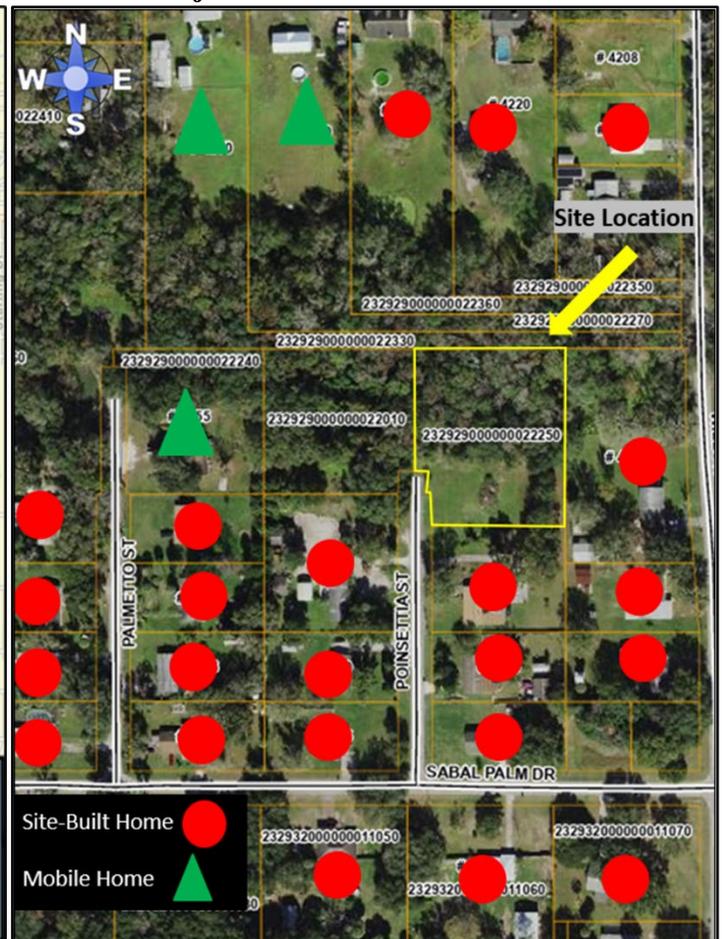
<b>DRC Date:</b> December 3, 2023	<b>Level of Review:</b> Level 3 Review
<b>PC Date:</b> February 7, 2024	<b>Type:</b> Conditional Use
<b>BoCC Date:</b> N/A	<b>Case Numbers:</b> LDCU-2023-52
<b>Applicant:</b> Christopher Adams	<b>Case Name:</b> Poinsettia Drive MH CU
	<b>Case Planner:</b> Aleya Inglima, Planner II

<b>Request:</b>	The applicant is requesting Conditional Use (CU) approval for an individual mobile home to be located on an un-platted lot within a Residential Suburban (RS) land use.
<b>Location:</b>	The subject site located west of Willow Oak Road, north of Sabal Palm Drive, east of Palmetto Street, and west of the City of Mulberry in Section 29, Township 29, Range 23.
<b>Property Owners:</b>	Christopher Adams, Kayla Adams
<b>Parcel Size (Number):</b>	1.26+/- acres (232929-000000-022250)
<b>Future Land Use:</b>	Residential Suburban (RS)
<b>Development Area:</b>	Suburban Development Area (SDA)
<b>Nearest Municipality:</b>	City of Mulberry
<b>DRC Recommendation:</b>	Conditional Approval
<b>Planning Commission Vote:</b>	Pending Hearing

**Location**



**Adjacent Homes**



## Summary of Analysis:

The applicant is requesting Conditional Use (CU) approval to locate a mobile home on an approximately 1.26-acre unplatted lot within a Residential Suburban (RS) Future Land Use District (See Exhibit 2). Chapter 2, Table 2.1 (Use Table for Standard Land Use District) of the Land Development Code indicates the placement of mobile homes within a RS land use district requires Conditional Use approval via a Level 1 Review (via Staff only). In order to meet current development approval conditions, Mobile Home requests are subject to the standards found in Section 303 of the LDC which states an individual mobile home is permitted within any un-platted parcel where 50 percent or more of all contiguous residential lots or parcels are developed with mobile homes. Contiguous lots and parcels are those that share a common boundary, but not including those that intersect only at a corner point. Lots or parcels that are otherwise contiguous except for intervening local roads shall be considered contiguous for this calculation. As this parcel does not meet the 50% threshold, the applicant must appeal to the Planning Commission to make a determination of approval or denial for the request to place a mobile home on the subject property.

Staff recommends approval. The subject site is surrounded by residential dwelling units within a Residential Suburban (RS) land use district. Staff finds the request compatible. The proposed mobile home will meet the required setbacks for the land use district. The proposed request is consistent with the LDC and Comprehensive Plan.

### Findings of Fact

- *LDCU-2023-52 is a Conditional Use request to allow a mobile home on Parcel No. 232929-000000-022250 (+/- 1.26 acres) within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA).*
- *The surrounding properties are within a Residential Suburban (RS) land use district.*
- *Poinsettia Dr (Road No 932917) is a County-maintained, paved local road with a width of 20 feet.*
- *Section 204.A.4 of the LDC states, "The purpose of the RL-1 district is to provide areas for the low-density residential needs of residents in urban areas who desire areas with larger sized lots, a minimum of 40,000 square feet."*
- *Per Table 2.2 of the LDC, RL-1 land use mandates right-of-way setbacks for the primary structure of 15 feet, side setbacks for the primary structure of ten (10) feet, and rear setbacks for the primary structure of 15 feet.*
- *This subject property is located in the Suburban Development Area (SDA). According to POLICY 2.106-A5 of Polk County's Comprehensive Plan, "Development within the Suburban Development Area (SDA) shall conform with the following criteria as further specified in the Land Development Code:*
  - a. support continued agricultural activities by requiring the implementation of compatibility techniques to limit land use conflicts;*

- b. *protect and preserve open space, agricultural and environmentally sensitive lands by implementing clustering and other conservation development strategies as established in Section 2.1251 of this element;*
  - c. *incorporate design features that promote healthy communities, green building practices, conservation development principles, and other initiatives consistent with Section 2.1251 - Community Design, of this element;*
  - d. *provide access to civic space, parks, green areas, and open space and other amenities;*
  - e. *be supported by public safety (i.e., fire, EMS and law enforcement);*
  - f. *have access to elementary schools;*
  - g. *encourage connectivity between uses within the SDA, and between the SDA and other urban centers and the rural development areas; and*
  - h. *in order to achieve higher densities and intensities allowed by each land use, development in the SDA shall be required to connect to centralized water system and incorporate clustering and other low impact design criteria as established under the Residential Suburban (RS) land use criteria, the Conservation Development Section (Section 2.1251), the Residential Rural Development (RRD) or the Rural Mixed Used Development (RMD) sections (Section 2.1251) of this element.*
- *Chapter 553 of the Florida Statutes states that “Mobile Homes” means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development. Mobile homes are built to a separate standard than site-built homes and may be regulated differently than site-built and other manufactured homes. Site-built homes and other manufactured homes are built to the standards set forth in Chapter 553 of Florida Statutes.*
  - *POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that “Mobile homes shall be allowed in all areas of the County designated for residential development, subject to siting and design criteria consistent with the County’s Land Development Code.”*
  - *According to Section 303 of the LDC, Individual Mobile Homes are allowed in all of the following locations:*
    - 1. *Within any registered mobile home park that has been approved by Polk County;*
    - 2. *Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;*

3. *Within any platted residential subdivision, or single platted phase within a multiple phased development, in which 50 percent or more of the developed lots contain mobile homes;*
  4. *On any un platted parcel in the A/RR district;*
  5. *On any un platted parcel that is five acres or larger in the RS district;*
  6. *On any un platted parcel where 50 percent or more of all contiguous residential lots or parcels are developed with mobile homes. Contiguous lots and parcels are those that share a common boundary, but not including those that intersect only at a corner point. Lots or parcels that are otherwise contiguous except for intervening local roads shall be considered contiguous for this calculation; and*
  7. *On any residential lot or parcel where it is determined by the Planning Commission to be compatible with the established character of the surrounding area.*
- *Fire and EMS Response is from Polk County Fire Rescue Station 8 located at 4210 Willis Road, Mulberry. This is located approximately 0.4 miles from the subject site with a response time of four (4) minutes.*
  - *Sheriff's response to the site is served by the Southwest District located at 4120 US Hwy 98 S, Lakeland. The response times in December 2023 were: Priority 1 Calls – 9:22 and Priority 2 Calls – 19:51.*
  - *The subject property will utilize an onsite treatment system for wastewater and well for potable water.*
  - *The development is zoned for Willow Oak School, Mulberry Middle, and Mulberry Senior High School. The site is 1.1 miles from Willow Oak School; 4.9 miles from Mulberry Middle; and 5.3 miles from Mulberry Senior High School.*
  - *The subject parcel is not located within one of the County's Wellhead-Protection Areas.*
  - *The property is composed of Tavares Fine Sand.*
  - *The property has wetlands and floodplain on site.*
  - *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*
  - *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*
  - *Citrus Connection has no nearby mass transit stops available for this parcel.*
  - *The subject site has ingress and egress access through Poinsettia Dr. However, the nearest monitored link is SR 60, a paved, principal arterial, State-maintained roadway. According to the 2023 Roadway Network Database, SR 60 (5900E) has approximately 972 available*

*PM Peak Hour trips; SR 60 (5900W) has approximately 931 available PM Peak Hour trips. SR 60 current Level-of-Service (LOS) is “C” with an adopted LOS standard of “D”.*

- *The Comprehensive Plan defines Compatibility in Section 4.400 as “A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”*
- *This request has been reviewed for consistency with Section 303 of the LDC.*
- *This request has been reviewed for consistency with Section 2.102 GROWTH MANAGEMENT; SECTION 2.106 SUBURBAN DEVELOPMENT AREA (SDA) AND POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

### **CONDITIONS OF APPROVAL**

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDCU-2023-52 with the following Conditions:

1. LDCU-2023-52 is approved for no more than one (1) mobile home on a Parcel # 232929-000000-022250 as indicated in the site plan and staff report.

### **GENERAL NOTES**

*NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.*

*NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.*

*NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*

*NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners’ jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.*

*NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.*

## Surrounding Land Use Designations and Current Land Use Activity

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

**Table 1**

<p><b>Northwest:</b> Residential Suburban Single-Family home 3,318 sq ft Built in 2004</p>	<p><b>North:</b> Residential Suburban Single-Family home 3,501 sq ft Built in 1992</p>	<p><b>Northeast:</b> Residential Suburban Single-Family home 2,184 sq ft Built in 1989</p>
<p><b>West:</b> Residential Suburban Vacant</p>	<p><b>Subject Property:</b> Residential Suburban Vacant Proposed 2,176 sq ft mobile home</p>	<p><b>East:</b> Residential Suburban Single-Family home 2,400 sq ft Built in 1980</p>
<p><b>Southwest:</b> Residential Suburban Single-Family home 1,472 sq ft Built in 1965</p>	<p><b>South:</b> Residential Suburban Single-Family home 1,983 sq ft Built in 1963</p>	<p><b>Southeast:</b> Residential Suburban Single-Family home 2,088 sq ft Built in 1964</p>

*Source: Polk County Geographical Information System and site visit by County staff*

The adjacent lots are within a Residential Suburban (RS) land use and are occupied with site-built single-family homes.

### Compatibility with the Surrounding Land Uses and Infrastructure:

This request is compatible with surrounding land uses and available infrastructure. The impact from a single mobile home is minimal. The surrounding homes are of similar size to what the applicant is proposing. The lot is large with ample separation from neighboring homes. The dominant surrounding use is single-family residential. This mobile home will develop one the last remaining lots in the area. There are mobile homes that are interspersed throughout the area. Generally speaking, in suburban areas where densities are lower and development is less frequent, the costs of site construction are higher than in urbanized areas because the travel distance affects the cost of labor and equipment and materials. Factory-built housing is more feasible for homebuyers. Please refer to Exhibit 6 for the layout of the mobile homes in relation to the site-built homes.

**The LDC defines compatibility as “A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”**

### Urban Services and Infrastructure Analysis

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. Placement of one mobile home will not trigger school concurrency requirements; however, there is available capacity for zoned schools. The subject property will utilize a septic tank for wastewater and well for potable water. Table 2, to follow, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, this proposal is not anticipated to create any significant demand on these services.

Table 2

<b>Urban Services and Infrastructure Summary</b>	
<b>Schools (Zoned)</b>	Willow Oak School, Mulberry Middle, and Mulberry Senior High School. <i>School Concurrency will not be assessed for the placement of one mobile home and will not prohibit the applicant from getting a building permit.</i>
<b>Sheriff</b>	Sheriff's response to the site is served by the Southwest District located at 4120 US Hwy 98 S, Lakeland. The response times in December 2023 were: Priority 1 Calls – 9:22 and Priority 2 Calls – 19:51.
<b>Fire/EMS</b>	Fire and EMS Response is from Polk County Fire Rescue Station 8 located at 4210 Willis Road, Mulberry. This is located approximately 0.4 miles from the subject site with a response time of four (4) minutes.
<b>Water</b>	Well
<b>Sewer</b>	Onsite Treatment System
<b>Transportation</b>	The subject site has ingress and egress access through Poinsettia Dr. However, the nearest monitored link is SR 60, a paved, principal arterial, State-maintained roadway. According to the 2023 Roadway Network Database, SR 60 (5900E) has approximately 972 available PM Peak Hour trips; SR 60 (5900W) has approximately 931 available PM Peak Hour trips. SR 60 current Level-of-Service (LOS) is "C" with an adopted LOS standard of "D".
<b>Urban Sprawl</b>	Site is located within the SDA and is not considered urban sprawl.

Table 3, below, identifies the anticipated impact of one mobile home on water and sewer services. The lot is using a well for water and septic for wastewater services. The placement of one mobile home will have negligible impacts on the traffic on local roadways.

Table 3

<b>Impact Analysis Summary</b> Proposed Conditional Use (One Mobile Home)			
<b>Potable Water Impact</b>	<b>Wastewater Impact</b>	<b>*AADT Impact</b>	<b>*PHT Impact</b>
360 GPD	270 GPD	7.81 AADT	1.00 PHT
<i>Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a mobile home will consume 360 GPD and generate 270 GPD in wastewater. ITE 210-Single Family rate was used to determine similar AADT and PM Peak Hour rates for mobile homes. The AADT rate was 7.81 and the PM Peak Hour rates was 1.00 per unit.</i>			

### Environmental Conditions Analysis

There are no known conditions that should pose a threat to existing environmental resources based upon the proposed request (See Table 4, below). The parcel has FEMA A flood hazard. The subject site is not located within any of the County's identified Wellhead-Protection Areas. The subject property is not located within a one-mile radius of an endangered species, according to the Florida Natural Areas Inventory Biodiversity Matrix. The property is composed entirely of Tavares Fine Sand. The soil is not of such that would limit compliance with applicable Land Development Code regulations for the proposed use. The subject property is level with a slight slope from the south to the north with contour elevations ranging from 89-79. The subject property is not located within a Historical Preservation area. The subject site is located within an Airport Height Notification and In-Flight Visual Interference Zones.

Table 4

<b>Environmental Conditions Summary</b>	
<b>Surface Water</b>	There are no surface water ponds on the subject property. The subject property has contour elevations of 89-79 for the proposed location of the mobile home. The parcel slopes from south to north of the lot.
<b>Wetlands/Floodplains</b>	There are floodplains and wetlands on site
<b>Soils</b>	The property is composed of Tavares Fine Sand which provides some limitations for drainage, but the soil is not of such that would limit compliance with applicable LDC regulations for the proposed use.
<b>Protected Species</b>	The subject site is not located within one mile of an endangered species. (Source: Florida Natural Areas Inventory Biodiversity Matrix).
<b>Wellfield Protection</b>	The property is not located within any County Wellhead-Protection Areas.
<b>Historical Preservation</b>	The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources.
<b>Airports</b>	The subject property is located within an Airport Height Notification and In-Flight Visual Interference Zones.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 5 in accordance with Section 906.D.7 of the Land Development Code.

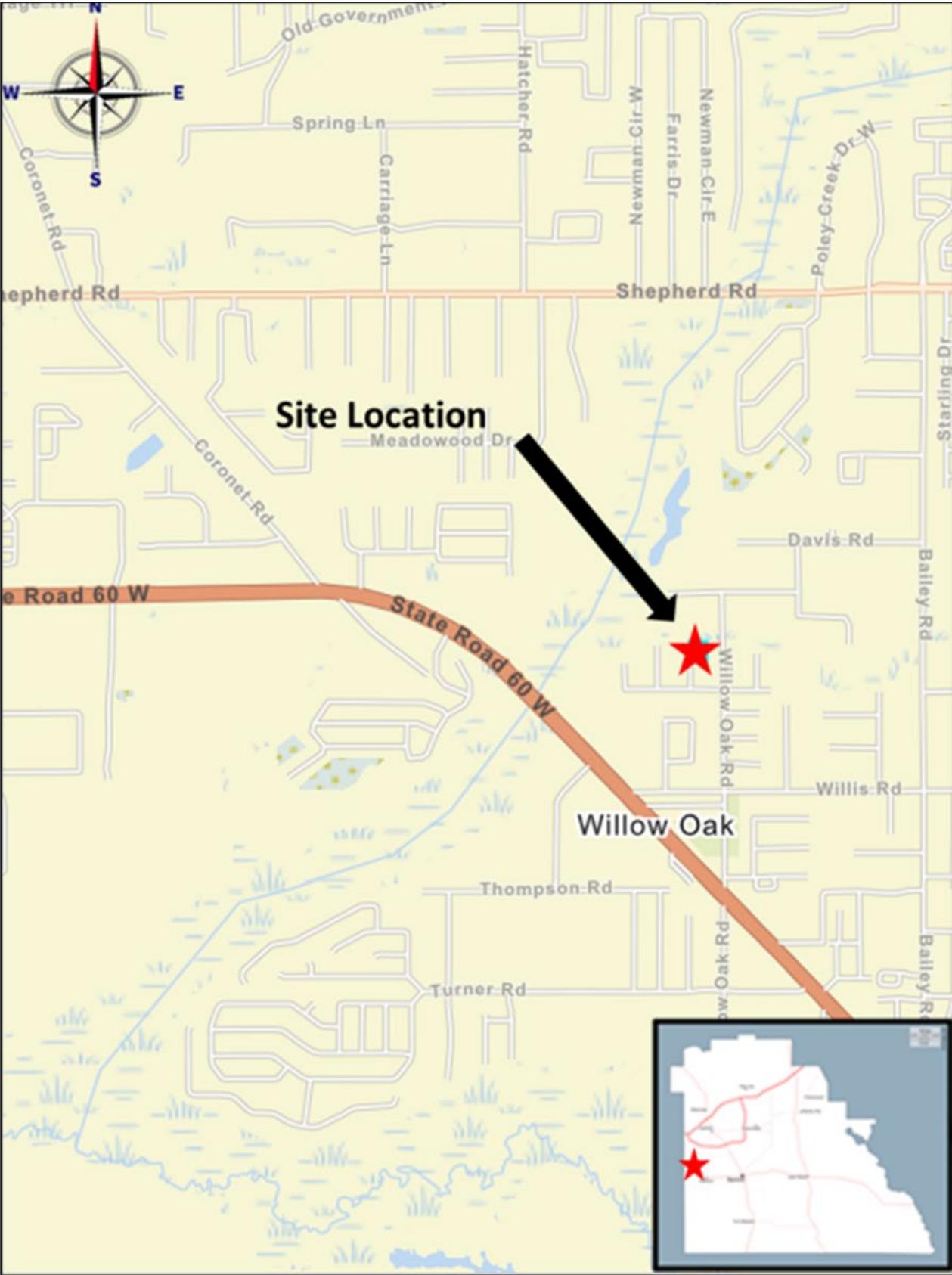
Table 5

<b>The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:</b>	
<b>Whether the proposed development is consistent with all relevant requirements of this Code;</b>	<i>Yes, this request is consistent with the LDC, specifically Table 2.1 which permits this use upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 2-5 of the staff report.</i>
<b>Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;</b>	<i>Yes, this request is consistent with the Comprehensive Plan.</i>
<b>Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and</b>	<i>Yes, the request is compatible with surrounding uses and the general character of the area. See Page 6 of this staff report for data and analysis on surrounding uses and compatibility.</i>
<b>How the concurrency requirements will be met if the development were built.</b>	<i>This request will not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found on Pages 6-7 of the staff report and waiver requirements in the Conditions of Approval.</i>

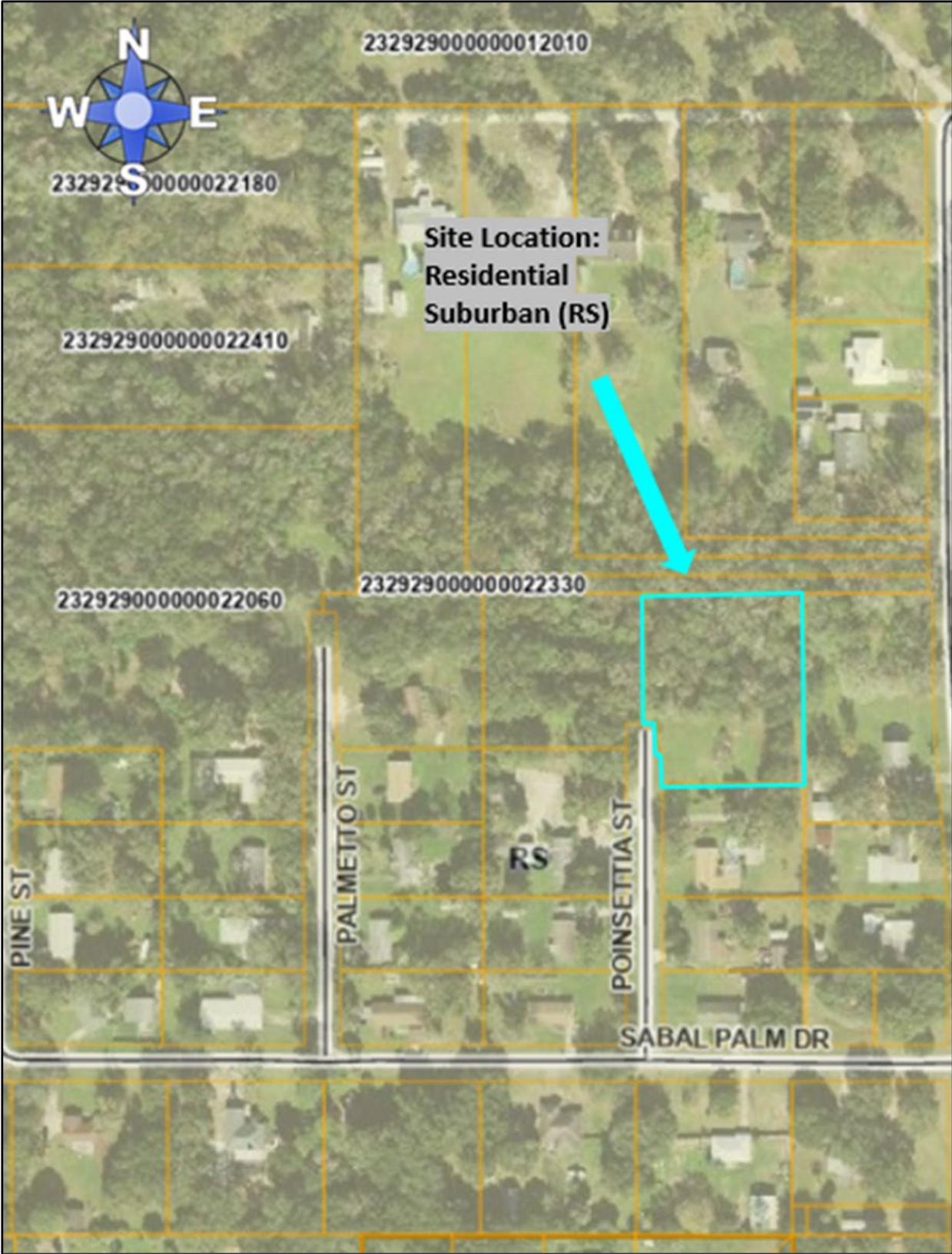
**Comments from other Agencies: None**

**Exhibits:**

- |           |                        |           |                |
|-----------|------------------------|-----------|----------------|
| Exhibit 1 | Location Map           | Exhibit 5 | Site Plan      |
| Exhibit 2 | Future Land Use Map    | Exhibit 6 | Adjacent Homes |
| Exhibit 3 | Aerial Image (Context) |           |                |
| Exhibit 4 | Aerial Image (Close)   |           |                |



Location Map

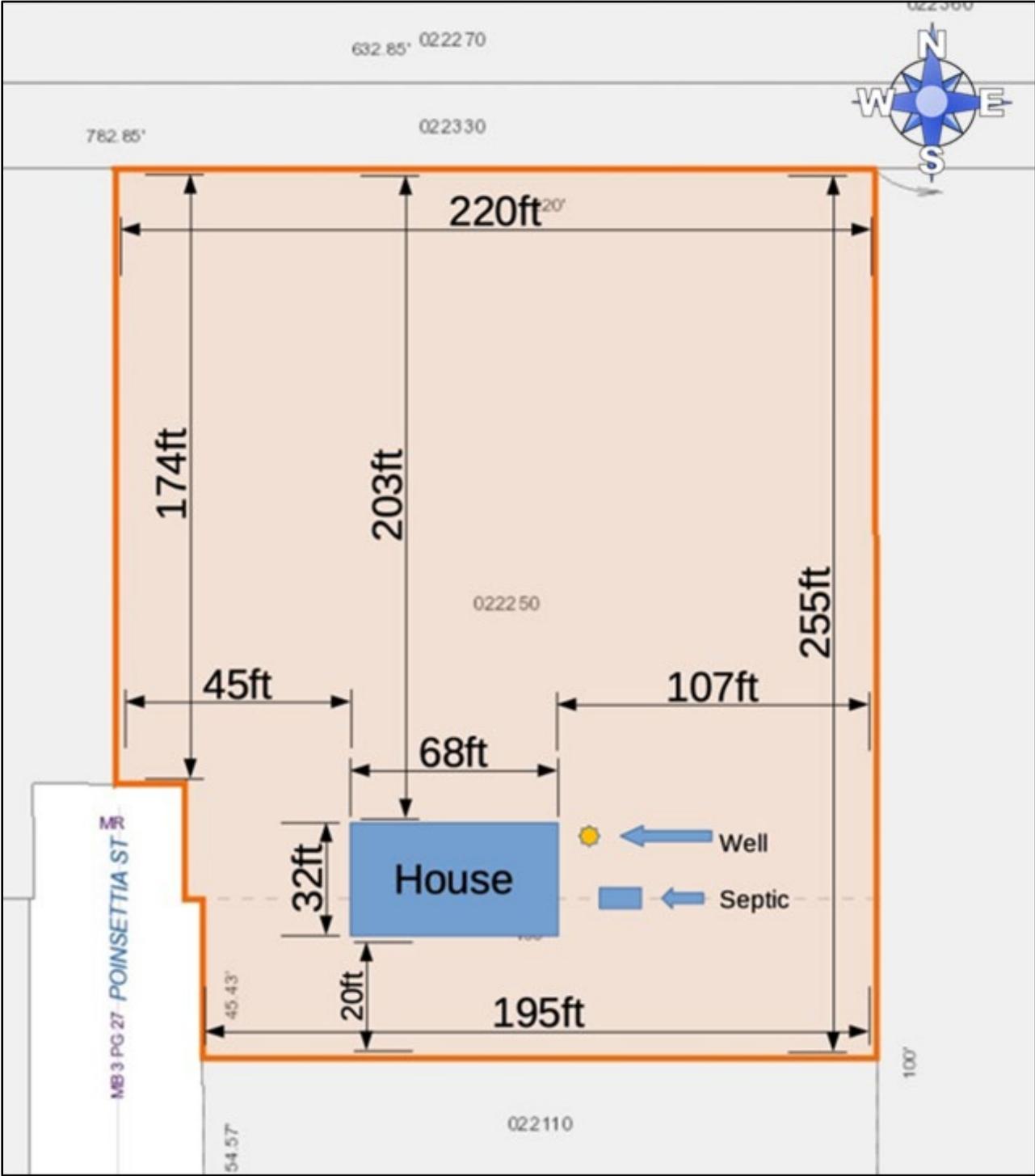


### Future Land Use Map

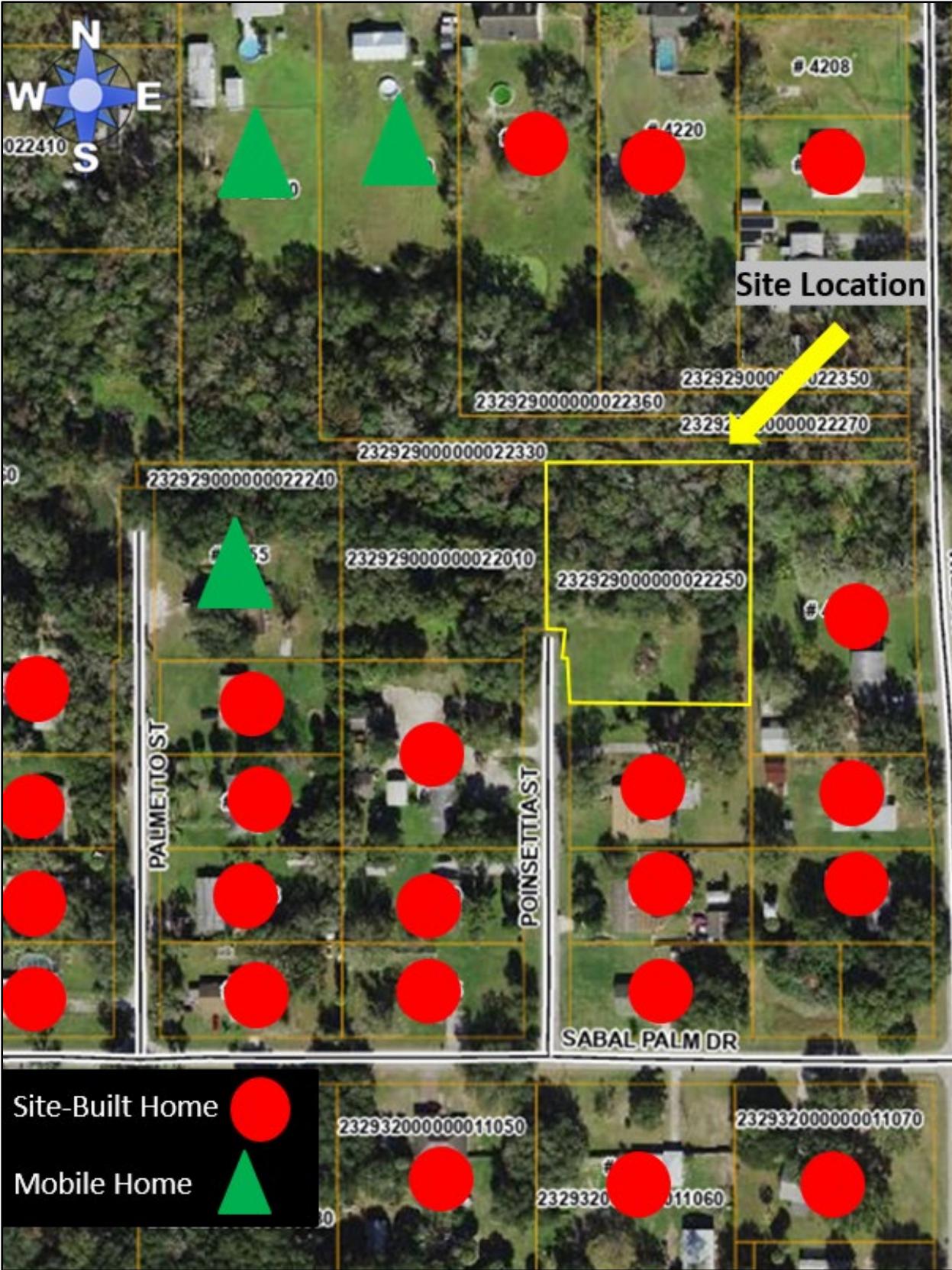




**Aerial Image (Close)**



Site Plan



### Adjacent Homes