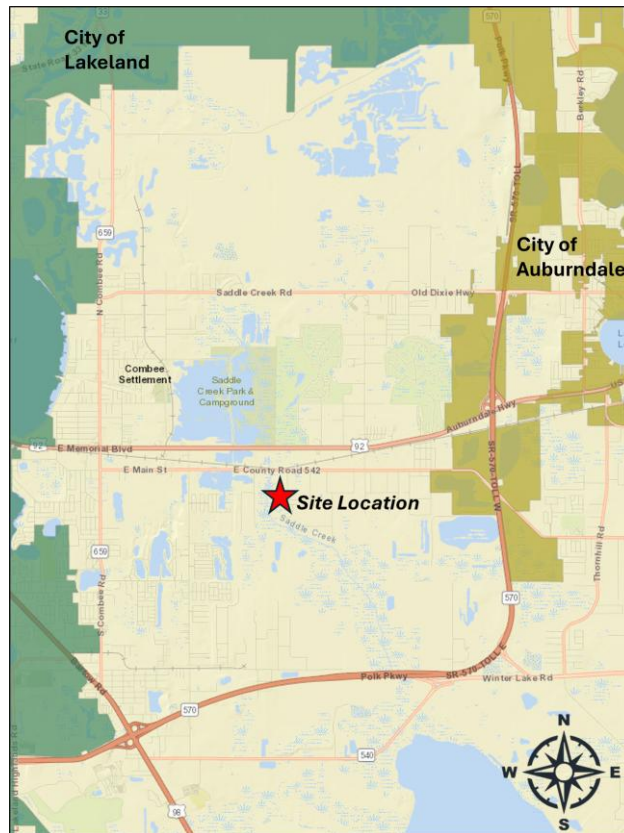


**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

DRC Date:	August 28, 2025	Level of Review:	Level 3 Review
PC Date:	November 5, 2025	Type:	Conditional Use Approval
BoCC Date:	N/A	Case Numbers:	LDCU-2025-14
		Case Name:	Laura Downs MH
Applicant:	Laura Downs	Case Planner:	Kyle Rogus, Planner II

Request:	The applicant is requesting a Conditional Use (CU) approval for a mobile home to be located on ±2.45 acres within a Residential Suburban (RS) future land use district.
Location:	The subject site is located north of Winter Lake Road, south of US Highway 92, east of Combee Road, west of Thornhill Road in Section 24, Township 28, Range 24.
Property Owners:	319 Josh Property LLC (Roger Downs Jr.)
Parcel Size (Number):	±2.45 acres Parcel ID (#242824-000000-033160)
Future Land Use:	Residential Suburban (RS)
Development Area:	Suburban Development Area (SDA)
Nearest Municipality:	N/A
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Public Hearing

Location



2023 Satellite Photo



Summary of Analysis:

The applicant is requesting Conditional Use (CU) approval to locate a mobile home in a Residential Suburban (RS) land use district on an ±2.45 acre lot. Chapter 2, Section 205, Table 2.1 (Use Table for Standard Land Use District) of the Land Development Code (LDC) instructs that the placement of mobile homes in the RM land use district requires Conditional Use approval via a Level 1 Review (via Staff only). To meet current development approval conditions, requests for mobile homes must adhere to the standards found in Chapter 3, Section 303 (Mobile Home, Individual) of the LDC. Since these standards cannot be met, the request must be approved by the Planning Commission in terms of the compatibility of individual mobile homes relative to the character of surrounding uses.

According to Property Appraiser, the applicant owns both 5-acre un-platted lots to the west of the subject site designated Residential Low-1 (RL-1). When referring to condition No. 6, if these lots were designated RS, the applicant could combine the lots for a total acreage of 7.45 acres, permitting the placement of the mobile on site administratively. Furthermore, this is not the first mobile home within the surrounding area. Approximately 834 feet to the east and 556 feet to the southeast of the subject site are two mobile homes (see Exhibit #6). The mobile home to the east obtains ingress and egress off Trail Drive while the mobile home to the southeast obtains ingress and egress off Josh Reynolds Road. If at least one of the mobile homes were abutting the subject property's side lot lines, the application would not be required. The proposed mobile home will replace the existing barn-dominium as the primary dwelling unit. The barn-dominium will be an accessory dwelling unit (ADU), providing housing for the applicant's son while the mobile home will provide housing for the applicant's daughter. The barn-dominium will meet all requirements of the LDC per Section 206.A.

Staff recommends approval. This mobile home request is compatible with the surrounding area. The subject property is zoned RS. There are multiple mobile homes that utilize Josh Reynolds Road to obtain access either directly or indirectly to their property. The RS permits single-family dwelling units. The proposed mobile home will meet the required setbacks for the Land Use District and all other applicable setbacks in the (LDC). The proposed request is consistent with the LDC and Comprehensive Plan.

Findings of Fact

- *LDCU-2025-14 is a Conditional Use request to allow a mobile home on Parcel No. 242824-000000-033160 (+/- 2.45 acres) within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA).*
- *The surrounding properties are within a RS Land Use District to the north, south and east, and a Residential Low-1 (RL-1) Land Use District to the west.*
- *Josh Reynolds Road (Road No. 842401) is a two-lane, County-maintained, paved Local Residential road with a width of 20 feet.*
- *Section 204.A.3 of the LDC states, "The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities."*

- *Per Table 2.2 of the LDC, RS land use mandates right-of-way setbacks for the primary structure of 20 feet, side setbacks for the primary structure of 10 feet, and rear setbacks for the primary structure of 15 feet.*
- *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 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 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 recorded prior to May 20, 1971;*
 - 4. Within any platted residential subdivision, or single platted phase within a multiple phased development recorded after May 20, 1971, in which 50 percent or more of the developed lots contain mobile homes;*
 - 5. On any un-platted legal residential lot or parcel in the A/RR district;*
 - 6. On any un-platted legal residential lot or parcel that is five acres or larger in the RS district;*
 - 7. On any un-platted legal residential lot or parcel that is abutting vacant properties to all side and rear property lines;*
 - 8. On any un-platted legal residential lot or parcel where at least one property abutting the subject property's side lot line has a mobile home;*
 - 9. On lots of record, including those within platted subdivisions, where at least one property abutting the subject property's side lot line has a mobile home. Within subdivisions, the abutting property must be within the plat; or,*
 - 10. On any legal 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 5, located at 333 American Spirit Rd, Winter Haven, FL 33880. This is located approximately 2.1 miles from the subject site with a response time of eight (8) minutes.*

- *Sheriff's response to the site is served by the Central District, located at 3635 Ave G NW in Winter Haven. The response times in May 2024 were: Priority 1 Calls – 8:44 and Priority 2 Calls – 19:29.*
- *Subject site will utilize its own private well and septic system in compliance with Polk County Standards for water and wastewater.*
- *The development is zoned for Clarence Boswell Elementary, JL Stambaugh Middle, and Tenoroc Senior High. The site is 3.4 miles from Clarence Boswell Elementary; 6.6 miles from JL Stambaugh Middle; and 2.9 miles from Tenoroc Senior High.*
- *The subject parcel is not within one of the Wellhead-Protection Areas.*
- *The property is composed 100 percent of Paisley fine sand.*
- *Current GIS Data Viewer shows approximately 1.01 acres of 100-year (AE) floodzone.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within a one-mile radius of Saddle Creek Sanctuary and Lake Hancock Conservation Lands.*
- *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.*
- *The subject site will have ingress and egress access through Josh Reynolds Road. Josh Reynolds Road is a paved, two-lane Local Residential, County-maintained roadway. According to the 2025 Roadway Network Database, the nearest monitored roadway CR 542 (4043E) has approximately 506 available PM Peak Hour trips; SR 544 (4043W) has approximately 491 available PM Peak Hour trips. CR 542 current Level-of-Service (LOS) is "C" with an adopted LOS standard of "C".*
- *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 AREAS (SDA) AND POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCU-2025-14.**

CONDITIONS OF APPROVAL

Based upon the findings of fact the Development Review Committee recommends APPROVAL of LDCU-2025-14 with the following Conditions:

1. LDCU-2025-14 is approved for no more than one (1) mobile home on Parcel No. 242824-000000-033160 as indicated in the site plan and staff report.
2. The placement of the mobile home shall not encroach upon designated wetlands and must comply with all applicable setback requirements of the Land Development Code (LDC).

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

Northwest: Residential Low-1 Un-platted Owner: Laura and Roger Downs Jr 5.00 acres	North: Residential Suburban Single-family Residential Owner: Laura and Roger Downs Jr 2.46 acres	Northeast: Residential Suburban Single-family Residential 0.92 acres
West: Residential Low-1 Un-platted Owner: Laura and Roger Downs Jr 5.00 acres	Subject Property: Residential Suburban Single-family Residential Owner: 319 Josh Reynolds LLC (Roger Downs Jr) 2.45 acres	East: Residential Suburban Single-family Residential 2.16 acres
Southwest: Residential Low-1 Un-platted Owner: Laura and Roger Downs Jr 5.00 acres	South: Residential Suburban Multiple single-family Residences 2.45 acres	Southeast: Residential Suburban Single-family Residential 1.97 acres

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

Property Appraiser shows the parcel as single-family residential located in the Residential Suburban (RS) land use district. The immediate surrounding area provides similar single-family residential densities, however to the west of the site is vacant un-platted residential land designated Residential Low-1 (RL-1).

Compatibility with the Surrounding Land Uses and Infrastructure:

This request is compatible with the Comprehensive Plan and Land Development Code. The purpose of the RS land use district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities. The impact from a single mobile home is minimal. The immediate surrounding land uses are zoned for residential uses.

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.”

Mobile Homes, Individual Condition No. 6:

Chapter 3, Section 303 Mobile Homes, Individual lists nine (9) location conditions where mobile homes can be permitted throughout the County. Condition No. 6 states individual mobile homes are permitted “on any un-platted legal residential lot or parcel that is five acres or larger in the RS district.” According to Property Appraiser, the applicant owns both 5-acre un-platted lots to the west of the subject site designated Residential Low-1 (RL-1). When referring to condition No. 6, if these lots were designated Residential Suburban (RS), the applicant could combine the lots for a total acreage of 7.45 acres, permitting the placement of the mobile on site administratively.

Mobile Homes, Individual Condition No. 9:

This is not the first mobile home within the surrounding area. Approximately 834 feet to the east and 556 feet to the southeast of the subject site are two mobile homes (see Exhibit #6). The mobile home to the east obtains ingress and egress off Trail Drive while the mobile home to the southeast obtains ingress and egress off Josh Reynolds Road. If at least one of the mobile homes were abutting the subject property's side lot lines, the application would not be required. Since the standards outlined in Section 303 cannot be met, the request must be approved by the Planning Commission in terms of the compatibility of individual mobile homes relative to the character of surrounding uses.

Although the property does not meet the standards in Section 303, it is compatible with the surrounding uses and is consistent with the Land Development Code (LDC). There are multiple mobile homes that utilize Josh Reynolds Road to obtain access either directly or indirectly to their property. The proposed mobile home will replace the existing barn-dominium as the primary dwelling unit. The barn-dominium will be an accessory dwelling unit (ADU), providing housing for the applicant's son while the mobile home will provide housing for the applicant's daughter. The barn-dominium will meet all requirements of the LDC per Section 206.A.

Per Section 206.A, ADUs may be permitted as accessory uses to single-family detached homes and mobile homes in all residential districts and lots of record for residential purposes subject to:

1. No more than one detached ADU may be permitted on any single-family residential lot or parcel.
2. Detached ADUs shall be built to the standards of the Florida Building Code and shall be subordinate in size to the principal structure located on the same site. No ADU shall exceed 1,000 sq. ft. of heated floor space unless granted a variance.
3. Detached ADUs shall be in the side or rear yard of the principal dwelling unit.

4. An ADU may utilize setbacks pertaining to accessory structures unless attached to the principal structure.
5. ADUs in conformance with this section do not count as additional dwelling units in the calculation of density.

This is the only ADU located on the property. According to Property Appraiser, the barn-dominium was built in 2011. The total square footage under roof is 800 square feet, below the maximum 1,000 square feet of heated floor space. A 3,200 square feet steel metal accessory structure is also located on the property. Both structures, the ADU and the accessory structure will be located to the side and rear of the principal dwelling unit meeting accessory structure setbacks in the RS of 5 feet side and 10 feet rear. The ADU will not count towards the density calculation within the RS, however the property abutting the subject site to the south currently has multiple single family dwelling units on site. The neighboring property is also 2.45 acres, providing similarities to the applicants request for a mobile home to be placed on the property as the primary dwelling unit with a barn-dominium as an ADU.

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 at Clarence Boswell Elementary, JL Stambaugh Middle or Tenoroc Senior High; however, Clarence Boswell Elementary is at 87% capacity; JL Stambaugh Middle is currently operating at 85% capacity; and, Tenoroc Senior High is currently operating at 62% capacity. Subject property will utilize its own private well and septic system in compliance with Polk County standards for water and wastewater.

Table 2, to follow, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, the proposal is not anticipated to create any significant demand on these services.

Table 2

Urban Services and Infrastructure Summary	
Schools (Zoned)	Clarence Boswell Elementary, JL Stambaugh Middle, and Tenoroc Senior High.
Sheriff	Sheriff's response to the site is served by the Central District located at 3635 Ave G NW in Winter Haven. The response times in May 2024 were: Priority 1 Calls – 8:44 and Priority 2 Calls – 19:29.
Fire/EMS	Fire and EMS Response is from Polk County Fire Rescue Station 5 located at 333 American Spirit Rd, Winter Haven, FL 33880. This is located approximately 2.1 miles from the subject site with a response time of eight (8) minutes.
Water	Private well
Sewer	Private septic system in compliance with Polk County Standards.
Transportation	The subject site will have ingress and egress access through Josh Reynolds Road. Josh Reynolds Road is a paved, two-lane Local Residential, County-maintained roadway. According to the 2025 Roadway Network Database, the nearest monitored roadway CR 542 (4043E) has approximately 506 available PM Peak Hour trips; SR 544 (4043W) has approximately 491 available PM Peak Hour trips. CR 542 current Level-of-Service (LOS) is "C" with an adopted LOS standard of "C".
Urban Sprawl	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 site has approximately 165 feet of frontage off Josh Reynolds Road, using a private septic system in compliance with Polk County Standards and the water supply will be provided by private well. The placement of one mobile home will have negligible impacts on the traffic on local roadways.

Table 3

Impact Analysis Summary Proposed Conditional Use (One Mobile Home)			
Potable Water Impact	Wastewater Impact	*AADT Impact	*PHT Impact
360 GPD	250 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 250 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:

Current GIS Data Viewer shows there are no wetlands on site. The parcel has approximately 1.01 acres of 100-year (AE) flood zone (See Table 4, below). The flood zone is isolated to the rear of the subject site approximately 236 feet away from the proposed mobile home.

The subject site is not located within any of the County's identified Wellhead-Protection Areas. The subject property is located within a one-mile radius of Saddle Creek Sanctuary and Lake Hancock Conservation Lands, according to the Florida Natural Areas Inventory Biodiversity Matrix. The property is composed entirely of Paisley fine sands. The soil is not such that would limit compliance with applicable LDC regulations for the proposed use. The subject property is relatively flat with an elevation of 109 feet where the mobile home is proposed and 105 feet to the rear of the property. The subject site does not contain or abut any surface water bodies. In addition, the subject property is not located within a Historical Preservation area and is not within any Airport Height Notification and In-Flight Visual Interference Zones.

Table 4

Environmental Conditions Summary	
Surface Water	The property does not contain or abut any surface water bodies.
Wetlands/Floodplains	Current GIS Data Viewer shows approximately 1.01 acres of 100-year (AE) floodzone to the rear (west) of the property.
Soils	The property is composed 100 percent of Paisley fine sand which provides poor drainage, but the soil is not of such that would limit compliance with applicable LDC regulations for the proposed use.
Protected Species	The subject site is located within one mile of Saddle Creek Sanctuary and Lake Hancock Conservation Lands according to the Florida Natural Areas Inventory Biodiversity Matrix.
Wellfield Protection	The property is not located within any County Wellhead-Protection Areas.
Historical Preservation	The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources.
Airports	The subject property is not located within Airport Height Notification and In-Flight

	Visual Interference Zones.
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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 LDC.

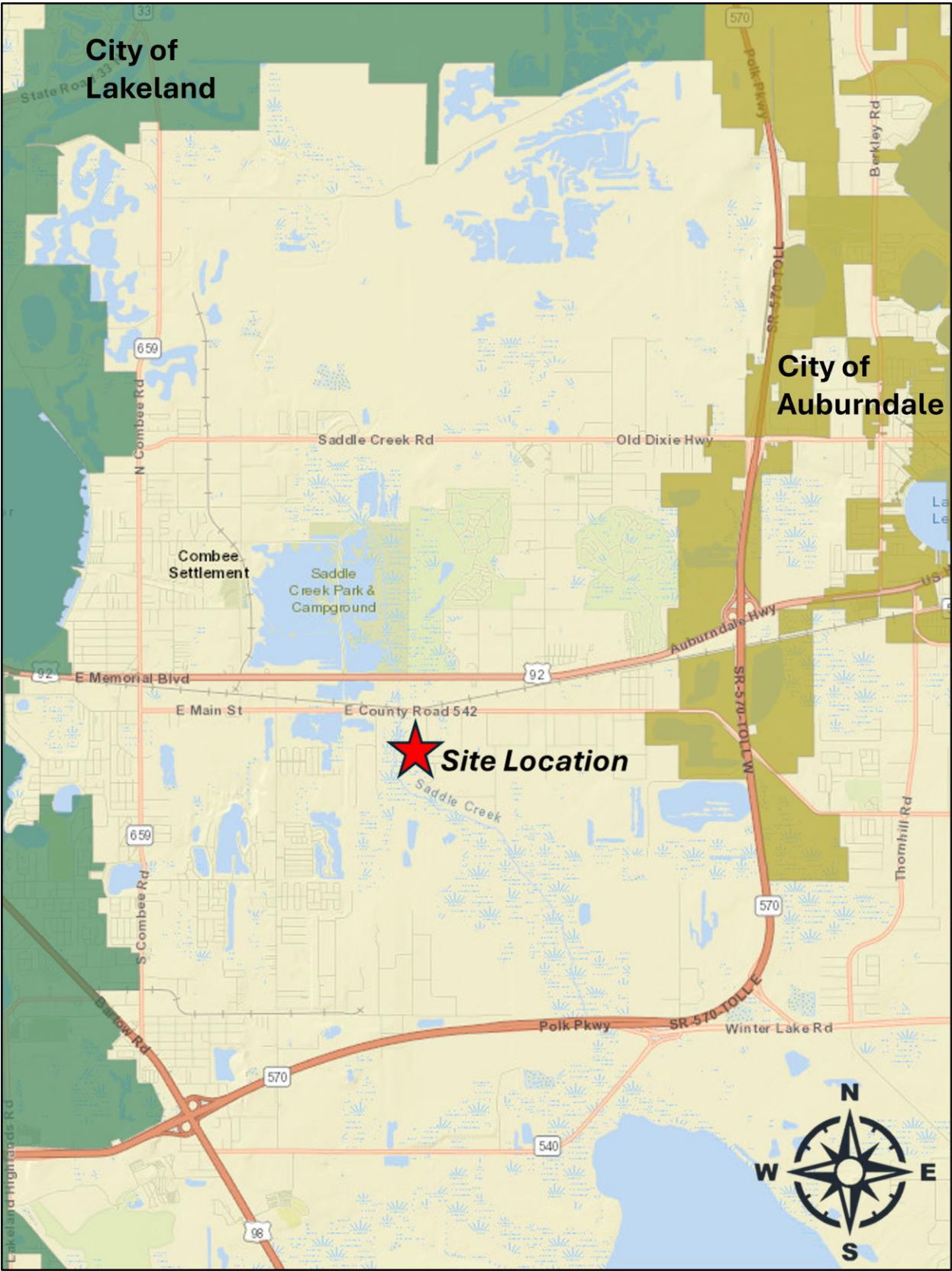
Table 5

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	<i>Yes, this request is consistent with the LDC, specifically Section 303 which permits this use upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 2 - 4 of the staff report.</i>
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	<i>Yes, this request is consistent with the Comprehensive Plan, as reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.</i>
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	<i>Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 5-7 of this staff report for data and analysis on surrounding uses and compatibility.</i>
How the concurrency requirements will be met if the development were built.	<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 7-8 of the Staff Report.</i>

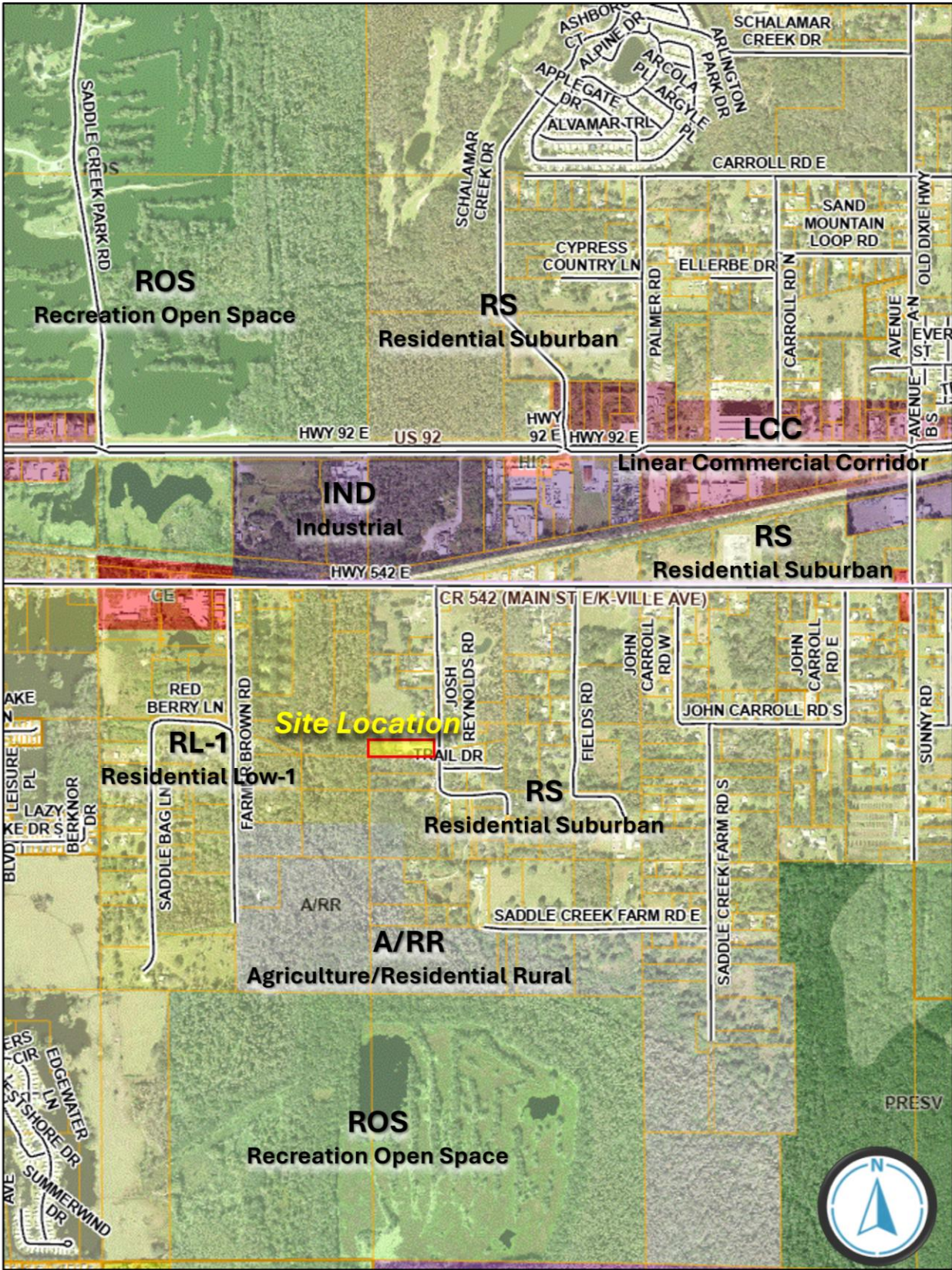
Comments from other Agencies: None

Exhibits:

Exhibit 1	Location Map
Exhibit 2	Future Land Use Map
Exhibit 3	Aerial Imagery (context)
Exhibit 4	Aerial Imagery (close-up)
Exhibit 5	Site Plan
Exhibit 6	Surrounding Uses



Location Map



Future Land Use Map



Aerial Imagery (Context)

DRC Findings/Recommendation
Level 3/KSR

Site plan showing the layout of a mobile home park. The plan includes Building 1 (643.17' x 40'), Building 2 (40' x 31'), a concrete pad, a porch, an existing septic tank, a proposed septic tank, a proposed mobile home (57'6" x 27'6"), a proposed drain field, a pump shed, and a 10' driveway. Dimensions are provided for various setbacks and distances between structures. A north arrow is located in the bottom right corner.

DRC Findings/Recommendation
Level 3/*KSR*