



# Polk County Planning Commission

## Meeting Minutes - Final

February 07, 2024 Regular Planning Meeting

### Call Agenda Workshop to Order 8:50 a.m.

**Minutes:** The workshop of the Polk County Planning Commission was called to order at 8:50 a.m. by the Chair, Rennie Health, on Wednesday, Wednesday, February 7, 2024, in the County Commission Boardroom, Administration Building. In attendance were the following members: Michael Schmidt, David Dalton, Linda Schultz, Tommy Addison, Mike Hickman, and Robert Beltran. Also, present were Elizabeth Voss, Deputy County Attorney, Joshua McLemore, Polk County School Board, Erik Peterson, Chanda Bennett, Amy Little, Aleya Inglima, Johnathan Sims, and Ian Nance of Land Development, and Angela Kaufman, recording secretary.

Ian Nance, Land Development, announced cases LDPD-2023-23 has been continued to March and LDCPAS-2023-29 has been continued to April.

### Call Public Hearing to Order 9:00 a.m. Or as soon thereafter as the particular case may be heard 9:00 a.m.

**Minutes:** The Polk County Planning Commission was called to order at 9:00 a.m. by the Chair, Rennie Heath, on Wednesday, February 7, 2024, in the County Commission Boardroom, Administration Building. In attendance were the following members: Michael Schmidt, David Dalton, Linda Schultz, Tommy Addison, Mike Hickman, and Robert Beltran. Also, present were Elizabeth Voss, Deputy County Attorney, Erik Peterson, Chanda Bennett, Amy Little, Malissa Celestine, Mark Bennett, Johnathan Sims, Aleya Inglima, Robert Bolton, and Ian Nance of Land Development, and Angela Kaufman, recording secretary.

<b>Present</b>	Chair Rennie Heath, Secretary David Dalton, Tommy Addison, Linda Schultz, Mike Hickman, Mike Schmidt, and Vice Chair Robert Beltran
<b>Excused</b>	Brooke Agnini, and Angelic Sims

### Roll Call / Attendance

Rollcall

<b>Present</b>	Chair Rennie Heath, Secretary David Dalton, Tommy Addison, Linda Schultz, Mike Hickman, Mike Schmidt, and Vice Chair Robert Beltran
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<b>Excused</b>	Brooke Agnini, and Angelic Sims
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**Pledge of Allegiance**

**Approve Minutes**

Approve Minutes

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Robert Beltran
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran
<b>Excused:</b>	Agnini, and Sims

January 3, 2024, Planning Commission Hearing Minutes

**Reordering of the Agenda - Prior to beginning the Business of the Planning Commission, the Commission may reorder the Agenda.**

**1) Reorder Agenda**

a) **At the discretion of the Planning Commission members, a lunch break may be called if the hearing of cases goes beyond 12:00 p.m.**

**2) Considerations of items to be withdrawn, deferred, or continued.**

Reordering of the Agenda - Prior to beginning the Business of the Planning Commission, the Commission may reorder the Agenda.

**1) Reorder Agenda**

a) **At the discretion of the Planning Commission members, a lunch break may be called if the hearing of cases goes beyond 12:00 p.m.**

**2) Considerations of items to be withdrawn, deferred, or continued.**

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Tommy Addison
<b>SECONDER:</b>	Robert Beltran
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran
<b>Excused:</b>	Agnini, and Sims

LDPD-2023-23 (North US 98 PD) - **Continued to March 6, 2024**

LDCPAS-2023-29 (Grove Avenue CPA) - **Continued to April 3, 2024**

**Explanation of General Procedures**

**Voir Dire of Expert Witnesses**

Voir Dire of Expert Witnesses

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Tommy Addison
<b>SECONDER:</b>	Robert Beltran

<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran
<b>Excused:</b>	Agnini, and Sims

## Staff Resumes

### Explanation of Quasi-Judicial Proceedings

#### Agenda Item

#### Old Business

1. LDCU-2023-42 (Doc Lindsey Farm Worker Housing)

**Minutes:** Enrique Fernandez, owner, Nora Frayre, applicant, request a Conditional Use (CU) approval of a Barrack Style Farmworker Dormitory serving 70 workers in an Agricultural Residential Rural (A/RR) district on 12.11 +/- acres. The subject site is located west of Doc Lindsey Road, north of Lake Buffum Road South, south of Murray Road, east of Lake Buffum Road West, east of the city of Fort Meade in Section 23, Township 31, Range 26.

Ian Nance, Land Development, introduced the case and reported 18 mailers sent to area property owners on November 15, 2023, two (2) signs were posted on the property on January 7, 2023, and a legal advertisement was published in the Lakeland Ledger on November 13, 2023. 12 responses in opposition were received from the public.

Erik Peterson, Land Development, presented a PowerPoint presentation with a recommendation of denial.

Nora Frayre, applicant, disagrees with staff's recommendation and spoke briefly regarding the request.

Mr. Chair opened the public hearing.

Lou Ann and David Bigsby agrees with staff's recommendation and stated they live adjacent to the property and have a spring fed pond on the property and are concerned with the drainage back into their pond and the drainage ditches that were along the property were filled in by the property owner.

Steve Baltimore opposes the request stating the current emergency response times are long and is concerned about the remote distance this property is from any resources for the potential workers that might live on this property.

Greg McSwain agrees with staff's recommendation and stated this would be a lot of people (70) living in confined quarters. He stated concerns with the septic systems in this area and a septic system servicing a large quantity of farm workers residing on the

property might cause drainage issues related to the septic system. The land is surrounded by water. There is a forest preserve to the east and north of this property and the sewage drainage could go to this preserved land.

Diane Pyburn stated concerns with safety of the existing local residents.

Tiffany Coker stated that the proposed dwelling is too small for that many workers and the distance from any resources for these individuals would be extreme. She and her family enjoy the rural environment, and this is inappropriate for this area.

Stacy Smith would like to maintain the existing rural environment of the area.

Gerald Roy lives across the street from this location and would like to maintain the rural environment of the area.

Mr. Chair closed the public hearing.

Nora Frayre, applicant, provided a rebuttal stating the County is growing and everyone needs to accept the growth as she has experienced the same growth in her own backyard. She stated the property owner has been doing this for many years and these people already live this community. The workers have visa's and have completed background checks. She stated that the property owner is willing to meet to address the County's concerns.

Tommy Addison stated since staff is recommending denial, this is the reason for his motion for denial.

1. LDCU-2023-42 (Doc Lindsey Farm Worker Housing) - Denied

<b>RESULT:</b>	<b>DENIED</b>
<b>MOVER:</b>	Tommy Addison
<b>SECONDER:</b>	Mike Hickman
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran
<b>Excused:</b>	Agnini, and Sims

**New Business**

2. LDCU-2023-48 (Old Tampa Hwy MH CU)

**Minutes:** Jorge Reyes Rueda, applicant and owner, request a Conditional Use (CU) approval for a mobile home to be located in a subdivision where fewer than 50% of developed lots have mobile homes in Residential Low-4 (RL-4) Future Land Use district and Transit Supportive Development Area (TSDA) on 2.87 +/- acres. The subject property is located south of New Tampa Highway, north of Old Tampa Highway, and west of the city of Lakeland in Section 21, Township 28, Range 23.

Ian Nance, Land Development, introduced the case and reported 13 mailers sent to area property owners on January 18, 2024, two (2) signs were posted on the property

on January 19, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Robert Beltran made a motion to expedite the hearing of this case and Tommy Addison seconded the motion. This was passed unanimously.

Aleya Inglima, Land Development, presented a PowerPoint presentation with a recommendation of approval.

Jorge Reyes Rueda, applicant, (through an interpreter) agrees with staff's recommendation and spoke briefly regarding the request.

Mr. Chair opened the public hearing.

No response received.

Mr. Chair closed the public hearing.

## 2. LDCU-2023-48 (Old Tampa Hwy MH CU) - Conditional Approval

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Mike Hickman
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran
<b>Excused:</b>	Agnini, and Sims

## 3. LDCU-2023-52 (Poinsettia Drive MH CU)

**Minutes:** Christopher Adams, applicant and owner, request a Conditional Use (CU) approval for an individual mobile home to be located on an un-platted lot within a Residential Suburban (RS) Future Land Use district and Supportive Development Area (SDA) on 1.26 +/- acres. The subject property is 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.

Ian Nance, Land Development, introduced the case and reported 39 mailers sent to area property owners on January 18, 2024, one (1) sign was posted on the property on January 5, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. One (1) response in opposition was received from the public.

David Dalton made a motion to expedite the hearing of this case and Robert Beltran seconded the motion. This was passed unanimously.

Aleya Inglima, Land Development, presented a Power Point presentation with a recommendation of approval.

Christopher Adams and Kayla Adams, applicants, agrees with staff's recommendation and spoke regarding the case.

Mr. Chair opened the public hearing.

No response.

Mr. Chair closed the public hearing.

3. LDCU-2023-52 (Poinsettia Drive MH CU) - Conditional Approval

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Tommy Addison
<b>SECONDER:</b>	Robert Beltran
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran
<b>Excused:</b>	Agnini, and Sims

4. LDCU-2023-54 (Ralph Road MH CU)

**Minutes:** Frank Murillo, Jr., owner, request a Conditional Use (CU) approval for a Mobile Home to be permitted on ±0.85 acres within a Residential Low-1 (RL-1) Future Land Use district. The subject site is located at 2520 Ralph Road, south of Saddle Creek Road, west of Combee Road North, east of Lake Parker Drive East, north of Mineola Drive, south of the city of Lakeland, in Section 04, Township 28, Range 24.

Ian Nance, Land Development, introduced the case and reported 38 mailers sent to area property owners on January 18, 2024, one (1) sign was posted on the property on January 9, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. One (1) response in opposition was received from the public.

Malissa Celestine, Land Development, presented a Power Point presentation with a recommendation of approval.

Frank Murillo, Jr., applicant, spoke about the case and agrees with staff's recommendation.

Mr. Chair opened the public hearing.

Darryl O'Neal opposes this request stating he does not want mobile home in this area. The property owner has multiple code violations including placing a mobile home on the property, a septic system, and a pole barn on the property without permits. There are tractors and other equipment on the property. He provided another letter of opposition from another neighboring resident.

Michael Fry opposes this request stating the property owner did all of this without permits.

Mr. Chair closed the public hearing.

Frank Murillo, Jr., provided a rebuttal stating his apologies for doing the work without a

permit. The water, electric, and sewer was previously there from when the previous mobile home was on the property. He stated he hired a licensed contractor to place the mobile home on the property and did not realize he did not get the property permit to place the mobile home there. He will improve the property and put better fencing around the property.

Robert Beltran asked of the applicant how long he has owned the property and when was the mobile home placed on the property.

Frank Murillo, Jr., responded stated he purchased the property five to six years ago and the mobile home was placed on the property about a year ago.

Robert Beltran asked about the aerial image and what is located near this requested property.

Malissa Celestine, Land Development, provided an explanation.

Mike Schmidt asked about the slides and the statement of incompatibility.

Malissa Celestine, Land Development, provided an explanation of Section 303 of the Land Development Code.

Elizabeth Voss, County Attorney, stated that all of the other statements regarding Code Enforcement violations are not pertinent to the request before them. These will be determined by the other Divisions of the County (Building Division and Code Enforcement). This request is to receive conditional use approval to place the mobile home on the property.

#### 4. LDCU-2023-54 (Ralph Road MH CU) - Conditional Approval

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Robert Beltran
<b>AYE:</b>	Heath, Dalton, Schultz, and Beltran
<b>NAY:</b>	Addison, Hickman, and Schmidt

#### 5. LDCU-2023-58 (Warner University Wastewater Plant)

**Minutes:** Kriss Kaye of Carter and Kaye Engineering, applicant, Warner University Inc., owner, request a Conditional Use (CU) approval of a 290,000 gallons per day (GPD) Wastewater Treatment Plant in an Industrial-2X (INST-2X) Land Use district and Southeast Polk Selected Area Plan (SAP) on 97 +/- acres. The subject property is located at 151 Warner Drive, west of U.S. Highway 27, south of Alturas-Babson Park Cutoff Road, east of the CSX Railroad, west of Fulton Hall, west of the town of Hillcrest Heights, south of the city of Lake Wales, north of the town of Frostproof in Section 34, Township 30, Range 27.

Ian Nance, Land Development, introduced the case and reported 125 mailers sent to

area property owners on January 18, 2024, two (2) signs were posted on the property on January 16, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. One (1) response in opposition was received from the public.

Erik Peterson, Land Development, presented a Power Point presentation with a recommendation of approval.

Tommy Addison asked of staff if this would be serving other local developments.

Erik Peterson, Land Development, stated this will serve the university. There is plans to expand the university.

Robert Beltran asked for clarification of the location of the expansion of the plant.

Erik Peterson, Land Development, showed the location using the overhead images and stated this is a more modern plant and the old plant will be taken off-line.

Dave Carter, applicant, spoke regarding the request and agrees with staff's recommendation.

Rennie Heath asked if this would provide excess capacity.

Dave Carter responded stated the intention to be owned and operated by the university for the university.

Robert Beltran asked about the fluent quality of the project.

Daniel Magow provided further information related to the question.

Mr. Chair opened the public hearing.

No response.

Mr. Chair closed the public hearing.

#### 5. LDCU-2023-58 (Warner University Wastewater Plant) - Conditional Approval

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Mike Hickman
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran

#### 6. LDPD-2023-34 (North Wabash Multi-family PD)

**Minutes:** Tyler Vansant of Meritage Homes and Stephen Sposato of LevelUp Consulting, applicants, and Joseph and Harriett Dicesare, owners, request a Planned Development (PD) approval for 150 multi-family townhome units on 24.46 +/- acres in a Residential Low-4 (RL-4) Land Use district and Transit Supportive Development Area

(TSDA). The subject property is located at 1431 North Wabash Avenue, north of 10th Street, west of Kathleen Road, south of I-4, south of the city of Lakeland in Section 11, Township 28, Range 23.

Ian Nance, Land Development, introduced the case and reported 44 mailers sent to area property owners on January 18, 2024, five (5) signs were posted on the property on January 10, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Ian Nance, Land Development, provided a PowerPoint presentation with a recommendation of approval.

Robert Beltran asked about parking.

Ian Nance, Land Development, stated there would be two space per unit.

Mike Schmidt asked about ingress and egress.

Ian Nance, Land Development, provided an explanation.

Bart Allen, applicant, agrees with staff's recommendation and spoke regarding the request.

Vice Chair opened the public hearing.

Cynthia McKan opposes this case stating with traffic and the large density of the project. The location of the emergency entrance on North Wabash will directly affect her since this is directly adjacent to her property. She stated since Wabash was opened up as a through road, traffic has increased dramatically.

Vice Chair closed the public hearing.

Bart Allen, applicant, provided a rebuttal stating the roads can accommodate the traffic that will be produced by this project. There is a 6-foot opaque fence and landscaping to provide a buffer from the existing residences. Schools are at 70%. This area of town is now developing, and this is a prime location for this type of project.

#### 6. LDPD-2023-34 (North Wabash Multi-family PD) - Conditional Approval

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Tommy Addison
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran

#### 7. LDPD-2023-37 (Gull Drive PD Mod)

**Minutes:** Marion Skilling, applicant, Lakedrop LLC, owner, is requesting Planned

Development Modification to PUD 71-10 to allow the placement of two single family homes within the PRE-DRI#1 Future Land Use district and Utility Enclave Area (UEA) on 0.93 +/- acres. The subject property is located south of Gull Drive, north of Hummingbird Court, east of Audubon Road, west of Falcon Road, and east of the Town of Dundee in Section 25, Township 27, Range 28.

Ian Nance, Land Development, introduced the case and reported 99 mailers sent to area property owners on January 18, 2024, one (1) sign was posted on the property on January 10, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Robert Beltran made a motion to expedite, and it was seconded by David Dalton. It was denied because there was opposition in the audience.

Aleya Inglima, Land Development, presented a Power Point presentation with a recommendation of approval.

Marion Skilling, applicant, agrees with staff's recommendation and spoke regarding the case.

Mr. Chair opened the public hearing.

Jennifer Jacobson stated she would like to have some of the older, taller trees retained on the proposed lot for natural barrier and privacy.

Mr. Chair closed the public hearing.

Marion Skilling provided a rebuttal and stated that they would meet with the neighbor to address the concern. It is their intention to keep as many trees on the property as possible.

Tommy Addison asked if the property was originally intended to be commercial.

Aleya Inglima, Land Development, stated was not labeled to be anything related to commercial.

Chanda Bennett, Land Development, stated there was not designated commercial but could be related to drainage.

#### 7. LDPD-2023-37 (Gull Drive PD Mod) - Conditional Approval

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Robert Beltran
<b>AYE:</b>	Heath, Dalton, Schultz, Hickman, Schmidt, and Beltran
<b>NAY:</b>	Addison

8. LDCD-2023-10 (Lunn Road Sub-District Change)

**Minutes:** An ordinance Of the Polk County Board Of County Commissioners regarding the adoption of LDCD-2023-10, an amendment to the Polk County Land Development Code Sub-District Map (Ordinance 01-69), as amended, amending the Sub-District Map to change 2.71 +/- acres from Residential Low-1 (RL-1) To Residential Low-3 (RL-3), located east of Sweet Bay Drive, south of Pipkin Road, west of Lunn Road, north of Sophia Place, south of the City Of Lakeland, in Section 10, Township 29 and Range 23, providing for severability; and providing for an effective date.

Ian Nance, Land Development, introduced the case and reported 66 mailers sent to area property owners on January 18, 2024, one (1) sign was posted on the property on January 21, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Amy Little, Land Development, presented a Power Point presentation with a recommendation of approval.

Mike Schmidt asked staff about Table 5 in the submittal and the 9 lots versus 18 lots.

Amy Little, Land Development, provided an explanation stating the applicant has submitted a nine-lot single-family request, but they could get up to 18 units there.

Mike Schmidt asked if this was approved, it would only be for nine lots.

Amy Little, Land Development stated this is for a district change that could conceivable allow them to develop up to 18 units.

The applicant was not in attendance to this hearing.

Mr. Chair opened the public hearing.

John Hatfield spoke in opposition stating concerns with high density, traffic on Lunn Road.

Mr. Chair closed the public hearing.

8. LDCD-2023-10 (Lunn Road Sub-District Change) - Tabled until the March 6, 2024, Planning Commission Hearing since the applicant was not in attendance and there is opposition to the case.

<b>RESULT:</b>	<b>TABLED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Mike Hickman
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran

9. LDCPAS-20232-21 (Rifle Range Hwy 60 HIC)

**Minutes:** An ordinance of the Polk County Board of County Commissioners regarding the adoption of LDCPAS-2023-21, an amendment to the Polk County Comprehensive Plan, Ordinance 92-36, as amended, to change the Future Land Use Map designation on 13.56 +/- acres from Agricultural/Rural Residential-X (A/RR-X) to High Impact Commercial-X (HIC-X), located on the south side of US Highway 60, west of CR 655A (Alturas Road), north of Lake Garfield, and east of 80 Foot Road, west of the city of Winter Haven and east of the city of Bartow, in Section 32, Township 29 and Range 26, providing for severability; and providing for an effective date.

Chanda Bennett, Land Development, introduced the case and reported 32 mailers were sent to area property owners on January 18, 2024, two (2) signs were posted on the property on January 17, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Robert Bolton, Land Development, presented a PowerPoint presentation with a recommendation of approval.

David Dalton asked staff about the odd shape of the red line on the map.

Robert Bolton, Land Development, stated that there is a current Level 2 application in place, and this designates where their stormwater retention will be located.

Tommy Addison asked about the nearest location of the utilities.

Robert Bolton, Land Development, stated that this is part of the Level 2 process that is being dealt with currently due to the rather far distance.

Tom Sullivan, applicant, agrees with staff's recommendation and spoke regarding the case.

Robert Bolton asked if they were connecting to civil sewer.

Bryan Potts, applicant, stated that there is a line closer to the east with Polk County Utilities that does not have capacity. They will be using a well and septic for their utility services.

Mr. Chair opened the public hearing.

No response.

Mr. Chair closed the public hearing.

9. LDCPAS-20232-21 (Rifle Range Hwy 60 HIC) - Recommendation of approval will be forwarded to the Board of County Commissioners on March 19, 2024.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Tommy Addison

<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran
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10. LDCPAS-2023-31 (Fox Lake CPA)

**Minutes:** An ordinance of the Polk County Board of County Commissioners regarding the adoption of LDCPAS-2023-31, an amendment to the Polk County Comprehensive Plan, Ordinance 92-36, as amended, to change the Future Land Use Map designation on 0.62 +/- Acres from Linear Commercial Corridor (LCC) to Residential Medium (RM), located south of Fox Lake Drive, east of Highway 98 North, west of Ranch Road, north of Bibby Lane, north of the city of Lakeland in Section 13, Township 27, and Range 23; providing for severability; and providing for an effective date.

Chanda Bennett, Land Development, introduced the case and reported 21 mailers were sent to area property owners on January 18, 2024, one (1) sign was posted on the property on January 21, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Robert Beltran made a motion to expedite the hearing of this case. It was seconded by Linda Schultz. A unanimous vote was received to expedite the hearing of this case.

Amy Little, Land Development, presented a PowerPoint presentation with a recommendation of approval.

Sarah Case, applicant, agrees with staff's recommendation and spoke regarding the case.

Mr. Chair opened the public hearing.

No response.

Mr. Chair closed the public hearing.

10. LDCPAS-2023-31 (Fox Lake CPA) - Recommendation of approval will be forwarded to the Board of County Commissioners on March 19, 2024.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Robert Beltran
<b>SECONDER:</b>	David Dalton
<b>AYE:</b>	Heath, Dalton, Schultz, Hickman, Schmidt, and Beltran
<b>NAY:</b>	Addison

11. LDCPAS-2023-11 (Providence RES to CAC)

**Minutes:** An ordinance of the Polk County Board of County Commissioners regarding the adoption of LDCPAS-2023-11, an amendment to the Polk County Comprehensive Plan, Ordinance 92-36, as amended, to change the Future Land Use Map designation on 7.48 +/- acres from Preservation-X (PRES-X) to Community Activity Center-X

(CAC-X), located on the east side of US Hwy 17/92, south of Ronald Reagan Parkway, north of Earnie Caldwell Boulevard, northeast of Davenport city limits, in Section 12, Township 26 and Range 27; and Section 07, Township 26 and Range 28, providing for severability; and providing for an effective date.

Chanda Bennett, Land Development, introduced the case and reported 54 mailers were sent to area property owners on January 18, 2024, four (4) signs were posted on the property on January 17, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Robert Bolton, Land Development, presented a PowerPoint presentation with a recommendation of approval.

Mike Schmidt asked staff to present the related case, LDDRI-2023-1, as well before they made their decision.

Robert Bolton, Land Development, presented the LDDRI-2023-1.

Mark Wilson, applicant, agrees with staff's recommendation and spoke regarding the cases.

Robert Beltran asked of the applicant about the corner that was originally labeled as Preserve and mitigation of the wetlands.

Mark Wilson stated the permits have been issued related to the wetlands. There are wetlands located in this area but were generally labeled Preserve.

Robert Beltran asked about the switching of units in pods.

Chanda Bennett, Land Development, shifting has already occurred, but this is needed to be cleaned-up and is correctly mapped.

Mark Wilson displayed the difference in maps using the overhead display.

Chanda Bennett, Land Development, stated that there is cemetery on the map that goes back several decades, and this justifies shifting the retail over a bit.

Tommy Addison spoke about the drainage basin and the mitigation credits that were banked.

Mark Wilson stated the mitigation credits for this district were a bit out of his league depending on what DEP allows.

Robert Beltran asked about the notice of intent to issue the permits.

Mark Wilson stated most of this will be addressed at the Level 2 process.

Chanda Bennett, Land Development, stated that if this was not a DRI approved plan, the County's staff would have a harder time supporting this proposal.

Tommy Addison stated that this was approximately the eighth modification to the DRI and the potential affects to the wetlands with these modifications.

Mark Wilson stated that most of these modifications were related to extensions of the DRI.

Chanda Bennett, Land Development, the unit counts have not been increased by these modifications.

Mark Wilson stated that most of the wetlands has a conservation easement, but this proposed does not have a conservation easement.

Mr. Chair opened the public hearing.

No response.

Mr. Chair closed the public hearing.

11. LDCPAS-2023-11 (Providence RES to CAC) - Recommendation of approval will be forwarded to the Board of County Commissioners on March 19, 2024.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Tommy Addison
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, and Beltran
<b>NAY:</b>	Schmidt

12. LDDRI-2023-1 (Providence DRI NOPC)

**Minutes:** The applicant, Mark Wilson, Kimley-Horn and Associates, Inc., representing the applicant Applied Building Development Company - Oakhills, Inc., requests the adoption of a resolution to amend the Providence Development of Regional Impact (DRI), pursuant to the requirements of Section 380.06, Florida Statutes, to 1) expand the Neighborhood-27 commercial area (related to LDCPAS-2023-11), 2) summarization of the residential and commercial unit counts within the Neighborhoods, 3) extend the buildout dates of Phase I and Phase II. The site is located on the east side of US Hwy 17/92, south of Ronald Reagan Parkway, west of the Osceola County line, north of Earnie Caldwell Boulevard, and northeast of Davenport city limits, in Sections 12 and 13, Township 26 and Range 27; and Sections 07, 18, 19, 30 and 31, Township 26 and Range 28, providing for severability; and providing for an effective date.

Chanda Bennett, Land Development, introduced the case and reported a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

This was presented with LDCPAS-2023-11.

12. LDDRI-2023-1 (Providence DRI NOPC) - Recommendation of approval will be forwarded to the Board of County Commissioners on March 19, 2024.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Tommy Addison
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran

13. LDCPAS-2023-28 (Lake Marion ROS)

**Minutes:** An ordinance of the Polk County Board of County Commissioners regarding the adoption of LDCPAS-2023-28, an amendment to the Polk County Comprehensive Plan, Ordinance 92-36, as amended, to change the Future Land Use Map change from Poinciana Pre-Development of Regional Impact (PRE-DRI#1) to Recreation Open Space (ROS) on ±32 acres, located in Poinciana east of Lake Marion, west of Lake Marion Creek Drive, south of McMan Road, east of the City of Haines City in Section 29, Township 27, Range 28.

Chanda Bennett, Land Development, introduced the case and reported 217 mailers were sent to area property owners on January 18, 2024, three (3) sign was posted on the property on January 10, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

A motion to expedite was made by David Dalton and seconded by Mike Hickman. It was passed unanimously, but when the Chair asked if there was audience members who wanted to speak for or against the case, there were member who wanted to speak. The motion to expedite was denied.

Aleya Inglima, Land Development, presented a PowerPoint presentation with a recommendation of approval.

This is a County-initiated request.

Mr. Chair opened the public hearing.

Al Williams is the manager of the Sinclair Resort and wanted more information about the case and how it might affect the resort. He stated the McMann Road has been used to dump garbage and wild pigs encroach their property due to the close location of development occurring in this area. He states that there is increased traffic which has caused more accidents.

Mr. Chair closed the public hearing.

Tracy Mullins, Parks and Natural Resources, provided a rebuttal stating this will be used as preservation, educational resources, and a boat ramp. It will provide

recreational and educational opportunities.

Robert Beltran abstained from voting on this case.

13.LDCPAS-2023-28 (Lake Marion ROS) - Recommendation of approval will be forwarded to the Board of County Commissioners on March 19, 2024.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Mike Hickman
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, and Schmidt
<b>Abstain:</b>	Beltran

14. LDCT-2023-19 (Housing LDC Text Amendment)

**Minutes:** An ordinance of the Polk County Board of County Commissioners regarding Land Development Code amendment LDCT-2023-19, amending Ordinance No. 00-09, as amended, the Polk County Land Development Code; amending Chapter 2, Table 2.1, to add Duplex, Two-family Attached as “C3” conditional uses in Residential Low-1 (RL-1) & Residential Low-2 (RL-2) land use districts; amending Table 2.1 to reduce Mobile Home Subdivisions and Mobile Home Parks to “C3” conditional uses; amending Section 206.B to require a Level 1 Review for accessory security residences; amending Section 207.J to remove temporary mobile homes for medical hardship from review by the Land Use Hearing Officer; amending Section 209, to allow accessory structures larger than the primary on residential properties exceeding two acres; amending Chapter 3, Section 303, Duplex, to provide clarity to existing criteria; amending Section 303, Multi-family, to provide clarity to existing criteria; amending Section 303 to allow individual mobile homes, to provide clarity to existing criteria; amending Section 303, Residential Infill Development, to provide clarity to existing criteria; amending Chapter 4, Section 401.02, Table 4.3, to reduce “Individual Mobile Homes to a “C1” conditional use in the Ronald Reagan SAP; amending Chapter 10, Definitions; providing for severability; and providing for an effective date.

Ian Nance, Land Development, introduced the case and reported a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Ian Nance, Land Development, presented a PowerPoint presentation with a recommendation of approval.

Mike Schmidt asked how this might relate to Agricultural Exemption properties.

Ian Nance, Land Development, stated it would not affect Agricultural Exemptions.

This is a County-initiated request.

Mr. Chair opened the public hearing.

No response.

Mr. Chair closed the public hearing.

14. LDCT-2023-19 (Housing LDC Text Amendment) - Forward a recommendation of approval to the Board of County Commissioners on March 5, 2024, for the First Reading and March 19, 2024, for the Second Reading.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Robert Beltran
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran

15. LDCT-2023-20 (Mining Inspection Text Amendment)

**Minutes:** An Ordinance of The Polk County Board of County Commissioners regarding Land Development Code Amendment LDCT-2023-20, amending Ordinance No. 00-09, as amended, the Polk County Land Development Code; amending Chapter 3, Section 303 to change the responsibility of inspecting non-phosphate mines from Codes Enforcement to Land Development Division; providing for severability; and providing for an effective date.

Ian Nance, Land Development, introduced the case and reported a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Johnathan Sims, Land Development, presented a PowerPoint presentation with a recommendation of approval.

This is a County-initiated request.

Tommy Addison asked staff why this was being proposed.

Johnathan Sims, Land Development, stated the Land Development inspectors were already reviewing these mines.

Chanda Bennett, Land Development, stated Code Enforcement used to be much more involved doing these inspections, but now the engineering inspectors are already doing this.

Mr. Chair opened the public hearing.

No response.

Mr. Chair closed the public hearing.

15. LDCT-2023-20 (Mining Inspection Text Amendment) - Forward a recommendation of approval to the Board of County Commissioners on March 5, 2024, for the First

Reading and March 19, 2024, for the Second Reading.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Tommy Addison
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran

16. LDCU-2023-67 (Babson Park Water Tank)

**Minutes:** Polk County, applicant, and owner, request a Conditional Use (CU) approval of a ground storage water tank on an existing potable water well site in an Institutional-2X (INST-2X) Land Use district and Southeast Polk Selected Area Plan (SAP) on 1.0 +/- acres. The subject property is located at 170 Libby Road, west of State Road 17, east of Cody Road, north of 3rd Avenue, south of Golfview Cutoff, in Babson Park, north of the town of Hilcrest Heights, and south of the town of Highland Park, south of Lake Wales, north of Frostproof in Section 28, Township 30, Range 28.

Ian Nance, Land Development, introduced the case and reported 12 mailers sent to area property owners on January 18, 2024, one (1) sign was posted on the property on January 16, 2024, and a legal advertisement was published in the Lakeland Ledger on January 22, 2024. No responses were received from the public.

Erik Peterson, Land Development, presented a PowerPoint presentation with a recommendation of approval.

This is a County-initiated request.

Mr. Chair opened the public hearing.

No response.

Mr. Chair closed the public hearing.

16. LDCU-2023-67 (Babson Park Water Tank) - Conditional Approval

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Robert Beltran
<b>SECONDER:</b>	David Dalton
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran

**Adjournment**

Adjournment

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	David Dalton
<b>SECONDER:</b>	Robert Beltran
<b>AYE:</b>	Heath, Dalton, Addison, Schultz, Hickman, Schmidt, and Beltran