



Polk County Polk County Land Use Hearing Officer

Meeting Agenda - Final-revised

June 26, 2025 Land Use Hearing Officer meeting

CALL TO ORDER: 1:30 P.M. OR AS SOON THEREAFTER AS THE PARTICULAR CASE MAY BE HEARD

MINUTES APPROVAL:

Approved Minutes from May 19, 2025

NEW BUSINESS:

AGENDA ITEM:

- 1 LDLSE-2025-5 (Delgado SE)
- 2 LDLVAR-2025-24 (E Lake Hartridge Dr Variance)
- 3 LDLVAR-2025-25 (Webb Barn Variance)

ADJOURNMENT:



Polk County
Polk County Land Use Hearing Officer

Agenda Item

6/26/2025

SUBJECT

Approved Minutes from May 19, 2025

DESCRIPTION

Click or tap here to enter text.

RECOMMENDATION

Click or tap here to enter text.

FISCAL IMPACT

Click or tap here to enter text.

CONTACT INFORMATION

Saralis Wons

Development Coordinator II

Polk County Board of County Commissioners

863.534.6479



Polk County Polk County Land Use Hearing Officer

Meeting Minutes - Final-revised

May 19, 2025 Land Use Hearing Officer meeting

**CALL TO ORDER: 1:30 P.M. OR AS SOON THEREAFTER AS THE PARTICULAR CASE
MAY BE HEARD**

MINUTES APPROVAL:

Draft Meeting Minutes 4/24/25

NEW BUSINESS:

AGENDA ITEM:

Minutes: CASE FILE # LDLSE-2025-2 (Ulloa Special Exception)

Cesar and Christi Ulloa, owners, are requesting a Special Exception for a commercial vehicle parking in a Residential Low-2 (RL-2) Land Use District. The property location is 5760 Floy Drive, north of Interstate 4, south of Duff Road, east of Kathleen Road, west of US Highway 98 North, north of the City of Lakeland in Section 23, Township 27, Range 23.

Erik Peterson, Land Development; presented the case and reported that 29 mailers were sent on 4/9/25, 2 letters in support with 1 petition with 7 signatures and 1 in opposition, 1 board was posted on 4/4/2025 and the legal ad was published in the Polk Sun News on 4/9/25.

Kyle Rogus, Case Planner, showed a power point presentation has recommendation of approval, and stood for questions.

Christi Ulloa, the owner, was available to answer questions and agree with staff recommendations. Mrs. Ulloa said that only one truck would be parked at the residence.

The LUHO opened the public hearing.

Benjamin Harding, Attorney representing Joseph and Maria Mele, 5805 Floy Drive, Lakeland, FL 33810, stated that there are multiple trucks coming in and out of the property to resupply. He also stated that it causes disturbance to the residential area.

Charles Howell, 5717 Floy Drive Lakeland, FL 33810, stated he is in support, also said majority of the neighbors are in support.

Richard Fox, 5811 Floy Drive Lakeland, FL 33810, stated he is also in support.

Cesar Ulloa, 5760 Floy Drive Lakeland, FL 33810, stated trucks do not have a refrigerator unit, they keep ice in coolers.

Brandon Mele, 5805 Floy Drive Lakeland, FL 33810, stated that he has

concern, multiple trucks coming in and out.

Presented

2 LDLSE-2025-3 (Perez SE)

Minutes: CASE FILE # LDLSE-2025-3 (Perez SE)

Linda Bernice Perez, owner, is requesting a Special Exception for a commercial vehicle parking in a Residential Suburban (RS) Land Use District. The property location is 4119 Simms Road, north of Timberlake Road, west of Harrelson Road, South of Caudill Drive, northwest of Lakeland in Section 32, Township 27, and Range 23.

Erik Peterson, Land Development, presented the case and reported that 16 mailers were sent on 4/7/2025, with no response, 1 board was posted on 4/4/25 and the legal ad was published in the Polk Sun News on 4/9/25.

Andrew Grohowski, Case Planner showed a power point presentation, has a recommendation of approval, and stood for questions. He said that there are some roads that have weight limits, around roads also said owner is building fence around home.

Linda Bernice Perez 4119 Sims Road, owners, was available to answer questions and agree with staff recommendations. Says that trucking business is the only source of business. The fence is completed.

LOHU ensured that applicant understands about the road with weight restriction

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

Presented

3 LDLVAR-2025-17 (McLean Variance)

Minutes: CASE FILE # LDLVAR-2025-17 (McLean Variance)

Wyatt Tanner McLean, owner, is requesting a variance for an accessory structure larger than the primary structure in a Residential Low-2X (RL-2X) and the I-4 Selected Area Plan (SAP) land use districts. The property location is 1703 Marker Road, north of Pace Road, west of Derosa Road, south Mount Olive Road, east of the Polk Parkway, southeast of Polk City, in Section 08, Township 27, and Range 25.

Erik Peterson, Land Development, presented the case and reported that 27 mailers were sent on 4/17/2025, with no response, 1 board was posted on 4/23/25 and the legal ad was published in the Polk Sun News on 5/7/25.

Andrew Grohowski, Case Planner, showed a power point presentation, has a recommendation of approval, and stood for questions.

Wyatt Tanner McLean 1703 Mclean Rd, owner, were available to answer questions and agree with staff recommendations. He said its needed to store his personal items.

The LUHO opened the public hearing.

Karen Wilson, she is in support. She brought 10 letter from neighbor in support

The LUHO closed the public portion of the hearing.

Presented

4 LDLVAR-2025-19 (Hudson Harbor Lane Variance)

Minutes: CASE FILE # LDLVAR-2025-19 (Hudson Harbor Lane Variance)

Luis Orellana, Applicant, and Your True Home Builders, Inc., owner, are requesting a rear primary setback reduction for a single-family home in the Poinciana (PRE-DRI #1) land use district. The property location is 1205 Hudson Harbor Lane, east of Hudson Valley Drive, east of the city of Dundee in Section 15, Township 28, Range 28.

Erik Peterson, Land Development, presented the case and reported that 21 mailers were sent on 4/17/2025, with no response, 1 board was posted on 4/23/25 and the legal ad was published in the Polk Sun News on 5/7/25.

Aleya Inglema, Case Planner, showed a power point presentation, has a recommendation of approval, and stood for questions.

LOHU asked staff if the road are dedicated. Staff said yes.

Kenneth Velasquez, said that it will not be an issue to build.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

Presented

5 LDLVAR-2025-20 (Coppertop Construction Expansion)

Minutes: CASE FILE # LDLVAR-2025-20 (Coppertop Construction Expansion)

Brandy Nagel, applicant, and Coppertop Construction & Roofing LLC, owner, are requesting a variance for a side setback reduction for a storage addition in a Business Park Center-2 (BPC-2) land use district. The property location is 2718 Combee Road, east side, north of Maine Avenue, south of Mine and Mill Road, east of U.S. Highway 98, west of Reynolds Road, southeast of the City of Lakeland, in Section 27, Township 28 and Range 24.

Erik Peterson, Land Development, presented the case and reported that 20 mailers were sent on 4/10/25, with no response, 1 board was posted on 5/1/25 and the legal ad was published in the Polk Sun News on 5/7/25. He proceeded to show a power point presentation, has a recommendation for approval and stood for questions.

Brandy Nagel & Robert Nagel 2718 S Combee Rd, Coppertop Construction & Roofing LLC, applicant was available to answer questions and agrees with staff recommendations. Said that roofing will be stored in the new building.

The LUHO opened the public hearing.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

Presented

6 LDLVAR-2025-22 (Blue Jordan Road Variance)

Minutes: CASE FILE # LDLVAR-2025-22 (Blue Jordan Road Variance)

Jennifer Schultes and Keith Schultes, owners, are requesting a variance for an accessory structure larger than the primary structure in an Agriculture/Residential Rural-X (A/RRX) land use districts. The property location is 28 Blue Jordan Road, south of Highway 630 E, north of Blue Jack Trail, east of the city of Frostproof in Section 30, Township 31, Range 29.

Erik Peterson, Land Development; presented the case and reported that 21 mailers were sent on 4/17/25, with one 1 response, 1 board was posted on 4/23/25, and the legal ad was published in the Polk Sun News on 5/7/25.

Aleya Inglima, Case Planner; showed a power point presentation, has a recommendation of approval, and stood for questions.

Jennifer Schultes owner, said unit is to store personal items.

The LUHO opened the public hearing.

There was on letter of support for the case.

There was neither support nor opposition in the audience.

The LUHO closed the public portion of the hearing.

Presented

7 LDLVAR-2025-23 (Willow Oak Fire Station Shed)

Minutes: CASE FILE # LDLVAR-2025-23 (Willow Oak Fire Station Shed)

Willow Oak Volunteer Fire Department, owner, is requesting a variance for a rear setback reduction for a storage structure in a Residential Suburban (RS) land use district. The property location is 4210 Willis Road, north of Bobbi Street, west of State Road 60, east of Willow Oak Road, west of the City of Mulberry, in Section 20, Township 26, Range 27.

Erik Peterson, Land Development; presented the case and reported that 14 mailers were sent on 4/10/25, with no response, 2 board were posted on 5/1/25, and the legal ad was published in the Polk Sun News on 5/7/25. He proceeded with the presentation, showed a power point presentation, has a recommendation of approval, and stood for questions. Said shed is needed to store more items as this is one of the smallest Fire Department. Shed is only temporary as a the fire department will be moving to a bigger area.

Willow Oak Volunteer Fire Department, Rob Williams, was available to answer questions and agrees with staff recommendations.

The LUHO opened the hearing.

The LUHO closed the public portion of the hearing.

Presented

ADJOURNMENT:

Minutes: 3:27 PM



Polk County
Polk County Land Use Hearing Officer

Agenda Item 1

6/26/2025

SUBJECT

LDLSE-2025-5 (Delgado SE)

DESCRIPTION

The applicant is requesting a Special Exception to park a commercial vehicle and trailer on ± 4.18 acres of residential property in the A/RRX future land use district.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Andrew Grohowski

Land Development Division

(863)-534-6412

andrewgrohowski@polk-county.net

**POLK COUNTY
LAND USE HEARING OFFICER
STAFF REPORT**

DRC Date:	May 8, 2025	CASE #:	LDLSE-2025-5 (Delgado SE)
LUHO Date:	June 26, 2025	LDC Section:	Section 216.D

Request: The applicant is requesting a Special Exception to park a commercial vehicle and trailer on residential property.

Applicant: Manuel Angel Delgado

Property Owner: Manuel Angel Delgado
Ryan Rene Gomez Delgado

Location: 12558 Country Place Road, north of Country Side Drive, west of Rockridge Road, east of Farmettes Road north of Lakeland in Section 14, Township 26, and Range 23.

Parcel ID#: 232614-000387-000060

Size: ± 4.18 acres

Land Use Designation: Agricultural/Residential Rural (A/RRX)
Rural Special Protection Area (SPA)
Green Swamp Area of Critical State Concern (GSACSC)

Development Area: Rural Development Area (RDA)

Case Planner: Andrew Grohowski, Planner II

Summary of Analysis:

The applicant, Manual Angel Delgado, is requesting a Special Exception to allow a commercial vehicle to be parked at their residence. The property is ± 4.18 acres in the Agricultural/ Residential Rural (A/RRX) Future Land Use Designation in the Rural Development Area (RDA), in the Rural Special Protection Area (SPA) of the Green Swamp Area of Critical State Concern (GSACSC).

The vehicle, a 2004 Kenworth semi-truck with an associated trailer, will be parked on the western side of the property. The subject property has direct ingress and egress onto Country Place Road, a privately maintained roadway and the proposed truck must travel approximately 0.38 miles to Rockridge Road, a County-maintained roadway. Roadways in the vicinity have no weight prohibitions. The proposed parking will be within 200 feet of the neighboring properties, thereby requiring screening and buffering standards pursuant to Section 216.D of the Land Development Code. A similar request was approved in the same Section, Township and Range in 2021 (LDLSE-2021-1) for a commercial vehicle to be parked at a residence approximately 0.55 miles south of the subject site. If the subject property was about ¾ acres larger, the applicant would be permitted to have one (1) commercial vehicle parked onsite without having to apply for a Special Exception.

Staff has reviewed the applicant's application and finds the request is consistent with Land Development Code (LDC) Section 216.D Special Exceptions. Staff is recommending approval with the proposed conditions.

Development Review Committee

The Development Review Committee, based on the criteria for granting variances, the submitted application, and a recent site visit, finds that the applicant's request as written **IS CONSISTENT** with Section 931 of the Polk County Land Development Code (LDC) and recommends **APPROVAL** of **LDLSE-2025-5**

CONDITIONS OF APPROVAL:

1. This Special Exception shall be limited to parking one (1) semi-truck (2004 Kenworth T600) and associated trailer, or its functional equivalent as described in the application and staff report. No other commercial vehicles, heavy machinery equipment, or tractor/trailer rigs shall be parked on the site.
2. Approval of this special exception shall be for the operator (Manuel Angel Delgado) of record only. Approval shall not be transferable to any other owner/occupant of the property. In the event the property is sold, or the operator ceases to reside on the property, the Special Exception approval shall not "run with the land" and shall be null and void.
3. No commercial vehicle maintenance shall be performed on the site and no outside storage of any commercial vehicle parts or equipment is allowed.
4. Parking the commercial vehicle on the operator's lot shall be limited to empty weight only (no load or cargo).
5. The commercial vehicle shall only be parked in the area to the side of the home as generally designated on the site plan (*Exhibit 5*) and shall continuously meet the screening and buffering requirements listed in Section 216.D, Commercial Vehicle Parking and Storage, of Polk County's Land Development Code.
6. Approval of the Special Exception shall be valid for one year. Approvals may be renewed by the Land Development Division with a proper application submitted by the applicant 30 days prior to the expiration date (to be determined by the Land Use Hearing Officer) and evidence is provided to demonstrate that the conditions of approval have been met.
7. This special exception does not authorize any encroachments into easements, and the applicant shall be responsible to make certain there are no encroachments unless approval is granted by the easement holder and/or any applicable permitting agencies. The property owner(s) is also responsible for compliance with any restrictions of record pertaining to lots and/or land and this approval shall not be used to supersede authority over those restrictions.
8. Noncompliance with any of the conditions of approval will render LDLSE-2025-5 null and void. All conditions of approval, unless otherwise specified, must be met prior to parking the commercial vehicle on the property.

GENERAL NOTES

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

NOTE: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the variance approval.

NOTE: All written commitments 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 commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

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.

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

APPLICATIONS FOR COMMERCIAL VEHICLE PARKING AND STORAGE SHALL DEMONSTRATE COMPLIANCE WITH SECTION 216 OF THE LAND DEVELOPMENT CODE. DEMONSTRATION OF THE CRITERIA FOR GRANTING SPECIAL EXCEPTIONS FOR COMMERCIAL VEHICLES IS SUMMARIZED BELOW:

1. *Only one commercial vehicle, as regulated by this Section 216, shall be permitted on any residential lot;*

As described in this staff report and as listed in the conditions of approval, this variance is only for parking one (1) 2004 Kenworth model T600 truck and attached trailer or its equivalent. The cab dimensions are 12' high, 20' long, and 8' wide with the trailer being 48' long and 4' high. Total weight of the vehicle is 19,800 pounds. The size of the property is over 4 acres which is sufficient to accommodate a vehicle such as this while meeting the screening and buffering requirements outlined in Section 216.D.

2. *Commercial vehicles shall be currently registered and licensed;*

Necessary supplementation was provided. The truck and trailer have a valid license and registration.

3. *The parking of said vehicle does not have a negative impact to the health, safety, or welfare of adjacent properties;*

Staff finds this request will not have a negative impact to the health, safety, or welfare of adjacent properties. The subject site is just over four (4) acres, and the proposed parking area provides sufficient distance from neighboring property boundaries and adjacent residential homes. According to the submitted site plan (*Exhibit 5*) the proposed parking area is 145' from the residential property to the west and 158' from the neighboring property to the south measured from the property lines. The site is well screened and buffered on the eastern portion of the property boundary, meeting the Type "B" landscaping requirements in Section 216. During the site visit, Staff found the southern portion of the property had trees and brush removed and will have to meet the screening

and buffering requirements outlined in Section 216.D. In addition, the proposal will also not encroach nor create a hazard along two dedicated County drainage easements measuring 20' and 15' wide along the western and eastern property boundaries as designated in the recorded plat.

This SE request is unique in that the access is to a private road in which the County has no stake. Notes on the plat (PB 77 PG 19) state the following:

MAINTENANCE – Polk County assumes no responsibility for the maintenance of roads, road rights-of-way, ditches, swales, or other subdivision improvements depicted hereon. All roads, road rights-of-way, ditches, swales or other subdivision improvements shall be maintained exclusively by the owners of the lots depicted hereon.

Note:

Lot owners shall be responsible for maintenance and vegetation in road right of way drainage swales and drainage easement swales and for retaining design unchanged.

All portions of Country Place Road are owned fee-simple by the lot owners. Each tract owner is responsible and obligated for payment of a pro rata share per lot of the costs of maintaining the private roadway. Therefore, the County has no jurisdiction requiring commercial driveway standards. The pavement width is 17' with a right-of-way width of 60', which is substandard to today's standards. However, impacts on residents along Country Place Road are anticipated to be minimal, given the low density along this route. The vehicle will travel about 0.38 miles before reaching Rockridge Road (Road No. 633301). Rockridge Road is a County-maintained Rural Minor Collector roadway with a paved surface width of 30 feet and right-of-way width of 80 feet, which meets County standards and is sufficient for the passage of this vehicle.

In 2021, a similar request to park a commercial vehicle and trailer was approved approximately 0.55 miles south of the subject site on about one (1) acre of residential property (LDLSE-2021-1). If the subject lot was the minimum size of 5 acres, or larger by 0.82 acres, the applicant would be exempt from the special exemption process. According to the "Restrictive Covenants and Conditions" of the platted subdivision recorded in 1984 (*Exhibit 7*) the site is known as "Tract 6" of the Rockridge Farmettes which is open to having "one (1) semi-tractor ... be parked on any Tract at any time" (O.R. Book 2256, Page 1180). While this demonstrates the subdivisions receptiveness to semi-tractors, the applicant will still have to adhere to the commercial vehicle parking requirements outlined in Section 216.D of the LDC which supersedes the subdivision's Covenants and Restrictions.

4. *The applicant can demonstrate that denial of said request would place an unnecessary hardship on the property prohibiting the use of land in a manner otherwise allowed under this Land Development Code;*

The applicant did not submit a narrative explaining the potential hardship. However, after further discussions, Staff determined the applicant uses the commercial vehicle as a source of income. This property is in an area of the County where other options to park commercial

vehicles are limited with few and far in between. This request would allow for the elimination of offsite storage expenses.

5. *Commercial vehicles must park on the same lot occupied by the owner/operator of the vehicle.*

The commercial vehicle will be parked on the same lot occupied by the operator of the vehicle.

6. *The vehicle shall not be parked in the front yard of the principal residence.*

The applicant indicates on the site plan that it will be located along the southern side yard of the property behind the front building line of the home.

7. *The parking area shall be at least 20 feet from all property boundaries.*

The submitted site plan indicates the proposed parking area for the commercial vehicle exceeds the minimum twenty (20) feet from all property lines, which is consistent with Section 216.D of the LDC (*Exhibit 5*).

8. *The vehicle shall park in a manner so that the minimum amount of vehicle surface is facing the road adjacent to the property, unless the vehicle is screened or buffered as provided.*

The vehicle will be setback of 250 feet away from the private roadway the truck will be screened from offsite view by existing vegetation to the west. Screening and buffering with a six-foot opaque fence used in conjunction with or in lieu of a Type B landscape buffer will be required either on the southern property line or in the immediate parking area.

9. *When the vehicle parking area is less than 200 feet from a residentially designated or used property, it shall be buffered from the adjacent residential property with a Type B Buffer as outlined in Section 720. A fence with a minimum height of six feet may be used in lieu of, or in conjunction with, a vegetative bufferyard.*

While the parking area will be over 20 feet away from property boundaries, the proposed parking area is less than 200 feet from neighboring residential properties according to the submitted site plan. The southern portion of the property will require a Type B buffer and/or a minimum six-foot opaque fence either along the property boundary or the immediate parking area. There is adequate vegetation with a thick portion of mature trees on the western portion, which meets the Type B buffer requirements. Average lots in this neighborhood range in size from two (2) to five (5) acres.

10. *Refrigerator units on vehicles shall not be operated on the site.*

The subject vehicle does not have a refrigerator unit.

11. *Approvals shall be valid for one year, or for a shorter period as specified by the Land Use Hearing Officer. Approvals may be renewed, with proper application following notice provided by the Land Development Division Director 30 days prior to the expiration date, if the commercial vehicle location is consistent with the Land Development Code. The applicant shall bear the burden in demonstrating that the vehicle parking still meets the criteria of the approved Special Exception and Section 216.*

This has been included in the conditions of approval.

Surrounding Future Land Use Designations and Existing Land Use Activity:

<p>Northwest: Agriculture/Residential Rural (A/RRX) Vacant lot ±62.20 acres</p>	<p>North: Agriculture/Residential Rural (A/RRX) Vacant lot ±62.20 acres</p>	<p>Northeast: Agriculture/Residential Rural (A/RRX) Lots 32-33 Rockridge Acres 1 mobile home, 1 vacant lot ±2.10 acres</p>
<p>West: Agriculture/Residential Rural (A/RRX) Tract 7 – Rockridge Farrowettes SFR ±3.37 acres</p>	<p>Subject Property: Agriculture/Residential Rural (A/RRX) Tract 6 – Rockridge Farrowettes Mobile home ±4.18 acres</p>	<p>East: Agriculture/Residential Rural (A/RRX) Lots 30-31, Rockridge Acres 1 mobile home, 1 SFR ±2.00 acres</p>
<p>Southwest: Agriculture/Residential Rural (A/RRX) Tract 4 – Rockridge Farrowettes Mobile home ±2.29 acres</p>	<p>South: Agriculture/Residential Rural (A/RRX) Tract 5 – Rockridge Farrowettes Mobile home ±2.24 acres</p>	<p>Southeast: Agriculture/Residential Rural (A/RRX) Lot 29, Rockridge Acres Mobile home ±1.00 acres</p>

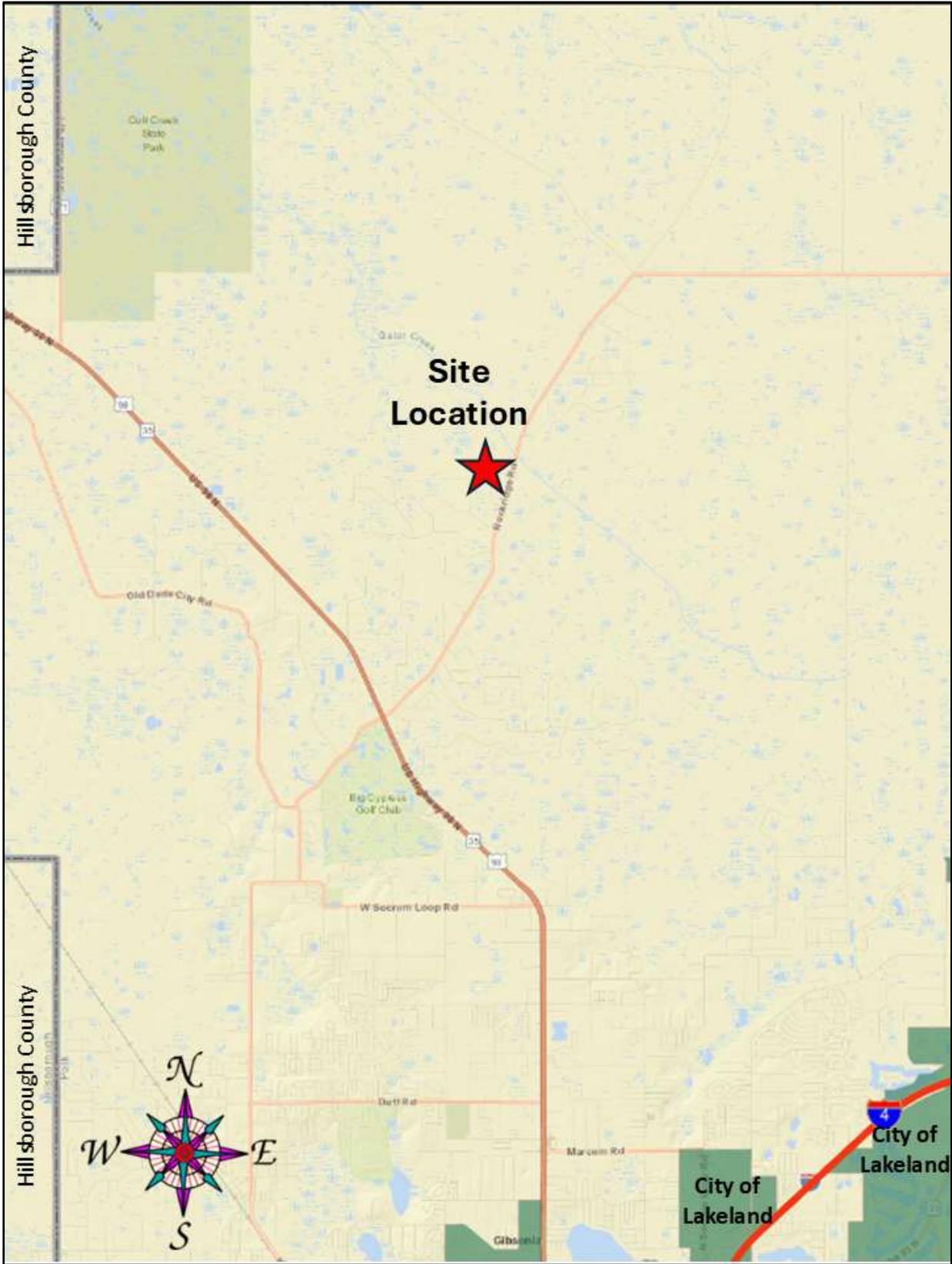
The subject site is designated as lot 6 of the Rockridge Farrowettes subdivision according to the recorded plat on July 17, 1984 (PB 77, PG 19). This subdivision of 17 lots was platted in accordance with the Rural Conservation (RC-2) district at the time which required the minimum lot size to be at least 2 acres for each dwelling unit. Additional residential homes and subdivisions can be found further to the west-southwest including phase two of Rockridge Farrowettes and Ranchland Acres. The Rockridge Acres subdivision to the east of the subject property has direct frontage on Rockridge Road and are single family residential units with the average lot size being one (1) acre. Directly to the north, lies vacant pastureland and large tracts owned by the Southwest Florida Water Management District (SWFWMD).

Since the subdivision was created, several changes occurred to the Land Development Code and Comprehensive Plan. The subject property is no longer zoned RC but now has an A/RRX future land use designation which requires a five (5) acre minimum lot size. Additionally, the County has added more regulations for commercial vehicle parking in residential districts. While a lot of record, if the owner’s property were about 0.82 acres larger, or the current minimum lot size as required in the A/RR district, it would be exempt from requiring a special exception for commercial vehicle parking.

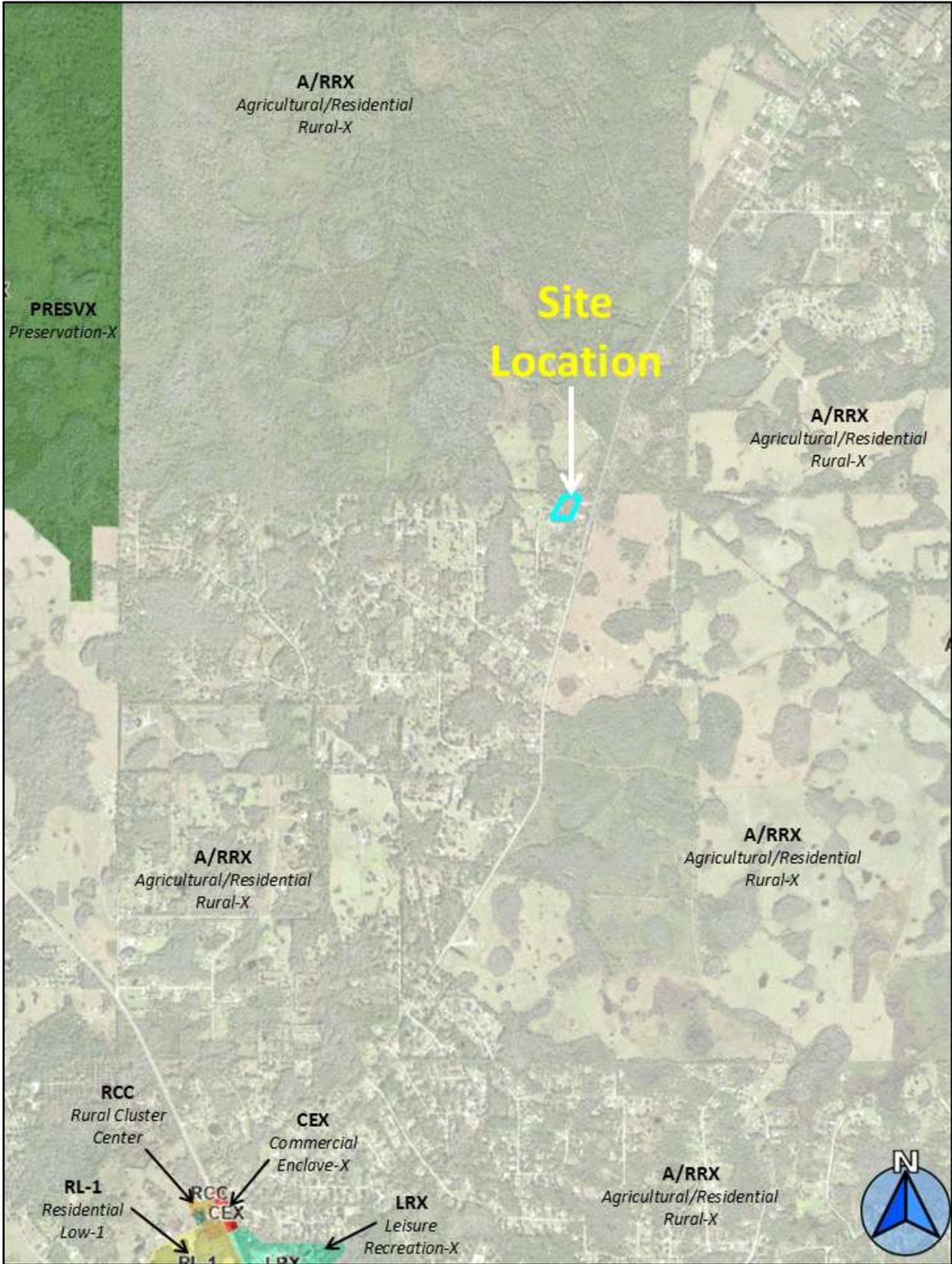
Comments from other Governmental Agencies: None

Exhibits:

- | | |
|--|---|
| Exhibit 1 – Location Map | Exhibit 5 – Applicant’s Site Plan |
| Exhibit 2 – Future Land Use Map | Exhibit 6 – Commercial Vehicle Pictures |
| Exhibit 3 – 2023 Aerial Photo (Context) | Exhibit 7 – Restrictive Covenants and |
| Exhibit 4 – 2023 Aerial Photo (Close-up) | Conditions |



Location Map



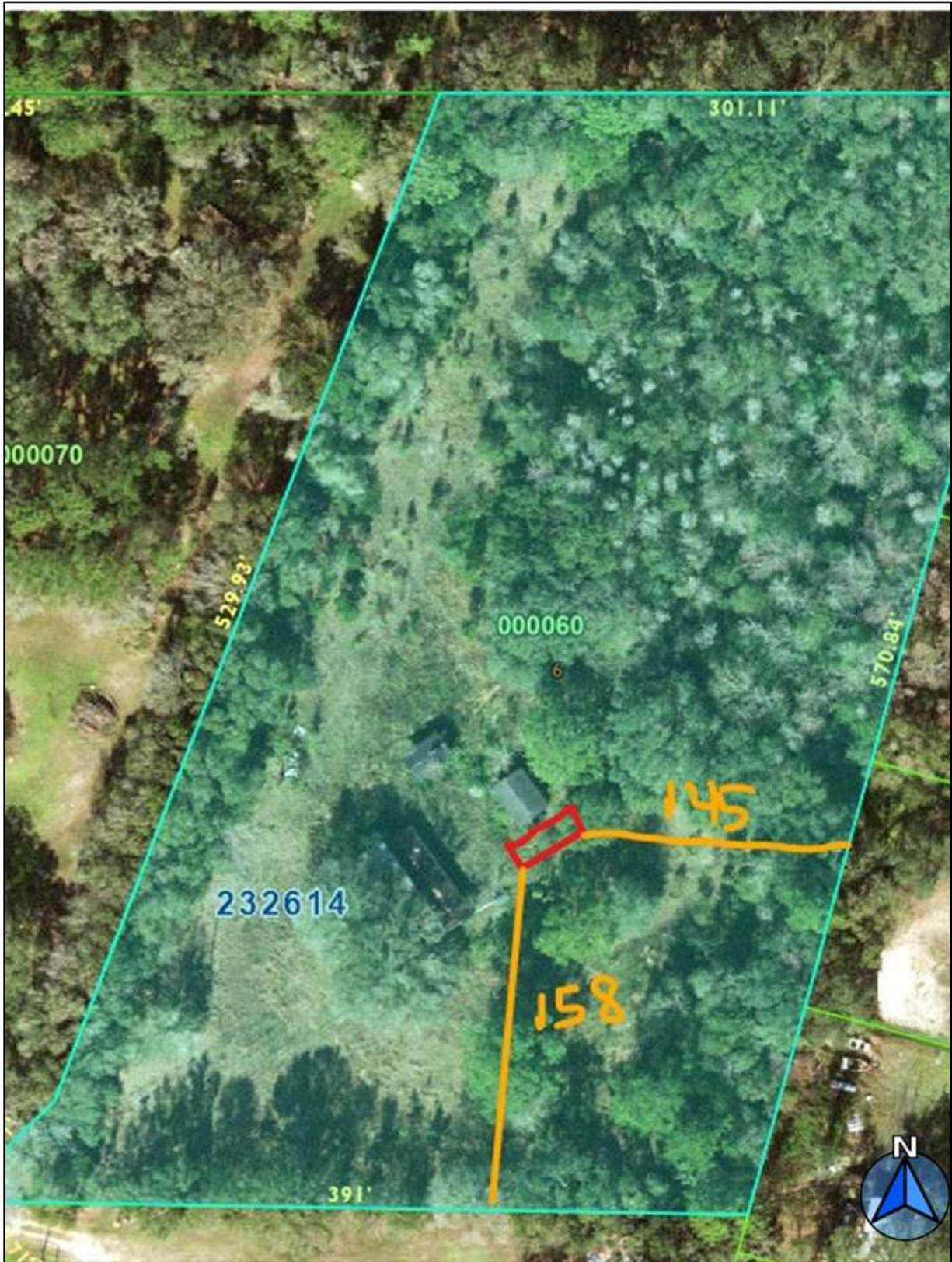
Future Land Use Map



2023 Aerial Photo (Context)



2023 Aerial Photo (Close-Up)



Applicant's Site Plan



Commercial Vehicle Pictures

must be properly housed, fenced and contained under proper constraint and control and further kept so as not to become or be an annoyance or nuisance to adjacent Tract owners or the neighborhood in general.

3. Each Tract may contain either a conventionally constructed single-family dwelling house, mobile home or modular home. Each single-family dwelling house may not exceed two stories in height nor (other than a mobile or modular home) contain less than a minimum of 900 square feet of area measured by outside dimensions exclusive of garages, carports, screened or unscreened porches and covered walkways, breezeways and approaches. No mobile home or modular home shall be less than twelve (12) feet by fifty (50) feet of enclosed living area, exclusive of garages, carports, screened or unscreened porches and covered walkways, breezeways and approaches; and each mobile home or modular home shall be skirted on all sides within ninety (90) days after being set on a Tract. Each mobile home or modular home shall have a hurricane tie-down attachment at each corner of the unit, which attachments shall be properly embedded in the Tract at the time of installation of said home. No tent, garage, outbuilding or shed shall be used as a temporary or permanent residence.

4. No part or portion of any single-family dwelling house, garage or outbuilding on any Tract shall be erected closer to any property line setback requirement that may be at the time of said erection imposed or imposable by applicable zoning ordinances affecting said property by the County of Polk, Florida, under a RC-2 zoning classification or equivalent.

5. All above-ground containers for garbage and trash shall be permanently housed so as not to be seen from the front of the property; said containers to be covered at all times and emptied regularly so as to prevent litter and odor offensive to other residents. There shall be no open garbage pits nor shall garbage or trash be burned in the manner and location so as to be a nuisance to the neighboring property or properties.

6. No junk cars or trucks, salvage metal and equipment can be located on any Tract at any time. All motor vehicles located on each Tract shall have a current year's license tag registration. Additionally, only one (1) semi-tractor may be parked on any Tract at any time.

7. The owners of any Tract shall not cause any existing natural creeks, drainage patterns, structures or easements to be blocked so as to impair water flow in any way whatsoever. In addition, the placement of culverts along any roadway for ingress and egress purposes by any Tract owner shall be made so as

2256 1180
POLK OFF. REC. PAGE

Restrictive Covenants and Conditions



2256.77'

428.45'

301.11'

90'

000070

7

529.93'

000060

6

570.84'

000310

31

145

350'

232614

000300

30

158

000290

29

FACE RD

70.71'

391'

25

LDLSE-2025-5 - Delgado SE

Menu Reports Help

Application Name: [Delgado SE](#)

File Date: [04/04/2025](#)

Application Type: [LUHO - Special Exception](#)

Application Status: [Approved For Hearing](#)

Application Comments: View ID Comment Date

Description of Work: [To park commercial vehicle parking in my house](#)

Application Detail: [Detail](#)

Address: [12558 COUNTRY PLACE RD, LAKELAND, FL 33809](#)

Parcel No: [232614000387000060](#)

Owner Name: [DELGADO MANUEL ANGEL](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	Manuel Delgado		Applicant	Mailing_12558 Country...	Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$1,057.00](#)

Total Fee Invoiced: [\\$1,057.00](#)

Balance: [\\$0.00](#)

Custom Fields: LD_BOA_SE

GENERAL INFORMATION

Acreage

[4.18](#)

DRC Meeting

[05/08/2025](#)

Rescheduled DRC Meeting

-

Green Swamp

[No](#)

Case File Number

[CMA-2025-216](#)

DRC Meeting Time

-

Rescheduled DRC Meeting Time

-

FS 119 Status

[Non-Exempt](#)

SPECIAL EXCEPTION

Make of vehicle

[Kenworth](#)

Weight of vehicle

[19,800](#)

Height & length of vehicle

[20'](#)

Height, length & weight of any additional trailer or equipment

[48'](#)

Model & Year of vehicle

[2004 T600](#)

Gross axle weight of vehicle

[80,000](#)

PUBLIC HEARING

Development Type

[Land Use Hearing](#)

[Officer](#)

Variance Type

-

Affordable Housing

Application Type

[Special Exception](#)

Brownfields Request

-

ADVERTISING

Legal Advertising Date

-

Advertising Board

[Land Use Hearing](#)

[Officer](#)

MEETING DATES

LUHO Hearing Date

[06/26/2025](#)

HEARING

Hearing Results

-

LD_BOA_SE_EDL

[Opening DigEplan List...](#)

DigEplan Document List

-

PLAN REVIEW FIELDS

TMRecordID
[POLKCO-25EST-00000-21665](#)
 RequiredDocumentTypesComplete
[Yes](#)

DocumentGroupforDPC
[DIGITAL PROJECTS LD](#)
 AdditionalDocumentTypes
[Applications, AutoCad File, Binding, Site Plans \(PDs, Yes and CUs\), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous, Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter Survey, Title Opinion](#)
 DigitalSigCheck
[Yes](#)

RequiredDocumentTypes
 -
 Activate DPC

Activate FSA
[Yes](#)

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
[x](#)

LAND USE

Selected Area Plan LU Code

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
LUHQ	1	21	05/21/2025	06/06/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal Roads and Drainage Review	Lisa Simons-Iri...	Application ...	04/10/2025	Lisa Simons-Iri...
Planning Review	Andrew Grohowski	Approve	04/28/2025	Andrew Grohowski
Review Consolidation	Lisa Simons-Iri...	Approved for...	04/29/2025	Lisa Simons-Iri...
Public Notice Hearing Officer Final Order Archive	Lisa Simons-Iri...			

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By
------	----------------	--------	------------	----------	-----------

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments
-----------------	----------------	-----------	--------	----------

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments
-----------------	-----------------	-----------	--------	----------



Florida Highway Safety and Motor Vehicles
Bureau of Commercial Vehicle and Driver Services
 2900 Apalachee Parkway MS62
 Tallahassee, Florida 32399-0626
 850-617-3711 | www.flhsmv.gov



FLORIDA HIGHWAY SAFETY AND MOTOR VEHICLES

APPORTIONED CAB CARD

THIS REGISTRATION CAB CARD MUST BE CARRIED IN THE VEHICLE DESCRIBED HEREIN

REGISTRANT: KEEPING THE FAITH TRANSPORT LLC

8607 PRIMROSE DR
 CELEBRATION, FL 34747-1649

CARRIER TYPE: FOR HIRE (FH)

ISSUE DATE: 07/09/2024

PLATE: XE162K

GROSS WGT: 80,000

EFFECTIVE DATE: 07/09/2024

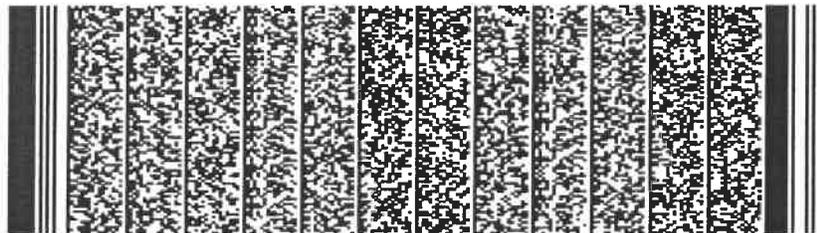
EXPIRATION DATE: 06/30/2025



ACCT 366127		FLEET 01	SUPP 0000	BASE JUR FL	REG TYPE IRP
AXLES 3	SEATS	OPERATION TYPE I		REG YEAR 25	UNIT NUMBER 12922
ENFORCEMENT CONTROL 305044936		UNLADEN WGT 19,800		PLATE TYPE ITR	
VIN 1XKADB9X44J395485		VEH YEAR 2004	MAKE KW	FUEL D	
OWNER/LESSOR KEEPING THE FAITH TRANSPORT LLC			TITLE NUMBER 122247804	VEH TR	
Carrier Responsible for Safety KEEPING THE FAITH TRANSPORT LLC				USDOT 02439925	
Mailing Address Of Carrier Responsible for Safety PO BOX 135893 CLERMONT, FL 34713					

The described vehicle has been proportionally registered between the STATE OF FLORIDA and the jurisdictions listed below.

AL 80,000	AR 80,000	AZ 80,000	CA 80,000
CO 80,000	CT 80,000	DC 80,000	DE 80,000
GA 80,000	IA 80,000	ID 80,000	IL 80,000
IN 80,000	KS 80,000	KY 80,000	LA 80,000
MA 80,000	MD 80,000	ME 80,000	MI 80,000
MN 80,000	MO 80,000	MS 80,000	MT 80,000
NC 80,000	ND 80,000	NE 80,000	NH 80,000
NJ 80,000	NM 80,000	NV 80,000	NY 80,000
OH 80,000	OK 80,000	OR 80,000	PA 80,000
RI 80,000	SC 80,000	SD 80,000	TN 80,000
TX 80,000	UT 80,000	VA 80,000	VT 80,000
WA 80,000	WI 80,000	WV 80,000	WY 80,000
AB 36,287	BC 36,287	MB 36,287	NB 36,287
NL 36,287	NS 36,287	ON 36,287	PE 36,287
QC 5 axles	SK 36,287	** *****	** *****



THIS APPORTIONED CAB CARD MUST BE CARRIED AT ALL TIMES IN THE VEHICLE FOR WHICH IT WAS ISSUED. THIS REQUIREMENT IS SATISFIED BY THE PRESENCE OF THE PAPER ORIGINAL, A LEGIBLE PAPER COPY, OR THE LEGIBLE DISPLAY OF AN ELECTRONIC IMAGE. ALTERED COPIES OR IMAGES OF THIS CAB CARD ARE NOT VALID. ELECTRONIC IMAGES MUST BE ACCESSIBLE.

This cab card lists those jurisdictions in which the vehicle described is proportionally registered together with the registered gross weight.

An enforcement control number has been imprinted above on this cab card as a security feature. If you have any questions or concerns about the validity of any information on this form, you may call the Florida IRP office at (850) 617-3711, Monday through Friday from 8:00 am to 4:30 pm, EST or may visit our website for verification at:

<https://services.flhsmv.gov/IRPInquiry/>

SECTION 330.0605, Florida Statutes, requires this registration certificate or an official copy or a true copy of a rental or lease agreement issued for the motor vehicle described be in possession of the operator or carried in the vehicle while the vehicle is being used or operated on the highways or streets of this state.

SECTION 316.613, Florida Statutes, requires every operator of a motor vehicle while transporting a child in a passenger car, van or pickup truck registered in this state and operated on the highways of this state, shall, if the child is 5 years of age or younger, provide for protection of the child by properly using a crash-tested, federally approved child restraint device. For children aged through 3 years, such restraint device must be a separate carrier or a vehicle manufacturer's integrated child seat, for children aged 4 through 5 years, a separate carrier or seat belt may be used.

SECTION 627.733, Florida Statutes, requires mandatory Florida No-Fault Insurance to be maintained continuously throughout the entire registration period; failure to maintain the required coverage could result in suspension of your driver license and registration.

Mail To:

KEEPING THE FAITH TRANSPORT LLC
 PO BOX 135893
 CLERMONT, FL 34713

Important note: If you cancel the insurance for this vehicle, immediately return the license plate from this registration to a Florida driver license or tax collector office or mail it to: Dept. of Highway Safety, Return Tags, 2900 Apalachee Parkway, Tallahassee, FL 32399. Surrendering the plate will prevent your driving privilege from being suspended.

CO/AGY 5 / 4 T# 867774708
 B# 889530

FLORIDA TRAILER REGISTRATION

PLATE **5169CN** DECAL
 Expires **NO EXPIRATION**

TRAILER	2000/RAVE	BODY	TL
VIN	1R1F9482XYK500467		
Plate Type	PSR	NET WT	12000
PLATE ID	463665665-01		
Date Issued	8/17/2015	Plate Issued	8/17/2015

TITLE **119860512**

Reg. Tax	101.30	Class Code	103
Init. Reg.		Tax Months	12
County Fee	3.00	Back Tax Mos	
Mail Fee		Credit Class	
Sales Tax		Credit Months	
Voluntary Fees			
Grand Total	104.30		

KEEPING THE FAITH TRANSPORT LLC
 PO BOX 135893
 CLERMONT, FL 34713

IMPORTANT INFORMATION

1. The Florida license plate must remain with the registrant upon sale of vehicle.
2. The registration must be delivered to a Tax Collector or Tag Agent for transfer to a replacement vehicle.
3. Your registration must be updated to your new address within 20 days of moving.
4. Registration renewals are the responsibility of the registrant and shall occur during the 30-day period prior to the expiration date shown on this registration. Renewal notices are provided as a courtesy and are not required for renewal purposes.
5. I understand that my driver license and registrations will be suspended immediately if the insurer denies the insurance information submitted for this registration.

SR - PERMANENT SEMITRAILERS PLATE ISSUED X



-R

RESTRICTIVE COVENANTS AND CONDITIONS

1984 JUL 25 PM 2:39

WHEREAS, WALTER-WILLIAM INVESTMENT CO., a Florida corporation, is the Owner of the following described real property in Polk County, Florida, described as:

Tracts 1 through 37, inclusive, ROCKRIDGE FARMETTES, according to the Plat thereof recorded in Plat Book 77, Page 19, Public Records of Polk County, Florida.

WHEREAS, the Owner of said real property desires to impose Restrictive Covenants and Conditions on said real property for the benefit of subsequent Grantees which Restrictive Covenants and Conditions shall be deemed to be covenants and conditions running with the land.

NOW, THEREFORE, the following Restrictive Covenants and Conditions are hereby imposed upon each Tract; the breach of which prior to January 1, 2015, A.D. shall not give rise to a possibility of reverter or right of entry for condition broken on the part of the Owner but shall entitle any record owner of any one tract hereinabove described to proceed with legal action to prevent the furtherance of any breach of said Restrictive Covenants and Conditions and/or for damages from said breach. Failure to enforce in whole or in part any of said Restrictive Covenants and Conditions for any length of time shall not estop any party so entitled from enforcing same; however, the present Owner shall not be liable or responsible in any way for its failure to enforce any part of these Restrictive Covenants and Conditions so enumerated. Further, invalidation of any one or any part of any one of these Restrictive Covenants and Conditions by Judgment or Order of Court will in no way affect any of the other Restrictive Covenants and Conditions herein set out, and such other Restrictive Covenants and Conditions shall remain in full force and effect. Additionally, the present Owner may modify said Restrictive Covenants and Conditions as to any or all of said Tracts within one (1) years from the date hereof, provided; however, that said tracts affected by said Modification shall be those at that time still owned by the Owner.

1. Each Tract shall be used expressly and exclusive for one (1) single-family private residential purposes and/or agricultural purposes, and each Tract used for that purpose shall be a minimum of two (2) acres.

2. No business activity other than an agricultural, animal and farming operation in accordance with these Restrictions shall be conducted or carried on in connection with the usage of any one Tract. In addition, no goats nor hogs of any kind shall be raised, bred or kept within 150 feet from any road right of way as shown on the Plat of Rockridge Farmettes, Plat Book 77, Page 19,

Public Records of Polk County, Florida. All other animals contained on a Tract

648114

2256 1179
POLK OFF. REC. PAGE

258

4-6126-2

must be properly housed, fenced and contained under proper constraint and control and further kept so as not to become or be an annoyance or nuisance to adjacent Tract owners or the neighborhood in general.

3. Each Tract may contain either a conventionally constructed single-family dwelling house, mobile home or modular home. Each single-family dwelling house may not exceed two stories in height nor (other than a mobile or modular home) contain less than a minimum of 900 square feet of area measured by outside dimensions exclusive of garages, carports, screened or unscreened porches and covered walkways, breezeways and approaches. No mobile home or modular home shall be less than twelve (12) feet by fifty (50) feet of enclosed living area, exclusive of garages, carports, screened or unscreened porches and covered walkways, breezeways and approaches; and each mobile home or modular home shall be skirted on all sides within ninety (90) days after being set on a Tract. Each mobile home or modular home shall have a hurricane tie-down attachment at each corner of the unit, which attachments shall be properly embedded in the Tract at the time of installation of said home. No tent, garage, outbuilding or shed shall be used as a temporary or permanent residence.

4. No part or portion of any single-family dwelling house, garage or outbuilding on any Tract shall be erected closer to any property line setback requirement that may be at the time of said erection imposed or imposable by applicable zoning ordinances affecting said property by the County of Polk, Florida, under a RC-2 zoning classification or equivalent.

5. All above-ground containers for garbage and trash shall be permanently housed so as not to be seen from the front of the property; said containers to be covered at all times and emptied regularly so as to prevent litter and odor offensive to other residents. There shall be no open garbage pits nor shall garbage or trash be burned in the manner and location so as to be a nuisance to the neighboring property or properties.

6. No junk cars or trucks, salvage metal and equipment can be located on any Tract at any time. All motor vehicles located on each Tract shall have a current year's license tag registration. Additionally, only one (1) semi-tractor may be parked on any Tract at any time.

7. The owners of any Tract shall not cause any existing natural creeks, drainage patterns, structures or easements to be blocked so as to impair water flow in any way whatsoever. In addition, the placement of culverts along any roadway for ingress and egress purposes by any Tract owner shall be made so as

2256 1180
POLK OFF. REC. PAGE

2256 1181
POLK OFF. REC. PAGE

not to impair roadway drainage, and all culverts used shall have a minimum diameter of 18 inches and shall be maintained by the Tract owner.

8. No noxious activity or trade of any sort shall be carried on or upon any Tract; nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood; nor shall any use be made of any Tract that will in any way injure the value of any adjoining Tract or the surrounding property as a whole.

9. The Owner and/or its assigns reserves the right to dedicate public utility and/or drainage easements along the perimeter of any one Tract. In addition, no Tract shall be used, without written permission of the Owner, for ingress, egress and/or utility purposes to adjacent properties; however, the Owner has reserved and hereby reserves easements for ingress, egress and utility purposes; being sixty (60) feet in width and being equivalent to those private roads known as "Ranchland Drive" and "Country Side Drive" as shown on the Plat of Rockridge Farmettes, Plat Book 77, Page 19, Public Records of Polk County, Florida. The use of these easements herein reserved by the Owner is non-exclusive and may be assigned by the Owner, without notice, to third parties.

10. ROADWAYS AND PROPERTY OWNER'S ASSOCIATION:

A. The Plat of Rockridge Farmettes as recorded in Plat Book 77, Page 19, Public Records of Polk County, Florida, has thereupon noted private roads known as "Ranchland Drive", "Country Side Drive", and "Country Place Road". Tract owners, their guests and/or invitees, are hereby given a non-exclusive, perpetual Easement for ingress, egress and/or utility purposes over, under and/or across those private roads as designated; however, subject to the terms and conditions set forth in a Private Road Easement and Agreement dated the 23rd of July, 1984, and recorded in the Public Records of Polk County, Florida, these Restrictions and all rules, regulations and assessments of Rockridge Farmettes Property Owner's Association of which each Tract owner shall be deemed an active member.

B. As a result of the existence of the private roadways, these Tracts are subject of a variance to the subdivision regulations of Polk County, Florida. Pursuant to this variance, no building permit will be issued for any Tracts that have been resubdivided and that have dimensions less than as Platted unless approval is granted by Polk County in accordance with its subdivision and/or road improvement regulations in effect at that time. If at any time, the owners of sixty per cent (60%) or more Tracts fronting on any private Roadway shall desire to improve that private Roadway at their own expense to meet the then existing Polk County requirements for County road maintenance, and Polk County is willing to

accept the same for maintenance, then such Tract owners can and shall be entitled to convey that private Roadway to Polk County, Florida, without joinder of any other remaining Tract owners fronting on said private Roadway and/or having a use Easement over said Roadway; and all Tract owners fronting on said Roadway shall be pro rata responsible for the costs of the Roadway's improvements as may be incurred for County maintenance acceptance.

In addition, the Owner or its assigns reserve the right to improve any private Roadway at its expense to meet the then existing Polk County requirements for County maintenance acceptance, and if Polk County is willing to accept the same for maintenance, then the Owner or its assigns can and shall be entitled to convey the Roadway to Polk County, Florida, without joinder of any Tract owner fronting on said Roadway and/or having a use Easement over said Roadway.

In the event Polk County shall accept a conveyance of a Roadway or dedication of such for County maintenance purposes, then and in that event, these Restrictive Covenants and Conditions as pertaining to the use and maintenance of that private roadway shall be of no further force or effect.

C. (1) Each Tract owner shall be liable and obligated for payment of a pro rata share per Tract of the costs of maintaining the private Roadways. Each of said Tracts 1 through 37, inclusive, shall bear equal portions of each annual assessments regardless of a Tract's location, demensions or size. Any unpaid annual assessments (as hereinafter referred to), due at any time, shall be and become the obligation of a new owner of a Tract upon purchase of said Tract.

(2) Any assessments described herein shall be payable to Rockridge Farmettes Property Owner's Association. A purpose of the Association is and shall be to maintain the private Roadways and determine, prepare, deliver notice of and collect the assessments for said maintenance. Other Association purposes are set forth in the Articles of Association.

(3) Each Tract owner shall be a member of the Association and at all Association membership meeting, if in good standing, shall be entitled to one (1) vote for each Tract owned.

(4) There shall be no Roadways maintenance assessment for a period of twelve (12) months from the date of these Restrictions, and the present Owner agrees to maintain those private Roadways until one (1) year from the date hereof at no expense to subsequent Tract owners hereby granted an Easement over said roads. In addition, the present Owner hereby reserves the right, but not the duty, to maintain those private Roadways at any time after a period of one (1) year from the date hereof at no expense to subsequent Tract owners.

(5) All subsequent private Roadways maintenance assessments commencing one (1) year from the date hereof and for all subsequent years, unless increased or decreased by the Association, shall be Fifty (\$50.00) Dollars per Tract and shall be payable in accordance with the Association assessment therefor or at the closing of the purchase of a Tract from the present Owner.

(6) During the month of June and each month after 1984, the Board of Directors of the Association shall call a meeting of the membership of the Association for the purpose of electing members of the Board of Directors, fixing the amount of the private Roadways maintenance assessment and conducting old and new Association business for the ensuing year. Said call shall be in writing, shall state the meeting's purpose, shall designate the date (which shall be no less than ten (10) days from the date the call is mailed), time and place of said meeting, and shall be mailed by certified mail, return receipt requested, to all Tract owners at the last addresses for said owners shown on the books and recorded of the Association or at the Tract owner's addresses as shown on the Polk County tax rolls. The annual election of the Board of Directors, each year's annual assessment for private Roadways maintenance and business of the Association shall be determined at said meeting by the affirmative written vote of a majority of those Association members present, in person or by proxy, at said Meeting.

(7) The Rockridge Farnettes Property Owner's Association is and shall be empowered:

(i) To manage, maintain and repair the existing private Roadways and any extensions thereof; provided, however, that any extension of "Ranchland Drive" and/or "Country Side Drive" or any other roadways that may be extended therefrom shall be extended by the Owner and/or its assigns at its expense and with the further provision that any property owners fronting on said Roadways or the extensions thereof and having use of same shall be members of Rockridge Farnettes Property Owner's Association and shall be governed by all rules, regulations and assessments of said Association. Further, any extension of "Ranchland Drive" and/or "Country Side Drive" shall be limited to an extension within Sections 14 and 15, Township 26 South, Range 23 East, Polk County, Florida.

(ii) To maintain private Roadways' street and traffic control signs.

(iii) To enforce these Restrictions, either on its own account or in conjunction with other Tract owners. To determine, prepare, deliver notice of and collect assessments from the Association members for the purpose of the foregoing and to enforce liens for such assessments uncollected, by legal action, if

necessary.

(iv) To maintain Drainage Easements and Roadways ditches; and to impose hunting restrictions which shall be uniformly applicable to all Tracts; and to enunciate a neighborhood crime watch security program or other similar program for the subdivision as a whole.

(v) To bond, if desired, directors, officers and employees of the Association.

IN WITNESS WHEREOF, WALTER-WILLIAM INVESTMENT CO., a Florida corporation, has executed these Restrictive Covenants and Conditions by its proper corporate officer and affixed its corporate seal this 23rd day of July, 1984.

Signed, Sealed and Delivered
in the Presence of:

Patricia J. Sutcliffe
Sarai Lu Esposito

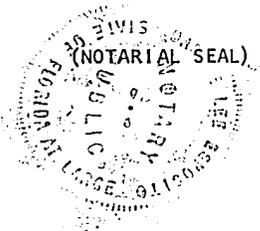
WALTER-WILLIAM INVESTMENT CO.

BY: *W. Wm. Ellsworth, Jr.*
W. WM. ELLSWORTH, JR., President
(CORPORATE SEAL)

STATE OF FLORIDA)
COUNTY OF POLK)

THE FOREGOING RESTRICTIVE COVENANTS AND CONDITIONS was acknowledged before me by W. WM. ELLSWORTH, JR., President of WALTER-WILLIAM INVESTMENT CO., a Florida corporation, this 23rd day of July, 1984.

Sarai Lu Esposito
NOTARY PUBLIC - STATE OF FLORIDA
My Commission Expires: 2-9-85



FILED, RECORDED AND
RECORD VERIFIED
E.D. 'Bud' DIXON, Clk. Cir. Ct.
POLK COUNTY, FLA.
BY *BDM* D.G.



Polk County
Polk County Land Use Hearing Officer

Agenda Item 2

6/26/2025

SUBJECT

LDLVAR-2025-24 (E Lake Hartridge Dr Variance)

DESCRIPTION

The applicant is requesting a primary side setback reduction for a single-family home from seven (7) feet to four (4) feet and a right-of-way setback from fifteen (15) feet to six (6) feet for a home addition. The subject site is located at 2429 E Lake Hartridge Drive, west of Lake Alfred Rd, north of Havendale Blvd NW, east City of Winter Haven in Section 17, Township 28, Range 26.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima

Land Development Division

(863) 534-6764

aleyainglima@polk-county.net

**POLK COUNTY
LAND USE HEARING OFFICER
STAFF REPORT**

DRC Date:	May 8, 2025	CASE #:	LDLVAR-2025-24 (E Lake Hartridge Dr Variance)
LUHO Date:	June 26, 2025	LDC Section:	Section 208, Table 2.2

Request: The applicant is requesting a primary side setback reduction for a single-family home from seven (7) feet to four (4) feet and a right-of-way setback from fifteen (15) feet to six (6) feet for a home addition.

Applicant: Jonathan Manning

Property Owner: Jonathan Manning, Christina Manning

Location: 2429 E Lake Hartridge Drive, west of Lake Alfred Rd, north of Havendale Blvd NW, east City of Winter Haven in Section 17, Township 28, Range 26.

Parcel ID#: 262817-542500-000030

Size: ±0.65 acres

Land Use Designation: Residential Low-3 (RL-3)

Development Area: Transit Supportive Development Area (TSDA)

Case Planner: Aleya Inglima, Planner II

Summary:

The applicant is requesting a variance to reduce the primary structure side setback from seven (7) feet to four (4) feet and a right-of-way setback from fifteen (15) feet to six (6) feet for a home addition. The owner purchased the property in July 2023. This parcel is part of the Hartridge Manor Plat recorded on October 12th, 1925, prior to the Land Development Code and Comprehensive Plan. The property is located off E. Lake Hartridge Drive, a local road, and is in a Residential Low-3 (RL-3) district. The side setbacks established in RL-3 district are set at seven feet on the side for primary structures. Since E. Lake Hartridge Dr is a local road, the right-of-way setbacks are set at fifteen feet. The applicant wants to use the home addition to take care of their elderly parents.

The applicant applied for a building permit (BR-2025-1780) in March 2025. The applicant was told by permit staff that a variance is required based on the setbacks shown within the site plan. The building permitting is pending as the owner is seeking approval for the home addition to be located four feet off the side property line and six feet from the right of way. Staff find this request will cause no harm to the neighborhood. The home addition will be located in the front yard of the property and will be located at a distance similar to the adjacent neighboring homes.

Staff recommends approval of LDLVAR-2025-24 as it meets the following criteria listed in Section 931:

- **The request will not be injurious to the area involved or otherwise detrimental to the public welfare** as the addition will stay out of the County maintained pipe and other homes within this community are closer to the right of way.

Development Review Committee

The Development Review Committee, based on the criteria for granting variances, the submitted application, and a recent site visit, finds that the applicant's request as written **IS CONSISTENT** with Section 931 of the Polk County Land Development Code (LDC) and recommends **APPROVAL of LDLVAR-2025-24 with conditions.**

CONDITIONS OF APPROVAL:

1. Seeking a variance to reduce the primary side setback reduction for a single-family home from seven (7) feet to four (4) feet and a right-of-way setback from fifteen (15) feet to six (6) feet for a home addition. Further additions or structures placed on the property shall be required to meet the setback requirements of Section 208, Table 2.2 of the Polk County Land Development Code or re-apply for another variance approval from the Land Use Hearing Officer.
2. This variance does not authorize any encroachments into easements, and the applicant shall be responsible to make certain there are no encroachments unless approval is granted by the easement holder and/or any applicable permitting agencies. The property owner(s) is also responsible for compliance with any restrictions of record pertaining to lots and/or land and this approval shall not be used to supersede authority over those restrictions.
3. The applicant shall have one (1) year from the date the Land Use Hearing Officer's Final Order is rendered to apply for all necessary building permits and pay all associated fees for the proposed addition.

GENERAL NOTES

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

NOTE: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the variance approval.

NOTE: All written commitments 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 commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

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.

NOTE: Approval of this variance shall not constitute a waiver or an additional variance from any applicable development regulation unless specifically noted in the conditions of approval and consistent with the LDC

DEMONSTRATIONS OF THE CRITERIA FOR GRANTING VARIANCES SUMMARIZED BELOW:

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

Granting the subject request will not be injurious to the area as approximately ten of the homes along E. Lake Hartridge Drive are either not meeting setbacks or are located on the right of way. The applicant's new addition will be in line with the neighboring homes. This lot and many of the surrounding homes in this community were developed prior to the Land Development Code, Comprehensive Plan, and first zoning ordinance. The new addition will stay out of the pipe just north of the home that is maintained by the County.

2. *Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district;*

There are many special conditions peculiar to the land, structure, or building. This property has a pipe maintained by the County just north of the home (see below). The applicant can't place the addition to the rear of the home as there is a pool. The only place to place the addition is the front of the home. The lot was recorded prior to the Land Development Code, Comprehensive Plan, and first zoning ordinance so the home does not meet current setbacks.



3. *Whether provided the special conditions and circumstances present in the request do not result from the actions of the applicant;*

The owner purchased the property in July 2023, according to the Polk County Property Appraiser. The lot was recorded prior to the Land Development Code, Comprehensive Plan, and first zoning ordinance so the home does not meet current setbacks.

4. *Whether granting the requested variance will not confer on the applicant any special privilege that is denied by the provisions of this Code and will constitute unnecessary and undue hardship on the applicant;*

Every variance approval is a special privilege. The development was created prior to the Land Development Code, Comprehensive Plan, & Zoning. Approximately ten of the homes along E. Lake Hartridge Drive either are not meeting setbacks or are located on the right of way. The addition to this home will be in line with the other neighboring homes.

5. *Whether the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;*

The request is for a 1200 sq ft addition. Without the right of way variance, the applicant will only be able to add a 930 sq ft addition. Without the side setback relief, an 817 sq ft addition.

6. *Whether that in no case shall a variance be granted which will result in a change of land use that would not be permitted in the applicable land use designation;*

Granting this variance will not result in a change of land use.

7. *Whether that in no case shall a variance be granted which would result in creation of any residual lot or parcel which does not meet the requirements of this Code; and*

Granting this request is not anticipated to result in the creation of a lot or parcel that does not meet the requirements of the Code.

8. *Whether that the granting of the variance does not circumvent a condition, or the intent of a condition placed on a development by the Planning Commission or the BoCC.*

Granting this variance will not circumvent a condition or the intent of a condition placed on the development by the Planning Commission or the BoCC.

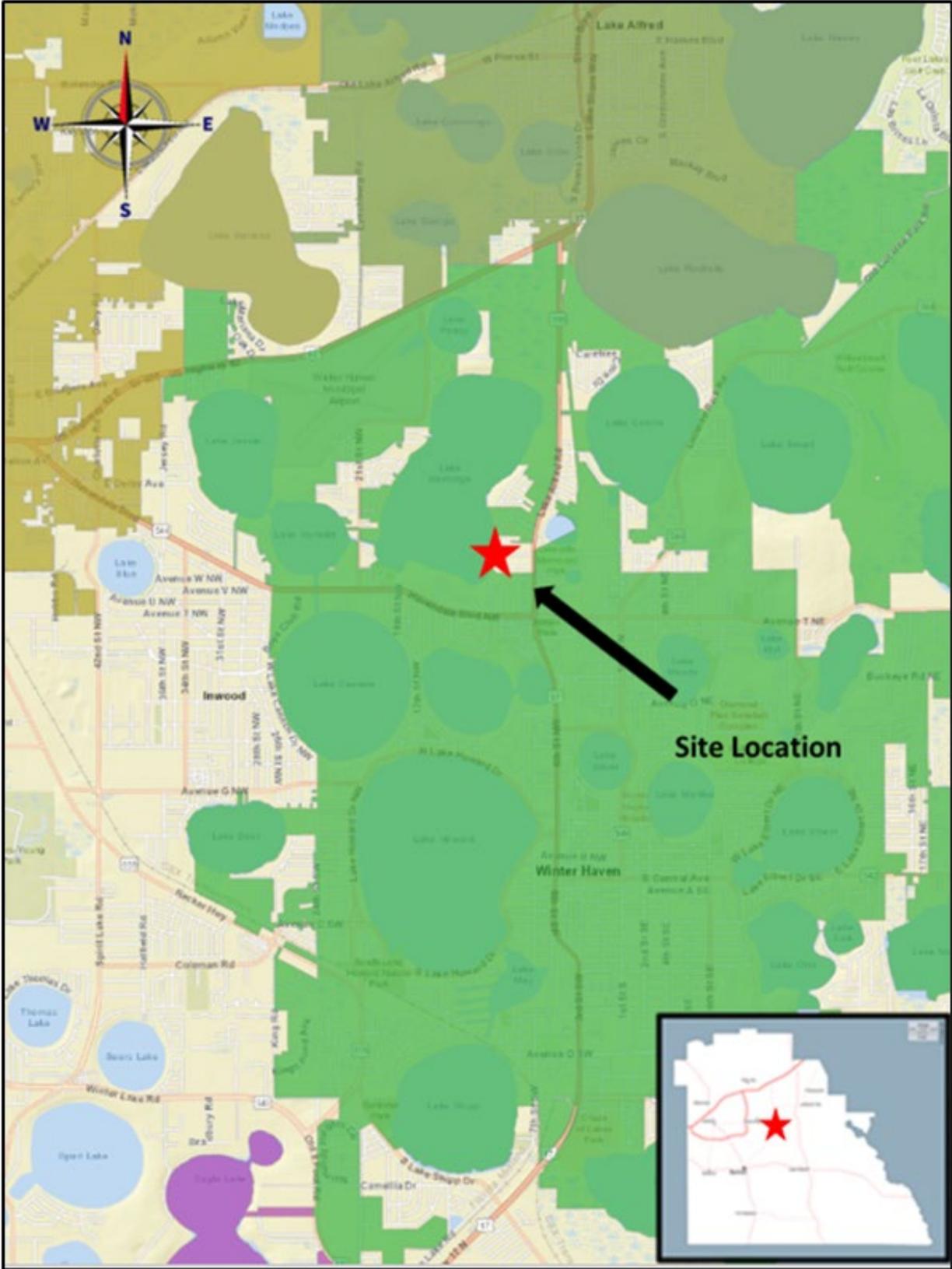
Surrounding Future Land Use Designations and Existing Land Use Activity:

Northwest: Lake Hartridge	North: RL-3 Single family home	Northeast: RL-3 Single family home
West: Lake Hartridge	Subject Property: RL-3 Single family home	East: RL-3 Vacant
Southwest: Lake Hartridge	South: RL-3 Single family home	Southeast: RL-3 Vacant

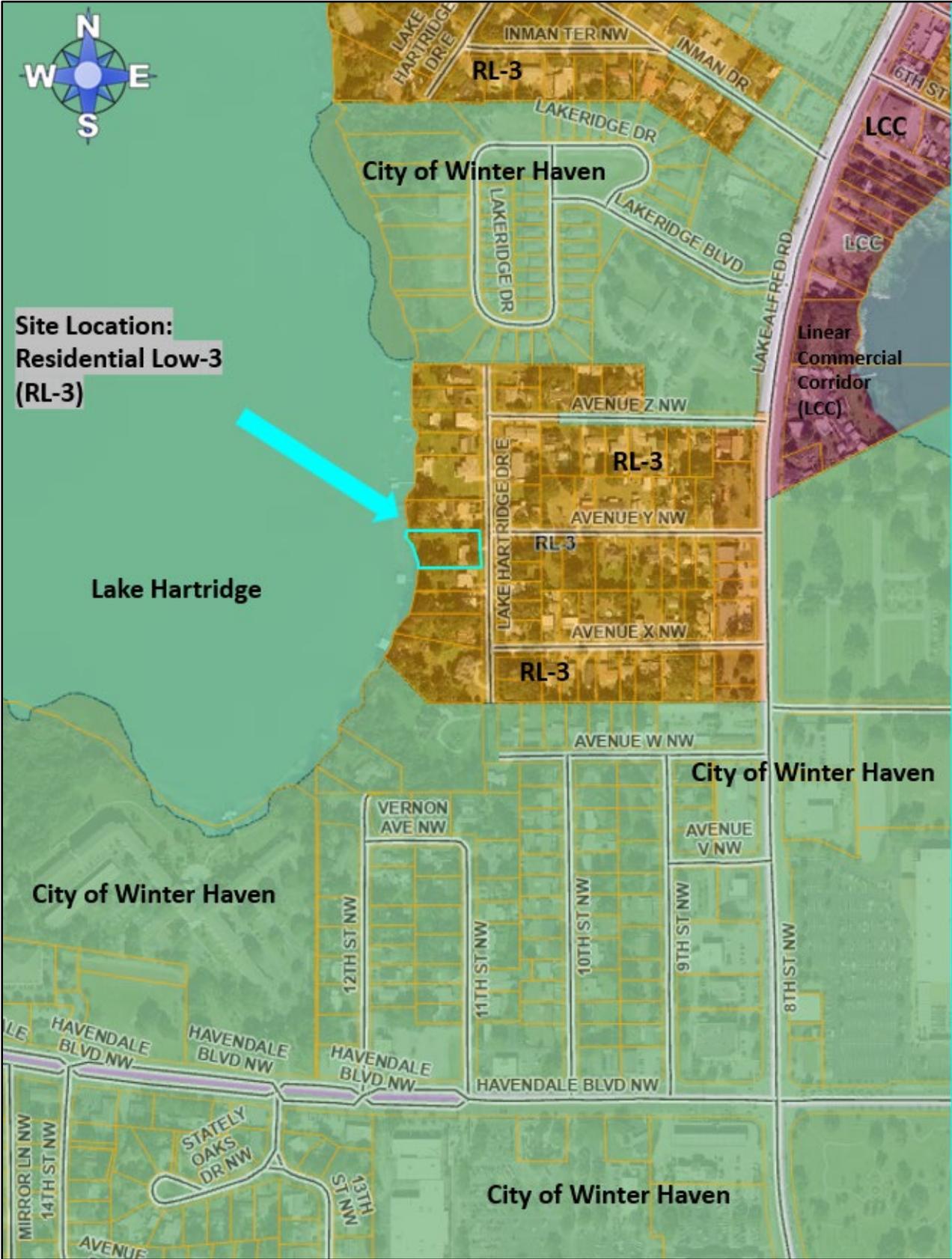
This property is a single-family home on E Lake Hartridge Drive in Winter Haven, Florida. Staff found no prior variances in this area since the mid-90s. Other homes within this street are located at the same distance the applicant is proposing for the addition.

Exhibits:

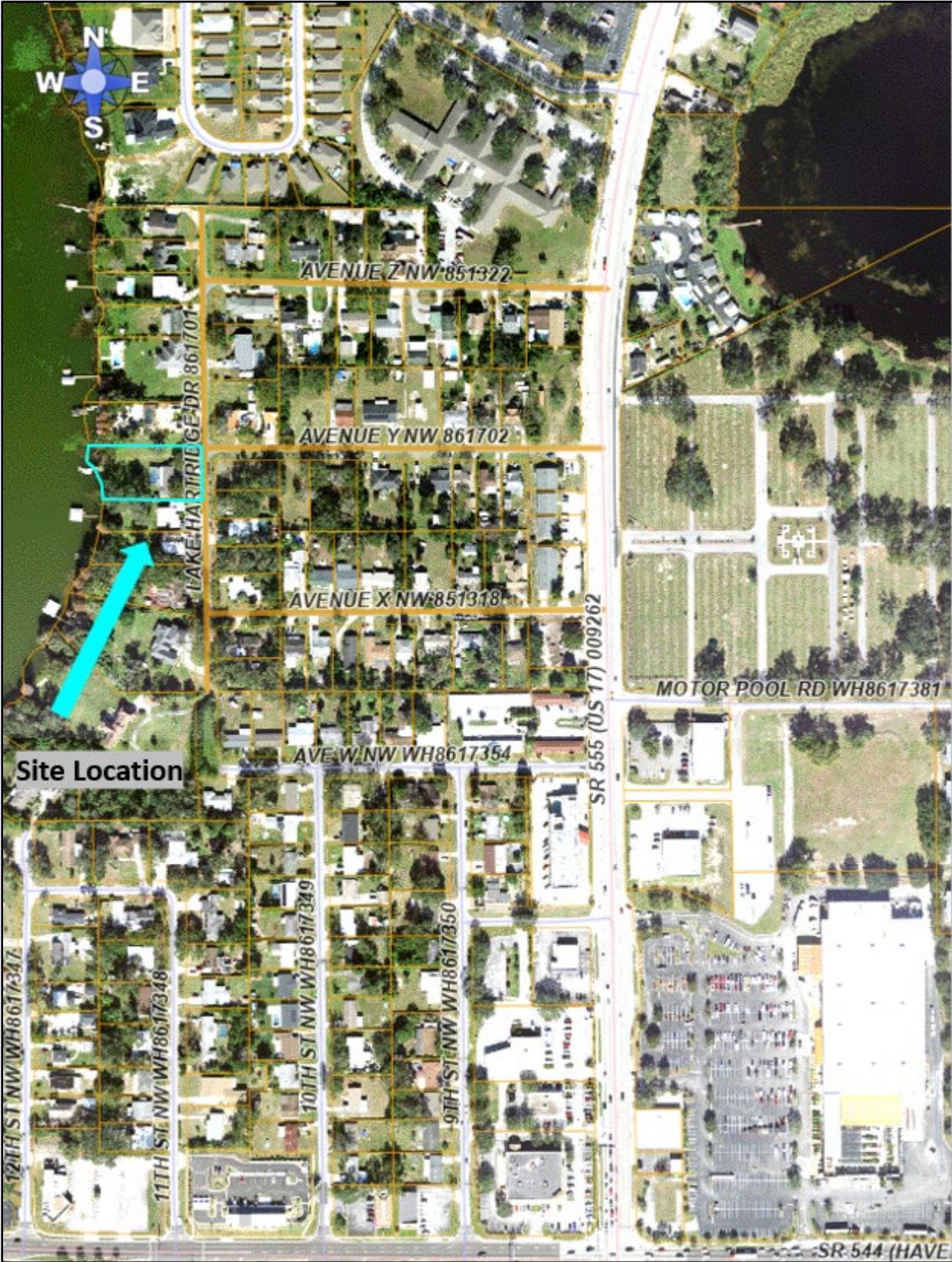
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Imagery (Context)
- Exhibit 4 Aerial Imagery (Close)
- Exhibit 5 Site Plan
- Exhibit 6 Justification



Location Map



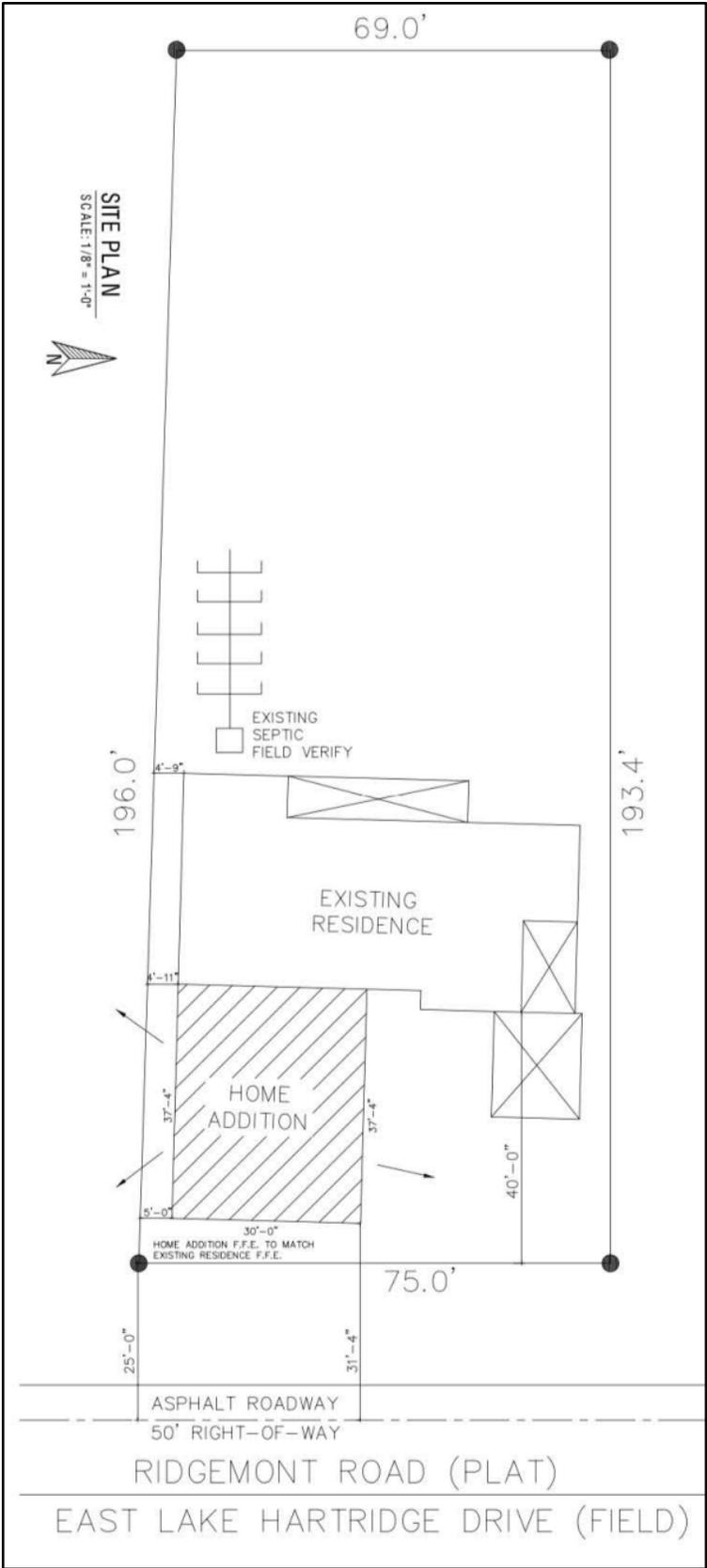
Future Land Use Map



Aerial Imagery (Context)



Aerial Imagery (Close)



Site Plan

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?
 The proposed addition will not alter the character of the neighborhood since both adjacent properties will remain closer to the road than our addition. We will be accommodating our elderly parents to enhance their quality of life and does not pose any threat to public safety or welfare. The design of the mother-in-law addition will be in harmony with the existing structures in the area, ensuring it blends well with the neighborhood aesthetics. The variance will not cause any adverse effects on the surrounding properties, such as obstructing views, light, or air. We have support from neighbors adjacent to our home.

What special conditions exist that are peculiar to the land, structure, or building involved?
 We have no other options to build behind, or beside due to an easement so building toward the road is a necessity to utilize the property affectively.

When did you buy the property and when was the structure built? Permit Number?
 We bought the main structure in 05/19/2021. The main structure was built in 1970

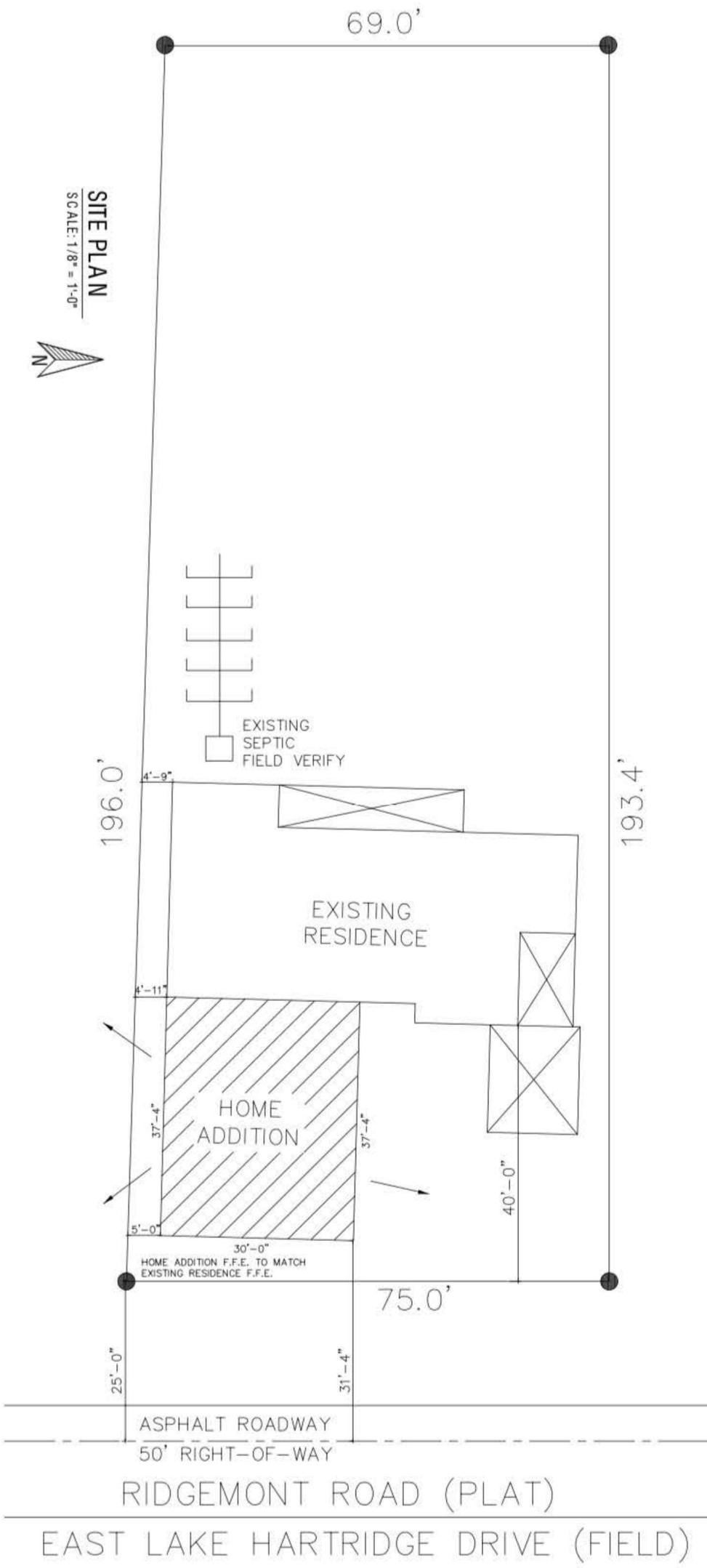
What is the hardship if the variance is not approved?
 Without the variance, we would be unable to construct the mother-in-law addition, which is essential for providing necessary care and support for our elderly parents. This could lead to challenges in ensuring their well-being and safety.

Is this the minimum variance required for the reasonable use of the land?
 Yes

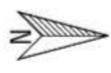
Do you have Homeowners Association approval for this request?
 No, we do not have a homeowner's association

Justification

ADDITION SITE PLAN
Jonathan & Christina Manning
2429 E Lake Hartridge Dr
Winter Haven, FL 33881



SITE PLAN
 SCALE: 1/8" = 1'-0"



CONFORMANCE TO STATE ALL APPLICABLE REGULATIONS AND ORDINANCES BEING ENFORCED.

SHEET 1 OF 1	DRAWING NO. 224331
	DATE: March 2025
	Site Plan



CLIENT	Jonathan & Christina Manning 2429 E Lake Hartridge Dr Winter Haven, FL 33881
	NOTES:

Drafting Design Service, Inc.
 Since 1975
 3035 Cypress Gardens Rd
 Winter Haven, FL 33884
 (863) 324-4657
 Draftingdesignservice.com

NOTE: WHILE EVERY ATTEMPT HAS BEEN MADE IN THE PREPARATION OF THESE PLANS TO AVOID MISTAKE, THE DESIGNER CANNOT GUARANTEE AGAINST SUCH MISTAKE. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE TO VERIFY DIMENSIONS AND OTHER DETAILS ON THE PLAN AND NOTIFY DESIGNER OF ANY DISCREPANCIES OR OMISSIONS BEFORE ANY CONSTRUCTION.

LDLVAR-2025-24 - Jonathan Manning

Menu Reports Help

Application Name: [Jonathan Manning](#)

File Date: [04/08/2025](#)

Application Type: [LUHO - Variance](#)

Application Status: [Approved For Hearing](#)

Application Comments:

View ID	Comment	Date
---------	---------	------

Description of Work: [I am writing to formally request a variance concerning the setbacks for our proposed addition of an 1100 square foot mother-in-law addition. Our intention is to accommodate elderly parents to assist with their day-to-day activities. We are seeking the following adjustments to the existing setback requirements: 1. Adjust the side setback variance to 5 feet, while maintaining our existing footprint. 2. Adjust the front setback variance by allowing an additional 6 feet towards the road. It is important to note that both neighbors will remain closer to the road than our proposed addition, which we believe will preserve the character of the neighborhood and not adversely affect any surrounding properties. We appreciate your consideration of our request and look forward to your guidance on how to proceed. Thank you for your attention to this matter.](#)

Application Detail: [Detail](#)

Address: [2429 E LAKE HARTRIDGE DR, WINTER HAVEN, FL 33881](#)

Parcel No: [26281754250000030](#)

Owner Name: [MANNING JONATHAN E](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	MANNING JONATHAN E	MANNING JONATHAN E	Engineer	Mailing_2429 E LAKE H...	Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$541.00](#)

Total Fee Invoiced: [\\$541.00](#)

Balance: [\\$0.00](#)

Custom Fields: **LD_GEN_BOA**

GENERAL INFORMATION

Expedited Review Number of Lots
-

Will This Project Be Phased Acreage
[0.66](#)

DRC Meeting Time DRC Meeting
- [05/08/2025](#)
Rescheduled DRC Meeting Rescheduled DRC Meeting Time
-

Green Swamp Number of Units
[No](#)

Case File Number Is this Polk County Utilities
-

One Year Extension FS 119 Status
- [Non-Exempt](#)

PUBLIC HEARINGS

Development Type Application Type
[Land Use Hearing](#) [Variance](#)

Officer Brownfields Request
Variance Type [N/A](#)
[Dimensions](#)

[Table](#)
Affordable Housing

ADVERTISING

Advertising Board Legal Advertising Date
[Land Use Hearing](#) -
[Officer](#)

MEETING DATES

LUHO Hearing Date
[06/26/2025](#)

ALCOHOL BEVERAGE DIST REQ

Type of Business Type of License
-

Hours of Operation

-
Give Name & address of any school(s)/Church(s) within 2500 ft to the requesting property boundary

COMMUNICATION TOWER

Are there other sites beyond the one mile radius that are available to accomodate the proposed tower

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?

The proposed addition will not alter the character of the neighborhood since both adjacent properties will remain closer to the road than our addition. We will be accommodating our elderly parents to enhance their quality of life and does not pose any threat to public safety or welfare. The design of the mother-in-law addition will be in harmony with the existing structures in the area ensuring it blends well with the neighborhood aesthetics. The variance will not cause any adverse effects on the surrounding properties, such as obstructing views, light, or air. We have support from neighbors adjacent to our home.

What special conditions exist that are peculiar to the land, structure, or building involved?

We have no other options to build behind, or beside due to an easement so building toward the road is a necessity to utilize the property affectively.

When did you buy the property and when was the structure built? Permit Number?

We bought the main structure in 05/19/2021. The main structure was built in 1970

What is the hardship if the variance is not approved?

Without the variance, we would be unable to construct the mother-in-law addition, which is essential for providing necessary care and support for our elderly parents. This could lead to challenges in ensuring their well-being and safety.

Is this the minimum variance required for the reasonable use of the land?

Yes

Do you have Homeowners Association approval for this request?

No, we do not have a homeowner's association

LD_GEN_BOA_EDL

Opening DigEplan List...

DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-25EST-00000-22297	DIGITAL PROJECTS LD	-
RequiredDocumentTypesComplete	AdditionalDocumentTypes	Activate DPC
No	Applications, AutoCad File Binding, Site Plans (PDs, Yes and CUs), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous, Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter, Survey, Title Opinion	
Activate FSA	DigitalSigCheck	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

[√](#)

LAND USE

Selected Area Plan LU Code

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
LUHO	1	43	05/21/2025	06/06/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lisa Simons-Iri...	Application ...	04/10/2025	Lisa Simons-Iri...
Roads and Drainage Review	Phil Irven	Approve	04/24/2025	Phil Irven

Record Details

Task	Assigned To	Status	Status Date	Action By
Planning Review	Aleya Inqlima	Approve	04/28/2025	Aleya Inqlima
Review Consolidation	Lisa Simons-Iri...	Approved for...	04/29/2025	Lisa Simons-Iri...
Public Notice	Lisa Simons-Iri...			
Hearing Officer				
Final Order				
Archive				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
-------------------	------	----------------	--------	------------	----------	-----------

Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
--------------------------------	-----------------	----------------	-----------	--------	----------

Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
-----------------------	-----------------	-----------------	-----------	--------	----------



Polk County
Polk County Land Use Hearing Officer

Agenda Item 3

6/26/2025

SUBJECT

LDLVAR-2025-25 (Webb Barn Variance)

DESCRIPTION

Request for an accessory structure to be 280 percent larger than the primary structure on approximately ±9.90 acres.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Andrew Grohowski

Land Development Division

(863)-534-6412

andrewgrohowski@polk-county.net

**POLK COUNTY
LAND USE HEARING OFFICER
STAFF REPORT**

DRC Date	April 10, 2025	CASE #:	LDLVAR-2025-25 (Webb Barn Variance)
LUHO Date	June 26, 2025	LDC Section:	Section 209.G

Project Number: LDLVAR-2025-25

Request: Request for an accessory structure to be 280 percent larger than the primary structure on approximately ±9.90 acres.

Applicant: Sarah Case

Property Owner: Stephen Webb
Caitlin Webb

Location: The subject property is located at 3849 Old Dixie Highway, north of US Highway 92, south of Cheri Drive, east of Schalamar Creek Drive, west of Southhampton Boulevard, east of Auburndale in Section 07, Township 28, Range 25.

Parcel ID#: 252807-000000-043060

Size: ±9.90 acres

Land Use Designation: Residential Suburban (RS)

Development Area: Suburban Development Area (SDA)

Case Planner: Andrew Grohowski, Planner II

Summary:

The applicant, on behalf of the property owner, is requesting a variance to Section 209.G of the Land Development Code (LDC) to permit the construction of a 9,180 square foot accessory structure to be larger than the 3,287 square foot existing principal residence on approximately 9.90 acres. The property has a Future Land Use designation of Residential Suburban (RS) and is in the Suburban Development Area (SDA).

The property owner wishes to replace their existing barn located behind their residence that was damaged due to recent storms. According to application, the proposed structure will be constructed in the same general vicinity as the damaged barn once it is demolished. Section 209.G of the LDC allows properties over two (2) acres in the RS land use district to construct accessory structures up to 150% of the size of the primary structure. The adequate size of the property and adherence to setbacks makes this request relatively benign in intensity. Additionally, the owner states that they need a large accessory structure in order to store personal items and cater a large enough space for hockey practice. Since the structure is fully enclosed, potential sound and noise disturbances

should not pose an issue. The structure is sufficiently setback from public right of way view and complies with required accessory structure setbacks.

Staff finds that the request meets the following criteria listed in Section 931:

- The request **will not be injurious to the area involved or otherwise detrimental to the public welfare** because the new structure is replacing a damaged barn that has been in existence for over twenty-five years with the same building footprint. It meets all accessory structure setback requirements in the RS district and is not anticipated to impact the livelihood or safety of the abutting and adjacent property owners.

Development Review Committee

The Development Review Committee, based on the criteria for granting variances, the submitted application, and a recent site visit, finds that the applicant's request as written **IS CONSISTENT** with Section 931 of the Polk County Land Development Code (LDC) and recommends **APPROVAL of LDLVAR-2025-25.**

CONDITIONS OF APPROVAL:

1. This variance approval to Section 209.G of the Land Development Code to allow an accessory barn (9,180 sq. ft.) to be 280% larger than the primary structure (3,287 sq. ft.) as described in the staff report. All further additions or structures placed on the property shall be required to meet the setback requirements of the Land Development Code or re-apply for another variance from the Land Use Hearing Officer.
2. The applicant must apply for all necessary permits within one (1) year of the date for which the Land Use Hearing Officer's Final Order is rendered.
3. The use of the accessory structure approved herein is limited to the private recreation space mentioned in the report and storage of items associated with the residential use of the property. No home-based business or commercial uses shall be permitted to occur within the accessory structure.
4. This variance does not authorize any encroachments into easements and the applicant shall be responsible to make certain there are no encroachments unless approval is granted by the easement holder and/or any applicable permitting agencies. The property owner(s) is also responsible for compliance with any restrictions of record pertaining to lots and/or land and this approval shall not be used to supersede authority over those restrictions.

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 variance shall not constitute a waiver or an additional variance from any applicable development regulation unless specifically noted in the conditions of approval and consistent with LDC.

NOTE: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the variance approval.

NOTE: All written commitments made in the application and subsequent submission 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 commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

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.

DEMONSTRATIONS OF THE CRITERIA FOR GRANTING VARIANCES SUMMARIZED BELOW:

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

Staff finds that this request will not be injurious to the surrounding area or detrimental to the public welfare. The proposed structure is approximately 280% larger than the existing primary structure in size. The property has one 3,287 square-foot single family residence. There is already an existing barn for storage on the property which has become unusable due to storm damage. Once demolished, the proposed structure is intended to replace the old barn and be constructed in approximately the same location. The proposed structure is approximately 9,180 square feet and is 280% the size of the primary residence. It will be fully enclosed to ensure it will not pose any sound or noise disturbances in the general vicinity. The site plan indicates the barn will be about 35 feet from the northern property line, meeting all setbacks prescribed in the RS land use district, according to Table 2.2 of the LDC.

2. *Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district;*

The subject site is located in the Residential Suburban (RS) land use district and is about 9.90 acres, which is larger than the district standard. According to Table 2.2 in the LDC, the RS district requires a minimum lot size of five acres. Prior to the adoption of the Comprehensive Plan and LDC, the property was recorded in December 1976 and zoned in the Residential-3 (R-3) district. At the time, the lot was 2.5 acres and was considered a lot of record. Sometime between 1997 and 2005, the property was combined with adjacent land to the west to create the existing lot size today. With the lot nearly 10 acres in size, accessory structures such as this are negligible in size. The size of the accessory structure is larger than the one it is replacing because the owner needs enough space for hockey practice. While typical rinks are ice and over 190 feet long, the new barn will have a concrete floor and is 124' in length, which is sufficient space for personal use.

3. *Whether provided the special conditions and circumstances present in the request do not result from the actions of the applicant;*

The property was purchased by the applicant in March 2022 with an existing barn in place since the late 1990s. According to the application, recent storms last year damaged the structure which now prohibits the functional use of the space for storage and activities. The property owner would like to continue storing personal items as well as have additional room to practice hockey. The accessory structure proposed is about 9,180 square feet which is 280% larger than the principal structure (3,287 sq. ft.) and will stand 23' at its highest point. The old barn is approximately 1,404 square feet and 20' in height. The size of the structure is through the direct action of the applicant on behalf of the property owner and indicates this size best meets their needs for storage.

4. *Whether granting the requested variance will not confer on the applicant any special privilege that is denied by the provisions of this Code and will constitute unnecessary and undue hardship on the applicant;*

The proposed request is not anticipated to confer on the applicant any special privilege that is denied by the provisions of the Code. Section 209.G.2 allows an accessory structure larger than the primary with approval from the Land Use Hearing Officer pursuant to Sections 930 and 931. By right accessory structures are permitted in this land use district, and structures such as this - as long as it has a permanent foundation, a rigid roof, and meets setbacks. The accessory side setback requirements in the RS district are ten feet. This structure exceeds this distance without requiring a variance.

5. *Whether the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;*

The requested variance is believed to be the minimal variance necessary to optimize the use of the owner's land. Approval of this variance is necessary for the owner to replace their damaged barn in order to store their personal items and to conduct indoor sports activities. While the new barn will be 280% larger than the primary residence, based on conservations, the structure will serve as a hockey practice space for personal use only. The height does not exceed the maximum height of 50 feet for the RS land use district. The owners can no longer use the older barn due to safety and weather concerns. The proposed structure will address these problems and will be fully enclosed so the owners can utilize the building for hockey, regardless of weather conditions, as well as prevent any possible noise from disturbing nearby neighbors. Nonetheless, the proposed building is on a relatively large lot and the adjacent neighbor directly to the north is in support of this request (*Exhibit 7*).

6. *Whether that in no case shall a variance be granted which will result in a change of land use that would not be permitted in the applicable land use designation;*

Granting this variance will not result in a change of land use.

7. *Whether that in no case shall a variance be granted which would result in creation of any residual lot or parcel which does not meet the requirements of this Code; and*

Granting this request will not result in the creation of a lot or parcel that does not meet the requirements of the Code. The variance request will not change the size, shape or use of the property.

8. *Whether that the granting of the variance does not circumvent a condition, or the intent of a condition placed on a development by the Planning Commission or the BoCC.*

Granting this request will not circumvent a condition or the intent of a condition placed on the development by the Planning Commission or the BoCC.

Surrounding Future Land Use Designations and Existing Land Use Activity:

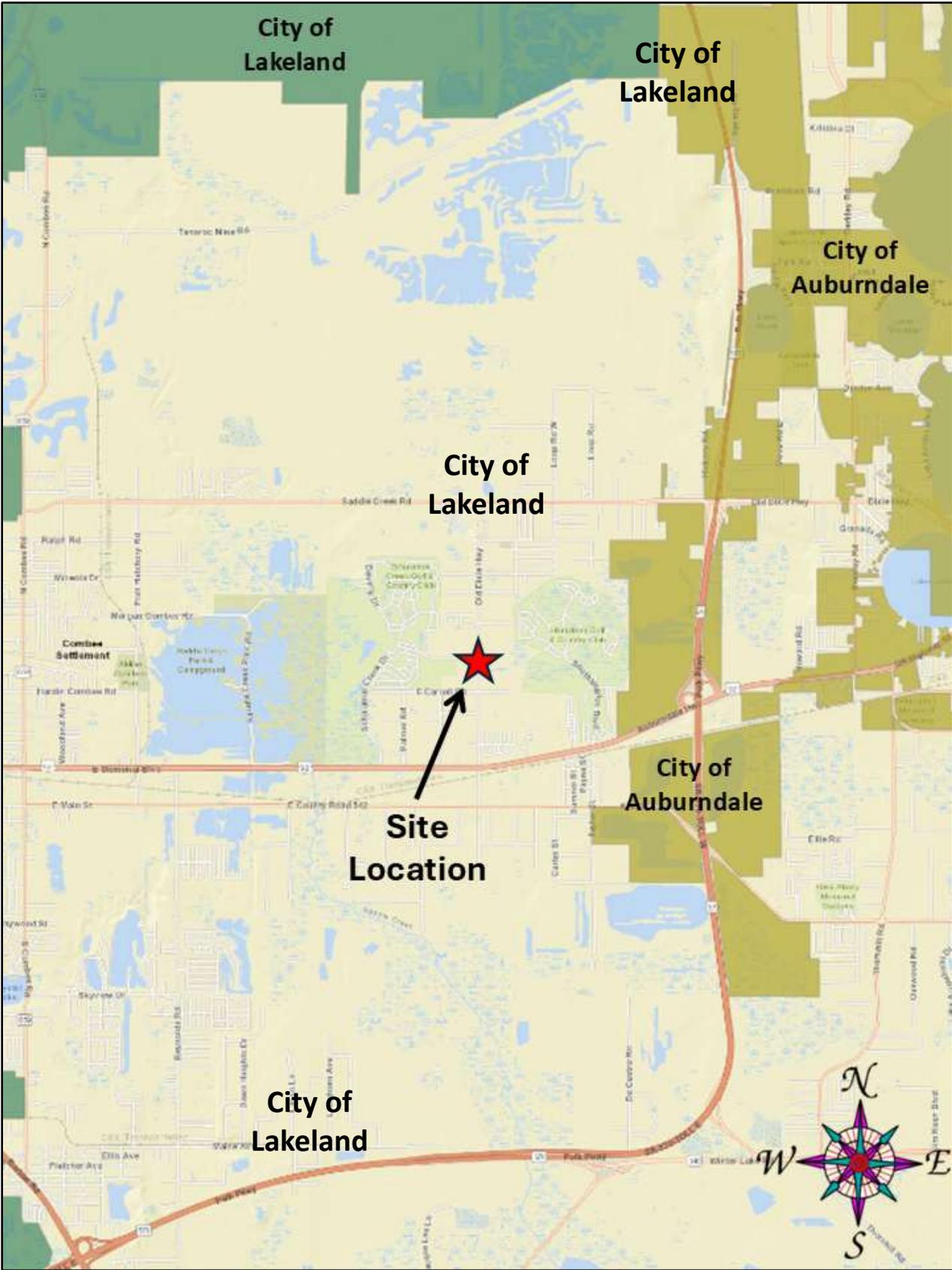
<p>Northwest: RS 3,280 sq. ft. single-family home ±1.00 acre</p>	<p>North: RS 2,346 sq. ft. single-family home ± 4.95 acres</p>	<p>Northeast: RS The Hamptons Mobile Home Park (PUD # 89-01) ± 320.36 acres</p>
<p>West: RS 2,390 sq. ft. single-family home ±4.62 acres</p>	<p>Subject Property: RS 3,287 sq. ft. single-family home ±9.90 acres</p>	<p>East: RS The Hamptons Mobile Home Park (PUD # 89-01) ± 320.36 acres</p>
<p>Southwest: RS Vacant land ±26.22 acres</p>	<p>South: RS Open Space - The Hamptons Mobile Home Park (PUD # 89-01) ± 320.36 acres</p>	<p>Southeast: RS Open Space - The Hamptons Mobile Home Park (PUD # 89-01) ± 320.36 acres</p>

The subject site has frontage on Old Dixie Highway with the property surrounding vicinity designated as Residential Suburban (RS). Multiple properties, and subdivisions branch off of Old Dixie Highway, an Urban Collector Roadway to the north and south. The RS district promotes the proper transition of land from rural to urban uses and permits single-family, dwelling units and community facilities as a few use examples. To the west and south, the subject site backs up to wetlands and dedicated open space owned by the Hamptons Golf and Country Club (PUD # 89-01), an 829-unit adult mobile home park with a golf course. Nearby to the north lies Tenorac High School about 0.75 miles with access off the same collector road. The current owners purchased the property through a warranty deed recorded in March 2022 according to the Property Appraiser’s website. No similar variance cases were found in the request’s section, township and range. The proposed structure is consistent with the architectural theme of the principal dwelling and provides a rural aesthetic image.

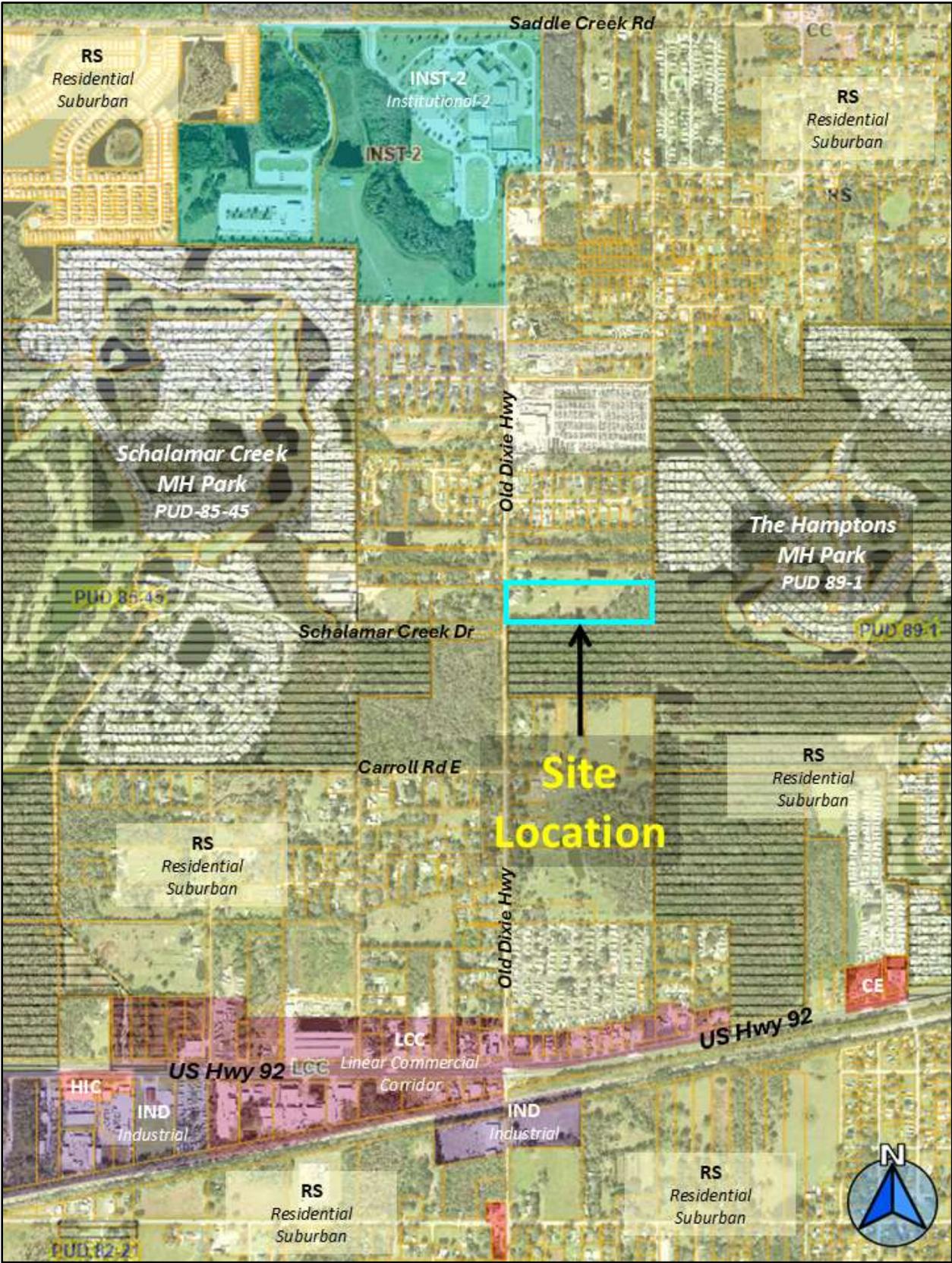
Comments from other Governmental Agencies: None

Exhibits:

- Exhibit 1 – Location Map
- Exhibit 2 – Future Land Use Map
- Exhibit 3 – 2023 Satellite Image (Context)
- Exhibit 4 – 2023 Aerial Photo with Site Plan (Close-Up)
- Exhibit 5 – Site Plan
- Exhibit 6 – Justification
- Exhibit 7 – Letter in Support (Neighbor)



Location Map



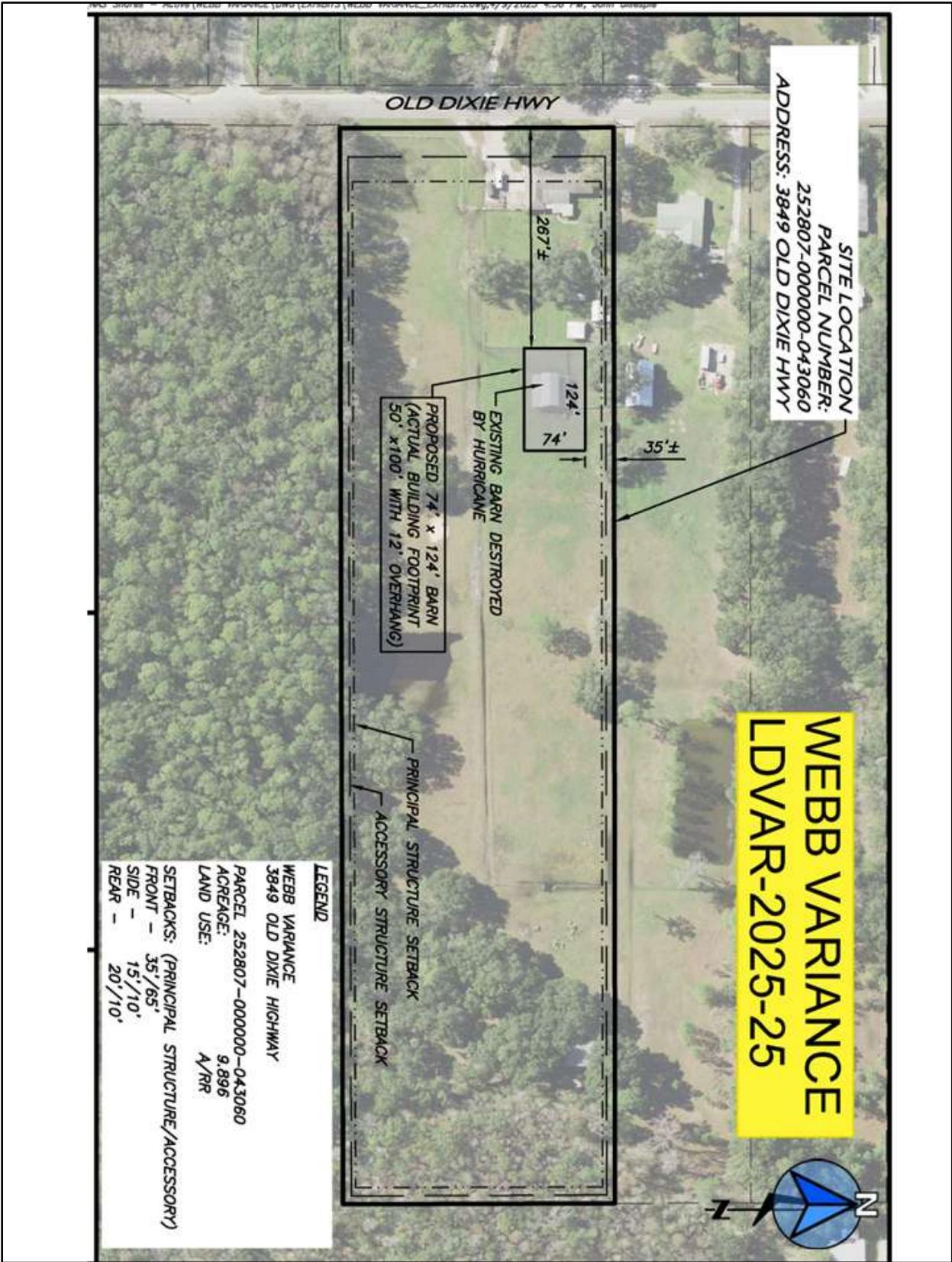
Future Land Use Map



2022 Satellite Image (Context)



2023 Aerial Photo with Site Plan (Close-Up)



Site Plan

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?

No; the request is to allow a barn (categorized as Accessory Structure) larger than 150% of the principal structure.

What special conditions exist that are peculiar to the land, structure, or building involved?

Property had an existing barn that was destroyed in the 2024 Hurricane Season. Owner wishes to rebuild a larger barn.

When did you buy the property and when was the structure built? Permit Number?

Owner purchased in March 2022. The old barn was built in 1999 (according to public records.)

What is the hardship if the variance is not approved?

It would be a lost opportunity to rebuild the barn at a size that meets the family's extracurricular activity needs.

Is this the minimum variance required for the reasonable use of the land?

This is the minimum variance required.

Do you have Homeowners Association approval for this request?

No HOA; Subject property is 10 acres in size within RS Land Use.

Justification

Polk County Board of County Commissioners 330 W
Church Street
Bartow, FL 33830

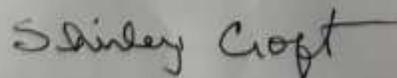
RE: LAND USE HEARING OFFICER (LUHO)
CASE#LDLVAR-2025-25 - Webb Barn Variance

Dear LUHO:

I am writing in support of the above-referenced case. I am the neighbor, residing to the North of the subject property. I have spoken with the landowner, Mr. (Stephen) Ryan Webb, regarding the proposed barn, and I have no objections.

Sincerely,

Shirley Croft
3843 Old Dixie Highway Auburndale, FL 33823



Letter in Support (Neighbor)

WEBB VARIANCE LDVAR-2025-25

SITE LOCATION
PARCEL NUMBER:
252807-000000-043060
ADDRESS: 3849 OLD DIXIE HWY



OLD DIXIE HWY



LEGEND

WEBB VARIANCE
3849 OLD DIXIE HIGHWAY

PARCEL 252807-000000-043060
ACREAGE: 9.896
LAND USE: A/RR

SETBACKS: (PRINCIPAL STRUCTURE/ACCESSORY)
FRONT - 35'/65'
SIDE - 15'/10'
REAR - 20'/10'

PROPOSED BARN LOCATION

WEBB VARIANCE POLK COUNTY, FL.



LDLVAR-2025-25 - Webb Variance (Barn)

Menu Reports Help

Application Name: [Webb Variance \(Barn\)](#)

File Date: [04/10/2025](#)

Application Type: [LUHO - Variance](#)

Application Status: [In Review](#)

Application Comments: View ID Comment Date

Description of Work: [Applicant requests a Variance to rebuild a barn \(removed due to hurricane damage\) in excess of 150% of the Principal Structure \(LDC 930 209 G.\)](#)

Application Detail: [Detail](#)

Address: [3859 OLD DIXIE HWY, AUBURNDALE, FL 33823](#)

Parcel No: [25280700000043060](#)

Owner Name: [WEBB STEPHEN](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	Sarah Case	Next Level Plan...	Engineer	Mailing_3825 S. Flori...	Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$541.00](#)

Total Fee Invoiced: [\\$541.00](#)

Balance: [\\$0.00](#)

Custom Fields: LD_GEN_BOA

GENERAL INFORMATION

Expedited Review

Number of Lots

-

Will This Project Be Phased

Acreage

[9.90](#)

DRC Meeting Time

DRC Meeting

[05/08/2025](#)

Rescheduled DRC Meeting

Rescheduled DRC Meeting Time

-

Green Swamp

Number of Units

[No](#)

-

Case File Number

Is this Polk County Utilities

-

One Year Extension

FS 119 Status

[Non-Exempt](#)

-

PUBLIC HEARINGS

Development Type

Application Type

[Land Use Hearing](#)

[Variance](#)

[Officer](#)

Variance Type

Brownfields Request

[Accessory](#)

-

[Larger than](#)

[Principle](#)

Affordable Housing

ADVERTISING

Advertising Board

Legal Advertising Date

[Land Use Hearing](#)

-

[Officer](#)

MEETING DATES

LUHO Hearing Date

[06/26/2025](#)

ALCOHOL BEVERAGE DIST REQ

COMMUNICATION TOWER

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?

[No; the request is to allow a barn \(categorized as Accessory Structure\) larger than 150% of the principal structure.](#)

What special conditions exist that are peculiar to the land, structure, or building involved?

[Property had an existing barn that was destroyed in the 2024 Hurricane Season. Owner wishes to rebuild a larger barn.](#)

When did you buy the property and when was the structure built? Permit Number?

[Owner purchased in March 2022. The old barn was built in 1999 \(according to public records.\)](#)

What is the hardship if the variance is not approved?

[It would be a lost opportunity to rebuild the barn at a size that meets the family's extracurricular activity needs.](#)

Is this the minimum variance required for the reasonable use of the land?

[This is the minimum variance required.](#)

Do you have Homeowners Association approval for this request?

[No HOA; Subject property is 10 acres in size within RS Land Use.](#)

LD_GEN_BOA_EDL

[Opening DigEplan List...](#)

DigEplan Document List

-

PLAN REVIEW FIELDS

TMPRecordID

[POLKCO-25EST-00000-23200](#)

RequiredDocumentTypesComplete

[Yes](#)

DocumentGroupforDPC

[DIGITAL PROJECTS LD](#)

AdditionalDocumentTypes

[Applications, AutoCad File, Binding Site Plans \(PDs and CUs\), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter Survey, Title Opinion](#)

RequiredDocumentTypes

-
Activate DPC

Activate FSA

[Yes](#)

DigitalSigCheck

[Yes](#)

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

[√](#)

LAND USE

Selected Area Plan LU Code

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board Number of Boards (Number) Number of Mailers (Number) Date Mailed Date Posted NOR

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	Application Submittal	Lisa Simons-Iri...	Application ...	04/11/2025	Lisa Simons-Iri...
	Roads and Drainage Review	Phil Irven	Approve	04/14/2025	Phil Irven
	Planning Review	Andrew Grohowski			
	Review Consolidation				
	Public Notice				
	Hearing Officer				
	Final Order				
	Archive				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments	
Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments	

CRITERIA FOR GRANTING VARIANCE

Will the variance be injurious to the area involved or detrimental to the public welfare?

No; the request is to allow a barn (categorized as Accessory Structure) larger than 150% of the principal structure.

What special conditions exist that are peculiar to the land, structure, or building involved?

Property had an existing barn that was destroyed in the 2024 Hurricane Season. Owner wishes to rebuild a larger barn.

When did you buy the property and when was the structure built? Permit Number?

Owner purchased in March 2022. The old barn was built in 1999 (according to public records.)

What is the hardship if the variance is not approved?

It would be a lost opportunity to rebuild the barn at a size that meets the family's extracurricular activity needs.

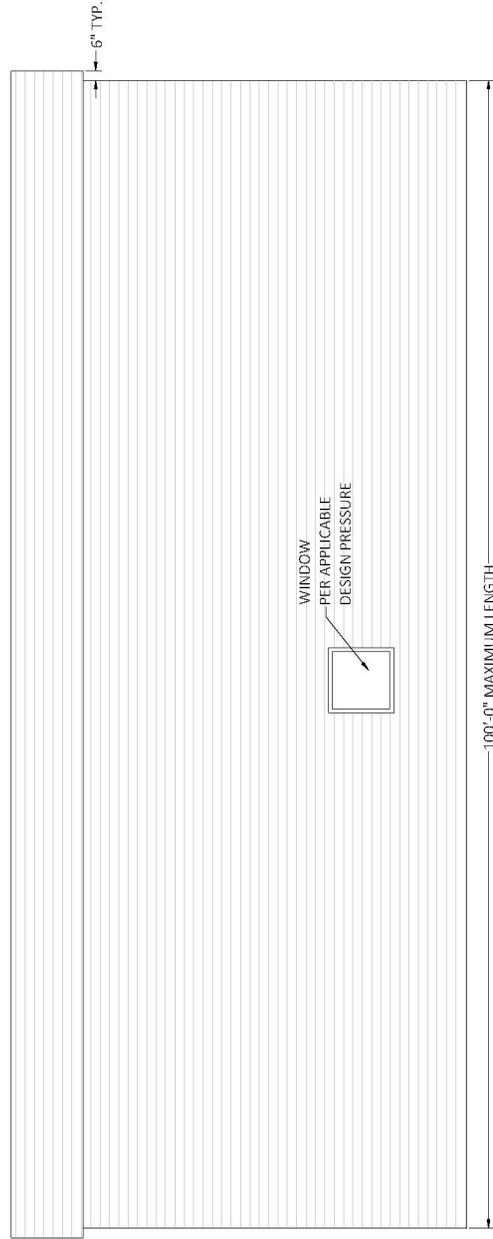
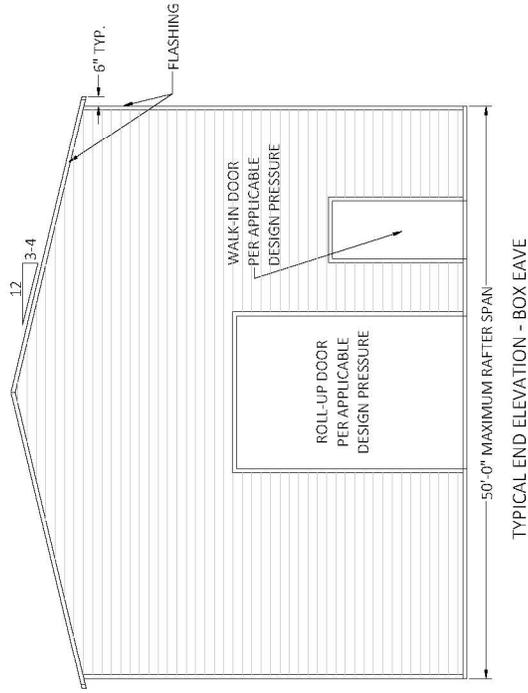
Is this the minimum variance required for the reasonable use of the land?

This is the minimum variance required.

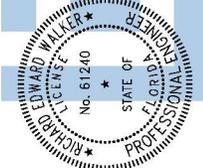
Do you have Homeowners Association approval for this request?

No HOA; Subject property is 10 acres in size within RS Land Use.

ENCLOSED METAL BUILDING DESIGN
 MAXIMUM 50'-0" WIDE X 100'-0" LONG X 20'-0" HIGH (EAVE)
 BOX EAVE FRAME



This item has been digitally signed and sealed by Richard E. Walker, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed on any electronic copies.



Digitally signed by
 Richard E Walker
 Date: 2025.04.04
 11:23:54-04'00'

FLORIDA ENGINEERING LLC
 4161 TAMAMI TRAIL, UNIT 101
 FORT CHARLOTTE, FLORIDA 33952
 (941) 391-5980
 FLeng.com
 Orders@FLeng.com
 PROJECT NO. 2509138
 CA CERT. #30782

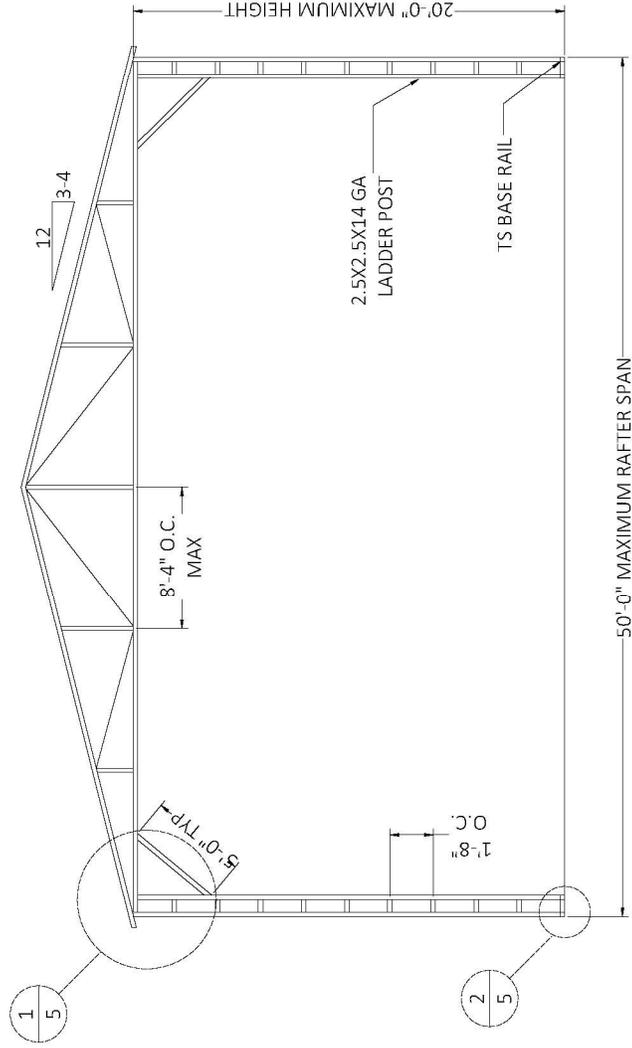


CONTRACTOR:
 GA SOUTHERN STEEL BUILDINGS
 1086 GENE MCQUEEN RD
 MOUTRIE GA 31788
 PROJECT ADDRESS:
 WEBB
 3849 OLD DIXIE HWY
 AUBURNDALE, FLORIDA, 33823

DESIGN DATE:	04/02/2025
REVISION 1:	DATE
REVISION 2:	DATE
DRAWN BY:	JS
SCALE:	NTS
SHEET: 2 OF 12	

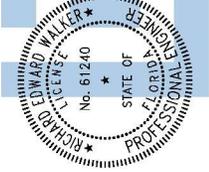
MEMBER LEGEND/NOTE:

1. TS COLUMN = 2.5X2.5X14 GA U.N.O.
2. TRUSS MEMBERS = 2.5X2.5X14 GA U.N.O.
3. PURLIN = PER PAGE-4
4. TS BRACE = 2.5"X2.5"X14GA TUBE
5. END WALL COLUMN = 2.5X2.5X14GA LADDER
6. MAX. RAFTER SPACING = 4'-0"



TRUSS LAYOUT- BOX EAVE

This item has been digitally signed and sealed by Richard E. Walker, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed on any electronic copies.



Digitally signed by Richard E Walker
Date: 2025.04.04 11:23:54-04'00'

FLORIDA ENGINEERING LLC
4161 TAMAMI TRAIL, UNIT 101
FORT CHARLOTTE, FLORIDA 33952
(941) 391-5980
FLEng.com
Orders@FLEng.com
PROJECT NO. 2509138



CA CERT. #30782

CONTRACTOR:
GA SOUTHERN STEEL BUILDINGS
1086 GENE MCGUEN RD
MOLTRIE GA 31788
PROJECT ADDRESS:
WEBB
3849 OLD DIXIE HWY
AUBURNDALE, FLORIDA, 33823

DESIGN DATE:	04/02/2025
REVISION 1:	DATE
REVISION 2:	DATE
DRAWN BY:	JS
SCALE:	NTS
SHEET: 3 OF 12	

Polk County Board of County Commissioners 330 W
Church Street
Bartow, FL 33830

RE: LAND USE HEARING OFFICER (LUHO)
CASE#LDLVAR-2025-25 - Webb Barn Variance

Dear LUHO:

I am writing in support of the above-referenced case. I am the neighbor, residing to the North of the subject property. I have spoken with the landowner, Mr. (Stephen) Ryan Webb, regarding the proposed barn, and I have no objections.

Sincerely,

Shirley Croft
3843 Old Dixie Highway Auburndale, FL 33823

Shirley Croft

Christopher & Jennifer Gregory

4221 Cheri Drive

Auburndale, FL 33823

June 11, 2025

Land Development Division

Drawer GM03 P.O.Box 9005

Bartow,FL.33831

Case # LDLVAR-2025-25

Dear Sir or Madam,

Hello our names are Christopher and Jennifer Gregory and we have several specific concerns regarding the proposed conversion of a residential property into a business site for Webb's Towing:

1. **Noise:** They are worried about the increased noise levels, particularly from trucks, which could occur at all hours of the night.
2. **Traffic:** They are concerned about the additional traffic that the business would generate, both during the day and night. They mention that the area around Old Dixie Highway has narrow lanes, which are not suitable for large semi tow trucks.
3. **Property Values:** They believe that the presence of a towing business would negatively impact the value of their home and other properties in the neighborhood
4. **Safety:** They express concerns about the safety of children, including their grandchildren, who play in the area. Increased traffic could pose a danger to these children.
5. **Residential Character:** They emphasize that the area is designated as residential and should remain so. They have lived in the neighborhood for 42 years and wish to preserve its residential character

We want to keep our area to residential; we have a lot of children that play in the neighborhood. Please take our concerns into consideration.

Best Regards,

Christopher and Jennifer Gregory