

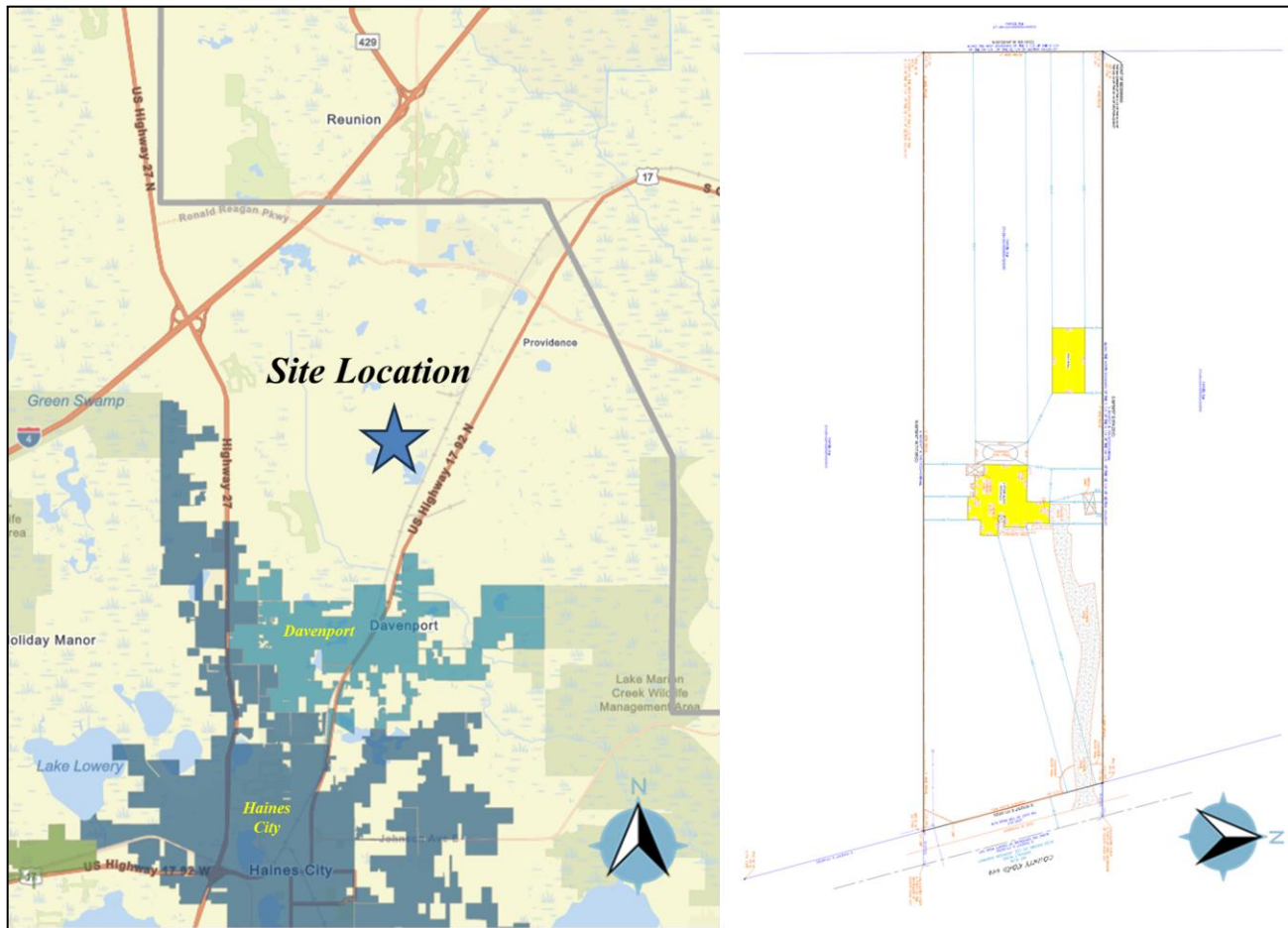
**POLK COUNTY  
DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT**

<b>DRC Date:</b> March 26, 2026	<b>Level of Review:</b> Level 3 Review
<b>PC Date:</b> June 3, 2026	<b>Type:</b> Conditional Use
<b>BoCC Date:</b> N/A	<b>Case Numbers:</b> LDCU-2026-5
<b>Applicant:</b> Laura Pizarro	<b>Case Name:</b> CR 547 Short-Term Rental
	<b>Case Planner:</b> Ian Nance

<b>Request:</b>	Conditional Use approval for short-term rental on an un-platted residential lot.
<b>Location:</b>	3119 North Highway 547, south of Ernie Caldwell Boulevard, west of US 17/92, north of Crescent Valley Ranch Road, in Section 22, Township 26, Range 27.
<b>Property Owners</b>	Pizarro Real Estate Services, LLC
<b>Parcel Number (Size):</b>	272622-000000-024040 (+/- 2.63 Acres)
<b>Future Land Use:</b>	Residential Medium-X (RMX) North Ridge Selected Area Plan (SAP)
<b>Development Area:</b>	Transit Supportive Development Area (TSDA)
<b>Nearest Municipality:</b>	Davenport
<b>DRC Recommendation:</b>	Conditional Approval
<b>Planning Commission Vote:</b>	Pending Hearing

**Site Location**

**Site Plan**



## Summary of Analysis:

The applicant is requesting Conditional Use (CU) approval to allow short-term rental on an individual, un-platted lot near Davenport. The subject property is in a Residential Medium (RMX) land use district in the North Ridge Selected Area Plan (SAP). According to LDC Table 4.16, "Short-Term Rental Unit" is a "C3" conditional use requiring a Level 3 Review and public hearing before the Planning Commission. LDC Section 303 outlines criteria that must be met by the applicant in order to gain approval of this use. These are listed in the following Findings of Fact.

Short-term rentals, also recognized by the State of Florida as "Vacation Rentals," are commonplace in the northeastern corner of the Polk County closer to the Disney attractions. Polk County is unique in that most municipalities are preempted by State law in allowing short-term rentals. Florida Statutes 509.032 states, "A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011." LDC Section 303, as it pertains to short-term rentals, was last revised on May 20, 2009 through Ordinance 09-023, thus predating the aforementioned clause referenced in FS 509.032. Its original adoption was in 1997.

According to the Property Appraiser, one single-family structure is listed onsite, a 3,617 sq. ft. single-family home built in 1993. A 2,400 sq. ft. accessory pole shed is also listed. Most short-term rental requests processed by Land Development are for an approval of an entire subdivision rather than an individual parcel. For an assessment of the compatibility of this location for a short-term rental unit, Staff reviewed nearby uses; the size of the subject parcel and its ability to handle demand for its use; and proximity to other residences.

For this request, no additional construction is being proposed. The short-term rental will utilize the existing home. According to the applicant, the property is intended to operate full-time as a short-term rental, with the main house being the only unit offered. No accessory structures are planned for rental use. During rental periods, guests will not receive meals or additional services. The location is approximately 30 minutes from Disney, one of the region's primary tourism destinations. As a result, the property serves visitors seeking temporary accommodation in proximity to the area's attractions. The typical duration of stays ranges from 3 to 7 nights. Most bookings are vacation-oriented and do not exceed 14 days.

This property (+/- 2.63 acres) has ample room for parking, with the home set back approximately 250 from the CR 547 right-of-way. Direct access is from CR 547, and the property includes its own private gated entrance, which enhances privacy, security, and controlled access for guests. The home is approximately 60 feet from the home to the north. LDC Section 303 requires a Type "B" landscaping buffer along the northern and southern property lines. Existing trees and vegetation can be used to meet this requirement. This request will not create additional demands upon infrastructure, as an existing private septic and potable water well will be used. Finally, short-term rental was approved for LDPD-2025-2 to the west of the site. Staff finds the request compatible with surrounding uses and consistent with the LDC and Comprehensive Plan.

## Findings of Fact

- *LDCU-2026-5 is a Conditional Use request to allow short-term rental on an individual, un-platted lot within a Residential Medium (RMX) land use district in the North Ridge Selected Area Plan. The subject parcel is #272622-000000-024040 (+/- 2.63 Acres) with an address of 3119 County Road 547, Davenport 33837.*
- *According to the Property Appraiser, one single-family structure is listed onsite, a 3,617 sq. ft. site-built home constructed in 1993. A 2,400 sq. ft. accessory pole shed is also listed.*
- *According to Land Development Code (LDC) Chapter 10, a Short-Term Rental Units is defined as, "A dwelling unit which is made available more than three times a year for periods of fewer than 30 days or one calendar month at a time, whichever is less, for use, occupancy or possession by the public, regardless of the form of ownership of the unit."*
- *According to LDC Table 4.16, Short-Term Rental Units are "C3" conditional uses requiring Planning Commission approval pursuant to Section 906 and the standards in Section 303.*
- *According to LDC Section 303, "For dwelling units located outside of subdivisions and Planned Developments, application for short-term rental authorization shall be made through a Level 3 Review on a dwelling-by-dwelling basis."*
- *According to LDC Section 303, "A Polk County occupational tax receipt shall be obtained annually by each management company involved in managing one or more short-term rentals. Only one receipt need be obtained for each management company, regardless of the number of properties managed under said receipt. In addition, each short-term rental shall be registered on an annual basis with the Polk County Land Development Division or its successor in function. To qualify for registration, the owner of a short-term rental or the owner's agent shall submit a registration fee, to be established by resolution of the Board of County Commissioners, and the following information:*
  - i. The name, telephone number and mailing address of the owner of the unit;*
  - ii. The street address of the unit;*
  - iii. The name, telephone number and mailing address of the management company managing the unit;*
  - iv. A telephone number, pager number or any combination thereof at which a representative of the management company can be reached 24 hours a day (the number submitted shall be either a published local number or a toll free number); and*
  - v. A copy of the license required under Chapter 509, Florida Statutes, for the management company managing the unit.*

*..."*
- *According to LDC Section 303, "In addition to any other requirements contained herein, all short-term rentals, including those entitled to non-conforming status under Subsection 5, shall be operated in compliance with the following requirements:*
  - i. Short-term rentals shall be operated in compliance with all applicable requirements for public lodging establishments under Chapter 509, Florida Statutes, and all other applicable local, state, and federal regulations. Short-term rentals shall be licensed under Chapter 509, Florida Statutes, and a copy of said license shall be displayed on the back of the main entrance/exit door to the unit.*

ii. A copy of the County occupational tax receipt for the management company managing the unit shall be displayed on the back of the main entrance/exit door to the unit.

iii. Each management company operating within a subdivision shall post its 24-hour phone number on file with the Land Development Division in the clubhouse or another common building for the subdivision if space is made available in such building for posting notices or other public information.

iv. Each short-term rental shall be provided with at least two covered, watertight trash containers. Trash from a unit may not be stored in such a manner that it becomes deposited on public property, the property of another or in such a manner that it otherwise becomes a nuisance.

v. Loading and unloading of tour/charter buses, as well as the parking of tour/charter buses, shall not be allowed in the residential areas of a subdivision. For the purposes of this provision, any vehicle seating more than 15 adults shall be considered a bus. School buses and public buses are exempt from the provisions of this Section.

vi. The intent for the availability of short-term rentals shall be noted on the plat and on any documents relating to any homeowners association in compliance with this Section.

vii. Short-term rental units shall be responsible for all required hotel/motel taxes and fees.

viii. Short-term rental status shall apply to the entire subdivision. A note shall be placed on the construction plans, plat and all sales documents indicating the proposed subdivision to be utilized as short-term rentals.

ix. The applicant shall provide a vegetative buffer along all boundaries of the proposed project to separate the short-term rental units from single-family residential units not approved for short-term use. Short-term rental use shall be defined as a Class 3 use as outlined in Section 720 and shall conform with all buffer requirements of Section 720.

x. A notice in substantial conformance with the following shall be given to each group which will be occupying a short-term rental at the time of execution of the rental contract for the unit. A representative of the group shall sign and date a statement on the notice indicating that he or she has read and understands the regulations set forth on the notice. The notice provided shall be in the language of the representative to sign the notice. The notice shall also be posted on the back of the main entrance/exit door to each unit. The notice shall be in bold print, in no less than 12-point font and contain substantially the following language:”

- *The subject property is located within PCU/s Northeast Regional Utility Service Area for potable water and wastewater. The short-term rental unit utilizes a private water well and septic system.*
- *The subject property is not located within an Airport Impact Zone.*
- *The entirety of the property is composed of Tavares Fine Sand; Smyrna & Myakka Fine Sands; and Basinger Mucky Fine Sand, according to the United States Department of Agriculture Natural Resources Conservation Service.*
- *Ingress/egress to the existing home is from County Road 547, an Urban Collector roadway.*
- *Fire and EMS responses are from Polk County Fire Rescue Station 20, 4611 U.S. Hwy 17-92 North, Davenport.*

- *Sheriff's response to the site is served by the Northeast District, located at 1100 Dunson Road, Davenport.*
- *The zoned schools for the site are Loughman Oaks Elementary, Shelly S. Boone Middle, and Ridge Community Senior.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*
- *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*
- *The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."*
- *This request has been reviewed for consistency with Table 4.16 and Section 303 of the LDC.*

**Development Review Committee Recommendation:** Based on the information provided by the applicant, the findings of fact, a recent site visit, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCU-2026-5**.

*On June 3, 2026, the Planning Commission will vote on this application.*

### **CONDITIONS OF APPROVAL**

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDCU-2026-5 with the following Conditions:

1. LDCU-2026-5 is approved for short-term rental on the property as described under Parcel #272622-000000-024040. [PLG]
2. This approval shall run in perpetuity with the land. [PLG]

### **GENERAL NOTES**

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

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

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

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

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

## Surrounding Land Use Designations and Current Land Use Activity

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

**Table 1**

<p><b>Northwest:</b> RL-4X Vacant LDPD-2025-2 (STR Approved)</p>	<p><b>North:</b> RMX Single-Family Home +/-2.47 Acres</p>	<p><b>Northeast:</b> Davenport CR 547 Pasture</p>
<p><b>West:</b> RL-4X Vacant LDPD-2025-2 (STR Approved)</p>	<p><b>Subject Property:</b> RMX Single-Family Home +/- 2.63 Acres</p>	<p><b>East:</b> Davenport CR 547 Pasture</p>
<p><b>Southwest:</b> RL-4X Vacant LDPD-2025-2 (STR Approved)</p>	<p><b>South:</b> RMX Single-Family Home +/- 2.80</p>	<p><b>Southeast:</b> BPC-2X CR 547 Single-Family Homes</p>

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

The subject site is un-platted individual property within the Residential Medium-X (RMX) land use district in the North Ridge Selected Area Plan. Minimum lot sizes in RMX are typically 4,000 sq. ft. According to the Property Appraiser, one single-family structure is listed onsite, a 3,617 sq. ft. single-family home built in 1993. A 2,400 sq. ft. accessory pole shed is also listed.

Surrounding uses to the north and south are single-family homes. To the west is a vacant property associated with the Ridgewood Lakes DRI. A Planned Development (LDPD-2025-2) was approved on August 6, 2025, for a combined 1,599 single-family and multi-family units. It also allowed 40-foot-wide single-family detached lots, reduced lots sizes, and short-term rental.

The property is located near major roadways including U.S. Route 27, Interstate 4, and Ernie Caldwell Boulevard, which provide direct access to Central Florida’s primary tourism and employment centers. This accessibility allows visitors to reach the property without creating congestion in local residential streets. In addition, the property is located within a short distance of established commercial services including shopping centers, restaurants, gas stations, and major healthcare facilities. This commercial infrastructure supports visitor needs and reduces pressure on purely residential areas.

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

The Comprehensive Plan defines Compatibility in Section 4.400 as “A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion.”

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit,

parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

For this request, no additional construction is being proposed. According to the applicant, the property is intended to operate full-time as a short-term rental, with the main house being the only unit offered. No accessory structures are planned for rental use. During rental periods, guests will not receive meals or additional services. The location is approximately 30 minutes from the Disney parks, the region's primary tourism destinations. As a result, the property serves visitors seeking temporary accommodation in proximity to the area's attractions. The typical duration of stays ranges from 3 to 7 nights. Most bookings are vacation-oriented and do not exceed 14 days.

Short-term rentals can impact neighborhoods through other means which are more difficult to gauge as temporary guests can disrupt the daily lives of full-time citizens with whom they share neighborhood space. For example, in areas of the northeast where vacationing families often occupy much smaller lots than the subject site, parking can become a concern as multiple vehicles will exhaust the limited space available. Often, vehicles park along the roadways. This property (+/- 2.63 acres) has ample room for parking, with the home set back approximately 250 feet from the CR 547 right-of-way. The property includes its own private gated entrance, which enhances privacy, security, and controlled access for guests.

From the garage and parking area, the home is approximately 49 feet from the northern property line and 60 feet from the home to the north. The home is approximately 40 feet from the southern property line. LDC Section 303 requires a vegetative buffer along these boundaries of the proposed project to separate the short-term rental units from single-family residential units not approved for short-term use. Short-term rental use is defined as a Class 3 use as outlined in Section 720 and shall conform with all buffer requirements of Section 720, necessitating a Type "B" landscaping buffer. Existing trees and vegetation can be used to meet this requirement.

Section 303 also requires the owner/operator of a short-term rental to post and provide a notice (to follow in italics) to the occupant that certain behaviors are unlawful. A representative of the group renting the property shall sign and date a statement on the notice indicating that he or she has read and understands the regulations set forth on the notice. The notice shall also be posted on the back of the main entrance/exit door to each unit.

*"This unit is located within a residential community. Please be considerate of your neighbors. The following are some of the local laws and community restrictions that you should be aware of during your stay.*

*1. Trash. All trash shall be placed in a covered, watertight trash container. Trash may not be stored in such a manner that it becomes deposited on public property, the property of another or in such a manner that it otherwise becomes a nuisance. Trash shall be disposed of at least twice a week. Garbage collectors will pick up your trash on [management company shall verify days of collection and insert here]. To ensure that your trash is picked up, please place your trash containers by the road by 7:00 a.m. on these days. Once your trash has been picked up, you shall remove your containers from the roadside.*

*2. Noise. It is unlawful in Polk County to create noise at such a level or for such a duration that the noise unreasonably interferes with your neighbors' comfortable enjoyment of their property.*

3. *Animals. You may not allow your dogs to roam free outside of your unit. When outside, your dog shall either be leashed or under your direct control.*

4. *Clothing. You shall wear clothing while in public or in any other place where you are readily visible to the public or your neighbors. Females shall wear both a top and a bottom while males shall wear a bottom. G-strings and similar articles of clothing are insufficient for this purpose.*

*If you have any questions concerning these regulations, you may call [name of management company] at [list 24-hour phone number on file with Polk County Development Services].”*

The Polk County Sheriff's Office is authorized to prepare incident reports concerning violations of this Section and to submit such reports to and testify before the Polk County Code Enforcement Board.

In summary, staff recommends approval of this application. The property is well-sited for visitors to use in proximity to the local attractions. Short-term rental has been approved throughout northeast Polk County for this reason, most often in subdivisions with much smaller lot sizes, including the PD to the west. The property is large enough to mitigate incompatibilities. No new construction is being proposed which would intensify the use of the site.

### **Urban Services and Infrastructure Analysis**

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies, though the existing home utilizes a private well and septic system. The site is within PCU Northeast Regional Utility Service Area.

**Table 2**

<b>Urban Services and Infrastructure Summary</b>	
<b>Schools (Zoned)</b>	Loughman Oaks Elementary, Shelly S. Boone Middle, and Ridge Community Senior.
<b>Sheriff</b>	Northeast District office, located at 1100 Dunson Road. Response times for April 2026 were as follows: Priority 1 Calls – 12:35 minutes & Priority 2 Calls – 27:03 minutes.
<b>Fire/EMS</b>	Polk County Fire Rescue Station 20, 4611 U.S. Hwy 17-92 N, Davenport. The travel distance is 3.7 miles, and optimal response times are expected to be approximately 9–11 minutes.
<b>Water</b>	Private Well
<b>Sewer</b>	Private Septic
<b>Transportation</b>	Access to County Road 547; no sidewalks or mass transit in the area.

Table 3, below, identifies the anticipated impact of this request on water and sewer needs. The site will utilize a private well and septic. Utility lines are not located along CR 547 where this site is located.

**Table 3**

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

**Environmental Conditions Analysis**

There are no known conditions that should pose a threat to existing environmental resources based upon the proposed request (See Table 4, below). No new construction is being proposed.

**Table 4**

<b>Environmental Conditions Summary</b>	
<b>Surface Water</b>	None
<b>Wetlands/Floodplains</b>	Flood Zone “A” located to the rear of the property.
<b>Soils</b>	Tavares Fine Sand; Smyrna & Myakka Fine Sands; and Basinger Mucky Fine Sand,
<b>Protected Species</b>	No protected species are found onsite.
<b>Wellfield Protection</b>	The site is not located within a wellfield protection area.
<b>Historical Preservation</b>	The subject property contains no historical resources as monitored by the State of Florida’s Division of Historical Resources.

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

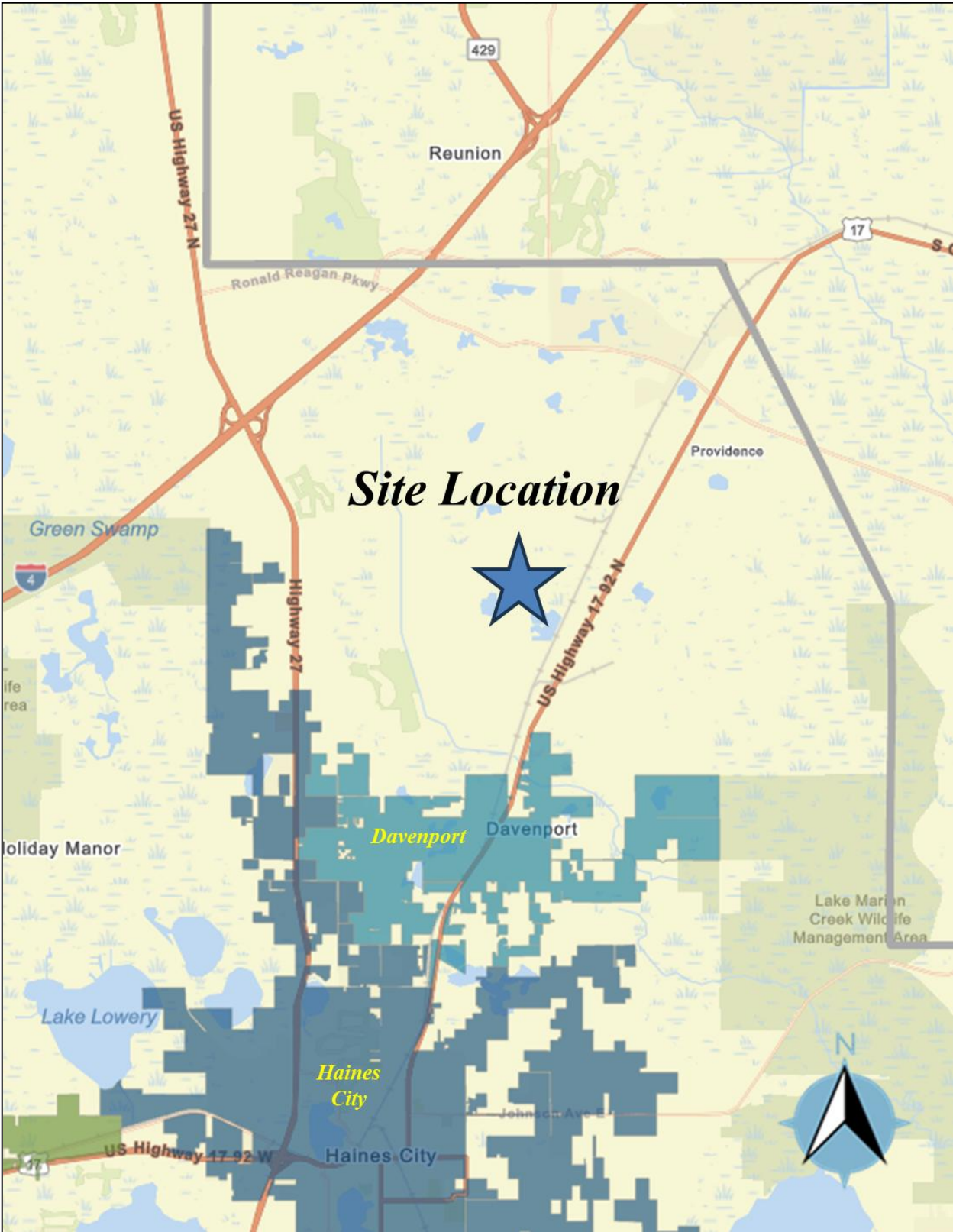
**Table 5**

<b>The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:</b>	
<b>Whether the proposed development is consistent with all relevant requirements of this Code;</b>	<i>Yes, this request is consistent with the LDC, specifically Sections 303 and 906 which permits this use upon completion of a Level 3 Review.</i>
<b>Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;</b>	<i>Yes, this request is consistent with the Comprehensive Plan, as reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.</i>
<b>Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and</b>	<i>Yes, the request is compatible with surrounding uses and the general character of the area. See this staff report for data and analysis on surrounding uses and compatibility.</i>
<b>How the concurrency requirements will be met if the development were built.</b>	<i>This request will not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found in the staff report.</i>

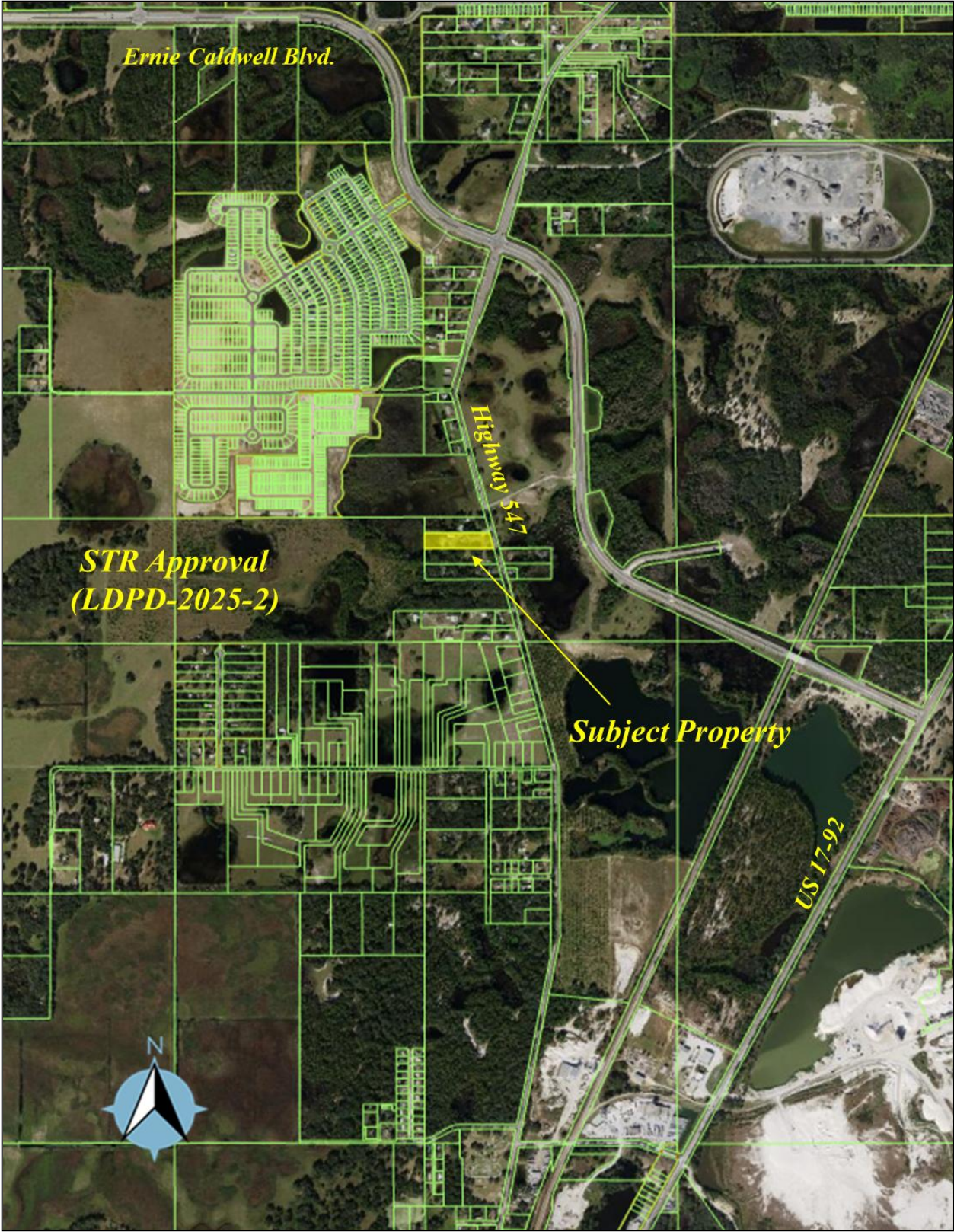
**Comments from other Agencies: None**

**Exhibits:**

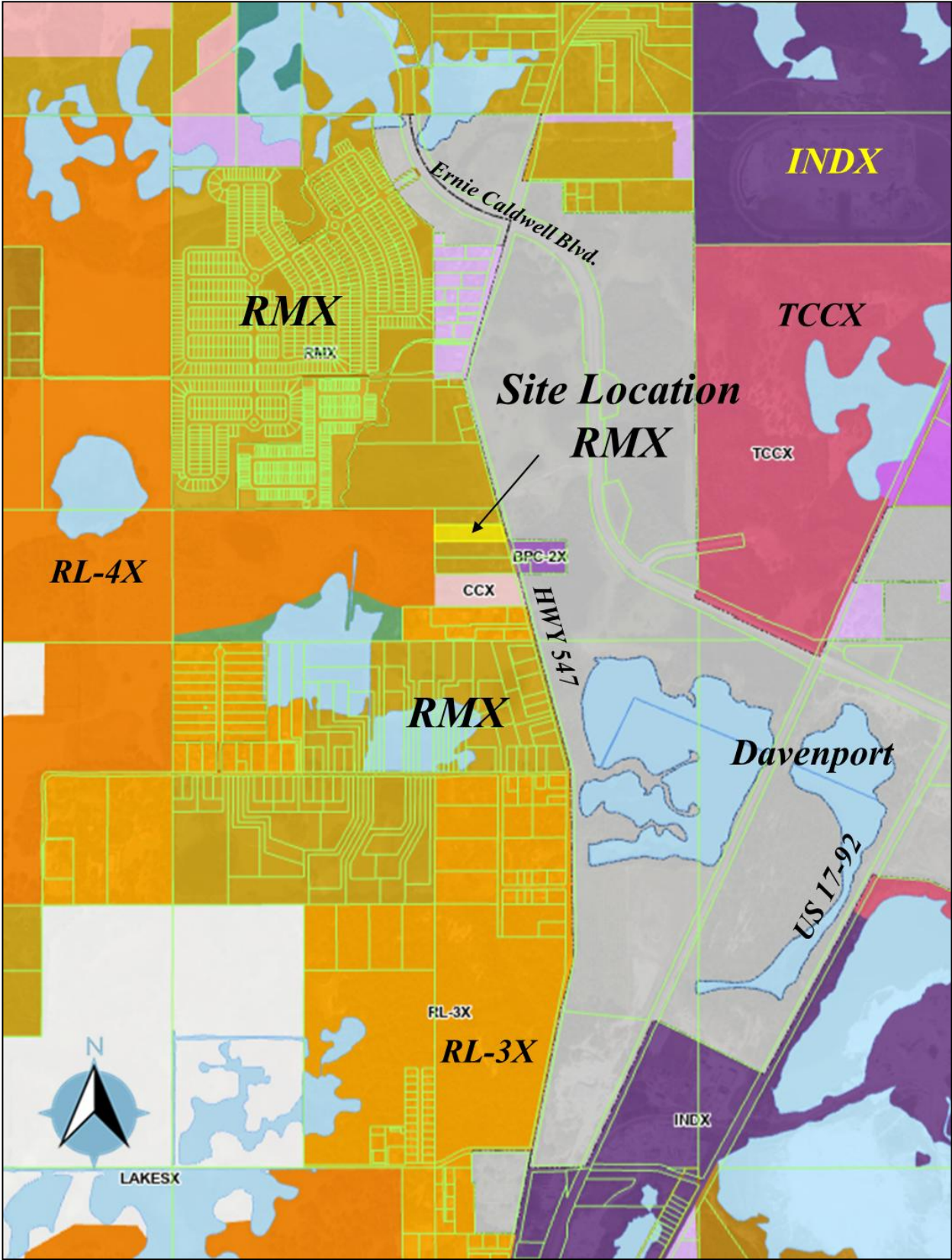
- Exhibit 1      Location Map
- Exhibit 2      Aerial Image - Context
- Exhibit 3      Future Land Use Map
- Exhibit 4      Aerial Image - Close
- Exhibit 5      Site Plan



Location Map



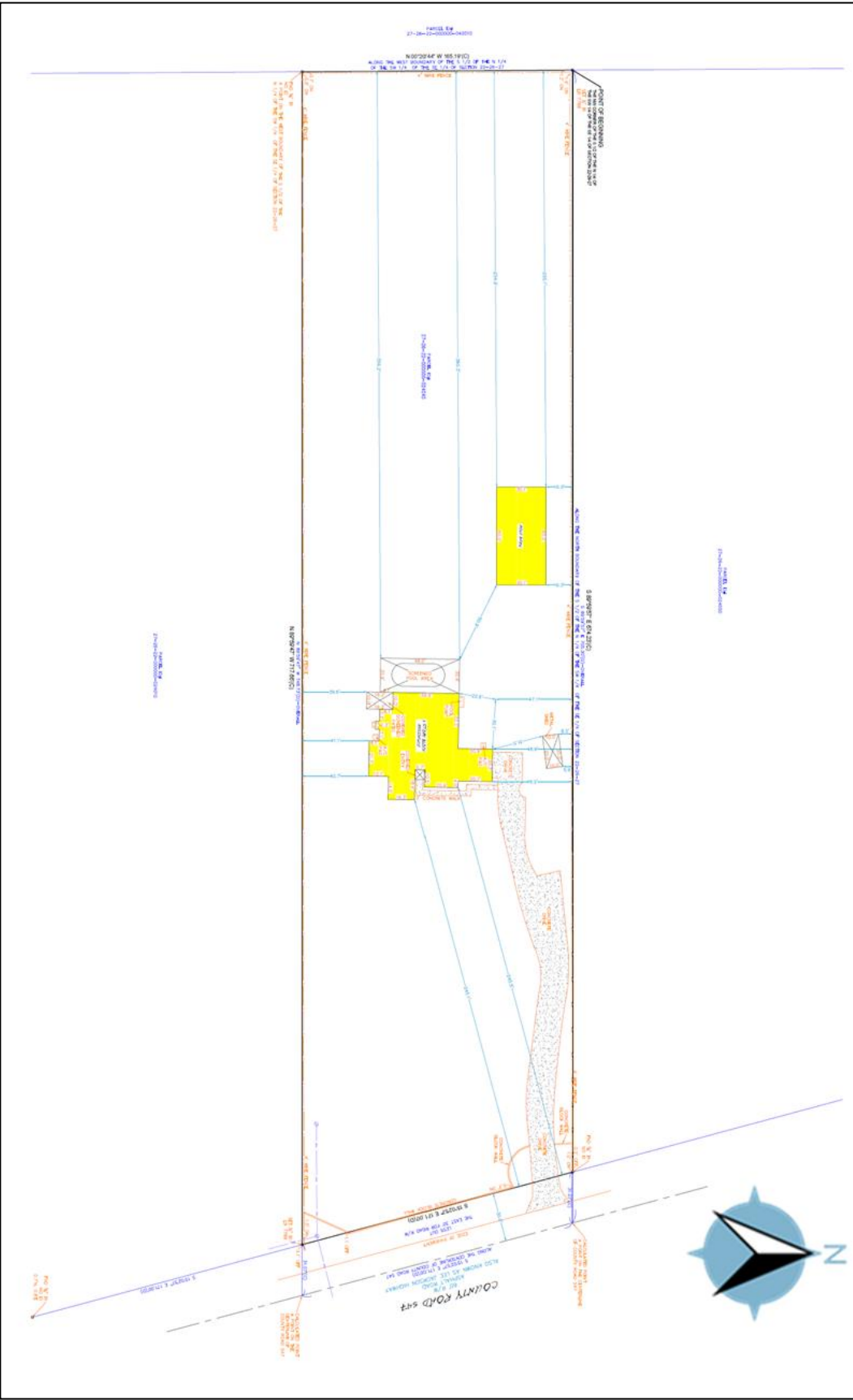
Aerial Image - Context



Future Land Use Map



Aerial Image - Close



Site Plan