

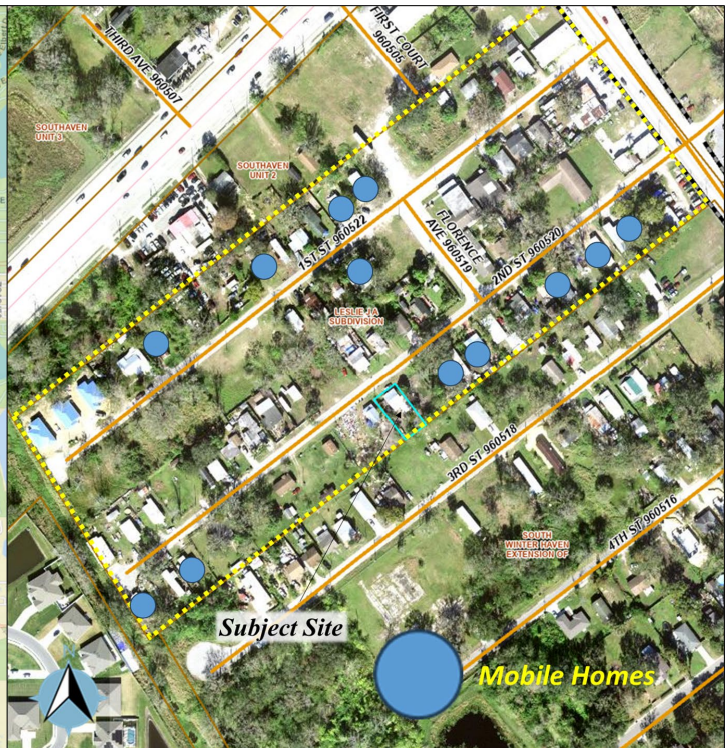
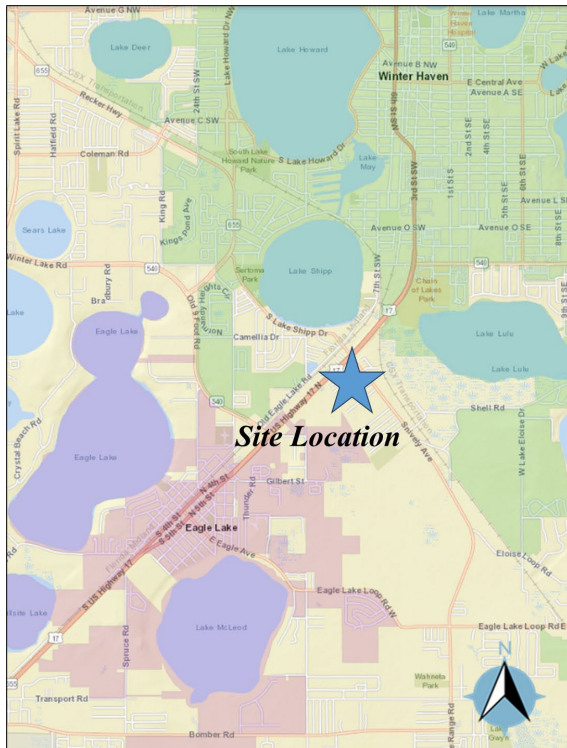
**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

DRC Date:	April 25, 2024	Level of Review:	Level 3 Review
PC Date:	June 5, 2024	Type:	Conditional Use
BoCC Date:	N/A	Case Numbers:	LDCU-2024-11
Applicant:	Jennifer Pearson	Case Name:	2 nd Street MH
		Case Planner:	Ian Nance

Request:	The applicant is requesting Conditional Use approval for a Mobile Home to be placed on a lot within a subdivision where fewer than 50% of the developed lots have mobile homes.
Location:	126 2nd Street, north of 3rd Street, west of Snively Avenue, east and south of US 17, north of Eagle Lake in Section 05, Township 29, Range 26.
Property Owners	Jennifer Pearson
Parcel Number (Size):	262905-665500-003150 (0.11 acres)
Future Land Use:	Residential Low-4 (RL-4)
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	Eagle Lake
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Site Location

Mobile Homes w/in Subdivision



Summary of Analysis:

The applicant is requesting Conditional Use approval for a Mobile Home to be placed in an RL-4 land use district in a subdivision north of Eagle Lake in the Eloise area. LDC Section 303 requires Planning Commission approval to place a mobile home on lots within a subdivision where fewer than 50% of the developed lots have mobile homes. If these standards cannot be met, relief can be granted through an approval by the Planning Commission.

The Planning Commission's role in this matter is to determine the compatibility of individual mobile homes relative to surrounding residential uses. This matter is often subjective and a matter of preferred structural style. Staff evaluates these requests based upon a number of factors, including, but limited to, the characteristics of the platted subdivision; history of the lot; style of surrounding homes; age and square footage of surrounding homes; layout of the mobile home on the lot; and available buffering and screening.

In this instance, the applicant is wanting to replace a 1938 site-built home that burned down and was demolished with a similarly sized mobile home. The site is in Eloise, an area of the County that is redeveloping and is comprised of multiple subdivisions. In this instance, the Property Appraiser shows that of the 73 parcels in this subdivision, 12 have mobile homes while 29 have site-built homes. Over half of the mobile homes are along 2nd Street where this property is located.

Given this information, staff finds the placement of a new mobile home at this site does not present any apparent incompatibilities. This parcel will not foreseeably place a strain on existing infrastructure, schools, or emergency services. Staff recommends approval.

Findings of Fact

- *LDCU-2024-11 is a Conditional Use request for a Mobile Home to be placed in an Residential Low-4 (RL-4) land use district on Parcel ID #262905-665500-003150 (+/- 0.11 acres).*
- *The subject property was assigned an address of 126 2nd Street, Winter Haven, FL 33880. The Property Appraiser shows the parcel was developed with a 910 sq. ft. site-built home constructed in 1938. The property is described as Lot 15 in Block C in the J.A. Leslie's subdivision, recorded in Plat Book 19, Page 27 on January 18, 1926.*
- *A demolition permit (BT-2024-3237) was issued on March 8, 2024, to remove the home due to fire damage.*
- *The subject property has approximately 50 feet of frontage along 2nd Street (Road No. 960520). 2nd Street is a County Local Residential roadway with a paved surface width of 24 feet, according to the Polk County Road Inventory.*
- *According to Land Development Code (LDC) Table 2.2, the minimum lot size in RL-4 is 6,000 sq. ft. Primary side setbacks are seven (7) feet; rear setbacks are ten (10) feet; right-of-way setbacks from a Local Residential roadway are 15 feet; and accessory setbacks are five (5) feet. The Building Official may approve a reduction in the required setbacks of up to ten percent (10%) of the requirement through a Level 1 Review process.*

- *LDC Chapter 10 defines Manufactured Home/Mobile (HUD Home) as “a dwelling unit constructed on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site, with each section bearing a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standard Act.”*
- *Chapter 553 of the Florida Statutes states that “Mobile Home” means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development. Mobile homes are built to a separate standard than site-built homes and may be regulated differently than site-built and other manufactured homes. Site-built homes and other manufactured homes are built to the standards set forth in Chapter 553 of the Florida Statutes.*
- *POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that “Mobile homes shall be allowed in all areas of the County designated for residential development, subject to siting and design criteria consistent with the County's Land Development Code.”*
- *According to Section 303 of the LDC, Individual Mobile Homes are allowed in the following locations:*
 1. *Within any registered mobile home park that has been approved by Polk County;*
 2. *Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;*
 3. ***Within any platted residential subdivision, or single platted phase within a multiple phased development, in which 50 percent or more of the developed lots contain mobile homes;***
 4. *On any un-platted legal residential lot or parcel in the A/RR district;*
 5. *On any un-platted legal residential lot or parcel that is five acres or larger in the RS district;*
 6. *On any un-platted legal residential lot or parcel that is abutting vacant properties to all side and rear property lines;*
 7. *On any un-platted legal residential lot or parcel where at least one property abutting the subject property's side lot line has a mobile home;*
 8. *On lots of record, including those within platted subdivisions, where at least one property abutting the subject property's side lot line has a mobile home. Within subdivisions, the abutting property must be within the plat; or,*
 9. ***On any legal residential lot or parcel where it is determined by the Planning Commission to be compatible with the established character of the surrounding area.***

- *The subject site is not located the city of Winter Haven’s Utility Service Area.*
- *The subject property is located within an Airport Impact District for the Bartow Municipal Airport.*
- *The property is comprised of Pomona-Urban Land Complex.*
- *Fire & EMS responses will be from Polk County Fire Rescue Station 19, located at 5361 Rifle Range Road, Bartow 33830.*
- *Sheriff’s response to site is served by the Southeast District office, located at 4011 Sgt Mary Campbell Way in Lake Wales.*
- *The zoned schools for the site are Snively Elementary, Denison Middle, and Winter Haven Senior High schools.*
- *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 Sections 303 and 906 of the LDC.*
- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

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-2024-11.**

On June 5, 2024, 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-2024-11 with the following Conditions:

1. LDCU-2024-11 is approved for no more than one (1) mobile home on the property as described under Parcel #262905-665500-003150.

GENERAL NOTES

- NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.*
- NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.*
- NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*
- NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.*
- NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.*

Surrounding Land Use Designations and Current Land Use Activity

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

Table 1

Northwest: RL-4 2 nd Street & Vacant +/- 0.23 Acres	North: RL-4 2 nd Street & Multiple SFR Building 1: Built 1940 & 896 sq. ft. Building 2: Built 1974 & 958 sq. ft. +/- 0.11 Acres	Northeast: RL-4 2 nd Street & SFR Built 1944 & 816 sq. ft. +/- 0.11 Acres
West: RL-4 Vacant +/- 0.11 Acres	Subject Property: RL-4 Vacant +/- 0.11 Acres	East: RL-4 Vacant +/- 0.11 Acres
Southwest: RL-4 SFR Built 1990 & 960 sq. ft. +/- 0.40 Acres	South: RL-4 SFR Built 1990 & 960 sq. ft. +/- 0.40 Acres	Southeast: RL-4 SFR Built 1990 & 960 sq. ft. +/- 0.40 Acres

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

The subject property was assigned an address of 126 2nd Street, Winter Haven, FL 33880. The Property Appraiser shows the parcel was developed with a 910 sq. ft. site-built home constructed in 1938. The property is described as Lot 15 in Block C in the J.A. Leslie's subdivision, recorded in Plat Book 19, Page 27 on January 18, 1926. A demolition permit (BT-2024-3237) was issued on March 8, 2024, to remove the home due to fire damage.

The surrounding properties are similar in size to the subject site. The existing homes are similar in size to the proposed mobile home but aged 30 to 80 years. Eloise is an area of the County that is redeveloping. Staff regularly receives Mobile Home requests in this area as they are less expensive than site-built homes. This area of Eloise is comprised of multiple subdivisions. In this one, the Property Appraiser shows that of the 73 parcels in this subdivision, 12 have mobile homes while 29 have site-built homes. The other properties are vacant or used for non-residential purposes.

Compatibility with the Surrounding Land Uses and Infrastructure:

This request is compatible with surrounding land uses and available infrastructure. The impact of a single mobile home is minimal. As shown in Table 1, above, the surrounding uses are single-family in nature, including site-built and mobile homes. The square-footage of the proposed mobile home (+/- 990 sq. ft.) is similar to that of the surrounding dwelling units but will be significantly newer than other structures in the area. The site plan shows that setbacks can be met, aside from the rear which is reduced from ten to nine feet. A special variance is not needed for this since the LDC allows a 10% reduction in setbacks.

Exhibit 6 shows the placement of existing mobile homes relative to the request. Mobile homes are located on lots to the northeast along 2nd Street. Mobile Homes are also located at the terminus of 2nd street to the southwest. Over half of the Mobile Homes in this subdivision are located along 2nd street.

Urban Services and Infrastructure Analysis

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. Placement of one mobile home will not trigger school concurrency requirements. The site is within the city of Winter Haven's Utility Service Area for potable water and wastewater.

Table 2

Urban Services and Infrastructure Summary	
Schools (Zoned)	Snively Elementary, Denison Middle, and Winter Haven Senior High schools.
Sheriff	Sheriff's response to site is served by the Southeast District located at 4011 Sgt Mary Campbell Way in Lake Wales. Response times for April 2024 were as follows: Priority 1 Calls – 13:51 minutes & Priority 2 Calls – 25:39 minutes.
Fire/EMS	Fire/EMS responses will be from Polk County Fire Rescue Station 19, located at 5361 Rifle Range Road, Bartow 33830. Response times average 12 minutes.
Water	City of Winter Haven
Sewer	City of Winter Haven
Transportation	Access to 2 nd Street, a County Local Residential roadway.

Table 3, below, identifies the anticipated impact of one mobile home on water and sewer services. The site has approximately 50 feet of frontage along 2nd Street. The placement of one mobile home will have negligible impacts on the traffic using local roadways.

Table 3

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

Environmental Conditions Analysis

There are no known conditions that should pose a threat to existing environmental resources based upon the proposed request (*See Table 4, below*). The subject property is not located within any of the County’s identified wellhead protection areas. The subject site is not located within an identified protected species area. The soil on the property is not of such that would limit compliance with applicable LDC regulations for the proposed use. The subject property is relatively flat and contains no surface water features. No flood zones or wetlands are onsite. In addition, the subject property is not located within a Historical Preservation area.

Table 4

Environmental Conditions Summary	
Surface Water	None
Wetlands/Floodplains	No Wetlands or Flood Zones are onsite.
Soils	Pomona-Urban Land Complex
Protected Species	No protected species are found onsite.
Wellfield Protection	The site is not located within a wellfield protection area.
Historical Preservation	The subject property contains no historical resources as monitored by the State of Florida’s Division of Historical Resources.
Airports	The subject property is located within the AID for the Bartow Municipal Airport.

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.

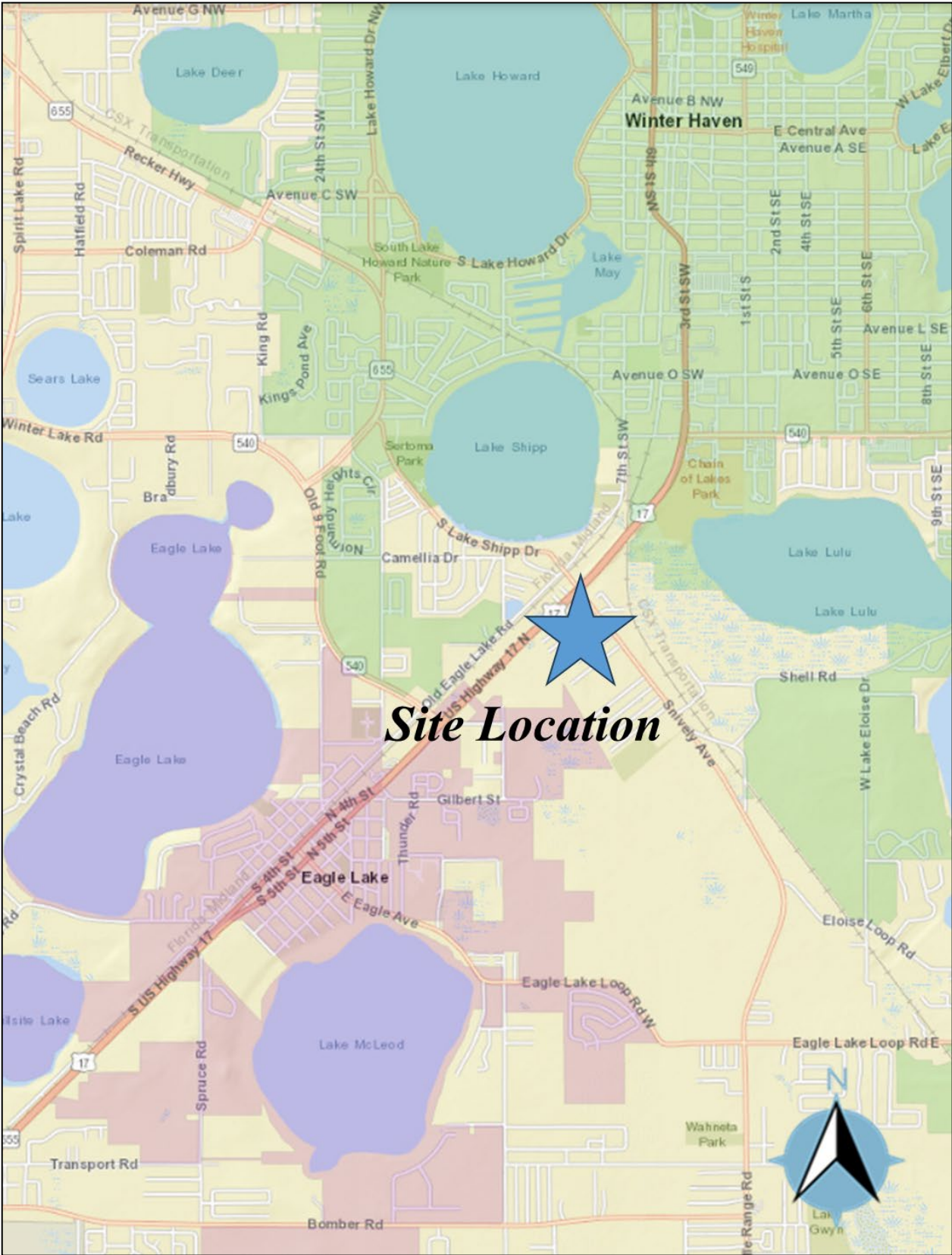
Table 5

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	<i>Yes, this request is consistent with the LDC, specifically Section 303 which permits this use upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 2 - 4 of the staff report.</i>
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	<i>Yes, this request is consistent with the Comprehensive Plan, as reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.</i>
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	<i>Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 5-6 of this staff report for data and analysis on surrounding uses and compatibility.</i>
How the concurrency requirements will be met if the development were built.	<i>This request will not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found on Pages 6-7 of the staff report.</i>

Comments from other Agencies: None

Exhibits:

- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Image - Context
- Exhibit 4 Aerial Image - Close
- Exhibit 5 Surrounding Development
- Exhibit 6 Mobile Homes w/in the Subdivision



Location Map



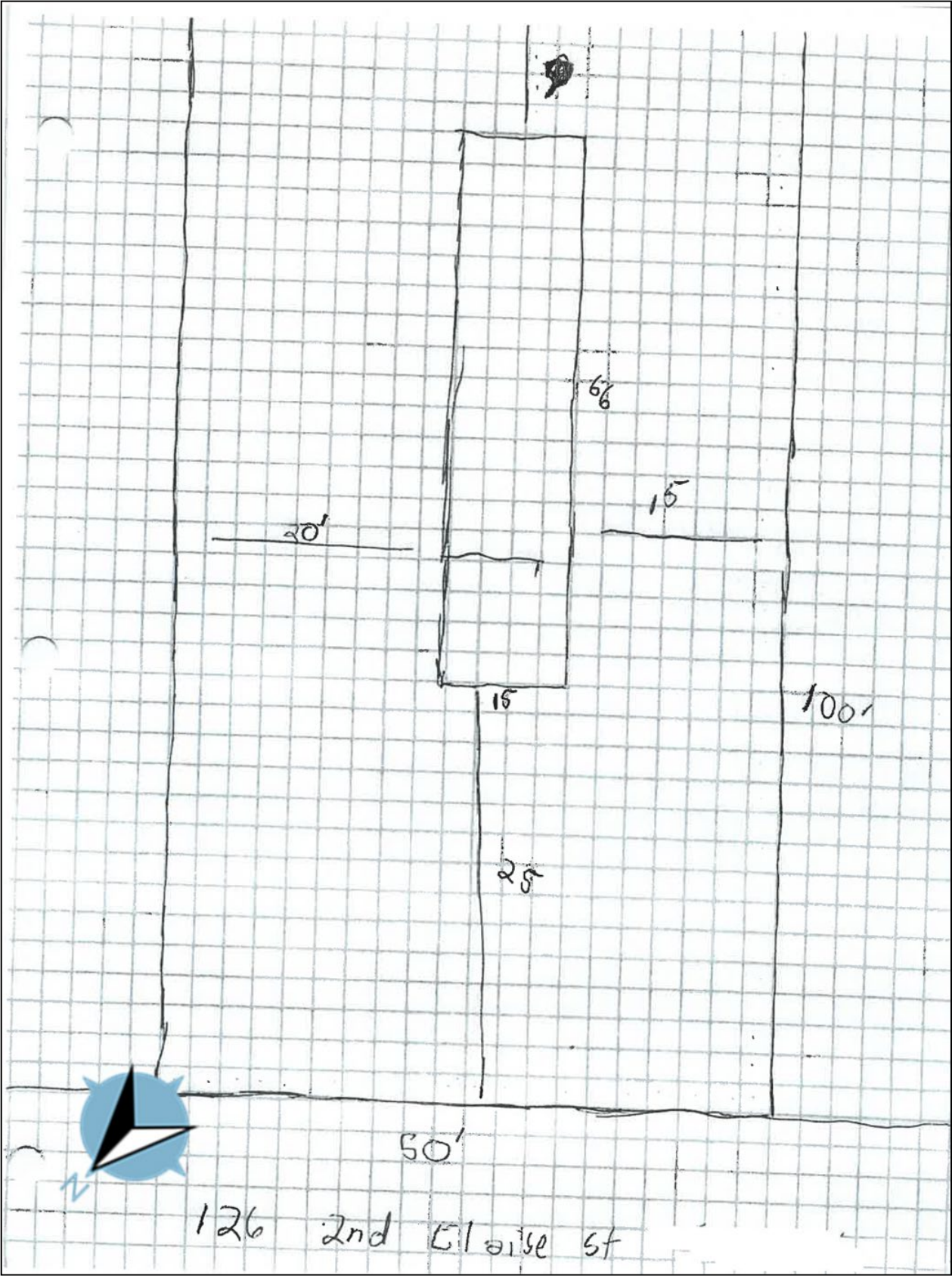
Future Land Use Map



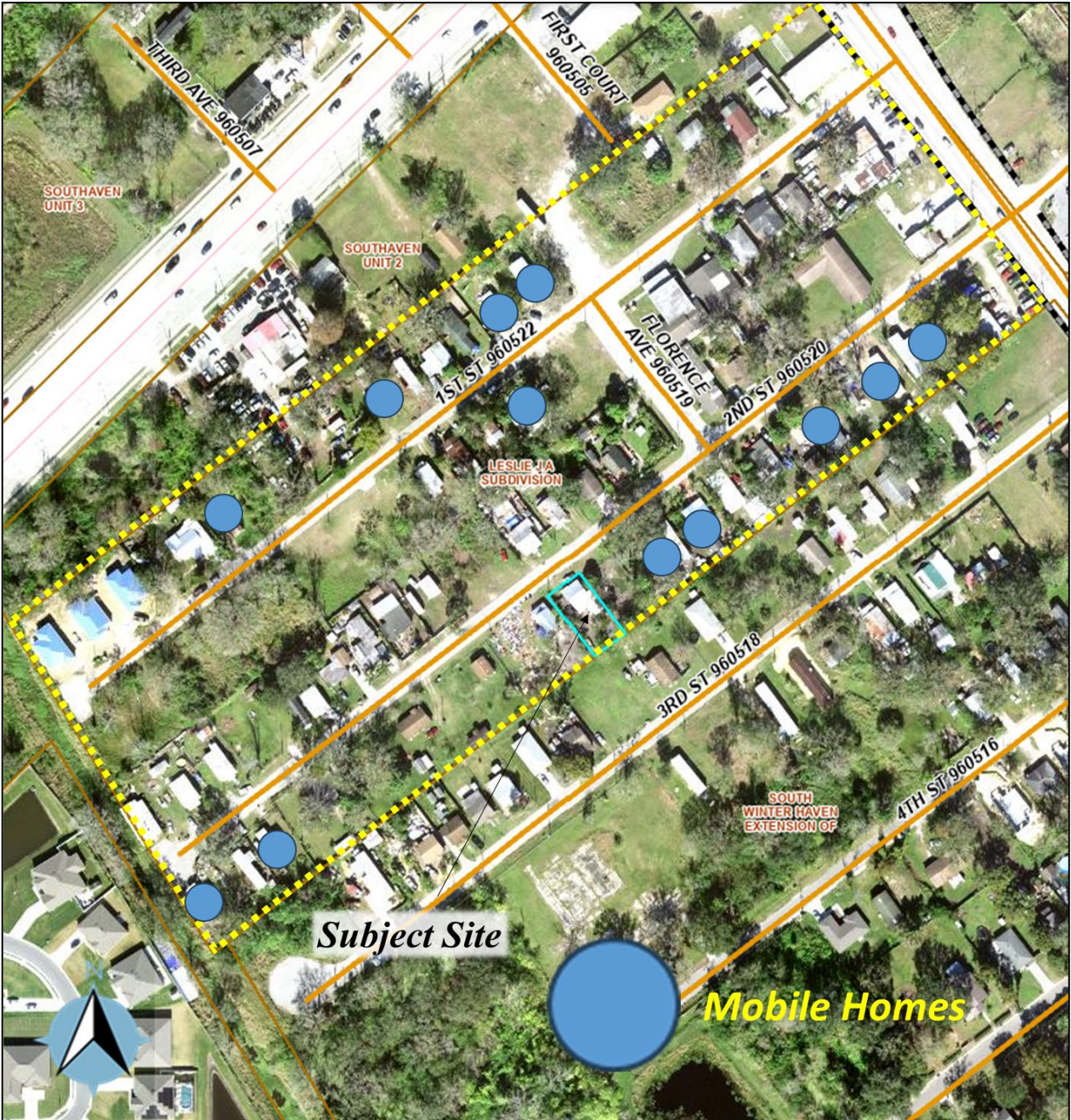
Aerial Image - Context



Aerial Image - Close



Site Plan



Mobile Homes w/in Subdivision