

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

<b>DRC Date:</b>	<b>October 10, 2025</b>	<b>CASE #:</b>	<b>LDLSE-2025-11 (Lola Urbain SE)</b>
<b>Hearing Date:</b>	<b>December 9, 2025</b>	<b>LDC Section:</b>	<b>Section 216.D</b>

**Request:** The applicant is requesting a Special Exception to park a commercial vehicle (1998 Terex Telescopic Crane) at their residence on approximately 0.95 acres.

**Applicant:** Lola M. Urbain

**Property Owner:** Lola M. Urbain & Tyler Jay Travis

**Location:** The subject property is located at 11252 Country Haven Drive, east of US Highway 98, north of Interstate 4 and Creekwood Run, south of Rockridge Road, west of Country View Drive, north of the City of Lakeland in Section 23, Township 26, and Range 23.

**Parcel ID#:** 232623-000551-000260

**Size:** ±0.95 acres

**Land Use Designation:** Agriculture/Residential Rural-X (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:**

The applicant is requesting a Special Exception to park a commercial vehicle (1998 Terex Telescopic Crane) on residential property within an Agriculture/Residential Rural-X (A/RRX) land use district in the Green Swamp Area of Critical State Concern (*Exhibit 2*). The telescopic crane is 35 feet long and 10 feet, 9 inches tall when not in operation. It weighs approximately 48 tons. No trailer is included in this request. Chapter 2, Section 216.D of the Land Development Code (LDC) allows one (1) commercial vehicle on residential properties pursuant to the guidelines detailed in this section and approval from the Land Use Hearing Officer.

The vested property is almost one (1) acre, with a mobile home on premises and room to park the vehicle in the side yard, between a shed and chick coop as presented on the site plan (*Exhibit 5*). The parking area meets the 20 feet separation distance from all property lines. The corner lot has direct ingress and egress onto Country Haven Drive, a Local Roadway, and travels less than 1,000 feet to Rockridge Road, a Major Collector roadway. Screening and buffering standards of a Type “B” landscaping buffer or six-foot opaque fence will be required along the side and rear portions of the property lines. A similar request to park a commercial vehicle at a residence was approved in 2021 approximately 0.20 miles south of the subject site (LDLSE-2021-6). Staff finds the approximate parking location to be sufficient to accommodate a vehicle such as this while meeting the standards required in Section 216.D. With the proposed conditions, staff recommends approval of this application.

## **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-2025-11**

### **CONDITIONS OF APPROVAL:**

1. This Special Exception shall be limited to parking one (1) commercial vehicle, 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 (Lola M. Urbain) 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. This commercial vehicle parking approval shall be contingent upon the applicant constructing a driveway to commercial standards for structural thickness and turning radius in accordance with Section 705.I of the Land Development Code.
6. The commercial vehicle shall only be parked in the area to the rear 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.
7. The property owner(s) is 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. 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.
9. 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.

10. Noncompliance with any of the conditions of approval will render LDLSE-2025-11 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;*

According to the application, the driver wishes to park one (1) 1998 Terex Telescopic Crane at their residence in the A/RRX land use district. While not a typical vehicle encountered by staff, the crane measures approximately 35 feet long and 10 feet, 9 inches tall when not extended. The weight of the vehicle is about 48 tons. LDC Section 216 defines a commercial vehicle as those that exceed 26 feet in length and/or are taller than nine feet. No trailer is included in this request. As indicated by the submitted site plan (*Exhibit 5*), the truck will be parked to the side of the principal structure between a shed and chicken cop. The parking location is approximately 20 feet from the nearest property line to the northeast. Staff finds the ±1-acre property is sufficient to accommodate a vehicle such as this while meeting the standards required in Section 216. Nonetheless, no other commercial vehicles will be parked onsite.

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

The applicant has provided a current and valid registration for the vehicle.

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

Staff finds the request will have no negative impact on the health, safety, or welfare of adjacent property owners. The parking location on the site plan meets the minimum twenty (20) foot setback requirement from all property lines. If approved, the vehicle will be parked approximately 85 feet from the nearest residential structure located to the north. Due to the standards in Section 216 of the LDC, the applicant is not able to park the vehicle in the front of the home, but there is ample acreage on which to locate the subject vehicle in the side and rear yard while maintaining a minimum 20-foot setback from the property lines. Existing landscaping screens the parking area from the public roadways, but since the vehicle parking area will be less than 200 feet from a residentially designated or used property, it needs to be screened from the adjacent residential property with a Type “B” buffer, as outlined in Section 720 (Exhibit 7), or a six-foot opaque fence. Large trees and vegetation on surrounding properties will further screen the parking area.

When the lots were initially platted in 1983, the roadways within the subdivision were private and owned fee-simple by the lot owners. Each tract owner was responsible and obligated for payment of a pro rata share per lot of the costs of maintaining the private roadway. However, in May 2004, the County assumed responsibility for the internal roadways and drainage structures. The subject site has direct access to 20-foot-wide Country Haven Drive (Road No. 632607), through a driveway culvert that has a 18’ stormwater pipe. The roadway is paved and meets current LDC standards for Local Roadway classification. The vehicle passes seven (7) homes along Ridge Meadow Drive (Road No. 632301) before reaching a collector roadway. Rockridge Road is less than 1,000 feet away and is a County-maintained Rural Minor Collector roadway. It has 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 0.20 miles south of the subject site on about two (2) acres of residential property (LDLSE-2021-6). As noted in the Conditions of Approval, a commercial driveway will be required to protect the edge of the County’s pavement along Country Haven Drive from the stretching caused by such a heavy vehicle’s turning movements on and off the property. Staff finds this request will not have a negative impact upon the health, safety, or welfare of adjacent properties if maintained and screened in accordance with the site plan.

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 include a demonstration of need in the application. Phone conversations determined that the applicant uses the commercial vehicle as a source of income and needs to have the ability to park their vehicle during non-working hours. Typically, these types of trucks have a telescopic crane or “boom” that extends multiple feet into the air which aides in complex lifting operations. The applicant can further demonstrate their hardship at the public hearing. This property is subject to a Code violation (CMA-2025-1158) that has since been closed as of 11/21/25. While the owner has corrected this case, they wish to park their vehicle on their property. The Special Exception application was submitted to Land Development on 09/24/25.

This area of the County is rural where other options to park commercial vehicles away from an urbanized area are limited. This request would allow for the elimination of offsite storage expenses. According to the site plan, the vehicle will be parked between an existing shed and chicken coop. Per Section 216.C of the LDC, if the shed were large enough and fully enclosed to house the vehicle, a Special Exception and additional landscaping and/or screening would not be required by the applicant.

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

The 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's site plan (*Exhibit 5*) indicates the proposed parking area is not located in the front yard of the property and is behind the primary resident's building line.

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 meets the minimum twenty (20) feet from property lines, which is consistent with Section 216.D of the Land Development Code (*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 truck will be parked behind, or directly northeast, of the house and is setback at least 116 feet from the centerline of Country Haven Drive. The primary structure blocks the public view off Ridge Meadow Drive. 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 along the northeastern property line or in the immediate parking area. This will aid in screening the vehicle residential properties and the public right-of-way.

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.*

If approved, the commercial vehicle parking location shall be confined to the area depicted on the site plan (*Exhibit 5*). 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. Existing structures and landscaping will help screen the parking area from offsite, but a Type "B" buffer or six-foot opaque fence will still be required, as noted above.

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

The requested vehicle has no refrigerator units.

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><b>Northwest:</b> Agriculture/Residential Rural-X (A/RRX) Lot 1, Mobile home ±0.92 acres</p>	<p><b>North:</b> Agriculture/Residential Rural-X (A/RRX) Lot 2, Mobile home ±0.94 acres</p>	<p><b>Northeast:</b> Agriculture/Residential Rural-X (A/RRX) Lot 25, Mobile home ±0.94 acres</p>
<p><b>West:</b> Agriculture/Residential Rural-X (A/RRX) Lot 36, Mobile home ±0.93 acres</p>	<p><b>Subject Property:</b> Agriculture/Residential Rural-X (A/RRX) Mobile home ±0.95 acres</p>	<p><b>East:</b> Agriculture/Residential Rural-X (A/RRX) Lot 23, Mobile home ±0.92 acres</p>
<p><b>Southwest:</b> Agriculture/Residential Rural-X (A/RRX) Lot 24, Mobile home ±1.02 acres</p>	<p><b>South:</b> Agriculture/Residential Rural-X (A/RRX) Lot 27, Mobile home ±0.93 acres</p>	<p><b>Southeast:</b> Agriculture/Residential Rural-X (A/RRX) Lot 27, Mobile home ±0.93 acres</p>

The subject property is almost one (1) acre within the Agricultural/Residential Rural (A/RRX) future land use district in the Rural Special Protection Area (SPA) of the Green Swamp Area of Critical State Concern (GSASC). It is considered Lot 26 of the Ridge Meadows Subdivision first recorded in November 1983 (PB 75, PG 32). Chapter 2, Table 2.2 of the LDC requires a minimum lot size of five (5) acres in the A/RR district. While the subject parcel is beneath the required acreage, the parcel is considered vested and a lot of record. The applicant first purchased the property through a warranty deed in May 2025 and a 1,296 sq. ft. mobile home was constructed in 1995 according to the Property Appraiser.

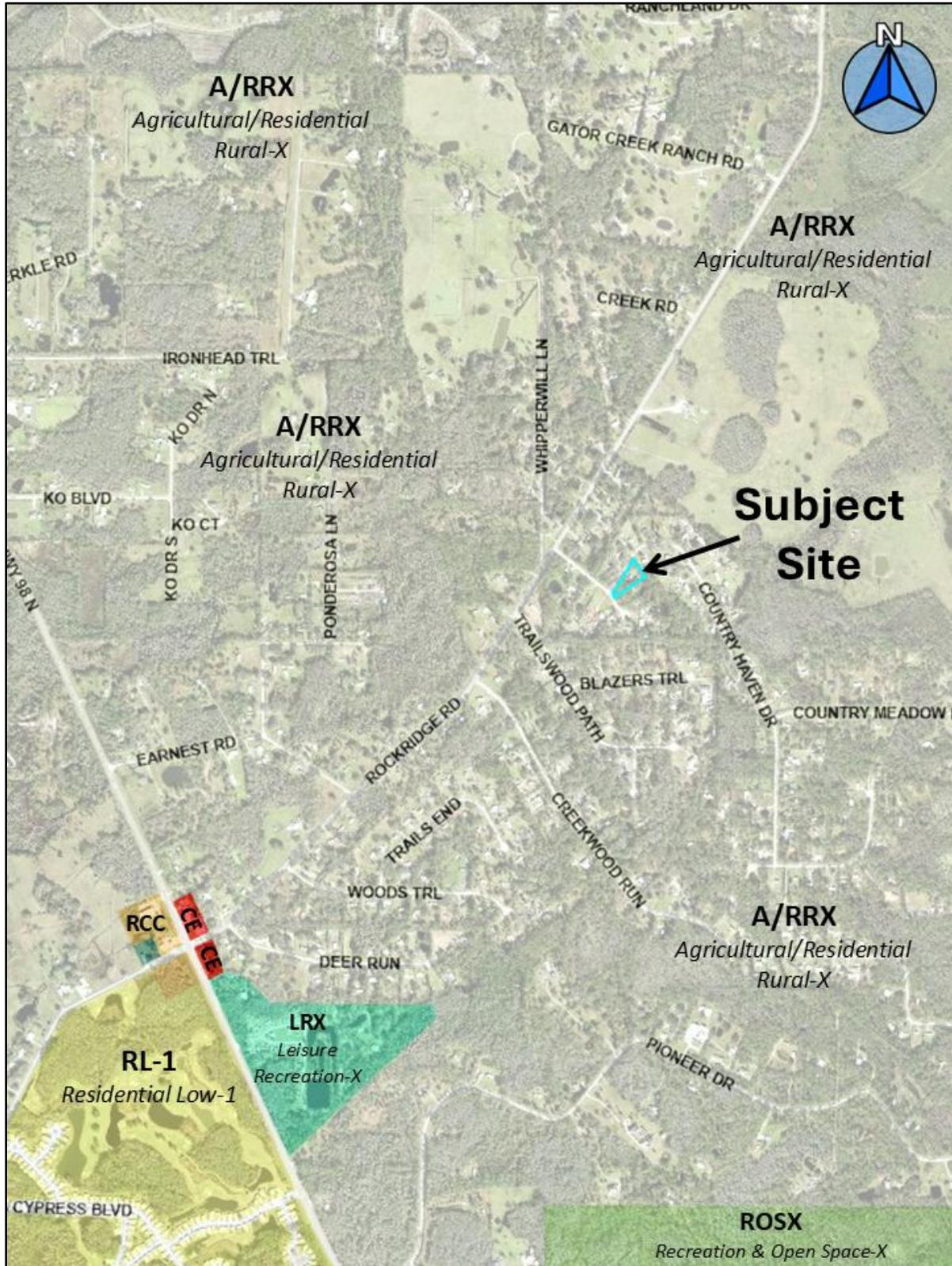
**Comments from other Governmental Agencies:** None

**Exhibits:**

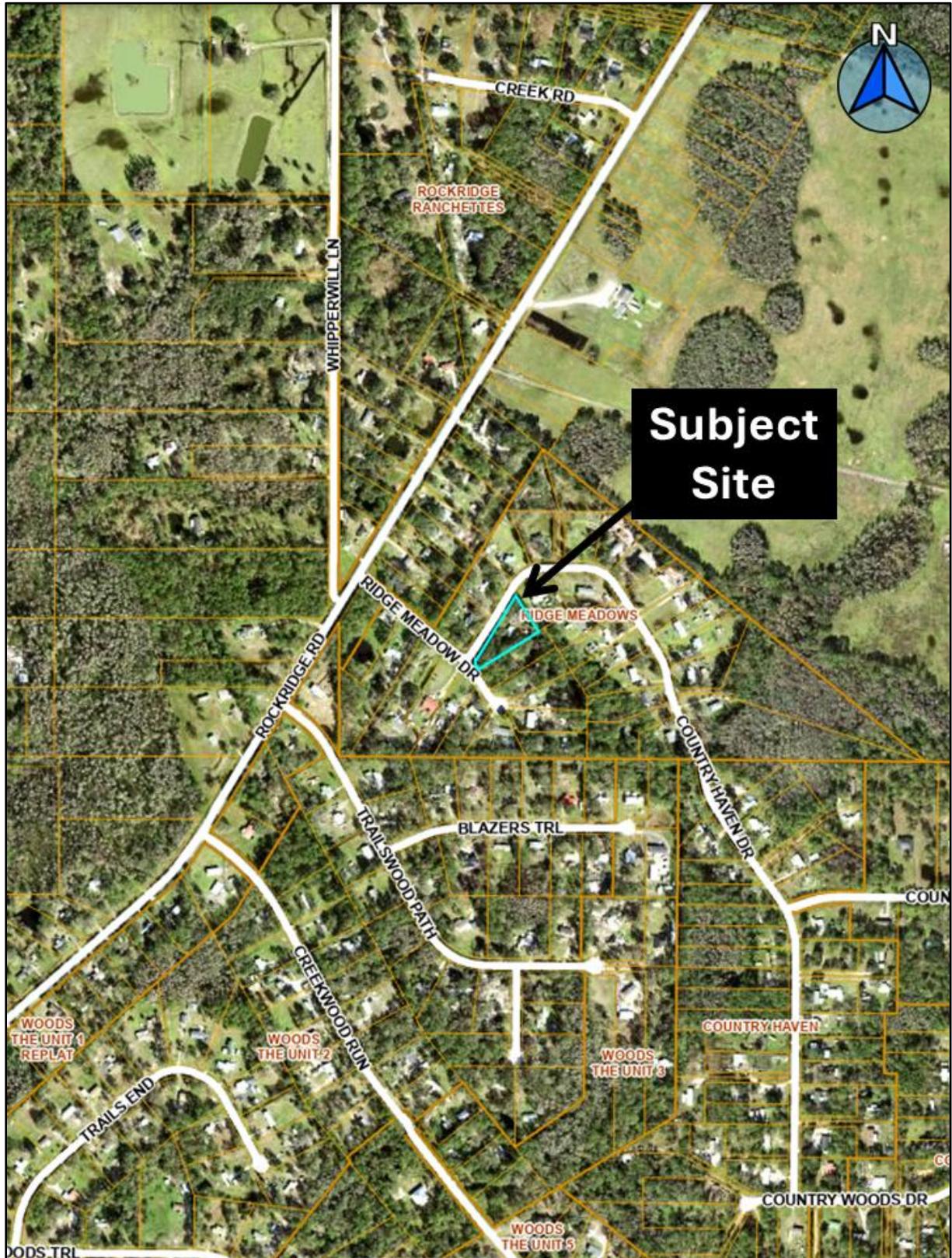
- Exhibit 1 – Location Map
- Exhibit 2 – Future Land Use Map
- Exhibit 3 – 2023 Aerial Photo (Context)
- Exhibit 4 – 2025 Satellite Image (Close-Up)
- Exhibit 5 – Site Plan
- Exhibit 6 – Commercial Vehicle Pictures



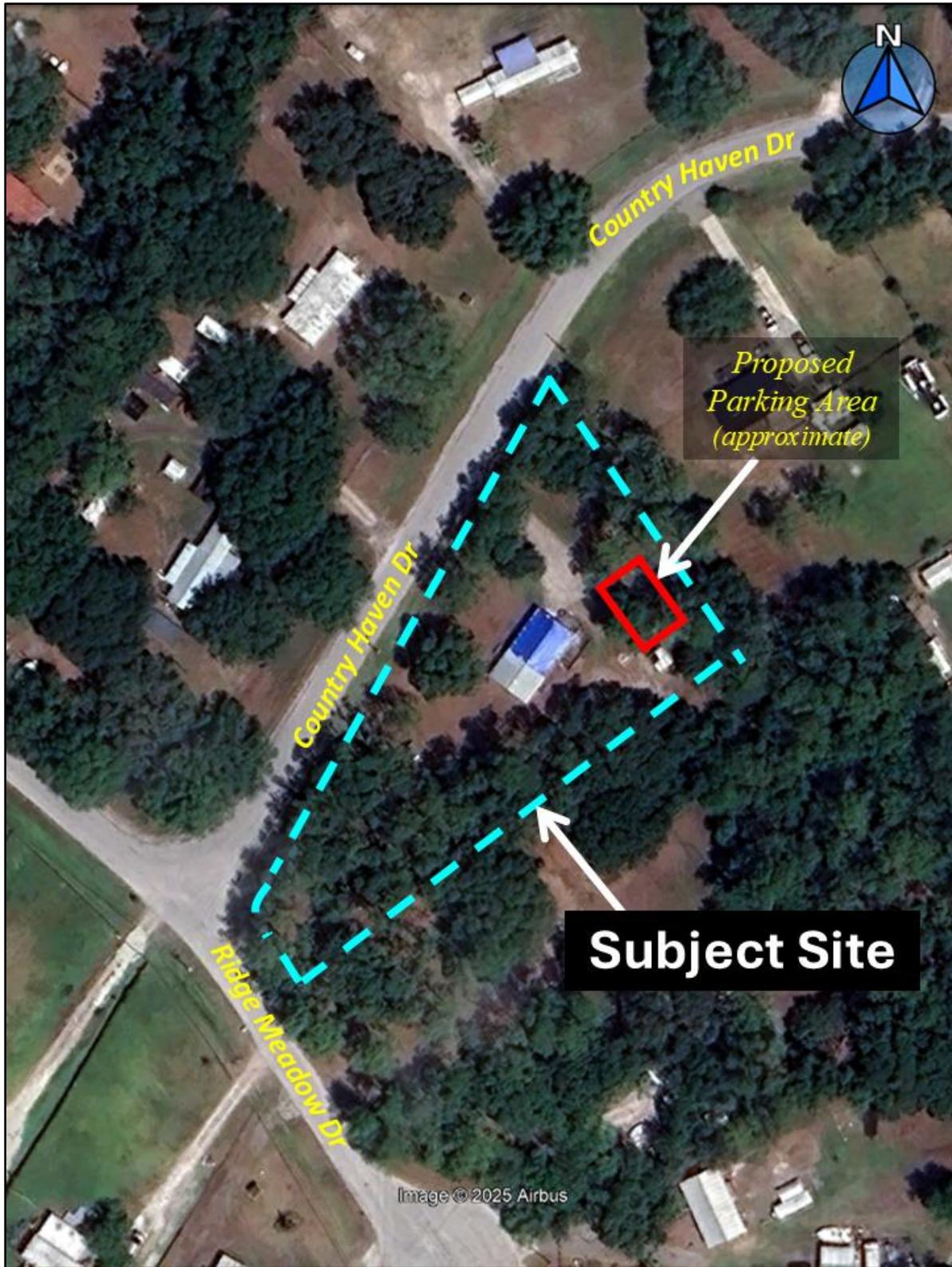
Location Map



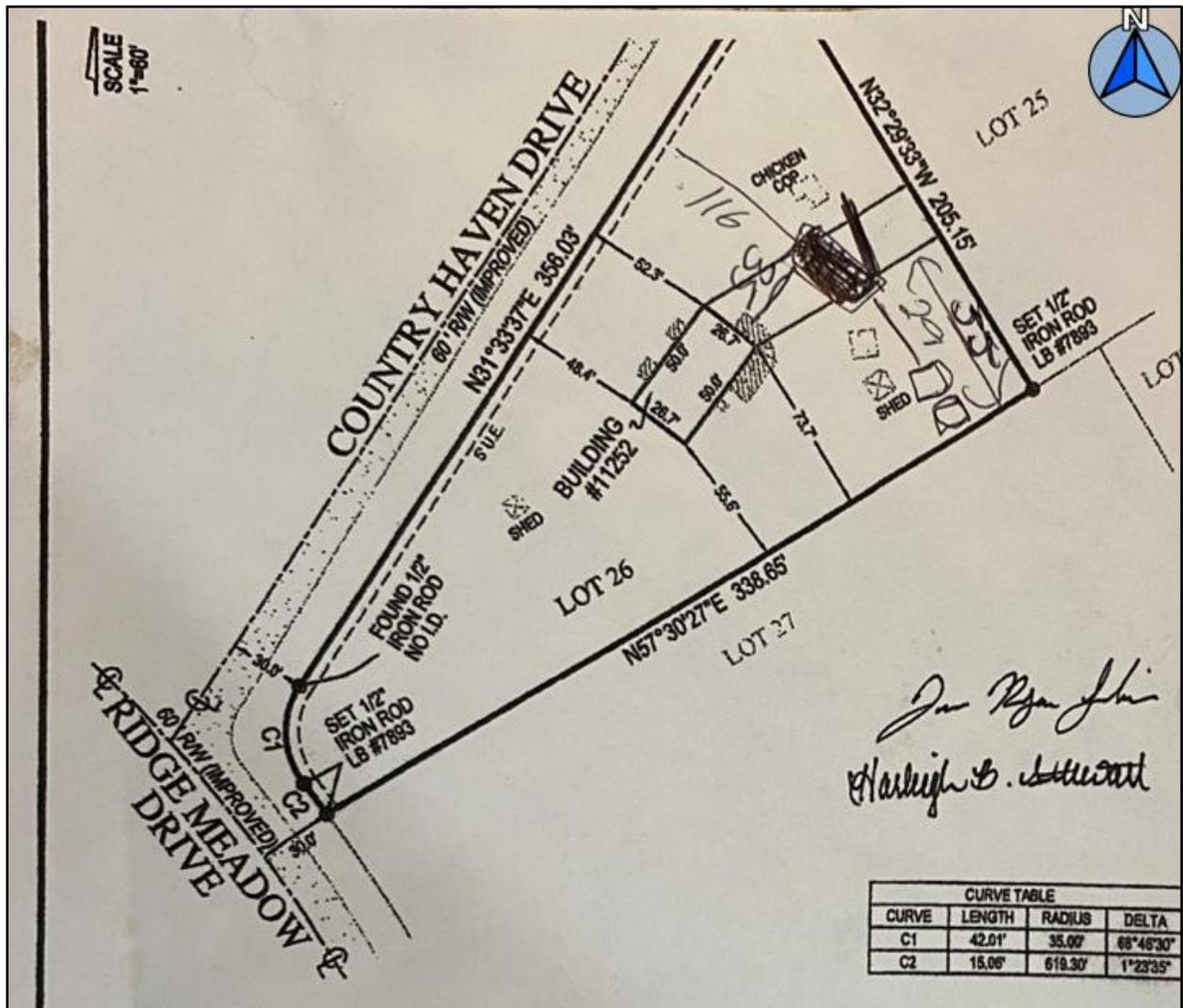
Future Land Use Map



2023 Aerial Image (Context)



2025 Satellite Photo (Close-Up)



Site Plan



# Commercial Vehicle Pictures