

This comprehensive Impact Analysis Report addresses all comments and design considerations, ensuring compliance with regulatory standards while maintaining a commitment to responsible and sustainable land development practices.

## Polk County LDC J.1.c. Section 125 Statement Analysis

Prepared By Traditions Engineering

Charles Brooker P.E.

---



**TRADITIONS** ENGINEERING

900 Orchid Springs Dr Unit 100,  
Winter Haven, FL 33884  
(863) 397 – 1626  
Cbrooker@traditions-eng.com



## **Evaluation Criteria**

The Planning Commission shall evaluate the expansion of legal non-conforming use rights with consideration of the following criteria:

1. The degree to which the non-conformity can become more conforming.

**Applicant Response: The current configuration reflects long-standing access serving the subject properties. While the access is not paved, it is being actively and routinely maintained by the benefiting property owners to ensure it remains functional and passable. At this time, no expansion or intensification of the use is proposed that would increase the level of non-conformity. The request does not involve extending the road, increasing the number of users, or otherwise modifying the access in a manner that would further deviate from current standards. Under the present proposal, the existing condition of the access remains unchanged and does not increase the degree of non-conformity due to the addition of the small recreational duck hunting camp.**

2. The extent of a government's obligation or liabilities including, but not limited to, infrastructure improvement, infrastructure maintenance, and public safety

**Applicant Response: The road is privately owned and maintained by the benefiting property owners. There are no known public maintenance agreements or dedication of the roadway to Polk County. Maintenance and any associated improvements are handled privately by the property owners on an as-needed basis to ensure continued access. As the road is not a public facility and has not been dedicated to or accepted by the County, the proposal does not create or expand any governmental obligation for infrastructure improvements, ongoing maintenance, or liability associated with the private access road. Public services would continue to access the properties in the same manner as currently exists. Accordingly, the request does not impose additional infrastructure responsibilities or public safety obligations upon Polk County beyond those already in place.**

3. The potential impact that the expansion may pose to neighboring properties


**Applicant Response: The current CU request is to better define the allowable uses of the current CU entitlements. The proposed duck camp use is no more intense than the current approved uses and as such would not adversely affect neighboring properties.**

4. The extent of the use's longevity (i.e., how long has it been there and how long is it to continue at its location)

**Applicant Response: The current property's entitlements are for a fish camp with RV/camp sites. This approval is dated back to 2002 with CU #02-18. The proposed duck hunting camp usage falls in line with the vested rights. It is expected that this type of recreational usage will always be prevalent on the subject property due to its location against Lake Kissimmee.**

5. The applicant's future plans for the property relative to the County's plans

**Applicant Response: The applicant does not propose any expansion or intensification of use beyond what is currently requested and reviewed. There are no known future development plans that would alter the character or scale of the property in a manner inconsistent with the County's adopted Comprehensive Plan or Land Development Code.**



6. The improved development standards or infrastructure that may result from expansion of the use.

**Applicant Response: the current request does not propose an expansion or intensification that would require additional infrastructure improvements. Access to the subject properties will continue to be provided by the existing private, non-paved dirt road extending from Sam Keene Road. No extension of the roadway, increase in service area, or modification to its current configuration is proposed. The road will continue to be privately maintained by the benefiting property owners on an as-needed basis. As such, the proposal does not trigger additional development standards or infrastructure improvements beyond what currently exists. The existing access arrangement and maintenance practices will remain unchanged.**

If you have any questions regarding this letter, please call me at (863) 397-1627 or email me at [Cbrooker@traditions-eng.com](mailto:Cbrooker@traditions-eng.com)

Sincerely,

Charles "Chad" Brooker, P.E.  
Traditions Engineering, LLC