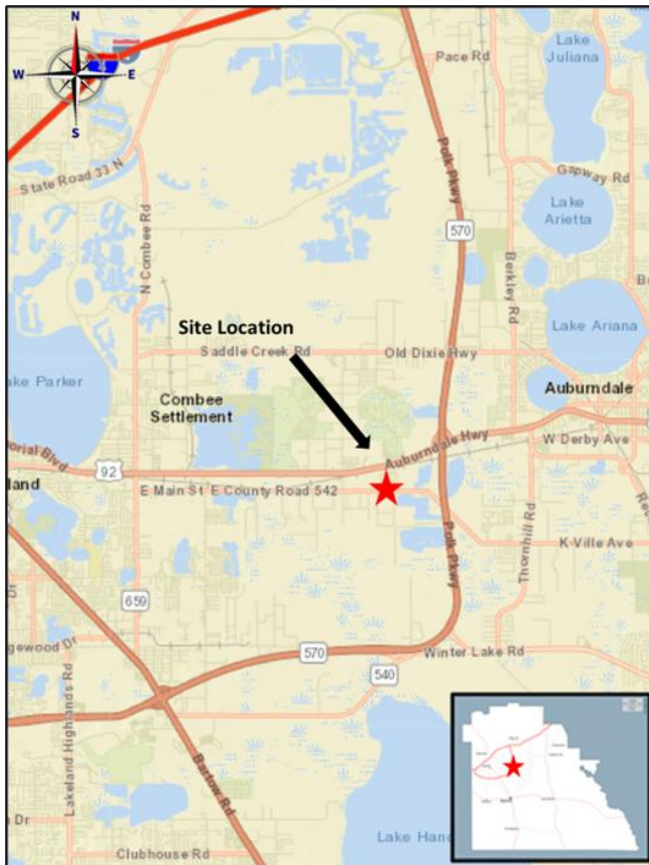


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	January 8, 2026
Planning Commission Date:	June 3, 2026
BoCC Dates:	August 4, 2026 (DeNovo)
Applicant:	Sarah Case
Level of Review:	Level 3 Review, Conditional Use
Case Number and Name:	LDCU-2025-35 Crossed Paws Rescue CU
Request:	The applicant is requesting Conditional Use (CU) approval to allow the use “Kennels, Boarding and Breeding” on approximately 4.63 acres.
Location:	3656 K-ville Avenue, south of Highway 92 West, north and west of the city of Auburndale in Section 18, Township 28, Range 25.
Property Owner:	Crossed Paws Pet Rescue Inc
Parcel Size:	252818-347000-003500 (+/- 4.63 acres)
Development Area/Overlays:	Residential Suburban Area (SDA)
Future Land Use:	Residential Suburban (RS)
Nearest Municipality	Auburndale
DRC Recommendation:	Denial
Planning Commission Vote:	Approve 3-2 with conditions



Site Location



Aerial Image

Summary of Analysis:

****On June 3, 2026, the Planning Commission voted 3-2 to approve LDCU-2025-35 with the following conditions:*

- 1. The kennel areas shall be fenced to ensure containment of dogs kept onsite.*
- 2. This site shall not be open to public access.*
- 3. A caretaker residence shall be established onsite to provide full-time care of the dogs.*

*The case was subsequently appealed by a member of the public. ****

LDCU-2025-35 is a Conditional Use (CU) request to allow the use “Kennels, Boarding and Breeding” on approximately 4.63 acres within the Residential Suburban (RS) future land use district. According to Land Development Code (LDC) Table 2.1, this use is not permitted without a Level 3 conditional use approval.

A pet rescue operation has been established at the site without prior County approval. The site is subject to CMA-2025-1417, a codes case for the operation of a kennel in a RS Land Use District. Based on site inspections by Land Development and Code Enforcement staff, and related case records, multiple animals are being housed on the property in three 30 x 40 sheds.

LDC Section 303 provides for conditions necessary for kennel uses in all land use districts subject to conditional approval, as follows:

- 1. All new structures shall be a minimum of 50 feet from any side or rear property boundary line.*
- 2. At a minimum, a visual buffer equal to a Type “C” buffer (see Section 720) shall be provided between all new facilities and adjacent residential properties and public roads.*
- 3. All kennel sites shall be, at a minimum, 40,000 square feet (0.92 acres).*
- 4. All dogs more than four months of age shall be kept in pens designed and maintained for secure confinement. All sanitary facilities shall be approved by the health department. Kennels shall minimize adverse noise or odor impacts detectable off-site. Such features shall be noted on the site plan.*

Under present conditions, the structures being used for kennels do not meet the required 50-foot setbacks from adjoining residential properties (min. +/- 30 feet from western property line). The applicant is proposing adding the 30 x 40’ structures for the kennels to the rear of the property that meet this setback. In addition, a Type “C” landscaping buffer with fencing is proposed along the western and eastern property lines.

From a land use perspective, RS districts are intended to accommodate low-intensity residential uses, where activity levels, noise, and traffic are consistent with single-family or comparable residential development. Kennels may introduce impacts that exceed typical residential conditions, including increased vehicle trips associated with staff, volunteers, and animal intake activities, as well as potential noise and odors related to animal care and handling. These are the reasons why kennels are allowed through administrative approval in rural, industrial, and commercial land use districts yet rise to the level of requiring Planning Commission approval in RS. Aside from

Agricultural/Residential Rural (A/RR), kennels are not permitted in other residential land use districts.

Staff finds this request incompatible with surrounding uses and is recommending denial of this application because of its location between established residential uses. The externalities created by a kennel operation, such as noise, odor, on-site special events, non-residential traffic, etc., are difficult to quantify and mitigate through conditions of approval to a degree in which staff would find it compatible with the adjacent residential uses.

Findings of Fact

- *LDCU-2025-35 is a Conditional Use (CU) request to allow the use “Kennels, Boarding and Breeding” on approximately 4.63 acres on Parcel No. 252818-347000-003500 (+/- 4.63 acres) within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA).*
- *CMA-2025-1417 is a Magistrate Violation for the operation of a kennel in an RS land use district and was filed on July 24, 2025, based on a citizen complaint (CEC-2025-834). Code enforcement staff observed and documented multiple buildings with attached outdoor kennels at the rear of the property and heard continuous barking coming from inside the buildings.*
- *Building permits BR-2025-296, BR-2025-297, and BR-2025-298 were Residential Accessory Permits for detached 30 X 40' Metal Garages.*
- *LDC Section 209 does not limit the number of accessory structures a property can have.*
- *According to LDC Section 761, Table 7.17, no person shall operate, cause to be operated, or permit on private property any source of noise or noise in such a manner as to create a noise level which exceeds the limits set forth in the following land use designations:*
 - *BPC-2, IND, HIC – 75 dB(A)*
 - *CC, NAC, CAC, RAC, LCC, L/R, CE, TC, TCC, RCC, BPC-1, EC – 65 dB(A).*
- *Kennels, Boarding and Breeding (Revised 01/30/03 - Ord. 03-14)*

In addition to the applicable district regulations in Table 2.2, the following standards shall apply:

- 1. All new structures shall be a minimum of 50 feet from any side or rear property boundary line.*
 - 2. At a minimum, a visual buffer equal to a Type “C” buffer (see Section 720) shall be provided between all new facilities and adjacent residential properties and public roads.*
 - 3. All kennel sites shall be, at a minimum, 40,000 square feet (0.92 acres).*
 - 4. All dogs more than four months of age shall be kept in pens designed and maintained for secure confinement. All sanitary facilities shall be approved by the health department. Kennels shall minimize adverse noise or odor impacts detectable off-site. Such features shall be noted on the site plan.*
- *The site is within the Suburban Development Area (SDA). According to SECTION 2.106-A1 of the Comprehensive Plan, “SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-*

franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.”

- *The purpose of the Residential Suburban (RS) land use district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities.*
- *Florida law and County Code do not set a limit on the number of dogs a person can own. Individual pet ownership is governed by liability provisions (§ 767.01), whereas commercial or higher-intensity animal uses are subject to health standards (§ 828.29) and licensing requirements.*
- *“Kennels, Boarding and Breeding” is a “C3” use, according to Table 2.1 of the LDC.*
- *LDC Chapter 10 defines KENNEL, BREEDING: Land or structures where any number of animals that are not personal pets of the property owner are kept for the purpose of sale, rental, breeding, hire as guard animals on other property, or other commercial purposes. A breeding kennel shall not include pet stores or commercial kennels used for boarding purposes only.*
- *LDC Chapter 10 defines KENNEL, BOARDING: A commercial establishment where any number of personal pets (typically dogs and cats) are kept for boarding or lodging purposes for a fee. Pet grooming may be provided as an accessory use.*
- *The subject site is served by well and septic.*
- *The subject property is not located within an Airport Impact Zone.*
- *The soil types for the site are Pomona fine sand and Pomona-Urban land complex.*
- *Direct ingress/egress to the development is proposed from K-Ville Avenue. K-Ville Avenue is listed as a Rural Major Collector (RMC) in Polk County’s Road Inventory.*
- *There are no sidewalks fronting the subject site.*
- *Fire and ambulance response is from Fire Station 39, located at 3325 E Main St, Lakeland.*
- *Sheriff’s response to the site is served by the North Central District, located at 3635 Ave. G NW, Winter Haven. The response times for April 2026 were: P1-10:03 minutes, P2-30:05 minutes.*
- *The zoned schools for the site are Clarence Boswell Elementary, Jere L. Stambaugh Middle, and Tenoroc High.*
- *The nearest regional Park is Saddle Creek Park, approximately 3.4 miles northwest of the site.*

- *The site does contain flood zone “A” in the center of the parcel.*
- *The site is not within a well-field protection district.*
- *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 site is not located within the Polk Green Potential Network Connections District.*
- *The closest mass transit stop is Citrus Connection Purple Line LAK/WH, approximately 0.2 miles west of the site.*
- *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 SECTION 2.102 GROWTH MANAGEMENT; SECTION 2.106 SUBURBAN DEVELOPMENT AREAS (SDA); and OBJECTIVE 2.120-A: RESIDENTIAL SUBURBAN of the Comprehensive Plan.*
- *LDC Section 922 states, “The BoCC shall consider the development application based upon all applicable provisions of the Land Development Code and Comprehensive Plan, including, but not limited to, the provisions pertaining to the Level 3 review.”*
- *This request has been reviewed for consistency with LDC Section 303, 906, 907, and 922.*

RECOMMENDATION OF DENIAL

Based upon the findings of fact, the Development Review Committee recommends DENIAL of LDCU-2025-35.

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: Commercial Enclave (CE) Warehousing/Distribution	North: Commercial Enclave (CE) Vacant	Northeast: Commercial Enclave Vacant Commercial
West: Residential Suburban (RS) Single-family homes	Subject Property: Residential Suburban (RS) Crossed Paws Pet Rescue	East: Residential Suburban (RS) Single-family homes
Southwest: City of Auburndale K-Ville Avenue Pasture	South: City of Auburndale K-Ville Avenue Pasture	Southeast: City of Auburndale K-Ville Avenue Pasture

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

The subject site is located within the Kossuthville Unit No. 1 subdivision platted in December 1925 (PB 17 PG 50) with frontage and direct access to K-Ville Avenue. It is currently within a Residential Suburban future land use district as are adjacent properties to the east and west. The city of Auburndale is located to the south. To the north are properties within the Commercial Enclave (CE) future land use district, including a warehousing/distribution use, according to the Property Appraiser. Commercial Enclaves are the result of past actions by the County, which may or may not have been previously developed, but are recognized through their designation on the Future Land Use Map Series.

The subject site is approximately 4.63 acres, below the minimum RS residential lot size of five acres. It is approximately 157 feet in width and 1282 feet in depth. Due to having been platted, it is considered a legal, non-conforming lot of record. The property was purchased in December 2024 by Crossed Paws Pet Rescue, Inc. The Property Appraiser lists two residential structures onsite:

1. 1,302 sq. ft. site-built home constructed in 1923.

2. 1,120 sq. ft. mobile home constructed in 1997.

No completed demolition permit for either structure was found in the County records. Building permits BR-2025-296, BR-2025-297, and BR-2025-298 were issued in 2025 as Residential Accessory Permits for detached 30 X 40' Metal Garages. CMA-2025-1417 is an unresolved Magistrate Violation for the operation of a kennel in an RS land use district and was filed on July 24, 2025, based on a citizen complaint (CEC-2025-834). Code enforcement staff observed and documented multiple buildings with attached outdoor kennels at the rear of the property and heard continuous barking coming from inside the buildings.

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 and application 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.

A. Land Uses:

LDCU-2025-35 is a Conditional Use (CU) request to allow the use “Kennels, Boarding and Breeding” on approximately 4.63 acres within the Residential Suburban (RS) future land use district. According to LDC Table 2.1, this use is not permitted without a Level 3 conditional use approval. Crossed Paws Pet Rescue is a Florida Not for Profit Corporation, which is a state-registered business entity and advertises its rescue and adoptions through social media.

The LDC defines compatibility 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.”

LDC Section 303 provides for conditions necessary for kennel uses in all land use districts subject to conditional approval, as follows:

1. *All new structures shall be a minimum of 50 feet from any side or rear property boundary line.*
2. *At a minimum, a visual buffer equal to a Type “C” buffer (see Section 720) shall be provided between all new facilities and adjacent residential properties and public roads.*
3. *All kennel sites shall be, at a minimum, 40,000 square feet (0.92 acres).*
4. *All dogs more than four months of age shall be kept in pens designed and maintained for secure confinement. All sanitary facilities shall be approved by the health department. Kennels shall minimize adverse noise or odor impacts detectable off-site. Such features shall be noted on the site plan.*

Under present conditions, the structures being used for kennels do not meet the required 50-foot setbacks from adjoining residential properties (min. +/- 30 feet from western property line). The applicant is proposing adding the 30 x 40' structures for the kennels to the rear of the property that meet this setback. The applicant has stated that the existing structures will be used for storage, though the Code does not differentiate between storage structures and kennels when applying the 50-foot setback. In addition, a Type "C" landscaping buffer with fencing is proposed along the western and eastern property lines. An opaque fence has been placed along the subject property lines.

The applicant has also proposed the following conditions, as shown on the submitted site plan:

1. *Approval for Crossed Paws Animal Rescue Inc. and/or Stephanie Badillo ONLY.*
2. *Subject site prohibited to the public.*
3. *Grooming and boarding services prohibited other than canines registered to Crossed Paws Animal Rescue Inc. and/or Stephanie Badillo..*
4. *Crossed Paws Pet Rescue Inc. shall maintain records & receipts of all off-site solid waste disposal.*

According to the LDC, the purpose of the RS district is to provide areas for suburban density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities. The only residential category that permits kennels, boarding by-right is Agricultural/Rural Residential (A/RR). Aside from A/RR and RS, they are not allowed in any other standard residential category.

Kennels introduce intensity and impacts that exceed typical residential conditions, including increased vehicle trips associated with staff, volunteers, and animal intake activities, as well as noise and odor related to animal care and handling. These impacts may affect surrounding single-family properties, particularly within established neighborhoods. For these reasons, kennels are permitted through administrative approval in the following non-residential land use districts, according to Table 2.1: Rural Cluster Center (RCC); Commercial Enclave (CE); Linear Commercial Corridor (LCC); Community Activity Center (CAC); Regional Activity Center (RAC); Tourist Commercial Center (TCC); High Impact Commercial (HIC); Business Park Center-2 (BPC-2), Industrial (IND); and Phosphate Mining (PM). These are among the most intense land use districts in the County, and compatibility is established through the use being assigned to these districts. Only kennels in RCC, CAC, TCC, and BPC-2 are subject to conditional use criteria in LDC Section 303.

The purpose of the Level 3 Review in an RS district is to evaluate cases on an individual basis to address compatibility concerns with surrounding residential uses. Staff has not identified other approved commercial or non-profit kennels in a similar RS district. Comparable operations within the County include Polk County Bully Project, SPCA Florida, and Humane Society of Polk County, which are within Business Park Center (BPC-2) land use districts.

Within RS, the standards in LDC Section 303 are prescriptive to a point. The externalities created by a kennel operation within a residential setting, such as noise, odor, on-site special events, non-residential traffic, etc., are difficult to quantify and mitigate through conditions of approval to a

degree in which staff would find it compatible with the adjacent residential uses in this situation given the location of the kennel between these residential uses. Barking, in particular, is problematic in residential settings, as these sound levels reach or exceed 100 dB.

For example, Exhibit 8 shows the distance from the existing kennels to neighboring homes. While placing kennels towards the rear of the site shifts them away from those homes on the south end of the property, it locates them closer to neighbors to the northwest (+/- 380 feet). The distance from the physical homes is one consideration. The use of the neighbors' rear yards for their recreation and enjoyment could also be compromised wherever the kennel structures are located.

The County does not regulate the number of dogs, whose noise and other external effects create disruption for neighbors, potentially throughout all hours of the day. The LDC does not have noise limits in RS, according to LDC Section 761. The LDC does not provide standards for odor for this use or within this land use district. The LDC does not monitor hours of operation or employee/volunteer hours.

Pursuant to LDC Sections 922.2, 906.D.13 and 907.D.7, the BoCC may prescribe appropriate conditions and safeguards in conformity with the intent and provisions of this Section, including the following:

- a. Limit the manner and extent to which an activity is conducted to minimize such environmental effects as noise, vibration, air pollution, glare, and odor;*
- b. Limit the height, size, or location of a building or other structure (including signs) to minimize incompatibilities between a proposed development and surrounding uses;*
- c. Designate the size, number and location of vehicle access points to minimize hazards for vehicular or bicycle/pedestrian traffic and to minimize congestion on public roads;*
- d. Limit the location of on-site uses such as parking areas, loading areas, drive-thru windows, and trash collection areas to minimize adverse impacts on adjacent properties;*
- e. Limit the location and intensity of outdoor lighting, including sign lighting, or require its shielding to protect adjacent or nearby properties and public roadways from glare;*
- f. Require berming, screening, or landscaping to lessen visual and sound impacts which may adversely affect adjacent or nearby property; and*
- g. Specify other conditions in conformity with the intent and purpose of this Code and the Comprehensive Plan.*

The enforcement of conditions is subject to Code Enforcement action.

B. Infrastructure:

The subject site is not within a County utility service area and will rely on septic and a private potable water well. K-Ville Avenue is a Rural Major Collector with available capacity. Public safety response times are operating at expected levels. School capacity is not anticipated to be an issue with the site to develop with commercial use.

Nearest and Zoned Elementary, Middle, and High School

The property is zoned for Clarence Boswell Elementary, Jere L. Stambaugh Middle, and Tenoroc High. However, the applicant does not need to address School Board capacity for the anticipated project. The proposed use is not expected to have any impact on school concurrency as the use will not generate the need for children to attend school. Therefore, the proposed use is not likely to have any adverse impacts upon school operations.

Table 2

Name of School	Distance from subject site
Clarence Boswell Elementary	±1.2 miles driving distance
Jere L. Stambaugh Middle	±5.1 miles driving distance
Tenoroc High	±3.1 miles driving distance

Source: Polk County School Board

Nearest Sheriff, Fire, and EMS Station

Fire and EMS response to this project is from Polk County Fire Rescue Station 39, located at 3325 E Main St, Lakeland. The travel distance is approximately 3.1 miles from the site with an average response time of 7-9 minutes.

Sheriff's response to the site is served by the North Central District, located at 3635 Ave. G NW, Winter Haven. Response times for NC in April 2026 were: Priority 1 Calls – 10:03 and Priority 2 Calls – 30:05. Priority 1 Calls are considered true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. Sheriff's response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	North Central District (3635 Ave. G NW, Winter Haven)	±4.8 miles	Priority 1 – 10:03 Priority 2 – 30:05
Fire EMS	Station #39 (3325 E Main St, Lakeland)	±3.1 miles	7-9 minutes

Source: Polk County Sheriff's Office and Public Safety *Response times are based on when the station receives the call, not from when the call is made to 911.

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

The site will utilize well and septic as the site does not have access to water and wastewater lines.

B. Available Capacity:

Information is not available for capacity as water and wastewater are not available for this site.

C. Planned Improvements:

No planned improvements are anticipated at this time.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The Roadway Network Database contains current traffic data for all arterial and collector roads and includes information on the current traffic volume and level-of-service for these major roads. The report identifies both daily and peak hour traffic volumes. Daily traffic volumes are reported in Annual Average Daily Traffic (AADT)- the typical traffic volume on a weekday over a 24-hour period. Peak hour traffic represents the highest hourly traffic volume for period between 4-7 p.m. It is reported as both a two-way volume and as directional volumes (east and west or north and south). The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion). This project is not expected to have a significant influence on the capacity of the nearest relevant road links.

A. Estimated Demand:

The estimated demand for the parcel will vary with the proposed use. No traffic study is anticipated as the proposed use is likely to generate fewer than 50 AADT. For single-family uses, the anticipated trip count is 7.81 AADT and 1 Peak PM Trip per unit.

B. Available Capacity:

The roads surrounding the subject site have sufficient PM Peak capacity available. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links.

Table 4 Roadway Link Concurrency

Link #	Road Name	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
4169E	CR 542 (K-VILLE AVE)	C	296	D	C
4169W	THORNHILL ROAD to SR 655 (RECKER HIGHWAY)		276		

Source: Polk County Transportation Planning Organization, 2025 Roadway Network Database

C. Roadway Conditions:

The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review, if necessary/

D. Sidewalk Network:

There are no sidewalks fronting the subject site. The nearest sidewalk is located at Clarence Boswell Elementary.

E. Planned Improvements:

There are no plans for improvements in this area.

F. Mass Transit

The closest mass transit is Citrus Connection Purple Line LAK/WH. The closest stop is at Payne Street and K-Ville Avenue, approximately 0.2 miles west of the site.

Park Facilities and Environmental Lands:

The following analysis is based on public recreation facilities.

A. Location

The nearest park is the K Ville Community Center 0.2 miles west of the site, and the nearest regional park is Saddle Creek Park, 3.4 miles to the northwest of the subject site

B. Services

Saddle Creek is one of the largest parks in Central Florida. In addition to offering a campground there are also boat launch sites and pier fishing. The park includes a playground, picnic tables and picnic shelters, softball field, walking trails

C. Multi-use Trails

The closest hiking trail is in Tenoroc Public Use Area.

D. Environmental Lands

The closest environmental land to the site is the Tenoroc Public Use Area approximately 10 miles from the subject site.

E. Planned Improvements:

There are no further recreation improvements scheduled for this area of the County at this time.

Environmental Conditions

The following environmental conditions apply to the subject site.

A. Surface Water:

There is no surface water on the subject site. The site's elevation is relatively flat with an elevation of 122-124 throughout the site. There are no surface waters on the site.

B. Wetlands/Floodplains:

A portion of the subject site is located within a flood zone "A." No wetlands are indicated on County dataviewers.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 7 following this paragraph. According to the soil survey of Polk County, the site soils have limitations for septic tank absorption.

Table 7

Soil Name	Septic Tank Absorption Field Limitations	% of Site (approximate)
Pomona fine sand	Severe: wetness	72.6%
Pomona-Urban land complex	Severe: wetness	27.4%

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service, 1985

D. Protected Species

According to the Florida Biodiversity Matrix GIS application, no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological sites listed in the Florida Master Site File.

F. Wells (Public/Private)

This site is not within any of the County's Wellhead Protection Districts.

G. Airports:

The site is not within any Airport Impact Zones.

Economic Factors:

The economic impact from this operation is difficult to quantify at this time. Rescue shelters do provide a local economic benefit by reducing public costs for animal control.

Consistency with the Comprehensive Plan and Land Development Code:

The BoCC, in the review of development plans, shall consider the following factors listed in Table 8 in accordance with Sections 906 & 907 of the Land Development Code.

Table 8

Whether the proposed development is consistent with all relevant requirements of this Code;	<i>No, the request is not currently consistent with the LDC. Kennels are not setback 50 feet from property lines. The site plan has provided for these to be moved to the rear and meet this setback.</i>
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	<i>No, staff finds this request incompatible with surrounding uses.</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>No, the request is incompatible with surrounding uses and the general character of the area, as demonstrated within the staff report.</i>
Any other matter which the BoCC may deem appropriate and relevant to the specific development proposal.	<i>LDC Sections 922, 906 and 907 provide for conditions on an approval the Board may grant.</i>

Comments from other Agencies: The Building Department and Code Enforcement staff have contributed to the information provided in this report.

Exhibits:

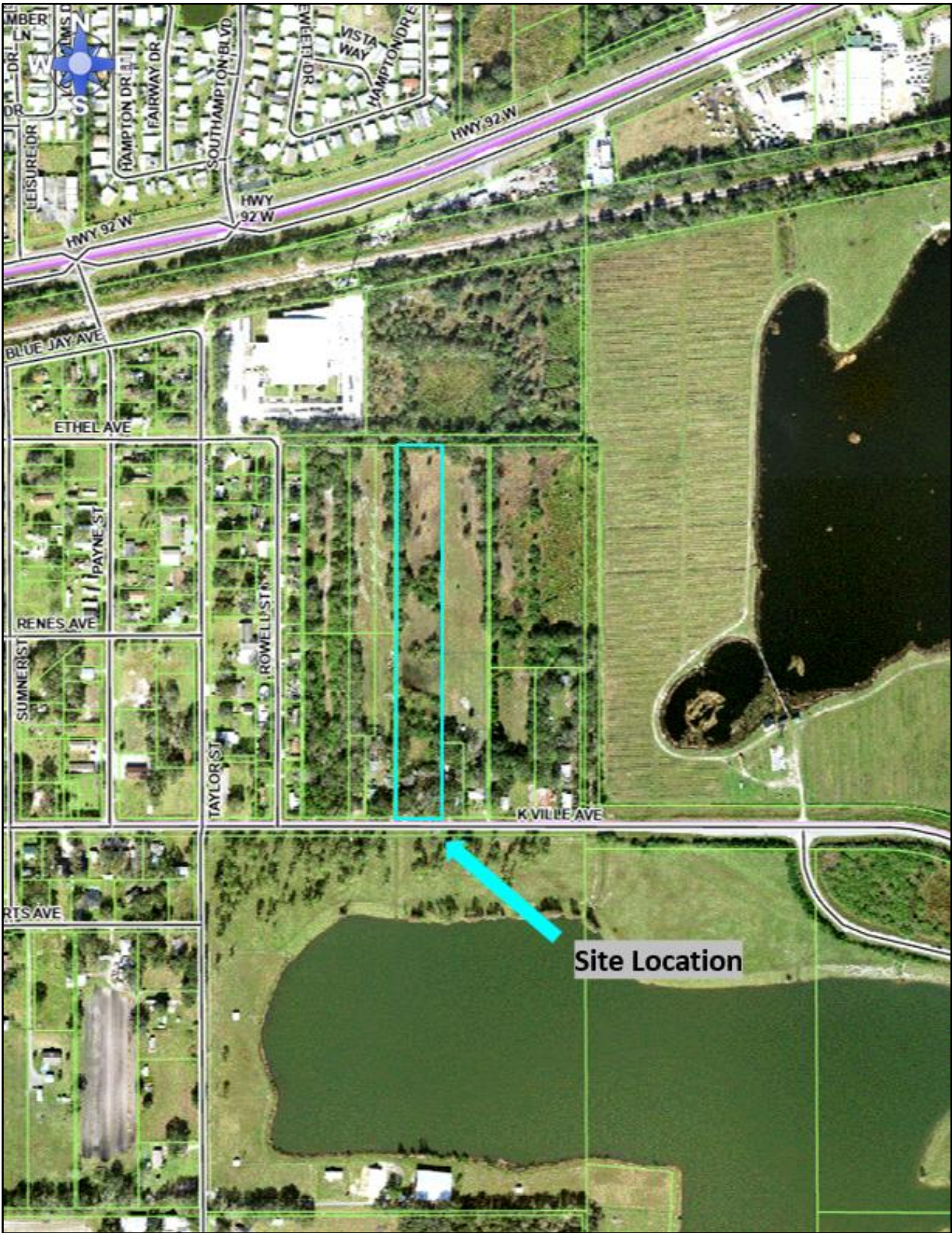
Exhibit 1	Location Map
Exhibit 2	Future Land Use Map
Exhibit 3	Aerial Image (Context)
Exhibit 4	Aerial Image (Close)
Exhibit 5	Site Plan
Exhibit 6	Google Earth Aerials
Exhibit 7	Building permit site plan
Exhibit 8	Distance to homes
Exhibit 9	Kennel Locations



Location Map



Future Land Use



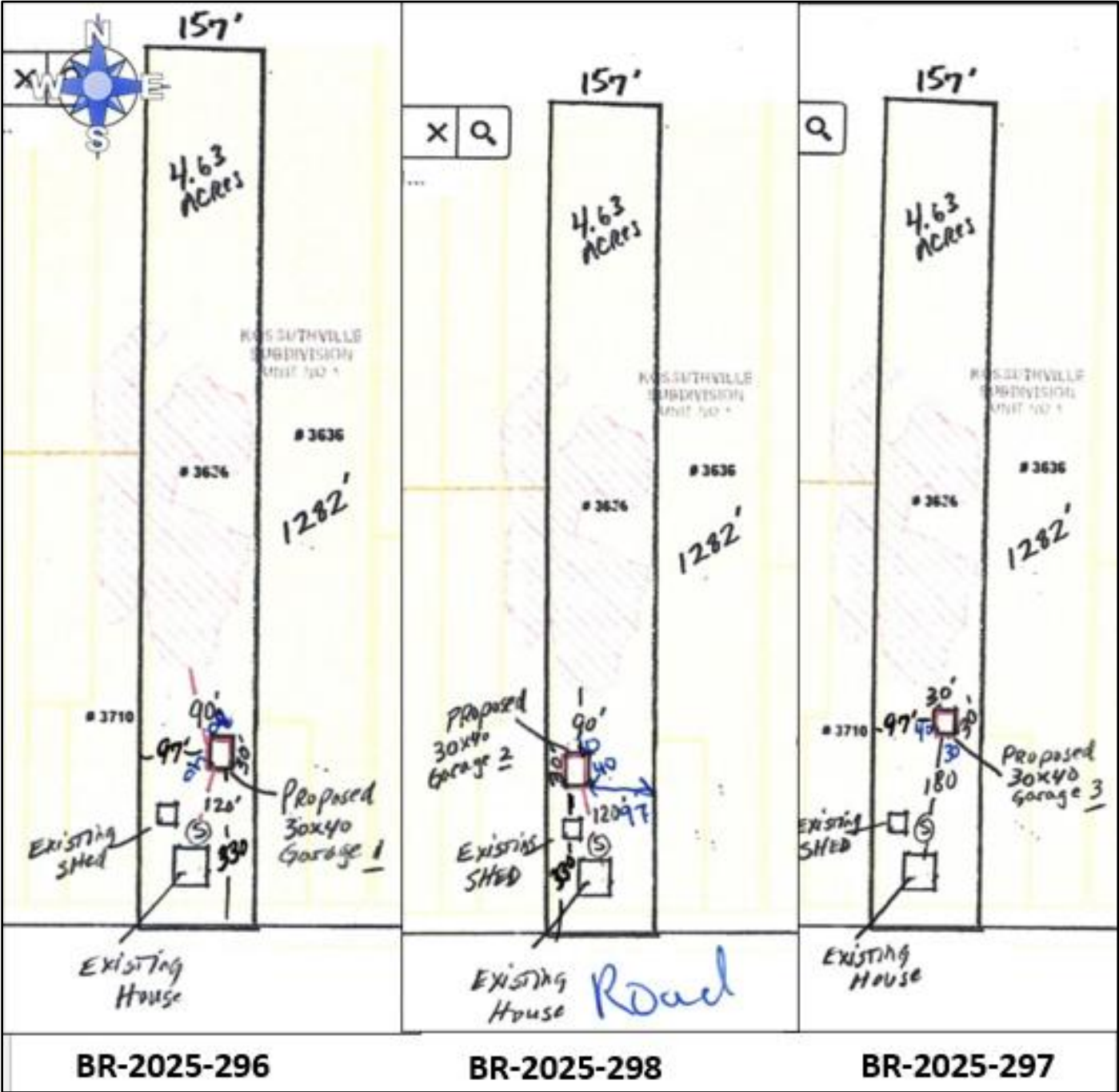
2023 Aerial Photo (Context)



2023 Aerial Photo (Close-Up)



Google Earth Aerials



Building Permit Site Plans



Existing Kennel Distance To Homes



Kennel Locations