

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

<b>DRC Date</b>	<b>November 13, 2025</b>	<b>CASE #:</b>	<b>LDLVAR-2025-63 (McCartney Citrus Ridge)</b>
<b>LUHO Date</b>	<b>December 9, 2025</b>	<b>LDC Section:</b>	<b>209.F &amp; PD 81-22</b>

**Project Number:** LDLVAR-2025-63

**Request:** The applicant is requesting a side primary structure setback reduction from five (5) to zero (0) feet for an open patio cover.

**Applicant:** Monica McCartney

**Property Owner:** Monica McCartney

**Location:** 76 Citrus Ridge Drive, located on Lot 76, on the east side of Robinson south of the intersection with North Valencia Drive, east of Citrus Ridge Drive, west of Dancy within the Citrus Ridge subdivision, northwest of the City of Davenport, in Section 20, Township 26, Range 27.

**Parcel ID#:** 272620-706001-000760

**Size:** ±0.055 acres (2,400 sq.ft.)

**Land Use Designation:** PUD 81-22  
Residential Medium (RMX)  
North Ridge Selected Area Plan (SAP)

**Development Area:** Transit Supportive Development Area (TSDA)

**Case Planner:** Erik Peterson, AICP  
Planning Administrator

**Summary:**

The applicant is requesting a reduction to the side yard setbacks from five (5) feet to one (1) foot for a covered patio. This property is located within Phase one of the Citrus Ridge subdivision, a three phased Planned Development (PD 81-22). This development was originally approved for recreational vehicle (RV) lots; however, a modification to the PD took place on February 14, 2006, which allowed placement of larger mobile homes and to reduce the side setback from seven (7) feet to five (5) feet. The same modification enabled accessory structures to be placed zero feet from the side and rear lot lines. The decision and approval of the PD modification to allow mobile homes with setback reductions was not enough to fully accommodate them because the lots were sized for recreational vehicles. The addition of larger mobile homes has resulted in the need for many variance requests by residents since 2006. As lot owners placed mobile homes on the property, they quickly discovered that there was not enough room for the other niceties of Floridian

habitation such as patio covers. In this case, the applicant has recently replaced a park trailer and enclosed porch with a double-wide mobile home. The applicant would like a covered patio, but there is only 11½ feet of space between the new home and the property line. The applicant needs 10 feet for a covered patio. The LDC considers the extension of the building roofline to be part of the primary structure. While the applicant has permission from the HOA to cover the patio, it is beyond what was allowed under the conditions of approval because only accessory structures are allowed to be placed at a zero-side yard setback.

This will cover most of the property with structures. The double-wide mobile home reduced some of the space for parking leaving only 12½ feet to the right-of-way line and 17½ feet from the edge of pavement. The average length of most sedans, minivans, and crossovers is 16 feet. Larger SUVs and trucks can be up to 25 feet in length. An open patio area will enable larger vehicles to pull in farther than is available in front of the mobile home.

Staff recommends approval of LDLVAR-2025-63 as the request meets the following criteria listed in Section 931:

- The request **will not be injurious to the area involved or otherwise detrimental to the public welfare** because a portion of the covered patio will not be occupied by any structure and allow at least one larger vehicle to pull in far enough to not extend into the drive aisle.
- **Granting the requested variance will not confer on the applicant any special privilege that is denied by the provisions of this Code and will constitute unnecessary and undue hardship on the applicant.** Asking for a variance to one of the standards is not uncommon for residents wanting to add to their home given the small lot sizes and widths in the development. There have been 34 variances to setback standards granted in the Citrus Ridge Planned Development (PD 81-22) since 2019. In Phase One, 14 have been approved.

### **Development Review Committee**

The Development Review Committee, based on the criteria for granting Variances, finds that the applicant's request as written **IS CONSISTENT** with **Section 931** of the Polk County Land Development Code.

**Development Review Committee Recommendation:** Based upon the application, and a recent site visit, the Development Review Committee recommends **APPROVAL of LDLVAR-2025-63**, with the following conditions:

### **CONDITIONS OF APPROVAL:**

1. Approval of this variance is for a side primary structure setback reduction from five (5) to one (1) foot for an open patio cover. All further additions or structures placed on the property shall be required to meet the requirements PD 81-22 or be granted approval via another variance from the Land Use Hearing Officer.
2. No portion of the patio cover shall be enclosed. The interior may be screened up to 25 feet of the right-of-way line (30 feet from edge of pavement).
3. Rain gutters and downspouts shall be installed to prevent stormwater runoff from the patio cover into the neighboring properties. Downspouts shall direct flow onto the right-of-way.

4. The applicant shall have one (1) year from the date the Land Use Hearing Officer's Final Order is rendered to apply for all necessary building permits and pay all associated fees for the proposed addition.
5. This variance 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.

## **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: 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 LDC.*

*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.*

## **DEMONSTRATIONS OF THE CRITERIA FOR GRANTING VARIANCES SUMMARIZED BELOW:**

1. *Whether granting the variance will be in accordance with the general intent and purpose of this Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

The Citrus Ridge Planned Development (PD 81-22) was modified in 2006 to reduce the side and rear setbacks to five feet for dwellings and reduce the setbacks to zero on the side and rear for accessory structures less than 8 feet wide, 12 feet long, and 10 feet high. From then on, almost every unit in the development sits approximately five feet from the rear lot line and has at least one shed on the side and rear property lines. Citrus Ridge began as an RV park and evolved into a mobile home subdivision. Most properties are under 2,500 square feet, so it does not take many accessory structures to run out of buildable space.

This patio cover addition will cover most of the property with structures. The double-wide mobile home reduced some of the space for parking leaving only 12½ feet to the property line which is 17½ feet from the edge of pavement. The average length of most sedans, minivans, and crossovers is 16 feet. Larger SUVs and trucks can be up to 25 feet in length. The drive aisle is one way, and the right-of-way width is only 20 feet. Travel speeds are

low in the area. Posted speed is 15 miles per hour. However, vehicles parked in this limited space can be hazardous to pedestrians even at low speeds.

There is limited potential harm to come from approval of this variance request. Although the new mobile home has significantly reduced the amount of space for off-street parking, the request will be an open patio cover which will enable vehicles to be parked under it to prevent them from blocking the 10-foot drive aisle/street. By remaining open, it does not jeopardize the fire standards in relation to the neighboring property. A condition of approval is included to address this and stormwater runoff onto neighboring properties. Therefore, *the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

2. *Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the applicable land use district;*

Citrus Ridge is a community where homeowners seek to occupy every square inch of buildable space on their property because the lots are small and narrow. It was originally intended for recreational vehicles but later evolved into a mobile home development. The lot meets the minimum size approvable in the development under the original RV park development of 2,400 square feet. It has the same identical dimensions as 18 others in the block. The new home of 980 square feet is the largest on the block by 20 square feet. The previous park trailer and add-on room extension was 656 square feet. The previous home had no covered patio.

3. *Whether provided the special conditions and circumstances present in the request do not result from the actions of the applicant;*

The applicant/owner purchased the property with her former husband in 2017. The previous park trailer and vinyl room extension had been on the property since 1985. It was recently replaced with a double-wide mobile home. The shed has been on the property since 2010. The 2006 modification of PD 81-22 reduced the primary dwelling setback to five feet of the side and rear property line. The new home of 980 square feet is the largest on the block by 20 square feet. The previous park trailer and add-on room extension was 656 square feet. The previous home had no covered patio.

4. *Whether granting the requested variance will not confer on the applicant any special privilege that is denied by the provisions of this Code and will constitute unnecessary and undue hardship on the applicant;*

Citrus Ridge (PD 81-22) was originally approved as an RV park but has evolved into a mobile home subdivision since the early 1990s. For the residents, it appears to be the norm to cover much of the property with the dwelling and attachments in this development. There have been 14 setback variances approved in this phase alone of Citrus Ridge since 2019. While visiting the site, staff observed many other properties beyond the known 14 that have extended covered patios and porches beyond the setback limits. Another 20 variances have been approved in the other two phases of the development.

5. *Whether the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;*

Although it fills most of the remaining space on the property, a 10½' x 30' patio is not large relative to many of the properties within the development. The new home that was recently placed on the property has eliminated much of the space for off-street parking leaving only 17 ½ feet between the home and the 10-foot-wide drive aisle/street, according to the survey submitted with the application (see Exhibit 5). This patio cover will not be enclosed or screened so that a common size vehicle can pull forward enough to not occupy a portion of the drive aisle/right-of-way.

6. *Whether that in no case shall a variance be granted which will result in a change of land use that would not be permitted in the applicable land use designation;*

Granting this variance will not result in a change of land use. The property will remain residential with an additional patio cover.

7. *Whether that in no case shall the Land Use Hearing Officer or the Planning Commission grant a variance which would result in creation of any residual lot or parcel which does not meet the requirements of this Code; and*

Granting this request will not result in the creation of a lot or parcel.

8. *Whether that the granting of the variance does not circumvent a condition or the intent of a condition placed on a development by the Planning Commission or the BoCC.*

The Citrus Ridge Planned Development (PD 81-22) was modified on February 14, 2006, to allow mobile homes up to 1,008 square feet and reduce the rear setbacks from 10 feet to five (5) feet. The applicant's home is 864 square feet. There are no conditions prohibiting seeking a variance to setbacks consistent with LDC Section 931 for the expansion of a primary dwelling. Section 209.F of the LDC states, "*Roofed accessory structures physically attached or connected to the principal structure shall be considered a part of the principal structure and shall be subject to the same standards as the principal structure unless exempted or superseded elsewhere in this Code.*"

**Surrounding Future Land Use Designations and Existing Land Use Activity:**

The table to follow provides details of abutting uses and their regulatory parameters.

**Table 1**

<p><b>Northwest:</b>                  RMX                  RMX - PD 81-22                  Citrus Ridge Subdivision                  Lot 73 (2,400 SF)                  480 sq.ft. Mobile Home                  Shed, 36 SF Porch                  Carport, 420 SF Cabana</p>	<p><b>North:</b>                  RMX - PD 81-22                  Citrus Ridge Subdivision                  Lot 75 (2,884 SF)                  864 sq.ft. Mobile Home                  and 36 sq.ft. shed                  Carport and Porch</p>	<p><b>Northeast:</b>                  RMX - PD 81-22                  Citrus Ridge Subdivision                  Lot 98 (2,627 SF)                  835 sq.ft. Mobile Home                  Shed, Carport and Porch</p>
<p><b>West:</b>                  RMX - PD 81-22                  Citrus Ridge Subdivision                  Lot 72 (2,396 SF)                  960 sq.ft. Mobile Home                  Shed, patio</p>	<p><b>Subject Property:</b>                  Residential Medium (RMX)                  PD 81-22                  Citrus Ridge Subdivision                  Lot 76 (2,400 SF)                  980 sq.ft. Mobile Home                  and 98 sq.ft. shed</p>	<p><b>East:</b>                  RMX - PD 81-22                  Citrus Ridge Subdivision                  Lot 97 (2,400 SF)                  480 sq.ft. Mobile Home                  Shed, 108 SF Porch                  384 SF Cabana<sup>1</sup></p>
<p><b>Southwest:</b>                  RMX - PD 81-22                  Citrus Ridge Subdivision                  Lot 71 (2,396 SF)                  414 sq.ft. Mobile Home                  80 SF Shed, Porch                  Carport, 220 SF Cabana<sup>1</sup></p>	<p><b>South:</b>                  RMX - PD 81-22                  Citrus Ridge Subdivision                  Lot 77 (2,400 SF)                  468 sq.ft. Mobile Home                  Shed, 60 SF Porch                  Screened patio, 384 SF Cabana<sup>1</sup></p>	<p><b>Southeast:</b>                  RMX - PD 81-22                  Citrus Ridge Subdivision                  Lot 96 (2,400 SF)                  490 sq.ft. Mobile Home                  16 SF Shed, 150 SF Porch,                  Carport, 408 SF Cabana<sup>1</sup></p>

<sup>1</sup>Cabana is a term the Property Appraiser' Office uses for mobile home addition.

The Citrus Ridge Planned Unit Development (PUD) originated as an RV park in the early 1980's and soon after was platted as a residential subdivision so the RV spaces could be sold fee simple. RV's gave way to Park Model Trailers in the 1990s, which over the years evolved into expanded park model trailers before the PD was eventually modified to allow mobile homes. Vehicle RVs had ample room to come and go. Park Trailers with accessory structure and additions occupy more space. Once full mobile homes arrived in both single-wide and double-wide form, these 2,400 square feet lots became filled with structures.

Robinson Road is a 10-foot-wide one-way drive with 20 feet of right-of-way. The posted speed throughout the development is 15 miles per hour. There are limited drainage structures and no curb. Most of the lots are completely covered with impervious surfaces. The soil is comprised of very well drained Candler Sand.

There are few differences between the applicant's home and accessory structures and the surrounding homes. They are either double-wide homes or single-wide homes with additions. Every property has some form of covered porch. All of the lots are either identical or similar in size. Many of the accessory and primary structures encroach into setbacks within the development. In this phase of Citrus Ridge, 14 setback variances have been approved since 2019.

**Comments from other Governmental Agencies:** None

**Exhibits:**

Exhibit 1 – Location Map

Exhibit 2 – Future Land Use

Exhibit 3 – 2025 Satellite Context

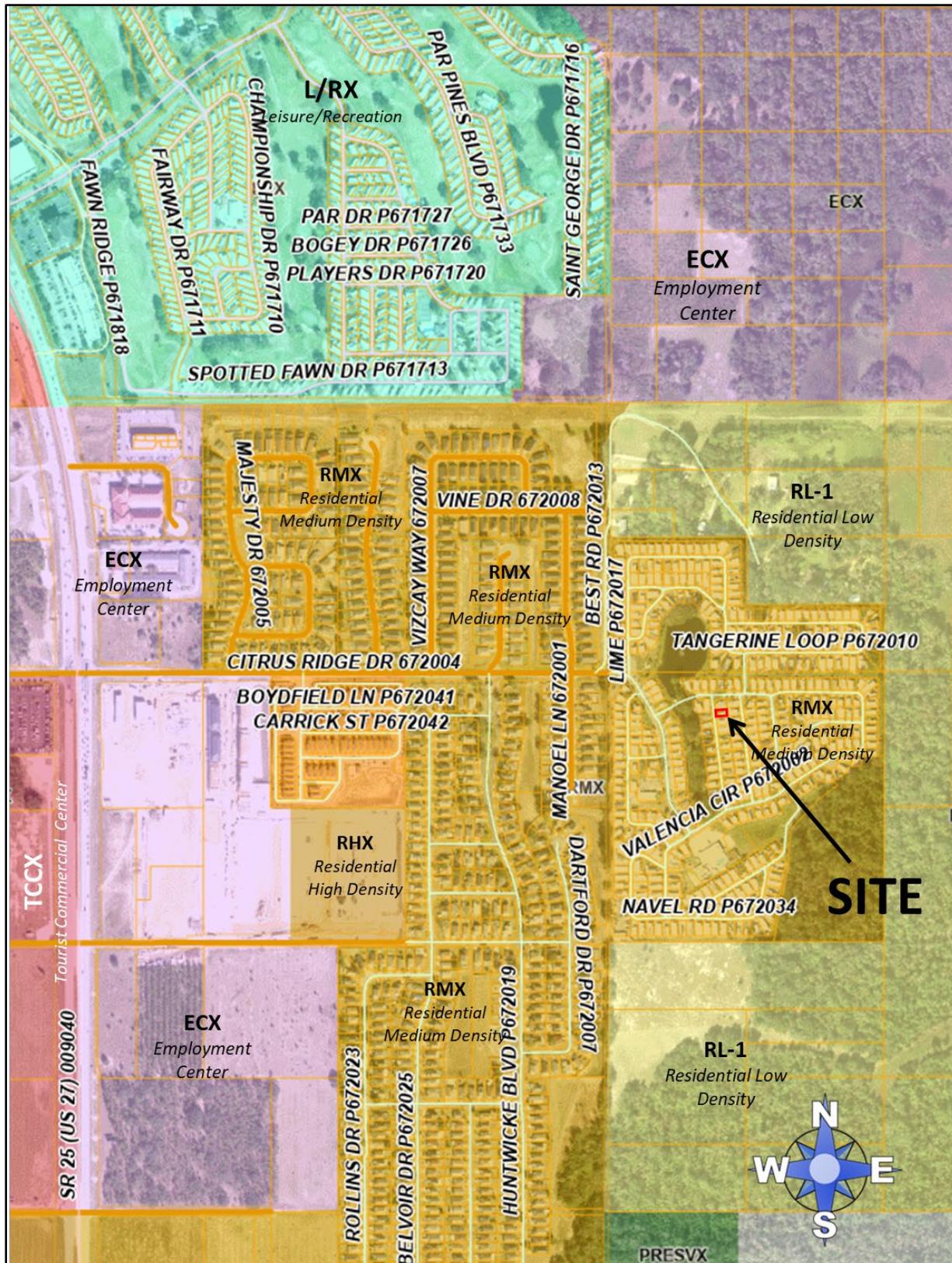
Exhibit 4 – 2025 Satellite Close-up

Exhibit 5 – Applicant Site Plan

Exhibit 6 – Applicant’s Justification



Location Map



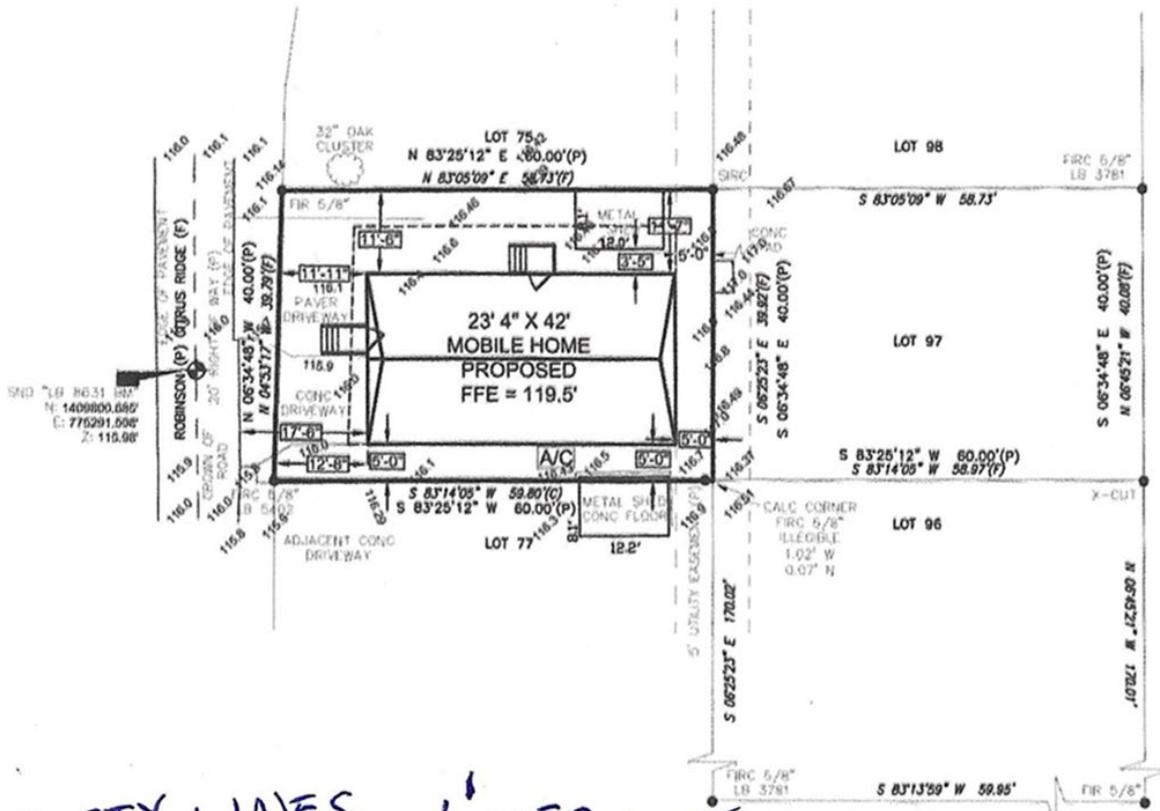
## Future Land Use



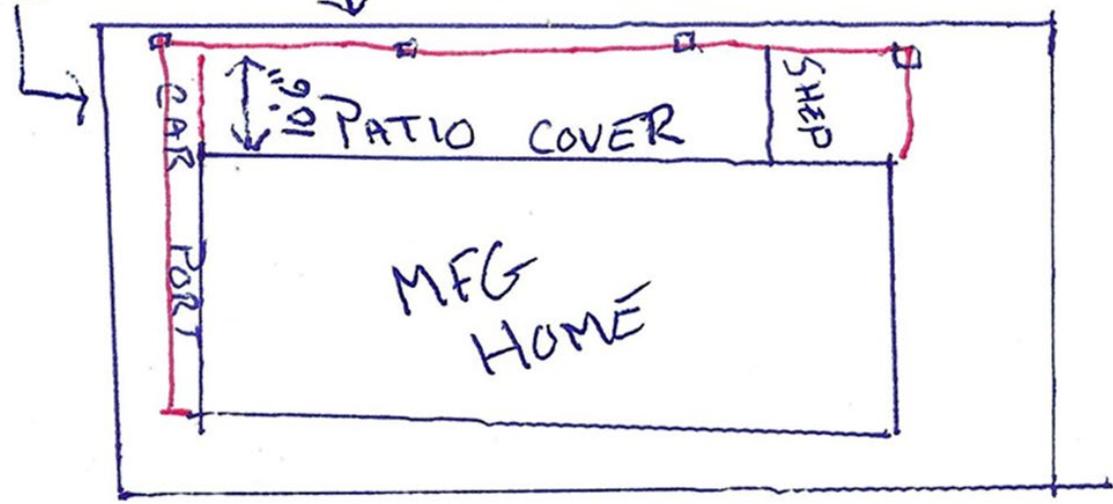
2025 Satellite Photo Context



## 2025 Satellite Photo Close-Up



PROPERTY LINES 1' OFF LINE



### Applicants' Site Plan

**CRITERIA FOR GRANTING VARIANCE**

**Will the variance be injurious to the area involved or detrimental to the public welfare?**

no

**What special conditions exist that are peculiar to the land, structure, or building involved?**

no special conditions exist

**When did you buy the property and when was the structure built? Permit Number?**

property bought 2016

structure was built 2025

**What is the hardship if the variance is not approved?**

I enjoy being outside but have had 2 instances of skin cancer. This will provide shade so I will be able to sit outside. The lots are small and limit the size of structures allowed.

**Is this the minimum variance required for the reasonable use of the land?**

yes

**Do you have Homeowners Association approval for this request?**

yes

## Applicant's Justification