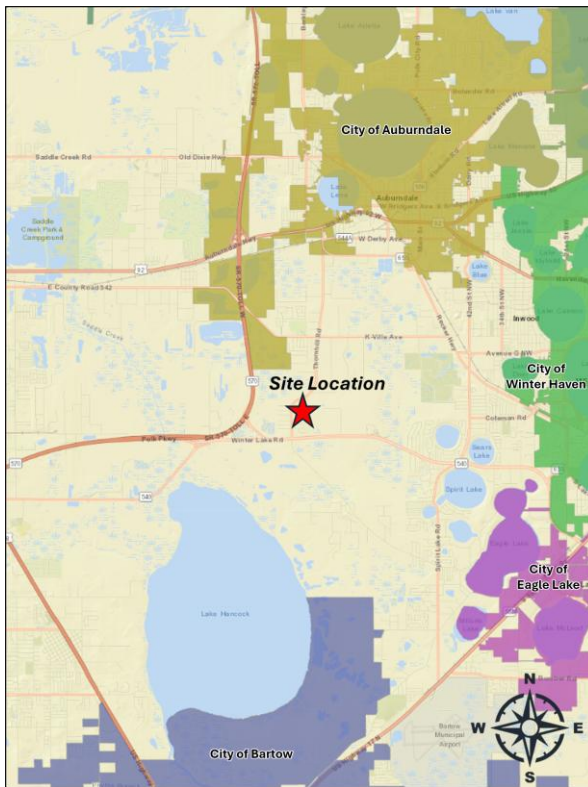


**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

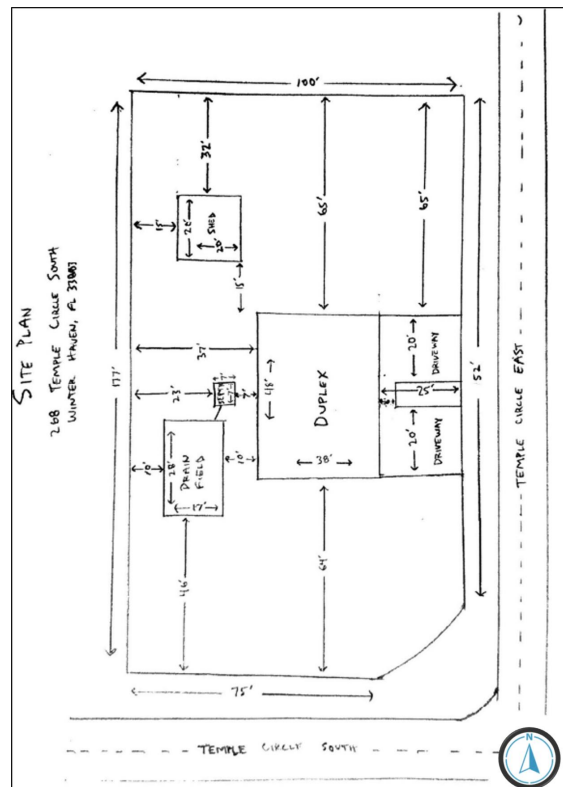
DRC Date:	February 5, 2026	Level of Review:	Level 3 Review
PC Date:	April 1, 2026	Type:	Conditional Use
BoCC Date:	N/A	Case Numbers:	LDCU-2025-37
Applicant:	Richard McIntee	Case Name:	Temple Circle Duplex
		Case Planner:	Kyle Rogus, Planner II

Request:	The applicant is requesting a Conditional Use (CU) approval for a duplex to be located on ±0.40 acres within a Residential Low-2 (RL-2) future land use district.
Location:	The subject site is located at 268 Temple Circle South, north of Highway 540 West, south of K-ville Avenue, east of Thornhill Road, west of Spirit Lake Road in Section 28, Township 28, Range 25.
Property Owners	RDM Construction & Development LLC
Parcel Number (Size):	±0.40 acres Parcel ID (#252828-354770-030050)
Future Land Use:	Residential Low-2 (RL-2)
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	Auburndale
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Public Hearing

Site Location



Site Plan



Summary of Analysis:

The applicant is requesting Conditional Use approval for a Duplex to be placed in a Residential Low-2 (RL-2) future land use district south of Auburndale. Land Development Code (LDC) Table 2.1 requires Planning Commission approval for duplexes in RL-2. Each unit within the duplex structure will be approximately 912 sq. ft., including garages. The total building area will be 1,824 sq. ft.

The subject site is designated as Lot 5, Group 3 of the Orange Hill Subdivision recorded under Plat BK 58, PG 40. The Orange Hill Subdivision was recorded on March 20, 1973, prior to the adoption of the Comprehensive Plan, Land Development Code. The RL-2 future land use designation is an accurate representation of the existing lot sizes. The subject property is 0.40 acres and is surrounded by lots ranging around +/- 0.36 acres to +/- 0.69 acres, well within the 15,000 sq. ft. requirement in RL-2. Within the TSDA, the residential density in RL designations is 7 DU/AC, which allows for these two units through the Conditional Use process, as detailed in LDC Sections 303 and 906.

The surrounding homes were built between 1973 and 1980, however, the make and model of the mobile homes date back to the early 1960s. The surrounding homes are comparable in size to the two proposed units. The average square footage of homes within the immediate surrounding area is approximately 1,000 square feet. While no duplex is located within the Orange Hill Subdivision, three (3) duplexes are located within a quarter mile to the north and have been there since 1983 on lots smaller to the subject property (+/- 0.24 acres). The site plan shows setbacks can be met. Access will be from Temple Circle East. Utilities are available from the Florida Governmental Utility Authority and a private septic system. No additional buffering or screening will be required.

Given this information, staff finds the placement of a duplex 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-2025-37 is a Conditional Use request for a Duplex to be placed in an Residential Low-2 (RL-2) land use district and Transit Supportive Development Area (TSDA) on Parcel ID# 252828-354770-030050 (+/- 0.40 acres).*
- *The subject property is a corner lot with approximately 75 feet of frontage along Temple Circle South (Road No. 852808) and approximately 152 feet of frontage along Temple Circle East (Road No. 852807). Both Temple Circle South and Temple Circle East are both County Local Residential roadways. Both roadways have a paved surface width of 20 feet, according to the Polk County Road Inventory.*
- *According to Land Development Code (LDC) Table 2.2, the minimum lot size in RL-2 is 15,000 sq. ft. Primary side setbacks are seven (7) feet; rear setbacks are ten (10) feet; and right-of-way setbacks from a Local Residential roadway are 15 feet. Setbacks for garages are 25 feet. The base residential density is two (2) dwelling unit per acre.*
- *The subject site is designated as Lot 5, Group 3 of the Orange Hill Subdivision recorded under Plat BK 58, PG 40. The Orange Hill Subdivision was recorded on March 20, 1973, prior to the adoption of the Comprehensive Plan, Land Development Code.*

- *The subject site is in the Transit Supportive Development Area (TSDA). According to Comprehensive Plan Table 2.104.1, the maximum density for residential development in the TSDA and RL is seven (7) dwelling units per acre.*
- *LDC Chapter 10 defines Duplex as, “A single structure containing two dwelling units connected by a common wall or other integral part of the principal building, such as a breeze way or carport, and situated either on a single lot or parcel (duplex) or two adjacent lots (single-family attached).”*
- *According to LDC Section 303, “Applications for duplexes in the RCC-R, RCC, RS, and RL residential districts shall undergo a Level 3 Review, pursuant to Section 906.*

In addition to all applicable regulations, the following conditions shall apply:

- 1. All duplex subdivisions shall comply with Chapter 8 requirements.*
- 2. Duplexes within a proposed subdivision and multiple duplex structures on a single lot shall comply with the following development standards:*
 - a. All streets shall be publicly or privately maintained. Roads shall be designed and constructed in accordance with the standards for private roads in Chapters 7 and 8, and Appendix A (Technical Standards Manual).*
 - b. Densities above the applicable district standard may be increased through a Planned Development to the maximum provided by the Comprehensive Plan.*
- 3. A duplex on an individual lot may be approved pursuant to the standards of Residential Infill Development.*
- 4. An application to increase the density for a single duplex structure on an individual legal lot ineligible for infill shall be granted through a Conditional Use approval. Measurements for density shall include the lot area and include one-half of the right-of-way area for perimeter local streets and one-fourth of the right-of-way area for perimeter local street intersections.***

- *The subject site is located the Polk County Central Regional Utility Service Area.*
- *The property is comprised of 98.8% Sparr sand, 0 to 5 percent slopes, and 1.2% Tavares fine sand, 0 to 5 percent slopes.*
- *Fire & EMS responses will be from Polk County Fire Rescue Station 5, 333 American Spirit Rd, Winter Haven.*
- *Sheriff’s response to site is served by the Central District office, located at 3635 Avenue G NW, Winter Haven.*
- *The zoned schools for the site are Clarence Boswell Elementary, JL Stambaugh Middle, and Auburndale Senior High schools.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within a one-mile radius of Lake Hancock Conservation Lands managed by the Southwest Florida Water Management District.*
- *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-2025-37**.

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDCU-2025-37 with the following Conditions:

1. LDCU-2025-37 is approved for no more than one duplex structure (two dwelling units) on the property as described under Parcel #252828-354770-030050.

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

<p>Northwest: RL-2 Mobile Home (1973) 732 sq. ft. +/- 0.37 acres</p>	<p>North: RL-2 Mobile Home (1984) 1,344 sq. ft. +/- 0.40 acres</p>	<p>Northeast: RL-2 Temple Cir East Mobile Home (1968) 480 sq. ft. +/- 0.69 acres</p>
<p>West: RL-2 Mobile Home (1985) 1,560 sq. ft. +/- 0.37 acres</p>	<p>Subject Property: RL-2 Vacant Proposed 1,824 sq. ft. Duplex +/- 0.40 acres</p>	<p>East: RL-2 Temple Cir East Single-Family Homes (1960) 1,184 sq. ft. +/- 0.35 acres</p>
<p>Southwest: RL-2 Temple Cir South Mobile Home (1987) 924 sq. ft. +/- 0.36 acres</p>	<p>Southwest: RL-2 Temple Cir South Mobile Home (1987) 924 sq. ft. +/- 0.36 acres</p>	<p>Southeast: RL-2 Temple Cir East Mobile Home (1979) 784 sq. ft. +/- 0.35 acres</p>

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

The subject site is designated as Lot 5 in the 3 Group of the Orange Hill Subdivision recorded under Plat BK 58, PG 40. The Orange Hill Subdivision was approved in March of 1974 and was later built out by 1980 according to the Polk County Geographical Information System 1980 Aerial. The surrounding homes were built between the 1974 and 1980, however the make and model of the homes date back to the early 1960s.

The RL-2 future land use designation is an appropriate representation of the existing lot sizes. The subject property is 0.40 acres and is surrounded by lots ranging around +/- 0.36 acres to +/- 0.69 acres, well within the 15,000 sq. ft. requirement in RL-2. Within the TSDA, the residential density in RL designations is 7 DU/AC, which allows for these two units through the Conditional Use process, as detailed in LDC Sections 303 and 906.

Compatibility with the Surrounding Land Uses and Infrastructure:

This request is compatible with surrounding land uses and available infrastructure. The purpose of the RL-2 district is to provide areas for the low density residential needs of residents in urban areas who desire areas with smaller lots than the RL-1 districts, a minimum of 15,000 square feet. While Table 1, above, shows the immediate surrounding uses are mobile homes and single-family, three (3) duplexes are located within a quarter mile of the subject site. The impact of a duplex is minimal. The proposed duplex structure will be 1,824 sq. ft., including garages. This is again comparable to the living units surrounding the site as each unit will be approximately 912 sq. ft.

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.”

The site plan shows setbacks can be met. Access will be from Temple Circle East. Utilities are available from the Florida Governmental Utility Authority and a private septic system. No additional buffering or screening will be required.

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 duplex will not trigger school concurrency requirements. The site is within the Polk County Central Regional Utilities Service Area. Water is provided by the Florida Governmental Utility Authority (FGUA) and the site will be serviced by a private septic system.

Table 2

Urban Services and Infrastructure Summary	
Schools (Zoned)	Clarence Boswell Elementary, JL Stambaugh Middle, and Auburndale Senior High schools.
Sheriff	Central District office, located at 3635 Avenue G NW, Winter Haven.
Fire/EMS	Fire & EMS responses will be from Polk County Fire Rescue Station 5, 333 American Spirit Rd, Winter Haven.
Water	Florida Governmental Utility Authority
Sewer	Private septic system
Transportation	Access to Temple Circle East, a County Local Residential roadway.

Table 3, below, identifies the anticipated impact of one single-family unit on water and sewer services. The placement of one duplex will have negligible impacts on the traffic using local roadways.

Table 3

Impact Analysis Summary			
Proposed Duplex (Two Dwelling Units)			
Potable Water Impact	Wastewater Impact	*AADT Impact	*PHT Impact
720 GPD	540 GPD	15.62 AADT	2.00 PHT
<i>Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a single-family dwelling unit 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. 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. At the southwest intersection of Highway 540 West and Thornhill Road is Lake Hancock Conservation Lands managed by the Southwest Florida Water Management District. Further west is Circle B Bar Reserve. The soil on the property is not 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. The highest elevation is 125 feet

located at the southwest corner of the site. The lowest elevation is 122 feet located at the northeast corner of the site. 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	98.8% Sparr sand, 0 to 5 percent slopes, and 1.2% Tavares fine sand, 0 to 5 percent slopes
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.

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.

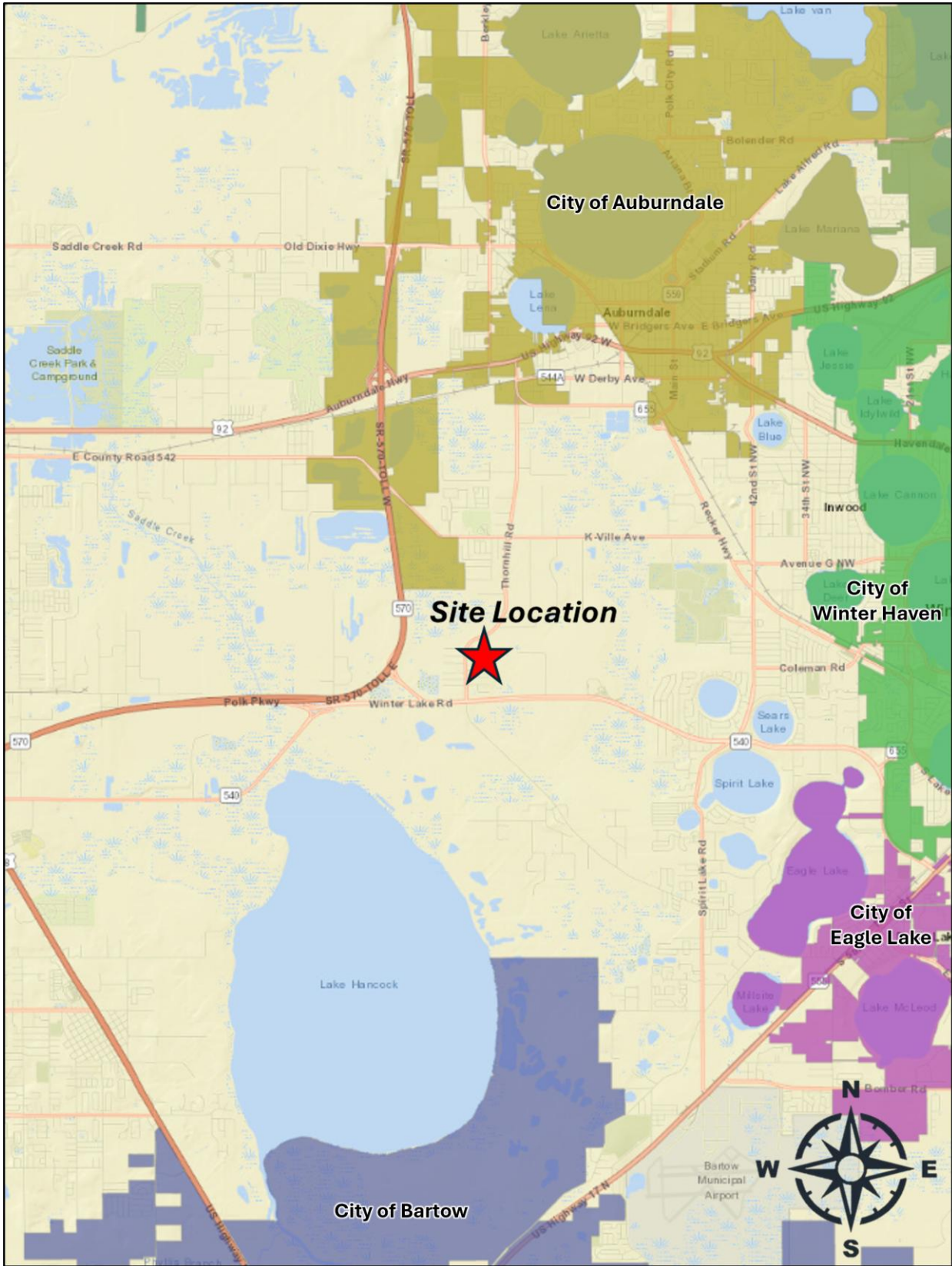
Table 5

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 Sections 303 and 906 which permits this use upon completion of a Level 3 Review.</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 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 in the staff report.</i>

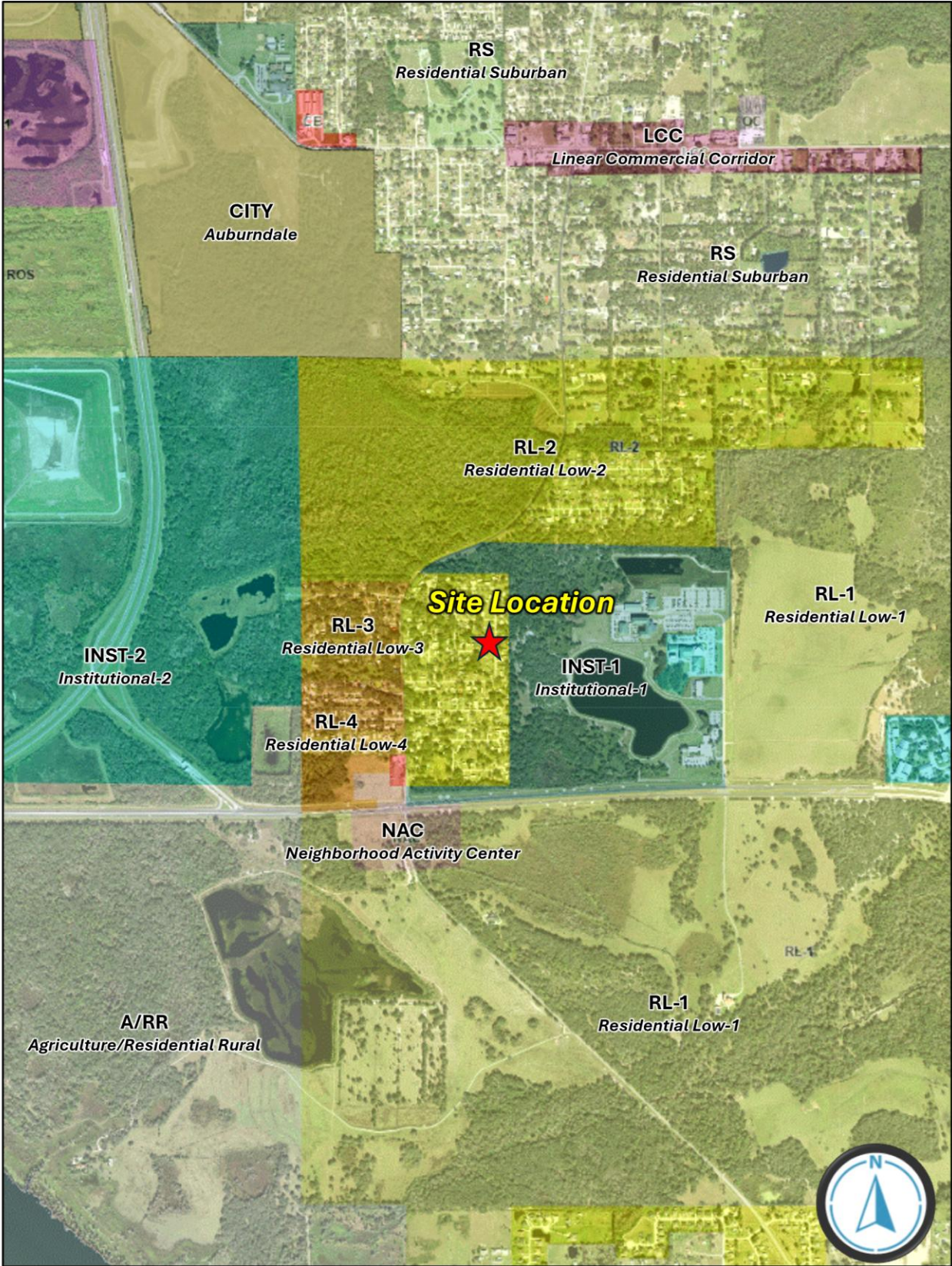
Comments from other Agencies: None

Exhibits:

- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Image - Context
- Exhibit 4 Aerial Image - Close
- Exhibit 5 Site Plan



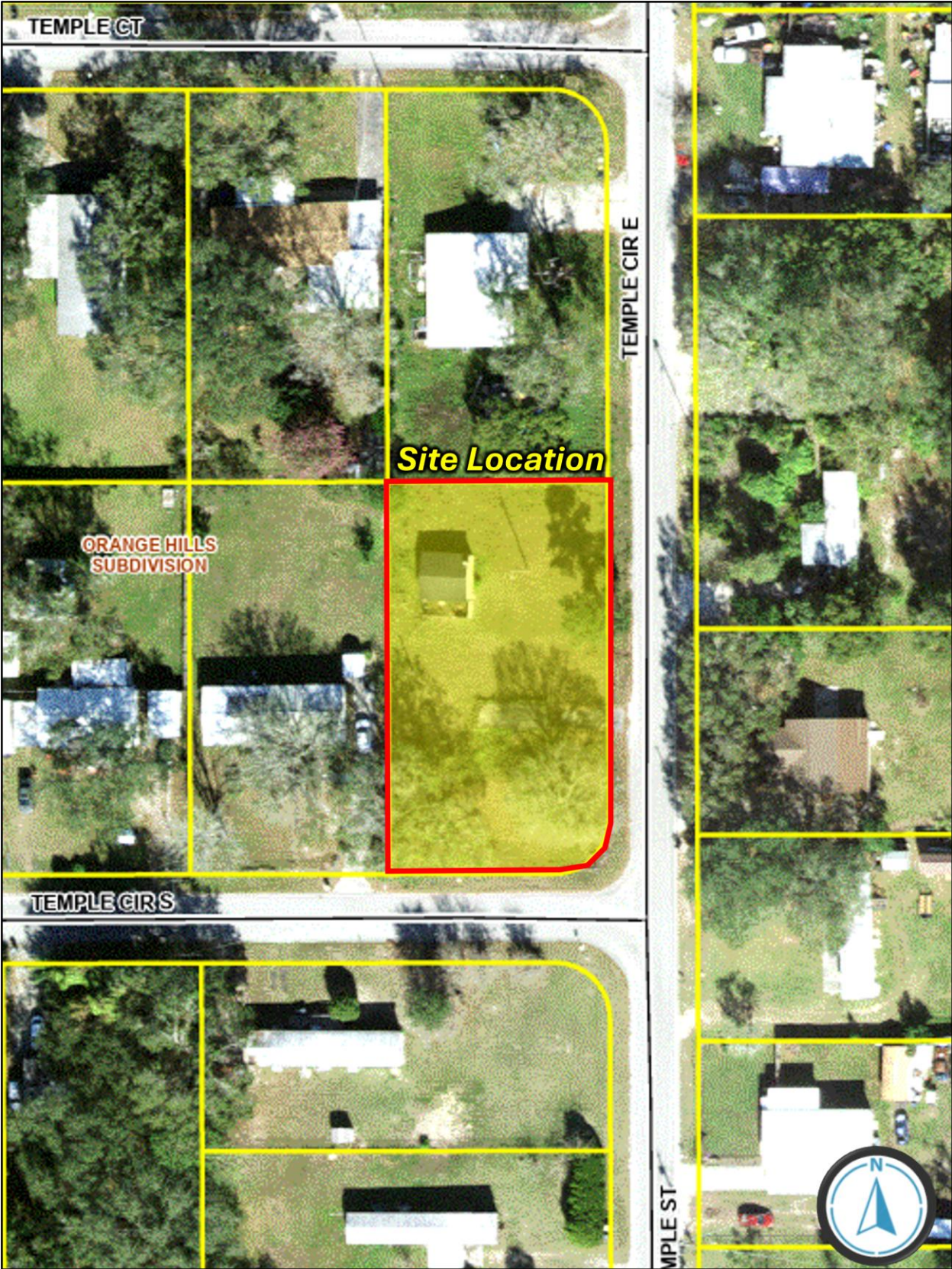
Location Map



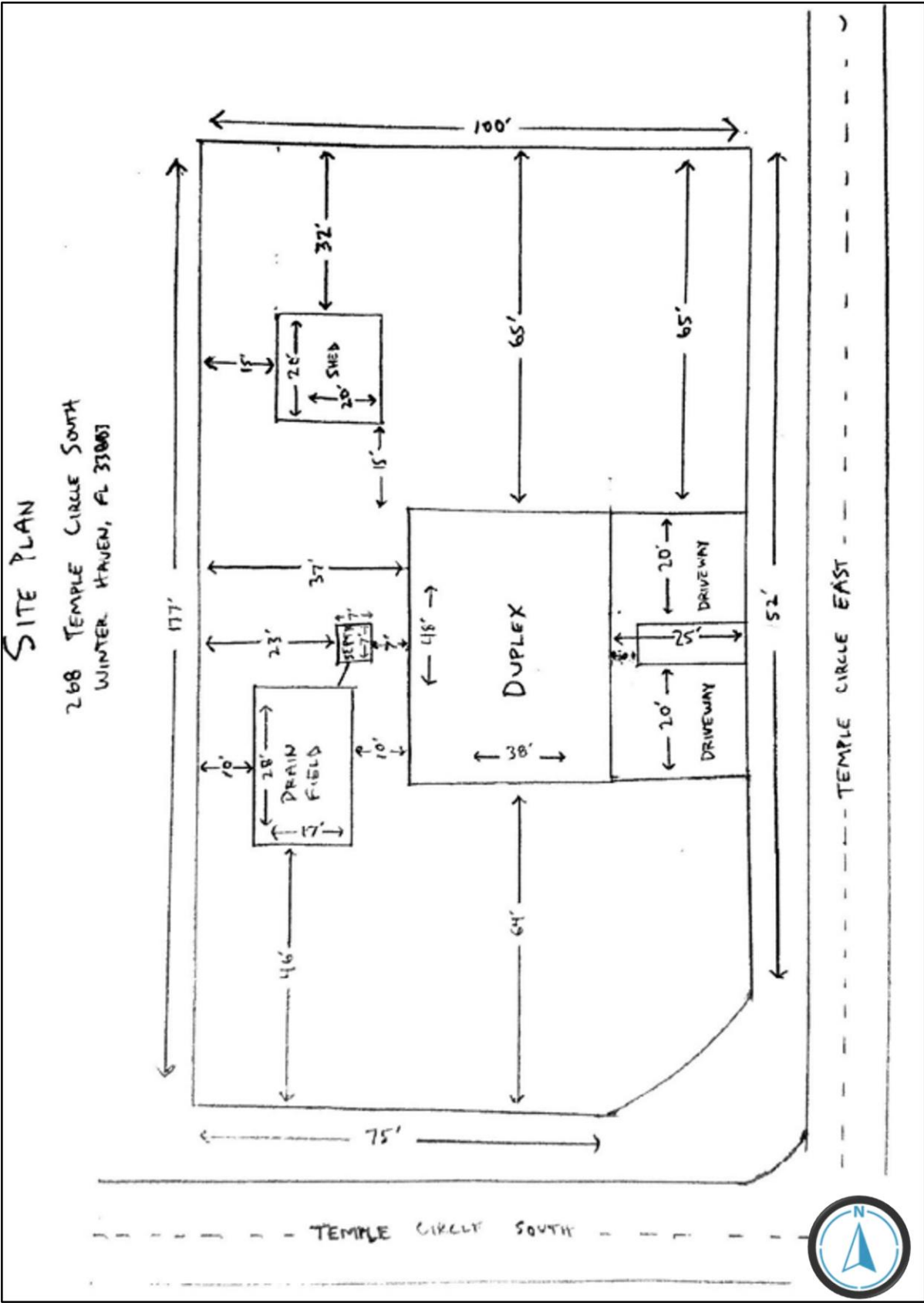
Future Land Use Map



Aerial Image - Context



Aerial Image - Close



Site Plan