

**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

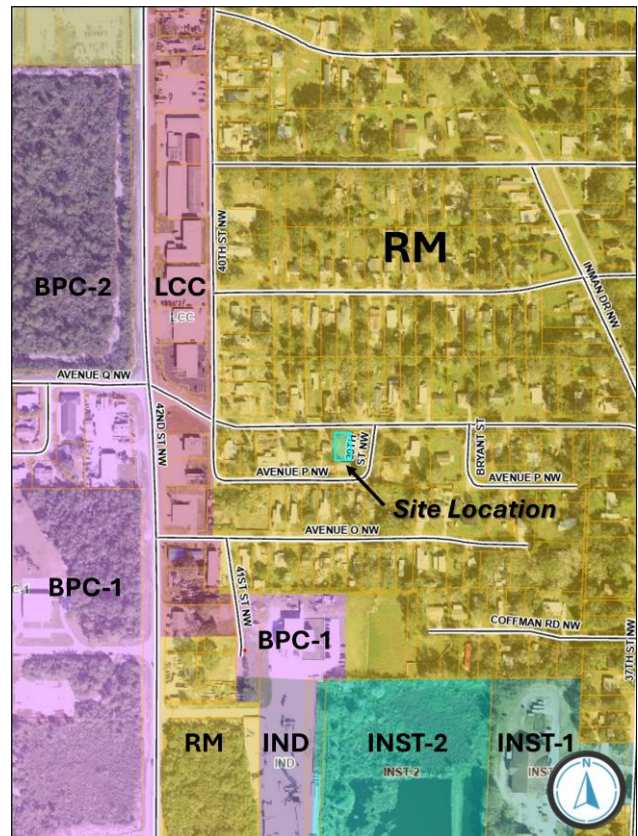
DRC Date: August 29, 2024	Level of Review: Level 3 Review
PC Date: November 6, 2024	Type: Conditional Use
BoCC Date: N/A	Case Numbers: LDCU-2024-26
Sign ID # 152	Case Name: Angel Roman MH
Applicant: Angel Roman	Case Planner: Kyle Rogus, Planner I

Request:	The applicant is requesting a Conditional Use (CU) approval for a mobile home to be located in the Inwood Unit 6 subdivision, where fewer than 50% of developed lots have mobile homes.
Location:	The subject site is located north of Avenue P NW, south of Avenue Q NW, east of 42nd St NW, west of Avenue 37th St NW in Section 13, Township 28, Range 25.
Property Owners:	Angel Roman
Parcel Size (Number):	±0.10 acres Parcel IDs (#252813-343500-003591)
Future Land Use:	Residential Medium (RM)
Development Area:	Urban Growth Development (UGA)
Nearest Municipality:	City of Auburndale
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Location



2023 Satellite Photo



Summary of Analysis:

The applicant is requesting Conditional Use (CU) approval to locate a mobile home on an approximately 0.10-acre lot within a Residential Medium (RM) Future Land Use District (*see Exhibit 2*) in the Urban Growth Development Area (UGA). Chapter 2, Table 2.1 (Use Table for Standard Land Use District) of the Land Development Code (LDC) indicates the placement of mobile homes within RM land use district requires Conditional Use Approval via a Level 1 Review (via staff only). In order to meet current development approval conditions, Mobile Home requests are subject to the standards found in Section 303 of the LDC, which states an individual mobile home is permitted within any platted residential subdivision in which fifty (50) percent or more of the developed lots contain mobile homes. According to current information from the Property Appraiser's website, the parcel is within the Inwood Plat. As this plat does not meet the fifty (50) percent threshold, the applicant must appeal to the Planning Commission to make a determination of approval or denial for the request to place a mobile home on the subject property.

Staff recommends approval. This mobile home request is compatible with the surrounding area. The nearest mobile home to the subject site is approximately 50 feet to the west on lots 354-357. (Parcel No. 252813-343500-003540). The Inwood Plat was recorded in 1925 (Plat Book 14, Page 2) and has approximately 306 residential parcels. There are 56 lots with mobile homes and 250 lots with single-family homes. The proposed mobile home will meet the required setbacks for the Land Use District. The proposed request is consistent with the LDC and Comprehensive Plan.

Findings of Fact

- *LDCU-2024-26 is a Conditional Use request to allow a mobile home on Parcel No. 252813-343500-003591 (+/- 0.10 acres) within a Residential Medium (RM) land use district in the Urban Growth Area (UGA).*
- *This property is in the Inwood Plat (Plat Book 14, Page 2), recorded on September 26, 1925.*
- *The surrounding properties are within a Residential Medium (RM) Land Use District.*
- *Avenue Q NW (Road No 851402) is a County-maintained, paved local road with a width of 24 feet.*
- *Section 111.F.2 of the Land Development Code (LDC) states, "Subdivision plats which have been recorded prior to the effective date of this code shall be vested for any development standard which would apply to the subdivision."*
- *Section 204.A.8 of the LDC states, "The purpose of the RM district is to provide areas for medium density residential development within urban areas. The RM district permits single-family dwelling units, duplex units, multi-family units, group living facilities, and community facilities."*
- *Per Table 2.2 of the LDC, RM land use mandates right-of-way setbacks for the primary structure of 15 feet, side setbacks for the primary structure of 7 feet, and rear setbacks for the primary structure of 10 feet.*

- *Chapter 553 of the Florida Statutes states that “Mobile Homes” means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development. Mobile Homes are built to a separate standard than site-built homes and may be regulated differently than site-built and other manufactured homes. Site-built homes and other manufactured homes are built to standards set forth in Chapter 553 of Florida Statutes.*
- *POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that “Mobile homes shall be allowed in all areas of the County designated for residential development subject to siting and design criteria consistent with the County’s Land Development Code*
- *According to Section 303 of the LDC, Individual Mobile Homes are allowed in all the following locations:*
 1. *Within any registered mobile home park that has been approved by Polk County;*
 2. *Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;*
 3. *Within any platted residential subdivision, or single platted phase within a multiple phased development, in which 50 percent or more of the developed lots contain mobile homes;*
 4. *On any un-platted parcel in the A/RR district;*
 5. *On any un-platted parcel that is five acres or larger in the RS district;*
 6. *On any un-platted legal residential lot or parcel that is abutting vacant properties to all side and rear property lines;*
 7. *On any un-platted parcel where at least one property abutting the subject property's side lot line has a mobile home;*
 8. *On lots of record, including those within platted subdivisions, where at least one property abutting the subject property's side lot line has a mobile home. Within subdivisions, the abutting property must be within the plat; or,*
 9. *On any residential lot or parcel where it is determined by the Planning Commission to be compatible with the established character of the surrounding area.*
- *Fire and EMS Response is from Polk County Fire Rescue Station 5 located at 333 American Spirit Rd, Winter Haven, FL 33880. This is located approximately 1.8 miles from the subject site with a response time of eight (8) minutes.*
- *Sheriff’s response to the site is served by the Central District located at 3635 Ave G NW in Winter Haven. The recent response times were: Priority 1 Calls – 9:23 and Priority 2 Calls – 21:33.*
- *The subject property will utilize an onsite treatment system for wastewater and City of Winter Haven for potable water.*

- *The development is zoned for Inwood Elementary, Westwood Middle, and Winter Haven High School. The site is 2 miles from Inwood Elementary; 0.9 miles from Westwood Middle; and 5.7 miles from Winter Haven High School.*
- *The subject parcel is not within one of the Wellhead-Protection Areas.*
- *The property is composed of Pomello-Urban Land Complex soils.*
- *The property has no wetland or floodplains.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is 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.*
- *A Citrus Connection mass transit stop is available on Route 50 located at the Auburndale Health Department 0.5 miles away.*
- *The subject site has ingress and egress access Avenue Q NW. Avenue Q NW is a paved, local, County-maintained roadway. According to the 2023 Roadway Network Database, the nearest monitored roadway SR 544 (6500E) has approximately 1,577 available PM Peak Hour trips; SR 544 (6500W) has approximately 1,539 available PM Peak Hour trips. SR 544 current Level-of-Service (LOS) is "C" with an adopted LOS standard of "D".*
- *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 111 and Section 303 of the LDC.*
- *This request has been reviewed for consistency with Section 2.102 GROWTH MANAGEMENT; SECTION 2.105 URBAN GROWTH AREA (UGA) AND POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, 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-2024-26.**

CONDITIONS OF APPROVAL

Based upon the findings of fact the Development Review Committee recommends APPROVAL of LDCU-2024-26 with the following Conditions:

1. LDCU-2024-26 is approved for no more than one (1) mobile home on Parcel No. 252813-343500-003591 as indicated in the site plan and staff report.

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: Residential Medium Lot 403, Inwood Unit 6 Site-built home 1,303 sq ft 0.21 acres</p>	<p>North: Residential Medium Lot 404, Inwood Unit 6 Site-built Home 640 sq ft 0.21 acres</p>	<p>Northeast: Residential Medium Lot 405, Inwood Unit 6 Site-built home 860 sq ft 0.21 acres</p>
<p>West: Residential Medium Lot 358, Inwood Unit 6 Site-built home 611 sq ft 0.19 acres</p>	<p>Subject Property: Residential Medium Lot 359-1, Inwood Unit 6 Residential Vacant 0.10 acres</p>	<p>East: Residential Medium Lot 360, Inwood Unit 6 Mobile home 1,484 sq ft 0.10 acres</p>
<p>Southwest: Residential Medium Lot 358, Inwood Unit 6 Site-built home 611 sq ft 0.19 acres</p>	<p>South: Residential Medium Lot 359-2, Inwood Unit 6 Site-built home 804 sq ft 0.18 acres</p>	<p>Southeast: Residential Medium Lot 359-2, Inwood Unit 6 Site-built home 804 sq ft 0.18 acres</p>

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

The subject property was assigned an address of 3922 Avenue Q NW, Winter Haven, FL 33881. Property Appraiser shows the parcel has remained vacant since the Inwood Subdivision was recorded in Plat Book 14, Page 2B on September 26, 1925. The subject site is one lot divided in

two, hence the 359-1 designation for the subject site and 359-2 lot designation for the property to the south and southeast. Septic rules limit the property to one dwelling unit.

The surrounding homes range in size from 611 sq. ft. to 1,484 sq. ft. and aged 7 to 69 years. The surrounding properties are within Residential Medium (RM) Land Use District and are occupied with site-built single-family homes. This area is comprised of multiple subdivisions. In Inwood Unit 6, the Property Appraiser shows that of the 306 residential parcels in this subdivision, 56 have mobile homes while 250 have site-built homes. The other properties in this subdivision are vacant or used for non-residential purposes.

Compatibility with the Surrounding Land Uses and Infrastructure:

This request is compatible with surrounding land uses and available infrastructure. Approximately 18 percent of the Inwood Unit 6 Subdivision is comprised of mobile homes. The surrounding neighborhoods have similar compositions. Inwood Unit 5 Subdivision to the east is approximately 18 percent and the Oakwood Subdivision to the southeast is approximately 17 percent. The Robinson Subdivision to the southwest is the only subdivision outside of this trend with approximately 37 percent. The Inwood Unit 6 Subdivision does not meet the 50 percent threshold of developed lots as mobile homes, however, combining the surrounding subdivisions creates a large cluster of mobile homes around the subjects site location. The impact from developing a single mobile home is minimal. As shown in Table 1, above, the surrounding uses are single-family in nature. Although the immediate surrounding properties are not mobile homes, there are a significant number of mobile homes that are interspersed throughout the plat. The closest mobile home to the subject site is approximately 50 feet to the west on lots 354-357. The nearest residential home is approximately six (6) feet east from the property line. Most of the surrounding homes were built around the 1950s. A few of the homes were built more recently in 2004 and 2017. Please refer to Table 1 and Exhibit 6 for the layout of the mobile homes in relation to the site-built homes.

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.”

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 mobile home will not trigger school concurrency requirements at Inwood Elementary or Westwood Middle; however, Inwood Elementary is at 98% capacity and Winter Haven High School is currently operating at 110% capacity. The subject property will utilize a septic tank for wastewater and City of Winter Haven for potable water.

Table 2, to follow, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, the proposal is not anticipated to create any significant demand on these services.

Table 2

Urban Services and Infrastructure Summary	
Schools (Zoned)	Inwood Elementary, Westwood Middle, and Winter Haven High School.
Sheriff	Sheriff’s response to the site is served by the Central District located at 3635 Ave G NW in

Urban Services and Infrastructure Summary	
	Winter Haven. The most recent response times were: Priority 1 Calls – 9:23 and Priority 2 Calls – 21:33.
Fire/EMS	Fire and EMS Response is from Polk County Fire Rescue Station 5 located at 333 American Spirit Rd, Winter Haven, FL 33880. This is located approximately 1.8 miles from the subject site with a response time of eight (8) minutes.
Water	City of Winter Haven
Sewer	Onsite Treatment System
Transportation	The subject site has ingress and egress access through Avenue Q NW. Avenue Q NW is a paved, local, County-maintained roadway. According to the 2023 Roadway Network Database, the nearest monitored roadway SR 544 (6500E) has approximately 1,577 available PM Peak Hour trips; SR 544 (6500W) has approximately 1,539 available PM Peak Hour trips. SR 544 current Level-of-Service (LOS) is “C” with an adopted LOS standard of “D”.
Urban Sprawl	Site is located within the UGA and is not considered urban sprawl.

Table 3, below, identifies the anticipated impact of one mobile home on water and sewer services. The site has approximately 50 feet of frontage along Avenue Q NW, using Winter Haven water and utilize an onsite treatment system. The placement of one mobile home will have negligible impacts on the traffic on local roadways.

Table 3

Impact Analysis Summary			
Proposed Conditional Use			
(One Mobile Home)			
Potable Water Impact	Wastewater Impact	*AADT Impact	*PHT Impact
215 GPD	180 GPD	7.81 AADT	1.00 PHT
<i>Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a mobile home will consume 215 GPD and generate 180 GPD in wastewater. ITE 210-Single Family rate was used to determine similar AADT and PM Peak Hour rates for mobile homes. 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 parcel has no FEMA flood hazards. The subject site is not located within any of the County’s identified Wellhead-Protection Areas. The subject property is located within a one-mile radius of an endangered species, according to the Florida Natural Areas Inventory Biodiversity Matrix. The property has remained vacant since the Inwood Subdivision was recorded in Plat Book 14, Page 2B on September 26, 1925. Many of the surrounding developments have been developed since 1957. The most recent development occurred on lot 403 to the northwest in 2017. This request should pose no threat to any endangered species. The property is composed of Pomello-Urban Land Complex soils. The soil is not of such that would limit compliance with applicable Land Development Code regulations for the proposed use. The subject property is relatively flat and contains no surface water features. The subject property is not located within a Historical Preservation area. The subject site is located within an Airport Height Notification and In-Flight Visual Interference Zones.

Table 4

Environmental Conditions Summary	
Surface Water	There are no surface water ponds on the subject property. The subject property has contour elevations of 153 for the proposed location of the mobile home.
Wetlands/Floodplains	There are no wetlands on site and no floodplains.
Soils	The property is composed of Pomello-Urban Land Complex soils which provides moderately well drainage, but the soil is not of such that would limit compliance with applicable LDC regulations for the proposed use.
Protected Species	The subject site is located within one mile of any identified endangered species. (Source: Florida Natural Areas Inventory Biodiversity Matrix).
Wellfield Protection	The property is not located within any County Wellhead-Protection Areas.
Historical Preservation	The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources.
Airports	The subject property is located within an Airport Height Notification and In-Flight Visual Interference Zones.

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 Section 303 which permits this use upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 2 - 4 of the staff report.</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 Pages 5 & 6 of 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 on Pages 6-8 of the Staff Report.</i>

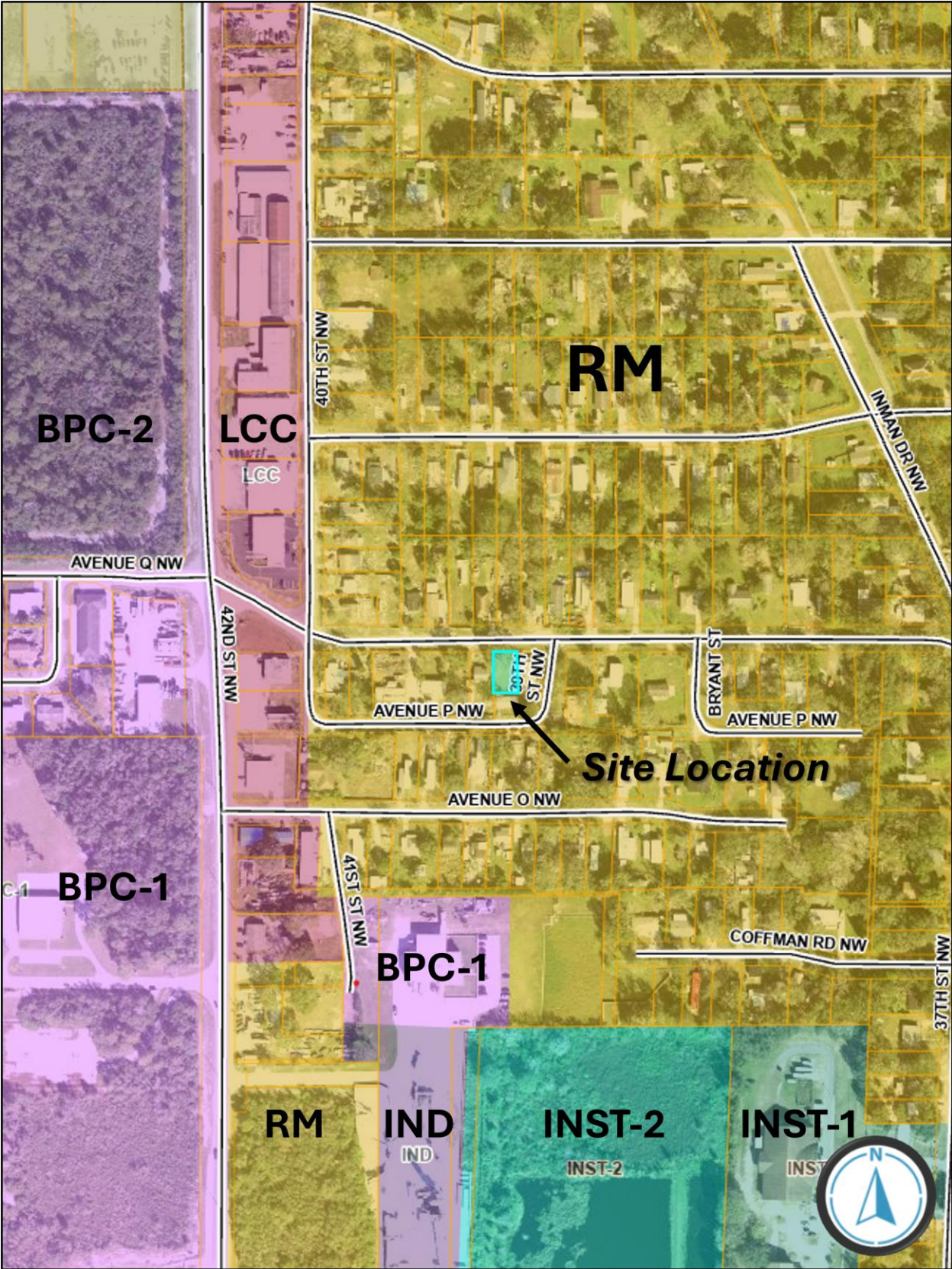
Comments from other Agencies: None

Exhibits:

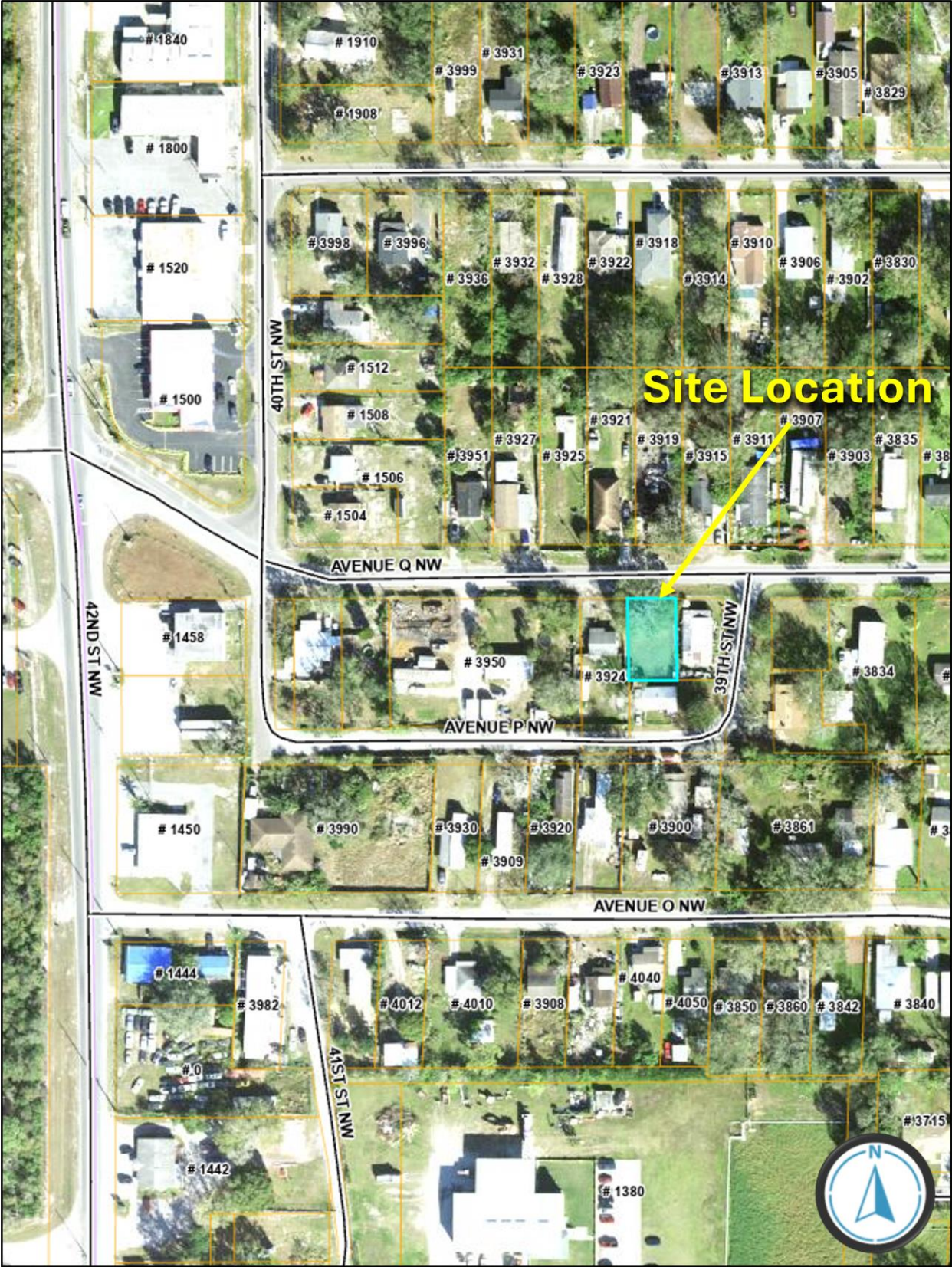
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Imagery (context)
- Exhibit 4 Aerial Imagery (close-up)
- Exhibit 5 Site Plan
- Exhibit 6 Surrounding Mobile Homes
- Exhibit 7 Inwood Plat



Location Map



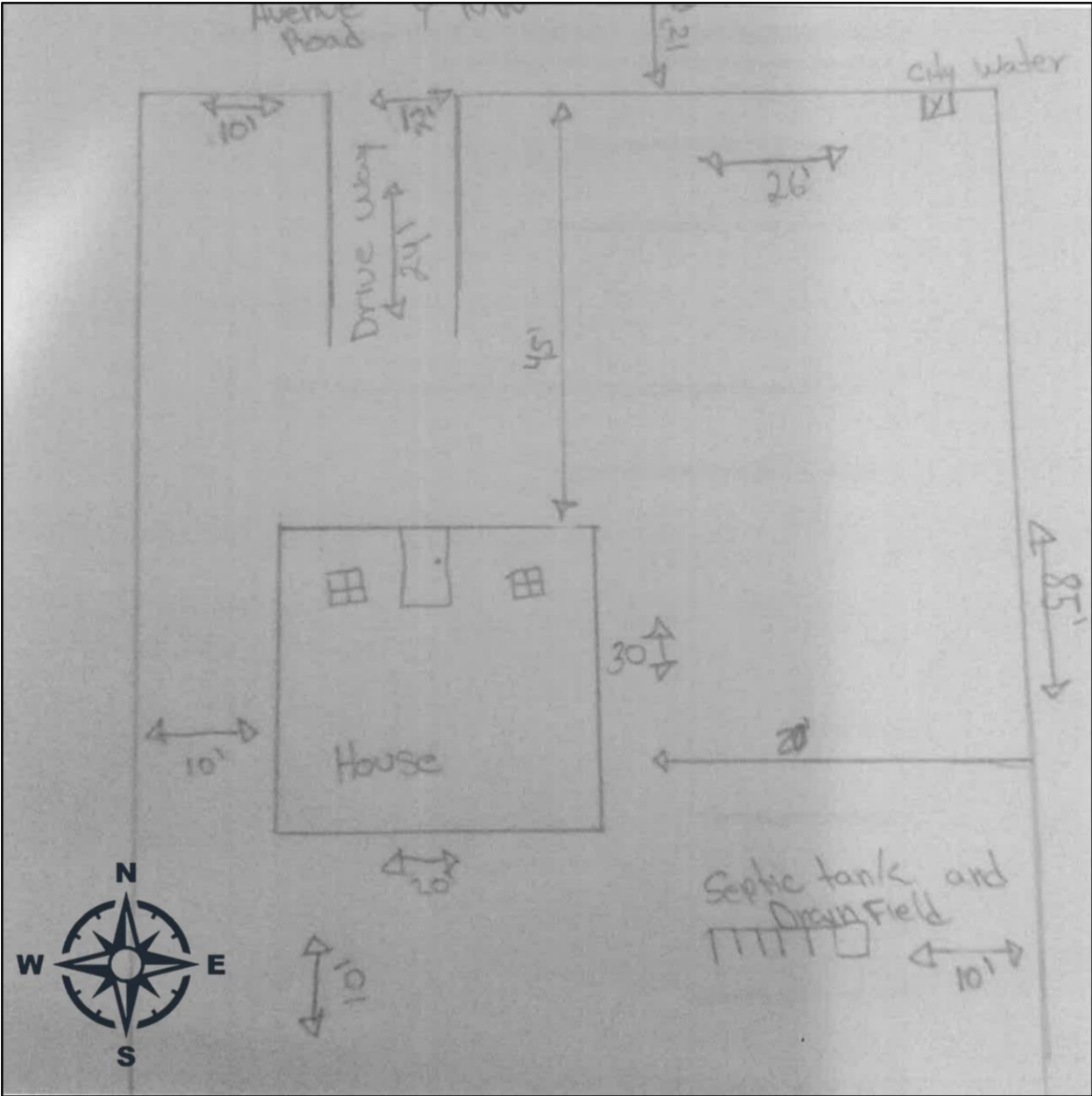
Future Land Use Map



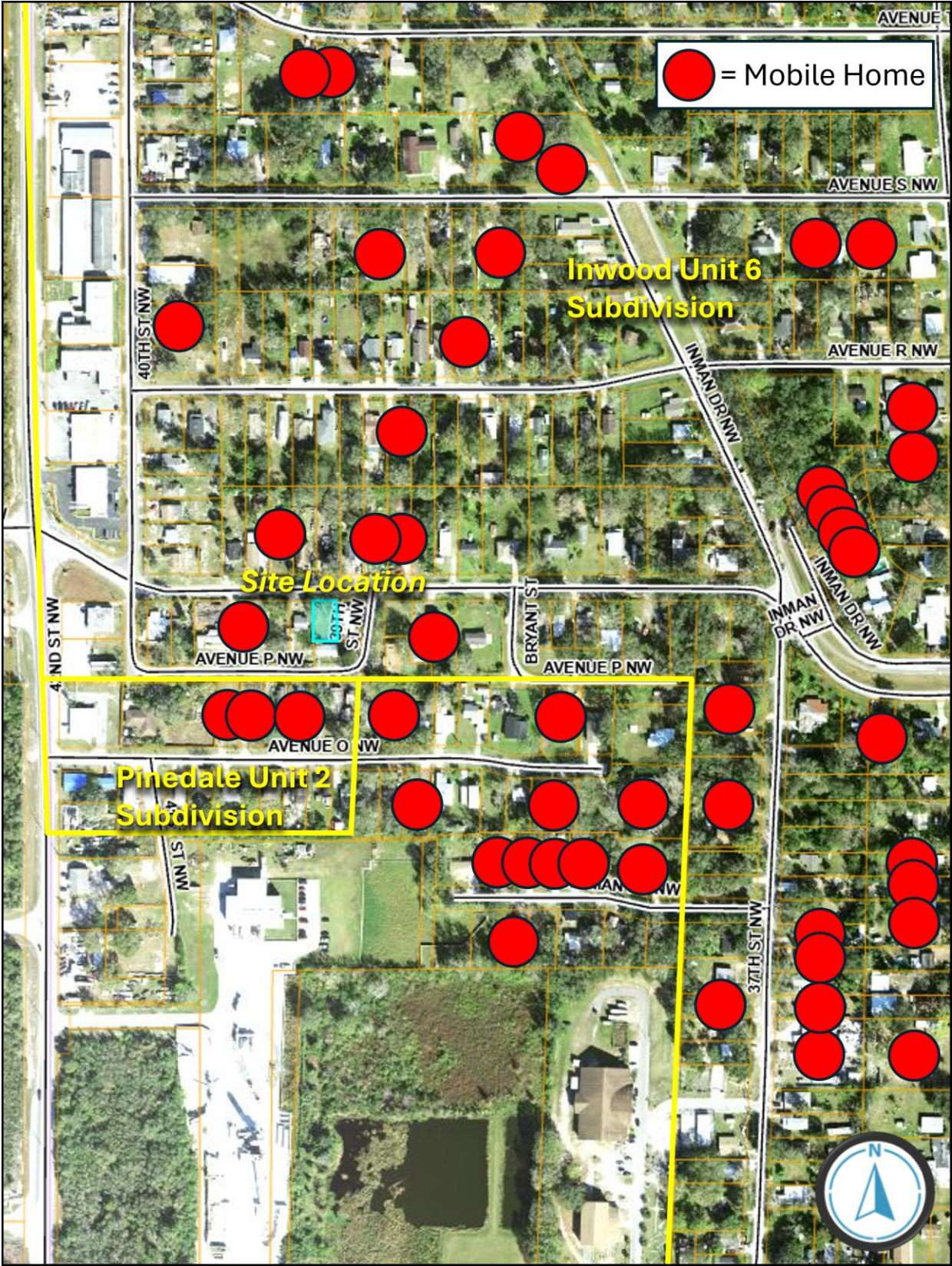
Aerial Imagery (Context)



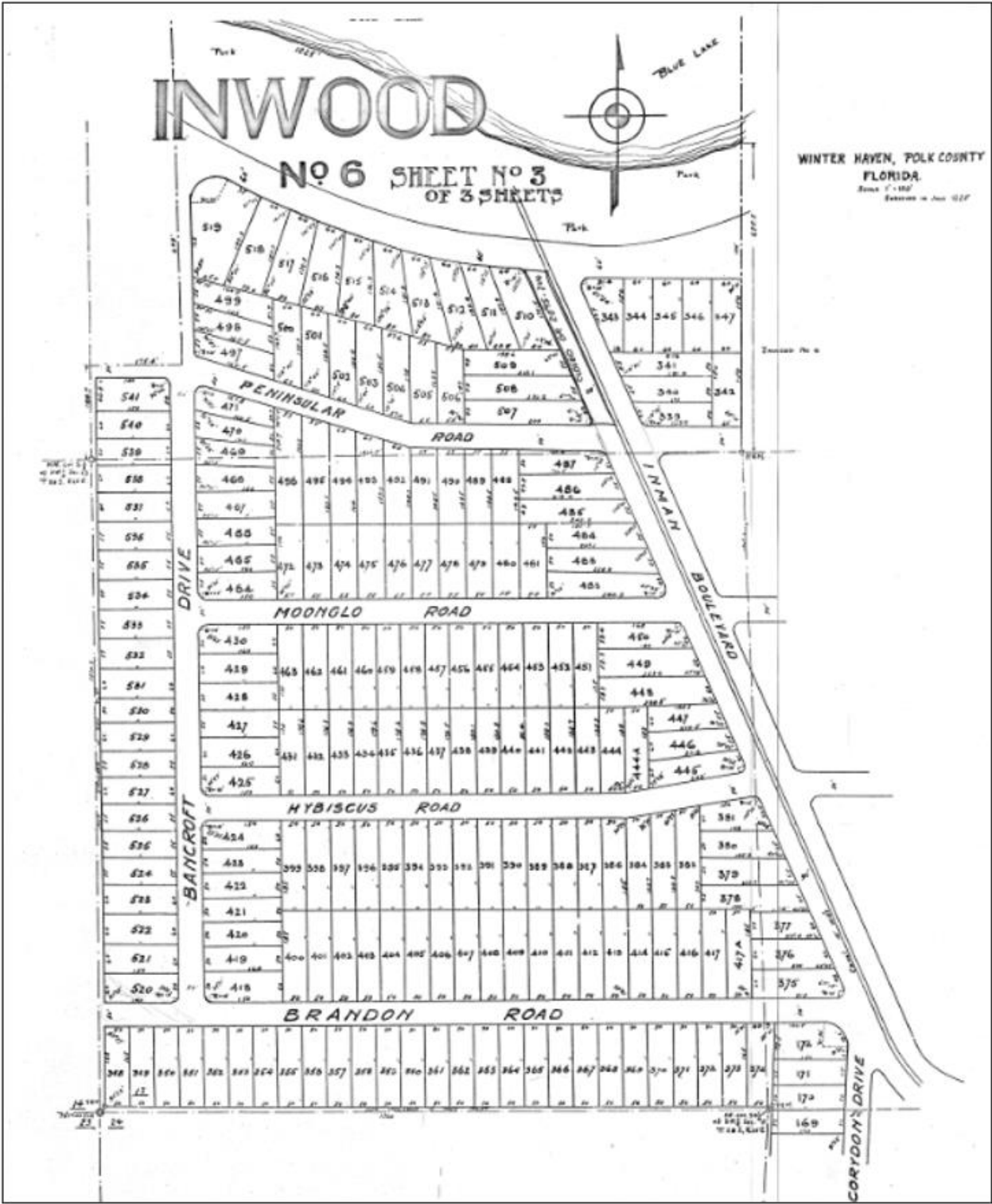
Aerial Imagery (Close-up)



Site Plan



Surrounding Mobile Homes



Inwood Plat