

**POLK COUNTY PLANNING COMMISSION**

**FINAL ORDER**

**Case Number: LDPD-2024-11 (Watersong PD Modification)**

**Applicant: Evan Futch, AVID Group LLC**

**Property Owner: Deer Run Ventures INC**

**Hearing Date: 10/2/2024**

**I. Request:**

The Applicant is requesting a Planned Development (PD) modification to increase the commercial footprint from 5,000 Sq. Ft. to 20,000 Sq. Ft. to provide neighborhood commercial uses in an RL-1X district.

**II. Findings:**

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a level 3 application, consider the following factors:
  - a. Whether the proposed development is consistent with all relevant requirements of this Code;
  - b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
  - c. 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
  - d. How the concurrency requirements will be met, if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, sections 906 and 303.
3. The Application is consistent with all applicable policies of the Comprehensive Plan.

4. The Application is compatible with surrounding uses and the general character of the area.
5. Concurrency requirements can be met if the development is built.

**III. Incorporation of the Record**

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

**IV. Planning Commission's Decision:**

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

**V. Effective Date, Appeals:**

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session the 2<sup>nd</sup> day of October, **2024**, by the Polk County Planning Commission.

**Polk County Planning Commission**

**ATTEST:**

By: \_\_\_\_\_  
Rennie Heath, Chair

By: \_\_\_\_\_  
Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: \_\_\_\_\_

**Exhibits to Planning Commission's Order**

Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File  
Erin Valle, Clerk of Court (under separate cover)