

# POLK CITY

## PLANNING COMMISSION MEETING

April 8, 2024

Polk City Government Center  
123 Broadway Blvd. SE

6:00 P.M.

### AGENDA

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- |                                    |                               |
|------------------------------------|-------------------------------|
| <b>CALL TO ORDER</b>               | Chairman                      |
| <b>PLEDGE OF ALLEGIANCE</b>        | Chairman                      |
| <b>ROLL CALL</b>                   | City Manager Patricia Jackson |
| <b>ESTABLISHMENT OF A QUORUM</b>   |                               |
| <b>APPROVAL OF MEETING MINUTES</b> |                               |
| February 5, 2024                   |                               |
| March 11, 2024                     |                               |

### New Business

- 1. Public Hearing**  
**City-initiated Text Amendment** – Section 2.04.01 of the Polk City Land Development Code to amend the development standards in Table 5 for the R-2 zoning district in the Polk City Green Swamp Exemption Area.
- 2. Public Hearing**  
**City-initiated Text Amendment** to the Polk City Land Development Code Article 2 – Regulations for Specific Districts, Section 2.04.01 “Zoning District Summary Table” Table 5 to reduce the minimum lot size, lot width and side setbacks for the R-1 Single Family Zoning District. This change reflects existing conditions of past development in the R-1 Zoning District.

PLEASE NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMMODATIONS TO PARTICIPATE IN CITY MEETINGS SHOULD CONTACT THE OFFICE OF THE CITY CLERK, POLK CITY 123 BROADWAY BLVD SE, POLK CITY, FLORIDA 33868 TELEPHONE (863) 984-1375, AT LEAST 48HRS IN ADVANCE.

# PLANNING COMMISSION MEETING MINUTES

February 5, 2024

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Chairman Baker called the meeting to order at 6:00 pm.

Those present recited the Pledge of Allegiance led by Chairman Baker.

**Present:** Robert Baker, David Prins, Edward Hanks, Ricky Wilson

**Absent:** Antonio Thomas

**Quorum Established**

## APPROVAL OF MINUTES

**Motion by Member Prins** to approve the January 8, 2024 Planning Commission Meeting Minutes as presented; this motion was seconded by Member Wilson. **Approved by Voice Vote 4/0.**

**PUBLIC COMMENTS** - None

## ORDER OF BUSINESS

### PUBLIC HEARING

#### Zoning Map Amendment

Marissa Barmby (CFRPC) discussed the Applicant, Boyd D. Stephens and Laura J. Stephens Revocable Trust, is requesting a Zoning Map amendment from Single Family Residential (R-1) to Planned Unit Development (PUD) on approximately 15.45 acres in Polk City, located on the east side of Berkley Road north of Lakeview Drive and south of Crape Myrtle Lane (Parcel numbers 252632-000000-022020 and 252632-000000-022030).

Mrs. Barmby clarified that this application is strictly rezoning, and the applicant has met all the basic criteria.

Jim Bagley, Developer for the applicant reiterated the desire is to go from R-1 Designation to PUD.

Chairman Baker asked about the traffic on Berkley Road. He is concerned that 681 new vehicles would greatly impact the traffic and the roads.

Member Wilson asked if a new entrance coming out onto Berkley Road. Mr. Bagley responded, No.

City Manager Jackson stated this was a three-phase and the cut-outs were in place.

Chairman Baker opened the Public Hearing.

Ann Blethen (320 Crape Myrtle) – Discussed safety concerns, mowing common areas, fencing, outdoor living spaces.

Eddie Clark (237 Bayberry Drive) Discussed FDOT Traffic study, increased traffic onto Berkley Road, people walking to the area, City logo will be a joke if this project is approved, drainage issues, lake contamination.

Member Wilson asked if the homes were fewer, would there be an issue.

Mr. Bagley responded No.

Theodore Timmons (227 Larkspur Lane) Discussed the Sewer tie-in, drive to get onto Berkley about twenty (20) minutes.

City Manager Jackson discussed the force main that goes into Sandy Pointe. There are no plans to do any other lines. SWFWMD has much stricter requirements that must be met. Sidewalks are an ongoing thing and are planned for the future.

Leon Chadovich (242 Bayberry Drive) stated they are not going to use our ramps.

City Manager Jackson responded that these are City streets.

Paul Holland (388 Crape Myrtle Lane) – discussed safety for pedestrians.

Kathy Gabany (102 Bayberry Drive) – Discussed traffic, not pleased with sixty-one (61) new homes coming to the area.

Greg Ballad (266 Bayberry Drive) – Discussed sewer concerns.

Michael Dunn (258 Bayberry Drive) – Discussed SWFWMD is using Sandy Pointe water in their calculations. City Manager Jackson explained that a permit would have to be done in order for this to go through. He wants the commission to uphold what was originally agreed to in Phase 1.

City Manager Jackson responded Polk County has to make that determination.

Marisa Barmby (CFRPC) reiterated that all requirements have been met. This is a different development with private roads. Polk County is opposed to a new entrance for Phase 2 of the Subdivision.

Kevin Coates (110 Bayberry Drive) asked what is the average square footage?

City Manager Jackson responded that 1300 is the minimum square footage.

Chairman Baker closed the Public Hearing.

The Developer clarified that the road is on the northeast corner of the Berkley Road property.

Brief discussion on when construction can occur. The consensus was 7am – 5pm.

Member Hanks reiterated...we cannot stop them.

Phase 2 was never approved, platted...it was conceptual only.

Lengthy discussion ensued.

**Motion by Chairman Baker** to approve forwarding the Zoning Map Amendment to the City Commission for Denial; this motion was seconded by Member Hanks.

**Motion carried by Voice Vote 3/1.**

**Conditional Use Permit – Special Events Facility**

This item was Tabled.

**ADJOURNMENT**- 7:20 pm

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Patricia Jackson, City Manager/Clerk

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Bob Baker, Chairman

# PLANNING COMMISSION MEETING MINUTES

March 11, 2024

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Chairman Baker called the meeting to order at 6:00 pm.

Those present recited the Pledge of Allegiance led by Chairman Baker.

**Present:** Robert Baker, David Prins, Ricky Wilson

**Absent:** Antonio Thomas, Edward Hanks

**Quorum Established**

**APPROVAL OF MINUTES** - None

**PUBLIC COMMENTS** - None

**ORDER OF BUSINESS**

**PUBLIC HEARINGS**

**Conditional Use Permit - Special Events Facility**

Jennifer Codo-Salisbury (CFRPC) discussed and provided a PowerPoint of the Conditional Use Permit - Special Events Facility: The applicant Gary Hoshing (545 Orange Boulevard), is requesting a conditional use permit approval for a special events facility situated on approximately 2.09 acres in Polk City, located at 545 Orange Boulevard (Parcel number 252633-296500-045020). A Resolution for this item will be effective for three (3) years.

Chairman Baker asked about the insurance. City Manager Jackson responded Mr. Hoshing has already provided a copy of his Certificate of Insurance.

Chairman Baker asked about fencing. Mr. Hoshing discussed the fencing that is in place.

Chairman Baker opened the Public Hearing. No one spoke for or against this item. Chairman Baker closed the Public Hearing.

**Motion by Member Prins** to approve the Conditional Use Permit for a Special events Facility at 545 Orange Boulevard; this motion was seconded by Member Wilson.

**Motion carried by Voice Vote 3/0.**

**Future Land Use Map Amendment**

Jennifer Codo-Salisbury (CFRPC) discussed and shared a PowerPoint for the Future Land Use Amendment. The Applicant Dwayne Prestage, is requesting a Future Land Use Map amendment from Convenience Center-X (CCX) to RLX on approximately

1.44 acres in Polk City, located at 9600 SR 33 (Parcel number 252631-000000-044210).

Residential Low is the new designation, do a PUD to solve all the problems. This is one home. All conditions of approval were reviewed.

Chairman Baker opened the Public Hearing. No one spoke for or against this item. Chairman Baker closed the Public Hearing.

**Motion by Member Prins** to approve the Future Land Use Map Amendment; this motion was seconded by Chairman Baker.

**Motion carried by Voice Vote 3/0.**

### **Zoning Map Amendment**

Jennifer Codo-Salisbury (CFRPC) discussed and shared a PowerPoint for the Zoning Map Amendment. The Applicant, Dwayne Prestage, is requesting a Zoning Map amendment from Convenience Center-X (CCX) to PUD on approximately 1.44 acres in Polk City, located at 9600 SR 33 (Parcel number 252631-000000-044210).

This is a Companion to the abovementioned Future Land Use Amendment.

No Discussion.

**Motion by Member Prins** to approve the Zoning Map Amendment; this motion was seconded by Member Wilson.

**Motion carried by Voice Vote 3/0.**

### **Review Planning Commission Meeting Procedures and Decorum including Resolution 2019-02 and Resolution 2020-05.**

Jennifer Codo-Salisbury provided a thorough overview and PowerPoint of the Meeting Procedures and decorum as defined in Resolutions 2019-02 and 2020-05.

Chairman Baker questioned the "Government in the Sunshine". City Manager Jackson and Kathy Delp provided clarity. Mayor LaCascia commented that the Sunshine Law is pretty much a self-governing clause.

**ADJOURNMENT**- 7:05 pm

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Patricia Jackson, City Manager/Clerk

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Bob Baker, Chairman



**POLK CITY PLANNING COMMISSION  
TEXT AMENDMENT TO POLK CITY LAND DEVELOPMENT CODE  
CONCERNING DEVELOPMENT STANDARDS IN THE R-2 ZONING DISTRICT**

**OVERVIEW**

April 8, 2024

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**TO:** Polk City Planning Commission

**FROM:** Central Florida Regional Planning Council

**SUBJECT:** **Text Amendment to the Land Development Code:**  
City-initiated text amendment to Section 2.04.01 of the Polk City Land Development Code to amend the development standards in Table 5 for the R-2 zoning district in the Polk City Green Swamp Exemption Area.

**ORDINANCE NO. 2024-04**

**AN ORDINANCE OF POLK CITY, FLORIDA; AMENDING THE POLK CITY LAND DEVELOPMENT CODE BY AMENDING ARTICLE 2 – REGULATIONS FOR SPECIFIC DISTRICTS, SECTION 2.04.01, “ZONING DISTRICT SUMMARY TABLES” TO CHANGE THE MINIMUM DEVELOPMENT STANDARDS IN TABLE 5 FOR THE R-2 SINGLE FAMILY ZONING DISTRICT REDUCING THE MINIMUM REQUIRED LOT SIZE WITHIN THE POLK CITY EXEMPTION AREA OF THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**AGENDA DATE:**

**Planning Commission Meeting: April 8, 2024 at 6:00 PM**  
City Commission Meeting (First Reading): April 16, 2024 at 7:00 PM  
City Commission Meeting (Second Reading): May 21, 2024 at 6:00 PM

**PLANNING COMMISSION MOTION OPTIONS:**

1. Move to forward the proposed text amendments to the City Commission with a recommendation of **approval**.

2. Move to forward the proposed text amendments to the City Commission with a recommendation of **approval with changes**.
3. Move to forward the proposed text amendments to the City Commission with a recommendation of **denial**.

**ATTACHMENTS:**

- Map: R-2 Properties in the Polk City Exemption Area of Green Swamp Area of Critical State Concern – **Lot Area Less Than 10,000 SF**
- Map: R-2 Properties in the Polk City Exemption Area of Green Swamp Area of Critical State Concern – **Lot Area Less Than 9,000 SF**
- Map: R-2 Properties in the Polk City Exemption Area of Green Swamp Area of Critical State Concern – **Lot Width Less Than 75 Feet**

**OVERVIEW:**

City staff has identified the need for a City-initiated text amendment to the Polk City Land Development Code (LDC) to reduce lot size/area inconsistencies between the R-2 Zoning District Minimum Development Standards and the lots developed in the R-2 Zoning District

Per Section 2.04.02.04(B) of the Land Development Code, the purpose of the **Single-Family (R-2) zoning district** is:

To locate and establish areas appropriate for moderately low density residential neighborhoods, at a density slightly higher than the R-1 district and with ample open space; and to establish such standards as are appropriate to ensure proper development in a low density residential environment.

As shown below, the R-2 Zoning District requires a minimum 10,000 square foot lot size with a minimum 75-foot lot width. The R-2 Zoning District requirements are included in the table below.

**Table of Development Standards**

Zone	Max. Density (units/acre)	Min. Lot Size (sq.ft.)	Min. Lot Width (feet)	Min. s.f. of dwelling unit	Setbacks (feet)			Max. Lot Cvg. (%)	Max. Bldg. Height (feet)
					Front	Rear	Sides		
R-2	3.67	10,000	75	1,000	30	20	10	45%	40

Staff performed an analysis of all parcels located within the R-2 zoning district within the Green Swamp Area of Critical State Concern Exemption Area to see how many parcels meet the minimum lot size requirement and the minimum lot width requirement. As shown



on the attached map series, approximately 17 percent of the lots do not meet the minimum 10,000 square foot lot size requirement and approximately 2 percent of the lots do not meet the minimum 75-foot lot size requirement.

**PROPOSED TEXT AMENDMENTS:**

There is one proposed text amendment to the Development Requirement for the R-2 Zoning District.

- **Amending the required minimum lot size from 10,000 square feet to 9,000 square feet.**

This amendment is proposed to help lessen the non-conformity of existing lots within the R-2 zoning district.

The attached map series shows the impact to non-conforming lots by amending the required minimum lot size from 10,000 sf to 9,000 sf. The number of non-conforming lots for lot size would be reduced from 17 percent to 4 percent.

Since approximately two percent of the lots are non-conforming for lot width, an amendment to the lot width requirement is not proposed.

The proposed amendments to the Land Development Code (LDC) are provided below. Text that is underlined is text to be added and text that is shown as strikeout is to be removed.

## Article 2 Regulations for Specific Districts

### 2.04.00 Establishment of Districts

#### 2.04.01 Zoning District Summary Tables

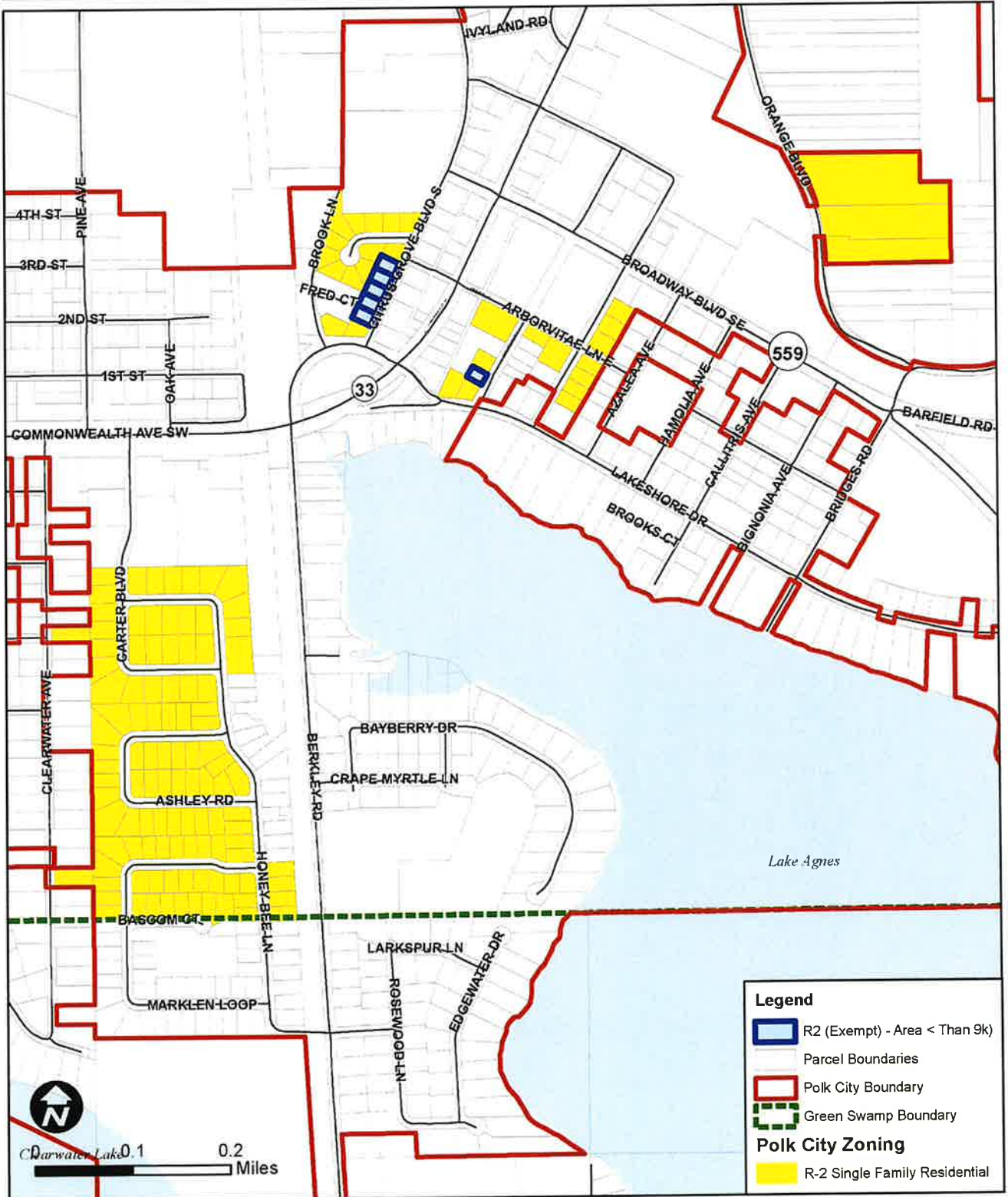
Table 5 - Table of Development Standards

Zone	Max. Density (units/acre)	Min. Lot Size (sq.ft.)	Min. Lot Width (feet)	Min. s.f. of dwelling unit	Setbacks (feet)			Max. Lot Covg. (%)	Max. Bldg. Height (feet)
					Front	Rear	Sides		
AG-1	1/10 acres	10 acres	250 width 400 depth		40	50	30	5%	45 (3 stories)
AG-2	1/1 acre	1 acre	150		30	20	15	30%	40
R-1	2.5	15,000	100	1,200	30	20	15	45%	40
R-2	3.67	<del>10,000</del> 9,000	75	1,000	30	20	10	45 %	40
R-3	4.65 8.7	7,500 SF 8,000 Duplex	75 80	950 750/unit	30 30	20 20	10 10	45%	40
R-4:									
SF Mobile Home Duplex MF 3+	5.8 8.7 10	6,000 <u>6,000</u> 8,000 13,000	60 <u>50</u> 80 100	950 <u>750</u> 750/unit 450/unit	30 <u>30</u> 30 30	20 <u>20</u> 20 20	10 <u>10</u> 10 20	45% 45%	50** <u>40</u>
R-5:									
SF	10	6,500	65	950	20	10	7.5	55%	40
MF 3+ units	10	13,000	100	450/unit	30	20	20	45%	50**
MH:									
MH Park MH Park RV Park RV Camp RV Camp	10 10 10 10 10	4,000 single wide 5,500 dbl wide 3,000 for MH 2,500 pull-thru RV 3,000 Park Model RV	40 55 30 25 30	14 x 60 28 x 60 N/A N/A 500 sf	20	20	7.5	45%	40



# ZONING MAP

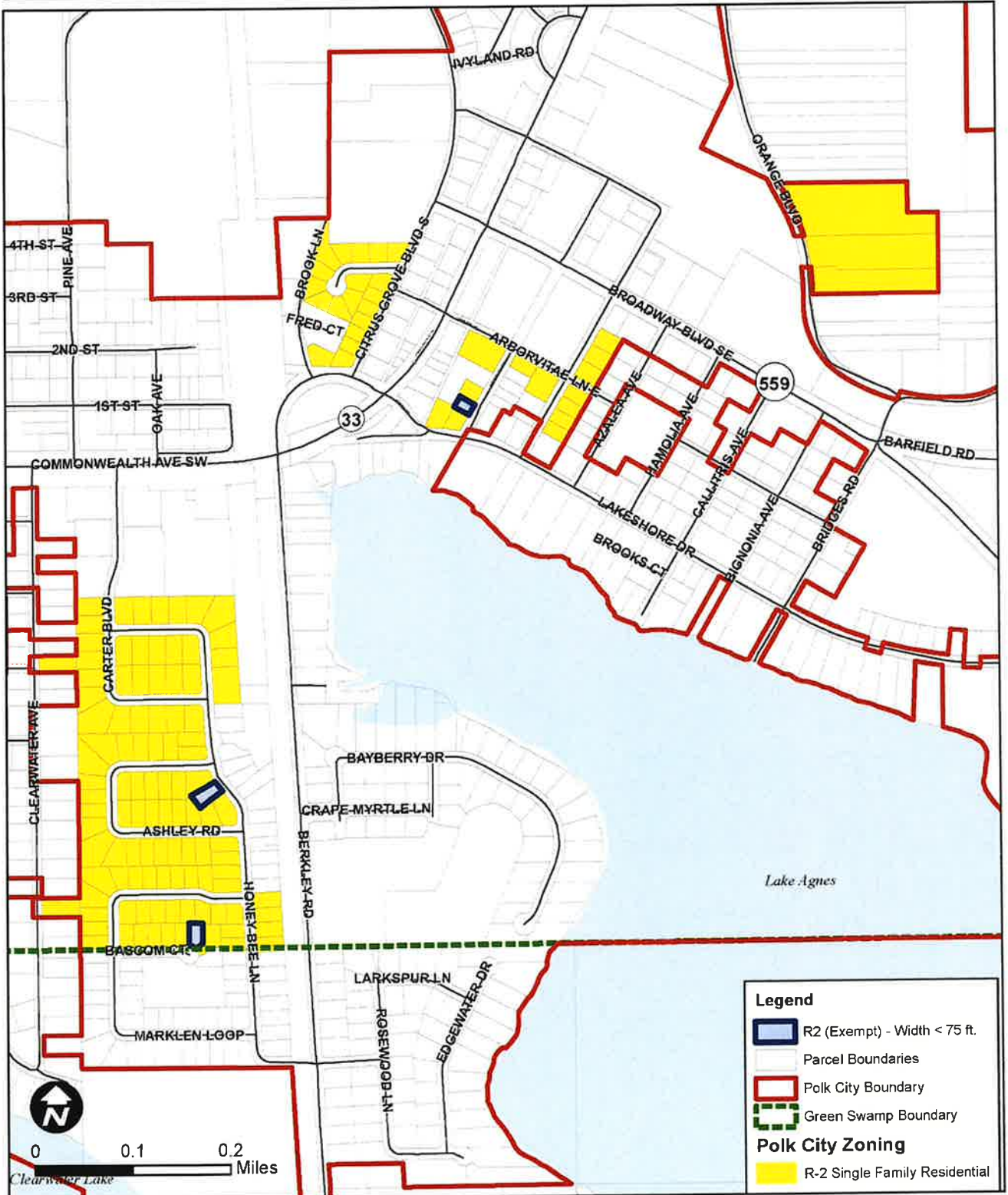
R-2 Properties - Exempt Zone - Area Less Than 9k Sq. Ft.





# ZONING MAP

R-2 Properties - Exempt Zone - Width Less Than 75 Ft.





**POLK CITY PLANNING COMMISSION  
TEXT AMENDMENT TO POLK CITY LAND DEVELOPMENT CODE  
MINIMUM DEVELOPMENT STANDARDS IN THE R-1 ZONING DISTRICT**

**OVERVIEW**

April 8, 2024

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**TO:** Polk City Planning Commission

**FROM:** Central Florida Regional Planning Council

**SUBJECT:** **Text Amendment to the Land Development Code:**  
City-initiated text amendment to the Polk City Land Development Code Article 2- Regulations for Specific Districts, Section 2.04.01 "Zoning District Summary Table" Table 5 to reduce the minimum lot size, lot width and side yard setbacks for the R-1 Single Family Zoning District. This change reflects existing conditions of past development in the R-1 Zoning District.

**ORDINANCE NO. 2024-03**

**AN ORDINANCE OF POLK CITY, FLORIDA; AMENDING THE POLK CITY LAND DEVELOPMENT CODE BY AMENDING ARTICLE 2 – REGULATIONS FOR SPECIFIC DISTRICTS, SECTION 2.04.01, "ZONING DISTRICT SUMMARY TABLES" TO CHANGE THE MINIMUM DEVELOPMENT STANDARDS IN TABLE 5 FOR THE R-1 SINGLE FAMILY ZONING DISTRICT REDUCING THE MINIMUM REQUIRED LOT SIZE, LOT WIDTH AND SIDE YARD SETBACKS WITHIN THE POLK CITY EXEMPTION AREA OF THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**AGENDA DATE:**

**Planning Commission Meeting: April 8, 2024 at 6:00 PM**

City Commission Meeting (First Reading): April 16, 2024 at 7:00 PM

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**PLANNING COMMISSION MOTION OPTIONS:**

1. Move to forward the proposed text amendments to the City Commission with a recommendation of **approval**.
2. Move to forward the proposed text amendments to the City Commission with a recommendation of **approval with changes**.
3. Move to forward the proposed text amendments to the City Commission with a recommendation of **denial**.

**ATTACHMENTS:**

- Map: R-1 Properties in Polk City Exemption Area of Green Swamp Area of Critical State Concern
- Map: R-1 Properties in Polk City Exemption Area of Green Swamp Area of Critical State Concern – **Lot Area Less Than 15,000 SF**
- Map: R-1 Properties in Polk City Exemption Area of Green Swamp Area of Critical State Concern – **Lot Width Less Than 100 Feet**

**OVERVIEW:**

City staff has identified the need for a City-initiated text amendment to the Polk City Land Development Code (LDC) to reduce inconsistencies between the R-1 Zoning District Minimum Development Standards and the lots developed in the R-1 Zoning District.

Per Section 2.04.02.03(B) of the LDC, the purpose of the **Single- Family (R-1) Zoning District** is:

To establish areas which are uniquely appropriate for low density residential neighborhoods with ample open space and outdoor living areas; and to establish development standards appropriate to ensure proper development and a low-density residential environment.

As shown below, the R-1 Zoning District requires a minimum 15,000 square foot lot size with a minimum 100-foot lot width and 15' side yard setbacks. The R-1 Zoning District requirements are included in the table below.

**Polk City Land Development Code – Table 5: Table of Development Standards**

Zone	Max. Density (units/acre)	Min. Lot Size (sq.ft.)	Min. Lot Width (feet)	Min. s.f. of dwelling unit	Setbacks (feet)			Max. Lot Covg. (%)	Max. Bldg. Height (feet)
					Front	Rear	Sides		
R-1	2.5	15,000	100	1,200	30	20	15	45%	40

Staff performed an analysis of all parcels located within the R-1 zoning district within the Green Swamp Area of Critical State Concern Exemption Area to see how many parcels meet the minimum lot size requirement and the minimum lot width requirement. As shown on the attached map series, approximately 43 percent of the lots do not meet the minimum 15,000 square foot lot size requirement and approximately 21 percent of the lots do not meet the minimum 100-foot lot size requirement.

**PROPOSED TEXT AMENDMENTS:**

There are three proposed text amendments to the Development Requirements for the R-1 Zoning District.

- Amending the required minimum lot size from 15,000 square feet to 12,000 square feet.
- Amending the required minimum lot width requirement from 100 feet to 80 feet.
- Amending the required minimum side setback from 15 feet to 12 feet.

These amendments are proposed to help lessen the non-conformity of existing lots within the R-1 zoning district.

The attached map series shows the impact to non-conforming lots by amending the required minimum lot size from 15,000 sf to 12,000 square feet. The number of non-conforming lots for lot size would be reduced from 43 percent to 7 percent.

The attached map series shows the impact to non-conforming lots by amending the required minimum lot width from 100 feet to 80 feet. The number of non-conforming lots for lot width would be reduced from 21 percent to 12 percent.

The amendment in side yard setbacks from 15 feet to 12 feet is proposed because the change is proportional to the change in lot width requirements. A 15-foot side setback requirement for a 100-foot-wide lot provides 70 percent of the property frontage in the building envelope. A 12-foot side setback requirement for a 80-foot-wide lot provides 70 percent of the property frontage in the building envelope.

- *100 feet – 15 feet – 15 feet = 70 feet; 70 feet/100 feet = 70% front building envelope*
- *80 feet – 12 feet – 12 feet = 56 feet; 56 feet/80 feet = 70% front building envelope.*



The proposed amendments to the Land Development Code (LDC) are provided below. Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

## Article 2 Regulations for Specific Districts

### 2.04.00 Establishment of Districts

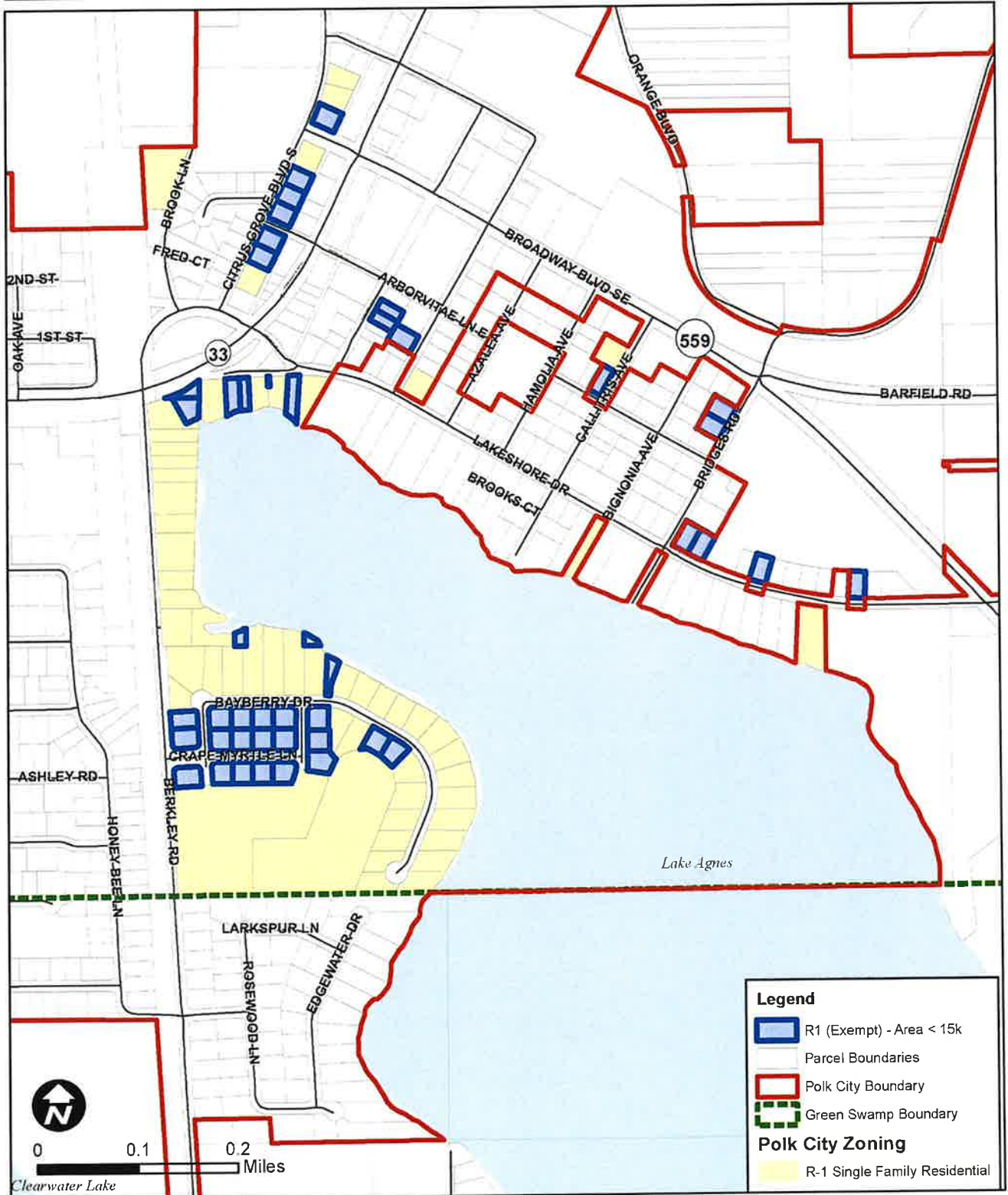
#### 2.04.01 Zoning District Summary Tables

Table 5 - Table of Development Standards

Zone	Max. Density (units/acre)	Min. Lot Size (sq.ft.)	Min. Lot Width (feet)	Min. s.f. of dwelling unit	Setbacks (feet)			Max. Lot Covg. (%)	Max. Bldg. Height (feet)
					Front	Rear	Sides		
AG-1	1/10 acres	10 acres	250 width 400 depth		40	50	30	5%	45 (3 stories)
AG-2	1/1 acre	1 acre	150		30	20	15	30%	40
R-1	2.5	<del>15,000</del> 12,000	<del>100</del> 80	1,200	30	20	<del>15</del> 12	45%	40
R-2	3.67	10,000	75	1,000	30	20	10	45 %	40
R-3	4.65 8.7	7,500 SF 8,000 Duplex	75 80	950 750/unit	30 30	20 20	10 10	45%	40
R-4:									
SF Mobile Home Duplex MF 3+	5.8 8.7 10	6,000 <del>6,000</del> 8,000 13,000	60 50 80 100	950 750 750/unit 450/unit	30 30 30 30	20 20 20 20	10 10 10 20	45% 45%	50** 40
R-5:									
SF	10	6,500	65	950	20	10	7.5	55%	40
MF 3+ units	10	13,000	100	450/unit	30	20	20	45%	50**
MH:									
MH Park MH Park RV Park RV Camp RV Camp	10 10 10 10 10	4,000 single wide 5,500 dbl wide 3,000 for MH 2,500 pull-thru RV 3,000 Park Model RV	40 55 30 25 30	14 x 60 28 x 60 N/A N/A 500 sf	20	20	7.5	45%	40

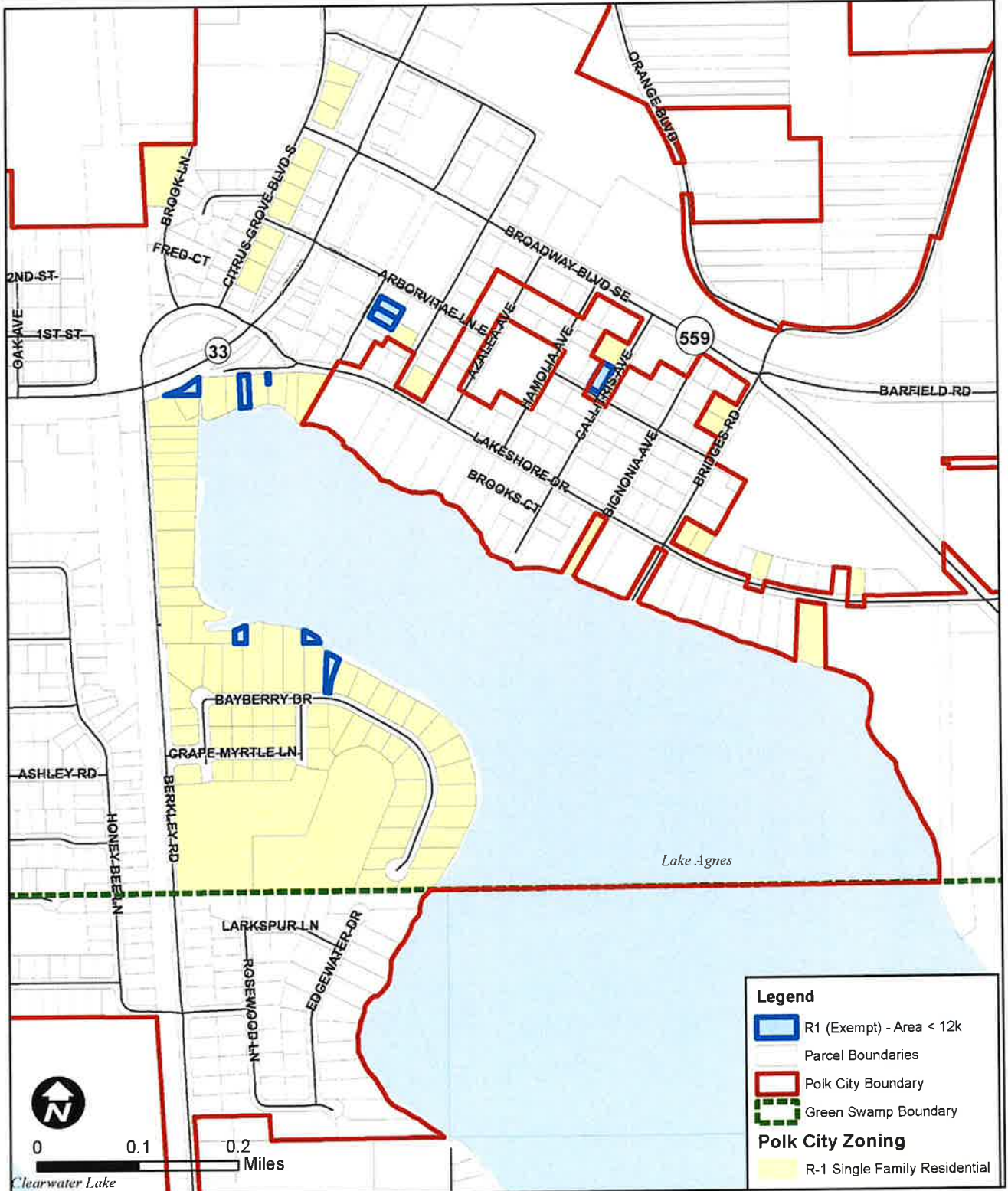
# ZONING MAP

R-1 Properties - Exempt Zone - Area Less Than 15k Sq. Ft.



# ZONING MAP

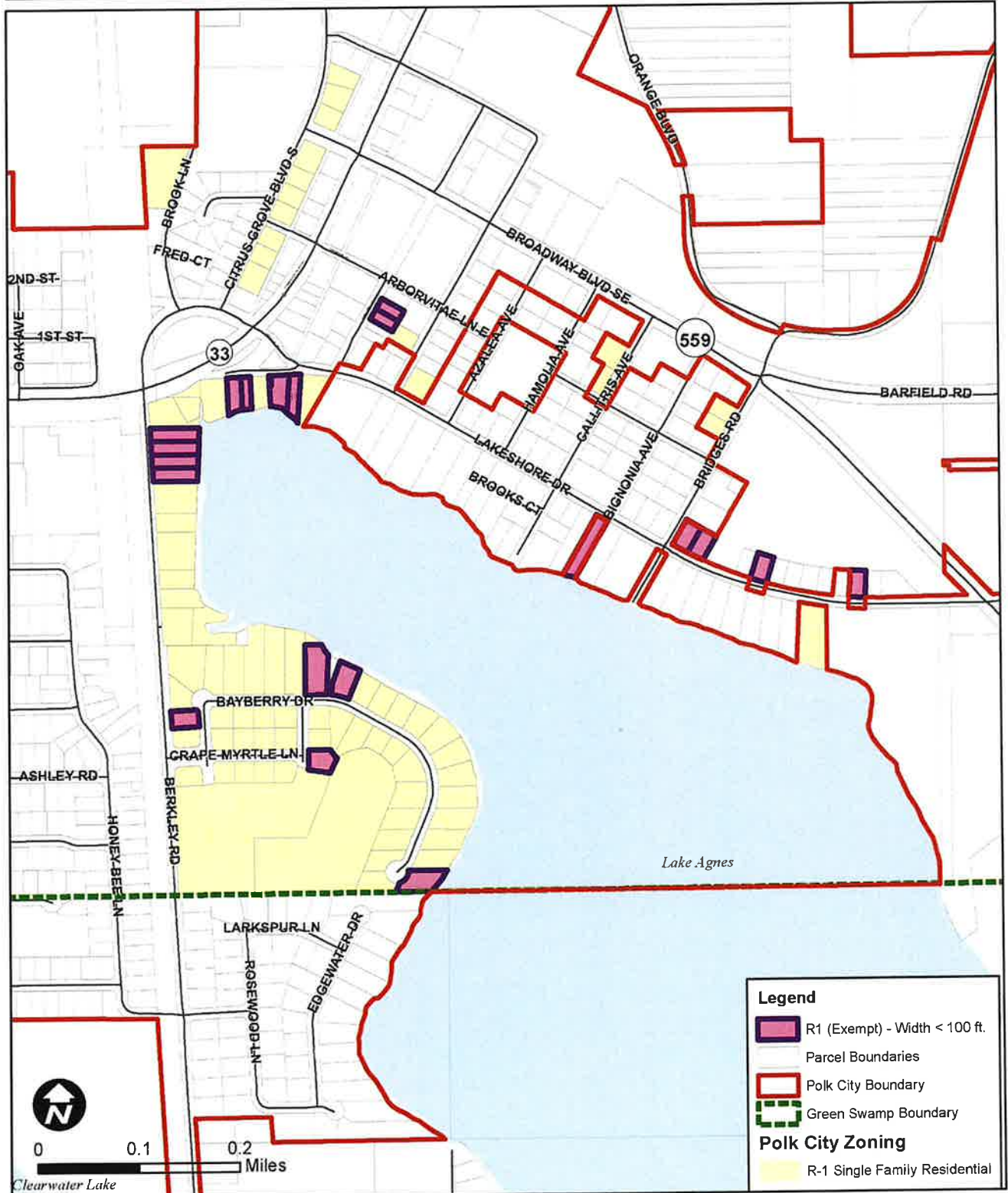
R-1 Properties - Exempt Zone - Area Less Than 12k Sq. Ft.





# ZONING MAP

R-1 Properties - Exempt Zone - Width Less Than 100 Ft.



# ZONING MAP

R-1 Properties - Exempt Zone - Width Less Than 80 Ft.

