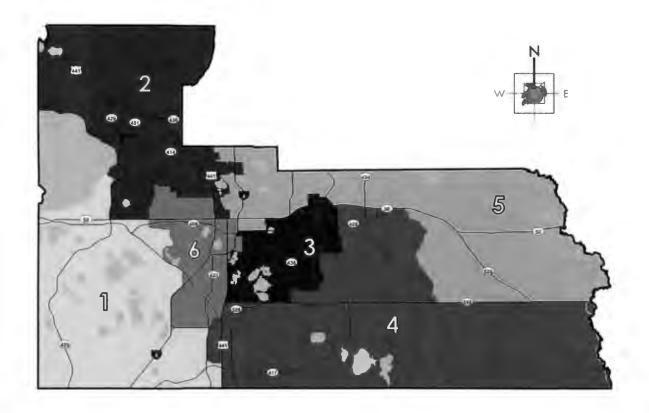


PLANNING AND ZONING COMMISSION

LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

NOVEMBER 18, 2021



PREPARED BY:

ORANGE COUNTY GOVERNMENT PLANNING DIVISION | CURRENT PLANNING SECTION

Planning and Zoning Commission / Local Planning Agency (PZC / LPA)

Trevor Sorbo

District #1

George Wiggins

District #2

Eddie Fernandez

Chairperson

District #3

Walter Pavon

District #4

J. Gordon Spears

District #5

JaJa J. Wade

District #6

Mohammed Abdallah

Vice Chairperson

At Large

Evelyn Cardenas

At Large

Nelson Pena

At Large

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TABLE OF HEARINGS

Planning and Zoning Commission November 18, 2021

Case # Applicant	Request	Commission <u>District</u>	Recomme Staff	ndations <u>PZC</u>	BCC Hearing Required
I. Conventional Rez	oning Hearing				
RZ-21-06-038 Kim Fisher	R-1 to R-2	3	Approval	Approval with one (1) restriction	No
RZ-21-11-076 Robert Candelaria	C-3 to I-1/I-5	5	Approval	Approval	No
RZ-21-11-077 Iv Simaku	A-2 to R-1	3	Approval	Approval	No
RZ-21-11-078 Rebecca Wilson	C-1 & A-2 to C-3 Restricted	4	Approval with five (5) restrictions	Approval with five (5) restrictions	No
RZ-21-11-084 Jennifer Bondy	A-2 to R-1AAA	4	Approval	Approval	No
RZ-21-11-085 Marcia Davis	R-T-2 to A-2	5	Approval	Approval	No

SITE and BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Requirements

District	Min. lot area (sq. ft.) m	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) a	Min. rear yard (ft.) o	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
A-1	SFR - 21,780 (½ acre) Mobile Home - 2 acres	850	100	35	50	10	35	Α
A-2	5FR - 21,780 (½ acre) Mobile Home - 2 acres	850	100	35	50	10	35	Α
A-R	108,900 (2½ acres)	1,000	270	35	50	25	35	Α
R-CE	43,560 (1 acre)	1,500	130	35	50	10	35	Α
R-CE-2	2 acres	1,200	250	45	50	30	35	Α
R-CE-5	5 acres	1,200	185	50	50	45	35	Α
R-1AAAA	21,780 (1/2 acre)	1,500	110	30	35	10	35	Α
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	35	Α
R-1AA	10,000	1,200	85	25 h	30 h	7.5	35	Α
R-1A	7,500	1,200	75	20 h	25 h	7.5	35	Α
R-1	5,000	1,000	50	20 h	20 h	5 h	35	Α
R-2	One-family dwelling, 4,500	1,000	45 c	20 h	20 h	5 h	35	Α
	Two dwelling units (DUs), 8,000/9,000	500/1,000 per DU	80/90 d	20 h	30	5 h	35	Α
	Three DUs, 11,250	500 per DU	85 j	20 h	30	10	35	Α
	Four or more DUs, 15,000	500 per DU	85 j	20 h	30	10 b	35	Α
R-3	One-family dwelling, 4,500	1,000	45 c	20 h	20 h	5	35	Α
	Two DUs, 8,000/ 9,000	500/1,000 per DU	80/90 d	20 h	20 h	5 h	35	Α
	Three dwelling units, 11,250	500 per DU	85 j	20 h	30	10	35	Α
	Four or more DUs, 15,000	500 per DU	85 j	20 h	30	10 b	35	Α
R-L-D	N/A	N/A	N/A	10 for side entry garage, 20 for front entry garage	15	0 to 10	35	A
R-T	7 spaces per gross acre	Park size min. 5 acres	Min. mobile home size 8 ft. x 35 ft.	7.5	7.5	7.5	35	Α
R-T-1								
SFR	4,500 c	1,000	45	25/20 k	25/20 k	5	35	A
Mobile home	4,500 c	Min. mobile home size 8 ft. x 35 ft.	45	25/20 k	25/20 k	5	35	Α
R-T-2	6,000	SFR 500	60	25	25	6	35	Α
(prior to 1/29/73)		Min. mobile home size 8 ft. x 35 ft.						
R-T-2 (after	21,780 ½ acre	SFR 600	100	35	50	10	35	Α
1/29/73)		Min. mobile home size 8 ft. x 35 ft.						

District	Min. lot area (sq. ft.) m	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) a	Min. rear yard (ft.) a	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
NR	One-family dwelling, 4,500	1,000	45 c	20	20	5	35/3 stories k	Α
	Two DUs, 8,000	500 per DU	80/90 d	20	20	5	35/3 stories k	A
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories k	Α
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50/4 stories k	Α
	Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories k	Α
AC	Non-residential and mixed use development, 6,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	50 feet <i>k</i>	A
	One-family dwelling, 4,500	1,000	45 c	20	20	5	35/3 stories k	Α
	Two DUs, 11,250	500 per DU	80 d	20	20	5	35/3 stories k	Α
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories k	Α
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50 feet/4 stories, 65 feet with ground floor retail k	A
	Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories k	Α
С	Non-residential and mixed use development, 8,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	65 feet <i>k</i>	A
	One-family dwelling, 4,500	1,000	45 c	20	20	5	35/3 stories k	Α
	Two DUs, 8,000	500 per DU	80 d	20	20	5	35/3 stories k	Α
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories k	A
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	65 feet, 80 feet with ground floor retail k	A
	Townhouse	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories k	Α
-0	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 for each add. story	35	A
-1	6,000	500	80 on major streets (see Art. XV); 60 for all other streets e; 100 ft. for corner lots on major streets (see Art. XV)	25	20	0; or 15 ft. when abutting residential district; side street, 15 ft.	50; or 35 within 100 ft. of all residential districts	A

District	Min. lot area (sq. ft.) m	Min. living area (sq. ft.)	Min. lat width (ft.)	Min. frant yard (ft.) a	Min. rear yard (ft.) a	Min. side yard (ft.)	Max. building height (ft.)	Lake setback
C-2	8,000	500	100 on major streets (see Art. XV); 80 for all other streets f	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	50; or 35 within 100 feet of all residential districts	A
C-3	3 12,000 500		125 on major streets (see Art. XV); 100 for all other streets g	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	75; or 35 within 100 feet of all residential districts	Α

District	Min. front yard (feet)	Min. rear yard (feet)	Min. side yard (feet)	Max. building height (feet)
I-1A	35	25	25	50, or 35 within 100 ft. of any residential use or district
I-1 / I-5	35	25	25	50, or 35 within 100 ft. of any residential use or district
1-2/1-3	25	10	15	50, or 35 within 100 ft. of any residential use or district
I-4	35	10	25	50, or 35 within 100 ft. of any residential use or district

These requirements pertain to zoning regulations only. The lot areas and lot widths noted are based on connection to central water and wastewater. If septic tanks and/or wells are used, greater lot areas may be required. Contact the Health Department at 407-836-2600 for lot size and area requirements for use of septic tanks and/or wells.

FOOTNOTES

NOTE:

- Setbacks shall be a minimum of 50 feet from the normal high water elevation contour on any adjacent natural surface water body and any natural or artificial extension of such water body, for any building or other principal structure. Subject to the lakeshore protection ordinance and the conservation ordinance, the minimum setbacks from the normal high water elevation contour on any adjacent natural surface water body, and any natural or artificial extension of such water body, for an accessory building, a swimming pool, swimming pool deck, a covered patio, a wood deck attached to the principal structure or accessory structure, a parking lot, or any other accessory use, shall be the same distance as the setbacks which are used per the respective zoning district requirements as measured from the normal high water elevation contour.
- b Side setback is 30 feet where adjacent to single-family district.
- c For lots platted between 4/27/93 and 3/3/97 that are less than 45 feet wide or contain less than 4,500 sq. ft. of lot area, or contain less than 1,000 square feet of living area shall be vested pursuant to Article III of this chapter and shall be considered to be conforming lots for width and/or size and/or living area.
- d For attached units (common fire wall and zero separation between units) the minimum duplex lot width is 80 feet and the duplex lot size is 8,000 square feet. For detached units the minimum duplex lot width is 90 feet and the duplex lot size is 9,000 square feet with a minimum separation between units of 10 feet. Fee simple interest in each half of a duplex lot may be sold, devised or transferred independently from the other half. For duplex lots that:
 - (i) are either platted or lots of record existing prior to 3/3/97, and
 - (ii) are 75 feet in width or greater, but are less than 90 feet, and
 - (iii) have a lot size of 7,500 square feet or greater, but less than 9,000 square feet are deemed to be vested and shall be considered as conforming lots for width and/or size.
- e Corner lots shall be 100 [feet] on major streets (see Art. XV), 80 [feet] for all other streets.
- f Corner lots shall be 125 [feet] on major streets (see Art. XV), 100 [feet] for all other streets.
- g Corner lots shall be 150 [feet] on major streets (see Art. XV), 125 [feet] for all other streets.
- h For lots platted on or after 3/3/97, or unplatted parcels. For lots platted prior to 3/3/97, the following setbacks shall apply: R-1AA, 30 feet, front, 35 feet rear, R-1A, 25 feet, front, 30 feet rear, R-1A, 25 feet, front, 30 feet rear, R-1, 25 feet, front, 25 feet rear, 6 feet side; R-2, 25 feet, front, 25 feet rear, 6 feet side for one (1) and two (2) dwelling units; R-3, 25 feet, front, 25 feet, rear, 6 feet side for two (2) dwelling units. Setbacks not listed in this footnote shall apply as listed in the main text of this section.
- j Attached units only. If units are detached, each unit shall be placed on the equivalent of a lot 45 feet in width and each unit must contain at least 1,000 square feet of living area. Each detached unit must have a separation from any other unit on site of at least 10 feet.
- k Maximum impervious surface ratio shall be 70%, except for townhouses, nonresidential, and mixed use development, which shall have a maximum impervious surface ratio of 80%.
- m Based on gross square feet.

These requirements are intended for reference only; actual requirements should be verified in the Zoning Division prior to design or construction.

BUFFER YARD REQUIREMENTS

Orange County Code Section 24-5.

Buffer yards prescribed are intended to reduce, both visually and physically, any negative impacts associated with abutting uses. Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the parcel boundary. Buffer yards shall not be located on any portion of an existing or dedicated public or private street or right-of-way.

(a) Buffer classifications:

- (1) Type A, opaque buffer: This buffer classification shall be used to separate heavy industrial (I-4 and M-1) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least eight (8) feet and shall be a minimum of fifty (50) feet wide. The type A buffer shall utilize a masonry wall.
- (2) Type B, opaque buffer: This buffer classification shall be used to separate commercial (general and wholesale) (C-2 and C-3) and industrial (general and light) (I-2/I-3 and I-1/I-5) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of twenty-five (25) feet wide. The type B buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be four (4) feet high and seventy (70) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (3) Type C, opaque buffer. This buffer classification shall be used to separate neighborhood retail commercial (C-1) and industrial-restricted (I-1A) from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of fifteen (15) feet wide. The type C buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (4) Type D, opaque buffer: This buffer classification shall be used to separate professional office (P-O) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of ten (10) feet wide. The type D buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (5) Type E, mobile home and RV park buffer: This buffer classification shall be used to separate mobile home and RV parks from all abutting uses. This buffer shall be twenty-five (25) feet wide. Where the park abuts an arterial highway, the buffer shall be fifty (50) feet wide. This buffer shall not be considered to be part of an abutting mobile home space, nor shall such buffer be used as part of the required recreation area or drainage system (ditch or canal). This buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof. This buffer must be at least five (5) feet in height and fifty (50) percent opaque within eighteen (18) months after installation.
- (6) Type F, residential subdivision buffer: See subdivision regulations (Chapter 34, Orange County Code).

These requirements are intended for reference only; actual requirements should be verified in the Zoning Division prior to design or construction.

CASE # RZ-21-06-038

Commission District: #3

GENERAL INFORMATION

APPLICANT Kim Fischer, Cycorp Engineering, Inc.

OWNERS Arya Custom Homes, LLC

HEARING TYPE Planning and Zoning Commission

REQUEST R-1 (Single-Family Dwelling District) to

R-2 (Residential District)

LOCATION 1035 N. Chickasaw Trail; generally located east of N.

Chickasaw Trail, 1,350 feet north of Valencia College

Lane.

PARCEL ID NUMBER 24-22-30-0000-00-013

TRACT SIZE 3.16 gross acres

PUBLIC NOTIFICATION The notification area for this public hearing was 500 feet

[Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Six hundred and three (603) notices were mailed to property owners and residents in the surrounding area. Two community meetings were held for this request and are summarized further in this report.

PROPOSED USE Twenty-four (24) attached units (townhomes/condos)

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

This case was continued from the October 21st PZC hearing in order for Transportation staff to gather information related to Chickasaw Trail right-of-way traffic issues. This information will be provided at the November PZC hearing.

Through this request, the applicant is seeking to rezone the subject parcel from R-1 (Single-Family Dwelling District) to R-2 (Residential District), with the intent to allow twenty-four (24) attached units (townhomes/condos).

The subject property was not platted and the area surrounding the subject property primarily consists of single-family residential developments to the north, mobile park to the east, and multifamily use to the south and west. The proposed development is a transitional use between single-family residential homes to the north and multifamily to the south.

Land Use Compatibility

The R-2 (Residential District) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement		\boxtimes	
Joint Planning Area (JPA)		\boxtimes	
Overlay District Ordinance		\boxtimes	
Airport Noise Zone			The subject property is located within the "E" airport noise zone. Any required noise mitigation will be required at time of permitting.
Code Enforcement		\boxtimes	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Medium Density Residential (LMDR) which allows consideration of up to 10 units per acre. The proposed R-2 (Residential District) zoning is consistent with the Low Medium Density Residential FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

FLU1.4.1 states that Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

FLU1.4.2 states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district

is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

H1.3.8 states that in order to stabilize and improve existing neighborhoods, Orange County shall continue to support compatible infill development in existing neighborhoods where infrastructure already exists.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use Undeveloped land

Adjacent Zoning N: R-1 (Single-Family Dwelling District) 1957

E: R-T (Mobile Home Park District) 1969

W: P-D (Planned Development) 1972

S: P-D (Planned Development) 1972

Adjacent Land Uses N: Single-Family Residential

E: Mobile

W: Multifamily

S: Multifamily

R-2 (Residential District) Development Standards

One-Family Dwelling
Min. Lot Area:

4,500 sq. ft.

Min. Lot Width:	45 ft.	
Max. Height:	35 ft.	
Min. Living Area: Building Setbacks:	1,000 sq. ft.	
Front:	20 ft.	
Rear:	20 ft.	
Side:	5 ft.	
Side Street:	15 ft.	
Two Dwelling Units		
Min. Lot Area:	8,000 sq. ft. / 9,000 sq. ft.	
Min. Lot Width:	80 ft. / 90 ft.	
Max. Height:	35 ft.	
Min. Living Area:	500 sq. ft. / 1,000 sq. ft.	
Building Setbacks:		
Front:	20 ft.	
Rear:	20 ft.	
Side:	5 ft.	
Side Street:	15 ft.	
Three Dwelling Units		
Min. Lot Area:	11,250 sq. ft.	
Min. Lot Width:	85 ft. (attached units only)	
Max. Height:	35 ft.	
Min. Living Area:	500 sq. ft. per dwelling unit	
Building Setbacks:		
Front:	20 ft.	
Rear:	30 ft.	
Side:	10 ft.	
Side Street:	15 ft.	
Four or More Dwelling Units		
Min. Lot Area:	15,000 sq. ft.	
Min. Lot Width:	85 ft.	
Max. Height:	35 ft.	
Min. Living Area:	500 sq. ft. per dwelling unit	
Building Setbacks:	00.5	
Front:	20 ft.	
Rear:	30 ft.	
Side:	10 ft. (30 ft. where adjacent to single-family)	
Side Street:	15 ft.	

^{*} These regulations may not reflect the actual requirements for all situations; see the Orange County Zoning Code for actual regulations for site requirements for this zoning district.

Permitted Uses

The R-2 (Residential District) zoning district is composed of lands and structures used primarily for the construction of detached and attached single-family dwelling units, containing a maximum of four (4) units per building and associated residential uses.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	\boxtimes		*See below
Transportation / Access			This project is located in the Alternative Mobility Area (AMA) and, therefore, shall be required to provide for alternative mobility strategies related to the development. The applicant must submit a Mobility Analysis to be reviewed and approved by the Transportation Planning Division prior to obtaining a building permit; provided, however, if the County removes the Alternative Mobility Area from its Code prior to approval of the first building permit, then this project shall comply with the County's then-current transportation concurrency requirements. Note: Waiver request from the required parking regulations will require a parking regulations will require a parking
			parking regulations will require a parking study, based upon approved methodology, to accompany the application. Please copy the Transportation Planning division on submittal applications which include parking waiver requests and include the application case number.
Schools		\boxtimes	
Parks and Recreation		\boxtimes	

^{*}The wetlands and/or surface waters on site were delineated in Orange County Conservation Area Determination CAD 06-025. This determination expired on 3/20/2011. A new CAD application needs to be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD).

In addition to any state or federal wetland permitting requirements, the applicant shall satisfy Orange County's wetland permitting requirements. Based on the concept plan received on 10/5/21 a Conservation Area Impact (CAI) permit will be required. The applicant shall submit an application for a CAI permit for proposed conservation area encroachments and adverse secondary impacts to the Orange County Environmental Protection Division, as outlined in Orange County Chapter 15, Article X Wetland Conservation Areas.

Any miscellaneous garbage, hazardous waste, yard waste, and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

Community Meeting Summary

A virtual community meeting was held on October 5th with one (1) resident in attendance. An in-person meeting took place on October 7th at Colonial High School Freshman Campus with two (2) residents in attendance. Residents expressed concerns about traffic, mosquitos from the proposed pond, flooding, and wildlife. One resident mentioned that there is a ditch from adjacent properties that drains water to the subject property, subsequently adding to the wetland growth to the south.

Utilities

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

*Detailed Utility Information:

This property is within Orange County Utilities Water, Wastewater and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37:

- Water: Development within this property will be required to connect to Orange County Utilities water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.
- Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.
- Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (November 18, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) zoning, subject to the following restriction:

1. Development shall be limited to twenty-four (24) attached units.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District), subject to one restriction added at the hearing to restrict the development to twenty-four (24) attached units. The applicant was present and agreed with the staff recommendation and restrictions. Two (2) members of the public appeared to speak regarding this request, expressing concerns about heavy traffic on N. Chickasaw Trail, privacy and drainage.

Staff indicated that six hundred and three (603) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff have received four (4) responses in opposition regarding this request.

After addressing traffic concerns and compatibility issues a motion was made by Commissioner Fernandez to deny the proposed R-2 zoning, however it did not get enough votes for support. Another motion was made by Commissioner Sorbo to approve the applicant's request with the added restriction. An amendment to the motion was proposed by Commissioner Wiggins to reduce the unit count to twenty (20), but it was not supported. Commissioner Spears seconded the motion to recommend APPROVAL of the requested R-2 Restricted (Residential District) zoning. The motion carried with Commissioners Fernandez and Wiggins voting in opposition.

Motion / Second Trevor Sorbo / Gordon Spears

Voting in Favor Trevor Sorbo, Gordon Spears, Walter Pavon,

Mohammed Abdallah, and Evelyn Cardenas

Voting in Opposition *Eddie Fernandez and George Wiggins*

Absent JaJa Wade and Nelson Pena

RZ-21-06-038

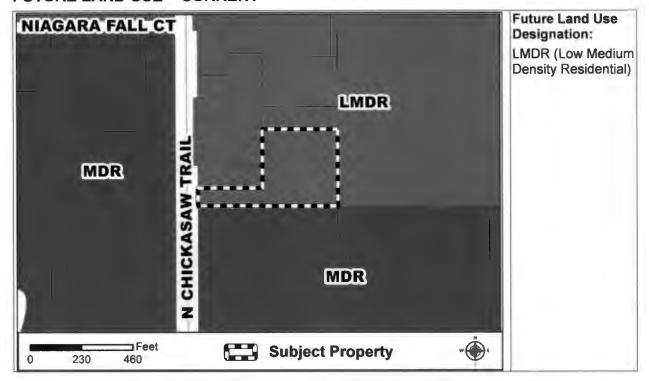


Subject Property

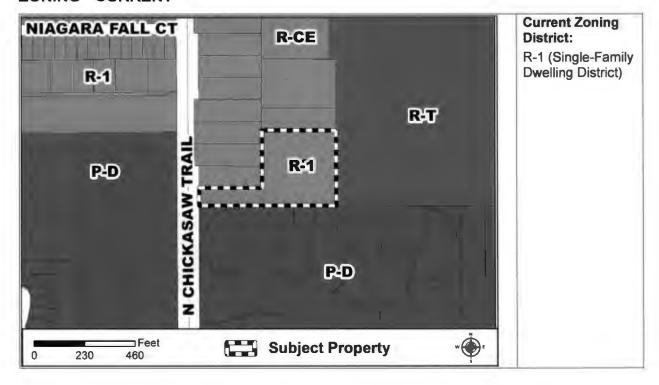


1 inch = 167 feet

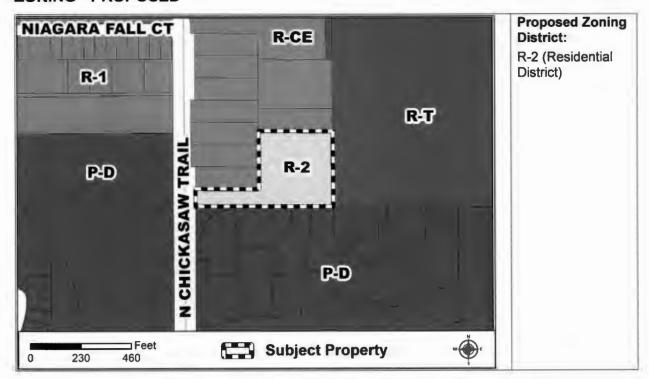
FUTURE LAND USE - CURRENT



ZONING - CURRENT

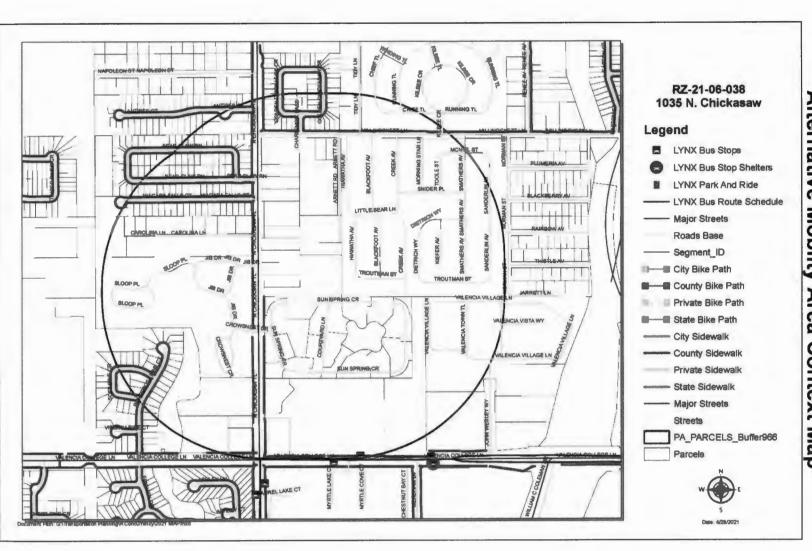


ZONING - PROPOSED

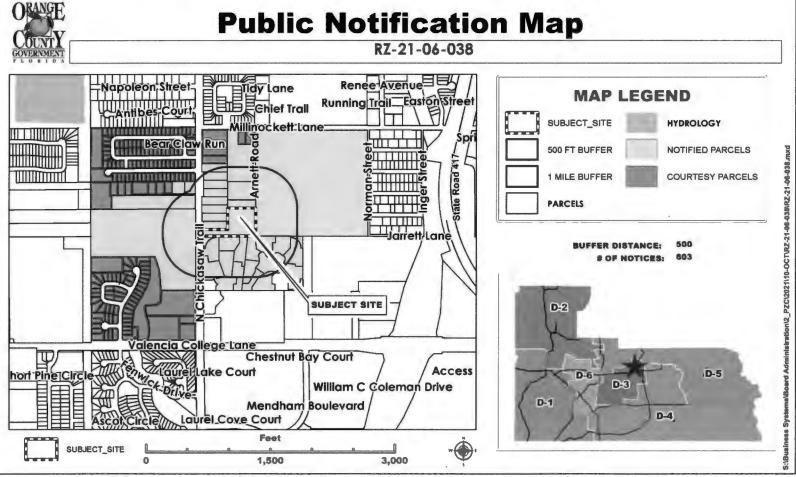


PZC Hearing Date: November 18, 2021 **Orange County Planning Division** Case # RZ-21-06-038

Alternative Mobilty Area Context Map



Notification Map



CASE # RZ-21-11-076

Commission District: #5

GENERAL INFORMATION

APPLICANT Robert Candelaria

OWNERS Robert Candelaria

HEARING TYPE Planning and Zoning Commission

REQUEST C-3 (Wholesale Commercial District) to

I-1/I-5 (Industrial District - Light)

LOCATION 6900 Muskogee Street; generally south of Muskogee St.,

approximately 470 feet west of N. Forsyth Rd.

PARCEL ID NUMBER 15-22-30-0000-00-066

TRACT SIZE 0.86-gross acre

PUBLIC NOTIFICATION The notification area for this public hearing was 800 feet

[Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Sixty-seven (67) notices were mailed to those property owners in the mailing area. A community

meeting was not required for this application.

PROPOSED USE Overnight Parking and Outdoor Storage

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-1/I-5 (Industrial District - Light) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the subject property from C-3 (Wholesale Commercial District) to I-1/I-5 (Industrial District Light). The applicant has stated the 37,296 square foot (0.86-gross acre) site will continue to be used for overnight parking and outdoor storage of motor vehicles.

The existing C-3 (Wholesale Commercial District) zoning on the subject property is inconsistency with the Industrial Future Land Use Map (FLUM) designation. Through this rezoning the Future Land Use designation and Zoning would become consistent.

The immediate area is heavily developed with industrial uses with the I-1/I-5 zoning classification. The subject property is one of two parcels which remain with the C-3 zoning in the area. The proposed zoning and use are compatible with those in the surrounding area. The parcel to the west was rezoned from C-3 to I-1/I-5 in 2004.

Land Use Compatibility

The I-1/I-5 (Industrial District Light) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement		\boxtimes	
Joint Planning Area (JPA)		\boxtimes	
Overlay District Ordinance		X	
Airport Noise Zone	\boxtimes		The subject property is located within the "E" airport noise zone. Any required noise mitigation will be required at time of permitting.
Code Enforcement		\boxtimes	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Industrial (IND). The proposed zoning is consistent with the industrial FLUM designation and the following Comprehensive Plan provisions:

FLU1.4.2 states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

FLU1.4.21 states that Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.

FLU1.4.24 states that Orange County shall not approve industrial uses that produce or emit noises, significant vibrations or noxious/hazardous wastes/fumes resulting in adverse impacts to adjacent residential uses, unless such impacts are mitigated.

FLU1.4.24 states that Orange County may require appropriate design controls for each industrial district such as, but not limited to, building setbacks, lot size building coverage ratios, impervious surface limitations and landscaping provisions to ensure industrial districts are compatible with surrounding areas.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use	Parking and storage
---------------------	---------------------

Adjacent Zoning N: I-1/I-5 (Industrial District - Light) (1973)

E: I-1/I-5 (Industrial District - Light) (1973)

W: I-1/I-5 (Industrial District - Light) (2004)

S: I-1/I-5 (Industrial District - Light) (1973)

Adjacent Land Uses N: Undeveloped

E: Industrial light Manufacturing

W: Industrial warehouse

S: Industrial warehouse

*No zoning restrictions apply to the above.

I-1/I-5 (Industrial District Light) Development Standards

Max. Height: 50 ft. (35 within 100 ft. of residential use or district)

Building Setbacks*

Front: 35 ft. Rear: 25 ft.

Side: 25 ft.

*50 feet required setback when abutting residential zoning.

Intent, Purpose, and Uses

The intent and purposes of the I-1/I-5 industrial district are as follows:

- (1) To provide areas for light manufacturing and industry. It is intended that this district will provide low intensity industrial development which will have minimal impact on the surrounding areas.
- (2) To provide space for those industries which required locations accessible to major transportation facilities.
- (3) To establish and maintain standards which will protect adjacent residential and commercial developments.
- (4) To provide space for those industries and other uses of land which require a location in close proximity to airports.
- (5) To provide locations for those industries which employ the processing of bulk material and which require space for open storage of materials.
- (6) To allow industrial uses where proximity to residential or commercial districts makes it desirable to limit the manner and extent of industrial operations.
- (7) To establish and maintain standards which promote development of a wide variety of industrial and related activities.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	\boxtimes		The Environmental Protection Division has reviewed the plans and has found no concerns at this time.
Transportation / Access			This project is located in the Alternative Mobility Area (AMA) and, therefore, shall be required to provide for alternative mobility strategies related to the development. The applicant must submit a Mobility Analysis to be reviewed and approved by the Transportation Planning Division prior to obtaining a building permit; provided, however, if the County removes the Alternative Mobility Area from its Code prior to approval of the first building permit,

then this project shall comply with the County's then- current transportation concurrency requirements.
Based on the Concurrency Management database (CMS) dated 9/30/2021, there are multiple failing roadway segments within the project's impact area along Colonial Drive, from Semoran Boulevard to Goldenrod Road. This information is dated and subject to change.

Community Meeting Summary

A community meeting was not required for this request

Utilities

Water:

Orange County Utilities

Waste Water:

Orange County Utilities

Reclaim Water:

Orange County Utilities

*Detailed Utility Information:

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37,

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (November 18, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-1/I-5 (Industrial District - Light) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-1/I-5 (Industrial District - Light) zoning. The applicant was not present for the public hearing. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that sixty-seven (67) notices were sent to property owners extending beyond 800 feet surrounding the property, and that staff had received zero (0) responses in favor, and one (1) response in opposition of the request with concerns of adverse affects of additional Industrial uses in the area.

A motion was made by Commissioner Spears, and seconded by Commissioner Wiggins to recommend APPROVAL of the requested I-1/I-5 (Industrial District - Light) zoning. The motion carried unanimously.

Motion / Second Gordon Spears / George Wiggins

Voting in Favor Gordon Spears, George Wiggins, Mohammed Abdallah,

Evelyn Cardenas, Trevor Sorbo, Eddie Fernandez, and

Walter Payon

Voting in Opposition None

Absent JaJa Wade and Nelson Pena

RZ-21-11-076

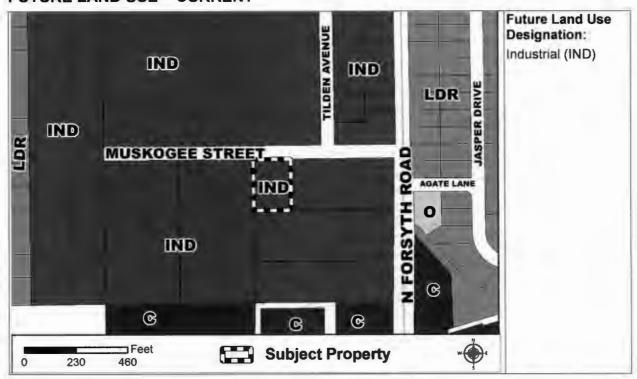


Subject Property

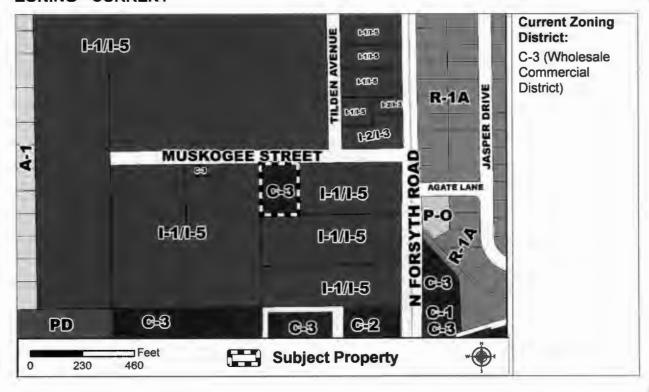


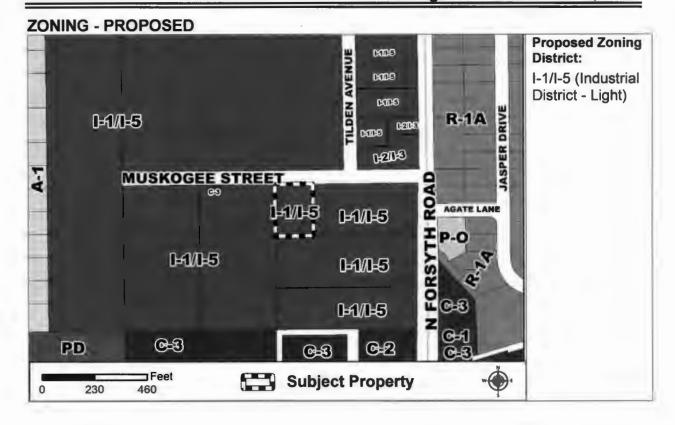
1 inch = 114 feet

FUTURE LAND USE - CURRENT



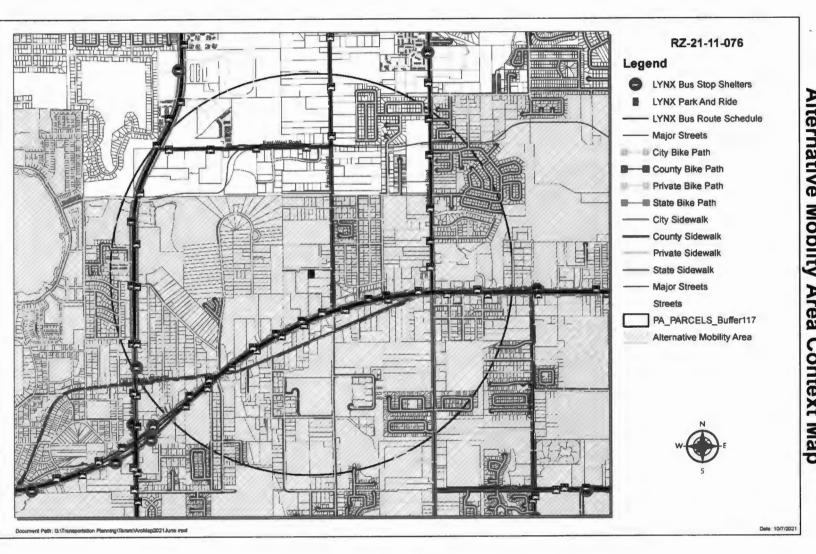
ZONING - CURRENT



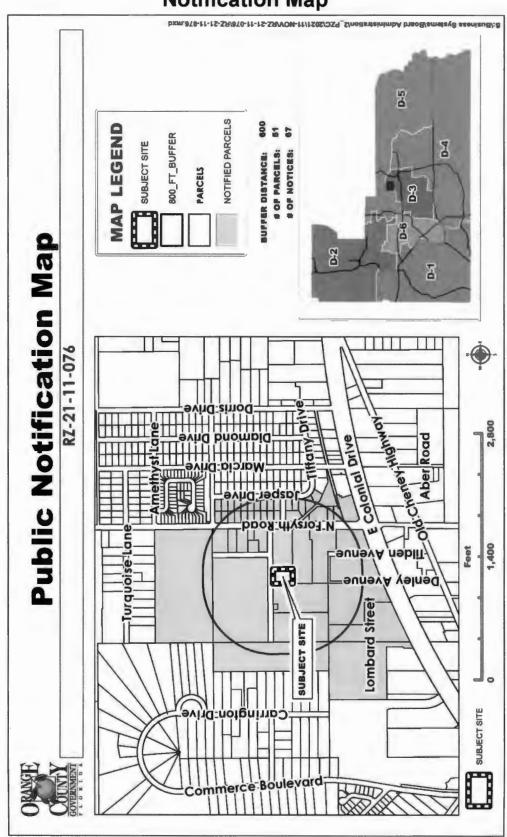


PZC Hearing Date: Orange **County Planning Division** Case # RZ-21-11-076

Alternative Mobilty Area Context Map



Notification Map



CASE # RZ-21-11-077

Commission District: #3

GENERAL INFORMATION

APPLICANT Iv Simaku

OWNERS Iv Simaku

HEARING TYPE Planning and Zoning Commission

REQUEST A-2 (Farmland Rural District) to

R-1 (Single-Family Dwelling District)

LOCATION 1614 Selma Avenue; generally located on the west side of

Selma Ave, approximately 330 feet south of E. Colonial

Dr.

PARCEL ID NUMBER 19-22-31-2872-02-100

TRACT SIZE 0.15-gross acre

PUBLIC NOTIFICATION The notification area for this public hearing was 500 feet

[Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred four (104) notices were mailed to property owners and residents in the mailing area. A community meeting was not required for this

application.

PROPOSED USE One (1) Single-Family Residential Dwelling

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request the applicant proposes to rezone the subject property in order to construct a single-family dwelling unit on 0.15 gross acre. This would allow the applicant to construct a dwelling unit with setbacks that are consistent with the character of the area.

The current zoning is A-2 (Farmland Rural District), which is inconsistent with the Low-Medium Density Residential (LMDR) Future Land Use Map (FLUM) designation. In



order to allow for the construction of a single-family home, the Zoning and FLUM designation must be consistent, and the requested R-1 zoning is consistent.

The property was originally platted as a 50' wide lot in 1926, (Lot 10) in the Franklin Heights Subdivision). The property was developed with a manufactured home in 1982. This structure has since been demolished.

The immediate area is developed with single-family dwelling units with commercial parcels located along the E. Colonial Drive and N. Econlockhatchee Trail corridors. The same request to rezone from A-2 to R-1 was approved by the BCC for the parcel to the south in 2019.

The construction of one (1) single-family dwelling unit will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Land Use Compatibility

The R-1 (Single-Family Dwelling District), zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement		\boxtimes	
Joint Planning Area (JPA)		X	
Overlay District Ordinance		\boxtimes	
Airport Noise Zone		\boxtimes	
Code Enforcement		\boxtimes	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Medium Density Residential (LMDR) which allows consideration of up to ten (10) dwelling units per acre. The proposed R-1 (Single-Family Dwelling District) zoning is consistent with the LMDR FLUM designation and the following Comprehensive Plan provisions:

FLU1.4.1 states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

FLU1.4.2 states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

GOAL FLU2 states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use

development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

H1.3.8 states that in order to stabilize and improve existing neighborhoods, Orange County shall continue to support compatible infill development in existing neighborhoods where infrastructure already exists.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use	Vacant		
Adjacent Zoning	N:	A-2 (Farmland Rural District) (1957)	
	E:	A-2 (Farmland Rural District) (1957)	
	W:	R-1 (Single-Family Dwelling District) (1962)	
	S:	R-1 (Single-Family Dwelling Districts) (2019)	
Adjacent Land Uses	N:	Single-Family Residence	
	E:	Retention Pond	
	W:	Vacant	
	S:	Single-Family Residence	
	*No	zoning restrictions apply to the above.	

R-1 (Single-Family Dwelling District) Development Standards

Min. Lot Area: 5,000 sq. ft.
Min. Lot Width: 50 feet
Max. Height: 35 feet
Min. Floor Area: ...1,000 feet

Building Setbacks

Front: 20 feet Rear: 20 feet Side: 5 feet

Intent, Purpose, and Uses

The R-1 (Single-Family Dwelling District) zoning district is composed of lands and structures used primarily for single-family residential areas with large lots and low population densities.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information			
Environmental	\boxtimes		*See Note Below Table			
Transportation / Access	\boxtimes		This project is located within the Orange County Alternative Mobility Area. The proposed development of one (1) single family units is De minimus.			
Schools	\boxtimes		Deminimus impact to OCPS. A capacity determination is not required.			
Parks and Recreation		X				

*Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

Waste Material Disposal - Any miscellaneous garbage, waste and construction debris or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

Demolition - Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange

County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400. The Board of County Commissioners has adopted by specific reference, the EPA regulations as set forth in 40 CFR, subpart M, for asbestos (NESHAP). Reference Orange County Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 2 Rules, Section 15-90 Adoption of state and federal rules by reference, Section 15-90(b) asbestos.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: Orange County Utilities

Waste Water: Orange County Utilities

Reclaim Water: Orange County Utilities

*Detailed Utility Information:

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37,

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (November 18, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning. The applicant was present and agreed with the staff recommendation. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that one hundred four (104) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff had received zero (0) responses in favor, and zero (0) response in opposition of the request.

A motion was made by Commissioner Fernandez, and seconded by Commissioner Wiggins to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District). The motion carried unanimously.

Motion / Second Eddie Fernandez / George Wiggins

Voting in Favor Eddie Fernandez, George Wiggins, Evelyn Cardenas,

Mohammed Abdallah, Trevor Sorbo, Walter Pavon, and

Gordon Spears

Voting in Opposition None

Absent JaJa Wade and Nelson Pena

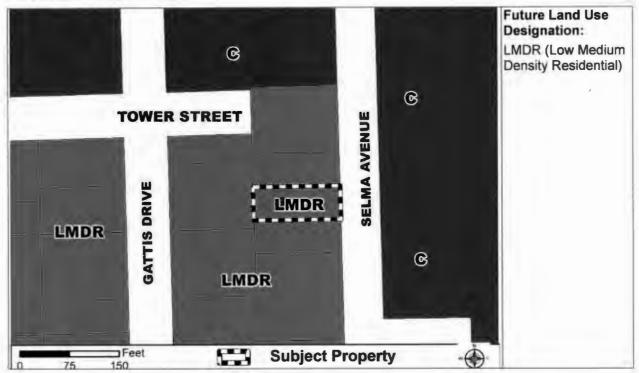
RZ-21-11-077



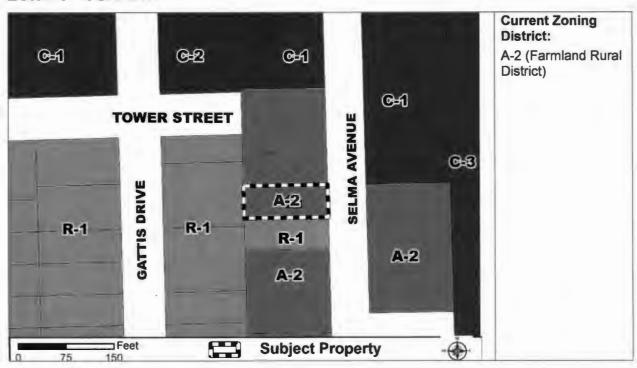


1 inch = 96 feet

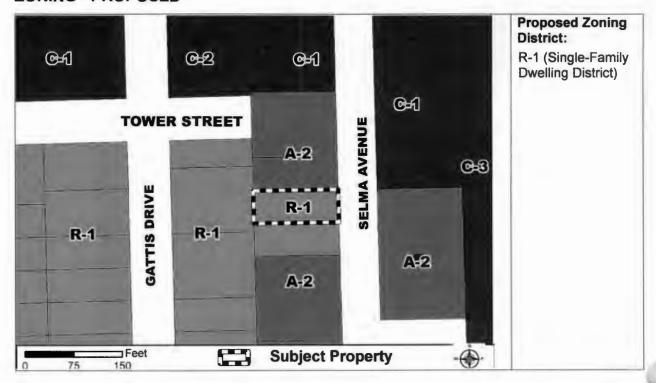
FUTURE LAND USE



ZONING - CURRENT

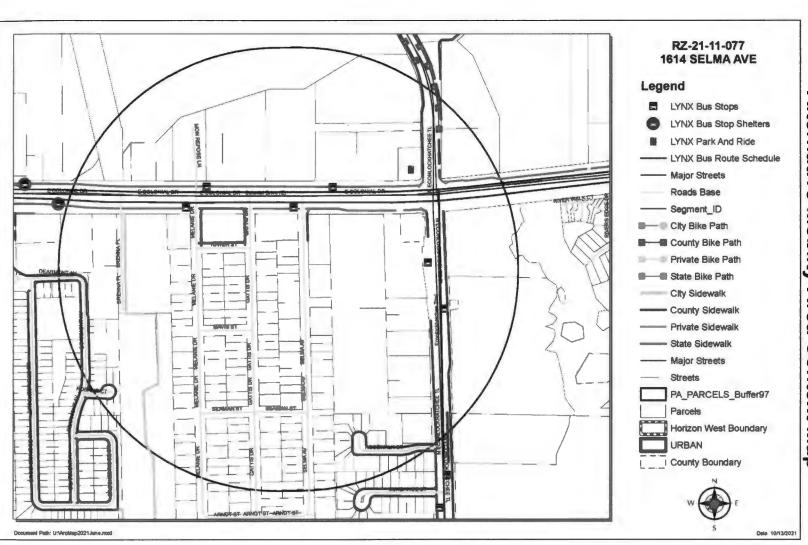


ZONING - PROPOSED

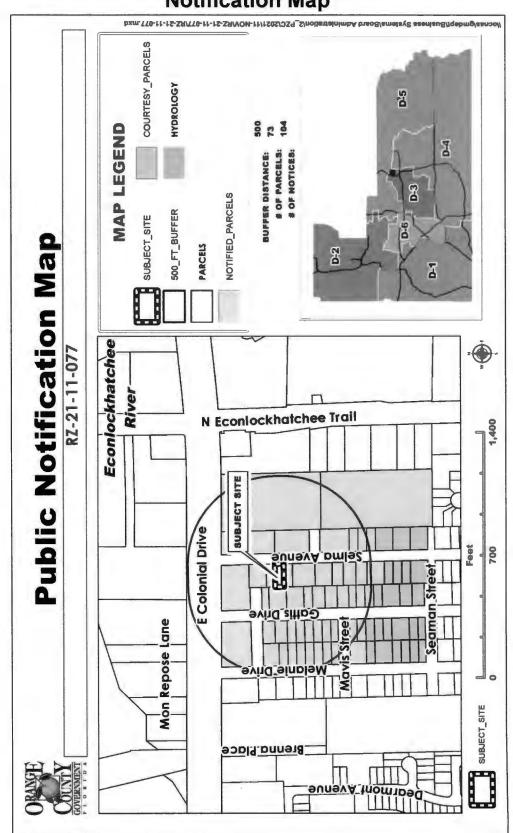


Case # RZ-21-11-077
Orange County Planning Division
PZC Hearing Date: November 18, 2021

Alternative Mobilty Area Context Map



Notification Map



CASE # RZ-21-11-078

Commission District: #4

GENERAL INFORMATION

APPLICANT Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor &

Reed, P.A.

OWNERS 14300 East Colonial Dr, LLC

HEARING TYPE Planning and Zoning Commission

REQUEST C-1 (Retail Commercial District) and A-2 (Farmland Rural

District) to

C-3 Restricted (Wholesale Commercial District)

LOCATION 14300 E. Colonial Dr.; generally southwest of the E.

Colonial Drive and Pel Street intersection.

PARCEL ID NUMBER 24-22-31-0000-00-065

TRACT SIZE 1.84 gross acres

PUBLIC NOTIFICATION The notification area for this public hearing was 800 feet

[Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred forty-two (242) notices were mailed to property owners and residents in the surrounding area. A community meeting was not required

for this application.

PROPOSED USE Pet resort which offers pet daycare, overnight boarding,

grooming and outdoor training services.

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-3 Restricted (Wholesale Commercial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited;
- The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of any C-3 uses; and

- 3) A 100-foot buffer shall be provided along the southern property line.
- 4) The site shall be developed in such a way that noise generated from outdoor areas dedicated for pets shall be directed away from nearby residential areas to the greatest extent possible.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is requesting to rezone the subject property from C-1 (Retail Commercial District) and A-2 (Farmland Rural District) to C-3 Restricted (Wholesale Commercial District) to allow for a pet resort which offers pet day care, overnight boarding, grooming and outdoor training services.

Currently, the subject property contains a split zoning of C-1 (Retail Commercial District) on the northern portion of the lot and A-2 (Farmland Rural District) on the southern portion. The subject property is currently undeveloped and has a power utility easement along the southern portion.

The area surrounding the subject property mostly consists of commercial developments along E. Colonial drive and a mobile park to the south.

Land Use Compatibility

The C-3 (Wholesale Commercial District) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement		\boxtimes	
Joint Planning Area (JPA)		\boxtimes	
Overlay District Ordinance		\boxtimes	
Airport Noise Zone		\boxtimes	
Code Enforcement		\boxtimes	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Commercial (C). The proposed C-3 (Wholesale Commercial District) zoning is consistent with the Commercial FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:



FLU1.4.2 states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

FLU1.4.4 states that the disruption of residential areas by poorly located and designed commercial activities shall be avoided.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use Undeveloped Land

Adjacent Zoning N: C-1 (Retail Commercial District) 1981

E: C-2 Restricted (General Commercial District) 1995

Restrictions: C-1 uses, mobile home sales

W: C-1 (Retail Commercial District) 2005

S: R-T (Mobile Home Park District) 1985

Adjacent Land Uses N: SR 50

E: Office

W: Retail

S: Mobile Home Community

C-3 (Wholesale Commercial District) Development Standards

Min. Lot Area: 12,000 sq. ft.

Min. Lot Width: 100 ft. (125 ft. on major streets)

Max. Height: 75 ft. (35 ft. within 100 ft. of residential)

Min. Floor Area: 500 sq. ft.

Building Setbacks

Front: 25 ft. (except on major streets as provided in Art. XV)

Rear: 15 ft. (20 ft. when abutting residential) Side: 5 ft. (25 ft. when abutting residential)

Intent, Purpose, and Uses

The intent and purpose of the C-3 district is to implement and be consistent with the commercial land use designation of the Future Land Use Map (FLUM). The C-3 district is composed of land and structures where more intense commercial activity is located. This district must be located away from residential districts because it allows uses that are not compatible with residential districts. Specific uses shall be identified by the letter "P" in the use table set forth in section 38-77 of the Orange County Code and include storage yards for operable automobiles, trucks, boats, and commercial vehicles (regardless if for sale, lease, or not), new and used automobile sales, recreational and commercial vehicle sales and storage, auto part and tire dealers,

outside storage, lumber and building material yards, and the wholesale distribution of goods including industrial machinery equipment, electronics, farm and garden equipment, and furniture.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	\boxtimes		*See below
Transportation / Access			Based upon the concurrency data base dated 9/30/21, there are multiple failing roadway segments within the project area. Capacities indicated are a snapshot and are subject to change at any time. A traffic study will be required prior to building permit approval.
Schools		\boxtimes	
Parks and Recreation		\boxtimes	

^{*} Econ River Ordinance - This site is located within the Orange County Econlockhatchee River Protection ordinance area. Unless otherwise exempt, basin-wide regulations shall apply, reference the Econlockhatchee River Protection ordinance Chapter 15 Article XI.



All future plans submitted must acknowledge this with a note on the plan and shall comply with all protection ordinance codes.

Waste Material Disposal - Any miscellaneous garbage, waste and construction debris or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

Fugitive Dust - Fugitive dust emissions shall not be allowed from any activity including: vehicular movement, transportation of materials, construction, alteration, loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions defined in Orange County Code Chapter 15-89.1.

Erosion Control - Use caution to prevent erosion during construction along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2 inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads and the affected storm drainage system shall be protected as indicated in 34-250(g). This may require periodic street sweeping.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:

Orange County Utilities

Wastewater:

Orange County Utilities

Reclaim Water:

Orange County Utilities

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37,

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (November 18, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-3 Restricted (Wholesale Commercial District) zoning, subject to the following restrictions:

- 1. New billboards and pole signs shall be prohibited;
- The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of any C-3 uses;
- 3. A 100-foot buffer (no site improvements except for landscaping and stormwater retention) shall be provided along the southern property line;
- The site shall be developed in such a way that noise generated from outdoor areas dedicated for pets shall be directed away from nearby residential areas to the greatest extent possible; and
- 5. Uses shall be limited to C-1 uses plus the C-3 use of pet daycare with overnight boarding, grooming and outdoor training services.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-3 Restricted (Wholesale Commercial District) subject to restrictions as amended in the PowerPoint for restriction number three (3) and newly added restriction number five (5). The applicant was present and agreed with the staff recommendation and restrictions. No members of the public appeared to speak regarding this request.



Staff indicated that two hundred forty-two (242) notices were sent to property owners extending beyond 800 feet surrounding the property, and that staff have received one response in support and zero (0) in opposition regarding this request.

After discussion, a motion was made by Commissioner Pavon and seconded by Commissioner Wiggins to recommend APPROVAL of the requested C-3 Restricted (Wholesale Commercial District) zoning. The motion carried unanimously.

Motion / Second Walter Pavon / George Wiggins

Voting in Favor Walter Pavon, George Wiggins, Evelyn Cardenas,

Mohammed Abdallah, Gordon Spears, Trevor Spears,

and Eddie Fernandez

Voting in Opposition None

Absent JaJa Wade and Nelson Pena

RZ-21-11--078

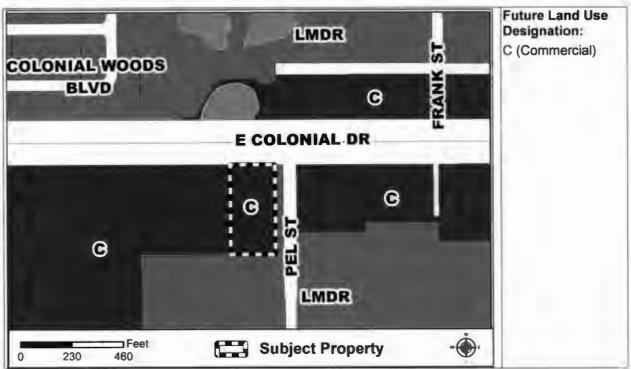




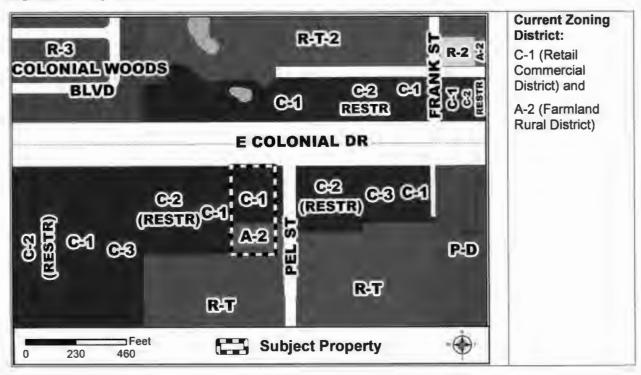


1 inch = 167 feet

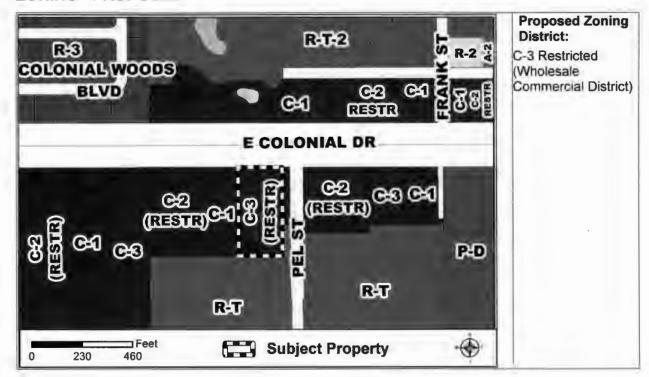
FUTURE LAND USE - CURRENT



ZONING - CURRENT

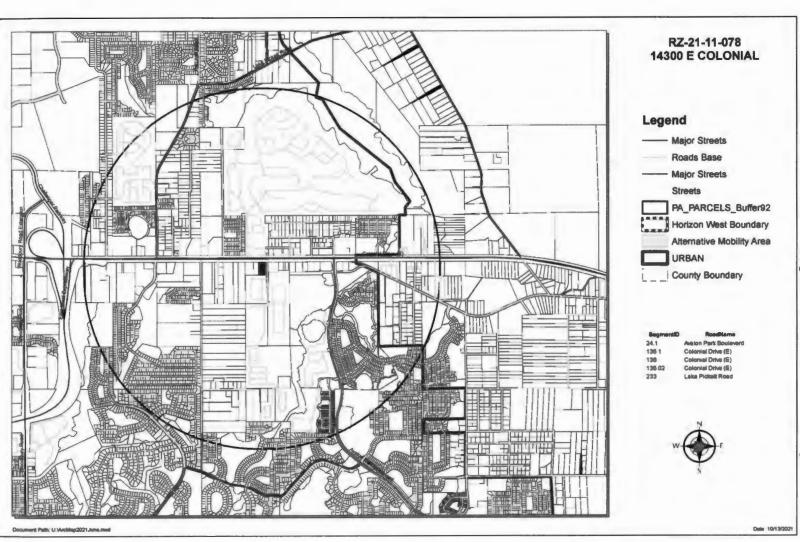


ZONING - PROPOSED

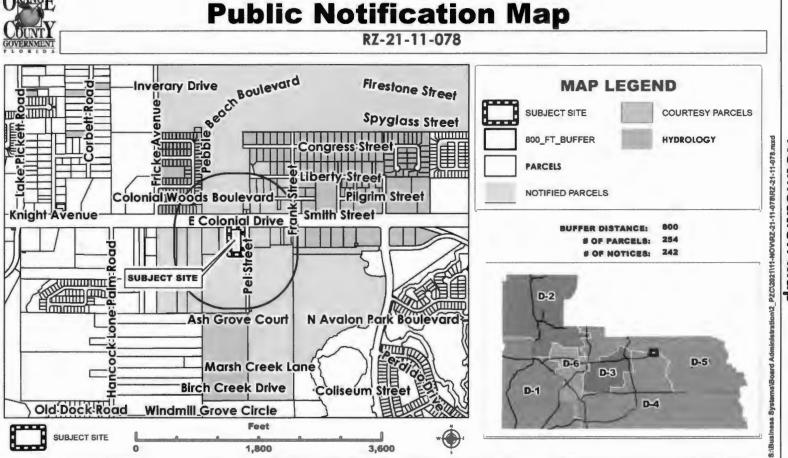


Case # RZ-21-11-078
Orange County Planning Division
PZC Hearing Date: November 18, 2021

Alternative Mobilty Area Context Map



Notification Map



CASE # RZ-21-11-084

Commission District: #4

GENERAL INFORMATION

APPLICANT Jennifer Bondy

OWNERS Thomas E. Rosewarne

HEARING TYPE Planning and Zoning Commission

REQUEST A-2 (Farmland Rural District) to

R-1AAA (Residential Urban District)

LOCATION 11282 Iroquois Trail; generally located south of Iroquois

Trail, east of Lake Berge Rd, approximately 222 feet west

of Armone St.

PARCEL ID NUMBER 21-22-31-0000-00-099

TRACT SIZE 0.48-gross acre

PUBLIC NOTIFICATION The notification area for this public hearing was 500 feet

[Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred six (106) notices were mailed to property owners and residents in the mailing area. A community meeting was not required for this

application.

PROPOSED USE One (1) Single-Family Residential Dwelling

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1AAA (Residential Urban District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request the applicant proposes to rezone the subject property in order to construct a single-family dwelling unit on a 100-foot-wide lot with 21,059 sq. ft. of lot area (0.48 gross acre). Staff is unable to verify the property as a Lot of Record and therefore FLU Policy 8.2.5.1 does not apply and a rezoning is required. Today the site is undeveloped.

The current zoning of A-2 is inconsistent with the LDR FLUM designation as this parcel is not located within a Rural Residential Enclave. The A-2 zoning classification requires a minimum lot area of ½ acre for development of a single-family home. The requested zoning district of R-1AAA requires a minimum of a quarter acre, and would be compatible with developments in the immediate area.

The immediate area is developed with single-family dwelling units on various lot sizes to the south, west and east with A-2 zoning. To the north are commercial parcels along the Iroquois Trail corridor. Staff has analyzed the surrounding area which also consists of R-CE and R-1 zoning. A determination was made R-1 would not be the most appropriate zoning district. A rezoning was approved in 2006 (RZ-06-04-056), for the property located to the east at the corner of Iroquois and Oberry Hoover Rd. The request was to rezone from A-2 to R-1AAA. Based on that, the size of this property, and the size of adjacent properties, R-1AAA is an appropriate zoning district for the subject property.

The construction of one (1) single-family dwelling unit will be reliant on septic tanks for wastewater disposal. There are no gravity wastewater mains in the vicinity of this property and wastewater is considered not available.

Land Use Compatibility

The R-1AAA (Residential Urban District), zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement		\boxtimes	
Joint Planning Area (JPA)		\boxtimes	
Overlay District Ordinance		\boxtimes	
Airport Noise Zone		\boxtimes	
Code Enforcement		\boxtimes	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Density Residential (LDR) which allows consideration of up to four (4) dwelling units per acre. The proposed R-1AAA zoning is consistent with the LDR FLUM designation and the following Comprehensive Plan provisions:

FLU1.4.1 states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

FLU1.4.2 states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.



GOAL FLU2 states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

H1.3.8 states that in order to stabilize and improve existing neighborhoods, Orange County shall continue to support compatible infill development in existing neighborhoods where infrastructure already exists.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use	Vacant		
Adjacent Zoning	N:	P-D (Planned Development District) (1998)	
	E:	A-2 (Farmland Rural District) (1957)	
	W:	A-2 (Farmland Rural District) (1957)	
	S:	A-2 (Farmland Rural District) (1957)	
Adjacent Land Uses	N:	Commercial	
	E:	Single-Family Residence	
	W:	Single-Family Residence	
	S:	Single-Family Residence	

*No zoning restrictions apply to the above.

R-1AAA (Residential Urban District) Development Standards

Min. Lot Area: 14,520 sq. ft.
Min. Lot Width: 95 feet
Max. Height: 35 feet
Min. Floor Area: 1,500 feet

Building Setbacks

Front: 30 feet Rear: 35 feet Side: 10 feet

Intent, Purpose, and Uses

The R-1AAA (Residential Urban District) zoning district is intended to provide for single-family homes of a low density within the existing or planned urban service area.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information			
Environmental			*See Note Below Table			
Transportation / Access			Based upon the concurrency data base dated 9/30/21, there are multiple failing roadway segments within the project area. However, one single-family home is considered Deminimus			
Schools	\boxtimes		Deminimus impact to OCPS. A capacity determination is not required.			
Parks and Recreation		\boxtimes				

*Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

Waste Material Disposal - Any miscellaneous garbage, waste and construction debris or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.



Econ River Ordinance - The property is located within the geographic limits of the Econlockhatchee River Protection Ordinance area. Basin-wide regulations apply. Reference Orange County Code Chapter 15 Article XI. Basin regulations of Section 15-442 include, but are not limited to habitat preservation and wildlife management, stormwater management, and landscaping with native plant species.

Habitat Permit Compliance - Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:

Orange County Utilities

Waste Water:

Orange County Utilities

Reclaim Water:

Orange County Utilities

*Detailed Utility Information:

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas.

Potable Water: There are potable water mains in the vicinity of this property. Single family development on this property will be reliant on wells for potable water.

Wastewater: There are no gravity wastewater mains in the vicinity of this property and wastewater is considered not available. Single-family development on this property will be reliant on septic tanks for wastewater disposal.

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (November 18, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1AAA (Residential Urban District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1AAA (Residential Urban District) zoning. The applicant was present and agreed with the staff recommendation. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that one hundred six (106) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff had received zero (0) responses in favor, and zero (0) response in opposition of the request.

After brief discussion on Orange County Code, a motion was made by Commissioner Pavon, and seconded by Commissioner Wiggins to recommend APPROVAL of the requested R-1AAA (Residential Urban District) zoning with Commissioner Spears voting in the negative. The motion carried 6-1.

Motion / Second Walter Pavon / George Wiggins

Voting in Favor Walter Pavon, George Wiggins, Mohammed Abdallah,

Trevor Sorbo, Eddie Fernandez, and Evelyn Cardenas

Voting in Opposition Gordon Spears

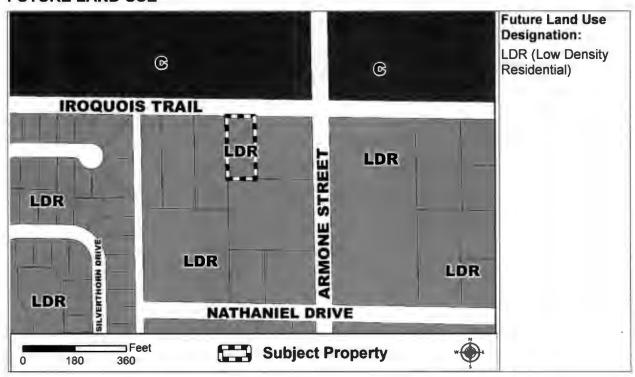
Absent JaJa Wade and Nelson Pena

RZ-21-11-084

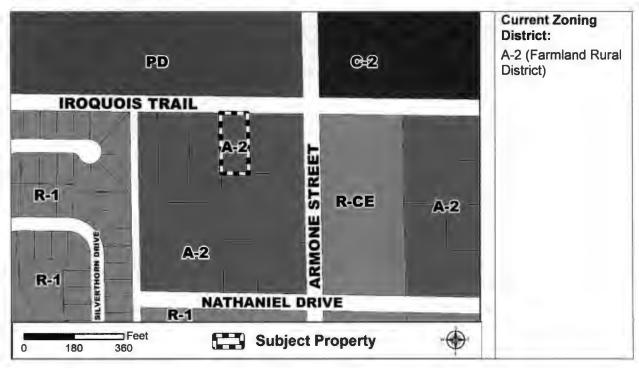


Subject Property

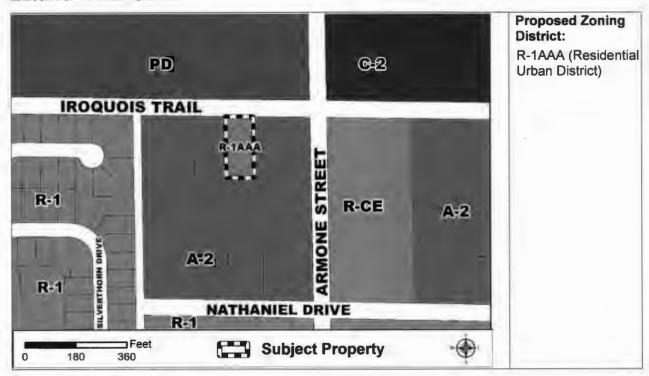
FUTURE LAND USE



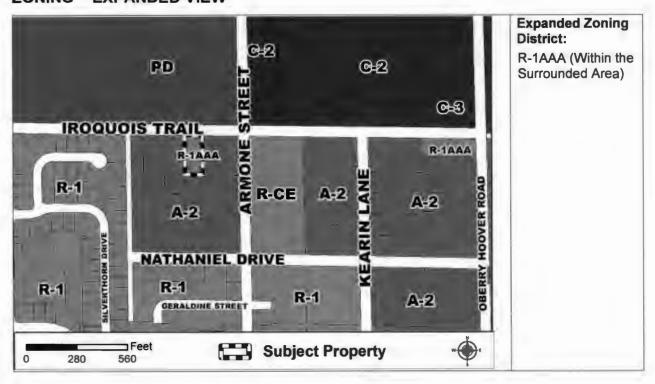
ZONING - CURRENT



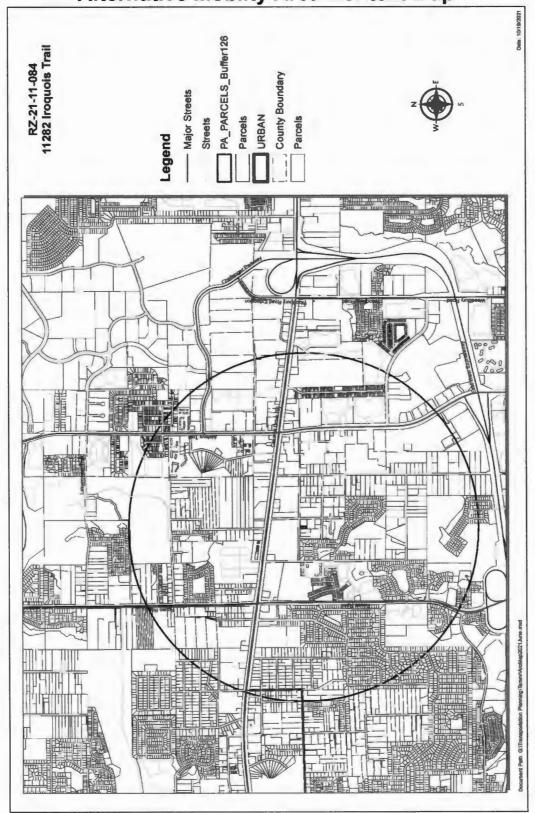
ZONING - PROPOSED



ZONING - EXPANDED VIEW



Alternative Mobilty Area Context Map

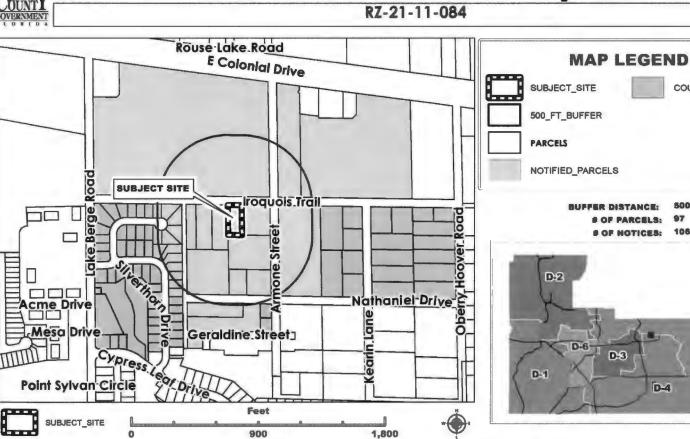




Orange County Planning Division PZC Hearing Date: November 18, 2021

Case # RZ-21-11-084

Public Notification Map



Notification Map

3012_PZC12021111-NOV/RZ-21-11-084/RZ-21-11-084.

COURTESY_PARCELS

D-5

D-4

CASE # RZ-21-11-085

Commission District: #5

GENERAL INFORMATION

APPLICANT

Marcia Davis

OWNER

Marcia Davis

HEARING TYPE

Planning and Zoning Commission

REQUEST

R-T-2 (Combination Mobile Home and Single-Family

Dwelling District) to

A-2 (Farmland Rural District)

LOCATION

Cedarhurst Rd; generally north of Cedarhurst Rd, 900

feet west of N. 6th Street.

PARCEL ID NUMBER

15-22-32-2336-00-521

TRACT SIZE

1.159 gross acres

PUBLIC NOTIFICATION

The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Sixty-nine (69) notices were mailed to property owners and residents in the surrounding area. A community meeting was not required for this application.

PROPOSED USE

One (1) single-family home

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested A-2 (Farmland Rural District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

The subject parcel is currently vacant and has not been platted. It was legally split in 2004. The lot width of the subject property is 120 feet and the lot area is 50,499 square feet, which is sufficient to allow one (1) single-family home. The Future Land Use Map (FLUM) designation of the subject property is Rural Settlement (RS 1/1) which allows consideration of one (1) unit per one (1) acre. The acreage of the subject property is

1.16 which is sufficient to allow one (1) single-family home. The subject property is located within the Bithlo Rural Settlement.

The surrounding area can be characterized as having a mixture of single-family detached residential dwelling units on 120-foot wide lots and larger as well as mobile homes.

The rezoning to A-2 would allow the construction of one single-family home. The current zoning of R-T-2 is inconsistent with the Rural Settlement Future Land Use Map (FLUM) designation. Policy FLU 8.2.5.1 allows the inconsistency between zoning and FLUM designation if the subject property is a Lot of Record or a lot created prior to July 1st, 1991 through a plat or lot split as recognized by Orange County. However, in this case the lot was created in 2004 and therefore the policy is not applicable.

Land Use Compatibility

The A-2 (Farmland Rural District) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	X		Bithlo Rural Settlement
Joint Planning Area (JPA)		\boxtimes	
Overlay District Ordinance		\boxtimes	
Airport Noise Zone		\boxtimes	
Code Enforcement		\boxtimes	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Rural Settlement (RS 1/1). The proposed A-2 (Farmland Rural District) zoning is consistent with the Rural Settlement (RS 1/1) FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

FLU1.4.2 states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

H1.3.8 states that in order to stabilize and improve existing neighborhoods, Orange County shall continue to support compatible infill development in existing neighborhoods where infrastructure already exists.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use	Und	eveloped land
Adjacent Zoning	N:	R-T-2 (Combination Mobile Home and Single-Family Dwelling District) 1977
	E:	R-T-2 (Combination Mobile Home and Single-Family Dwelling District) 1977
	W:	R-T-2 (Combination Mobile Home and Single-Family Dwelling District) 1977
	S:	R-T-2 (Combination Mobile Home and Single-Family Dwelling District) 1977
Adjacent Land Uses	N:	Manufactured Home
	E:	Undeveloped land
	W:	Manufactured Home
	S:	Manufactured Home

A-2 (Farmland Rural District) Development Standards

Min. Lot Area:

21,780 sq. ft. (1/2 acre)

Min. Lot Width:

100 ft.

Max. Height:

35 ft.

Building Setbacks

Front:

35 ft.

Rear:

50 ft.

Side:

10 ft.

Intent, Purpose, and Uses

To provide for agricultural and ranching uses, and not for subdivision and platting residential lots.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	\boxtimes		*See below
Transportation / Access	\boxtimes		Based upon the concurrency data base dated 9/30/21, there are multiple failing roadway segments within the project area. However, one single-family home is considered de minimus.
Schools		\boxtimes	
Parks and Recreation		\boxtimes	

^{*} Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

Waste Material Disposal - Any miscellaneous garbage, waste and construction debris or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

Econ River Ordinance - The property is located within the geographic limits of the Econlockhatchee River Protection Ordinance area. Basin-wide regulations apply.

Reference Orange County Code Chapter 15 Article XI. Basin regulations of Section 15-442 include, but are not limited to habitat preservation and wildlife management, stormwater management, and landscaping with native plant species.

Habitat Permit Compliance - Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas.

Potable Water: There are no potable water mains in the vicinity of this property. Single family development on this property will be reliant on wells for potable water.

Wastewater: There are no gravity wastewater mains in the vicinity of this property and wastewater is considered not available. Single-family development on this property will be reliant on septic tanks for wastewater disposal.

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.



ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (November 18, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested A-2 (Farmland Rural District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested A-2 (Farmland Rural District). The applicant was present and agreed with the staff recommendation. No members of the public appeared to speak regarding this request.

Staff indicated that sixty-nine (69) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff have not received any commentaries regarding this request.

After discussion, a motion was made by Commissioner Cardenas and seconded by Commissioner Wiggins to recommend APPROVAL of the requested A-2 (Farmland Rural District) zoning. The motion carried unanimously.

Motion / Second Evelyn Cardenas / George Wiggins

Voting in Favor Evelyn Cardenas, George Wiggins, Mohammed Abdallah,

Trevor Sorbo, Walter Pavon, and Eddie Fernandez

Voting in Opposition Gordon Spears

Absent JaJa Wade and Nelson Pena

RZ-21-11-085

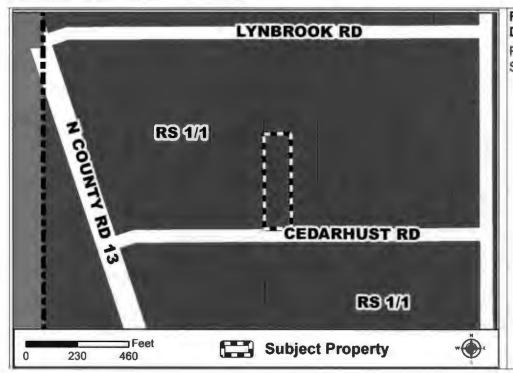






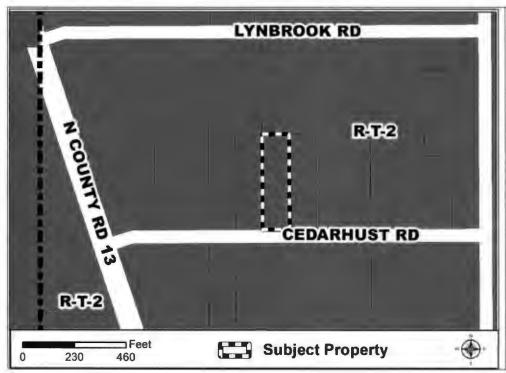
1 inch = 167 feet

FUTURE LAND USE - CURRENT



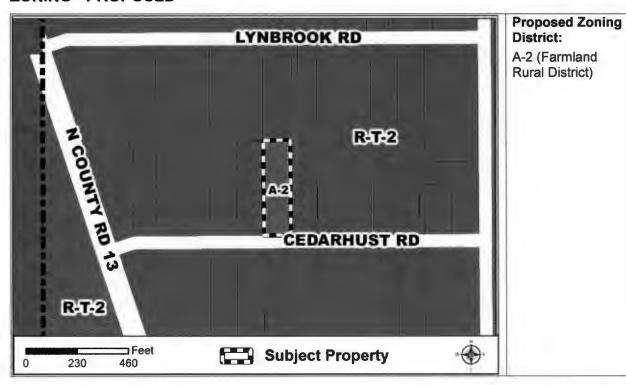
Future Land Use Designation: RS 1/1 (Rural Settlement 1/1)

ZONING - CURRENT



Current Zoning
District:
R-T-2 (Combination
Mobile Home and
Single-Family
Dwelling District)

ZONING - PROPOSED



Notification Map

