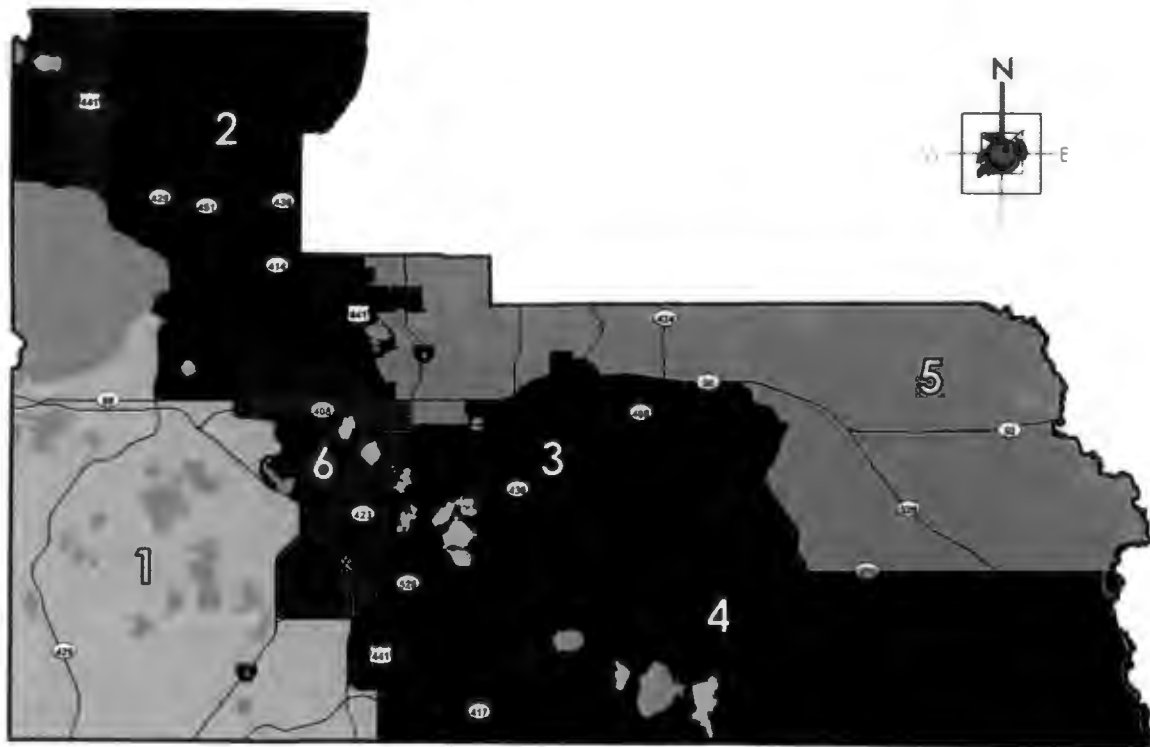




PLANNING AND ZONING COMMISSION
LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

DECEMBER 19, 2019



PREPARED BY:
ORANGE COUNTY GOVERNMENT
PLANNING DIVISION | CURRENT PLANNING SECTION

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



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<u>Case #</u> <u>Applicant</u>	<u>Request</u>	<u>Commission</u> <u>District</u>	<u>Recommendations</u> <u>Staff</u>	<u>PZC</u>	<u>BCC Hearing</u> <u>Required</u>
I. REZONING PUBLIC HEARINGS					
RZ-19-08-026 George D. Laman	<i>R-CE-C to R-CE-C</i>	2	Approval with four (4) restrictions	Approval with four (4) restrictions	No
RZ-19-10-044 Stephen Allen	<i>R-2 Rest. to R-2</i>	3	Approval	Approval	No
RZ-19-12-056 Solange C. Dao	<i>R-1 to R-2</i>	4	Approval with one (1) restriction	Approval with one (1) restriction	No
RZ-19-12-057 Giderval De Andreade Fillo	<i>R-1A to C-2</i>	6	Denial	Denial	No
RZ-19-12-058 Ismael Portalatin	<i>A-2 to I-1/I-5</i>	3	Approval with three (3) restrictions	Approval with three (3) restrictions	No
RZ-19-12-059 Solange Dao	<i>R-1A to R-1</i>	2	<i>Postpone</i>	<i>Postpone</i>	No
RZ-19-12-062 Milaris Aida Gonzalez	<i>A-1 to R-1AA</i>	2	Approval	Approval	No
II. PLANNED DEVELOPMENT PUBLIC HEARINGS					
LUP-18-06-216 Stephen Allen Eagle Lake Land Use Plan	<i>A-2 to PD</i>	4	Approval with (16) sixteen conditions	Approval with sixteen (16) conditions	Yes
LUP-19-04-116 Rebecca Wilson Harbor Chase at Dr. Philips Land Use Plan	<i>C-1 & R-3 to PD</i>	1	Approval with (11) eleven conditions	Approval with eleven (11) conditions	Yes

LUP-19-05-156 Kenneth Patterson Hiawassee Road Property Land Use Plan	<i>R-CE-C to PD</i>	2	Approval with nineteen (19) conditions	Approval with nineteen (19) conditions	Yes
LUP-19-06-226 Brooks A. Stickler Narcoossee Retail Land Use Plan	<i>A-2 to PD</i>	4	Approval with seventeen (17) conditions	Approval with seventeen (17) conditions	Yes
LUP-19-08-266 Brooks A. Stickler Waterford Lakes Multi- Family Land Use Plan	<i>C-1 to PD</i>	4	Approval with thirteen (13) conditions	Approval with thirteen (13) conditions	Yes

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

<i>District</i>	<i>Min. lot area (sq. ft.)^m</i>	<i>Min. living area (sq. ft.)</i>	<i>Min. lot width (ft.)</i>	<i>Min. front yard (ft.)^a</i>	<i>Min. rear yard (ft.)^a</i>	<i>Min. side yard (ft.)</i>	<i>Max. building height (ft.)^k</i>	<i>Lake setback (ft.)</i>
NR	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 8,000	500 per DU	80/90 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50/4 stories <i>k</i>	<i>a</i>
	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 <i>k</i>	<i>a</i>
NAC	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>	<i>a</i>
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 11,250	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	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 <i>k</i>	<i>a</i>
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 <i>k</i>	<i>a</i>	
NC	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>	<i>a</i>
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 8,000	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	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 <i>k</i>	<i>a</i>
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 <i>k</i>	<i>a</i>	
P-O	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 for each add. story	35	<i>a</i>
C-1	6,000	500	80 on major streets (see Art. XV); 60 for all other streets <i>e</i> ; 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	<i>a</i>

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.)
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	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	^a

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
I-2 / I-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

NOTE: 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

- ^a 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-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-19-08-026

Commission District: # 2

GENERAL INFORMATION

APPLICANT	George D. Laman, GIL, Inc.
OWNERS	GIL, Inc.
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-CE-C (Country Estate Cluster District) to R-CE-C (Country Estate Cluster District)
LOCATION	Piney Woods Road; or generally located 275 feet north of Piney Woods Road and 250 feet west of Oak Alley Drive
PARCEL ID NUMBER	27-21-28-0000-00-005
TRACT SIZE	10.08 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 900 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred forty-eight (148) notices were mailed to those property owners in the mailing area. A community meeting was held on August 8, 2019, and is summarized further in this report.
PROPOSED USE	Ten (10) single-family detached dwelling units.

STAFF RECOMMENDATION

Development Review Committee – (October 23, 2019)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Oak Hill Estates Cluster Plan, subject to the following restrictions:

- 1) Development shall conform to the Oak Hill Estates Cluster Plan dated "Received November 18, 2019".
- 2) Each dwelling shall incorporate a side-loaded, two (2) car minimum garage.
- 3) The developer shall obtain water service from Orange County.
- 4) The Florida Springs and Aquifer Protection Act, §373.801, et. seq. F.S. (the "Act") requires Onsite Sewage Treatment and Disposal Systems ("OSTDS") capable of

enhanced treatment of nitrogen loads in the Wekiwa Spring and Rock Springs Basin Management Action Plan dated June 2018, as may be amended ("BMAP"). Per this requirement, lots of less than one acre in size within the Priority Focus Area, as defined in the Act, must comply with the OSTDS Remediation Plan within the BMAP. Lots shall meet the requirements of the Act or of Article XVII (Individual On-Site Sewage Disposal) of Chapter 37 of the Orange County Code, whichever is more stringent. Any person desiring to construct a new septic system, or to modify or repair an existing system, shall apply for a permit to the Florida Department of Health.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is generally located 275 feet north of Piney Woods Road and the Oak Hills Subdivision and 250 feet west of Oak Alley Drive, and is currently undeveloped.

The property was rezoned from R-CE (Rural Country Estate) to R-CE-C (Country Estate Cluster District) in 1997 in order to develop 10 single-family dwellings, and was approved with the following zoning restrictions:

1. Development shall conform to the R-CE Cluster Plan dated "Received May 8, 1997";
2. All lots abutting the Oak Hill Subdivision shall be approximately 145 ft. in width;
3. 50 foot front setback;
4. Minimum two (2) car, side entrance garages; and
5. Minimum 2,000 sq. ft. living area.

After the rezoning approval, the applicant received approval of the 10-lot Oak Hill Estates Preliminary Subdivision Plan by the Board of County Commissioners on April 18, 2006. The PSP subsequently expired on April 18, 2007, as no construction commenced after BCC PSP approval.

Soon thereafter, in December 2007, Orange County adopted new Open Space policies into the Comprehensive Plan that apply to the Wekiva Study Area established by the 2004 Wekiva Parkway and Protection Act. These open space policies became applicable to all new development within the Wekiva Study Area, of which the subject property is located in. As the PSP for the subject property expired prior to the adoption of these Open Space policies, the subject property must now comply. In particular, the development of this property must provide at least 50% open space within the project. The expired PSP provided 40% open space.

Through this request, the applicant is seeking to rezone the subject property from R-CE-C (Country Estate Cluster District) to R-CE-C (Country Estate Cluster District) in order to revise the existing Cluster Plan to reduce the minimum lot size to 1/3 acre and update

setbacks in order to satisfy the Wekiva Open Space standards. The project will retain the previously approved ten (10) single-family detached dwelling units.

Land Use Compatibility

The proposed development program is compatible with existing development in the area, and would not adversely impact any adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within the Clarcona Rural Settlement.
Joint Planning Area (JPA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within the Apopka JPA.
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The subject property is located within the Clarcona Rural Settlement and has an underlying Future Land Use Map (FLUM) designation of RS 1/1 (Rural Settlement 1/1). This designation recognizes areas suitable for less dense, single-family development at a maximum residential density of one (1) dwelling unit per developable acre. The requested R-CE-C zoning is consistent with the underlying RS 1/1 FLUM designation.

The following Comprehensive Plan (CP) provisions are applicable to the requested R-CE-C zoning, and may be considered for purposes of determining consistency:

OBJ FLU6.2 states that Rural Settlements provide for a rural residential lifestyle. In some instances, Rural Settlements allow a transition of rural areas adjacent to the Urban Service Area while avoiding development in active agricultural areas. Rural Settlements were intended to recognize and preserve existing development patterns at the time the CP was adopted in 1991. The creation of Rural Settlements recognized the need to maintain agricultural areas and rural uses in the rural services area while providing for rural communities.

FLU6.2.1 states that Rural Settlements were implemented to recognize communities that existed at the time of the 1991 CPP adoption. This policy change is being implemented as part of this update's strategy to focus development within the County's USA and discourage the proliferation of extended Rural Settlement boundaries. In addition this policy will allow time for vacant and committed lands within existing Rural Settlements to develop as a means of satisfying this style of living.

FLU6.2.5 states that the permitted densities and intensities of land use within the Rural Settlements shall maintain their rural character. Factors to be considered shall include

lot size, open space and views, tree canopy, building location and orientation, and compatibility with existing land uses. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C).

FLU6.2.6 states that the Future Land Use Map shall reflect the permitted densities of development within the Rural Settlements. Clustering of units with dedicated open space shall be allowed so long as the overall density does not exceed that specified on the Future Land Use Map. Density and Floor Area Ratio (FAR) calculations shall be defined as the language specified in the Future Land Use Element Policy FLU1.1.2(C).

Clustering shall be supported to maintain the rural character through preservation of open space and lot layout and design. Generally recognized and accepted conservation subdivisions can be used where they minimize impacts on areas with rural character provided their use is consistent with the overall intent of Rural Settlement boundaries.

Clustering, with permanent protection of open space, shall be encouraged or required for all new development and redevelopment within the Wekiva Study Area, based on location, i.e., Urban Service Area, Rural Service Area, Rural Settlement, Growth Center and overall project acreage.

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

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. Density shall be calculated by the total number of units divided by developable land. (Nature lakes and designated Conservation Areas are excluded from the gross land area.)

FLU8.2.1 states that land use changes shall be required to be compatible with the 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.

GOAL OS1 states that it is a goal of Orange County to protect and preserve valuable open space resources.

OS1.3.6 states that to maximize open space and preserve the natural environment, all development shall conform to the following requirements:

An acceptable alternative plan to a configuration in which the required percentage of open space is located on site is a plan that ensures that the required percentage of open space is permanently preserved through the transfer of density credits, development rights, or property purchases (such off-site transfers shall be limited to property located

within the Wekiva Springshed), and such open space shall be permanently protected through conservation easements or similar binding mechanisms.

The following text describes areas of Orange County that contain special criteria for open space. For these following areas, all open space shall be permanently protected and unless otherwise noted, the clustering of open space is required.

Residential land uses in existing Rural Settlements.

Within all areas in the Wekiva Study Area designated as Rural Settlement, minimum lot size shall be determined by the availability of water and sewer services. Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

- i. development with densities less than or equal to one unit per acre (1du/ac) – open space shall equal 50% or greater;

SITE DATA

Existing Use	Undeveloped
Adjacent Zoning	N: A-1 (Citrus Rural District) (1957) E: R-CE (Country Estate District) (1989) W: A-1 (Citrus Rural District) (1957) S: R-CE (Country Estate District) (1989)
Adjacent Land Uses	N: Open Space / Park E: Single-family residential W: Water Reclamation Facility S: Timberland

R-CE-C (COUNTRY ESTATE CLUSTER DISTRICT) DEVELOPMENT STANDARDS

Min. Lot Area:	1/3 acre (14,505 sq. ft.)
Min. Lot Width:	100 ft.
Max. Height:	2-story / 35 ft.
Min. Living Area:	1,500 sq. ft. / 2,000 sq. ft. (as proposed)
Max. Lot Coverage:	60%
Building Setbacks:	
Front:	30 ft.

Rear: 25 ft.
 Side: 10 ft.
 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 intent and purpose of the R-CE-C zoning district is to provide an alternative approach to residential development under specified residential zoning districts. The R-CE-C district enhances the living environment through the creation of permanent open space and provides flexibility in lot size, housing styles and building placement for a variety in development design compatible with abutting development. The district maintains gross densities compatible with and equal to those possible under the conventional zoning.

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This site is within the Wekiva River Study Area
Transportation / Access	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A community meeting was held on August 8, 2019 at Prairie Lake Elementary School. Excluding the applicant and various Orange County staff, six (6) residents attended. Community residents generally supportive of the project, but raised questions with regards to lot setbacks, placement of stormwater, and any tree removal.

Utilities

Water: Orange County Utilities Available
 Wastewater: Orange County Utilities Not Available
 Reclaim Water: Orange County Utilities Not Available

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 – (December 19, 2019)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Oak Hill Estates Cluster Plan, subject to the following restrictions:

- 1) Development shall conform to the Oak Hill Estates Cluster Plan dated "Received November 18, 2019".
- 2) Each dwelling shall incorporate a side-loaded, two (2) car minimum garage.
- 3) The developer shall obtain water service from Orange County.
- 4) The Florida Springs and Aquifer Protection Act, §373.801, et. seq. F.S. (the "Act") requires Onsite Sewage Treatment and Disposal Systems ("OSTDS") capable of enhanced treatment of nitrogen loads in the Wekiwa Spring and Rock Springs Basin Management Action Plan dated June 2018, as may be amended ("BMAP"). Per this requirement, lots of less than one acre in size within the Priority Focus Area, as defined in the Act, must comply with the OSTDS Remediation Plan within the BMAP. Lots shall meet the requirements of the Act or of Article XVII (Individual On-Site Sewage Disposal) of Chapter 37 of the Orange County Code, whichever is more stringent. Any person desiring to construct a new septic system, or to modify or repair an existing system, shall apply for a permit to the Florida Department of Health.

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-CE-C (Country Estate Cluster District) Zoning. The applicant was present and agreed with the staff recommendation. No members of the public were present

Staff indicated that one hundred forty-eight (148) notices were sent to property owners extending beyond 900 feet surrounding the property, and that staff had received zero (0) responses in favor, and zero (0) responses in opposition of the request. Staff noted that there was an approved cluster plan for ten (10) single-family dwelling units that was currently approved for the property from 2007. However, since the Wekiva Study Area Open Space policies in the Comprehensive Plan has since been adopted and required a greater amount

of open space, the applicant was applying to revise the approved cluster plan to allow for smaller lots in order to provide the required open space.

After a brief discussion regarding restriction #4, a motion was made by Commissioner Velazquez, and seconded by Commissioner Abdallah to recommend approval of the requested R-CE-C (Country Estate Cluster District) zoning. The motion carried on a 8-0 vote.

Motion / Second

Diane Velazquez / Mohammed Abdallah

Voting in Favor

Diane Velazquez, Mohammed Abdallah, JaJa Wade, Jose Cantero, Gordon Spears, Carlos Nazario, Yog Melwani, and Jimmy Dunn

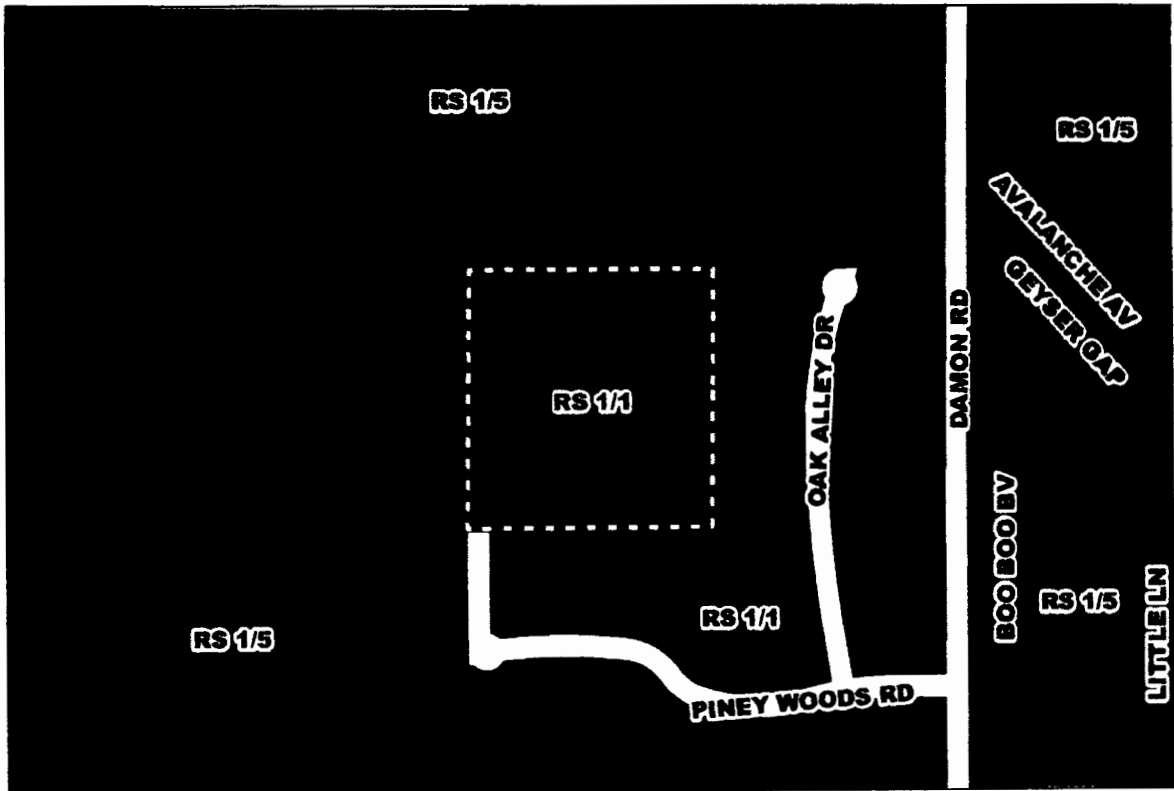
Voting in Opposition

None

Absent

Eddie Fernandez

RZ-19-08-026



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Rural Settlement 1/1 (RS 1/1)

APPLICANT: George D. Laman, GIL, Inc.

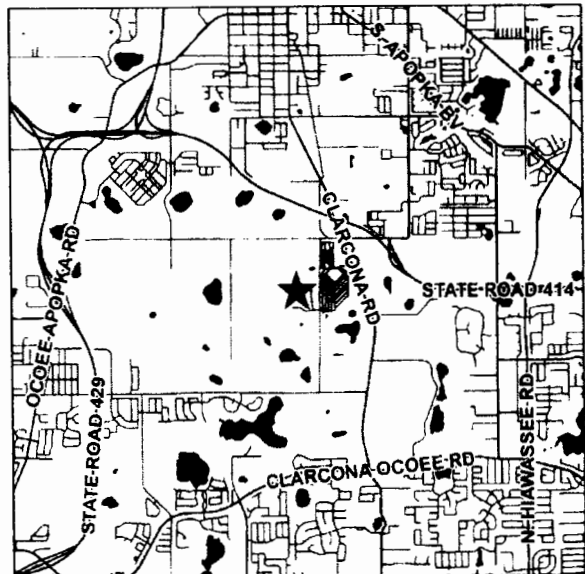
LOCATION: Piney Woods Road; or generally located 275 feet north of Piney Woods Road and 250 feet west of Oak Alley Drive

TRACT SIZE: 10.08 gross acres

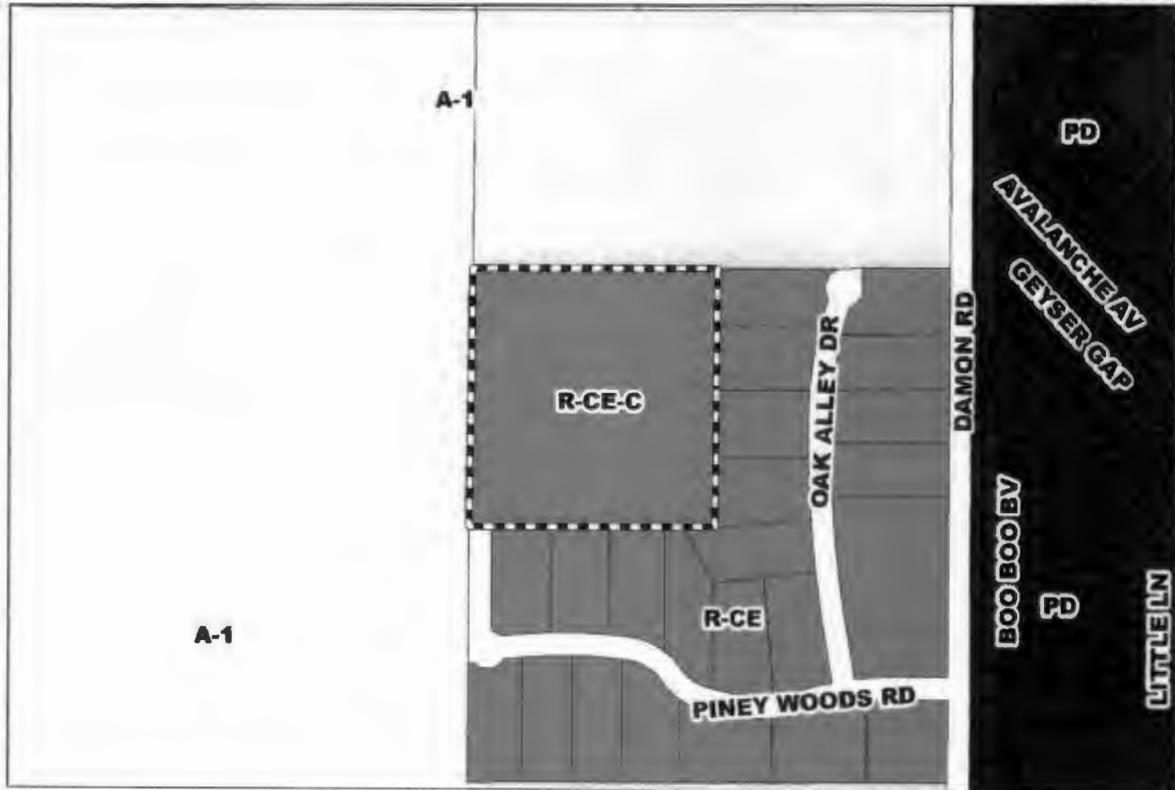
DISTRICT: # 2

S/T/R: 27/21/28

1 inch = 400 feet



RZ-19-08-026



 Subject Property



★ Subject Property

Zoning Map

ZONING: R-CE-C (Country Estate Cluster District) to R-CE-C (Country Estate Cluster District)

APPLICANT: George D. Laman, GIL, Inc.

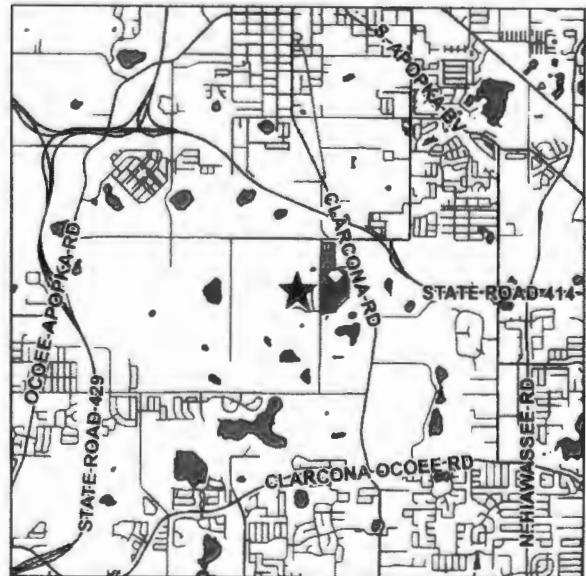
LOCATION: Piney Woods Road; or generally located 275 feet north of Piney Woods Road and 250 feet west of Oak Alley Drive

TRACT SIZE: 10.08 gross acres

DISTRICT: # 2

S/T/R: 27/21/28

1 inch = 400 feet



RZ-19-08-026



 Subject Property



1 inch = 325 feet

OAK HILL ESTATES PLANNING DIVISION

13

CASE NO. RZ-19-08-026 PARCEL ID NO. 27 21 28 0000 00 005

OAK HILL ESTATES SUBDIVISION CLUSTER PLAN

ORANGE COUNTY, FLORIDA

SEPTEMBER 2019

SITE NOTES

Revised site plan shall be developed to accommodate the new proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01. The site plan shall include the proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01. The site plan shall include the proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01.

Notes: All utility easements shall be shown on the site plan and shall be in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01. The site plan shall include the proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01.

The owner shall be responsible for the design and construction of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01. The site plan shall include the proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01.

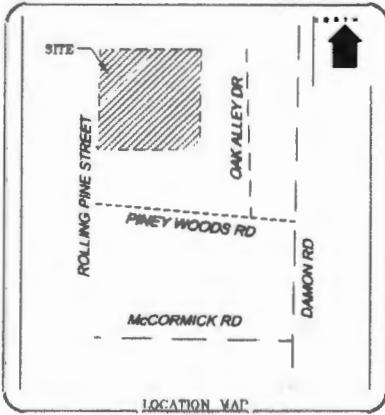
The owner shall be responsible for the design and construction of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01. The site plan shall include the proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01.

SITE DESIGN ACCOMMODATIONS

1. The site plan shall be developed to accommodate the new proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01. The site plan shall include the proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01.

2. The site plan shall be developed to accommodate the new proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01. The site plan shall include the proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01.

3. The site plan shall be developed to accommodate the new proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01. The site plan shall include the proposed site plan and the development of the site in accordance with the Orange County Code Chapter 27.000 and Ordinance 2019-01.



LEGAL DESCRIPTION

AS RECORDED IN OFFICIAL RECORD BOOK 6877, PAGES 1963-1964, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AN UNDIVIDED 1/2 INTEREST IN THE SOUTH-WEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27 21 28, ORANGE COUNTY, FLORIDA CONTAINING 10.00 ACRES, MORE OR LESS

OWNER/DEVELOPER

G.I.L. INC.
1150 K PLANT STREET, SUITE P
WINTER GARDEN, FLORIDA 34787
(407) 877-6413 • FAX (407) 877-7767
EMAIL: Doug@gilinc.com

UTILITIES

INDICATING WATER SERVICE, CENTRAL WATER SERVICE, AND GAS SERVICE BY (SHOW SERVICE)

NOTES

1. THE SITE PLAN SHALL BE DEVELOPED TO ACCOMMODATE THE NEW PROPOSED SITE PLAN AND THE DEVELOPMENT OF THE SITE IN ACCORDANCE WITH THE ORANGE COUNTY CODE CHAPTER 27.000 AND ORDINANCE 2019-01. THE SITE PLAN SHALL INCLUDE THE PROPOSED SITE PLAN AND THE DEVELOPMENT OF THE SITE IN ACCORDANCE WITH THE ORANGE COUNTY CODE CHAPTER 27.000 AND ORDINANCE 2019-01.

2. THE SITE PLAN SHALL BE DEVELOPED TO ACCOMMODATE THE NEW PROPOSED SITE PLAN AND THE DEVELOPMENT OF THE SITE IN ACCORDANCE WITH THE ORANGE COUNTY CODE CHAPTER 27.000 AND ORDINANCE 2019-01. THE SITE PLAN SHALL INCLUDE THE PROPOSED SITE PLAN AND THE DEVELOPMENT OF THE SITE IN ACCORDANCE WITH THE ORANGE COUNTY CODE CHAPTER 27.000 AND ORDINANCE 2019-01.

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RECEIVED

By DRC OFFICE of 19:21 on 12/19/2019

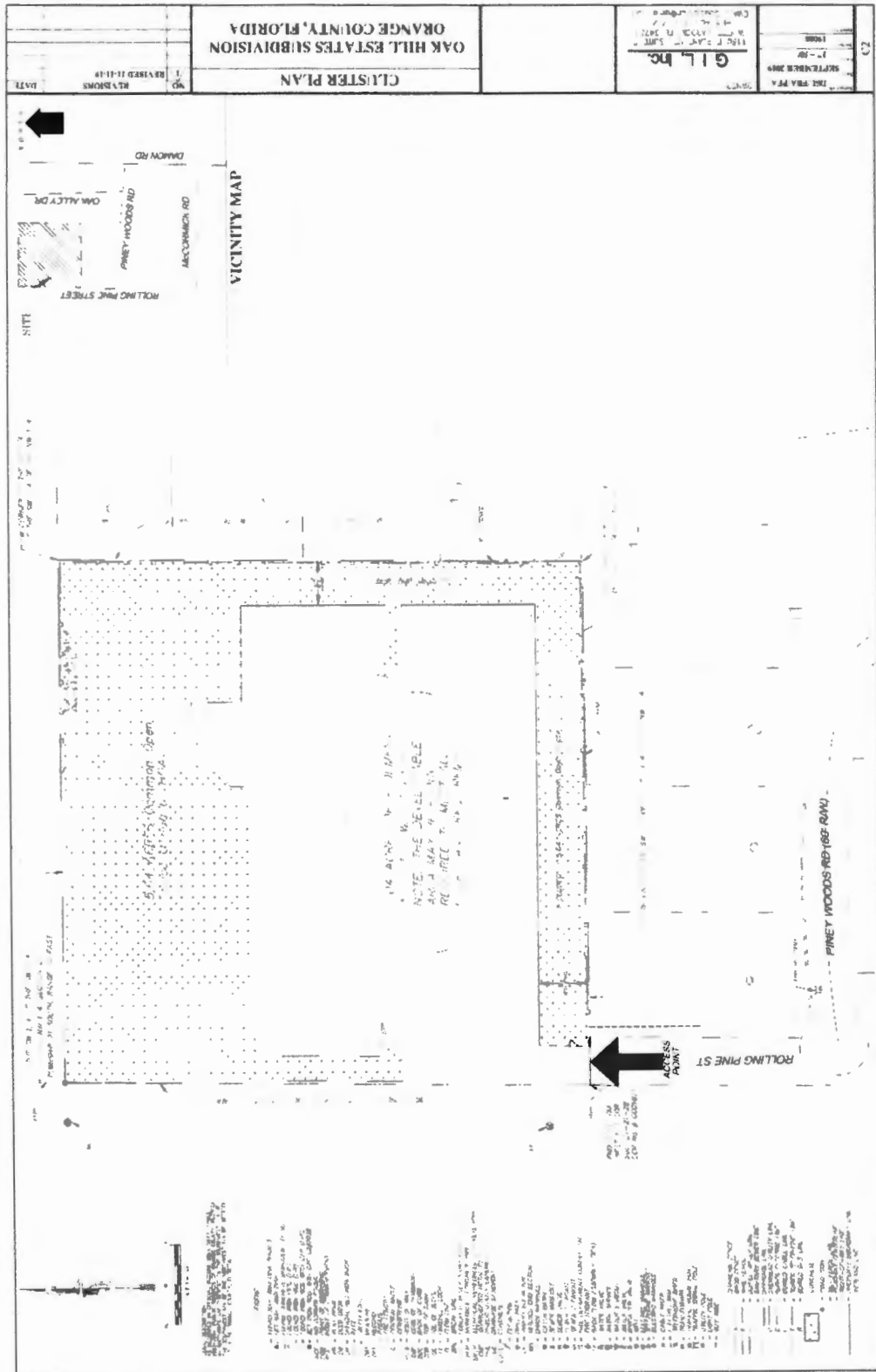
Oak Hill Estates Cluster Plan Cover Sheet

PZC Hearing Date: December 19, 2019

Orange County Planning Division

Case # RZ-19-08-026

Oak Hill Estates Cluster Plan



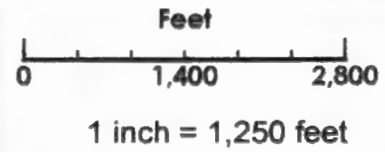
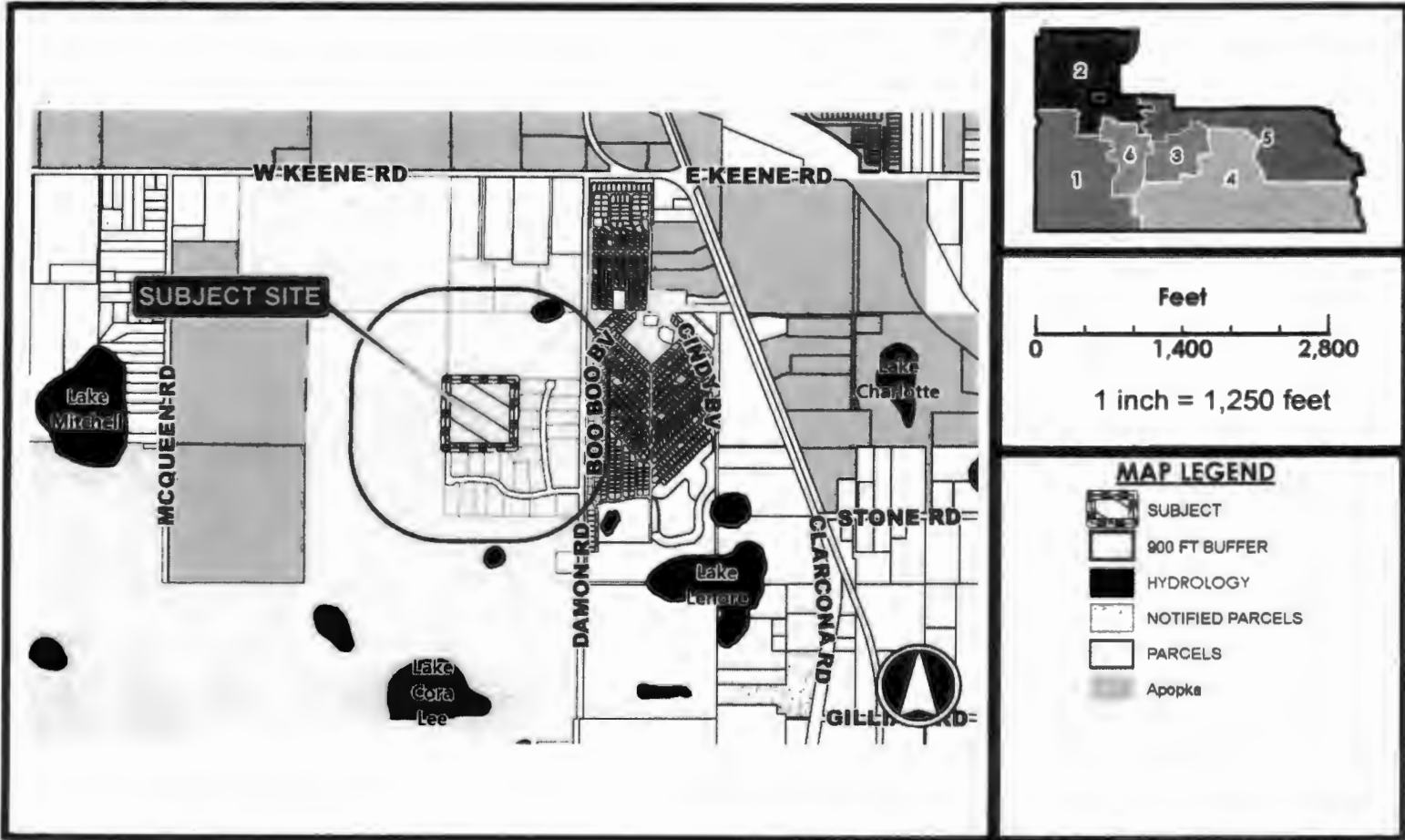


Public Notification Map







Oak Hill Estates Cluster Plan_RZ-19-08-026

900 FT BUFFER, 148 NOTICES

[Residential Count:131]



MAP LEGEND

-  SUBJECT
-  900 FT BUFFER
-  HYDROLOGY
-  NOTIFIED PARCELS
-  PARCELS
-  Apopka

Notification Map

PZC Hearing Date: December 19, 2019

Orange County Planning Division

Case # RZ-19-08-026

CASE # RZ-19-10-044

Commission District: #3

GENERAL INFORMATION

APPLICANT	Mr. Stephen Allen, Civil Corp Engineering, Inc.
OWNERS	Service Invest, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-2 (Residential District) (Rest.) to R-2 (Residential District)
LOCATION	5177 Hoffner Ave; or generally located on the west side of Petroff Avenue, 230 feet north of Hoffner Avenue
PARCEL ID NUMBER	16-23-30-0000-00-032
TRACT SIZE	3.90-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred thirty four (234) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application
PROPOSED USE	Thirty-eight (38) residential townhome units

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

The subject property is located at 5177 Hoffner Ave; or generally located on the west side of Petroff Avenue, approximately 230 feet north of Hoffner Avenue and is currently undeveloped. The immediate area is developed with varying levels of residential development to the north, east, and south. The area west of the subject property remains mostly undeveloped.

In 1993, the Planning and Zoning Commission approved a rezoning from A-1 (Citrus Rural District), R-2 (Residential District), and P-O (Professional Office District) to R-2 (Residential District) restricted to five (5) dwelling units per acre plus a twenty five (25) percent Affordable Housing Density Bonus per Future Land use Policy 1.1.11.

Through this request, the applicant is seeking to rezone from R-2 (Residential District) (Restricted) to R-2 (Residential District) in order to construct thirty-eight (38) townhome units. This case was continued from the October 17, 2019 Planning and Zoning Commission meeting in order for the applicant to complete a Capacity Determination with Orange County Public Schools (OCPS). The Capacity Determination has since been completed and shows adequate school capacity.

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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is partially located within the Conway Road and Hoffner Avenue Corridor Overlay District.
Airport Noise Zone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within Airport Noise Zone "D". Any required noise mitigation will be required at permitting.
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low-Medium Density Residential (LMDR). The proposed R-2 (Residential District) zoning is consistent with the Low-Medium Density Residential FLUM designation and the following Comprehensive Plan provisions:

FLU1.1.5 states that Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. Infill is defined as development consistent with the Infill Master Plan (2008).

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.

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.

OBJ FLU2.1 states that Orange County shall promote and encourage infill development.

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.

OBJ H1.1 states that the County will support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

SITE DATA

Existing Use	Undeveloped Land
Adjacent Zoning	N: R-1A (Single-Family Dwelling District) (1957)
	E: R-1A (Single-Family Dwelling District) (1957)
	W: A-1 (Citrus Rural District) (1977)
	R-2 (Residential District) (1993)*
	<i>*Restricted to five (5) dwelling units per acre plus a twenty five (25) percent Affordable Housing Density Bonus per Future Land use Policy 1.1.11.</i>
	S: P-O (Professional Office District) (1984)

Adjacent Land Uses N: Single-Family Residences
 E: Single-Family Residences
 W: Undeveloped Land
 S: Undeveloped Land

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: 1,000 sq. ft.
Building Setbacks:
 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:
 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.

Intent, Purpose, and 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See note below table*
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are multiple failing segments in the impact area.
Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The applicant received a Capacity Determination (OC-19-089) from Orange County Public Schools (OCPS). This Capacity Determination shows there is adequate capacity to accommodate this request and a Capacity Enhancement Agreement (CEA) is not necessary.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

*Environmental Notes: Two Orange County Conservation Area Determinations (CAD) were completed for this project site: 06-196 issued on October of 2006, and 93-005 issued on February of 1993. No conservation areas were claimed as jurisdictional to Orange County.

This environmental review only addresses Orange County environmental regulatory code, however, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental Protection, and the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that this proposed plan be addressed on a multi-agency basis.

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).

Due to the occupied adjacent residential units note that construction noise is limited by Orange County Code Chapter 15 Environmental Control, Article V Noise Pollution Control, Section 15-185 Exemptions that allows for construction or demolition activities between 7:00 am and 10:00 pm. Any construction after 10:00 PM and prior to 7:00 AM needs to comply with the requirements of the ordinance. In addition, dewatering pumps shall be shielded from exposure to the adjacent residential units and located as far away as possible to minimize adverse noise level impacts.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:	Orange County Utilities	16-inch watermain is located within Hoffner right-of-way
Wastewater:	Orange County Utilities	8-inch forcemain is located within Hoffner right-of-way
Reclaim Water:	Orange County Utilities	Not currently available

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 – (December 19, 2019)

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

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

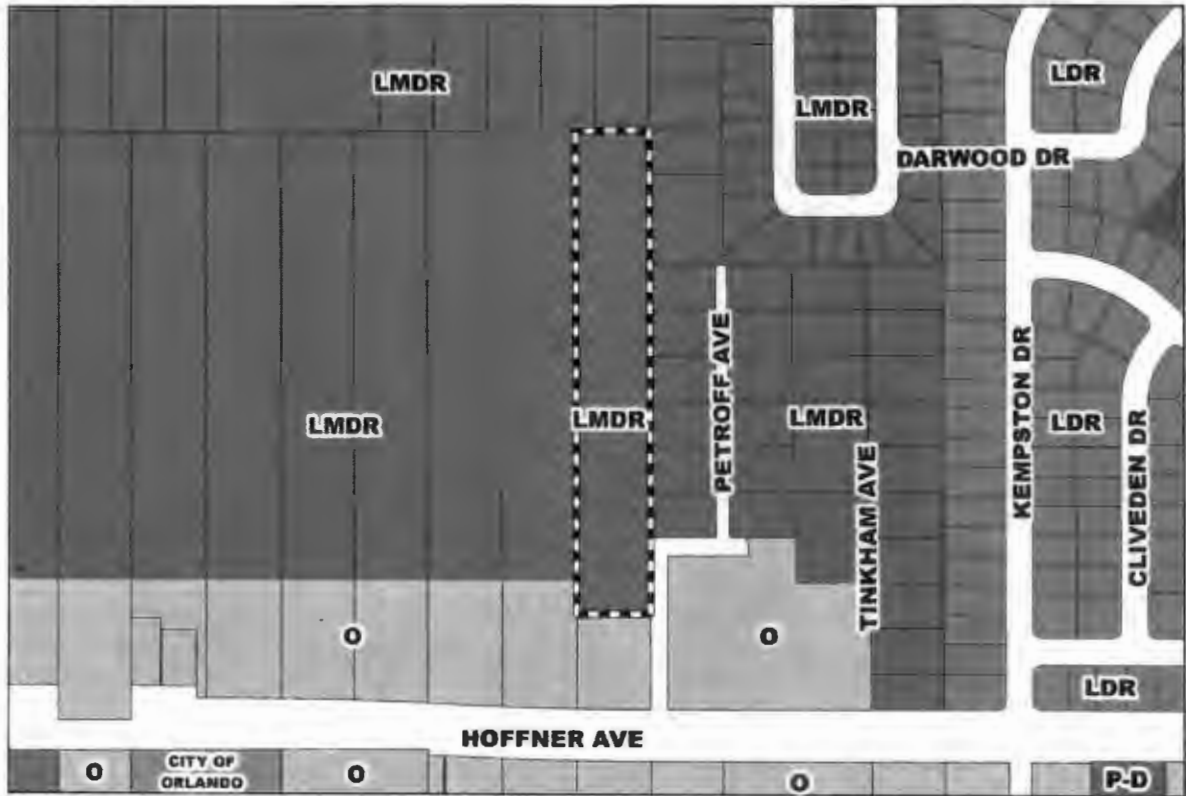
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) Zoning. The applicant was present and agreed with the staff recommendation.

Staff indicated that two hundred thirty-four (234) notices were sent to property owners extending beyond 600 feet surrounding the property, and that staff had received zero (0) responses in favor, and four (4) responses in opposition of the request. Those in opposition stated concerns related to traffic, density, privacy, and compatability. One member of the public was present and spoke in opposition to the request.

After a brief discussion addressing the proposed Preliminary Subdivision Plan and wetlands, a motion was made by Commissioner Abdallah, and seconded by Commissioner Velazquez to recommend approval of the requested R-2 zoning. The motion carried on a 8-0 vote.

Motion / Second	<i>Mohammed Abdallah / Diane Velazquez</i>
Voting in Favor	<i>Mohammed Abdallah, Diane Veazquez, Yog Melwani, Jimmy Dunn, Jose Cantero, Carlos Nazario, JaJa Wade, and Gordon Spears</i>
Voting in Opposition	<i>None</i>
Absent	<i>Eddie Fernandez</i>

RZ-19-10-044



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Low-Medium Density Residential (LMDR)

APPLICANT: Stephen Allen, PE
 Civil Corp Engineering, Inc.

LOCATION: 5177 Hoffner Ave; or generally located
 on the west side of Petroff Avenue
 230 feet north of Hoffner Avenue.

TRACT SIZE: 3.90-gross acre

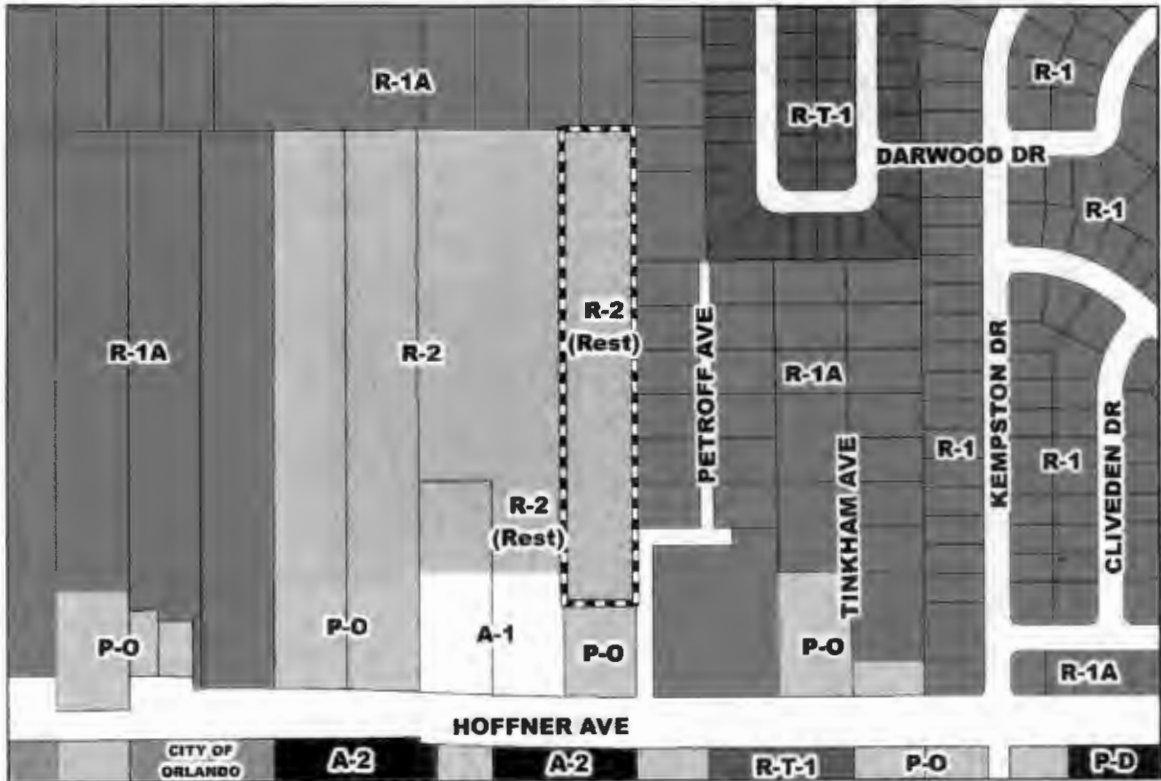
DISTRICT: # 4

S/T/R: 16/23/30

1 Inch = 340 feet



RZ-19-10-044



Subject Property



★ Subject Property

Zoning Map

ZONING: R-2 (Residential District) (Restricted) to R-2 (Residential District)

APPLICANT: Stephen Allen, PE
 Civil Corp Engineering, Inc.

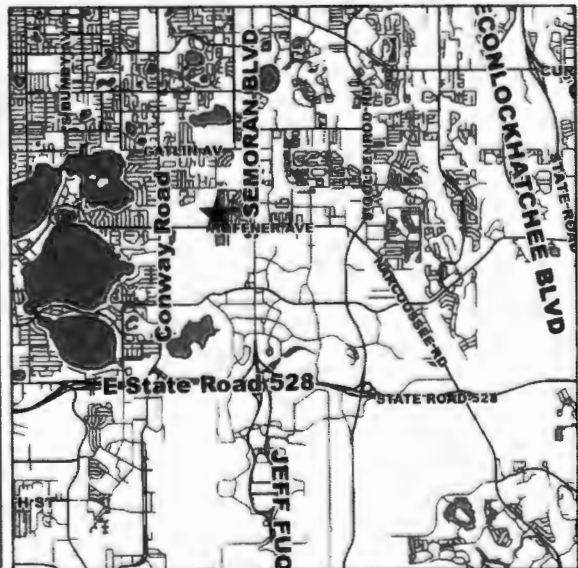
LOCATION: 5177 Hoffner Ave; or generally located on the west side of Petroff Avenue 230 feet north of Hoffner Avenue.

TRACT SIZE: 3.90-gross acre

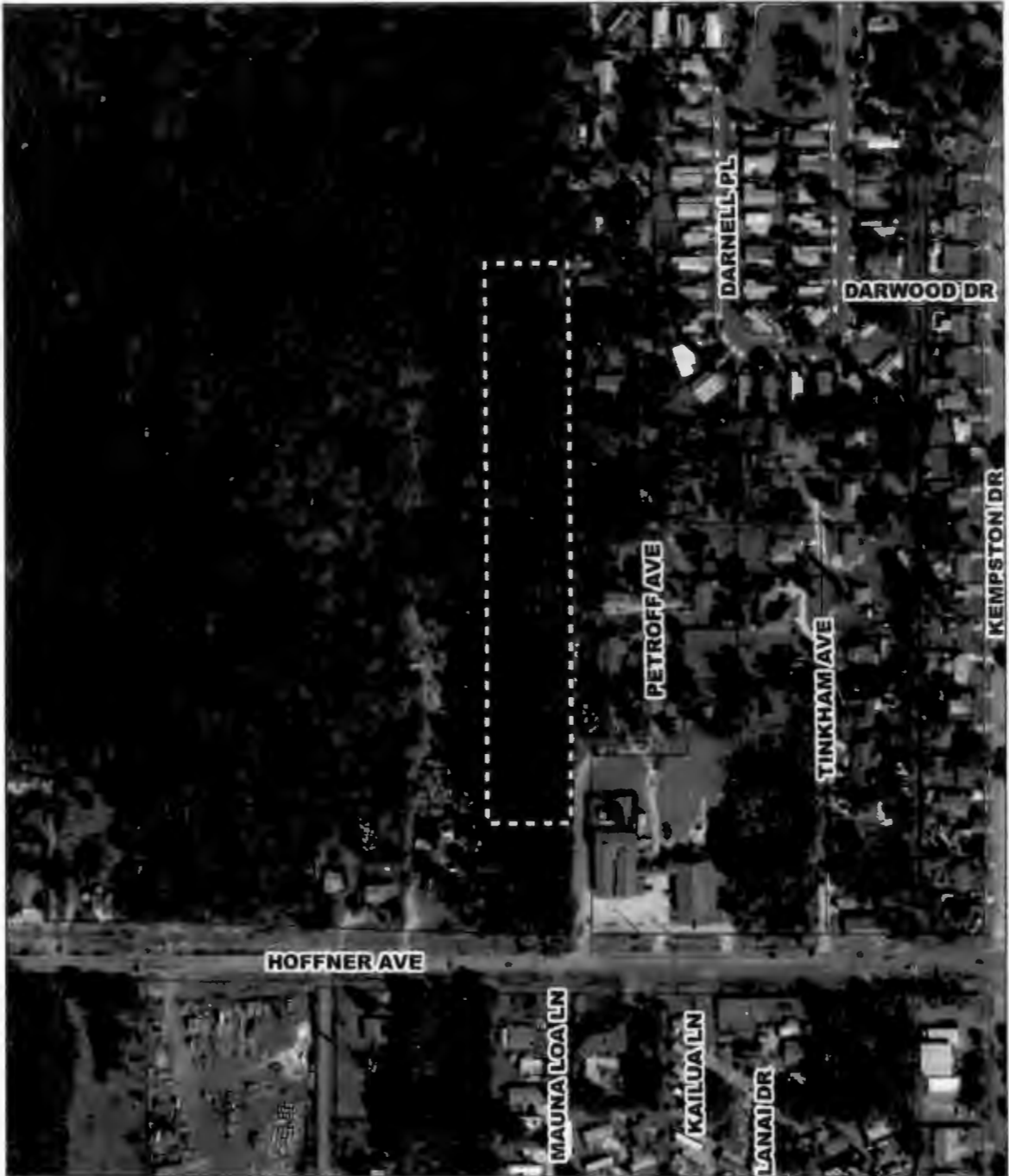
DISTRICT: # 4

S/T/R: 16/23/30

1 inch = 340 feet



RZ-19-10-044



 Subject Property

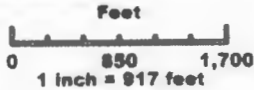
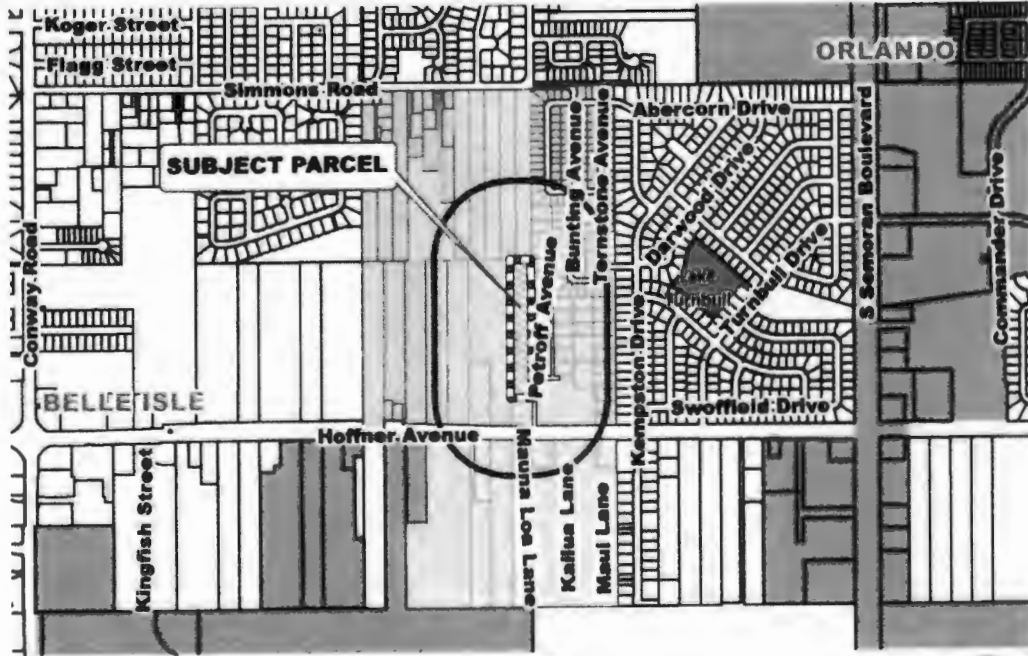


1 inch = 250 feet



Public Notification Map

5177 Hoffner Avenue_RZ-19-10-044



- MAP LEGEND**
- SUBJECT
 - 600_FT_BUFFER
 - HYDROLOGY
 - NOTIFIED_PARCELS
 - COURTESY_PARCELS
 - PARCELS
 - Road Name

600 : FT BUFFER
 234 : NOTICES
 71 : RESIDENTIAL COUNT



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 9/19/2019 9:23:07 PM

Notification Map

Case # RZ-19-10-044
 Orange County Planning Division
 PZC Hearing Date: December 19, 2019

CASE # RZ-19-12-056
Commission District: #4

GENERAL INFORMATION

APPLICANT	Rommel Fontana, Investments Alliance, LLC
OWNERS	Investments Alliance, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1 (Single-Family Dwelling District) to R-2 (Residential District)
LOCATION	1628 Hancock Lone Palm Road, or generally located on the west side of Hancock Lone Palm Road, approximately 710 feet south of East Colonial Drive
PARCEL ID NUMBER	23-22-31-0000-00-023
TRACT SIZE	4.97 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]. Three hundred seventy (370) notices were mailed to those property owners in the mailing area. A community meeting will be held on December 11, 2019, after the publication of this report. A summary of the community meeting will be presented at the December 19 th PZC hearing.
PROPOSED USE	Fifteen (15) Detached Single-Family Dwelling Units

STAFF RECOMMENDATION

PLANNING

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 a maximum of fifteen (15) detached single-family dwelling units.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is located at 1628 Hancock Lone Palm Road, or generally located on the west side of Hancock Lone Palm Road, approximately 710 feet south of East Colonial Drive and is currently undeveloped. The surrounding area consists of undeveloped land and varying levels of single-family residences. Commercial uses are located to the north along the E. Colonial Drive corridor. The subject property is located within the Econlockhatchee River Protection Ordinance and will be required to comply with the standards of this ordinance.

Through this request, the applicant is seeking to rezone a 4.97 acre property from R-1 (Single-Family Dwelling District) to R-2 (Residential District) to construct fifteen (15) detached single-family dwelling units.

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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low-Medium Density Residential (LMDR). The 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:

FLU1.1.5 states that Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. Infill is defined as development consistent with the Infill Master Plan (2008).

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.

FLU8.2.11 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.

OBJ H1.1 states that the County will support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

SITE DATA

Existing Use	Undeveloped Land
Adjacent Zoning	N: C-1 (Retail Commercial District) (1967) (1985) E: A-2 (Farmland Rural District) (1957) W: C-1 (Retail Commercial District) (1990) S: R-1 (Single Family Dwelling District) (1957)
Adjacent Land Uses	N: Undeveloped Land E: Undeveloped Land W: Retention Pond S: Single-Family Residences

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: 1,000 sq. ft.
Building Setbacks:
 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:
 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.*

Intent, Purpose, and 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See note below table*
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency database dated October 16, 2019, there are several failing roadway segments within the project area. E. Colonial Drive from Woodbury Road to Lake Pickett Road; Avalon Park Boulevard to S. Tanner Road and on Woodbury Road from Waterford Lakes Parkway to Colonial Drive. A traffic study will be required for this project at the time of permitting.
Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The applicant has received Capacity Determination OC-19-083 from Orange County Public Schools (OCPS). This determination shows there is adequate capacity to accommodate this request.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

*Environmental Notes: Class I wetlands and surface waters that extend offsite are located on this site. Prior to any Orange County development plan or permit approval, the Environmental Protection Division (EPD) will require a Conservation Area Determination (CAD) completed with a certified wetland boundary survey, in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas. If a prior determination exists, or if historical documents are located, then submit a copy to EPD. Approval of this request does not authorize any direct or indirect conservation area impacts.

This site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply. Reference Orange County Code Chapter 15 Article XI Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater management, and landscaping with native plant species. Class I and II wetlands within this area require a 50 foot average protective buffer landward of the wetland line that shall retain natural vegetation.

Until wetland permitting is complete, the net developable area is uncertain. The net developable area is the gross land area less the wetlands and surface waters areas. The buildable area is the net developable area less protective buffer areas required to

prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C. Impacts to Class I and II wetlands located within the Econ River Protection Ordinance area require approval from the Board of County Commissioners (BCC).

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

Community Meeting Summary

A community meeting was held on December 11, 2019 at Camelot Elementary School. A summary of this community meeting will be provided in the staff presentation.

Utilities

Water:	Orange County Utilities	A 12-inch watermain is located within Hancock Lone Palm right-of-way.
Wastewater:	Orange County Utilities	A 4-inch forcemain is located within Hancock Lone Palm right-of-way, 8-inch gravity main within Hancock Lone Palm right-of-way near the intersection with Waterford Creek Boulevard.
Reclaim Water:	Orange County Utilities	Not currently available

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 – (December 19, 2019)

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 a maximum of fifteen (15) detached single-family dwelling 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) Zoning, subject to one (1) restriction. The applicant was present and agreed with the staff recommendation.

Staff indicated that three hundred seventy (370) notices were sent to property owners extending beyond 800 feet surrounding the property, and that staff had received one (1) response in favor, and one (1) response in opposition of the request. The opposition response did not cite a reason for their opposition.

After a brief discussion, a motion was made by Commissioner Nazario, and seconded by Commissioner Spears to recommend approval of the requested R-2 zoning, subject to one (1) restriction. The motion carried on a 8-0 vote.

Motion / Second

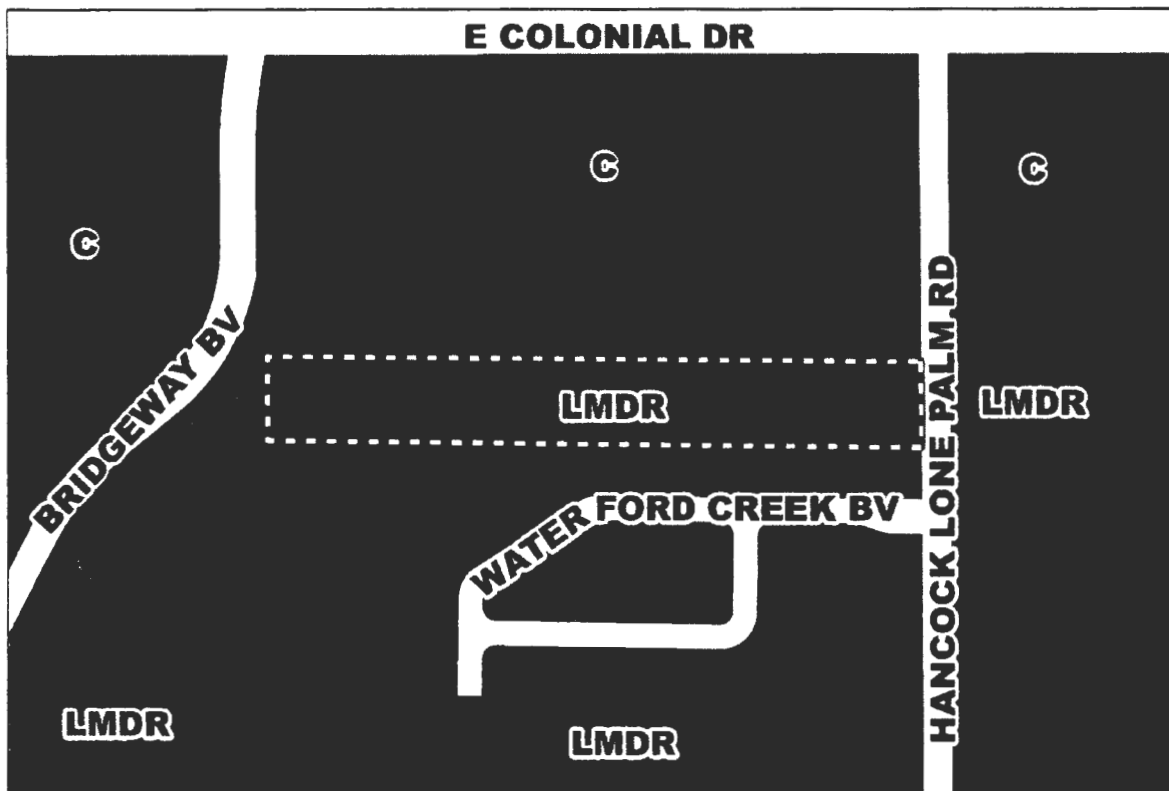
Carlos Nazario / Gordon Spears

Voting in Favor

Carlos Nazario, Gordon Spears, JaJa Wade, Diane Velazquez, Jimmy Dunn, Yog Melwani, Mohammed Abdallah, and Jose Cantero

Voting in Opposition	<i>None</i>
Absent	<i>Eddie Fernandez</i>

RZ-19-12-056



Subject Property



Subject Property

Future Land Use Map

FLUM: Low-Medium Density Residential (LMDR)

APPLICANT: Rommel Fontana,
Investments Alliance, LLC

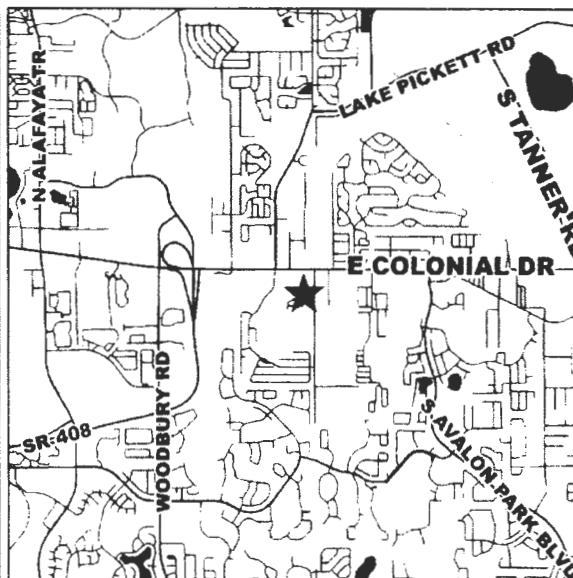
LOCATION: 1628 Hancock Lone Palm Road, or generally
located on the west side of Hancock Lone
Palm Road, approximately 710 feet south of
East Colonial Drive

TRACT SIZE: 4.97 gross acres

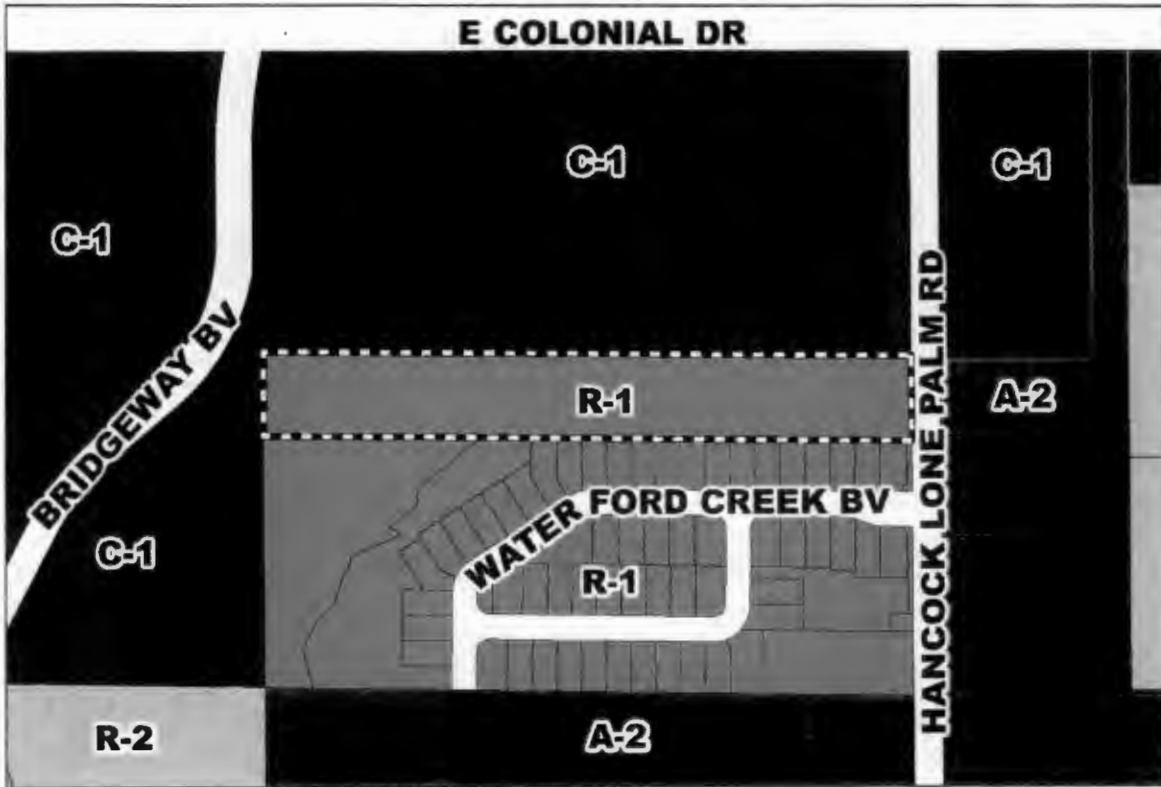
DISTRICT: # 4

S/T/R: 23/22/31

1 inch = 300 feet



RZ-19-12-056



Subject Property



Subject Property

Zoning Map

ZONING: R-1 (Single-Family Dwelling District) to R-1 (Residential District)

APPLICANT: Rommel Fontana, Investments Alliance, LLC

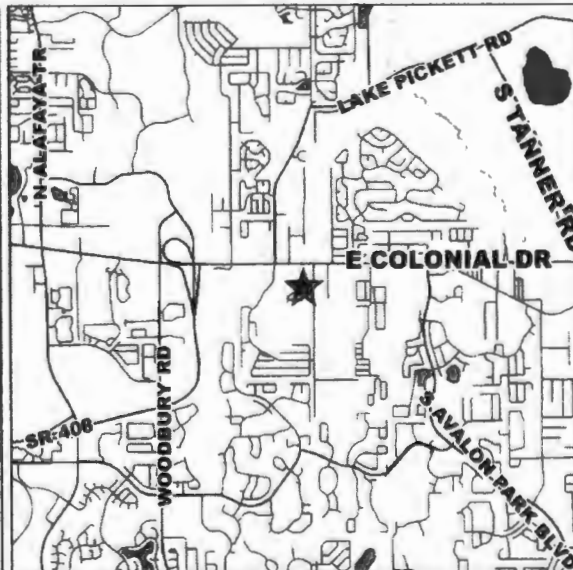
LOCATION: 1628 Hancock Lone Palm Road, or generally located on the west side of Hancock Lone Palm Road, approximately 710 feet south of East Colonial Drive

TRACT SIZE: 4.97 gross acres

DISTRICT: # 4

S/T/R: 23/22/31

1 inch = 300 feet



RZ-19-12-056

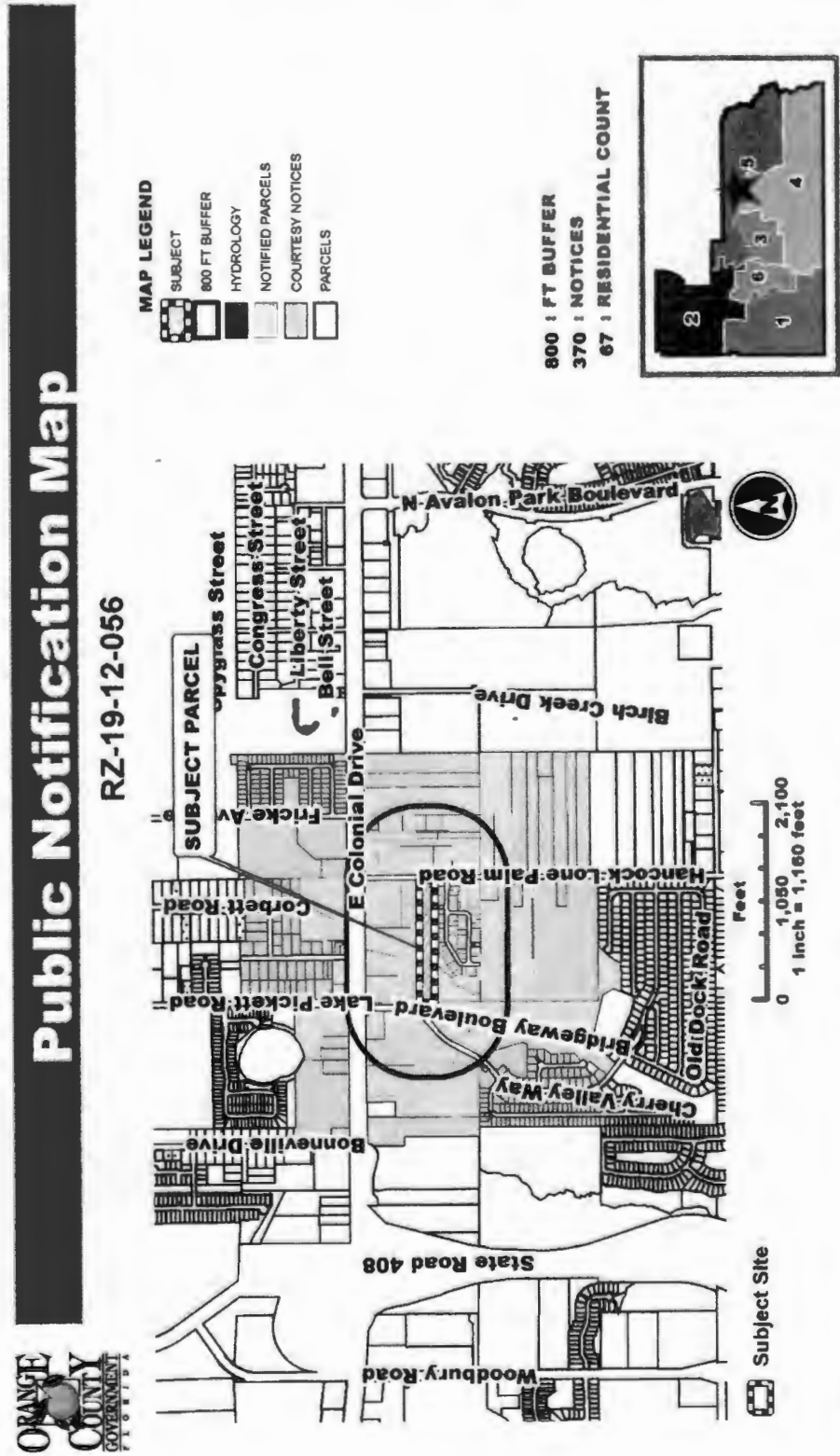


 Subject Property



1 inch = 300 feet

Notification Map



CASE # RZ-19-12-057

Commission District: #6

GENERAL INFORMATION

APPLICANT	Giderval De Andreade Fillo, Temporal Pool Service Corp.
OWNERS	Temporal Pool Service Corp.
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to C-2 (General Commercial District)
LOCATION	329 Takoma Street, or generally located on the east side of Takoma Street, approximately 305 feet north of Robinson Street
PARCEL ID NUMBER	30-22-29-2744-02-190
TRACT SIZE	0.43 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]. One hundred twenty-five (125) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Office with Outdoor Contractor Storage

STAFF RECOMMENDATION

PLANNING

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-2 (General Commercial District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is located at 329 Takoma Street, or generally located on the east side of Takoma Street, approximately 305 feet north of Robinson Street and is currently undeveloped. The surrounding area consists of high intensity commercial uses to the east and south with varying levels of single-family residences to the north and west. While the subject property is adjacent to C-3 (Wholesale Commercial District) zoning to

the east, the only access to the parcel is from Takoma Street, which is a residential street.

Land Use Compatibility

While the C-2 (General Commercial District) zoning is compatible with the underlying Future Land Use Map (FLUM) designation, it may allow for development that is incompatible with the character of the surrounding area and adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is an active Code Enforcement incident (Incident ID: 555902) for an unpermitted fence and office trailer.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Commercial (C). The proposed C-2 (General Commercial District) zoning is consistent with the Commercial FLUM designation, therefore a CP amendment is not necessary. While the proposed request is consistent with the underlying FLUM designation, it is inconsistent 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: R-1A (Single-Family Dwelling District) (1957) E: C-3 (Wholesale Commercial District) (1981) W: R-1A (Single-Family Dwelling District) (1957) S: R-1A (Single-Family Dwelling District) (1957)
Adjacent Land Uses	N: Retention Pond E: Auto Repair W: Single-Family Residence S: Single Family Residence

C-2 (General Commercial District) Development Standards

Min. Lot Area:	8,000 sq. ft.
Min. Lot Width:	100 ft. (on major streets, see Article XV) 80 ft. (on all other streets)
Max. Height:	50 ft. (35 ft. within 100 ft. of residential)
Min. Floor Area:	500 sq. ft.
Building Setbacks	
Front:	25 ft.
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-2 zoning district is to provide for the retailing of commodities and the furnishing of several major services, selected trade shops and automotive repairs. This district is encouraged at locations along minor arterial and major arterial roads where general commercial uses would be compatible with the surrounding neighborhood, yet not adjacent to residential uses. This district typically occupies an area larger than that of the retail commercial district, serves a considerably

greater population, and offers a wider range of services. This district is only promoted within the urban service area where uses of this intensity have already been established.

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 new and used automobile sales; car rental and leasing; auto painting and body shops; special trade contractors' offices (storage, equipment yards, and offices with outdoor storage); automobile parking lots and parking garages; outdoor storage and display of equipment, products, and merchandise; landscaping and irrigation businesses; commercial kennels; caterers; etc.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See note below table*
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area (AMA). The following is a list of alternative mobility modes within the project area: Orange County maintained sidewalks exist along Old Winter Garden Road from Mercy Drive to N. Pine Hills Road. LYNX bus link #54-Old Winter Garden Road. There are (4) four existing bus stops within the project area. This project may require a mobility analysis.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

*Environmental Notes: Wetlands may be located on site. Prior to any Orange County development plan or permit approval, the Environmental Protection Division (EPD) will require a Conservation Area Determination (CAD) completed with a certified wetland boundary survey, in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas. Approval of this request does not authorize any direct or indirect conservation area impacts.

Until wetland permitting is complete, the net developable area is uncertain. The net developable area is the gross land area less the wetlands and surface waters areas. Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:	Orlando Utilities Commission	
Wastewater:	Orange County Utilities	Not currently available
Reclaim Water:	Orange County Utilities	Not currently available

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 – (December 19, 2019)

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-2 (General Commercial District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

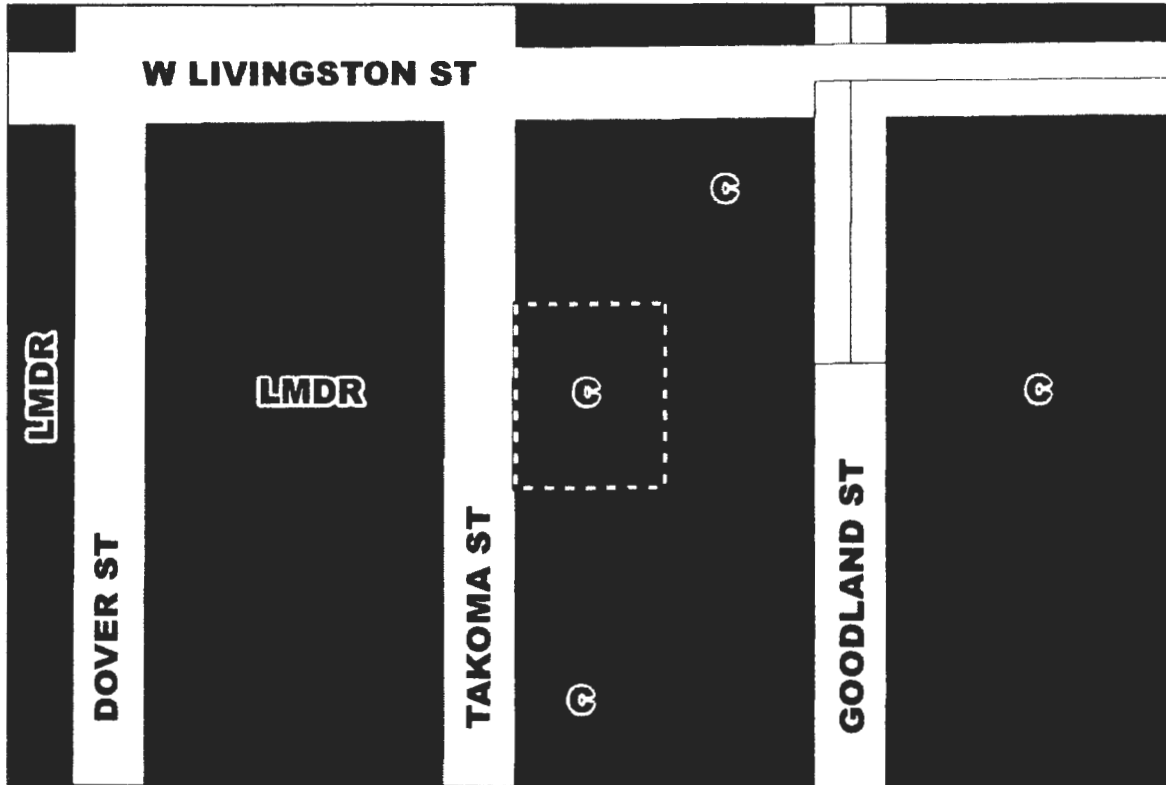
The staff report was presented to the PZC with the recommendation that they make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-2 (General Commercial District) Zoning. The applicant was present and disagreed with the staff recommendation.

Staff indicated that one hundred twenty-five (125) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff had received one (1) response in favor, and one (1) response in opposition of the request. The opposition response expressed a preference for the property to remain residential.

After a brief discussion regarding compatibility and site access, a motion was made by Commissioner Wade, and seconded by Commissioner Cantero to recommend denial of the requested C-2 zoning. The motion carried on a 8-0 vote.

Motion / Second	<i>JaJa Wade / Jose Cantero</i>
Voting in Favor	<i>JaJa Wade, Jose Cantero, Gordon Spears, Diane Velazquez, Mohammed Abdallah, Jimmy Dunn, Yog Melwani, and Carlos Nazario</i>
Votring in Opposition	<i>None</i>
Absent	<i>Eddie Fernandez</i>

RZ-19-12-057



 Subject Property



 Subject Property

Future Land Use Map

FLUM: Commercial (C)

APPLICANT: Giderval De Andreade Fillo, Temporal Pool Service Corp.

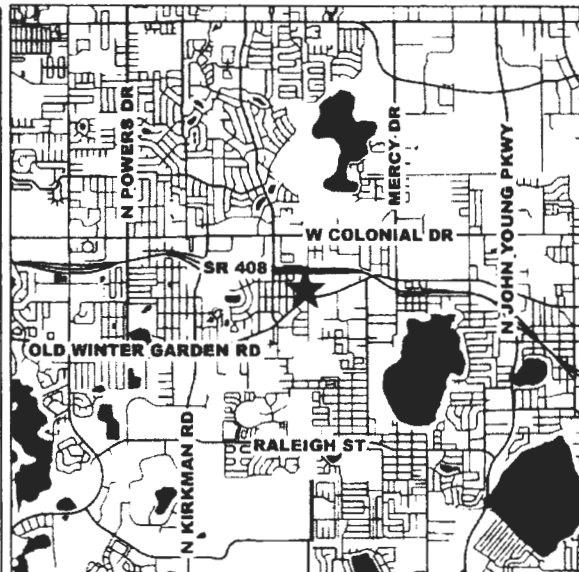
LOCATION: 329 Takoma Street, or generally located on the east side of Takoma Street, approximately 305 feet north of Robinson Street.

TRACT SIZE: 0.43 gross acres

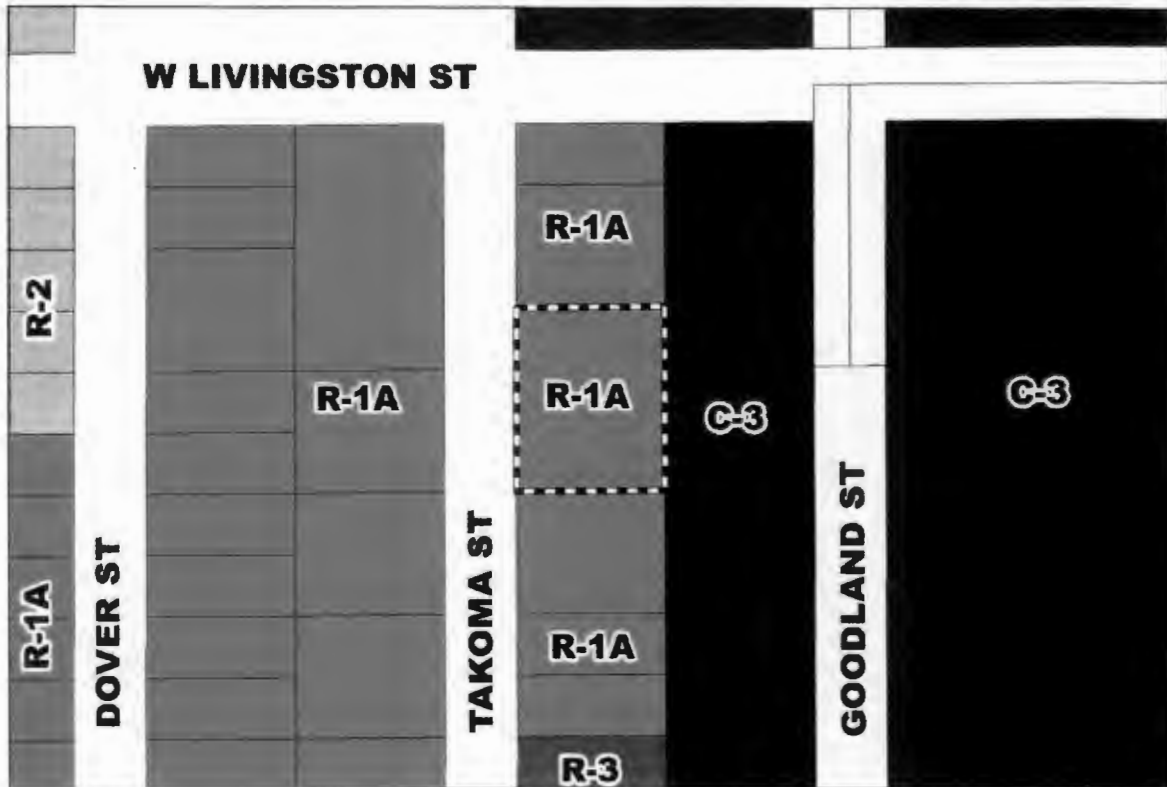
DISTRICT: # 6

S/T/R: 30/22/29

1 inch = 125 feet



RZ-19-12-057



Subject Property



★ Subject Property

Zoning Map

ZONING: R-1A (Single-Famil Dwelling District) to C-2 (General Commercial District)

APPLICANT: Giderval De Andreade Fillo, Temporal Pool Service Corp.

LOCATION: 329 Takoma Street, or generally located on the east side of Takoma Street, approximately 305 feet north of Robinson Street.

TRACT SIZE: 0.43 gross acres

DISTRICT: # 6

S/T/R: 30/22/29

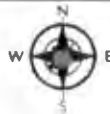
1 inch = 125 feet



RZ-19-12-057



 Subject Property



1 inch = 125 feet

Alternative Mobility Area Context Map

RZ-19-12-057
329 Takoma Street
 Rezone 0.43 acres
 from R-1A to C-2 for
 office and storage
 contractor equipment

Legend

- LYNX Bus Stops
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- LYNX Bus Route Schedule
- Major Streets
- Road Base
- Segment_ID
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Major Streets
- Streets
- PA_PARCELS_Buffer364
- Horizon West Boundary
- County Boundary
- Parcels

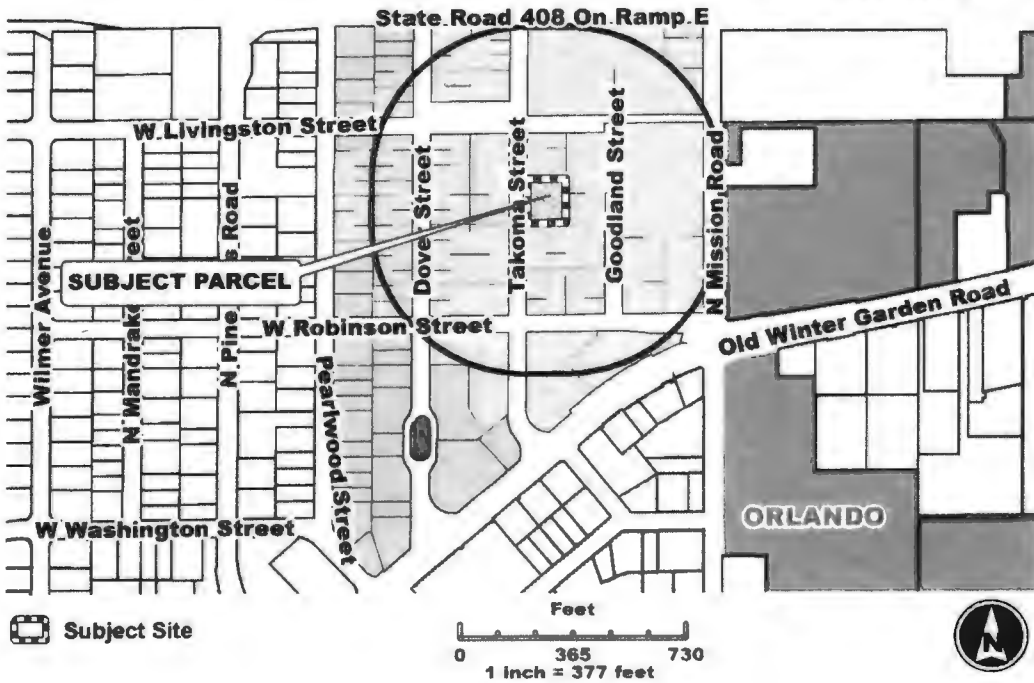




Public Notification Map

RZ-19-12-057

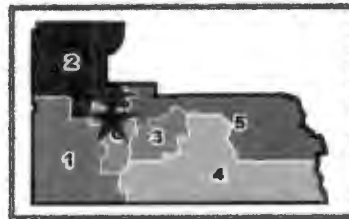
State Road 408 ○



MAP LEGEND

- SUBJECT
- 500 FT BUFFER
- HYDROLOGY
- NOTIFIED PARCELS
- COURTESY NOTICE
- PARCELS

500 : FT BUFFER
 125 : NOTICES
 43 : RESIDENTIAL COUNT



S:\Business Systems\Board Administration_PZC\2019\12-DECEMBER 19\RZ-19-12-057\RZ-19-12-057.mxd
 11/13/2019 1:34:33 PM

Notification Map

Orange County Planning Division
 PZC Hearing Date: December 19, 2019

Case # RZ-19-12-057

CASE # RZ-19-12-058

Commission District: #3

GENERAL INFORMATION

APPLICANT	Ismael Portalatin
OWNERS	Portal Developments LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-2 (Farmland Rural District) to I-1 / I-5 (Industrial District)
LOCATION	5350 and 5358 Beatles Lane; or generally located south of Hoffner Avenue, east of S. Semoran Boulevard and west of Patch Road.
PARCEL ID NUMBER	22-23-30-0000-00-023 and 22-23-30-0000-00-026
TRACT SIZE	1.04 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]. Two hundred seventy-seven (277) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Auto dealership with auto repair and outdoor storage of vehicles

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-1/I-5 (Industrial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited; and
- 2) A Type "B" buffer shall be used to separate industrial (I-1 / I-5) uses from all residential uses. The buffer shall be a minimum of twenty-five (25) feet wide, and must consist of a completely opaque feature such as a masonry wall, berm, planted and/or existing vegetation or any combination thereof. At a minimum, plantings must be four (4) feet high and seventy (70) percent opaque at planting and capable of attaining full height and opacity within three (3) years; and

- 3) 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 non-residential uses on the property.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is located within an industrial corridor, which is established on the Future Land Use Map (FLUM), extending along the south side of Hoffner Avenue between Semoran Boulevard and S. Goldenrod Road. There are several similar industrial uses surrounding the subject property along this industrial corridor. The parcel to the north was rezoned from A-2 (Farmland Rural District) to I-1/I-5 (Industrial District) in 2000, and is currently operating as an auto dealership and repair shop. The parcel to the south was rezoned from A-2 (Farmland Rural District) to I-2/I-3 (Industrial District) in 2005 and operates as a vehicle storage lot. The parcel to the east was rezoned from A-2 (Farmland Rural District) to I-1/I-5 (Industrial District) in 2019.

Land Use Compatibility

The I-1/I-5 (Industrial 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within "D" and "E" Airport Noise Zones. Any required noise mitigation criteria must be demonstrated at permitting.
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Industrial (IND). The proposed I-2/I-3 (Industrial District) 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.

FLU1.4.16 states that the Future Land Use Map shall reflect appropriate locations for industrial use. Potentially incompatible land use designations, such as residential or

neighborhood commercial, shall not be established adjacent to industrial land use designations. Proposed land use changes from industrial to residential or commercial shall be evaluated in the context of potential impacts to long-term viability of surrounding industrial uses. Proposed industrial changes shall be evaluated relative to the need to maintain adequate industrial sites to serve the projected market demand and corresponding needs for job creation and economic development. (Added 05/03, Ord. 03-03, Policy 4.1.10-r)

FLU1.4.17 states that Orange County seeks to retain an adequate supply of Industrial during the 2030 planning horizon, consistent with the findings of the County's most current Industrial Lands Analysis and the desire to maintain jobs to housing balance within the County. Industrial requests found to be consistent with the Comprehensive Plan in areas where there are industrial deficits should be supported, provided these locations are found to be compatible and services are available. Further, amendments to DRIs or PDs that have the effect of reducing industrial

FLU1.4.18 states that the Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, create more of a jobs/housing balance, avoid large concentrations of industrial traffic, provide adequate and sufficient locations for industrial uses – particularly in existing corridors and areas in proximity to Activity Centers – and provide a variety of locations with different transportation accessibility opportunities (such as arterials and highways, airports and railroad). (Added 12/00, Ord. 00-25, Policy 3.2.15)

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	Single-Family Detached Dwelling
Adjacent Zoning	N: I-1/I-5 (Industrial District) (2000) E: I-1/I-5 (Industrial District) (2019) <i>*New billboards and pole signs shall be prohibited. A Type "B" buffer shall be used to separate industrial (I-1 / I-5) uses from all residential uses. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements</i> W: A-2 (Farmland Rural District) (1957) S: I-2/I-3 (Industrial District) (2005) <i>*Type B buffer, per Chapter 24-5, on the southern property line.</i>
Adjacent Land Uses	N: Auto dealership & Repair E: Single-Family Detached Dwellings W: Undeveloped Land S: Vehicle Storage

I-1/I-5 (INDUSTRIAL DISTRICT) DEVELOPMENT STANDARDS

Floor Area Ratio: ≤0.75
Max. Height: 50 ft. (35 ft. within 100 ft. of a residential zoning district)

Building Setbacks

Front: 35 ft.
Rear: 25 ft.
Side: 25 ft.

Intent, Purpose, and Uses

The I-1/I-5 (Industrial District) zoning is composed of lands and structures used primarily for the operation of general industrial 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. Permitted uses include, but are not limited to, religious institutions, warehouses, offices, contractors storage and offices, food processing and packaging; woodchipping, mulching, and composting; textile manufacturing; garment manufacturing; manufacturing of furniture and fixtures; manufacturing of medicinal chemicals and botanical products; manufacturing of commercial and industrial machinery; motor vehicle assembly; boat manufacturing; aluminum recycling collection drop-off sites; community correction centers; juvenile correction homes; etc.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency capacity bank dated 10/24/2019, there is one failing segment within the project area. Semoran Blvd. from Hoffner Avenue to Pershing Avenue. A traffic study will be required for this project at the time of permitting. This information is dated and subject to change.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:	Orange County Utilities	A 16-inch watermain is located within right-of-way
Wastewater:	Orange County Utilities	A 8-inch forcemain is located within Hoffner ave right-of-way
Reclaim Water:	Orange County Utilities	Not Currently Available

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 – (January 16, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-1/I-5 (Industrial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited; and
- 2) A Type “B” buffer shall be used to separate industrial (I-1 / I-5) uses from all residential uses. The buffer shall be a minimum of twenty-five (25) feet wide, and must consist of a completely opaque feature such as a masonry wall, berm, planted and/or existing vegetation or any combination thereof. At a minimum, plantings must be four (4) feet high and seventy (70) percent opaque at planting and capable of attaining full height and opacity within three (3) years; and
- 3) 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 non-residential uses on the property.

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), subject to 3 restrictions. The applicant was present and agreed with the staff recommendation.

Staff indicated that two hundred seventy-seven (277) notices were mailed to the surrounding property owners within a buffer extending 500 feet from the subject property, with two (2) responses in support of the rezoning and two (2) in opposition. Those in opposition stated concerns related to trucks coming from Beatles lane through the residential community Conway Manor located on the north. No members of the public were present to speak on this request.

After a brief discussion, a motion was made by Commissioner Cantero and seconded by Commissioner Nazario to recommend approval of the requested I-1 / I-5 (Industrial District) zoning. The motion carried on a 8-0 vote.

Motion / Second

Jose Cantero / Carlos Nazario

Voting in Favor

Jose Cantero, Carlos Nazario, Jimmy Dunn, Diane Velazquez, Yog Melwani, JaJa Wade, Gordon Spears, and Mohammed Abdallah

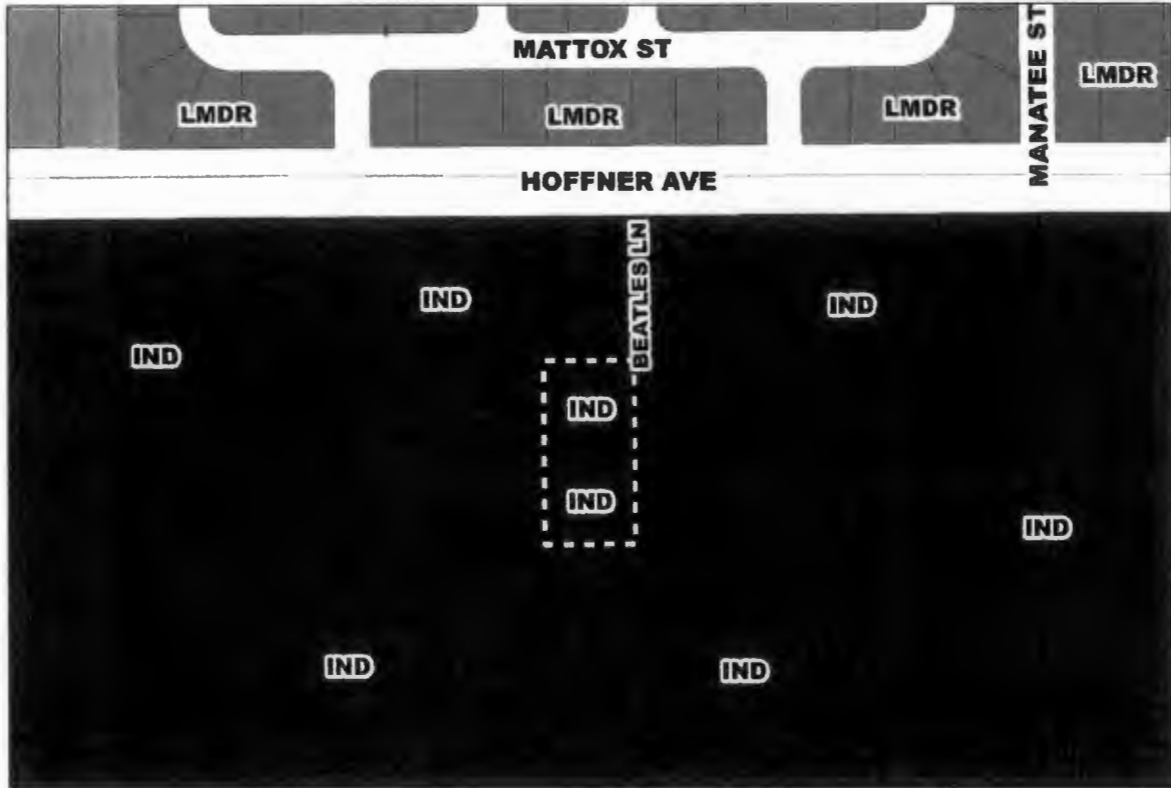
Voting in Opposition

None

Absent

Eddie Fernandez

RZ-19-12-058



Subject Property



Subject Property

Future Land Use Map

FLUM: Industrial (IND)

APPLICANT: Ismael Portalatin

LOCATION: 5350 and 5358 Beatles Lane; or generally located south of Hoffner Avenue, east of S. Semoran Boulevard and west of Patch Road.

TRACT SIZE: 1.04-gross acre

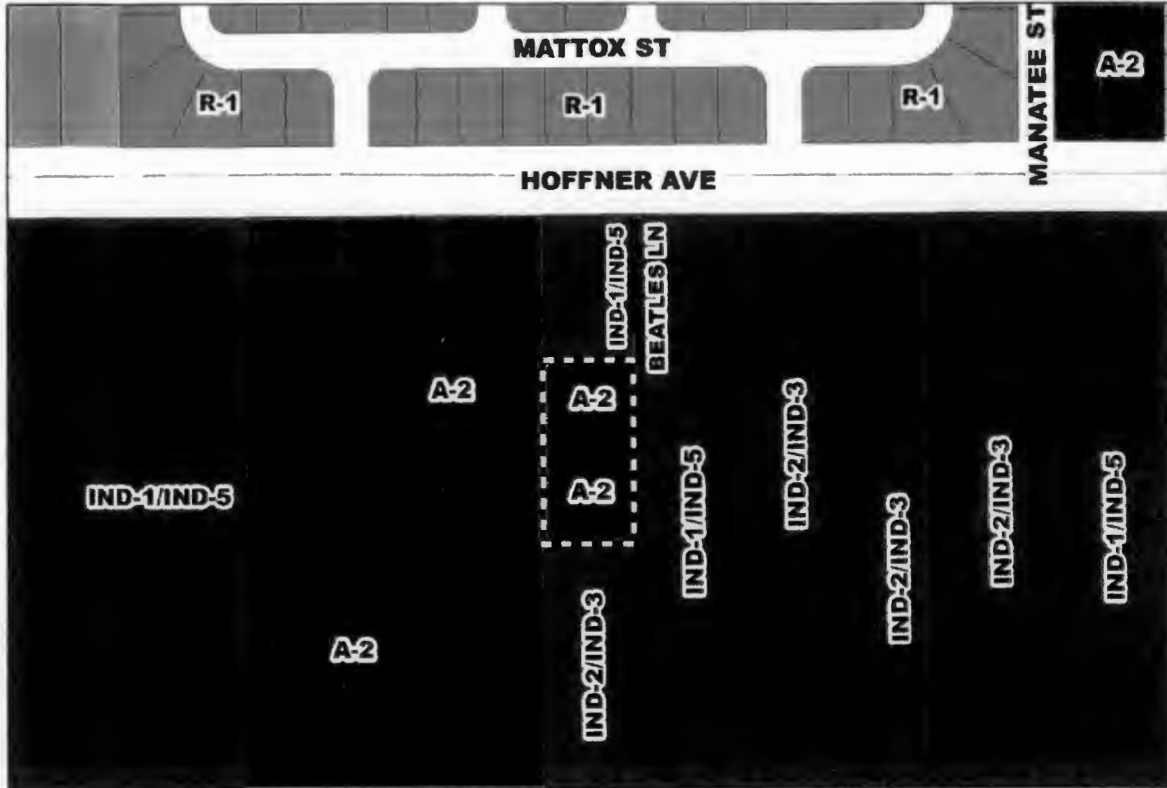
DISTRICT: # 3

S/T/R: 30/23/22

1 inch = 250 feet



RZ-19-12-058



Subject Property



Subject Property

Zoning Map

ZONING: A-2 (Farmland Rural District) to I-1 / I-5 (Industrial District)

APPLICANT: Ismael Portalatin

LOCATION: 5350 and 5358 Beatles Lane; or generally located south of Hoffner Avenue, east of S. Semoran Boulevard and west of Patch Road.

TRACT SIZE: 1.04-gross acre

DISTRICT: # 3

S/T/R: 30/23/22

1 inch = 250 feet



RZ-19-12-058



 Subject Property

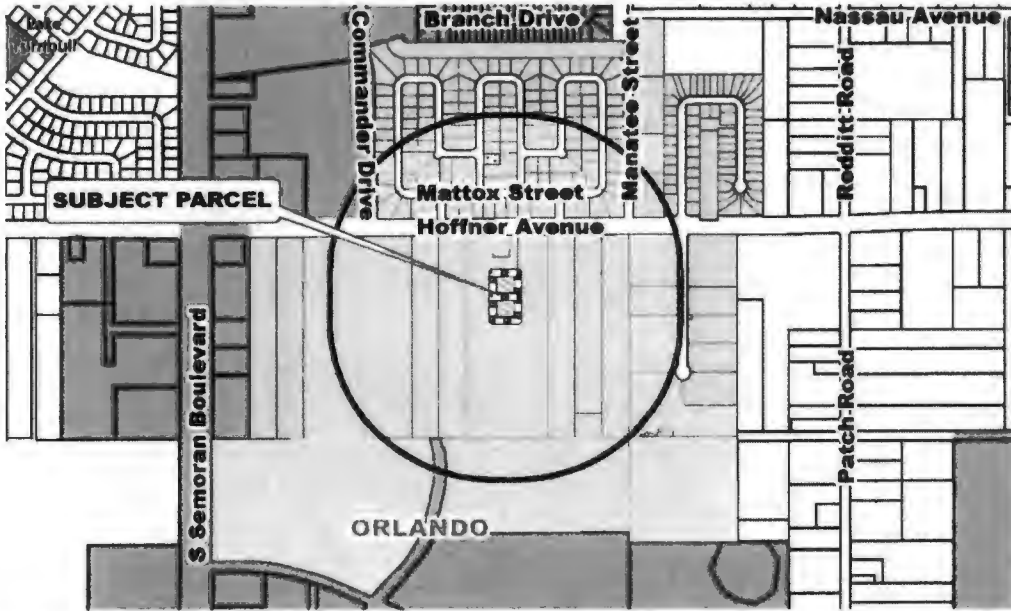


1 inch = 125 feet



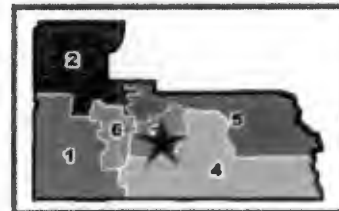
Public Notification Map

RZ-19-12-058

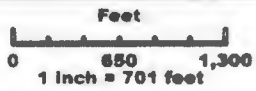


- MAP LEGEND**
- SUBJECT
 - 1000 FT BUFFER
 - HYDROLOGY
 - NOTIFIED PARCELS
 - COURTESY NOTICES
 - PARCELS

500 : FT BUFFER
277 : NOTICES
101 : RESIDENTIAL COUNT



Subject Site



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11/13/2019 10:47:29 AM

Notification Map

Case # RZ-19-12-058
 Orange County Planning Division
 PZC Hearing Date: December 19, 2019

CASE # RZ-19-12-062
Commission District: #2

GENERAL INFORMATION

APPLICANT	Gonzalez Aida Milaris
OWNERS	Gonzalez Aida Milaris
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-1 (Citrus Rural District) to R-1AA (Single-Family Dwelling District)
LOCATION	923 S. Lake Pleasant Road, or generally located at the northeast corner of Lake Pleasant Road and Huggins Drive
PARCEL ID NUMBER	13-21-28-0000-00-075
TRACT SIZE	0.32 gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 1,500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred sixty-three (163) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	One (1) single-family dwelling unit

STAFF RECOMMENDATION

PLANNING

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

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is currently undeveloped and located within the Wekiva Study area. The Comprehensive Plan policies related to open space only apply when a Preliminary Subdivision Plan is required. The general area consists of single-family residences to the north, east, south and west. The single-family residences surrounding the subject property are zoned A-1 (Citrus Rural District) and are not platted, with lots ranging from 100' to 211' in width.

Through this rezoning request, the applicant is seeking to rezone from A-1 (Citrus Rural District) to R-1AA (Single-Family Dwelling District) in order to construct one (1) single-family dwelling unit.

Land Use Compatibility

The R-1AA (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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within Apopka Joint Planning Area
Overlay District Ordinance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within Wekiva Study Area.
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Density Residential (LDR). The proposed R-1AA (Single-Family Dwelling District) zoning is consistent with the Low Density Residential 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.

OBJ OS1.3 Orange County shall protect the Wekiva Springshed and its natural resources by maximizing preserved open space within the Wekiva Study Area. (Added 12/07, Ord. 07-20, Objective 1.3)

OS1.3.1 In addition to development or redevelopment of properties located within the Wekiva Study Area as specified in Future Land Use Element policies FLU6.6.8, FLU6.6.10 and FLU6.6.12, any proposed amendment to the Comprehensive Plan that proposes and increase in density or intensity of land use greater than that allowed for under the existing Future Land Use Map shall ensure protection of identified sensitive resources, including recharge areas, sensitive uplands, wetlands, Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub. (Added 12/07; Ord. 07-20, Policy 1.3.1)

OS1.3.6 For that portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall

apply. The County shall adopt Land Development Regulations by January 1, 2007 for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats. (Amended 6/10, Ord. 10-07)
Residential land uses in the Urban Service Area (not in a Rural Settlement).

Within the Urban Service Area in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows:

- i. development with an overall size less than or equal to 100 acres – open space shall be 35% or greater;
- ii. development with an overall size greater than 100 acres – open space shall be 50% or greater.

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
Adjacent Zoning

Undeveloped Land
N: A-1 (Citrus Rural District) (1957)
E: A-1 (Citrus Rural District) (1957)
W: A-1 (Citrus Rural District) (1957)
S: A-1 (Citrus Rural District) (1957)

**No restrictions apply to the above zoning districts*

Adjacent Land Uses

N: Single-Family Residence
 E: Single-Family Residence
 W: Single-Family Residence
 S: Single-Family Residence

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

Min. Lot Area: 10,000 sq. ft.
 Min. Lot Width: 85 feet
 Max. Height: 35 feet
 Min. Floor Area: 1,200 feet

Building Setbacks

Front: 25 feet
 Rear: 30 feet
 Side: 7.5 feet

Intent, Purpose, and Uses

The R-1AA (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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional environmental regulations apply, but are not limited to: septic tank criteria, open space, storm water treatment and conservation.</p> <p>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.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Based on the capacity database dated November 6, 2019, there is capacity available to be encumbered. This information is dated and is subject to</p>

			change. A capacity encumbrance application will be required for this project.
Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Request is de minimis under OCPS review.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: City of Apopka

Wastewater: City of Apopka

Reclaim Water: City of Apopka

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 – (December 19, 2019)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1AA (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-1AA (Single-Family Dwelling District). The applicant was present and agreed with the staff recommendation.

Staff indicated that one hundred sixty-three (163) notices were mailed to the surrounding property owners within a buffer extending 1,500 feet from the subject property, with two (2) responses in support of the rezoning and zero (0) in opposition. Those in favor stated that they wish for the applicant to build a house on the lot. No members of the public were present to speak on this request.

After a brief discussion, a motion was made by Commissioner Velazquez and seconded by Commissioner Cantero to recommend approval of the requested R-1AA (Single-Family Dwelling District) zoning. The motion carried on a 8-0 vote.

Motion / Second

Diane Velazquez / Jose Cantero

Voting in Favor

Diane Velazquez, Jose Cantero, Jimmy Dunn, JaJa Wade, Mohammed Adballah, Gordon Spears, Carlos Nazario, and Yog Melwani

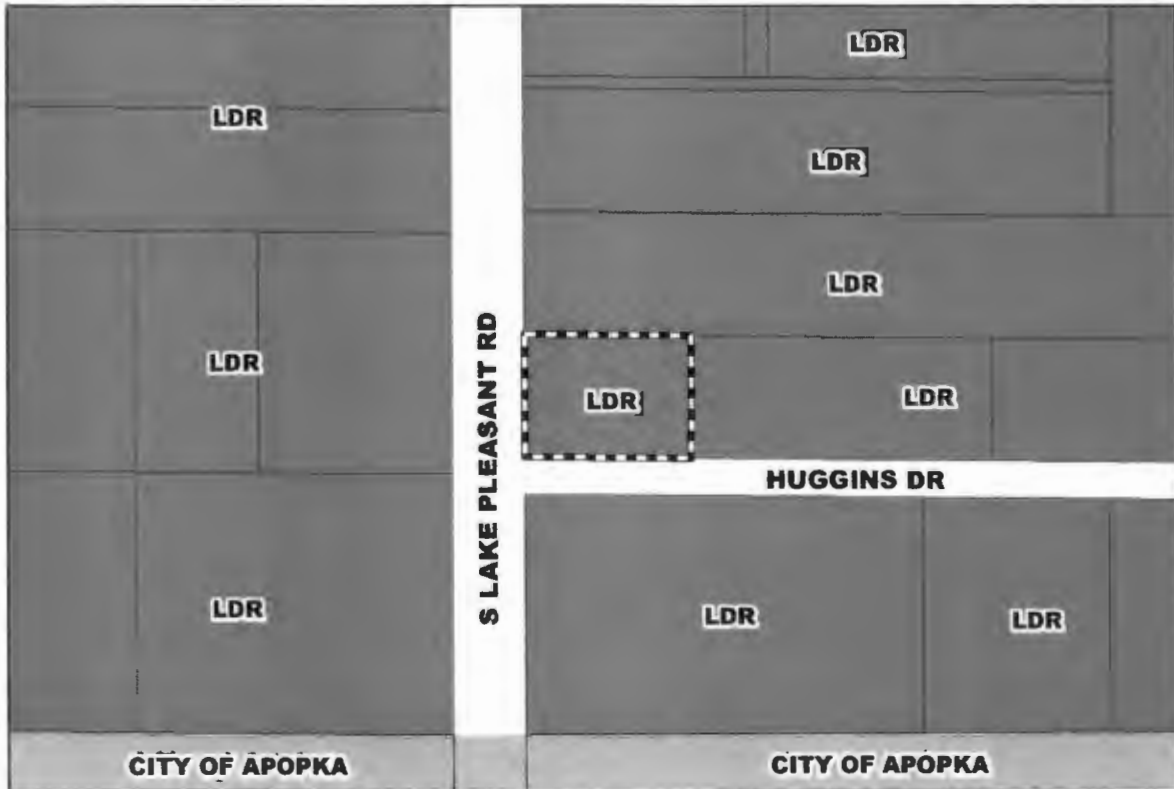
Voting in Opposition

None

Absent

Eddie Fernandez

RZ-19-12-062



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Low Density Residential (LDR)

APPLICANT: Gonzalez Aida Milaris

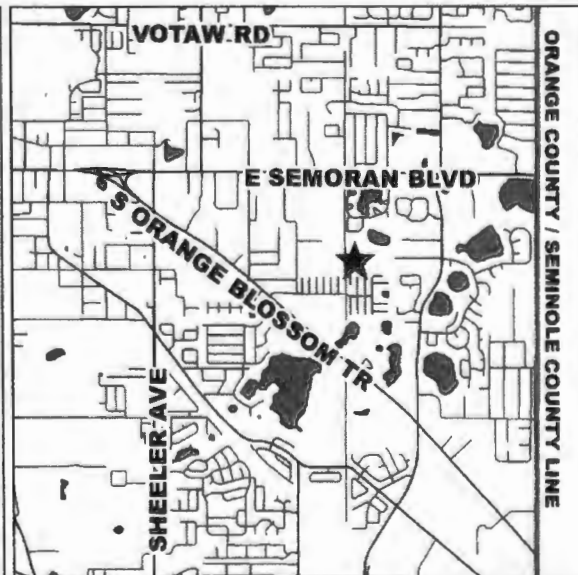
LOCATION: 923 S. Lake Pleasant Road, or generally located at the northeast corner of Lake Pleasant Road and Huggins Drive

TRACT SIZE: 0.32-gross acre

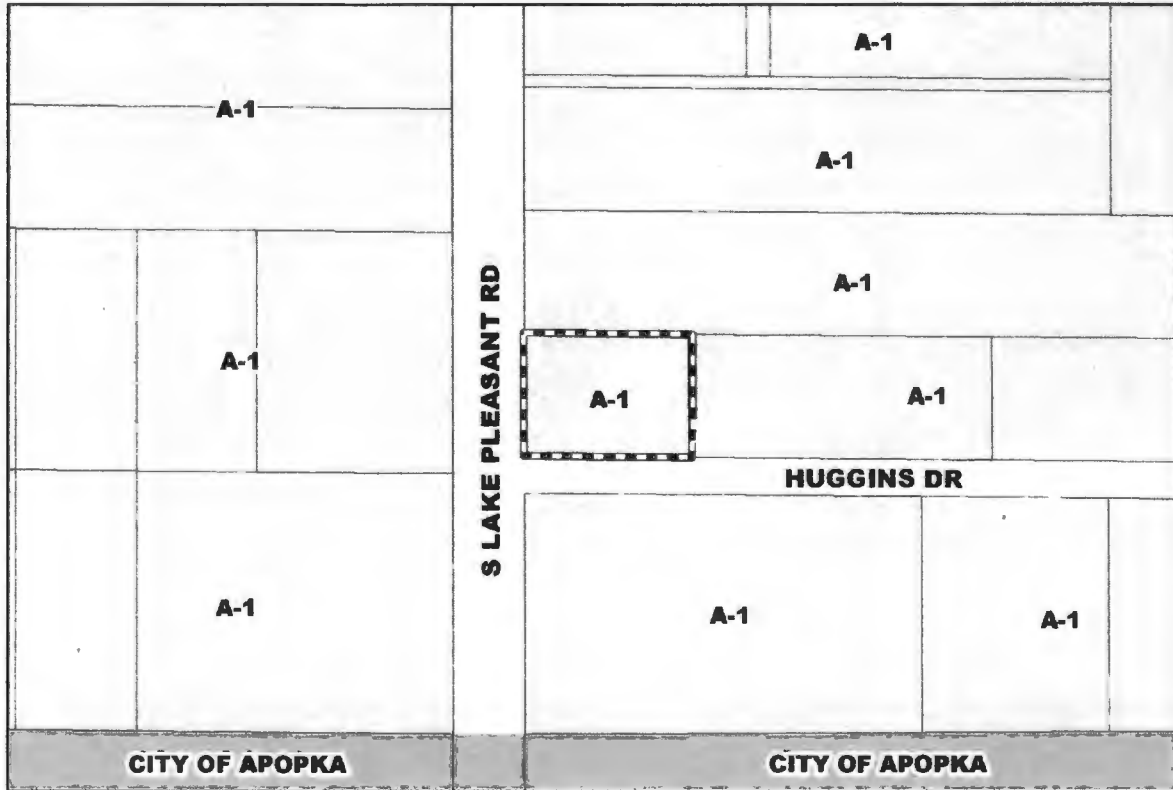
DISTRICT: #2

S/T/R: 30/24/20

1 inch = 125 feet



RZ-19-12-062



Subject Property



★ Subject Property

Zoning Map

Zoning: A-1 (Citrus Rural District) to R-1AA (Single-Family Dwelling District)

APPLICANT: Gonzalez Aida Milaris

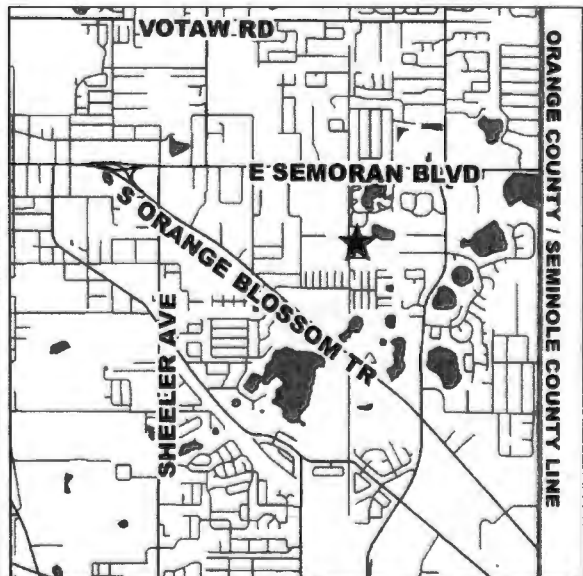
LOCATION: 923 S. Lake Pleasant Road, or generally located at the northeast corner of Lake Pleasant Road and Huggins Drive

TRACT SIZE: 0.32-gross acre

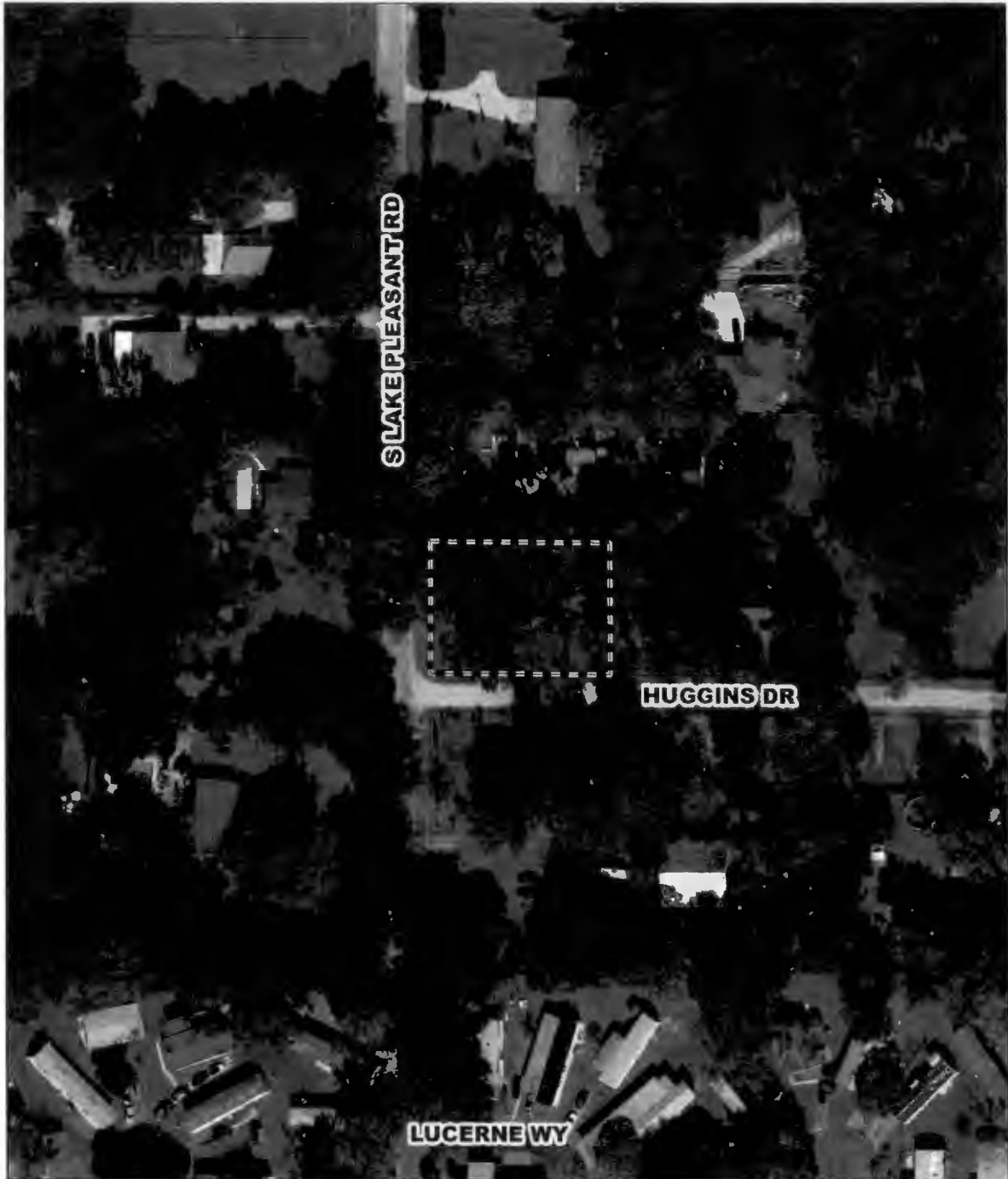
DISTRICT: #2

S/T/R: 30/24/20

1 inch = 125 feet



RZ-19-12-062



 Subject Property

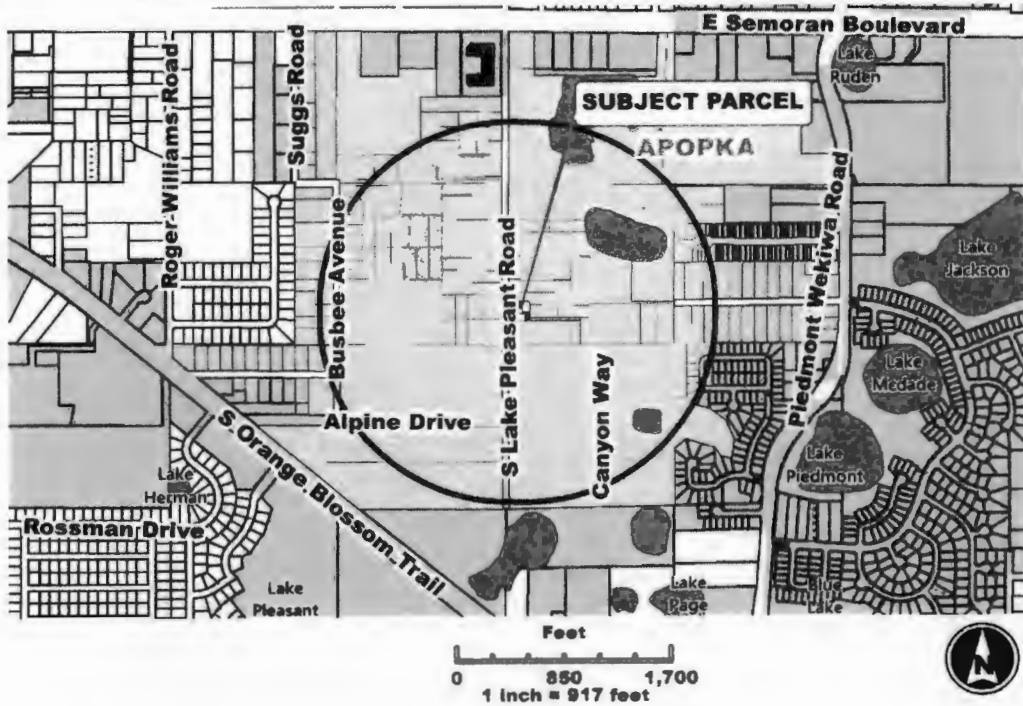


1 inch = 100 feet



Public Notification Map

RZ-19-12-062_923 S Lake Pleasant Road



- MAP LEGEND**
- SUBJECT
 - 1500 FT BUFFER
 - HYDROLOGY
 - NOTIFIED PARCELS
 - COURTESY PARCELS
 - PARCELS

1500 : FT BUFFER
 163 : NOTICES
 73 : RESIDENTIAL COUNT



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Notification Map

Case # LUP-19-08-266
 Orange County Planning Division
 PZC Hearing Date: December 19, 2019