




Interoffice Memorandum

October 21, 2024

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM: Tanya Wilson, AICP, Director
Planning, Environmental, and Development Services
Department 

CONTACT PERSON: Taylor Jones, AICP, Chief Planner
Zoning Division
(407) 836-5944

SUBJECT: November 19, 2024 - Appeal Public Hearing
Applicant/Appellant: Robert Ziengenfuss for Rex Groves
RV Park
BZA Case # SE-24-08-065, September 5, 2024; District 1

Board of Zoning Adjustment (BZA) Case # SE-24-08-065 located at 5872 Rex Drive, Winter Garden, Florida, 34787, in District 1, is an appeal to the Board. The applicant is requesting a Special Exception and Variances in the A-1 zoning district as follows:

- 1) Special Exception to allow an RV Park with 249 campsites
- 2) Variance to allow an accessory building (northern most restroom building) to be 43.8 ft. from campsites in lieu of 75 ft.
- 3) Variance to allow an accessory building (southeastern most restroom building) to be 51.3 ft. from campsites in lieu of 75 ft.
- 4) Variance to allow an accessory building (southwestern most restroom building) to be 30.5 ft. from campsites in lieu of 75 ft.

At the September 5, 2024, BZA hearing, staff recommended denial of the Special Exception because the proposed use is not consistent with the Comprehensive Plan, specifically Rural Settlement Policies FLU8.1.1, General Note (c), and FLU6.3.6, and because the use is not compatible with the surrounding uses. Staff recommended denial of the variances, as they are self-created, and an alternative design could be accomplished that met code with a site this large.

There were three in attendance to speak in favor of the request. They felt that the applicant had done as much as possible to minimize the impact and supported the fact that they were not changing the zoning or future land use designation. There were five people who spoke in opposition to the request. They felt the use was not appropriate in the Lake Avalon Rural Settlement and noted that while the HOA board may support the request, the HOA is voluntary and not all the residents in the rural settlement are in the HOA or in support of the request. Other concerns raised were traffic and the number of

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Appeal Public Hearing – Robert Ziengenfuss for Rex Groves RV Park

Special Exception and Variances

Page 2

people it would bring into the rural settlement. It was noted that over three hundred comments were received in opposition and twelve in favor.

The BZA recommended denial of the Special Exception and Variance requests. The applicant subsequently appealed the BZA decision of denial stating that the RV Park use is consistent with the Comprehensive Plan noting that there are at least three other rural settlements that include RV Parks, and that the proposed use is adjacent to an active landfill and County's water treatment cells which are not residential uses.

The application for this request is subject to the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy is available upon request in the Zoning Division.

If you have any questions regarding this matter, please contact Taylor Jones at (407) 836-5944 or Taylor.Jones@ocfl.net.

ACTION REQUESTED: Deny the applicant's request; or approve the applicant's request with conditions. District 1.

BD/ag

Attachment: Zoning Division public hearing report, Appeal with exhibits, and BZA staff report.

**PLANNING, ENVIRONMENTAL, AND DEVELOPMENT, SERVICES DEPARTMENT
ZONING DIVISION PUBLIC HEARING REPORT**

November 19, 2024

The following is a public hearing on an appeal before the Board of County Commissioners on November 19, 2024, at 2:00 p.m.

APPLICANT/APELLANT: ROBERT ZIENGENFUSS FOR REX GROVES RV PARK

REQUEST: Special Exception and Variances in the A-1 zoning district as follows:

- 1) Special Exception to allow an RV Park with 249 campsites
- 2) Variance to allow an accessory building (northern most restroom building) to be 43.8 ft. from campsites in lieu of 75 ft.
- 3) Variance to allow an accessory building (southeastern most restroom building) to be 51.3 ft. from campsites in lieu of 75 ft.
- 4) Variance to allow an accessory building (southwestern most restroom building) to be 30.5 ft. from campsites in lieu of 75 ft.

LOCATION: 5872 Rex Drive, Winter Garden, Florida, 34787, west side of Rex Drive., north of McKinney Rd., southwest of Cork St., adj to the Lake County line.

LOT SIZE: 84.6 acres

ZONING: A-1

DISTRICT: #1

PROPERTIES NOTIFIED: 308

BOARD OF ZONING ADJUSTMENT (BZA) HEARING SYNOPSIS ON REQUEST:

Staff described the proposal, including the location of the property, the site plan, and photos of the site. Staff provided an analysis of the criteria and the reasons for a recommendation for denial. Staff noted that they had received over three hundred (300) comments in opposition and twelve (12) in favor.

The applicant discussed the staff recommendation for denial, and presented the proposed project, and went over additional conditions they were proposing to incorporate.

There were three (3) in attendance to speak in favor of the request. They felt that the applicant had done as much as possible to minimize the impact and supported the fact that they were not changing the zoning or future land use designation.

There were five (5) people who spoke in opposition to the request. They felt the use was not appropriate in the rural settlement, and noted that while the HOA board may support, the HOA is voluntary and not all residents in the rural settlement are in the HOA or voice support. Other concerns raised were traffic and the number of people.

The BZA discussed the request, contemplated what the alternative uses to the site could be, and the appropriateness of the use on the site. The BZA unanimously recommended denial of the Special Exception and Variances by a 4-0 vote, with two absent and one seat vacant.

BZA HEARING DECISION:

A motion was made by Deborah Moskowitz, seconded by Juan Velez, carried to recommend **DENIAL** of the Special Exception and Variance requests in that there was no unnecessary hardship shown on the land; and further, they do not meet the requirements governing Variances as spelled out in Orange County Code, Section 30-43(3) (4 in favor: Deborah Moskowitz; John Drago, Juan Velez, Sonya Shakespeare; 0 opposed; 2 absent: Roberta Walton Johnson, Thomas Moses; 1 vacant)



M. REBECCA WILSON

Shareholder

rebecca.wilson@lowndes-law.com

215 North Eola Drive, Orlando, Florida 32801-2028

T: 407-418-6250 | F: 407-843-4444

MAIN NUMBER: 407-843-4600



September 9, 2024

VIA E-MAIL AND HAND DELIVERY

Orange County Zoning Division
Attn.: Taylor Jones
201 S. Rosalind Avenue
Orlando, Florida 32801

Re: Appeal Application SE-24-08-065 ("Special Exception") Meeting Date September 5, 2024

Dear Mr. Jones:

This firm represents Rex Groves LLLP with regard to the Special Exception set forth above. We believe that the Board of Zoning Adjustment erred in denying the Special Exception. The proposed Special Exception meets or exceeds the County's Special Exception criteria.

In particular, the RV Park use is consistent with the Comprehensive Plan designation as a rural settlements. The County specific included property used as RV Parks in at least three (3) of the County's Rural Settlements created in 1991. Furthermore, the proposed RV Park is adjacent to an active landfill which is not a resident use. It is also adjacent to the County's water treatment cells which are not residential uses.

The Owner has worked with the Lake Avalon Rural Settlement HOA Board in order to maintain these ~80 acres as agriculture and silvaculture. The intent is to avoid this property being turned into another large lot urban sprawl subdivision.

We look forward to the appeal being scheduled within 45 days.

Very truly yours,

M. Rebecca Wilson
Shareholder

MRW/kej





Board of Zoning Adjustment (BZA) Appeal Application

Appellant Information

Name: Robert Ziegenfuss For Rex Groves RV Park

Address: 1201 E. Robinson Street, Orlando, FL 32801

Email: Bob@ZDevelopmentServices.com Phone #: (407) 271-8910

BZA Case # and Applicant: SE-24-08-065

Date of BZA Hearing: 09/05/2024

Reason for the Appeal (provide a brief summary or attach additional pages of necessary):

See attached.

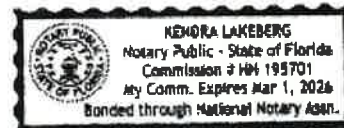
Signature of Appellant:  Date: 09/09/2024

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 9 day of September, 2024, by Robert Ziegenfuss who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

Notary Public Signature

Notary Stamp:



NOTICE: Per Orange County Code [Section 30-45](#), this form must be submitted within 15 days after the Board of Zoning Adjustment meeting that the application decision was made.

Fee: \$691.00 (payable to the Orange County Board of County Commissioners)

Note: Orange County will notify you of the hearing date of the appeal. If you have any questions, please contact the Zoning Division at (407) 836-3111.

See Page 2 of application for the Appeal Submittal Process.



ORANGE COUNTY ZONING DIVISION
201 South Rosalind Avenue, 1st Floor, Orlando, Florida 32801
Phone: (407) 836-3111 Email: Zoning@ocfl.net
www.orangecountyfl.net

Board of Zoning Adjustment (BZA) Appeal Application

Appeal Submittal Process

1. Within 15 calendar days of the decision by the Board of Adjustment, the appellant shall submit the Board of Zoning Adjustment (BZA) Appeal Application to the Zoning Division in person. The application will be processed and payment of \$691.00 shall be due upon submittal. All justification for the appeal shall be submitted with the Appeal Application.
2. Zoning Division staff will request a public hearing for the subject BZA application with the Board of County Commissioners (BCC). The BCC hearing will be scheduled within forty-five (45) days after the filing of the appeal application, or as soon thereafter as the Board's calendar reasonably permits. Once the date of the appeal hearing has been set, County staff will notify the applicant and appellant.
3. The BCC Clerk's Office will provide a mailed public hearing notice of the hearing to property owners at a minimum of 500 feet from the subject property. Area Home Owner Associations (HOA) and neighborhood groups may also be notified. This notice will provide a map of the subject property, as well as a copy of the submitted appeal application.
4. Approximately one week prior to the public hearing, the memo and staff report of the request and appeal will be available for review by the applicant, appellant, and the public.
5. The decision of the BCC is final, unless further appealed to the Circuit Court. That process is detailed in [Section 30-46](#) of the Orange County Code.

BZA STAFF REPORT

Planning, Environmental & Development Services/ Zoning Division

Meeting Date: **SEPT 05, 2024**

Commission District: **#1**

Case #: **SE-24-08-065**

Case Planner: **Taylor Jones, AICP**

(407) 836-5944

Taylor.Jones@ocfl.net

GENERAL INFORMATION

APPLICANT(s): ROBERT ZIENGENFUSS FOR REX GROVES RV PARK

OWNER(s): REX GROVES LLC

REQUEST: Special Exception and Variances in the A-1 zoning district as follows:

- 1) Special Exception to allow an RV Park with 249 campsites
- 2) Variance to allow an accessory building (northern most restroom building) to be 43.8 ft. from campsites in lieu of 75 ft.
- 3) Variance to allow an accessory building (southeastern most restroom building) to be 51.3 ft. from campsites in lieu of 75 ft.
- 4) Variance to allow an accessory building (southwestern most restroom building) to be 30.5 ft. from campsites in lieu of 75 ft.

PROPERTY LOCATION: 5872 Rex Drive, Winter Garden, Florida, 34787, west side of Rex Drive., north of McKinney Rd., southwest of Cork St., adj to the Lake County line

PARCEL ID: 18-23-27-0000-00-003

LOT SIZE: 84.6 acres

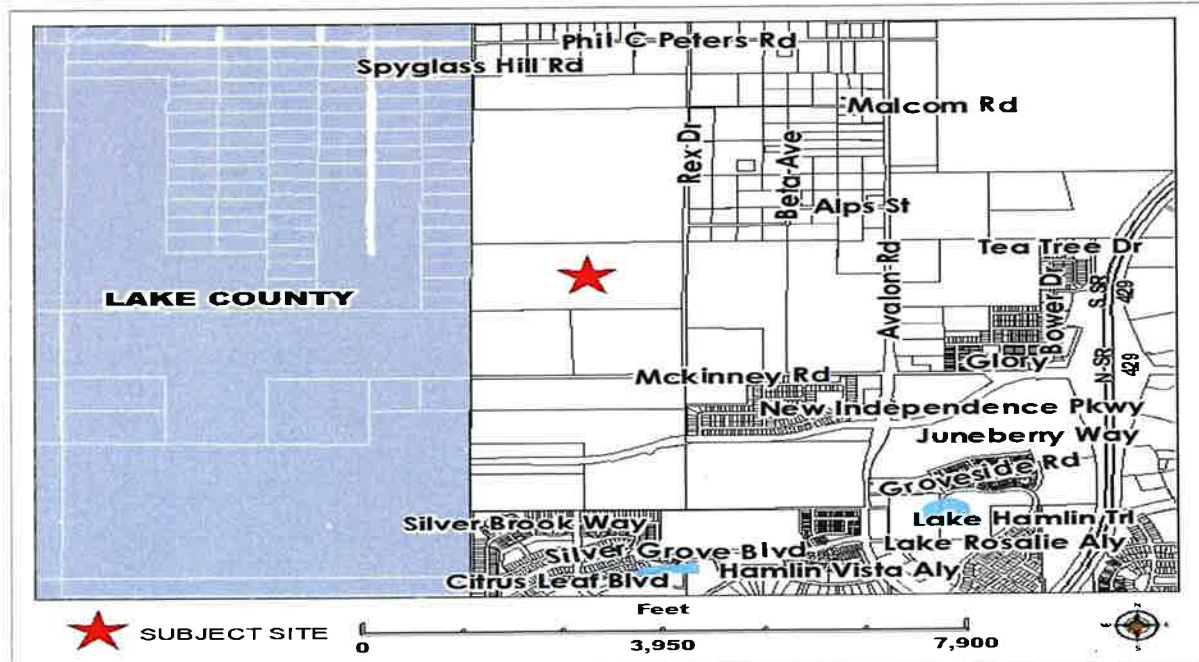
NOTICE AREA: 3,000

NUMBER OF NOTICES: 308

STAFF RECOMMENDATIONS

Denial. However, if the BZA should find that the applicant has satisfied the criteria necessary for the granting of a variance, staff recommends that the approval be subject to the conditions in this report.

LOCATION MAP



SITE & SURROUNDING DATA

	Property	North	South	East	West
Current Zoning	A-1	A-1	A-1	A-1	Lake County
Future Land Use	RS 1/5	RS 1/5	RS 1/5	RS 1/5 & RS 1/2	Lake County
Current Use	Orange grove and timber tract	Landfill	Orange County owned water treatment facility (RIBB site)	Vacant, cell tower	Single-family residential

BACKGROUND AND ANALYSIS

The subject property is located in the A-1, Citrus Rural district, which primarily allows agricultural uses, nurseries, and greenhouses, as well as mobile homes and single-family homes on larger lots. Certain non-agricultural, non-residential uses, such as religious institutions, schools, RV parks, and campgrounds are permitted through the Special Exception process.

The property is also located in the Lake Avalon Rural Settlement (LARS). Rural settlements are established through the Comprehensive Plan and are intended to identify areas with unique traits and characteristics which the residents of those areas wish to preserve. The rural settlement designation typically impacts such development factors as residential density, location and intensity of commercial and other nonresidential uses. In the Lake Avalon Rural Settlement (LARS) the maximum density is 1 unit per acre, and other portions allow 1 unit per 2 acres, while the majority of the LARS allows 1 unit per 5 acres, which includes the subject property. The stated purpose and intent of the LARS is to reinforce the rural character of the community, with acceptable commercial uses stated as being limited to small offices and small commercial developments, compatible with the existing rural development pattern. Per Comprehensive Plan Policy FLU8.1.1, General Note: c), consistency of A-1, A-2 and A-R zoning districts with a Rural Settlement FLUM designation is limited to: residential uses permitted by right or by special exception approval; and, non-residential uses requiring approval by special exception and which are common to all zoning districts consistent with a Rural Settlement FLUM designation. A use that is not common to all listed districts is not consistent with a Rural Settlement designation. The proposed use of an RV Park is not common to all districts, and is therefore not consistent.

The subject property is an 84.6 acre parcel that contains a citrus grove in the front half, and a timber tract of pine trees in the rear half, and is a conforming parcel. The parcel currently has an agricultural classification from the Property Appraiser. Per State Statute, properties that receive an agricultural classification are exempt from permitting requirements, building codes, zoning code, setbacks, and land development regulations of local municipalities for certain structures and buildings used in association with the bona fide agricultural use on site. The area is comprised of a landfill to the north, an Orange County owned water treatment facility (a RIBB site) to the south, a vacant citrus grove with a communication tower across Rex Dr. to the east, and single family dwellings to the west. The subject property's western boundary abuts the Lake County border, and the referenced dwelling units are located within Lake County.

The applicant is requesting a special exception for a Recreation Vehicle Park (RV Park) with 249 campsites and support facilities. The Orange County Code, Sec. 38-1527 defines an RV Park as follows:

Recreational vehicle park shall mean a place set aside and offered by a person or public body, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking and accommodation of six (6) or more recreational vehicles or tents utilized for sleeping or eating; and this term also includes buildings and sites set aside for group camping and similar recreational facilities. For the purposes of this article, the terms "campground," "camping resort," "RV resort," "travel resort," and "travel park," or any variations of these terms, shall be considered synonymous with the term "recreational vehicle park."

RV Parks are not permanent residences, and do not contain mobile homes, but rather are a type of campground. The code specifically notes that RV parks are for transient guests, and the maximum length of stay at an RV Park is 6 months.

RV Parks are permitted only in in the A-1, A-2, R-3, C-1, C-2, and C-3 zoning districts by special exception, subject to compliance with the requirements of Chapter 38, Article XIII - Campgrounds and recreational vehicle parks. This code section outlines standards for minimum overall acreage, recreation area, space size, setbacks, parking and roadway design, among other things.

The proposal includes 249 campsites, a 4,738 sq. ft. clubhouse and pool area, a 4,568 sq. ft. adult amenity center and pool area, a 1,200 sq. ft. registration building, an 11,590 sq. ft. event barn, a 2,394 sq. ft. museum, a 9,600 sq. ft. maintenance building, and 4 separate 954 sq. ft. restroom and laundry buildings. The facility also includes additional recreation areas including a dog park, sports courts, and a farm core area, as well as a wastewater treatment facility and dumpster enclosure for refuse. All of the proposed buildings and recreational facilities are ancillary to the RV Park use and support the use and are used to satisfy the required recreation area requirements of code under Sec. 38-1529(9).

While all of the proposed buildings and recreation areas are currently proposed in conjunction with the RV Park use, because this property has an agricultural classification, some of the buildings and uses are outright permitted, and exempt from compliance with zoning codes and permitting requirements, per the State Statute regulating agritourism. Similar to the exemption for bona fide agricultural uses previously mentioned, State Statutes exempt uses that meet the definition of agritourism activities from local government regulations, including zoning code. The statute defines agritourism activities as follows:

"Agritourism activity" means any agricultural related activity consistent with a bona fide farm, livestock operation, or ranch or in a working forest which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions. An agritourism activity does not include the construction of new or additional structures or facilities intended primarily to house, shelter, transport, or otherwise accommodate members of the general public. An activity is an agritourism activity regardless of whether the participant paid to participate in the activity.

Orange County has determined the event barn, museum, and farm core areas would all meet the definition of an agritourism activity and therefore be permitted on the property without the need for any zoning approvals, consistent with State Statute. However, the RV Park and clubhouse and pool area would not be considered to be agritourism activities, and require special exception approval. Should the special exception for the RV Park ultimately be denied, the agritourism activities of an event barn, museum, and farm core area would still be permitted on the property.

Sec. 38-1529(10) of the County code requires that campsites within an RV Park not be located within 75 ft. of any accessory buildings. Some of the campsites are proposed to be closer than 75 ft. from the restroom buildings proposed for the RV Park, necessitating all of the variance requests.

The applicant is proposing to put the campsites and the amenities in the rear portion of the parcel, within the existing timber tract and a portion of the citrus grove. Many of the existing pine trees in the timber tract are proposed to remain. The front half of the property that contains the citrus grove is to remain largely untouched, with the exception of the maintenance barn. There are currently 2 existing driveway entrances to the parcel from Rex Drive. These 2 driveways are proposed to be utilized for ingress and egress onto the parcel and to the campsites and amenities. Section 38-1426, Orange County Code requires 1.5 parking spaces per campsite, with at least 1 parking space being located within each campsite. The required parking would be 374 spaces, the applicant is providing 626 spaces, with 490 spaces being within the campsites, and 136 being provided within common areas, satisfying code.

The County Transportation Planning Division reviewed the traffic study provided by the applicant and provided comments that indicated that the proposed Development of 249 RV spaces will generate 884 new daily trips, of which 43 trips will occur during the A.M. peak hour (15 entering and 28 exiting) and 67 trips will occur during the P.M. peak hour (44 entering and 23 exiting).

The roadway segments in the traffic analysis were identified in consultation with Orange County to include those roadway segments within a 2.5-mile sphere of influence an analysis of P.M. peak traffic conditions on the roadway segments within the study area was conducted to assess the availability of capacity for the project. The capacity analysis reveals that all the roadway segments within the project's 2.5-mile impact area currently operate within their adopted Level of Service capacity except for the following segments:

- Avalon Road from Schofield Road to Stoneybrook West Parkway
- Summerlake Park Boulevard / Porter Road from Porter Road to Summerlake Groves Street
- Tilden Road from Avalon Road to Winter Garden-Vineland Road

As a result, the Developer/Applicant will be required to participate in the cost of improving the deficient roadway segments to secure concurrency. The participation will be on a proportionate share basis. The proportionate share cost of the improvement will have to be paid in order to obtain a Concurrency Encumbrance Letter (CEL) for the development. The Developer/Applicant will then be entitled to receive impact fee credits in the amount paid toward the improvements at the time of permitting.

On Thursday, July 17, 2024, a Community Meeting was held at Bridgewater Middle School to allow for input. The meeting was attended by the applicant, County staff, and at least 90 attendees. The attendees spoke negatively about the proposal, stating that it does not belong in a rural settlement, and had concerns about traffic and the impact on the surrounding roads, the lengths of stays, noise, and thought the number of spaces proposed were too high.

Staff recommends denial of Special Exception because the proposed use is not consistent with the Comprehensive Plan or compatible with the surrounding uses. Staff is also recommending denial of the Variances because the buildings could be placed in a code compliant location since this is a new development and the site plan could be revised to remove campsites or relocate the restroom buildings

At the date of the writing of this report, 27 comments have been received in opposition to the request and no comments have been received in support of the request.

District Development Standards

	Code Requirement	Proposed
Min. Lot Width:	100 ft.	1,318 ft.
Min. Lot Size:	0.5 acre	84.6 acres

Building Setbacks

	Code Requirement	Proposed
Front:	35 ft.	184 ft. East
Rear:	50 ft.	86.1 ft. West
Side:	10 ft.	152.9 ft. North 30.6 ft. South
Campsite Setback from Accessory Structures:	75 ft.	43.8 ft. (Northern most) (Variance # 1) 51.3 ft. (Southeastern most) (Variance # 2) 30.5 ft. (Southwestern most) (Variance #3)

STAFF FINDINGS

SPECIAL EXCEPTION CRITERIA

Consistent with the Comprehensive Plan

The use of an RV Park in the Rural Settlement is not consistent with the Comprehensive Plan. While the A-1 zoning district is consistent with the RS 1/5 Future Land Use designation, the Future Land Use and Zoning Correlation Table found in Policy FLU8.1.1 of the Orange County Comprehensive Plan, General Note c) states:

Consistency of A-1, A-2 and A-R zoning districts with a Rural Settlement FLUM designation is limited to: residential uses permitted by right or by special exception approval; and, non-residential uses requiring approval by special exception and which are common to all zoning districts consistent with a Rural Settlement FLUM designation. A use that is not common to all listed districts is not consistent with a Rural Settlement designation.

As RV Parks serve transient guests, they would not be considered a residential use. Additionally, Sec. 38-1526 of the County Zoning code notes that the purpose of RV Parks are to provide an environment in which recreational vehicles and tents may be located to enhance the enjoyment of leisure time activities on a temporary basis, and campgrounds and recreational vehicle parks are recognized as a significant tourist-attracting hospitality industry, further supporting that RV Parks are a non-residential use. Based on the policy listed above, non-residential uses requiring a special exception in A-1 are only consistent with a Rural Settlement (RS) future land use designation if the use is common to all districts listed in the correlation table. The other zoning districts listed as consistent with the Rural Settlement Future Land Use Designations are R-CE, R-CE Cluster, R-CE-2, R-CE-5. An RV Park is not a permitted use in any of those zoning districts, so an RV park would not be considered a use that is common to

all districts. Therefore, an RV Park in the A-1 zoning district with a property with the Future Land Use Designation of RS 1/5 would not be consistent with the Comprehensive Plan.

Further, Planning Division staff has noted that the proposed development is inconsistent with the Lake Avalon Rural Settlement Policies (FLU6.3.6) which state that the scale, intensity and types of commercial and office uses must be compatible with the existing rural development pattern of the Lake Avalon area.

Similar and compatible with the surrounding area

An RV Park with 249 spaces will not be similar and compatible with the surrounding area. While the site does abut other existing non-residential uses of a landfill and a water treatment site, and the use will be sufficiently screened from the road and has code compliant buffering, it would ultimately not be compatible with the overall rural settlement development pattern, and would introduce a more intense use than exists in the surrounding area. Further, the property directly abuts existing single family dwelling units to the west located in Lake County.

Shall not act as a detrimental intrusion into a surrounding area

The scale and intensity of the proposal will be a detrimental intrusion to the surrounding area.

Meet the performance standards of the district

The proposed use will meet all development standards, with the exception of the required setbacks from accessory structures to campsites, which necessitates the Variance requests. Staff is recommending denial of the variances.

Similar in noise, vibration, dust, odor, glare, heat generation

The proposed use of an RV Park will generate noise and traffic that is not similar to the adjacent non-residential uses, or the abutting residential use.

Landscape buffer yards shall be in accordance with Section 24-5 of the Orange County Code

The proposed use will utilize a Type E buffer, which is 25 ft. wide, on all property boundaries, satisfying the requirements of Chapter 24 for RV Parks. The proposed use is also maintaining many of the existing pine trees on the north side of the property, and much of the existing citrus grove on the east, front of the property.

VARIANCE CRITERIA

Special Conditions and Circumstances

There are no special conditions or circumstances peculiar to the land or building which are not applicable to others in the same district. The campsites could be reconfigured or the total number reduced, or the restroom buildings could be relocated to meet code.

Not Self-Created

The need for the variances is self-created, as the site is vacant currently, and an alternative design could be proposed for the location of the campsites or restroom facilities that satisfies code and meets the 75 ft. setback.

No Special Privilege Conferred

Granting the variances as requested would confer special privilege, as an RV park could still be designed to satisfy the setback requirement.

Deprivation of Rights

There is no deprivation of rights as the site could be designed to meet the setbacks.

Minimum Possible Variance

The request is not the minimum possible as the campsites could be reconfigured or total number reduced, or the restroom buildings could be relocated to meet code.

Purpose and Intent

Approval of the requested variance would not be in harmony with the purpose and intent of the Zoning Regulations, as the code is primarily focused on minimizing the impact that structures have on abutting campsites. The overall site is over 84 acres, and an alternative design could be proposed that satisfies code.

CONDITIONS OF APPROVAL

1. Development shall be in accordance with the site plan dated July 22, 2024, and elevations dated May 14, 2024, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).
2. 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.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. Permits for the required sitework improvements and all building shall be obtained within 3 years of final action on this application by Orange County or this approval is null and void. The zoning manager may extend the time limit if proper justification is provided for such an extension.
5. Lighting shall be low intensity and conform to "dark sky" standards of downward projected, "full cut-off" illumination that shields light from being emitted upwards toward the night sky or surrounding natural areas. To be full cut-off, the light bulb shall not extend below the lamp shade. The height of any exterior light pole fixture shall be limited to twenty-five (25) feet and utilize a residential scaled fixture.

C: Robert Ziegenfuss
1201 E. Robinson Street
Orlando, FL 32801

Jacob Schrimsher
Rex Groves LLLP
600 E. Colonial Drive Suite 100
Orlando, FL 32803

REX GROVES NARRATIVE / COVER LETTER

Project Description:

The subject property is comprised of approximately 84.6 acres in Lake Avalon Rural Settlement in unincorporated Orange County. The owner is requesting a special exception for 277 RV sites located on the western ~40 acres of the property. The property is currently used for agriculture. The eastern ~40 acres are existing citrus groves and the western ~40 acres are planted in silviculture (pine trees). Adjacent to the north is the landfill owned by Waste Management Inc. The land to the south is the County's Conserve II water reclamation project. The land to the west is undeveloped in Lake County. The land to the east is planted in citrus.

The owner proposes thinning the pine trees for roads and RV sites while leaving the Orange Groves mostly undisturbed. The owner is proposing an amenity area including food service and pool along with a building for RV guest reception. As part of the on-site amenities, the project includes an area focused on the agricultural history of the area including a citrus museum/discovery center, an event barn and a maintenance barn/ greenhouse. While RV uses are allowed by special exception in the Agriculture zoning district, the buildings and fencing will comply with the Lake Avalon Rural Settlement Commercial Design Overlay District. The intent of the project is to provide an ability for guests to enjoy the quite rural lifestyle enjoyed by the residents of Lake Avalon Rural Settlement while learning more about West Orange County's agricultural history.

SPECIAL EXCEPTION CRITERIA Section 38-78, Orange County Code stipulates specific criteria to be met for all Special Exception requests. No application for a Special Exception can be approved unless the BZA finds that the following criteria are met:

1. The use shall be consistent with the Comprehensive Policy Plan. The use as RV sites is allowed as an Agricultural Use in the Comprehensive Plan and is consistent with the policies which protect the Rural Settlements.
2. The use shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development. The surrounding area has a confluence of uses including agricultural uses, water reclamation and a landfill. The closest homesite is approximately 1,600 feet from an RV site or the RV amenity area, which is screened by landscape buffer and 40 acres of citrus groves.
3. The use shall not act as a detrimental intrusion into a surrounding area. The area surrounding the property is comprised of a landfill, water reclamation and other agricultural uses. The proposed use will not act as a detrimental intrusion but instead will enhance the rural lifestyle enjoyed by the Lake Avalon Rural Settlement residents. The use will also protect this property against the pressure to develop as single family homes.
4. The use shall meet the performance standards of the district in which the use is permitted. The project is not seeking any variances from the A-1 performance standards.
5. The use shall be similar in noise, vibration, dust, odor, glare, heat producing and other characteristics that are associated with the majority of uses currently permitted in the zoning district. The property is zoned A-1. The proposed use of RV site will not produce any dust, odor, glare nor heat producing

impacts. Any noise associated with the RV sites will be mitigated by the fact that they are approximately 1,000 feet from the road and adjacent to the Waste Management's landfill.

6. Landscape buffer yards shall be in accordance with section 24-5 of the Orange County Code. Buffer yard types shall track the district in which the use is permitted. As depicted on the site plan, the project exceeds the buffer yard types for the proposed use.



M. REBECCA WILSON

Shareholder

rebecca.wilson@lowndes-law.com

215 North Eola Drive, Orlando, Florida 32801-2028

T: 407-418-6250 | F: 407-843-4444

MAIN NUMBER: 407-843-4600



July 31, 2024

VIA E-MAIL

Taylor Jones
Orange County Zoning Division
201 S. Rosalind Avenue, First Floor
Orlando, Florida 32801

Re: Variance Request with Special Exception for Rex Groves

Dear Taylor:

Orange County LDC section 38-1529(10) states that "No part of any campsite shall be within seventy-five (75) feet of any accessory, sanitary or service building." The proposed Rex Groves Site Plan seeks seven (7) specific variances for campsite locations proximate to three (3) accessory buildings. The accessory buildings include restrooms, showers, laundry facilities and trash drop off (not pump stations). As shown in the architectural details supplied as part of this Special Exception, each building is designed to be aesthetically pleasing and compliment the character of the campsites. Some campsite users prefer proximity to the restrooms and showers especially those with young children. Since the wastewater is handled in the wastewater treatment facility, as opposed to a septic system, the potential for odor is significantly reduced.

(1) Special Conditions and Circumstances. The proposed RV park is locating the RV campsite uses as far away from Rex Road as possible in order to be invisible and imperceptible from the roadway. In order to accomplish this, we have clustered the campsites on the rear of the property.

(2) Not Self Created. The applicant has not created the special condition described above but offers this as a concession to the neighbors in order to address compatibility with the Lake Avalon Rural Settlement.

(3) No Special Privilege Conferred. The request does not confer to the applicant a special privilege denied to others in the same zoning district. This zoning district allows RV parks as special



July 31, 2024

Page 2

exception only and each special exception must demonstrate compliance with the criteria set forth in Section 38-78.

(4) Deprivation of Rights. If the applicant were required to comply with the literal interpretation of the code, it would expand the campsite into the area currently being preserved as citrus trees and providing a buffer to Rex Road.

(5) Minimum Possible Variance. There are 249 RV campsites and only 7 are within the 75 feet setback to the accessory structure (approximately 2.8%). The closest a campsite is to the northern accessory building is ~43 Feet. The closest a campsite is to the southeastern accessory buildings is ~51 feet. The closest a campsite is to the southwestern accessory building is ~30.5 feet. Note that all accessory buildings meet or exceed the county's property line setbacks and landscape buffers.

(6) Purpose and Intent. The proposed variance is not injurious to the neighborhood or detrimental to the public welfare since it only impacts the internal layout of the campsites. A campsite's proximity to an accessory building only impacts the experience of the guest. Each guest may choose to near such accessory building or choose a campsite which is more remote.

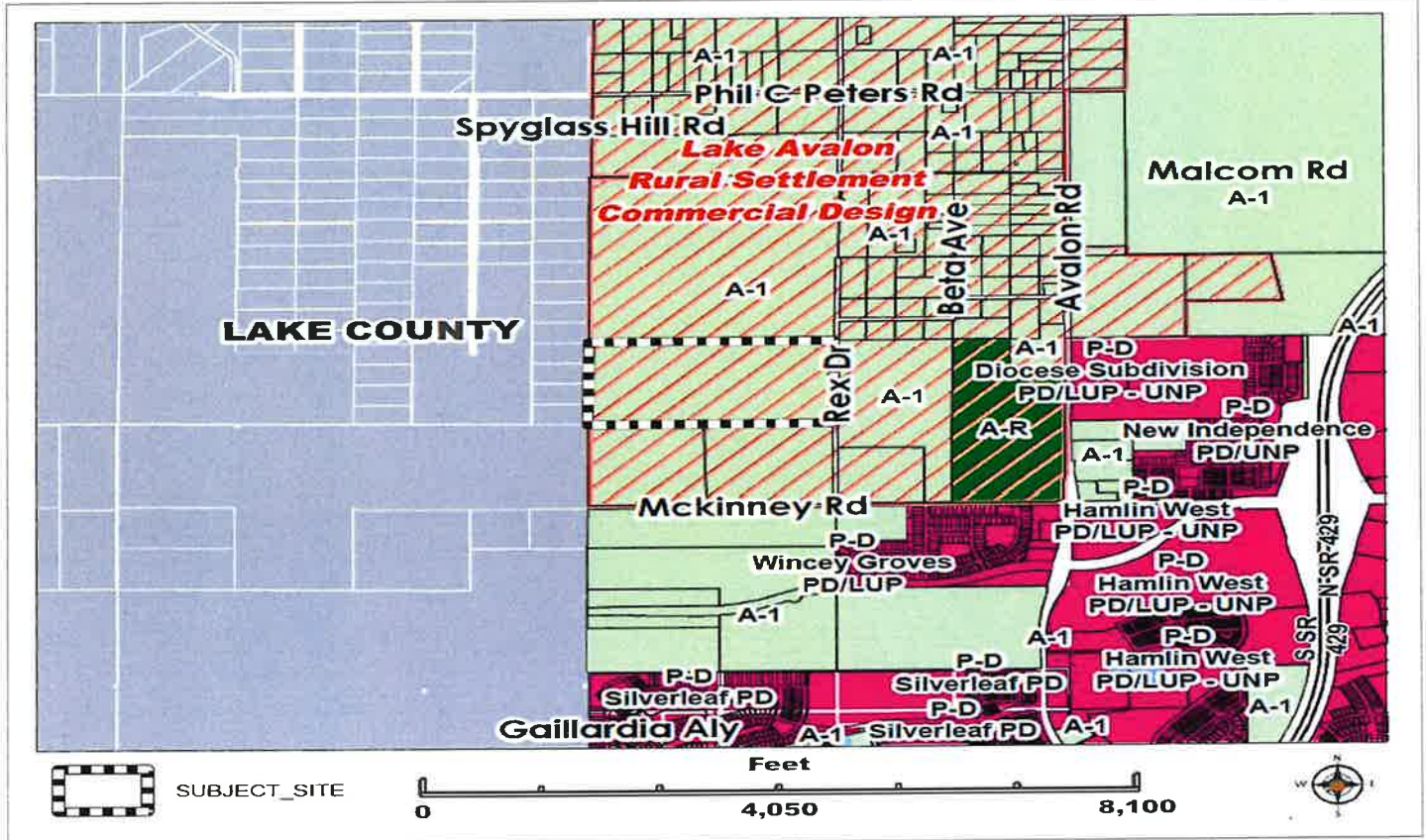
Very truly yours,



M. Rebecca Wilson
Shareholder

MRW/kej

ZONING MAP



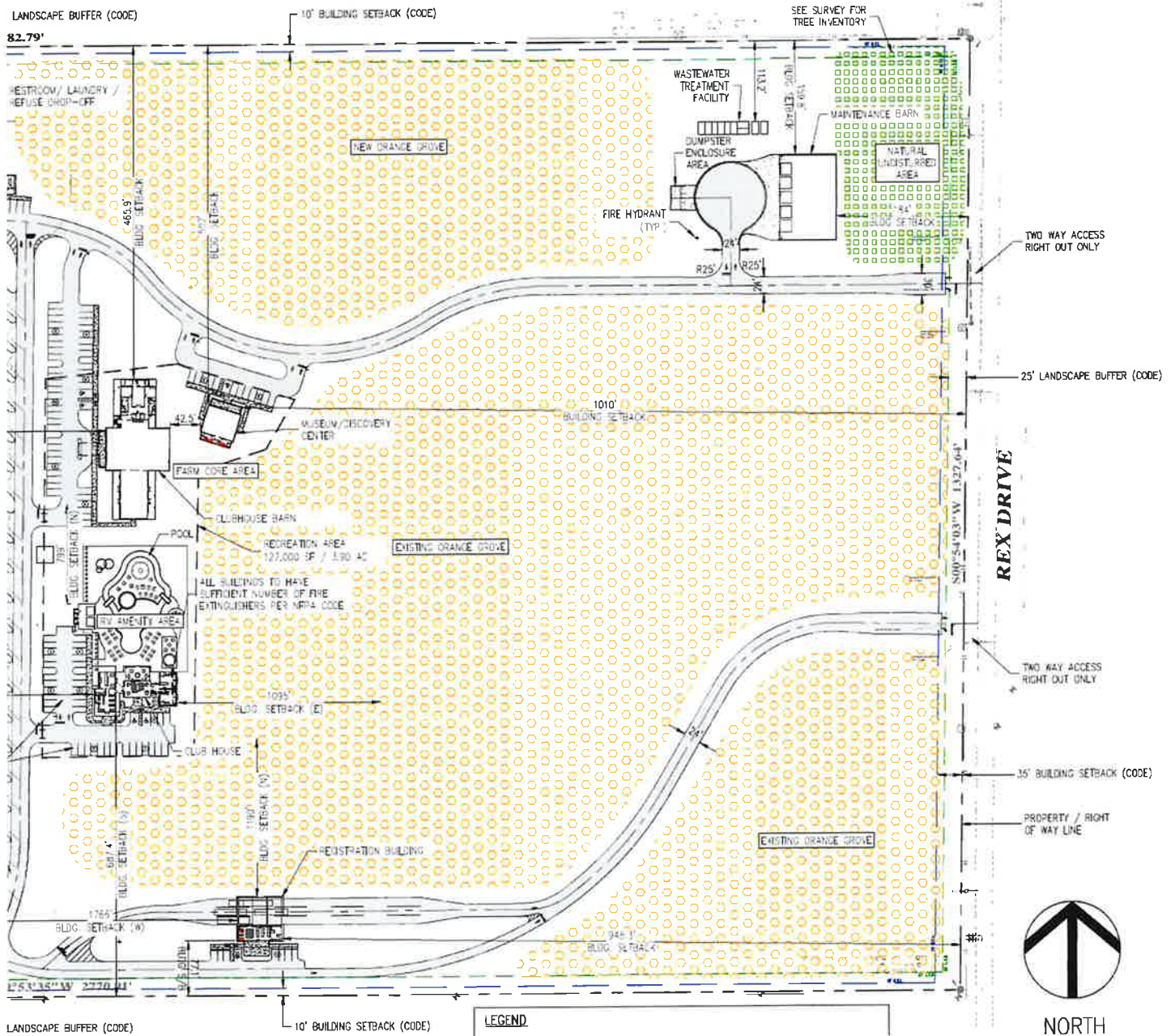
AERIAL MAP



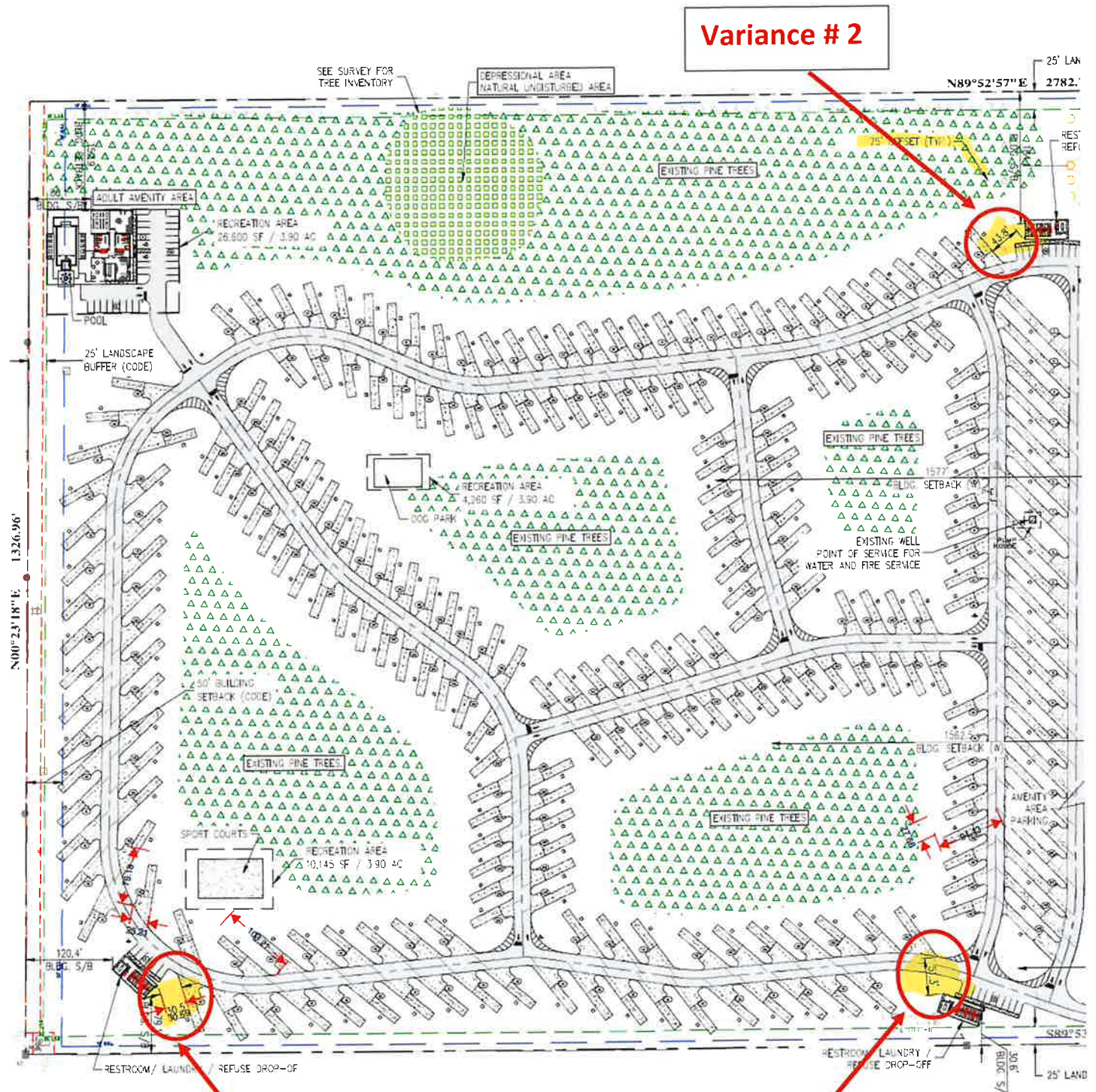
SITE PLAN



SITE PLAN (Enhanced – front half of property)



SITE PLAN (Enhanced – rear half of property)

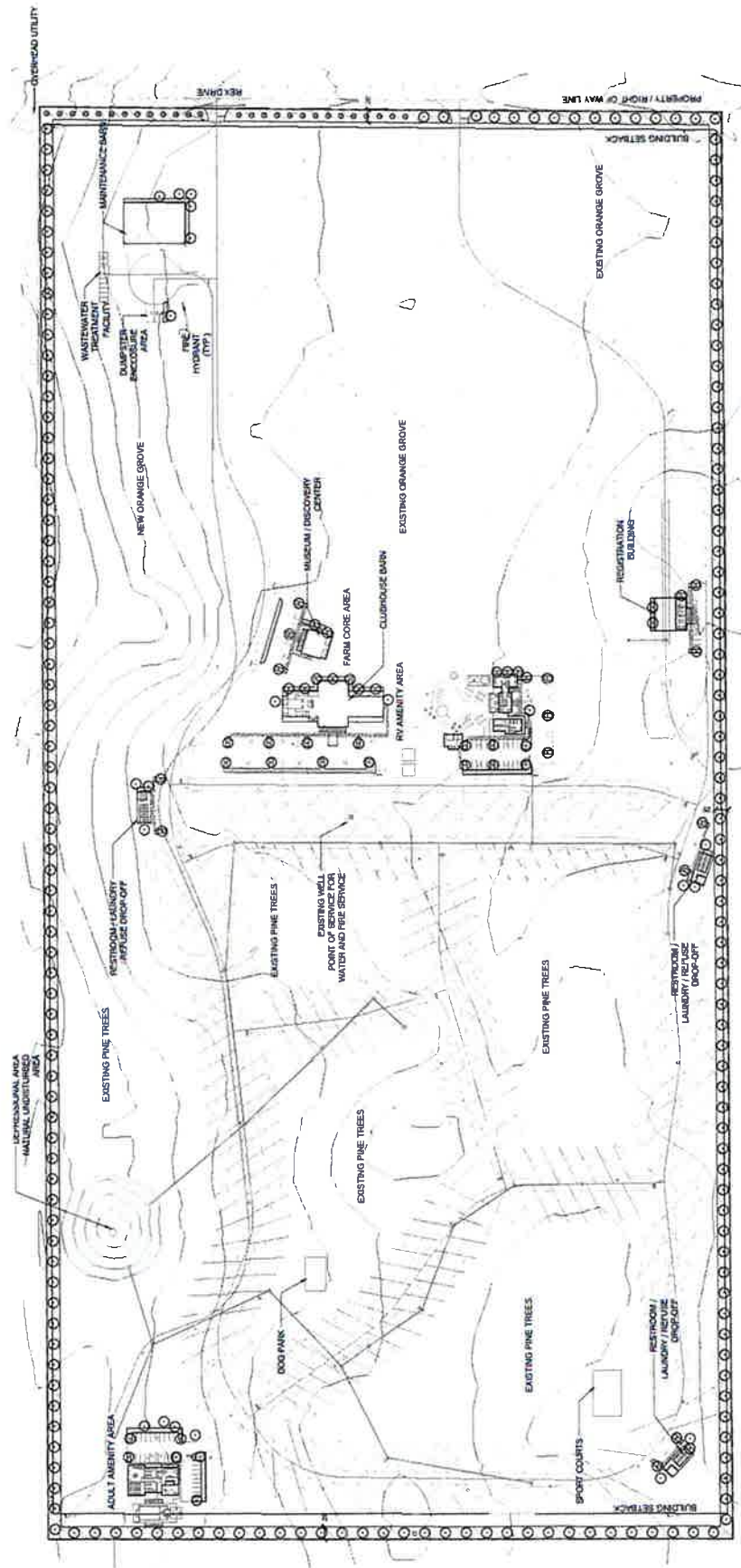


Variance # 3

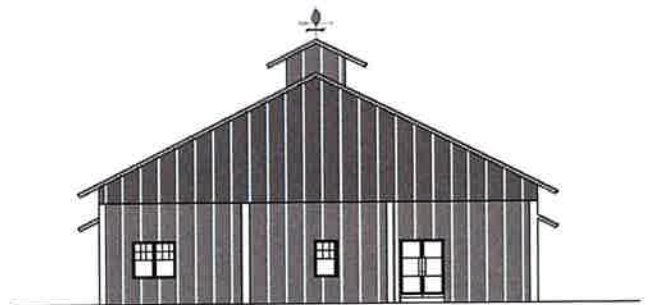
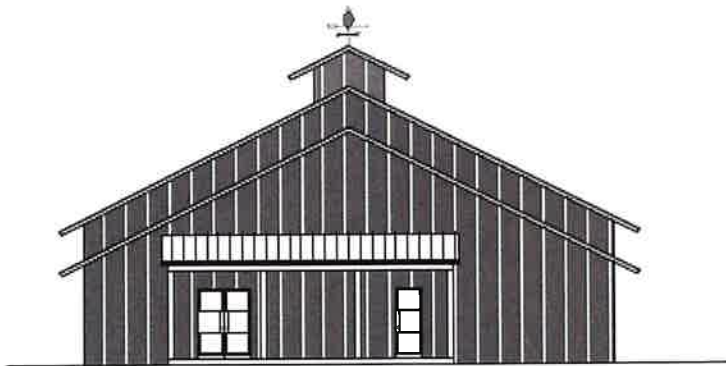
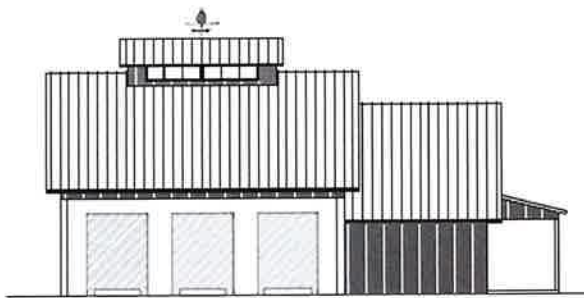
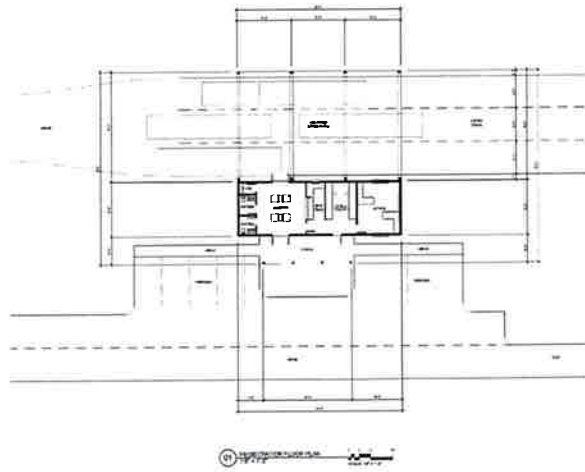
Variance # 2



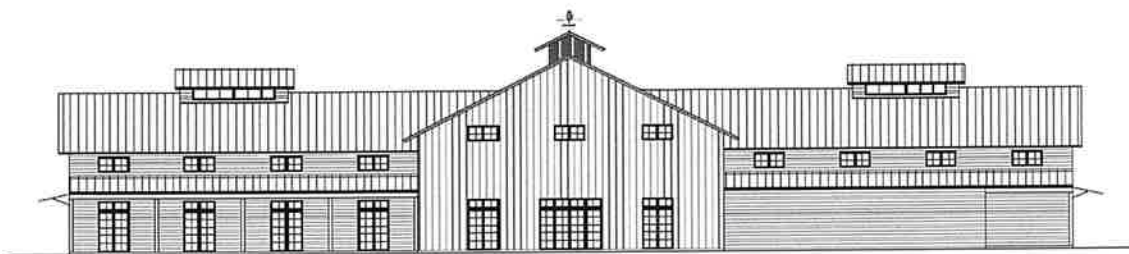
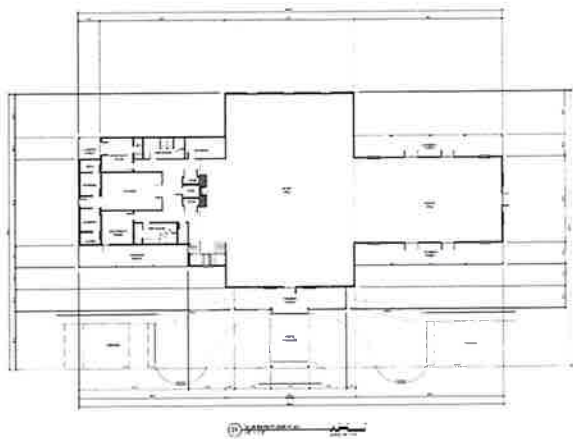
LANDSCAPE PLAN



FLOOR PLANS AND ELEVATIONS



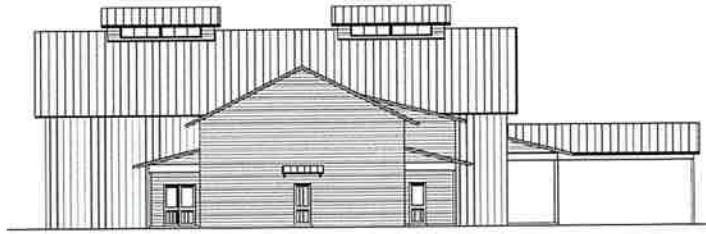
FLOOR PLANS AND ELEVATIONS



04 CLUB BARN REAR ELEVATION
1/8" = 1'-0" SCALE: 1/8" = 1'-0"



03 CLUB BARN RIGHT ELEVATION
1/8" = 1'-0" SCALE: 1/8" = 1'-0"

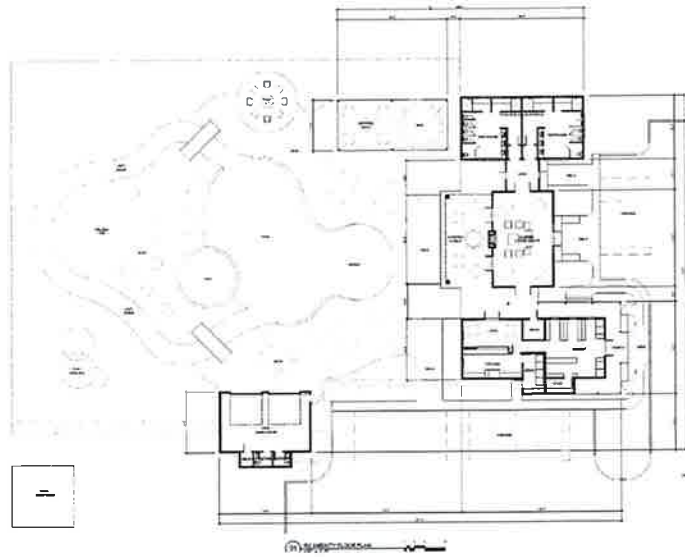


02 CLUB BARN LEFT ELEVATION
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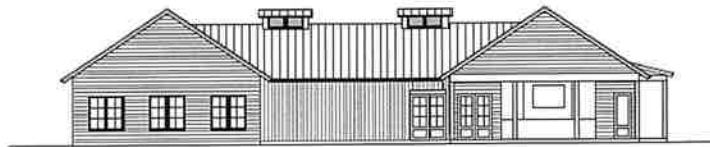
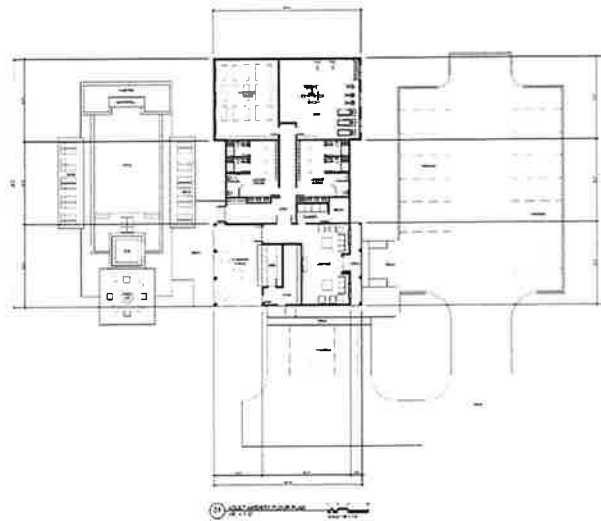


01 CLUB BARN FRONT ELEVATION
1/8" = 1'-0" SCALE: 1/8" = 1'-0"

FLOOR PLANS AND ELEVATIONS



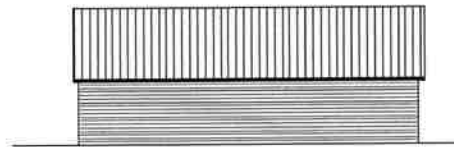
FLOOR PLANS AND ELEVATIONS



04 ADULT AMENITY REAR ELEVATION
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03 ADULT AMENITY RIGHT ELEVATION
1/8" = 1'-0" SCALE: 1/8" = 1'-0"

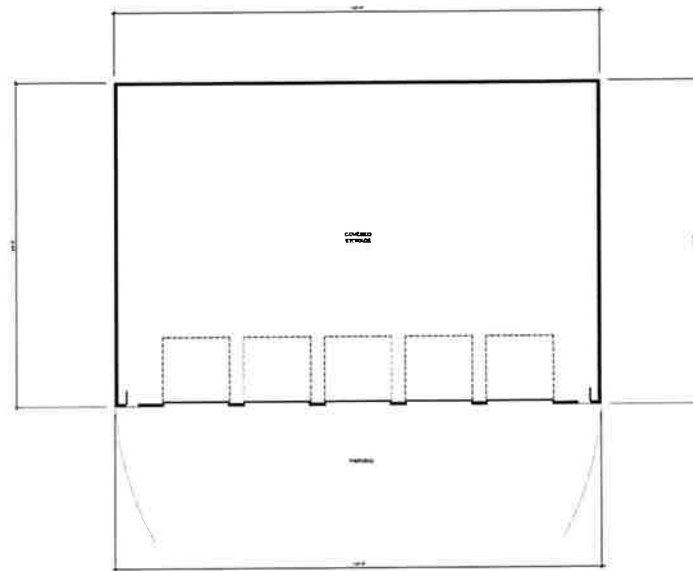


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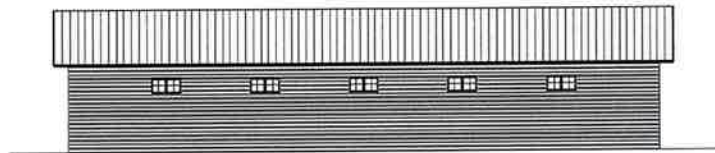


01 ADULT AMENITY FRONT ELEVATION
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FLOOR PLANS AND ELEVATIONS



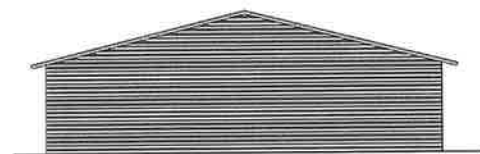
01 MAINTENANCE BARN FLOOR PLAN
1/8" = 1'-0"



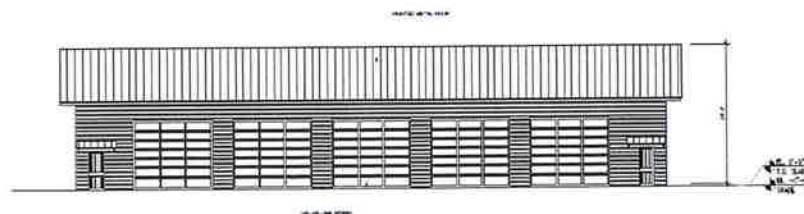
04 MNT. BARN REAR ELEVATION
1/8" = 1'-0"



03 MNT. BARN LEFT ELEVATION
1/8" = 1'-0"

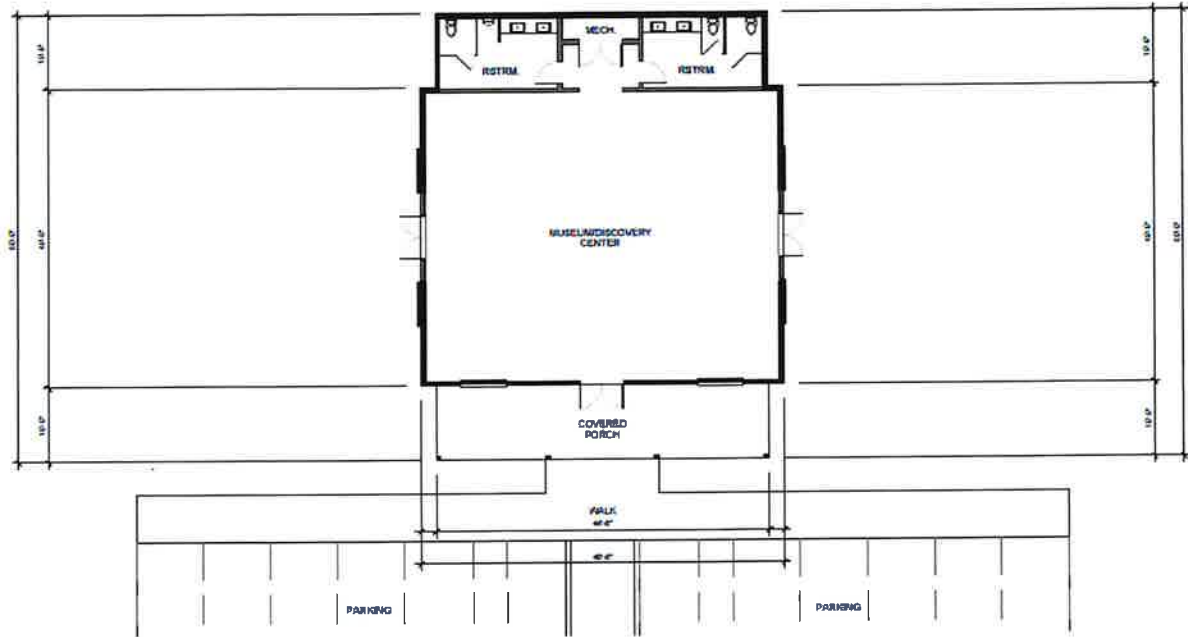


02 MNT. BARN RIGHT ELEVATION
1/8" = 1'-0"



01 MNT. BARN FRONT ELEVATION
1/8" = 1'-0"

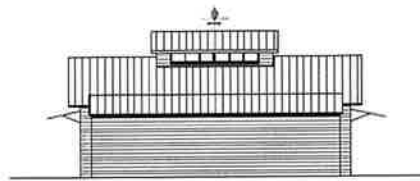
FLOOR PLANS AND ELEVATIONS



01 MUSEUM/DISCOVERY CNTR. FLOOR PLAN
1/8" = 1'-0" SCALE: 1/8" = 1'-0"



05 MUSEUM/DISCOVERY CNTR. LEFT ELEVATION
1/8" = 1'-0" SCALE: 1/8" = 1'-0"



04 MUSEUM/DISCOVERY CNTR. REAR ELEVATION
1/8" = 1'-0" SCALE: 1/8" = 1'-0"

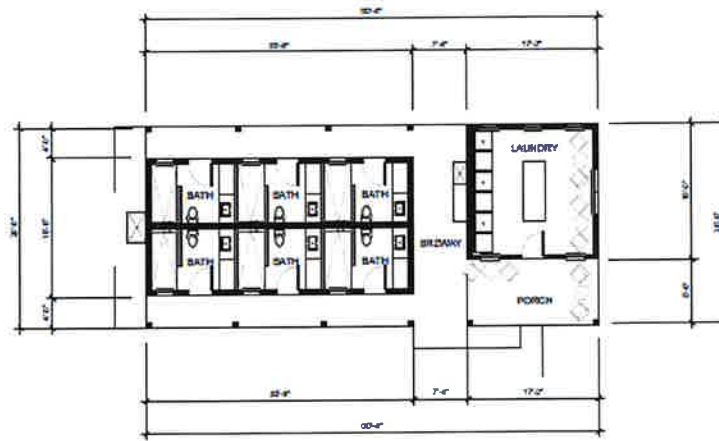


03 MUSEUM/DISCOVERY CNTR. RIGHT ELEVATION
1/8" = 1'-0" SCALE: 1/8" = 1'-0"



02 MUSEUM/DISCOVERY CNTR. FRONT ELEVATION
1/8" = 1'-0" SCALE: 1/8" = 1'-0"

FLOOR PLANS AND ELEVATIONS



01 RESTROOM/LAUNDRY FLOOR PLAN
1/8" = 1'-0"
SCALE 1/8" = 1'-0"



05 RESTROOM/LAUNDRY LEFT ELEVATION
1/8" = 1'-0"
SCALE 1/8" = 1'-0"



04 RESTROOM/LAUNDRY REAR ELEVATION
1/8" = 1'-0"
SCALE 1/8" = 1'-0"



03 RESTROOM/LAUNDRY RIGHT ELEVATION
1/8" = 1'-0"
SCALE 1/8" = 1'-0"



02 RESTROOM/LAUNDRY FRONT ELEVATION
1/8" = 1'-0"
SCALE 1/8" = 1'-0"

SITE PHOTOS



Facing west, towards front of subject property from Rex Dr.



Facing north down Rex Dr., subject property to left side of road

SITE PHOTOS



Facing south down Rex Dr., subject property to right side of road



Facing north toward abutting landfill, from middle-northern portion of site, at tree line



Side yard, facing west. Northern property boundary at fence.



Existing pine forrest on site, facing west, from the middle of the property



Side yard, facing west, at southern property boundary. County RIBB site is left of fence.



Rear yard, facing west, at southeast property boundary, toward Lake County.



Rear yard, facing north, along 25 ft. easement. East boundary, abutting Lake County is fence line.



Rear yard, facing northwest towards Lake County, looking at abutting properties