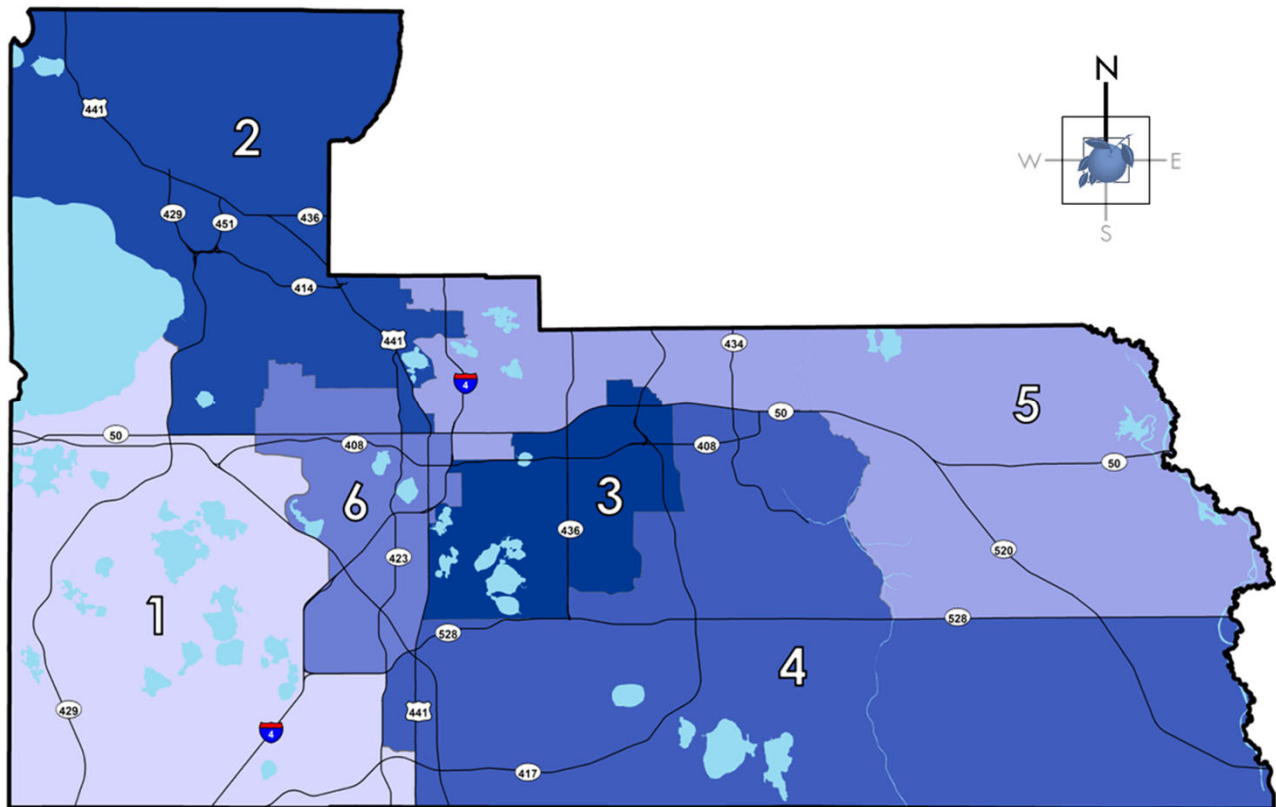




PLANNING AND ZONING COMMISSION
LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

JULY 18, 2024



PREPARED BY:

ORANGE COUNTY GOVERNMENT
PLANNING DIVISION | CURRENT PLANNING SECTION

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

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July 18, 2024

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I. Conventional Rezoning Hearing					
RZ-23-03-002 George Dennison	R-CE to R-1AA Restricted	2 & 6	Approval with two (2) restrictions	Approval with three (3) restrictions	No
RZ-23-06-052 Zaid Hasan	A-1 to R-1 Restricted	2	Approval with one (1) restriction	Approval with one (1) restriction	No
RZ-24-06-034 Darryl Anglin	A-2 to R-T-1	5	Approval	Denial	No
RZ-24-06-039 Sandra Lee Newson	C-1 to C-3	2	Continue to August 15, 2024	Continued to August 15, 2024	No

SITE & BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Site and Principal Building Requirements

District	Min. Lot Area ^M (sq. ft.)	Min. Living Area/floor area (sq. ft.)	Min. Lot width (ft.)	^A Min. Front yard (ft.)	^A Min. Rear yard (ft.)	^A Min. Side yard (ft.)	^A Min. Side street Yard (ft.)	Max. Building Height (ft.)	NHWE Setback (ft.)	Max. FAR/Density sq. ft./du/ac	Additional Standards
A-1	SFR 21,780 (½ acre)	850	100	35	50	10	15	35	50 ^A	L	
	Mobile home 2 acres	850	100	35	50	10	15	35	50 ^A	L	
A-2	SFR 21,780 (½ acre)	850	100	35	50	10	15	35	50 ^A	L	
	Mobile home 2 acres	850	100	35	50	10	15	35	50 ^A	L	
A-R	108,900 (2½ acres)	950	270	35	50	25	15	35	50 ^A	L	
R-CE	43,560 (1 acre)	1,500	130	35	50	10	15	35	50 ^A	L	
R-CE-2	2 acres	1,200	185	45	50	30	15	35	50 ^A	L	
R-CE-5	5 acres	1,200	250	50	50	45	15	35	50 ^A	L	
R-1AAAA	21,780(½ acre)	1,500	110	30	35	10	15	35	50 ^A	L	
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	15	35	50 ^A	L	
R-1AA	10,000	1,200	85	25/30 ^H	30/35 ^H	7.5	15	35	50 ^A	L	
R-1A	7,500	1,200	75	20/25 ^H	25/30 ^H	7.5	15	35	50 ^A	L	
R-1	5,000	1,000	50	20/25 ^H	20/25 ^H	5/6 ^H	15	35	50 ^A	L	
R-2	One-family dwelling, 4,500	1,000	45 ^C	20/25 ^H	20/25 ^H	5/6 ^H	15	35	50 ^A	L	38-456
	Two dwelling units, 8,000/9,000	500/1,000 per dwelling unit ^D	80/90 ^D	20/25 ^H	25	5/6 ^H	15	35	50 ^A	L	38-456
	Three dwelling units, 11,250	500 per dwelling unit	85 ^J	20/25 ^H	30	10	15	35 ^E	50 ^A	L	38-456
	Four or more dwelling units, 15,000	500 per dwelling unit	85 ^J	20/25 ^H	30	10 ^B	15	35 ^E	50 ^A	L	38-456; limited to 4 units per building
R-3	One-family dwelling, 4,500	1,000	45 ^C	20/25 ^H	20/25 ^H	5	15	35	50 ^A	L	38-481
	Two dwelling units, 8,000/9,000	500/1,000 per dwelling unit ^D	80/90 ^D	20/25 ^H	20/25 ^H	5/6 ^H	15	35	50 ^A	L	38-481
	Three dwelling units, 11,250	500 per dwelling unit	85 ^J	20/25 ^H	30	10	15	35 ^E	50 ^A	L	38-481
	Four or more dwelling units, 15,000	500 per dwelling unit	85 ^J	20/25 ^H	30	10 ^B	15	35 ^E	50 ^A	L	38-481
R-L-D	N/A	N/A	N/A	10 for side entry garage, 20 for front entry garage	15	0 to 10 ^S	15	35 ^Q	50 ^A	L	38-605
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	15	35	50 ^A	L	38-578

District	Min. Lot Area ^M (sq. ft.)	Min. Living Area/floor area (sq. ft.)	Min. Lot width (ft.)	^A Min. Front yard (ft.)	^A Min. Rear yard (ft.)	^A Min. Side yard (ft.)	^A Min. Side street Yard (ft.)	Max. Building Height (ft.)	NHWE Setback (ft.)	Max. FAR/Density sq. ft./du/ac	Additional Standards
R-T-1 SFR	4,500 ^C	1,000	45	20	20	5	15	35	50 ^A	L	
Mobile Home	4,500 ^C	Min. mobile home size 8 ft. x 35 ft.	45	20	20	5	15	35	50 ^A	L	
R-T-2 (zoned prior to 1/29/73)	6,000	SFR 500 Min. mobile home size 8 ft. x 35 ft.	60	25	25	6	15	35	50 ^A	L	
(zoned after 1/29/73)	21,780	SFR 600 Min. mobile home size 8 ft. x 35 ft.	100	35	50	10	15	35	50 ^A	L	
NR	One family dwelling, 4,500	1,000	45 ^C	20	20	5	15	35/3 stories	50 ^A	L	38-1748
	Two dwelling units, 8,000	500 per dwelling unit	80	20	20	5	15	35/3 stories	50 ^A	L	38-1748
	Three dwelling, 11,250	1,000	45 ^C	20	20	5	15	35/3 stories	50 ^A	L	38-1748
	Four or more dwelling, units, 1,000 plus, 2,000 per dwelling unit	500 per dwelling unit	85	20	20	10	15	50/4 stories	50 ^A	L	38-1748
	Townhouse 1,800	750 per dwelling unit	20	25, 15 for rear entry driveway	20,15 for rear entry garage	0,10 for end units	15	40/3 stories	50 ^A	L	38-1748
NAC	Nonresidential and mixed use development, 6,000	500	50	0/10 maximum 60% of building frontage must conform to maximum setback	15,20 adjacent to single-family zoning district	10,0 if buildings are adjoining	15	50 feet	50 ^A	L	38-1741
	One family dwelling, 4,500	1,000	45 ^C	20	20	5	15	35/3 stories	50 ^A	L	38-1741
	Two dwelling units, 11,250	500 per dwelling unit	80	20	20	5	15	35/3 stories	50 ^A	L	38-1741
	Three dwelling, 11,250	500 per dwelling unit	85	20	20	10	15	35/3 stories	50 ^A	L	38-1741
	Four or more dwelling, units, 1,000 plus, 2,000 per dwelling unit	500 per dwelling unit	85	20	20	10	15	50 feet/4 stories, 65 feet with ground floor retail	50 ^A	L	38-1741
	Townhouse 1,800	750 per dwelling unit	20	25, 15 for rear entry driveway	20,15 for rear entry garage	0,10 for end units	15	40/3 stories	50 ^A	L	38-1741

District	Min. Lot Area ^M (sq. ft.)	Min. Living Area/ floor area (sq. ft.)	Min. Lot width (ft.)	^A Min. Front yard (ft.)	^A Min. Rear yard (ft.)	^A Min. Side yard (ft.)	^A Min. Side street Yard (ft.)	Max. Building Height (ft.)	NHWE Setback (ft.)	Max. FAR/ Density sq. ft./ du/ac	Additional Standards
NC	Nonresidential and mixed use development, 8,000	500	50	0/10 maximum 60% of building frontage must conform to maximum setback	15,20 adjacent to single-family zoning district	10,0 if buildings are adjoining	15	65 feet	50 ^A	L	38-1734
	One family dwelling, 4,500	1,000	45 ^C	20	20	5	15	35/3 stories	50 ^A	L	38-1734
	Two dwelling units, 8,000	500 per dwelling unit	80	20	20	5	15	35/3 stories	50 ^A	L	38-1734
	Three dwelling, 11,250	500 per dwelling unit	85	20	20	10	15	35/3 stories	50 ^A	L	38-1734
	Four or more dwelling, units, 1,000 plus, 2,000 per dwelling unit	500 per dwelling unit	85	20	20	10	15	65 Feet, 80 feet with ground floor retail	50 ^A	L	38-1734
	Townhouse 1,800	N/A	20	25, 15 for rear entry driveway	20,15 for rear entry garage	0,10 for end units	15	40/3 stories	50 ^A	L	38-1734
P-O	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 feet for each add. story	15	35	50 ^A	L	38-806
C-1	6,000	500		25	20	0; or 15 ft. when abutting residential district	15	50; or 35 within 100 ft. of any residential use or district	50 ^A	L	38-830
C-2	8,000	500		25	15; or 25 when abutting residential district	5; or 25 when abutting residential district	15	50; or 35 within 100 ft. of any residential use or district	50 ^A	L	38-855
C-3	12,000	500		25	15; or 30 when abutting residential district	5; or 25 when abutting residential district	15	75; or 35 within 100 ft. of any residential use or district	50 ^A	L	38-880
I-1A	N/A	N/A	N/A	35	25, or 30 ft. when abutting residential district ^N	25, or 30 ft. when abutting residential district ^N	15	50; or 35 within 100 feet of any residential use or district	50 ^A	L	38-907

District	Min. Lot Area ^M (sq. ft.)	Min. Living Area/floor area (sq. ft.)	Min. Lot width (ft.)	^A Min. Front yard (ft.)	^A Min. Rear yard (ft.)	^A Min. Side yard (ft.)	^A Min. Side street Yard (ft.)	Max. Building Height (ft.)	NHWE Setback (ft.)	Max. FAR/Density sq. ft./du/ac	Additional Standards
I-1/I-5	N/A	N/A	N/A	35	25, or 50 ft. when abutting residential district ^N	25, or 50 ft. when abutting residential district ^{N/O}	15	50; or 35 within 100 feet of any residential use or district	50 ^A	L	38-932
I-2/1-3	N/A	N/A	N/A	25	10, or 60 ft. when abutting residential district ^P	15, or 60 ft. when abutting residential district ^P	15	50; or 35 within 100 feet of any residential use or district	50 ^A	L	38-981
I-4	N/A	N/A	N/A	35	10, or 75 ft. when abutting residential district ^N	25, or 75 ft. when abutting residential district ^N	15	50; or 35 within 100 feet of any residential use or district	50 ^A	L	38-1008
U-R-3	Four or more dwelling units, 15,000	500 per dwelling unit	85 ^J	20/25 ^H	30	10 ^B	15	35	50 ^A	L	

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	<p>Setbacks shall be measured 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 Chapter 15, Article VII, Lakeshore Protection, and Chapter 15, Article X, Wetland Protection, 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 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.</p> <p>A lot which is part of a subdivision, the plat of which has been lawfully recorded, or a parcel of land, the deed of which was lawfully recorded on or before August 31, 1982, either of which has a depth of less than one hundred fifty (150) feet above the normal high water elevation contour, shall be exempt from the fifty-foot setback requirement set forth in section 38-1501. Instead, the setbacks under the respective zoning district requirements shall apply as measured from the normal high water elevation contour.</p>
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. feet 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, the minimum duplex lot size is 8,000 square feet, and the minimum living area is 500 square feet. For detached units, the minimum duplex lot width is 90 feet, the minimum duplex lot size is 9,000 square feet, and minimum living area is 1,000 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. Existing developed duplex lots that are either platted or lots of record existing prior to 3/3/97 and are at least 75 feet in width and have a lot size of 7,500 square feet or greater, shall be deemed to be vested and shall be considered as conforming lots for width and/or size.
E	Multifamily residential buildings in excess of one story in height within 100 feet of the property line of any single-family dwelling district and use (exclusive of 2 story single family and 2 story two-family dwellings), requires a special exception.
F	Reserved.
G	Reserved.
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.

<i>J</i>	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.
<i>K</i>	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%.
<i>L</i>	Subject to the Future Land Use designation.
<i>M</i>	Developable land area.
<i>N</i>	Rear yards and side yards may be reduced to zero (0) when the rear or side property lines about the boundary of a railroad right-of-way, but only in those cases where an adjacent wall or walls of a building or structure are provided with railroad loading and unloading capabilities.
<i>O</i>	One of the side yards may be reduced to zero (0) feet, provided the other side yard on the lot shall be increased to a minimum building setback of fifty (50) feet. This provision cannot be used if the side yard that is reduced is contiguous to a residential district.
<i>P</i>	Rear yards and side yards may be reduced to zero when the rear or side property lines about the boundary of a railroad right-of-way, but only in those cases where an adjacent wall or walls of a building or structure are provided with railroad loading and unloading capabilities; however, no trackage shall be located nearer than three hundred (300) feet from any residential district.
<i>Q</i>	The maximum height of any structure shall be two stories or thirty-five (35) feet; provided, that no structure (exclusive of single-family and two-family dwellings) shall exceed one story in height within one hundred (100) feet of the side or rear lot line of any existing single-family residential district.
<i>R</i>	A ten-foot front setback may also be permitted for the dwelling unit when a front entry garage is set back at least twenty (20) feet from the front property line.
<i>S</i>	Minimum side building separation is ten (10) feet. The side setback may be any combination to achieve this separation. However, if the side setback is less than five (5) feet, the standards in section 38-605(b) of this district shall apply.

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-23-06-052

Commission District: #2&6

GENERAL INFORMATION

APPLICANT:	George D. Dennison II Esq.
OWNER:	Adolfo Molina
HEARING TYPE:	Planning and Zoning Commission
REQUEST:	R-CE (Rural Country Estate District) to R-1AA Restricted (Single-Family Dwelling District)
LOCATION:	1932 Good Homes Road; generally west and east of Good Homes Rd, north of Lake Hill Cir.
PARCEL ID NUMBER:	15-22-28-4716-00-541
SIZE / ACREAGE:	6.46-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]. Two hundred fifty-three (253) notices were mailed to those property owners in the surrounding area.
COMMUNITY MEETING:	An in-person community meeting was held on July 8, 2024, and is summarized further in this report.
PROPOSED USE:	Up to Fourteen (14) Single-Family Detached Homes

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend Approval of the requested R-1AA Restricted (Single-Family Dwelling District) zoning subject to the following restrictions:

1. There shall be no residential lots west of Good Homes Road; and
2. There shall be no residential lots located closer than 100 feet east of Good Homes Road.

SUBJECT PROPERTY ANALYSIS

Overview

The applicant is seeking to rezone the subject property from R-CE (Rural Country Estate District) to R-1AA (Single-Family Dwelling District) with the intent to construct a subdivision of up to fourteen (14) single-family residential detached units east of Good Homes Road. The updated concept plan has proposed ten (10) homes.

The subject property consists of one (1) parcel with total acreage of 6.46 acres and has been platted as Lot 54 within Florida Good Homes Company in 1915. It is located in the Urban Service Area (USA). The Future Land Use Map (FLUM) designates the subject property as Low Density Residential (LDR) and allows four (4) units per acre. A rezoning is required since the LDR FLUM is inconsistent with the R-CE (Rural Country Estate District) zoning district.

The subject property is located in the Wekiva Study Area that requires at least thirty-five (35) percent or greater to be preserved as open space. Open space shall be primarily larger, contiguous parcels rather than in linear strips to encourage maintenance of rural views, lifestyles, and economies and shall be comprised mainly of existing undisturbed natural areas. Policy OS1.3.6 states, that any sensitive resource elements shall be permanently protected if the residential land uses located within the Urban Service Area in the Wekiva Study Area.

The surrounding area is made up of large single-family lots. The lots along Good Homes Road are larger with a range of 0.75 acre and 165 feet wide to 0.50 acre and 100 feet wide. The lots to the north are mostly 0.30 acre in size and 112 feet wide. There are some smaller lots approximately 0.25 acre and 100 feet wide as well. The lots to the southwest and southeast are 0.25 acre in size and range in width from 75 feet to 85 feet. The lots to the east are approximately 1-acre in size and 200 feet wide. The proposed R-1AA zoning district would require minimum 85' wide and minimum 10,000 square foot lots (0.23 acre).

Development within this property will be required to connect to Orange County Utilities wastewater system.

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

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

Code Enforcement

No cases found.

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 (LDR), FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

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

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

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

Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use	Vacant
Adjacent Zoning	N: R-CE (Rural Country Estate District) 1981, R-1AA (Single-Family Dwelling District) 1999 E: R-1AA (Single-Family Dwelling District) 1984 W: R-CE (Rural Country Estate District) 1981 S: R-1A (Single-Family Dwelling District) 1958
Adjacent Land Uses	N: Single-Family Residential E: Single-Family Residential W: Lake Florance S: Single-Family Residential

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

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

Building Setbacks

Front:	25 ft.
Rear:	30 ft.
Side:	7.5 ft.

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

Environmental

CAD Complete - An Orange County Conservation Area Determination CAD-23-09-158 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on 3/21/24. The CAD identified 0.91 acre of Class I wetland/surface water within the subject property boundaries.

Delineated Groundwater Contamination Area- A portion of the project site is located within a delineated area of groundwater contamination for ethylene dibromide (EDB) as defined by the Florida Department of Environmental Protection (FDEP). EPD may request a Phase I Environmental Site Assessment (ESA) to be submitted prior to any plan or permit approvals. A well permitted in a delineated area must be tested before it can be cleared for use. The Department of Health (DOH) is responsible for the collection and testing of water samples. If a well is located in a delineated area, the water management district will either require more rigorous well construction standards or connection to a public water system. Reference Chapter 62-524 New Potable Water Well Permitting in Delineated Areas of the Florida Administrative Code (FAC).

Wekiva Study Area - 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, stormwater treatment and conservation, and increased buffer widths. Reference OC Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection.

Wekiva Priority Focus Area - This site is located within the Wekiva Priority Focus Area. If a septic system is required, the Springs and Aquifer Protection Act (section 373.811(2) F.S.) requires advanced treatment of Onsite Sewage Treatment and Disposal System (OSTDS) loads in the Wekiwa Spring and Rock Springs Basin Management Plan (BMAP) of June 2018. Per this requirement, lots less than one acre within the Priority Focus Area must comply with the OSTDS Remediation Plan that requires systems with nitrogen reducing enhancements within the BMAP. Contact the Florida Department of Health (FDOH) for details of advanced septic treatment system requirements.

Boat Docks or Ramps - Approval of this plan/request does not constitute approval of a permit for the construction of a boat dock (including: boardwalks or observation piers in wetlands or in wetland buffer areas) or a boat ramp. Any person desiring to construct a boat dock or boat ramp within this county shall first apply for a permit prior to the installation. A boat dock shall require additional permitting under OC Code Chapter 15, Article IX, Construction of Boat Dock Ordinance and a boat ramp shall require additional permitting under OC Code Chapter 15, Article XV, Boat Ramp Facility.

No Clearing - No construction, clearing, filling, alteration or grading is allowed within or immediately adjacent to a conservation area or easement (includes the conservation area and the wetland setback/buffer) without first obtaining a Conservation Area Impact (CAI) permit approved by the county and obtaining other applicable jurisdictional agency permits. Reference OC Code Chapter 15, Article X Wetland Conservation Areas.

Septic Systems - If septic is required, the lots shall be configured to accommodate requirements of the Individual On-Site Sewage Disposal Ordinance regarding setbacks, lot size, soils, distance to potable water supply wells, and elevations. Especially note setbacks: no less than 75 feet from jurisdictional wetlands and the design high water level of normally wet stormwater retention areas, and 150 feet from the normal high water elevation (NHWE) of surface water bodies and canals connected to surface water bodies. Reference OC Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal, Section 37-540.

Transportation / Access

Based on the Concurrency Management database (CMS) dated 5/15/2023, there is a failing roadway segment within the project's impact area along Good Homes Rd, from White Rd to Colonial Dr. This information is dated and subject to change. Prior to building permit approval, a Concurrency Application through the Concurrency Management office will be required. A Traffic Study may be required at that time.

Schools

The Formal School Capacity Determination letter provided by Orange County Public Schools states that school capacity for the following development is not available. Capacity is available at the Elementary School (Citrus) and High School (Ocoee), but is not available at the Middle School (Robinswood). Existing adjusted utilization at the middle school is 107.5% and if this project is approved, the adjusted utilization would increase by 1.692 students to 107.7%.

Parks and Recreation

No comments.

Community Meeting Summary

Per PZC direction from June 20th, 2024, a community meeting was requested. It was held at the Citrus Elementary School on July 8th at 6-7pm with attendance of 20 residents. The main concerns were existing unsafe traffic conditions, such as speeding, blind curve on Good Homes Rd, car accidents, semi-trucks, flooding of Good Homes rd. The roadway conditions are unsafe for existing conditions and putting more houses would make it even more dangerous for new residents. Fix the problems of Good Homes Rd, it needs a new turn lane, efficient drainage, traffic control. Other concerns were existing wells being effected by the storm water pond, privacy. Some people were in support of the proposed 10 homes, and were glad that the density was reduced from 17 homes, some wanted this property to become a conservation land without any development.

Utilities Service Area (Availability of services may vary)

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

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

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

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

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

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – June 20, 2024

Make a finding of consistency with the Comprehensive Plan and recommend Approval of the requested R-1AA Restricted (Single-Family Dwelling District) zoning subject to the following restrictions:

1. There shall be no residential lots west of Good Homes Road;
2. There shall be no residential lots located closer than 100 feet east of Good Homes Road; and
3. Development shall be limited to ten (10) single-family homes.

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 Restricted (Single-Family Dwelling District) zoning. The applicant was present for the hearing and agreed with the staff's recommendation. There were four (4) members of the public who appeared in opposition during public comment of the request.

Staff indicated that two hundred fifty-three (253) notices were sent to property owners and residents extending 700 feet surrounding the property, and that staff had received 16 commentaries in opposition, and zero (0) in favor regarding this request. Those opposed are concerned that the proposed development is incompatible with established neighborhoods, too many homes, the development could lead to contamination of groundwater used for drinking water in wells, increase in pollution, car accidents, traffic, loss of trees and animal habitat, and noise from construction.

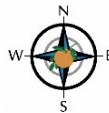
After discussion regarding the proposed restrictions, zoning setbacks, wildlife, and proposed Vision 2050 standards, Commissioner Evans made a motion which was seconded by Commissioner Wiggins to recommend APPROVAL of the requested R-1AA Restricted (Single-Family Dwelling District) zoning with the addition of a 3rd restriction to limit the number of homes permitted to 10 homes. The motion carried on a 7-0 vote.

Motion / Second	<i>Camille Evans / George Wiggins</i>
Voting in Favor	<i>Camille Evans, George Wiggins, Michael Arrington, Gordon Spears, Evelyn Cardenas, Eric Gray and Nelson Pena</i>
Voting in Opposition	<i>None</i>
Absent	<i>Eddie Fernandez and David Boers</i>


RZ-23-06-052



 Subject Property

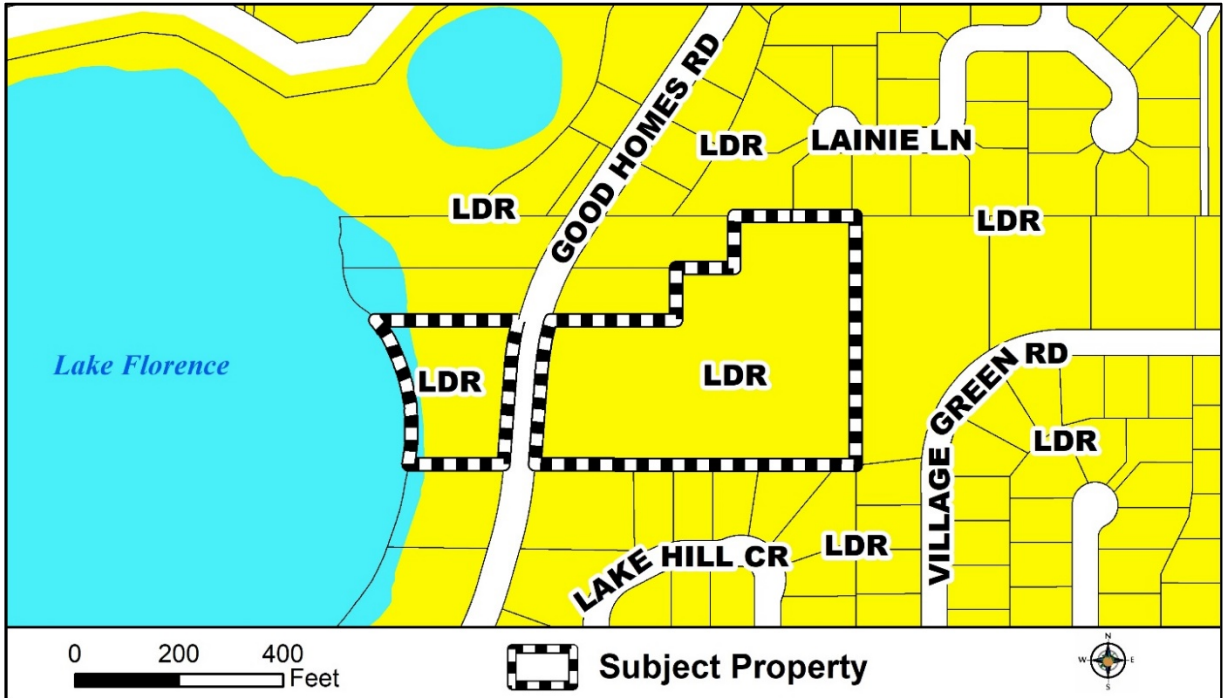


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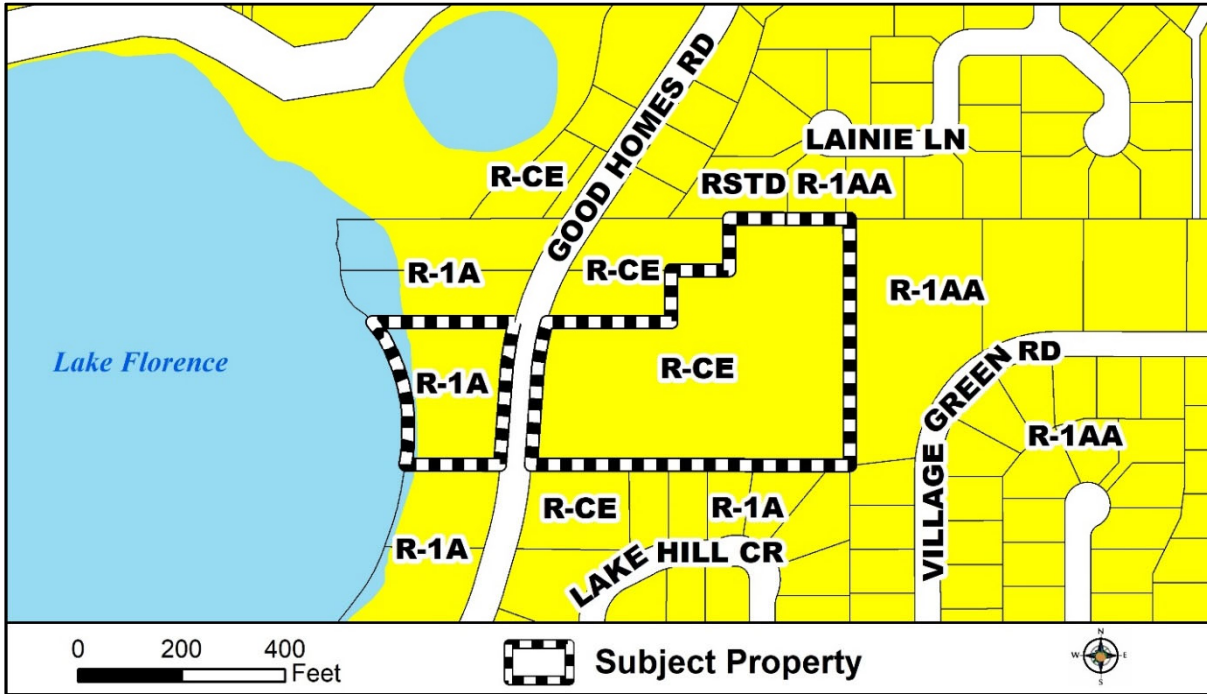
FUTURE LAND USE – CURRENT

Low Density Residential (LDR)



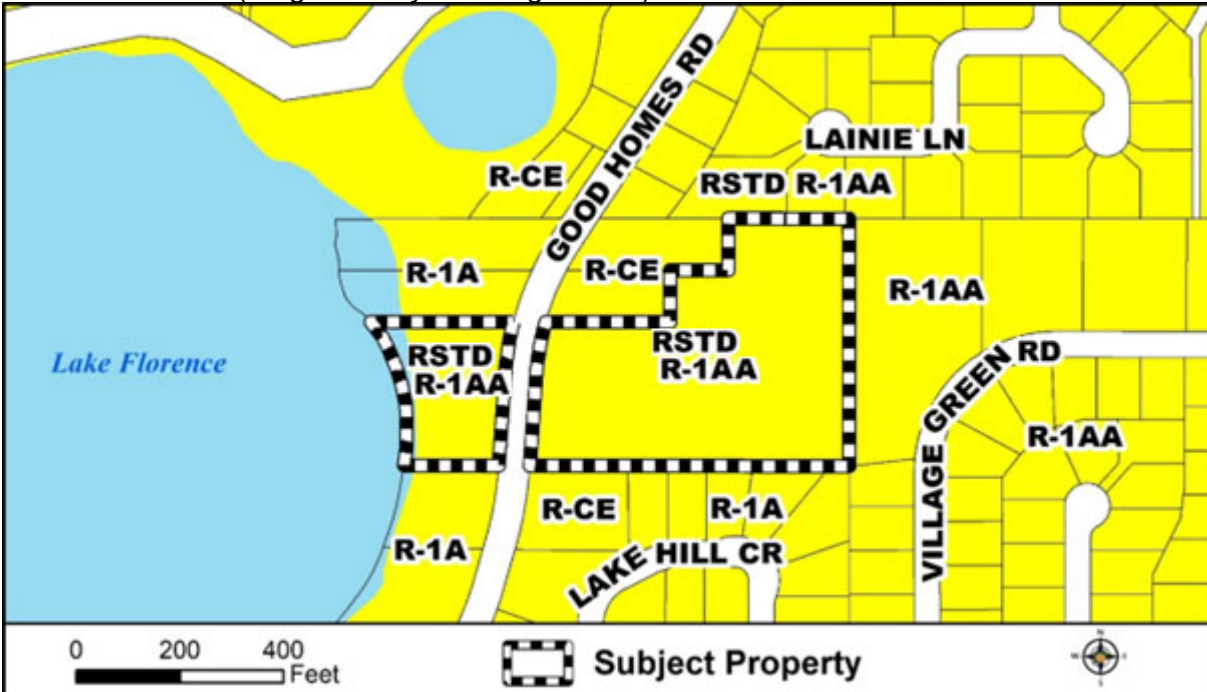
ZONING – CURRENT

R-CE (Country Estate District) and R-1A (Single-Family Dwelling District)



ZONING – PROPOSED

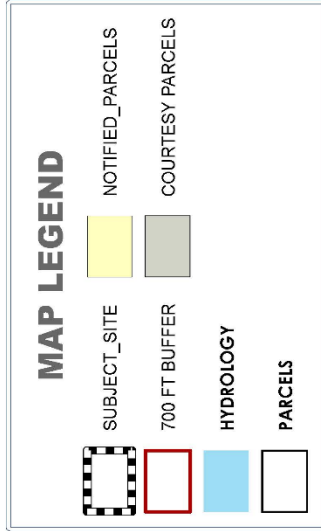
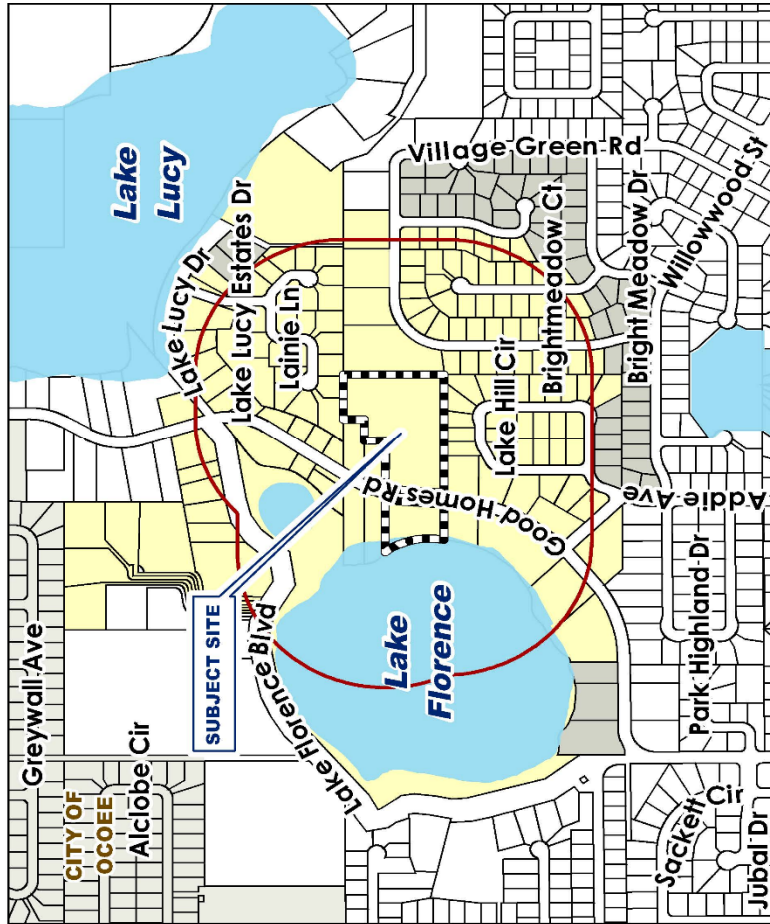
R-1AA Restricted (Single-Family Dwelling District)



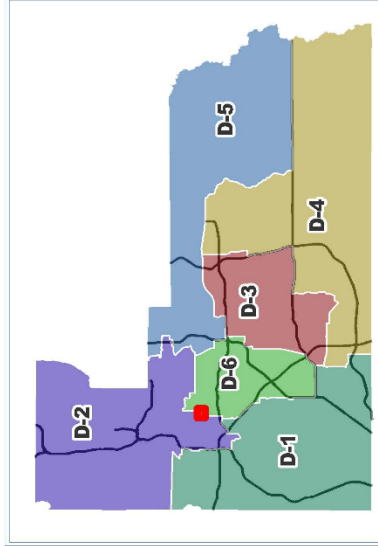
NOTIFICATION MAP

Public Notification Map

RZ-23-06-052



BUFFER DISTANCE: 700 FT
 # OF NOTICES: 253



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CASE # RZ-24-04-016

Commission District: #2

GENERAL INFORMATION

APPLICANT:	Zaid Ali Hasan
OWNERS:	Uruk Investment & General Trading, LLC
HEARING TYPE:	Planning and Zoning Commission
REQUEST:	A-1 (Citrus Rural District) to R-1 Restricted (Single-Family Dwelling District)
LOCATION:	1800 and 1801 S Washington Ave; generally located west of Clarcona Rd, south of W. Cleveland St, east of Hawthorne Ave.
PARCEL ID NUMBERS:	21-21-28-0004-00-150, 21-21-28-0004-00-170
SIZE / ACREAGE:	8.06-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]. Four hundred one (401) notices were mailed to those property owners in the surrounding area.
COMMUNITY MEETING:	An in-person community meeting was held on April 25, 2024, and is summarized further in this staff report.
PROPOSED USE:	32 Detached Single-Family Dwelling Units

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend Approval of the requested R-1 Restricted (Single-Family Dwelling District) zoning, subject to the following restriction:

- 1) The minimum lot width shall be 60 feet.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property was zoned A-1 (Citrus Rural District) in 1957 prior to the implementation of the Orange County Comprehensive Plan. These lots were platted in 1962 and remain undeveloped. Both of the subject properties consisted of two separate lots which have since been combined. The current zoning designation of A-1 is inconsistent

with the Future Land Use designation of Low Density Residential (LDR). A-1 is only consistent with LDR Future Land Use when a property is in a Rural Residential Enclave.

Through this request, the applicant is seeking to rezone the subject property from A-1 (Citrus Rural District) to R-1 Restricted (Single-Family Dwelling District) to allow for the construction of up to 16 single-family dwelling units per lot, totaling 32 units overall. 35% open space will be required at the time of the preliminary subdivision plan per comprehensive plan policy OS1.3.6 (Wekiva Open Space standards).

The immediate area is developed with detached single-family residential units with a variety of zoning designations including A-1 (Citrus Rural District), R-1 (Single-Family Dwelling District), R-1A (Single-Family Dwelling District), and R-2 (Residential District). The lots in this area range from 68 ft to 100 ft in width.

The subject properties are within the City of Apopka Joint Planning Area. The adjacent City of Apopka properties to the west are zoned Planned Development (PD) and to the east the property is zoned Agriculture (AG).

The proposed development is within the City of Apopka service area for water and wastewater. Connection to water is available and required. Connection to wastewater is not required and these properties will be reliant on septic. These properties will also be subject to advanced septic requirements.

Land Use Compatibility

The R-1 Restricted (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

Rural Settlement

The subject property is not located in a Rural Settlement.

Joint Planning Area (JPA)

The subject property is located in the City of Apopka JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

Code Enforcement

No cases found.

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-1 (Single-Family Dwelling District) zoning is consistent with the Low Density Residential (LDR) FLUM designation; therefore

a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

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

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

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

SITE DATA

Existing Use	Undeveloped
Adjacent Zoning	N: R-1A (Single-Family Dwelling District) 1968 E: R-1 (Single-Family Dwelling District) 1957 W: City of Apopka S: A-1 (Citrus Rural District)
Adjacent Land Uses	N: Single-Family Residential

E: Vacant, Single-Family Residential
W: Vacant Residential
S: Single-Family Residential

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

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

Building Setbacks

Front: 20 ft.
Rear: 20 ft.
Side: 5 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

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1 zoning district is provide residential development similar in general character to the R-1AA and R-1A zoning districts, but with smaller minimum lots and yards, and a corresponding increase in population density.

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

Environmental

Wekiva Study Area - 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, stormwater treatment and conservation, and increased buffer widths. Reference OC Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection.

Wekiva Priority Focus Area and BMAP Enhanced Septic/Sewer Requirement - This site is located within the Wekiva River and Wekiwa/Rock Springs Basin Management Action Plan (BMAP) Areas and must comply with the applicable requirements of Section 373.811 and Section 403.067, Florida Statutes, as amended;

Within a BMAP Area, the installation of new onsite sewage treatment and disposal systems (OSTDS) is prohibited where connection to a central wastewater system is available as defined in s. 381.0065(2)(a).

On lots of one acre or less within a BMAP Area where a central wastewater system is not available, the installation of enhanced nutrient-reducing OSTDS that achieve at least 65 percent overall nitrogen reduction is required.

Contact the Florida Department of Health (FDOH) for individual determination and details of this enhanced OSTDS. Contact the utility provider regarding options to connect to sewer.

Gopher Tortoise Burrowing Suitability - This site has soil that is highly suitable for gopher tortoise habitat. There is an increased likeliness for presence of gopher tortoise burrows. The applicant shall comply with the Florida Fish & Wildlife Conservation Commission (FWC) regulations. Forward any related permits to the Orange County Environmental Protection Division.

Waste Management Facility Proximity - This site is located within one mile of the City of Apopka Water Treatment Facility, the Keene Road Landfill (closed) and the Vista Landfill. Potential odor and noise disturbance to residents should be considered during design. Prospective property owners should be notified of this proximity. Reference OC Comprehensive Plan, Solid Waste Element SW1.7.4.

Transportation / Access

Based on the Concurrency Management database (CMS) dated 03/20/2024, there are multiple failing roadway segments within the project's impact area. This information is dated and subject to change. This information is dated and subject to change. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office will be required. A traffic study may be required at this time.

Schools

The OCPS Capacity Determination shows that capacity is available for the proposed development.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was held on April 25th, 2024, at Wheatley Elementary School. Thirteen residents were in attendance with many looking for more information about the project and a handful were in opposition to the project. Most of the attendees were neutral on the project. Some of the concerns expressed regarded drainage, retention ponds, and the pricing of the units. Some general concerns were raised by residents, they would like more parks and sidewalks in the surrounding area.

Utilities Service Area (Availability of services may vary)

Water: Apopka

Wastewater: Apopka

Reclaim Water: Apopka

Detailed Utility Information:

This property is within City of Apopka's water, wastewater, and reclaimed water service areas.

These properties will be required to connect to Apopka water.

These properties will not be required to connect to wastewater. They will be reliant on septic and are subject to advanced septic requirements.

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 – July 18, 2024

Make a finding of consistency with the Comprehensive Plan and recommend Approval of the requested R-1 Restricted (Single-Family Dwelling District) zoning, subject to the following restriction:

1. Lots shall be limited to minimum 60 feet in width.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 Restricted (Single-Family Dwelling District) zoning. The applicant was present for the hearing and agreed with staff's recommendation. No speakers were present to speak during the public comment.

Staff indicated that four hundred and one (401) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received zero (0) responses in favor and zero (0) responses in opposition of the request.

After clarifying some of the surrounding lot widths and that 32 lots would be the maximum and that achieving 32 lots would be highly unlikely, Commissioner Spears voiced his concerns about this subdivision being on septic to the applicant even though the septic would be required to be advanced. Commissioner Wiggins and Chairman Pena expressed concerns about the lot width and suggested possibly recommending approval of R-1A instead which requires minimum 75 feet in width. The applicant expressed their opposition to recommending R-1A zoning stating it would make this project impossible.

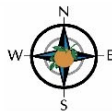
A motion was made by Commissioner Wiggins and seconded by Commissioner Evans to recommend APPROVAL of the requested R-1 Restricted (Single-Family Dwelling District) zoning subject to one restriction. The motion carried on a 7-0 vote.

Motion / Second	<i>George Wiggins / Camille Evans</i>
Voting in Favor	<i>George Wiggins, Camille Evans, Michael Arrington, Gordon Spears, Nelson Pena, Evelyn Cardenas and Eric Gray</i>
Voting in Opposition	<i>None</i>
Absent	<i>Eddie Fernandez and David Boers</i>

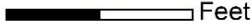
RZ-24-04-016



 Subject Property

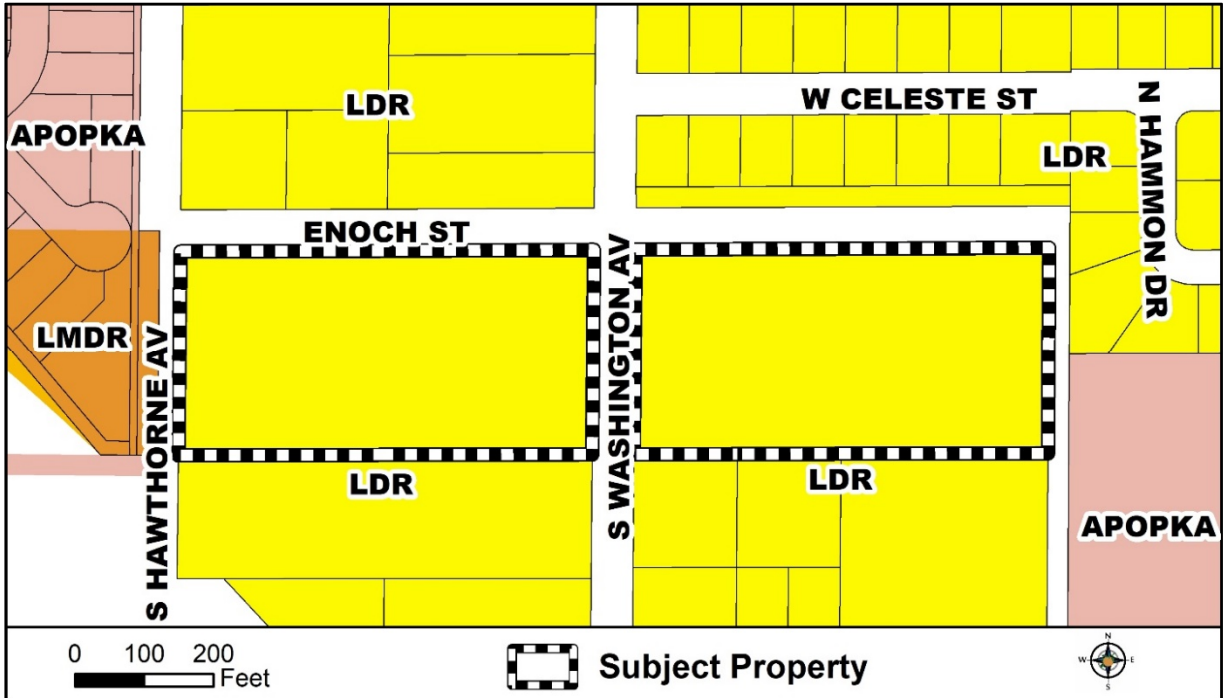


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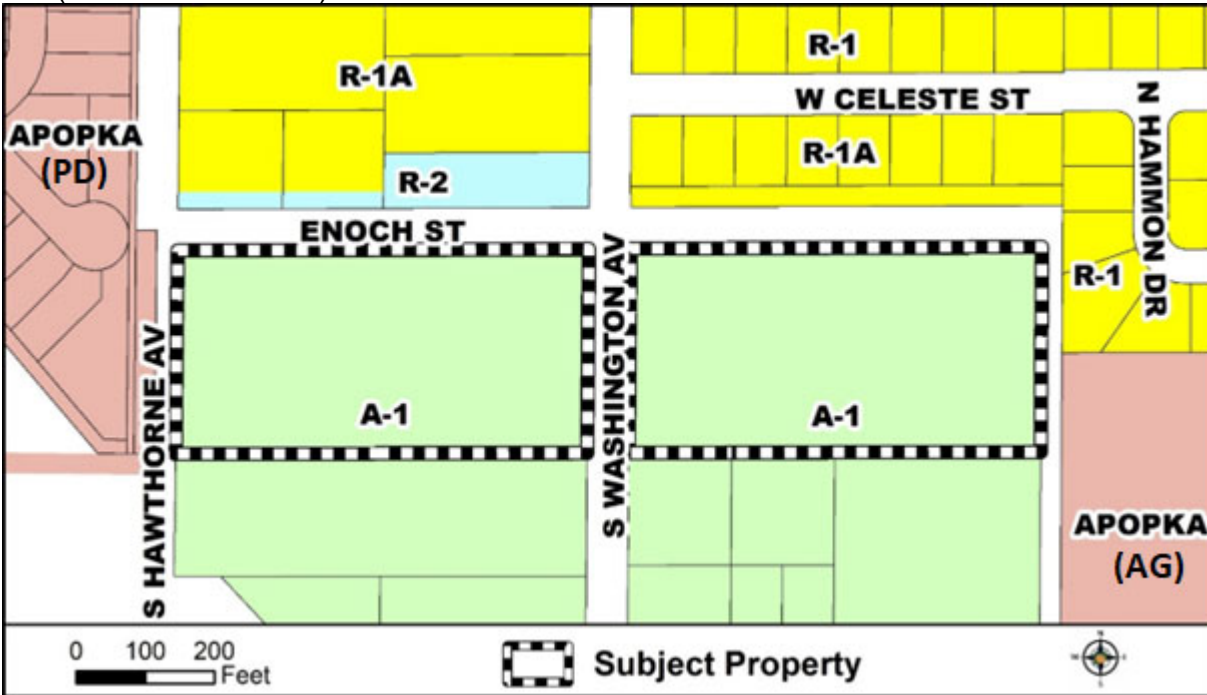
FUTURE LAND USE – CURRENT

Low Density Residential (LDR)



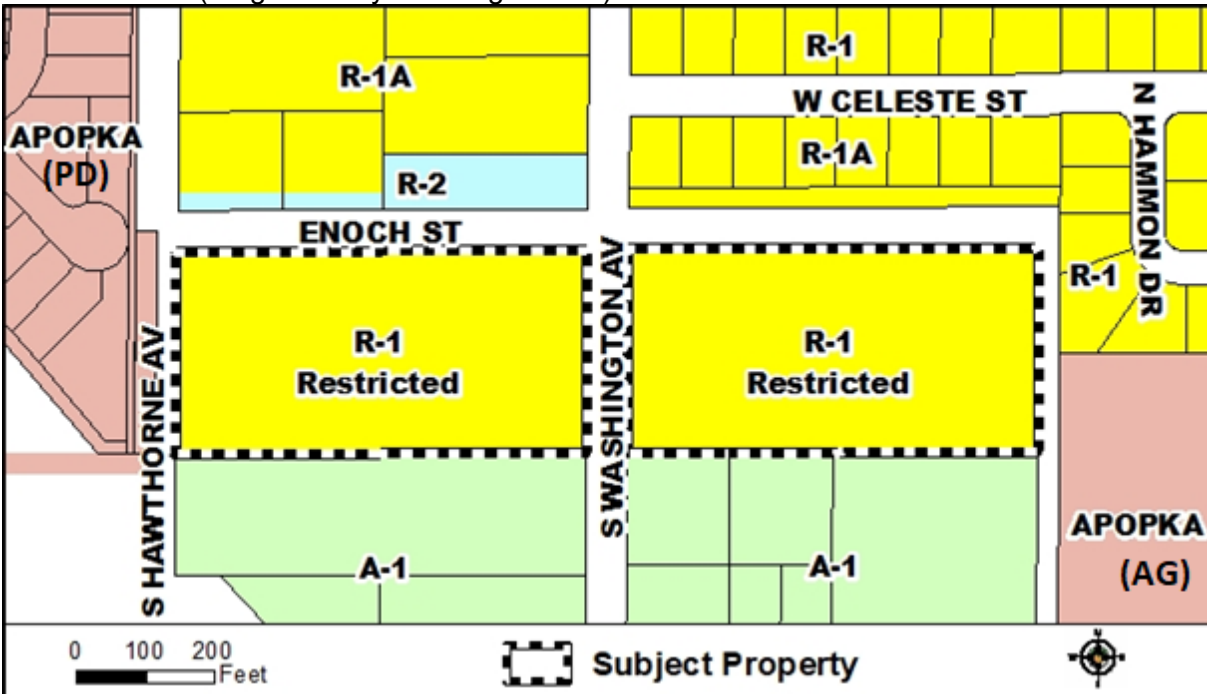
ZONING – CURRENT

A-1 (Citrus Rural District)



ZONING – PROPOSED

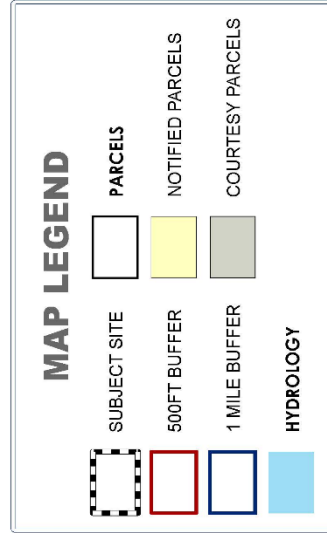
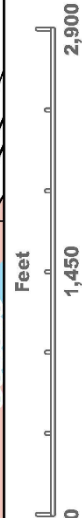
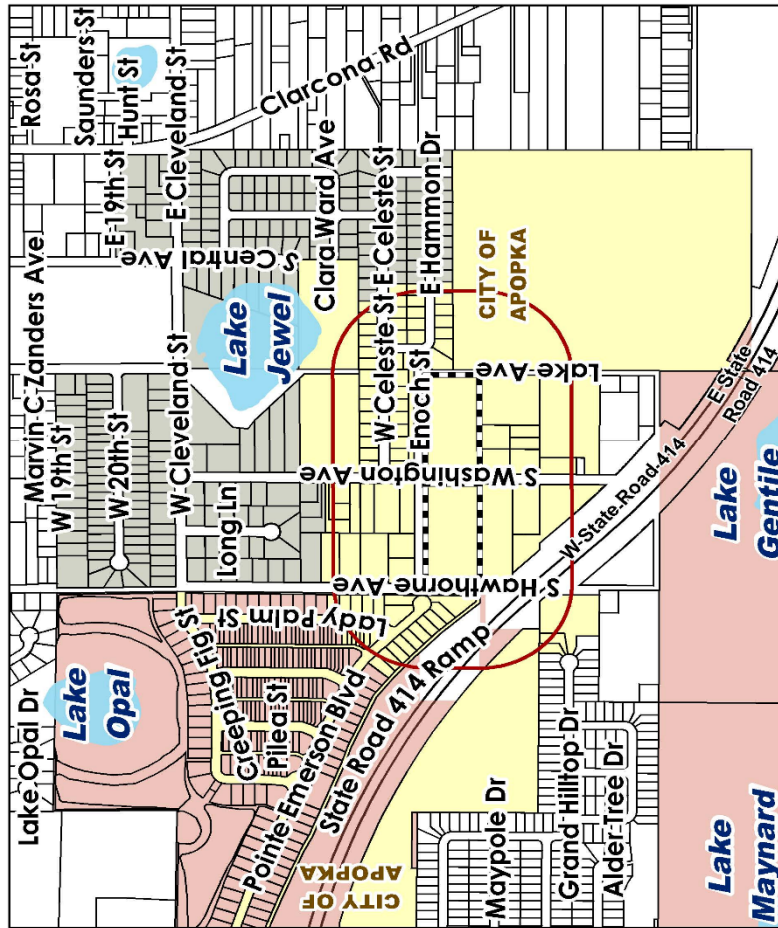
R-1 Restricted (Single-Family Dwelling District)



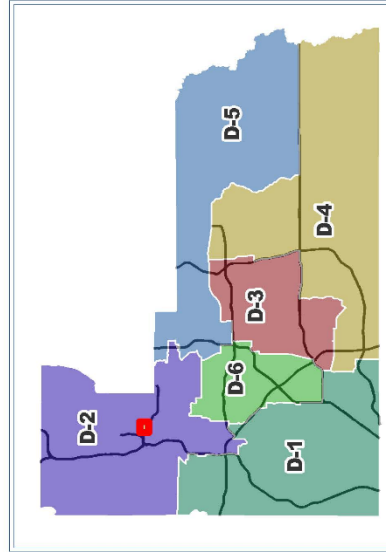
NOTIFICATION MAP

Public Notification Map

RZ-24-04-016



BUFFER DISTANCE: 500
 # OF NOTICES: 401



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CASE # RZ-24-07-043

Commission District: #5

GENERAL INFORMATION

APPLICANT:	Darryl Anglin
OWNER:	Kruger Property Orlando, LLC
HEARING TYPE:	Planning and Zoning Commission
REQUEST:	A-2 (Farmland Rural District) to R-T-1 (Mobile Home Subdivision District)
LOCATION:	14545 Liberty Street, generally located north of E Colonial Dr, east of Pebble Beach Blvd, west of S Tanner Rd, and south of Congress St.
PARCEL ID NUMBER:	24-22-31-1052-03-050
SIZE/ ACREAGE:	0.46- gross acre
PUBLIC NOTIFICATION:	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred twenty-seven (127) notices were mailed to those property owners in the surrounding area.
COMMUNITY MEETING:	A community meeting was not required for this application.
PROPOSED USE:	One additional home (single-family or mobile home), pending lot split approval.

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend Approval of the requested R-T-1 (Mobile Home Subdivision District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property was platted in 1925 and zoned A-2 (Farmland Rural District) in 1957 prior to the implementation of the Orange County Comprehensive Plan. Today the lot has one detached single-family home on the property. The current zoning designation of A-2 is inconsistent with the Future Land Use designation of Low-Medium Density Residential (LMDR).

Through this request, the applicant is seeking to rezone the subject property from A-2 (Farmland Rural District) to R-T-1 (Mobile Home Subdivision District) to allow for the addition of a mobile home on this property pending lot split approval on 0.46- gross acre.

The immediate area is developed with detached single-family residential units and mobile homes with a variety of zoning designations including A-2 (Farmland Rural District), R-T-1 (Mobile Home Subdivision District), R-T-2 (Combination Mobile Home and R-2 (Residential District)). The lots in this area range from 50 ft. to 100 ft. in width.

This property is within the Orange County water, wastewater, and reclaim water service area. Water is considered unavailable and development on this property will be reliant on wells for potable water. Wastewater is also considered not available. Development on this property will be reliant on septic. Since the property is not with a BMAP (Basin Management Action Plan) area, advanced septic tank criteria does not apply.

The Florida Department of Health has indicated if setbacks can be met and there is enough space to accommodate the sewage flow, well and septic on this site should not be an issue. The well setback is 75 feet from any portion of the septic system (tank and drain field). This also includes neighboring systems. The septic system setbacks are 5 feet to the building foundation, 5 feet to the property line, and 2-10 from the waterline. The applicant will need to work with the Florida Department of Health to accommodate these requirements.

Land Use Compatibility

The R-T-1 (Mobile Home Subdivision 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

Rural Settlement

The subject property is not located in a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

Code Enforcement

No cases found.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is LMDR (Low-Medium Density Residential). The proposed R-T-1 (Mobile Home Subdivision District) zoning is consistent with the LMDR FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

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

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

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

SITE DATA

Existing Use	Single-Family Residential
Adjacent Zoning	N: R-T-2 (Combination Mobile Home and Single-Family Dwelling District) 1973
	E: Restricted R-T-1 (Mobile Home Subdivision District) 2007
	W: A-2 (Farmland Rural District) 1957
	S: Restricted R-2 (Residential District) 2022

Adjacent Land Uses N: Mobile Home
 E: Mobile Home
 W: Mobile Home
 S: Vacant Residential

R-T-1 (Mobile Home Subdivision District) Development Standards

Min. Lot Area: 4,500 sq. ft.
Min. Lot Width: 45 ft.
Max. Height: 35 ft.
Min. Living Area: 8 ft. x 35 ft. (minimum mobile home size)
Min. Living Area: 1,000 sq. ft. (minimum SFR size)

Building Setbacks:

Front: 25 / 20 ft.
Rear: 25 / 20 ft.
Side: 5 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-T-1 (Mobile Home Subdivision District) zoning district is composed of lands and structures where it is desirable to attain a low-medium density residential area consisting of mobile homes and single-family dwellings on single lots under individual ownership.

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

Environmental

Econ River Ordinance - This site is located within the Econlockhatchee River Protection Ordinance area. Basin-wide regulations may apply. Reference OC Code Chapter 15, Article XI Econlockhatchee River Protection.

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

Solid Waste Disposal - Any miscellaneous regulated solid waste found or generated onsite including land clearing debris, construction and demolition debris, tires, garbage, and

hazardous waste shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

Transportation / Access

Based on the Concurrency Management database (CMS) dated 06/17/2024, there are multiple failing roadway segments within the project's impact area. Alafaya Tr, from Science Dr to Lake Underhill Rd (2 segment(s)), Chuluota Rd, from Colonial Dr to Lake Pickett Rd (1 segment(s)), Colonial Dr (E), from Woodbury Rd to Chuluota Rd (4 segment(s)), and Woodbury Rd, from Lake Underhill Rd to Colonial Dr (2 segment(s)) are failing. This information is dated and subject to change. The proposed use to allow a mobile home is a de minimis impact on the roadways.

For the purposes of transportation analysis, a project is considered de minimis if its impacts are less than a total p.m. peak of five (5) peak hour trips on the roadways within the area of influence.

Schools

One home is de minimis.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was not required for this request.

Utilities Service Area (Availability of services may vary)

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

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

Water: There are no watermains in the vicinity of this property. Development on this property will be reliant on wells for potable water.

Wastewater: Wastewater is considered not available. Development on this property will be reliant on septic tanks for wastewater disposal.

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

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or

fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – July 18, 2024

Make a finding of inconsistency with the Comprehensive Plan and recommend Denial of the requested R-T-1 (Mobile Home Subdivision District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

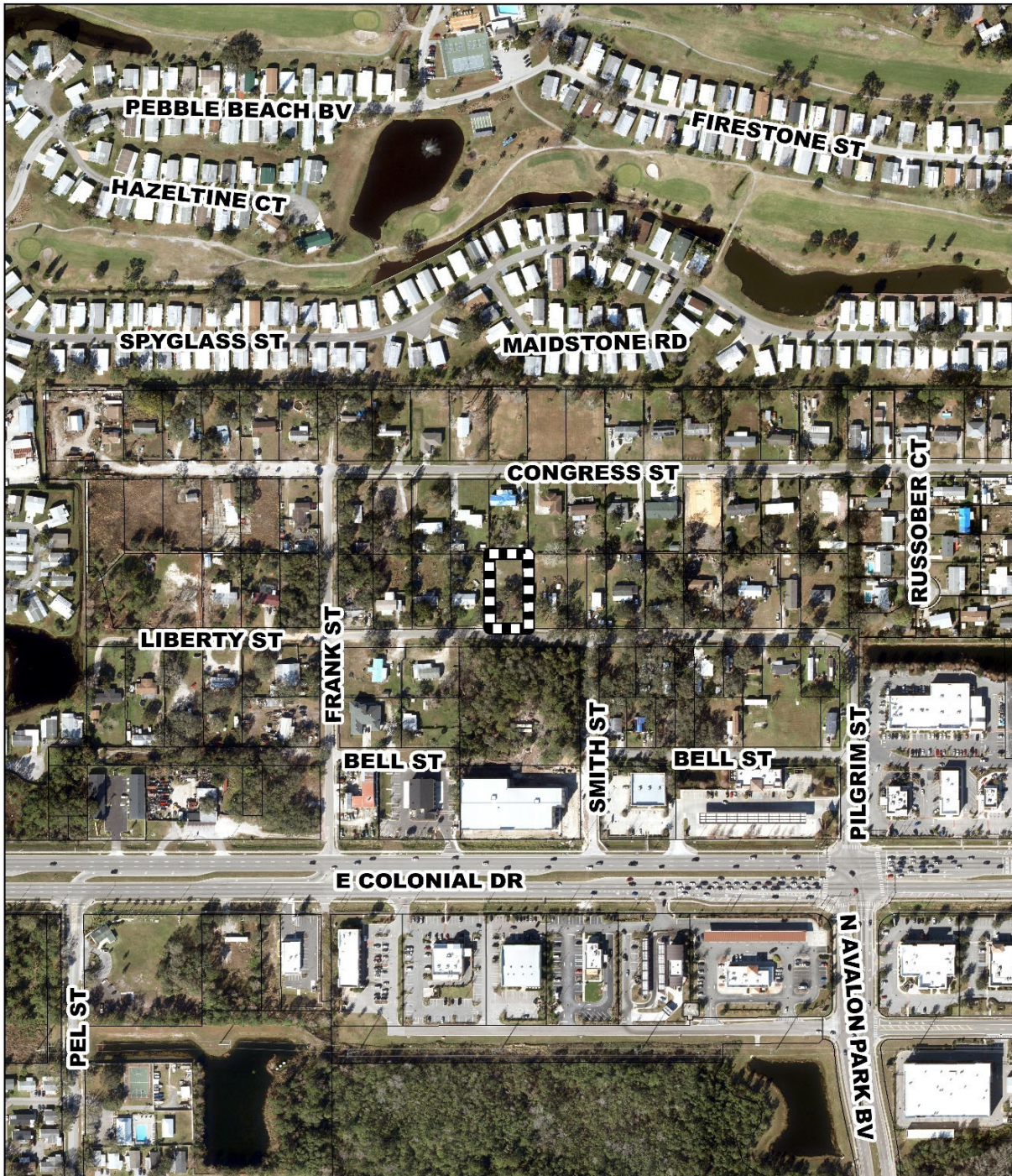
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-T-1 (Mobile Home Subdivision District) zoning. The applicant was not present. No speakers were present to speak during the public comment.

Staff indicated that one hundred twenty-seven (127) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received zero (0) responses in favor and zero (0) responses in opposition of the request. Only one inquiry was received requesting more information.

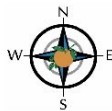
Commissioner Spears reiterated that this property is reliant on septic and does not have any requirements to install advanced septic systems. Commissioner Spears stated his opposition to this request and concerns that this application is not compatible with the surrounding area. Chairman Pena and Commissioner Wiggins also expressed concerns of incompatibility. A motion was made by Commissioner Spears and seconded by Commissioner Wiggins to recommend DENIAL of the requested R-T-1 (Mobile Home Subdivision District) zoning. The motion carried on a 5-2 vote.

Motion / Second	<i>Gordon Spears / George Wiggins</i>
Voting in Favor	<i>Gordon Spears, George Wiggins, Nelson Pena, Evelyn Cardenas, Michael Arrington</i>
Voting in Opposition	<i>Eric Gray and Camille Evans</i>
Absent	<i>Eddie Fernandez and David Boers</i>

RZ-24-07-043



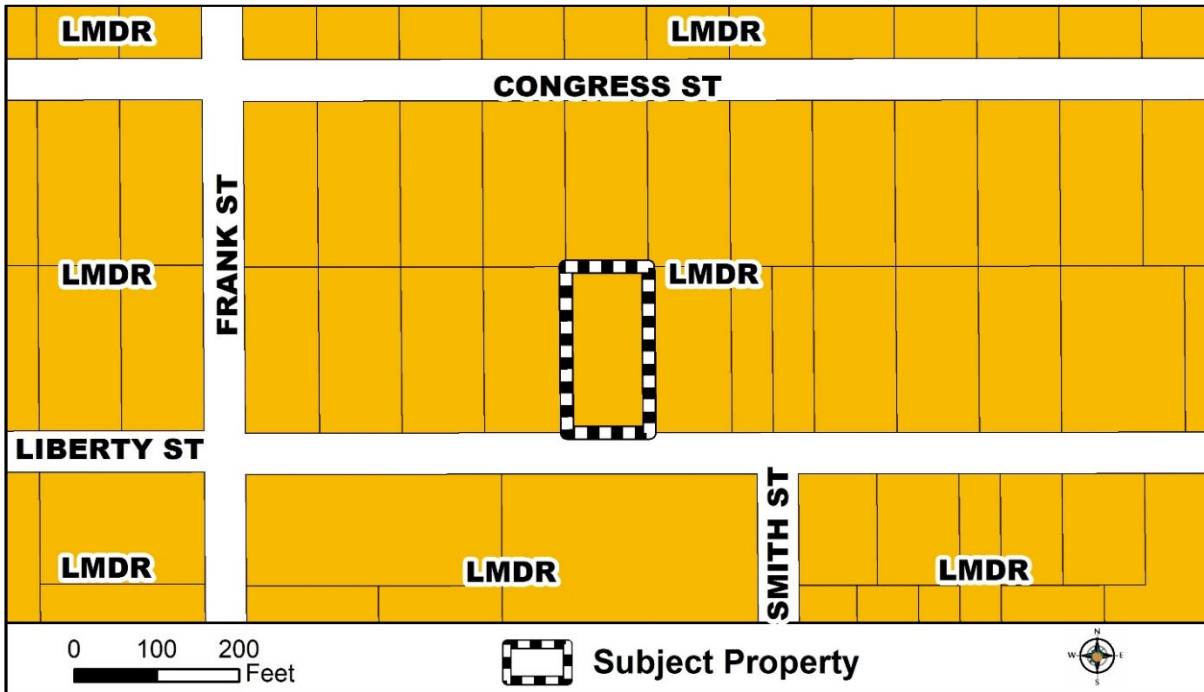
 Subject Property



0 200 400
Feet

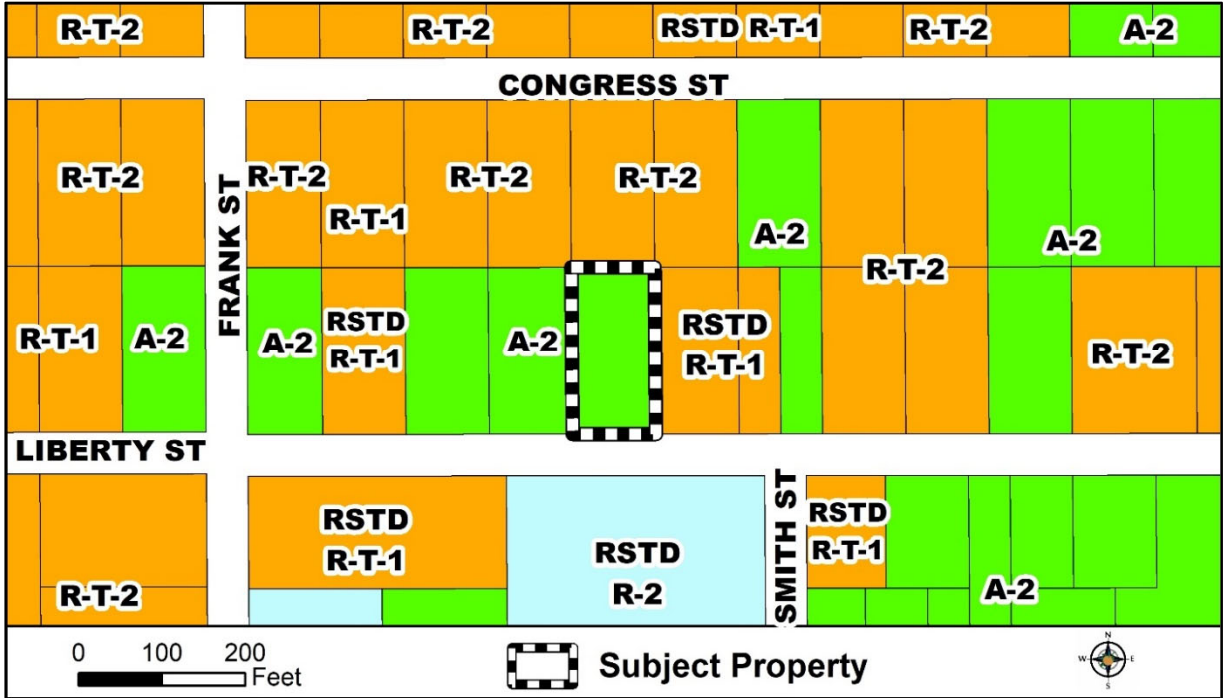
FUTURE LAND USE – CURRENT

Low-Medium Density Residential (LMDR)



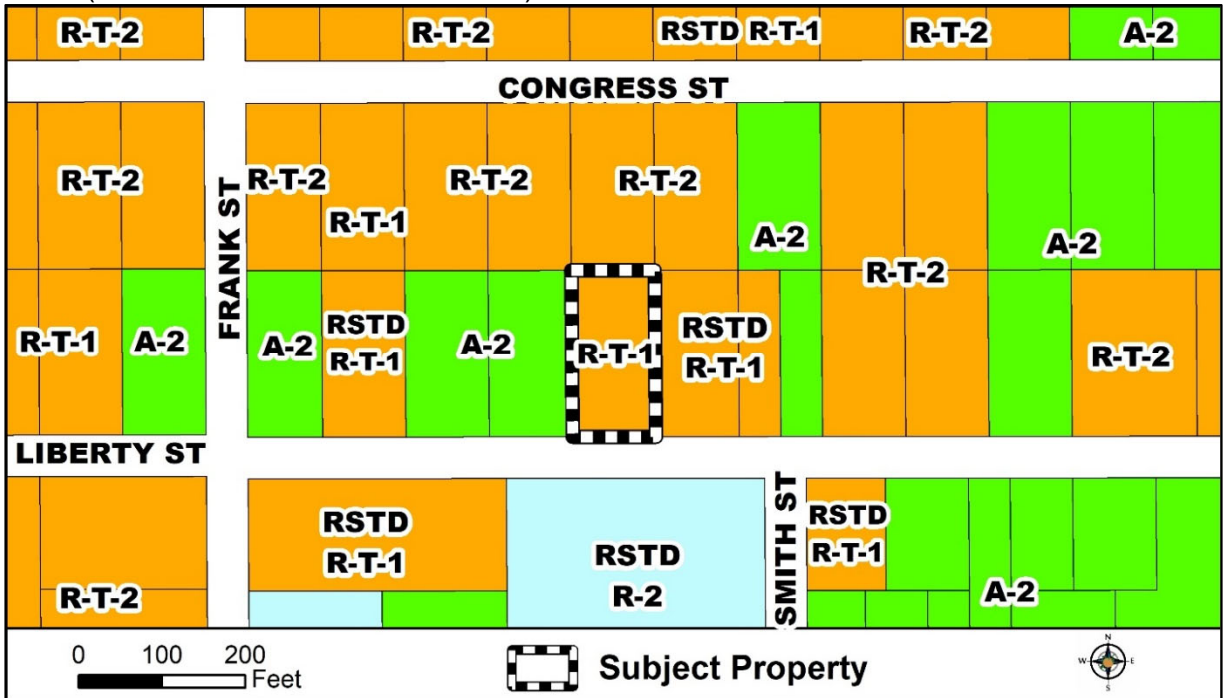
ZONING – CURRENT

A-2 (Farmland Rural District)



ZONING – PROPOSED

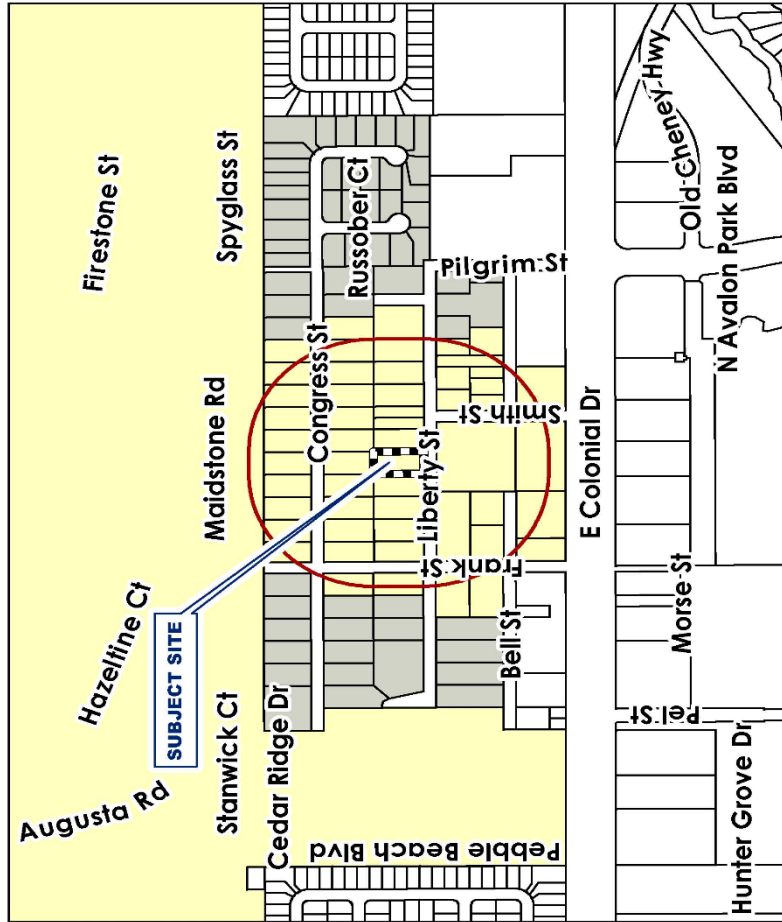
R-T-1 (Mobile Home Subdivision District)



NOTIFICATION MAP

Public Notification Map

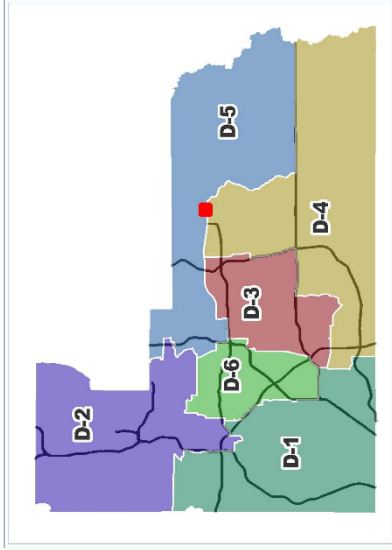
RZ-24-07-043



MAP LEGEND

- SUBJECT SITE
- 500 FT BUFFER
- PARCELS
- NOTIFIED_PARCELS
- COURTESY_PARCELS
- HYDROLOGY

BUFFER DISTANCE: 500
 # OF NOTICES: 127



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CASE # RZ-24-07-047

Commission District: #2

GENERAL INFORMATION

APPLICANT: Sandra Lee Newson

OWNER: Sandra L. Newson Revocable Living Trust

HEARING TYPE: Planning and Zoning Commission

REQUEST: **C-1** (Retail Commercial District) **to**
C-3 (Wholesale Commercial District)

LOCATION: 3209 Overland Rd; generally south of Apopka Ln, east of Overland Rd, north of Beggs Rd.

PARCEL ID NUMBER: 30-21-29-3588-00-230

SIZE / ACREAGE: 1.40-gross acre

PUBLIC NOTIFICATION: The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred ninety-eight (198) notices were mailed to those property owners in the surrounding area.

COMMUNITY MEETING: A community meeting was not required for this application.

PROPOSED USE: C-3 uses

STAFF RECOMMENDATION

PLANNING

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

- 1) New billboards and pole signs shall be prohibited.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the subject property from C-1 (Retail Commercial District) to C-3 (Wholesale Commercial District) in order to allow C-3 uses including the parking of repossessed cars until removal.

The 1.40-gross acre property is currently developed with one structure; the existing use is a tire service. The surrounding area is developed with mixed uses including commercial uses zoned C-3 and C-1 to the east for a mobile park. There are also several mobile homes in the area zoned R-T and R-T-1. The property two lots to the east is zoned C-3 Restricted with two restriction to prohibit pole signs and billboards and to require a Type "B" buffer adjacent to any residentially zoned properties. This is a current Code requirement and a restriction on the subject property would be redundant. The request appears to be compatible with the surrounding area.

There is currently a code enforcement violation that would be corrected through this rezoning request.

Land Use Compatibility

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

Site Analysis

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

Code Enforcement

Parcel#: 30-21-29-3588-00-230

Incident#: 638727

Inspector: Tracey Greene

Description: unimproved portion of lot being used for storage of junk vehicles/tow company

Comprehensive Plan (CP) Consistency

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

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

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

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

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

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

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

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

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

SITE DATA

Existing Use	Tire Service, Warehouse
Adjacent Zoning	N: C-3 (Wholesale Commercial District) 1983 R-T-1 (Mobile Home Subdivision District) 1957 E: C-3 Restricted (Wholesale Commercial District) 2015 W: C-3 (Wholesale Commercial District) 1980 S: C-3 (Wholesale Commercial District) 1980 R-T (Mobile Home Park) 1972
Adjacent Land Uses	N: Commercial paving, Mobile Home E: Mobile Home Park W: Contractor offices S: Mobile Home

C-3 (Wholesale Commercial District) Development Standards

Min. Lot Area:	12,000 sq. ft.
Min. Lot Width:	125 ft. (on major streets, see Article XV) 100 ft. (on all other streets)
Max. Height:	75 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-3 district is to implement and be consistent with the commercial land use designation of the future land use map. The C-3 district is composed of land and structures where more intense commercial activity is located. This district must be located away from residential districts because it allows uses that are not compatible with residential districts.

SPECIAL INFORMATION

Staff Comments

Environmental

Wekiva Study Area - 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, stormwater treatment and wetlands/surface waters, and upland buffer widths. Reference OC Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection.

Wekiva Priority Focus Area and BMAP Enhanced Septic/Sewer Requirement - This site is located within the Wekiwa/Rock Springs and Wekiva River/Rock Springs Run/Little Wekiva Canal Basin Management Action Plan (BMAP) Areas and must comply with the applicable requirements of Section 373.811 and Section 403.067, Florida Statutes, as amended;

Within a BMAP Area, the installation of new onsite sewage treatment and disposal systems (OSTDS) is prohibited where connection to a central wastewater system is available as defined in s. 381.0065(2)(a).

On lots of one acre or less within a BMAP Area where a central wastewater system is not available, the installation of enhanced nutrient-reducing OSTDS that achieve at least 65 percent overall nitrogen reduction is required. Contact the Florida Department of Health (FDOH) for individual determination and details of this enhanced OSTDS. Contact the utility provider regarding options to connect to sewer.

Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment

prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

General Noise Compliance - No person shall produce, or allow to be produced, any sound within any private or public property, including a right-of-way, which sound, when measured pursuant to section 15-183, exceeds the sound levels in Orange County Code Chapter 15 Environmental Control, Article V Noise Pollution Control, Section 15-182 Maximum permissible sound levels.

Solid Waste Disposal - Any miscellaneous regulated solid waste found or generated onsite including land clearing debris, construction and demolition debris, tires, garbage, and hazardous waste shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

Habitat Protection - 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).

Transportation / Access

Based on the Concurrency Management database (CMS) dated 06/27/2024, there is a failing roadway segment within the project's impact area along Maitland Blvd, from Orange Blossom Tr to Forest City Rd. This information is dated and subject to change. This information is dated and subject to change. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office may be required, concurrency@ocfl.net.

Schools

The applicant is proposing to utilize the property for commercial purposes. Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was not required for this request.

Utilities Service Area (Availability of services may vary)

Water:	Orange County Utilities
Wastewater:	Orange County Utilities
Reclaim Water:	Orange County Utilities

Detailed Utility Information:

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

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

Wastewater is considered not available. Development on this property will be reliant on septic tanks for wastewater disposal.

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

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – July 18, 2024

Continue to August 15th, 2024, at 9:00a.m.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

Due to property posting issues, staff asked the PZC to continue this item to August 15th PZC hearing. A motion was made by Commissioner Wiggins and seconded by Commissioner Evans to continue the item to August 15th PZC hearing at 9:00 a.m. The motion to continue passed 7-0.

Motion / Second

Commissioner Wiggins / Commissioner Evans

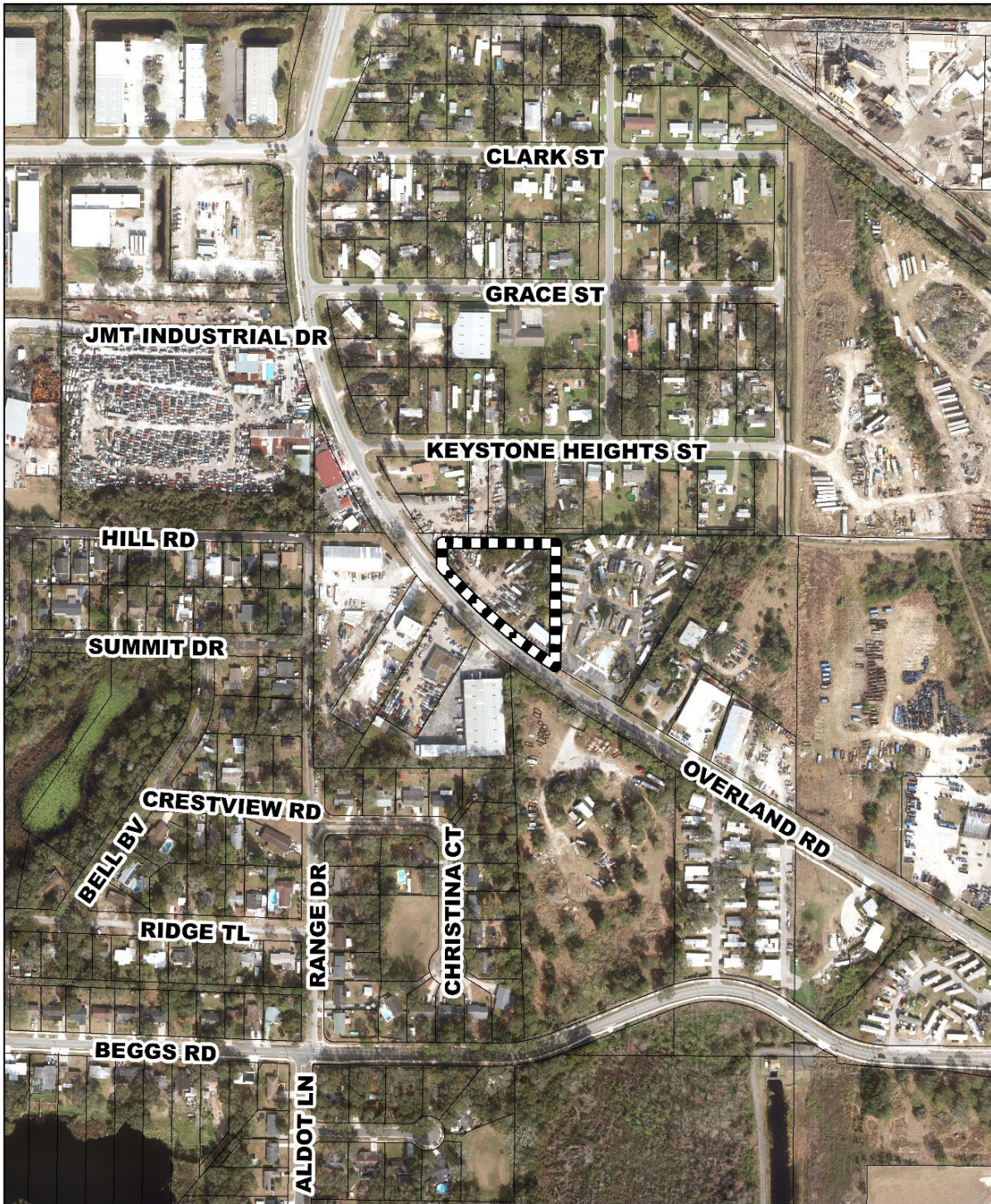
Voting in Favor

*Commissioner Wiggins, Commissioner Evans,
Commissioner Spears, Commissioner Arrington,
Commissioner Gray, Commissioner Cardenas, and
Commissioner Pena*

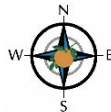
Absent

Commissioner Fernandez and Commissioner Boers

RZ-24-07-047



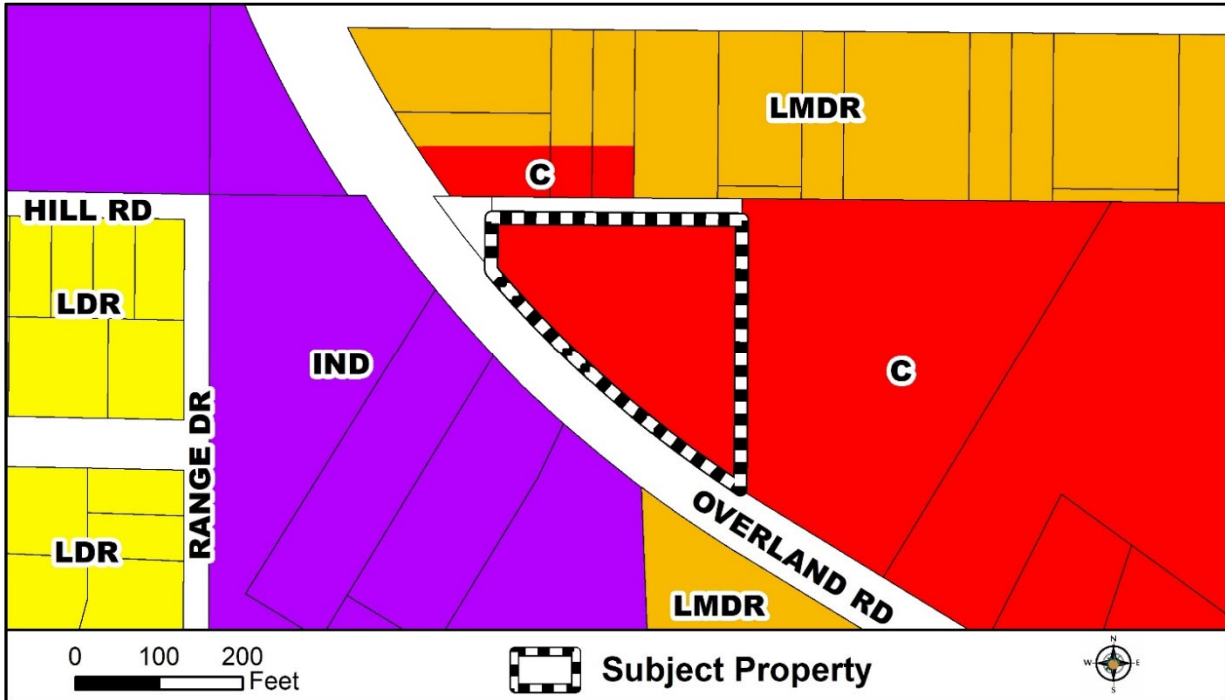
 Subject Property



0 200 400
Feet

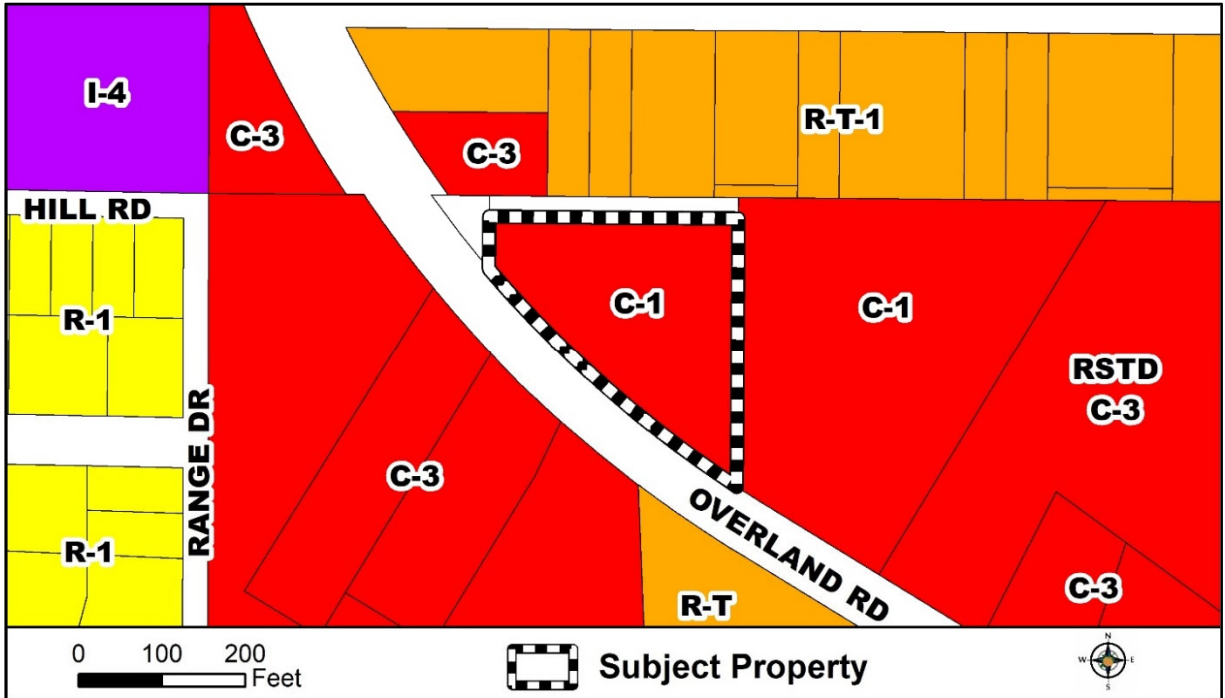
FUTURE LAND USE – CURRENT

Commercial (C)



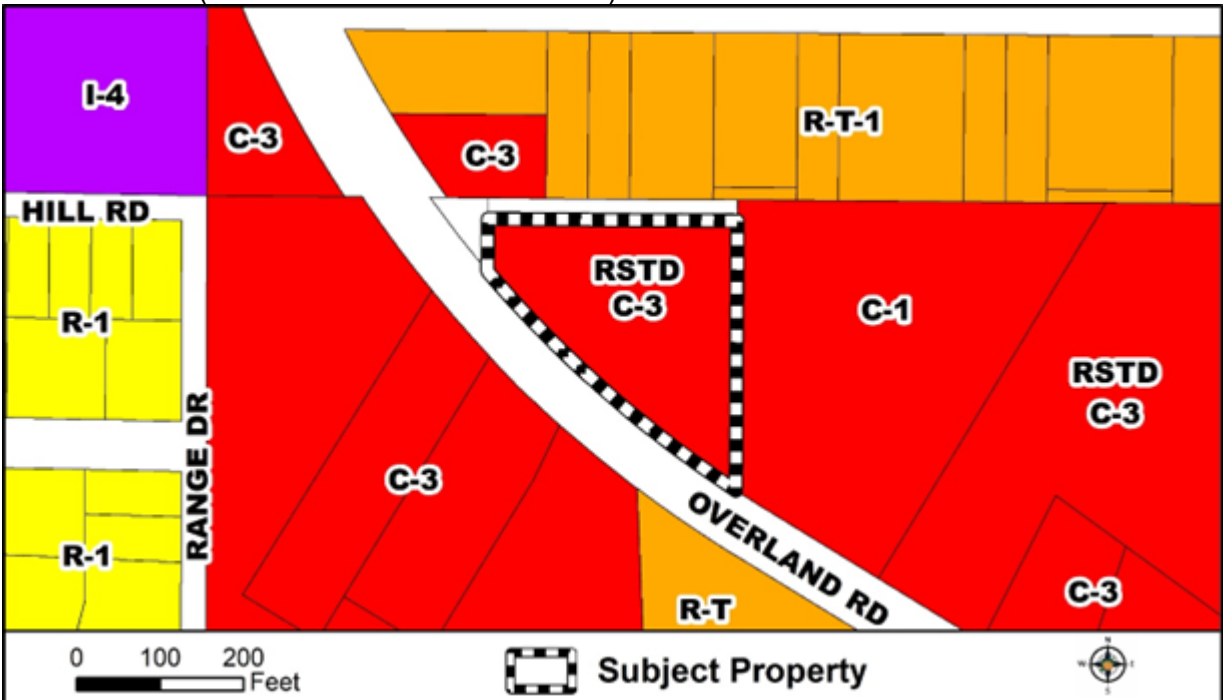
ZONING – CURRENT

C-1 (Retail Commercial District)



ZONING – PROPOSED

C-3 Restricted (Wholesale Commercial District)



Public Notification Map

RZ-24-07-047



NOTIFICATION MAP

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MAP LEGEND

	SUBJECT SITE		NOTIFIED PARCELS
	800 FT BUFFER		COURTESY PARCELS
	HYDROLOGY		PARCELS

BUFFER DISTANCE: 800
 # OF NOTICES: 198

