




Interoffice Memorandum

DATE: August 30, 2024

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

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

CONTACT PERSON: **Jason Sorensen, AICP, Chief Planner**
407-836-5602

SUBJECT: September 24, 2024, Board-Called Rezoning Request
Applicant: George D. Dennison II Esq.
Case number: RZ-23-06-052
District 2 and 6

Please find the attached staff report for the Board-Called Rezoning request scheduled for a Board adoption public hearing on September 24, 2024.

The subject property is located at 1932 Good Homes Road and measures 6.46 gross acres. The property is split by Good Homes Road with the western portion within District 2 and the eastern portion within District 6. The homes are proposed within the District 6 portion on the east side of Good Homes Road. The request is to rezone from R-CE (Rural Country Estate District) to R-1AA (Single-Family Dwelling District) in order to allow for up to 10 homes. A rezoning is required since the current R-CE zoning is inconsistent with the Low Density Residential (LDR) Future Land Use.

A community meeting was held on July 8, 2024, with 20 residents in attendance with concerns for traffic, potential contamination of well water, and incompatibility with surrounding uses. Some residents were glad that the developer reduced the development program from 17 homes to 10 homes and some residents wanted the property to become conservation land with no development.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at 407-836-5802 or Alberto.Vargas@ocfl.net, or Jason Sorensen, AICP, Chief Planner, Current Planning Section, at 407-836-5602 or Jason.Sorensen@ocfl.net.

ACTION REQUESTED: **Make a finding of consistency with the Comprehensive Plan and approve the requested R-1AA (Single-Family Dwelling District) zoning subject to three restrictions as listed under PZC Recommendation in the staff report.**
District 2 and 6

AAV/jhs

CASE # RZ-23-06-052

Commission District: #6

GENERAL INFORMATION

APPLICANT: George D. Dennison II Esq.

OWNER: Adolfo Molina

HEARING TYPE: Planning and Zoning Commission Recommendation

REQUEST: **R-CE** (Rural Country Estate District) **to**
R-1AA (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 Ten (10) 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 permitted 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 ten (10) single-family residential detached units east of Good Homes Road.

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 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 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, and flooding of Good Homes Rd. Another concern was existing wells being effected by the storm water pond. 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 – July 18, 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, 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



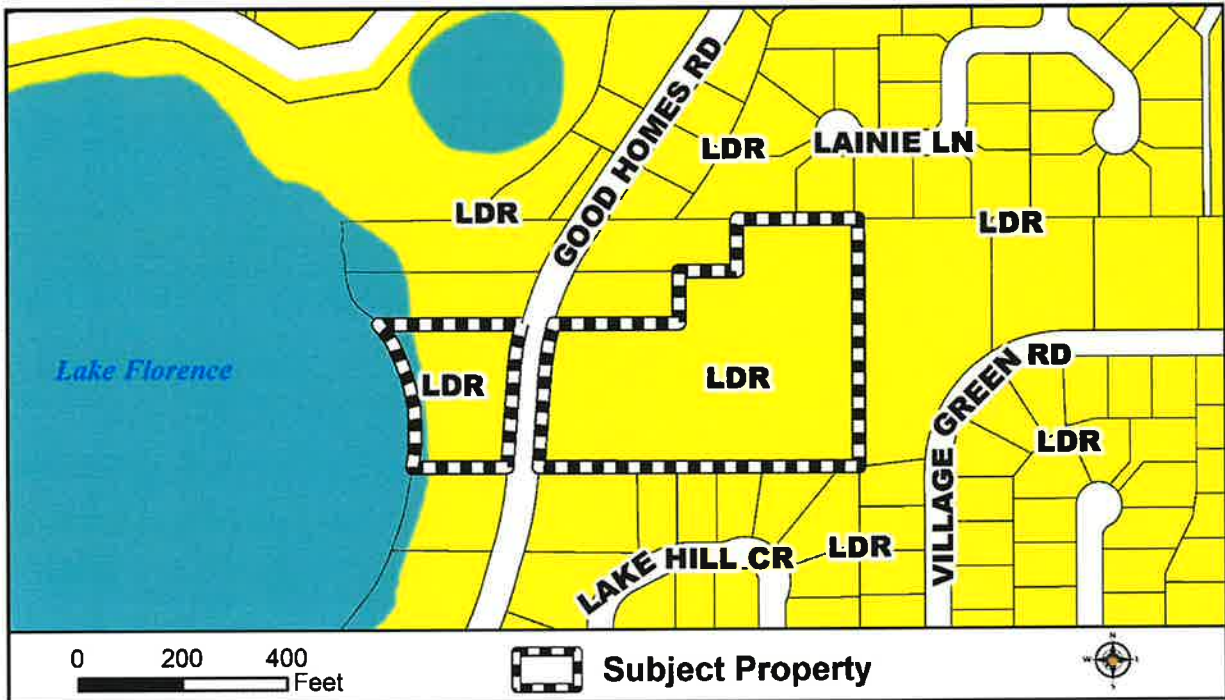
 Subject Property



0 200 400
Feet

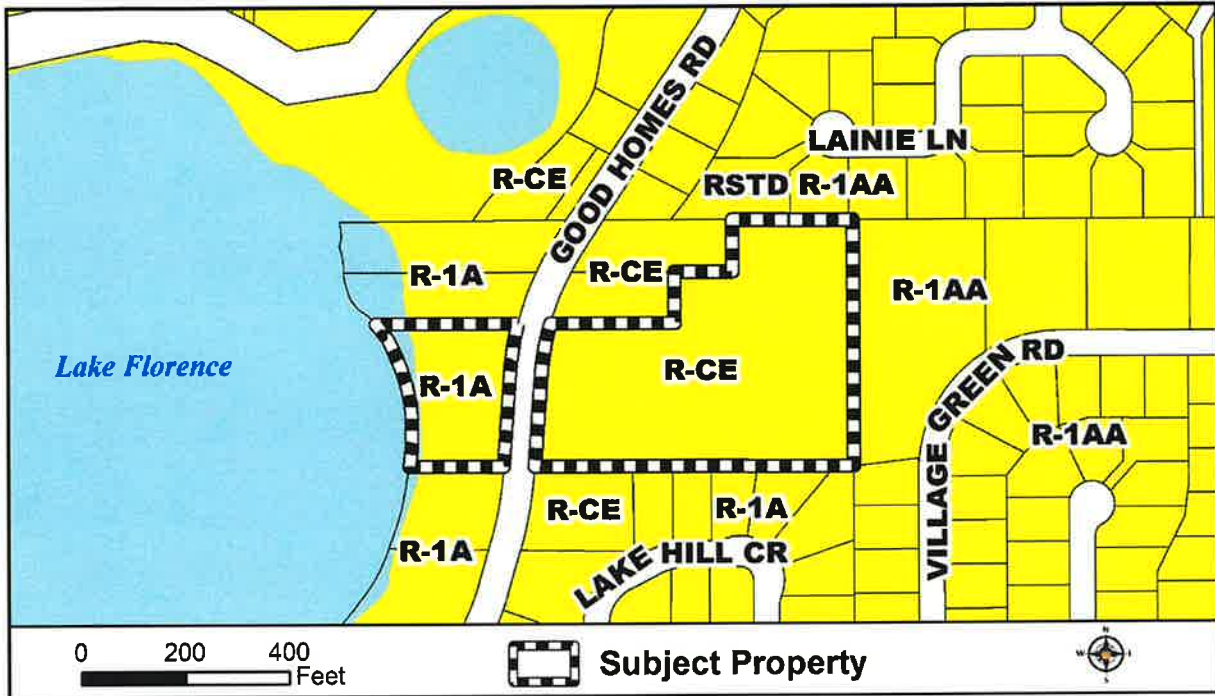


FUTURE LAND USE – CURRENT
Low Density Residential (LDR)



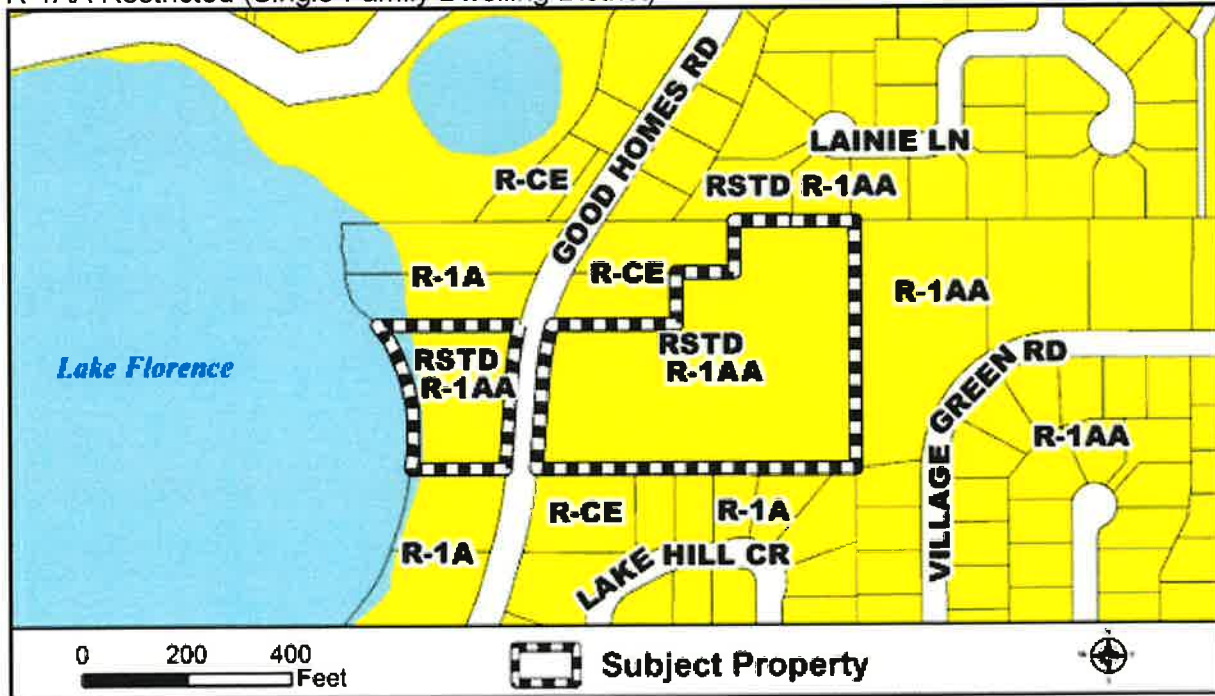
ZONING – CURRENT

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

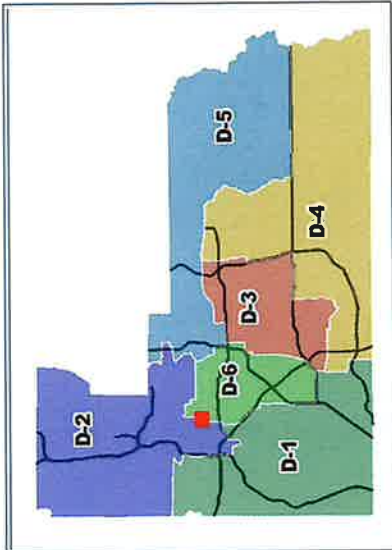
RZ-23-06-052



MAP LEGEND

	SUBJECT_SITE		NOTIFIED_PARCELS
	700 FT BUFFER		COURTESY PARCELS
	HYDROLOGY		PARCELS

BUFFER DISTANCE: 700 FT
 # OF NOTICES: 253



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CASE # RZ-23-06-052

Commission District: #6

GENERAL INFORMATION

APPLICANT:	George D. Dennison II Esq.
OWNER:	Adolfo Molina
HEARING TYPE:	Planning and Zoning Commission Recommendation
REQUEST:	R-CE (Rural Country Estate District) to R-1AA (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 Ten (10) 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 permitted 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 ten (10) single-family residential detached units east of Good Homes Road.

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 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:

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

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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.

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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

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permit approval, a Concurrency Application through the Concurrency Management office will be required. A Traffic Study may be required at that time.

Schools

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Parks and Recreation

No comments.

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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 – July 18, 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.

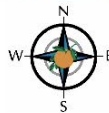
After discussion regarding the proposed restrictions, zoning setbacks, and proposed Vision 2050 standards, Commissioner Evans made a motion which was seconded by Commissioner Wiggins to recommend APPROVAL of the requested R-1AA Restricted (Single-Family Dwelling District) zoning with the addition of 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

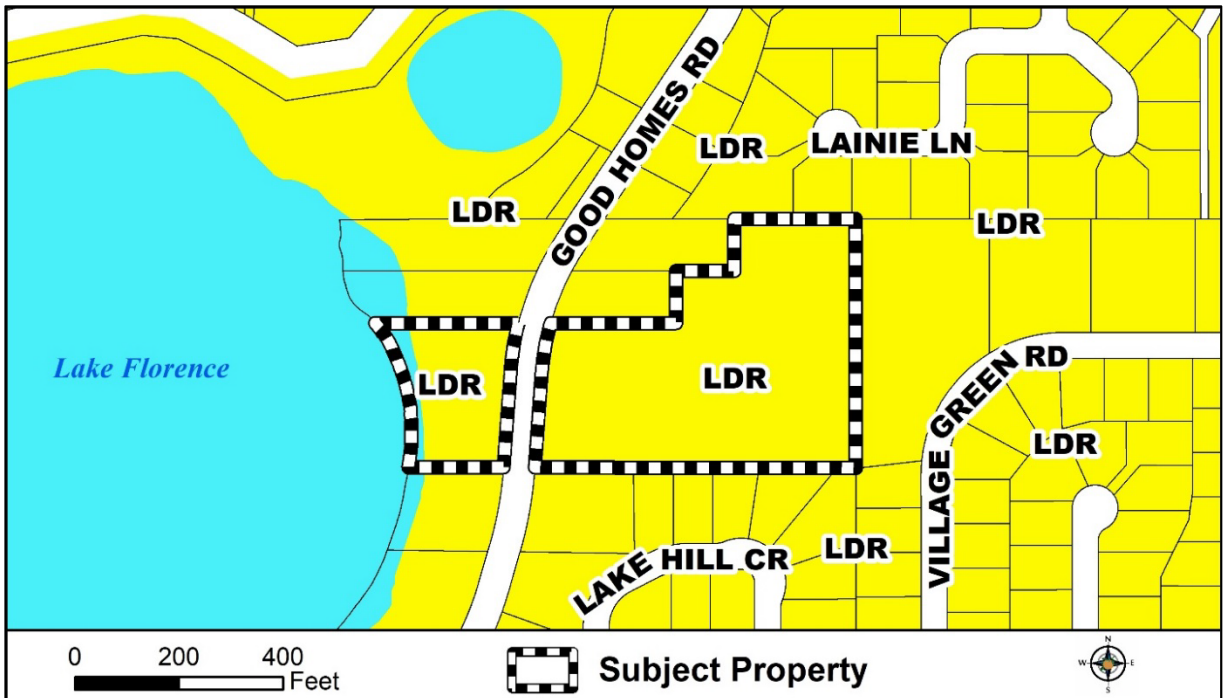


 Subject Property



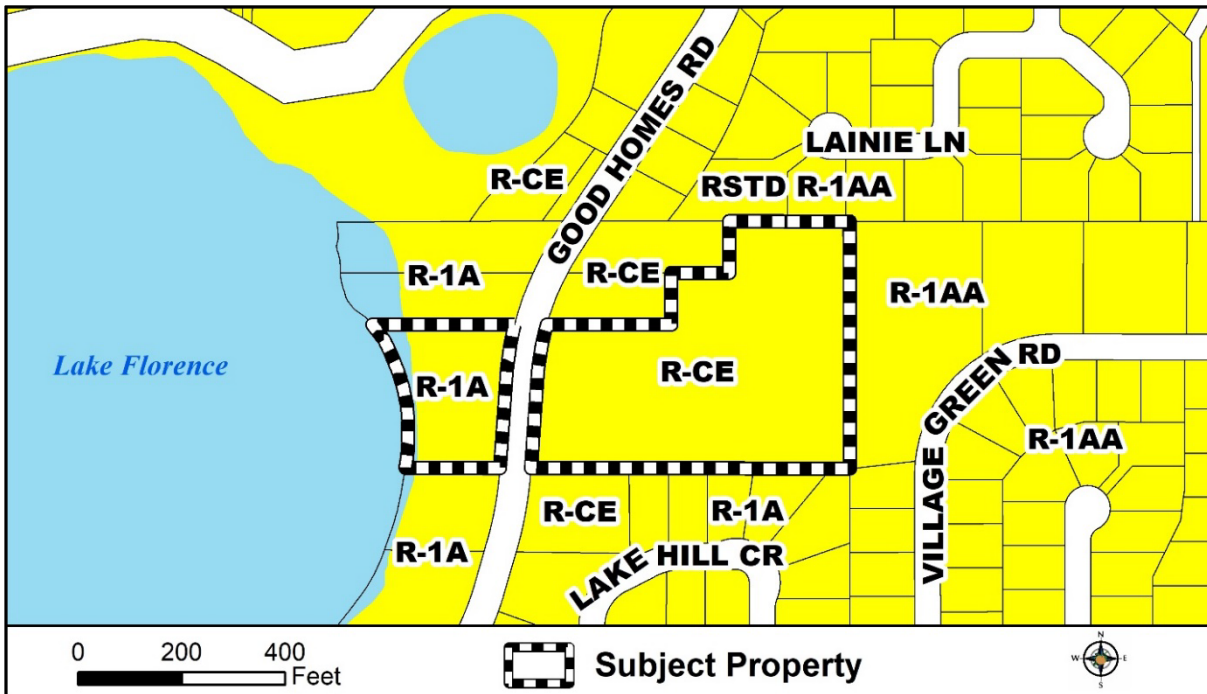
0 200 400
Feet

FUTURE LAND USE – CURRENT
Low Density Residential (LDR)



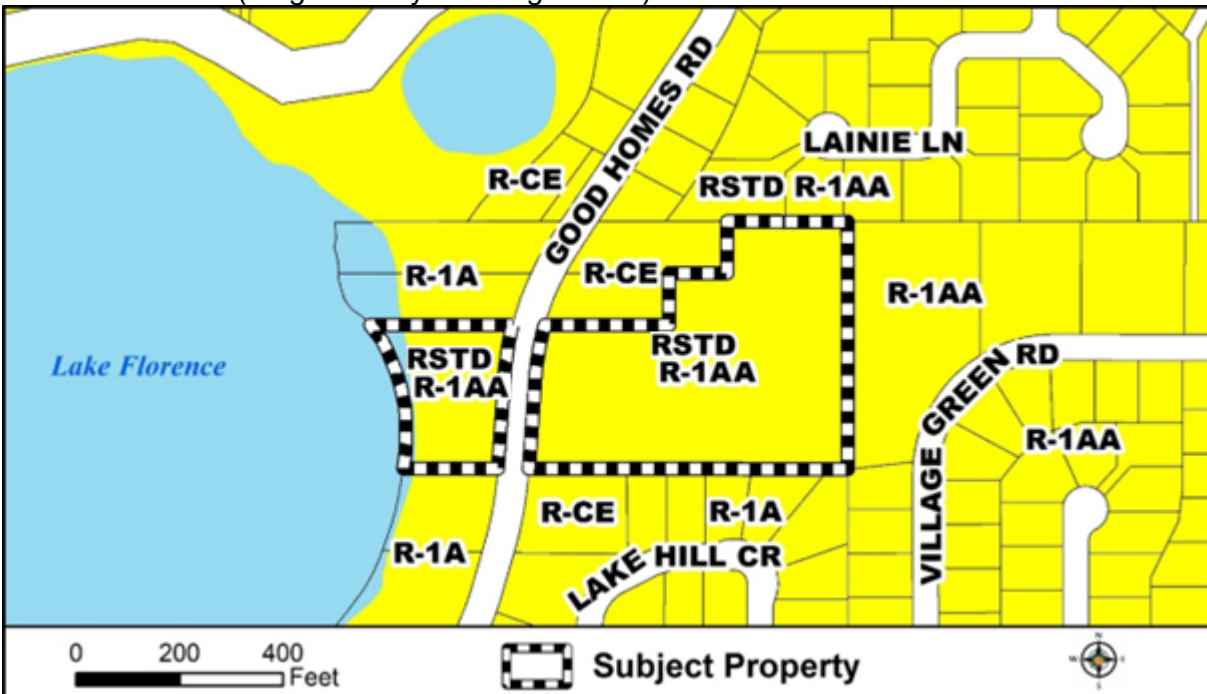
ZONING – CURRENT

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



ZONING – PROPOSED

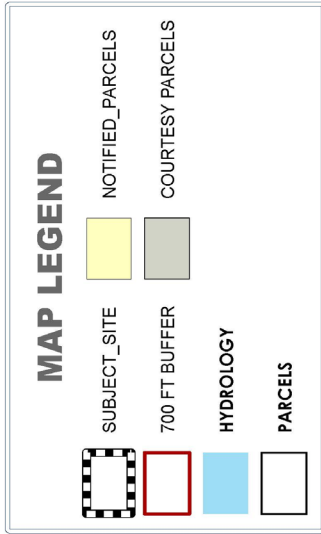
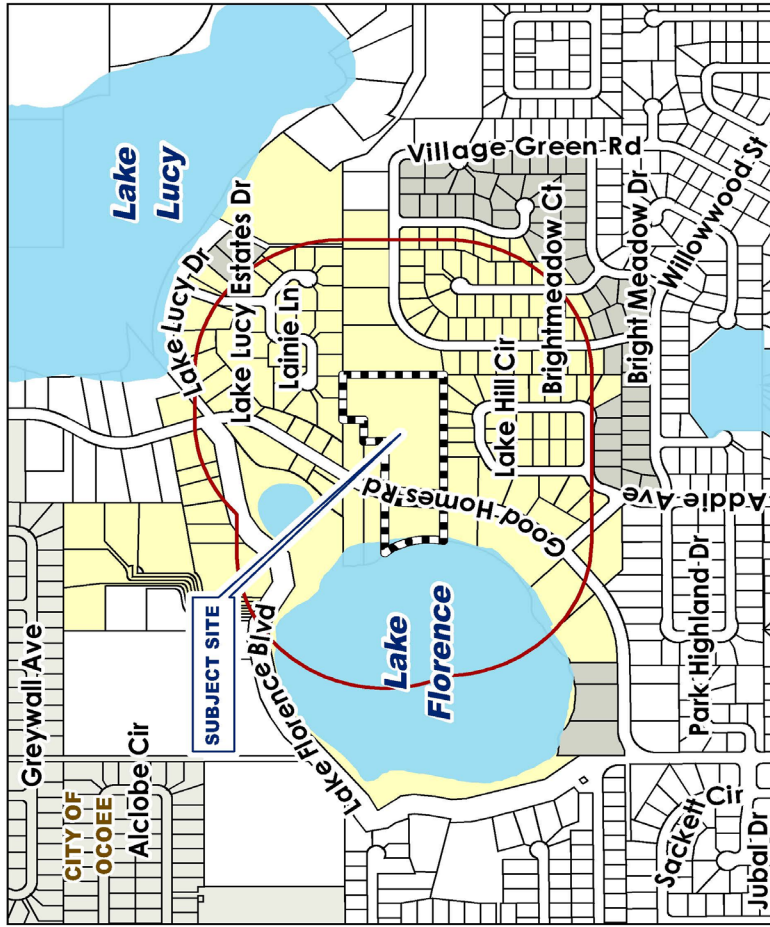
R-1AA Restricted (Single-Family Dwelling District)



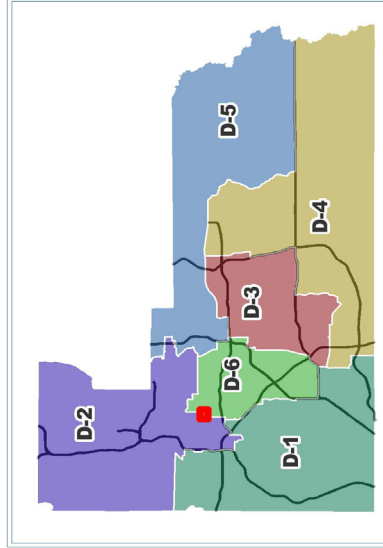
NOTIFICATION MAP

Public Notification Map

RZ-23-06-052



BUFFER DISTANCE: 700 FT
 # OF NOTICES: 253



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