

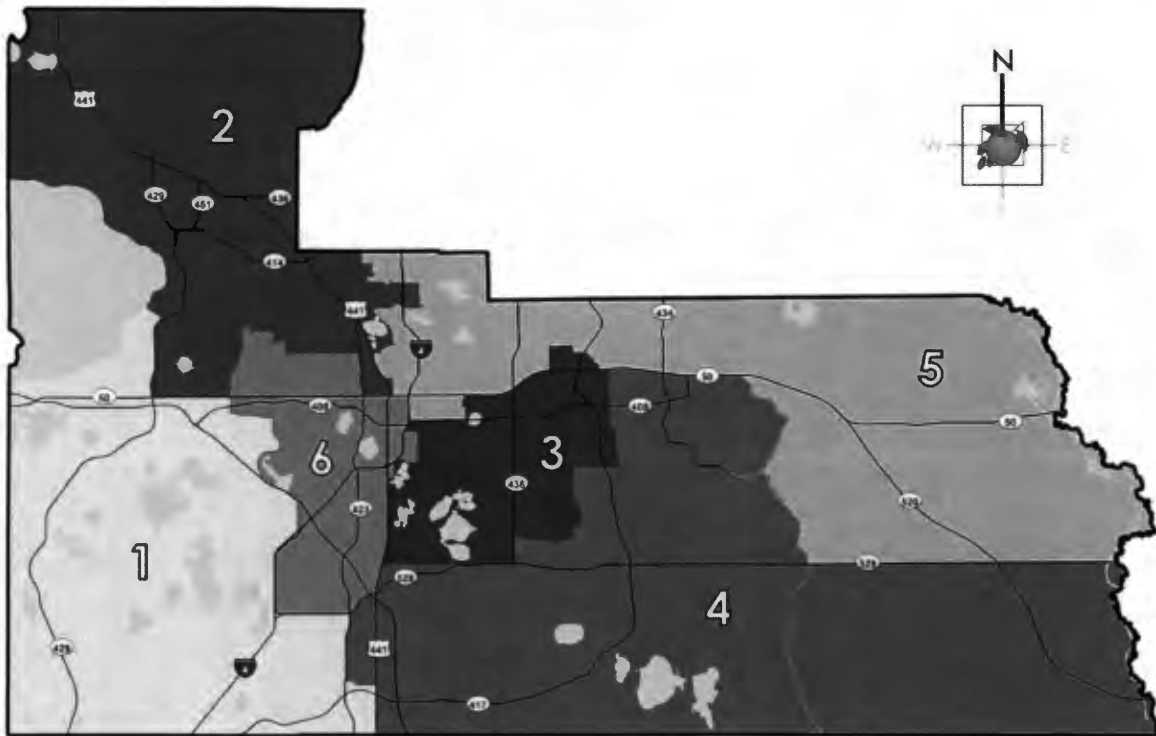


PLANNING AND ZONING COMMISSION

LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

DECEMBER 17, 2020



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

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

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Planning and Zoning Commission
December 17, 2020

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CONVENTIONAL REZONING PUBLIC HEARINGS

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TABLE OF HEARINGS
Planning and Zoning Commission
December 17, 2020

<u>Case #</u> <u>Applicant</u>	<u>Request</u>	<u>Commission</u> <u>District</u>	<u>Recommendations</u> <u>Staff</u>	<u>PZC</u>	<u>BCC Hearing</u> <u>Required</u>
I. REZONING PUBLIC HEARINGS					
RZ-20-12-077 Nizamuddin Khan	<i>A-2 & I-1/I-5 to I-1/I-5</i>	4	Approval with two (2) restrictions	Approval with two (2) restrictions	No
RZ-20-12-079 Roy Ramnarine	<i>R-1A to R-2</i>	6	Approval with one (1) variance and one (1) restriction	Approval with one (1) variance and one (1) restriction	No

SITE and BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Requirements

District	Min. lot area (sq. ft.) <i>m</i>	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) <i>a</i>	Min. rear yard (ft.) <i>a</i>	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
A-1	SFR - 21,780 (¼ acre) Mobile Home - 2 acres	850	100	35	50	10	35	<i>a</i>
A-2	SFR - 21,780 (¼ acre) Mobile Home - 2 acres	850	100	35	50	10	35	<i>a</i>
A-R	108,900 (2½ acres)	1,000	270	35	50	25	35	<i>a</i>
R-CE	43,560 (1 acre)	1,500	130	35	50	10	35	<i>a</i>
R-CE-2	2 acres	1,200	250	45	50	30	35	<i>a</i>
R-CE-5	5 acres	1,200	185	50	50	45	35	<i>a</i>
R-1AAAA	21,780 (1/2 acre)	1,500	110	30	35	10	35	<i>a</i>
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	35	<i>a</i>
R-1AA	10,000	1,200	85	25 <i>h</i>	30 <i>h</i>	7.5	35	<i>a</i>
R-1A	7,500	1,200	75	20 <i>h</i>	25 <i>h</i>	7.5	35	<i>a</i>
R-1	5,000	1,000	50	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	<i>a</i>
R-2	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	<i>a</i>
	Two dwelling units (DUs), 8,000/9,000	500/1,000 per DU	80/90 <i>d</i>	20 <i>h</i>	30	5 <i>h</i>	35	<i>a</i>
	Three DUs, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	<i>a</i>
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	<i>a</i>
R-3	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5	35	<i>a</i>
	Two DUs, 8,000/ 9,000	500/1,000 per DU	80/90 <i>d</i>	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	<i>a</i>
	Three dwelling units, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	<i>a</i>
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	<i>a</i>
R-L-D	N/A	N/A	N/A	10 for side entry garage, 20 for front entry garage	15	0 to 10	35	<i>a</i>
R-T	7 spaces per gross acre	Park size min. 5 acres	Min. mobile home size 8 ft. x 35 ft.	7.5	7.5	7.5	35	<i>a</i>
R-T-1								
SFR	4,500 <i>c</i>	1,000	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	<i>a</i>
Mobile home	4,500 <i>c</i>	Min. mobile home size 8 ft. x 35 ft.	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	<i>a</i>
R-T-2 (prior to 1/29/73)	6,000	SFR 500 Min. mobile home size 8 ft. x 35 ft.	60	25	25	6	35	<i>a</i>
R-T-2 (after 1/29/73)	21,780 ¼ acre	SFR 600 Min. mobile home size 8 ft. x 35 ft.	100	35	50	10	35	<i>a</i>

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

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

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

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

FOOTNOTES

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

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

BUFFER YARD REQUIREMENTS

Orange County Code Section 24-5.

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

(a) *Buffer classifications:*

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

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

Case Planner:
Sapho Vatel

CASE # RZ-20-12-077

Commission District: #4

GENERAL INFORMATION

APPLICANT	Nizamuddin Khan, Go Constructions Services
OWNER	Danak Holdings Industrial, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-2 (Farmland Rural District) and I-1/I-5 (Restricted) (Industrial District (Light) - Restricted) to I-1/I-5 (Restricted) (Industrial District (Light) - Restricted)
LOCATION	Generally located on the south side of Young Pine Road, south of Derringer Drive.
PARCEL ID NUMBER	16-23-31-0000-00-013
TRACT SIZE	2.43 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 1,500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Forty-four (44) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Warehouse

STAFF RECOMMENDATION

PLANNING

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

- 1) Billboards and pole signs shall be prohibited; and
- 2) The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of any I-1/I-5 uses.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is generally located on the south side of Young Pine Road, approximately 2,000 feet west of the Orange County Landfill. Through this request, the applicant is seeking to rezone the remainder of the subject property from A-2 (Farmland Rural District) to I-1/I-5 (Restricted) (Industrial District (Light) - Restricted) in order to construct a warehouse. This request, if approved will allow the parcel to have one zoning rather than split zoning.

The subject property is located within an industrial corridor established in the Future Land Use Map (FLUM), which extends from the residential subdivisions to the north of the property to the Orange County landfill to the south. In 2018, the western portion of the subject property was rezoned from A-2 (Farmland Rural District) to I-1/I-5 (Restricted) (Industrial District - Restricted). The request was approved subject to two (2) restrictions, which are the same restrictions proposed with this request.

There are several industrial uses surrounding the subject property along this industrial corridor. Three (3) parcels located on the north side of Young Pine Road to the east of the subject parcel have been rezoned from A-2 (Farmland Rural District) to I-1/I-5 (Industrial District (Light)). The first of these parcels was rezoned in 1998 and the subsequent two (2) were rezoned in 2001. Additionally, five (5) parcels to the north of the subject property on Young Pine Road have been rezoned within this industrial corridor to I-1/I-5 between 2006 and 2018.

Land Use Compatibility

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

Site Analysis

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

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Industrial (IND). The proposed I-1/I-5 (Industrial District) zoning is consistent with the Industrial FLUM designation and the following Comprehensive Plan provisions:

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

FLU1.4.17 states Orange County seeks to retain an adequate supply of Industrial during the 2030 planning horizon, consistent with the findings of the County's most current Industrial Lands Analysis and the desire to maintain jobs to housing balance within the County. Industrial requests found to be consistent with the Comprehensive Plan in areas where there are industrial deficits should be supported, provided these locations are found to be compatible and services are available. Further, amendments to DRIs or PDs that have the effect of reducing industrial lands in these submarkets should be discouraged, consistent with FLU1.4.16.

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

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

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

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

SITE DATA

Existing Use	Undeveloped Land
Adjacent Zoning	N: A-2 (Farmland Rural District) I-1/I-5 (Industrial District) * E: A-2 (Farmland Rural District)

W: City of Orlando

S: A-2 (Farmland Rural District)

**Restrictions apply to the above zoning district*

Adjacent Land Uses

N: Residential

E: Undeveloped Land

W: Undeveloped Land

S: Orange County Landfill

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

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

Building Setbacks

Front: 35 feet

Rear: 25 feet

Side: 25 feet

Intent, Purpose, and Uses

I-1/I-5 (Industrial District) zoning is composed of lands and structures used primarily for the operation of general industrial uses.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code. Permitted uses include, but are not limited to, religious institutions, warehouses, offices, contractors storage and offices, food processing and packaging; woodchipping, mulching, and composting; textile manufacturing; garment manufacturing; manufacturing of furniture and fixtures; manufacturing of medicinal chemicals and botanical products; manufacturing of commercial and industrial machinery; motor vehicle assembly; boat manufacturing; aluminum recycling collection drop-off sites; community correction centers; juvenile correction homes; etc.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See Note Below Table
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the capacity database dated 10/26/20, there is available capacity to be encumbered for this project. A capacity encumbrance letter will be required prior to building permit approval. Please be advised that this information is dated and subject to change.
Neighborhoods	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

***Environmental Comments:**

No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

The property is located adjacent to a landfill. The developer shall include a notice in the public record for the property within 700 feet to acknowledge: a) the location of the landfill adjacent to the property, b) that monitoring conditions are imposed if required based upon further assessment, and c) that no wells will be allowed within this zone.

The site shall comply with all applicable local and state air pollution regulations. Reference Orange County Code Chapter 15 Environmental Control, Article III Air Quality Control. EPD is the delegated air pollution permit granting authority by FDEP. Permitting and compliance with state and county air pollution regulations may be required as specified in code. Contact the County EPD Air Quality Management Program for determination of applicability.

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 Department of Health (DOH) for the septic system and both DOH 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. There are specific guidelines and limitations for commercial and industrial uses.

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

This site is within the boundary of the Pine Castle Jeep Bombing Range. The applicant should use caution in the event any unexploded ordinance or chemical residue is discovered during site studies, surveying or clearing. As a general safety precaution, all site workers should be trained if any suspicious items are located. Should anyone encounter or suspect they have encountered munitions, it is vitally important that they follow the U.S. Army Corps of Engineers recommended "3 Rs": Recognize the item may be dangerous, Retreat and do not touch it, and Report the location to the local Sheriff's office immediately. For further information visit www.saj.usace.army.mil and click on Formerly Used Defense Sites (FUDS) and then click on the Orlando Range and Chemical Yard link or call 1-800-291-9413.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:	Orlando Utilities Commission	30-inch and 16-inch watermain within Young Pine right-of-way
Waste Water:	Orlando Utilities Commission	30-inch forcemain within Young Pine right-of-way
Reclaim Water:	Orlando Utilities Commission	8-inch reclaimed water main within Leevista right-of-way

State of Florida Notice

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (December 17, 2020)

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

- 1) Billboards and pole signs shall be prohibited; and**
- 2) The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of any I-1/I-5 uses.**

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-1/I-5 (Restricted) (Industrial District (Light) - Restricted) zoning, subject to two (2) restrictions. The applicant was present during the public hearing and agreed with the recommendation and restrictions. No member of the public was present to speak during public comment.

Staff indicated that forty-four (44) notices were sent to property owners extending beyond 1500 feet surrounding the property, and that staff had received zero (0) responses in favor and zero (0) response in opposition of the request.

A motion was made by Commissioner Nazario, and seconded by Commissioner Pena to recommend APPROVAL of the requested I-1/I-5 (Restricted) (Industrial District (Light) - Restricted) zoning, subject to the following two (2) restrictions:

- 1) Billboards and pole signs shall be prohibited; and**
- 2) The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of any I-1/I-5 uses.**

The motion carried unanimously with Commissioners Cardenas, and Abdallah absent.

Motion / Second

Carlos Nazario / Nelson Pena

Voting in Favor

Carlos Nazario, Sean McQuade, Gordon Spears, Eddie Fernandez, Jimmy Dunn, JaJa Wade and Nelson Pena

Voting in Opposition

None

Absent

Evelyn Cardenas and Mohammed Abdallah

RZ-20-12-077

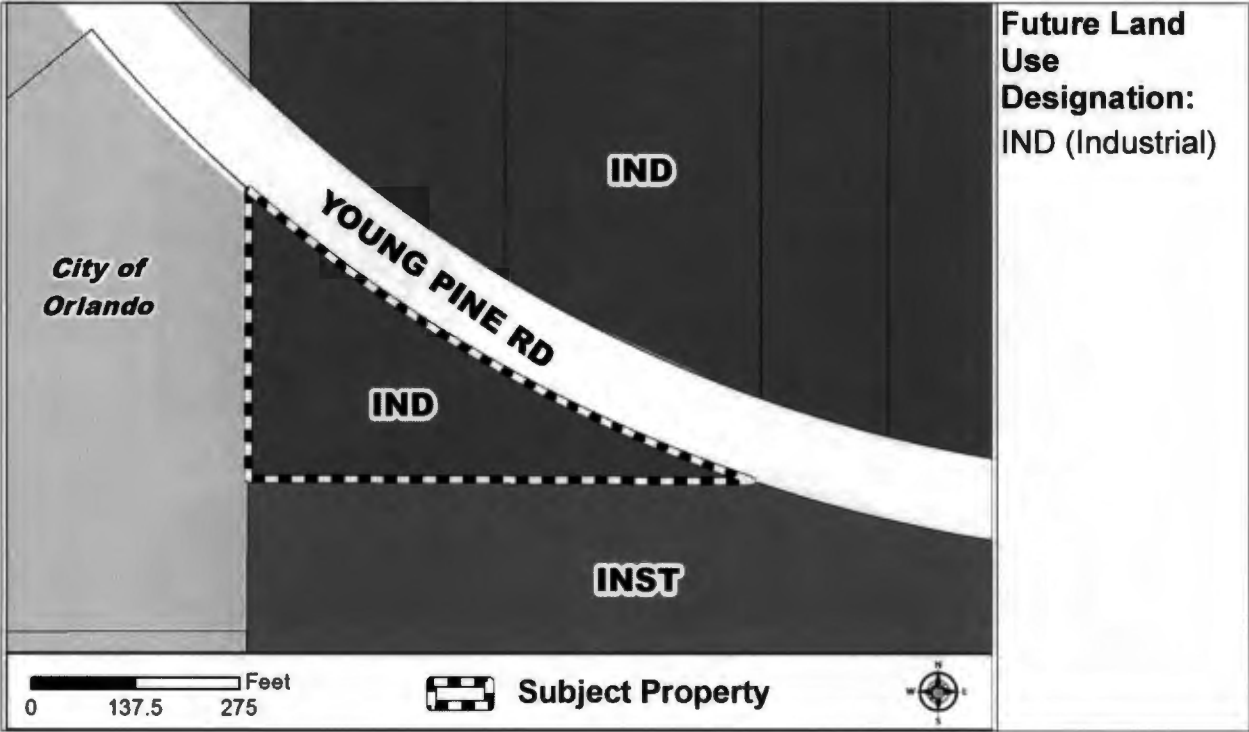


Subject Property

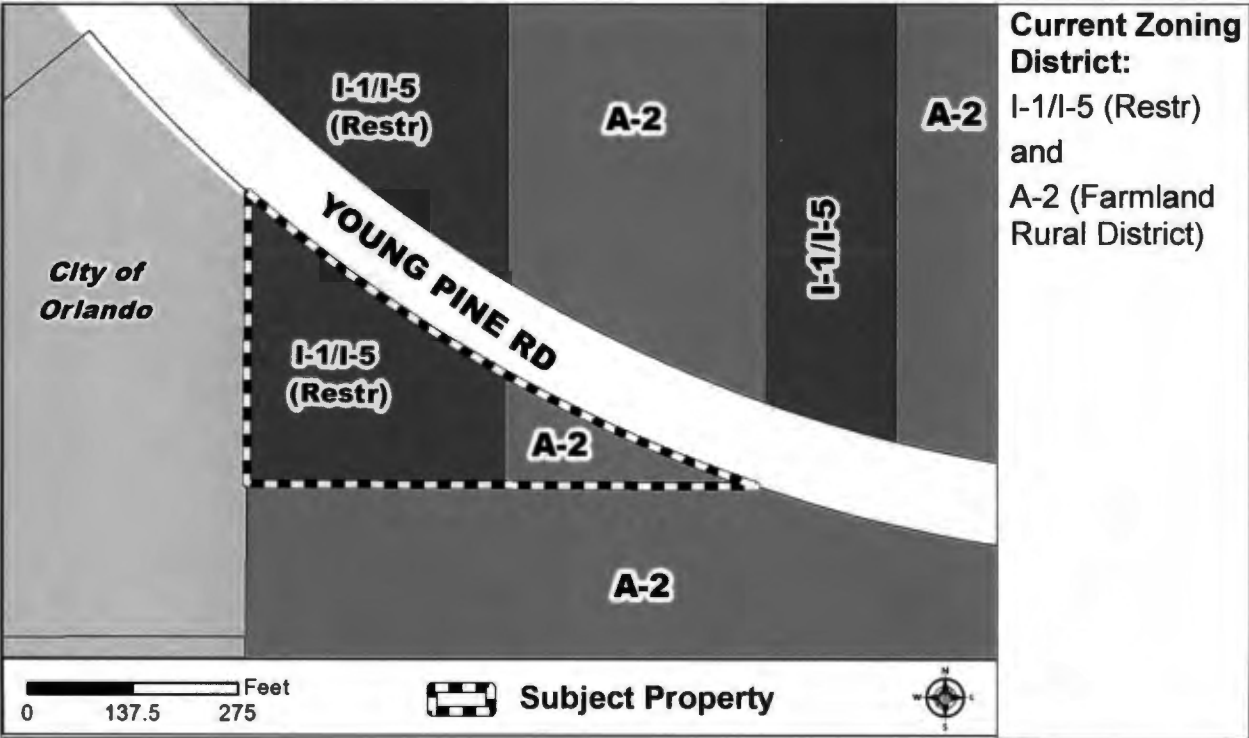


1 inch = 125 feet

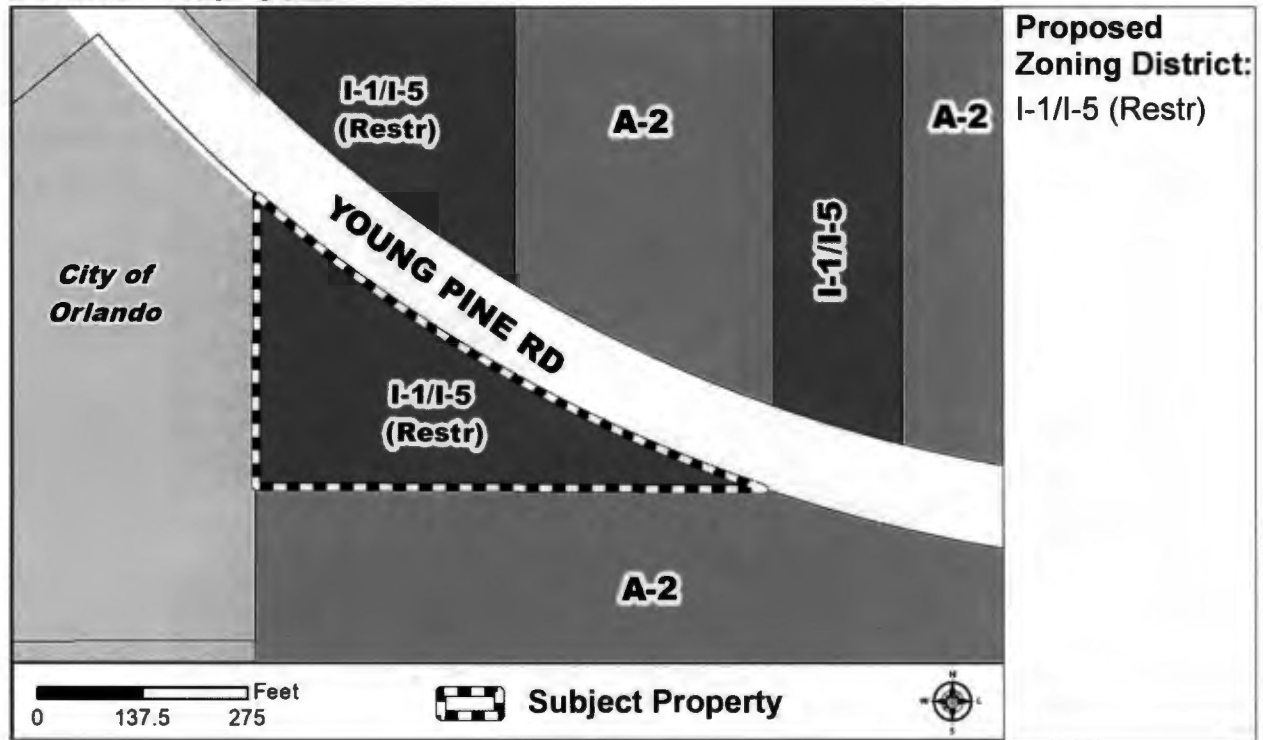
FUTURE LAND USE – CURRENT



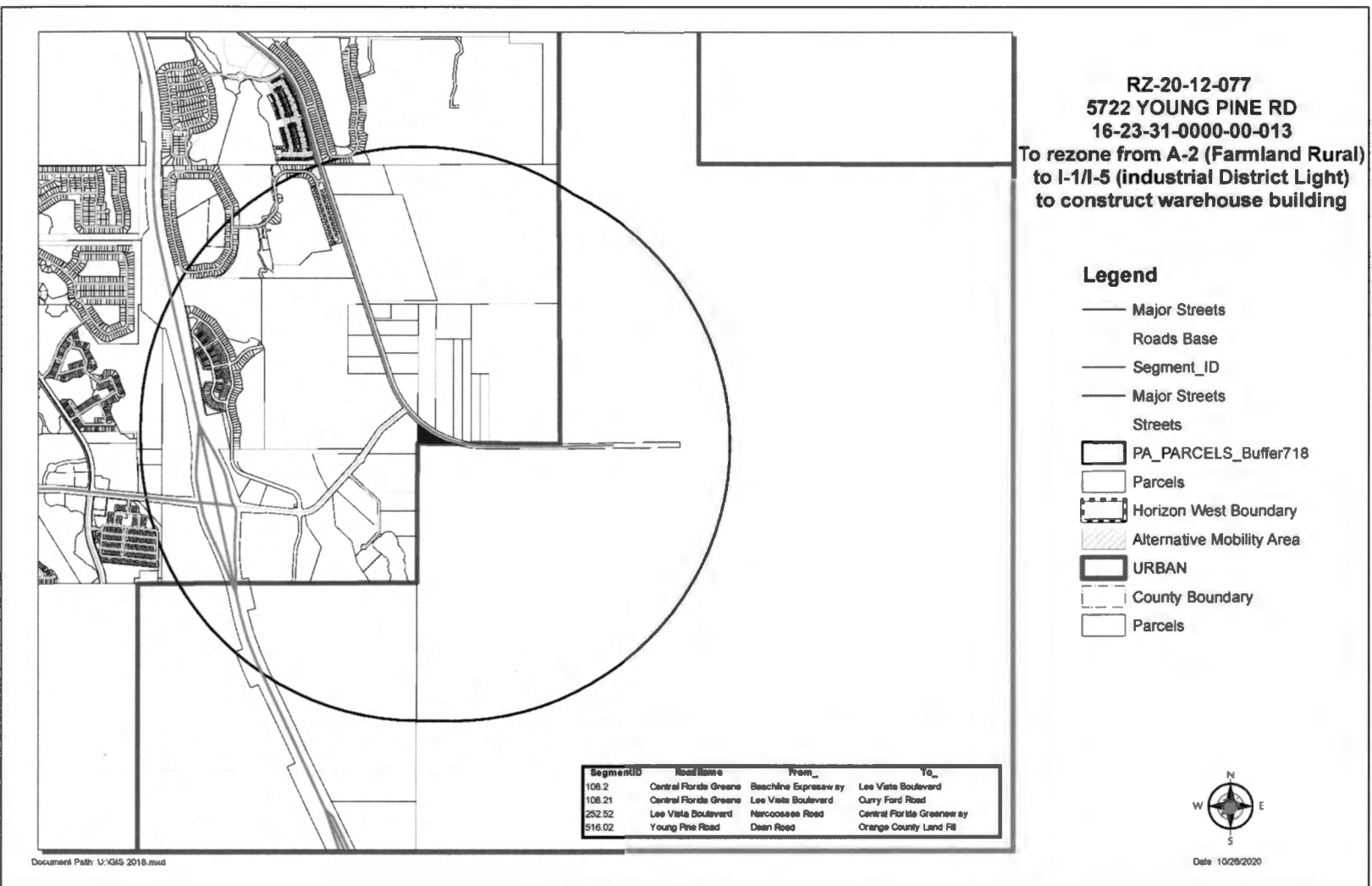
ZONING - CURRENT



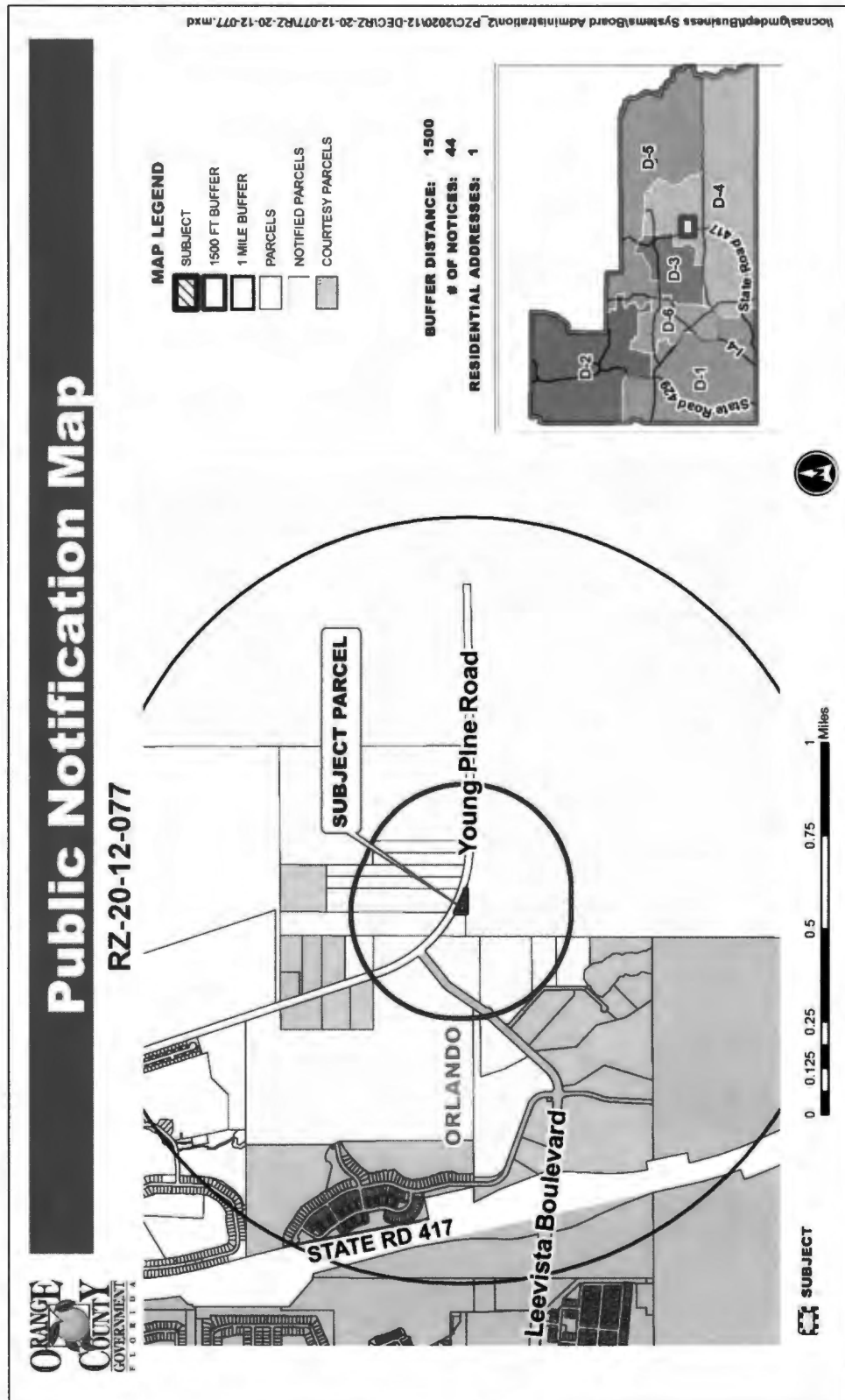
ZONING - PROPOSED



Alternative Mobility Area Context Map



Notification Map



CASE # RZ-20-12-079

Commission District: #6

GENERAL INFORMATION

APPLICANT	Roy Ramnarine
OWNERS	Azaad Ali, Chauncey Behrens, Roy Ramnarine
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-2 (Restricted) (Residential District-Restricted)
LOCATION	1011 26th Street; or generally located north of West Michigan Street, approximately 106 feet west of Westmoreland Drive.
PARCEL ID NUMBER	03-23-29-0180-45-200
TRACT SIZE	0.46 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]. One hundred sixty-six (166) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	To construct two (2) duplexes, four (4) units total, pending lot split approval

STAFF RECOMMENDATION

PLANNING

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

Variance:

1. To allow 75-foot lot width in lieu of 80-foot of each created lot.

Restriction:

1. Only single-family dwelling units and duplexes are permitted (triplexes and quadplexes are prohibited).

SUBJECT PROPERTY ANALYSIS

Overview

The subject parcel was originally platted as three 50' x 135' lots within the Angebilt Subdivision. The plat for the Angebilt Subdivision was recorded on April 14, 1953. Today, the subdivision can be characterized as having a mixture of single-family detached residential dwelling units on 50' wide lots or larger, as well as duplexes, triplexes, and accessory dwelling units.

Through this request, the applicant is seeking to rezone the subject parcel from R-1A (Single-Family Dwelling District) to R-2 (Residential District), with the intent to split the property and construct a duplex on each resulting lot, to develop up to four (4) units total, subject to lot split approval. This development is required to connect to Orange County wastewater utilities. The existing single-family detached dwelling is proposed to remain until the property has been split in two (2) lots and a duplex is built on the western lot.

The rezoning request is accompanied by a variance request to allow for 75' wide lots in lieu of 80' wide lots. With a lot depth of 135 feet, the resulting lot size after the split would be 10,125 square feet which is well above the 8,000 square foot requirement. A restriction for this rezoning is proposed in order to keep the units per acre density within the 10 units per acre maximum which is established under the properties Future Land Use designation of Low-Medium Density Residential. The proposed four units on 0.46 acres would equate to a density of 8.6 units per acre which is within the 10 units per acre limit.

Land Use Compatibility

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

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low-Medium Density Residential (LMDR) which allows consideration of up to 10 units per acre. The proposed four units on 0.46 acres would equate to a density of 8.6 units per acre. The proposed R-2 (Residential District) zoning is consistent with the Low-Medium Density Residential FLUM designation, therefore a CP amendment is not

necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

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.

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.

SITE DATA

Existing Use	Single-Family Residential
Adjacent Zoning	N: R-1 (Single-Family Dwelling District) 2006 R-2 (Residential District) 1985 R-1 A (Single-Family Dwelling District) 1957 E: R-1 A (Single-Family Dwelling District) 1957 W: R-1 A (Single-Family Dwelling District) 1957

	S:	R-1 A (Single-Family Dwelling District) 1957
Adjacent Land Uses	N:	Single-Family Residential
	E:	Single-Family Residential
	W:	Vacant Residential
	S:	Single-Family Residential (Triplex) Single-Family Residential

R-2 (Residential District) Development Standards

One-Family Dwelling

Min. Lot Area:	4,500 sq. ft.
Min. Lot Width:	45 ft.
Max. Height:	35 ft.
Min. Living Area:	1,000 sq. ft.
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	5 ft.
<i>Side Street:</i>	15 ft.

Two Dwelling Units

Min. Lot Area:	8,000 sq. ft. / 9,000 sq. ft.
Min. Lot Width:	80 ft. / 90 ft.
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. / 1,000 sq. ft.
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	5 ft.
<i>Side Street:</i>	15 ft.

Three Dwelling Units

Min. Lot Area:	11,250 sq. ft.
Min. Lot Width:	85 ft. (attached units only)
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. per dwelling unit
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	30 ft.
<i>Side:</i>	10 ft.
<i>Side Street:</i>	15 ft.

Four or More Dwelling Units

Min. Lot Area:	15,000 sq. ft.
Min. Lot Width:	85 ft.
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. per dwelling unit
Building Setbacks:	

Front: 20 ft.
Rear: 30 ft.
Side: 10 ft. (30 ft. where adjacent to single-family)
Side Street: 15 ft.

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

Intent, Purpose, and Uses

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

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

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.</p> <p>Any miscellaneous garbage, hazardous waste, yard waste, and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.</p> <p>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.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area (AMA). The following is

			a list of alternative modes within the project area: There are existing Orange County maintained sidewalks along 26th street from I-4 off ramp to S. Orange Blossom Trail and along S. Westmoreland Drive from W. Michigan Street to W. Kaley Avenue. There are existing State maintained sidewalks along S. Orange Blossom Trail from W. Michigan Street to W. Kaley Avenue. LYNX bus link #40 Americana Blvd/Universal Orlando; #107 Downtown Orlando/Florida Mall; #8 W. Oak Ridge Road/International Drive; #300 LYNX 3D Downtown Orlando/Hotel Plaza; #30 Downtown Orlando/International Drive; #441 FastLYNX; #50 Downtown Orlando/Magic Kingdom. There are nine (9) bus stops within the project area.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: Orlando Utilities Commission

Wastewater: Orange County Utilities 8-inch gravity main within
26th Street right-of-way

Reclaim Water: City of Orlando

State of Florida Notice

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PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

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

Staff indicated that one hundred sixty-six (166) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff had received one (1) response in support and zero (0) in opposition to the request.

After the public hearing portion closed with no speakers, a motion was made by Commissioner Wade and seconded by Commissioner McQuade to recommend APPROVAL of the requested R-2 (Residential District) zoning, subject to a variance and restriction. The motion carried on a 7-0 vote.

Motion / Second

JaJa Wade / Sean McQuade

Voting in Favor

JaJa Wade, Sean McQuade, Eddie Fernandez, Gordon Spears, Jimmy Dunn, Nelson Pena, and Carlos Nazario

Voting in Opposition

None

Absent

Evelyn Cardenas and Mohammed Abdallah

RZ-20-12-079

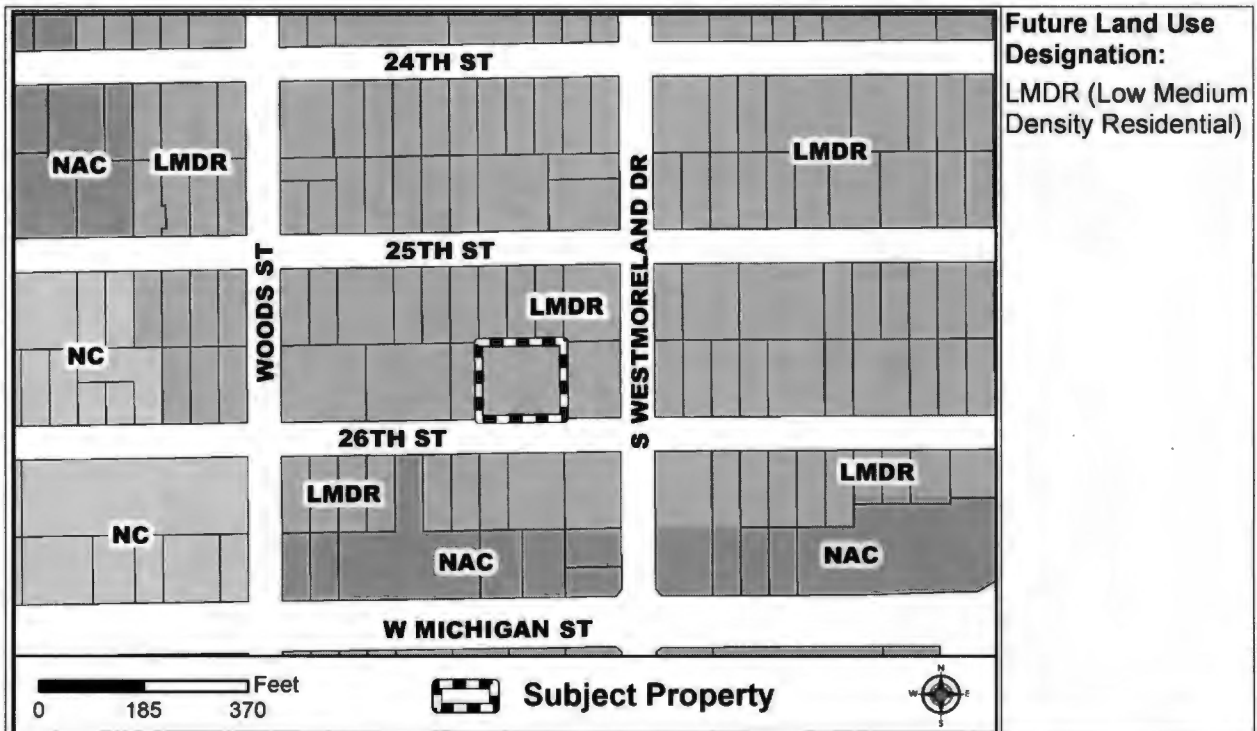


 Subject Property

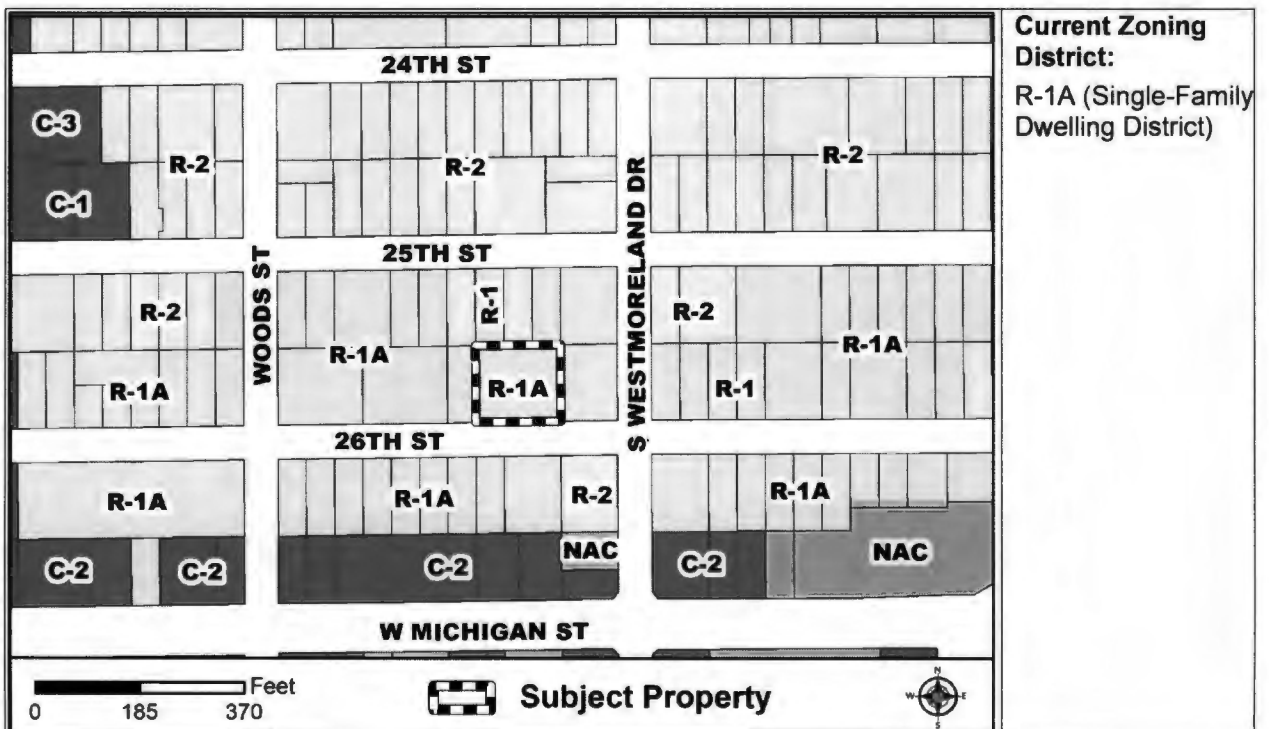


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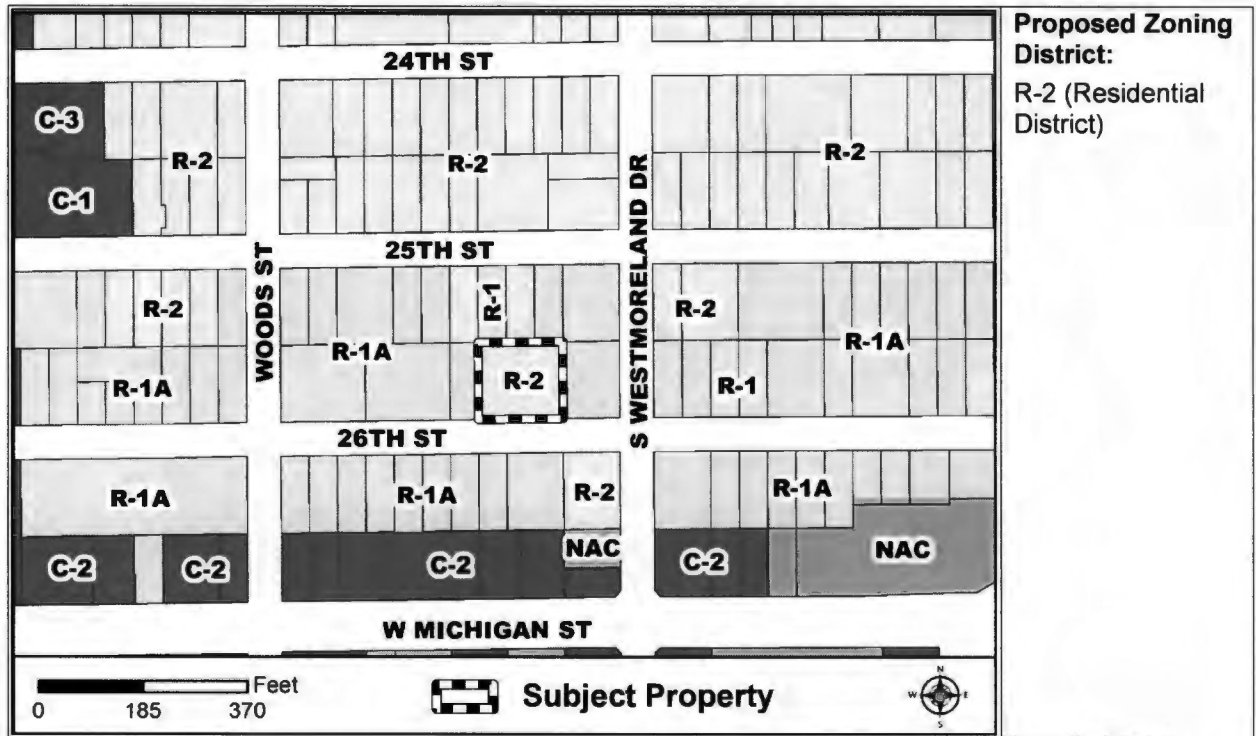
FUTURE LAND USE – CURRENT



ZONING - CURRENT



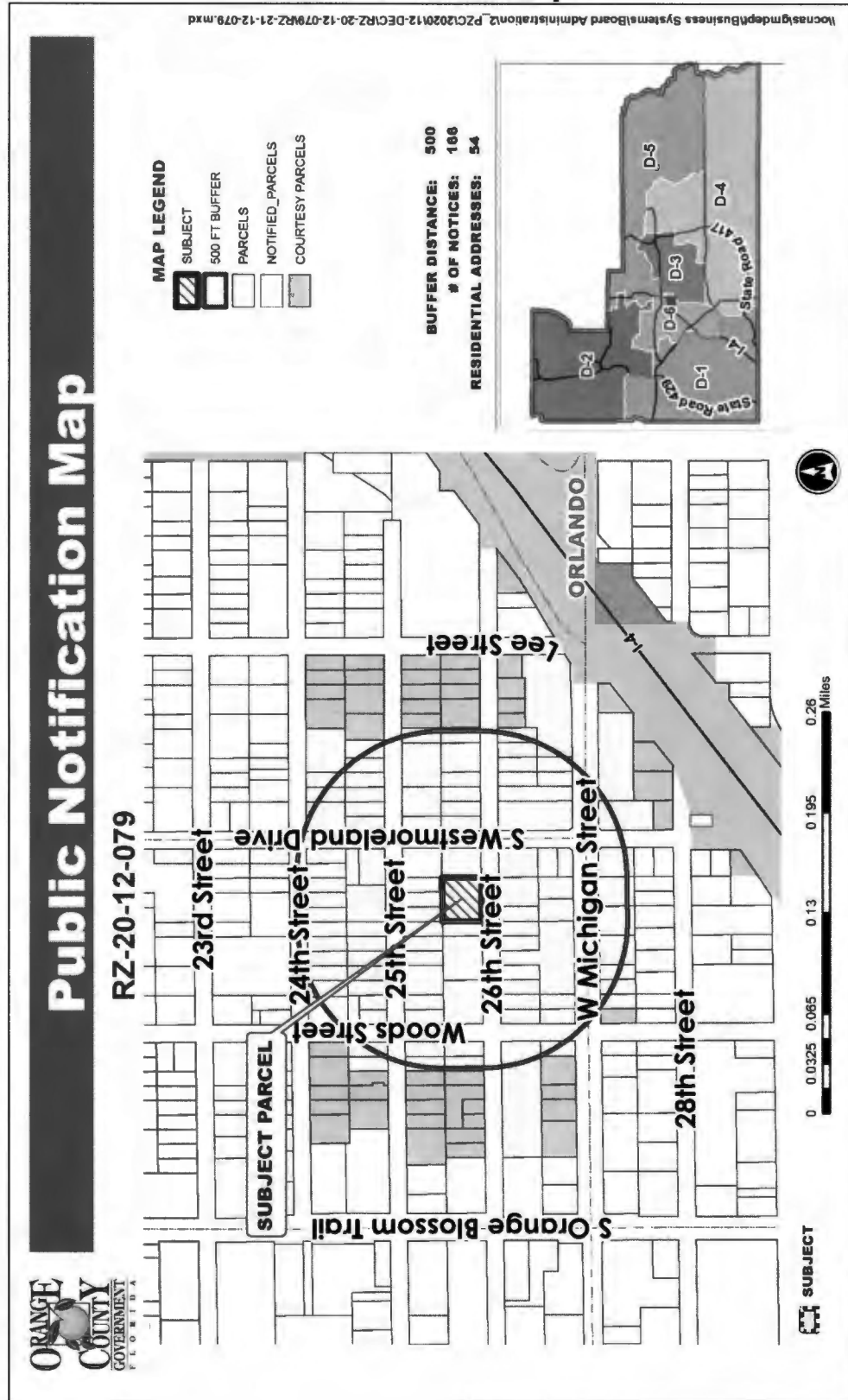
ZONING - PROPOSED



Alternative Mobility Area Context Map



Notification Map



Case Planner:
Nate Wicke

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: December 17, 2020
