



PLANNING AND ZONING COMMISSION
LOCAL PLANNING AGENCY


REZONING RECOMMENDATIONS

NOVEMBER 21, 2019



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

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



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Jose Cantero	At Large

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<u>Case #</u> <u>Applicant</u>	<u>Request</u>	<u>Commission District</u>	<u>Recommendations Staff</u>	<u>PZC</u>	<u>BCC Hearing Required</u>
I. REZONING PUBLIC HEARINGS					
RZ-19-10-045 Edward Durruthy	<i>R-1A to R-1</i>	3	Approval	Approval	No
RZ-19-11-050 Barbara Caldwell	<i>R-1 to R-CE</i>	5	Approval	Withdrawn	No
RZ-19-11-051 Solange C. Dao	<i>R-T-1 to R-2</i>	3	Approval	Approval	No
RZ-19-11-052 Allison Turnbull	<i>C-3 to I-2/I-3</i>	4	Approval with two (2) restrictions	Approval with two (2) restrictions	No
RZ-19-11-053 Greg Crawford	<i>R-CE to R-1A</i>	1	Approval with one (1) restriction	Approval with one (1) restriction	No
RZ-19-11-054 Luis A. Rivas	<i>R-2 to R-T-1</i>	4	Approval	Approval	No
II. PLANNED DEVELOPMENT PUBLIC HEARINGS					
LUP-17-04-135 Erika Hughes Westgate Season Land Use Plan	<i>R-3 to PD</i>	6	Approval with nineteen (19) conditions	Approval with nineteen (19) conditions	Yes
LUP-18-06-204 Quang Lam Golden Key Condos Land Use Plan	<i>R-1A to PD</i>	3	Approval with nineteen (19) conditions	Approval with nineteen (19) conditions	Yes
LUP-19-03-090 Robert B. Paymayesh Baldwin Park Plaza Land Use Plan	<i>P-O to PD</i>	5	Approval with eighteen (18) conditions	Approval with eighteen (18) conditions	Yes

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

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.)
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:
Nathaniel Wicke

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: November 21, 2019

CASE # RZ-19-10-045

Commission District: #3

GENERAL INFORMATION

APPLICANT	Edward Durruthy, Castle & Cooke Real Estate Services
OWNERS	SODO Investments LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)
LOCATION	Generally located on the northeast corner of 29th Street and Lee Street
PARCEL ID NUMBER	03-23-29-0180-69-130
TRACT SIZE	0.32-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 700 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred seventy-three (173) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Two (2) Single-Family Dwelling Units (<i>Pending Approved Lot Split</i>)

STAFF RECOMMENDATION

PLANNING

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

IMPACT ANALYSIS

Land Use Compatibility

The R-1 (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.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low-Medium Density Residential (LMDR). The proposed R-1(Single-Family Dwelling District) zoning is consistent with the Low-Medium Density FLUM designation and the following Comprehensive Plan provisions:

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

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

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

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

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

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

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

SITE DATA

Existing Use

Vacant

Adjacent Zoning

N: R-1A (Single Family Dwelling District) (1957)

E: R-1A (Single Family Dwelling District) (1957)

W: R-1A (Single Family Dwelling District) (1957)

S: R-1AA (Single Family Dwelling District) (1957)

*No restrictions apply to the above rezonings.

Adjacent Land Uses

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

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.

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

Subject Property Analysis

The subject property is generally located on the northeast corner of 29th Street and Lee Street. The property is currently undeveloped. Originally platted on June 15, 1923, the subject property is shown as two 50' foot lots on the 'Angebelt Addition, Continued' plat.

The subject property is located approximately four hundred fifteen (415) feet east of Interstate 4 and the immediate area is developed with single-family dwelling units on lots varying from fifty (50) feet in width to one hundred (100) feet in width. The Orlando Health and Rehabilitation Center is located on the southwest corner of the intersection of 29th Street and Lee Street.

Through this request, the applicant is seeking to rezone a 0.32 acre property from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District) to construct two (2) single-family homes, pending an approved lot split.

Comprehensive Plan (CP) Amendment

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Low-Medium Density Residential (LMDR) Future Land Use Map (FLUM) designation.

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.

Community Meeting Summary

A community meeting was not required for this request.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a Joint Planning Area.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Environmental

Any existing septic tanks or wells (potable or irrigation water supply wells) onsite shall be properly abandoned prior to earthwork or construction. 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.

Transportation / Access

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 Lee Street from 32nd Street to I-4. LYNX bus link#40 Americana Blvd / Universal Orlando; #300 LYNX 3D: Downtown Orlando / Hotel Plaza; #38 Downtown Orlando / International Drive; #441 FastLYNX 441; #50 Downtown Orlando / Magic Kingdom. There are four (4) bus stops within the project area.

Code Enforcement

There are no active Code Enforcement violations on the subject property.

Utilities

Water: Orlando Utilities Commission

Wastewater: Orange County Utilities Not currently available

Reclaim Water: City of Orlando

Schools

Orange County Public Schools (OCPS) considers the impact to affected public schools to be "de minimis"; therefore a Capacity Enhancement Agreement (CEA) is not required.

Parks and Recreation

Orange County Parks and Recreation reviewed this request, but did not provide any objections or comments.

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 – (November 21, 2019)

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

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) Zoning. The applicant was present and agreed with the staff recommendation.

Staff indicated that one hundred seventy three (173) notices were sent to property owners extending beyond 700 feet surrounding the property, and that staff had received one (1) response in favor, and eight (8) responses in opposition of the request. Those in opposition stated concerns of drainage, density, additional septic, and a preference for a lot width variance, one single-family home, or for the lots be oriented toward Lee Street. One member of the public was present and spoke in opposition to the request. This speaker received additional time from four residents, who were also present.

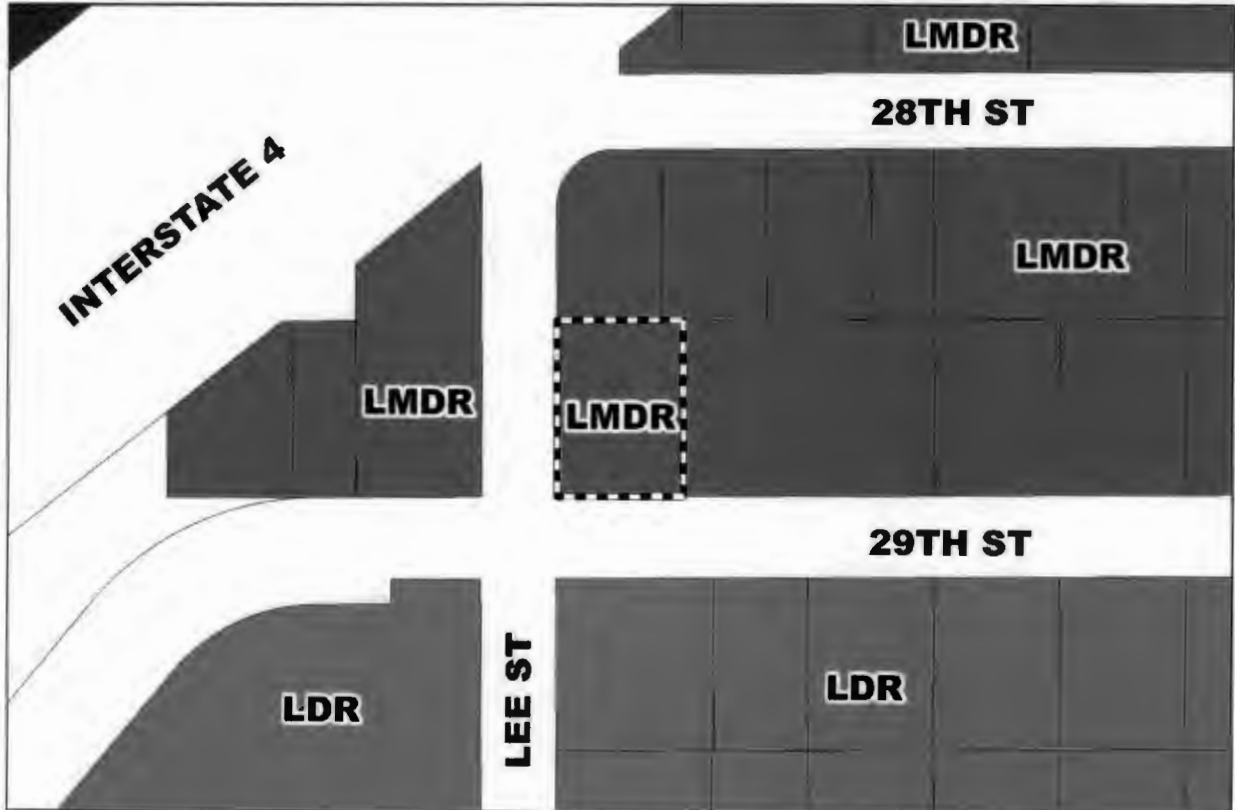
Discussion ensued as to whether the applicant would be required to construct homes as represented in the elevations provided, or only to the standards of the requested zoning

district, the orientation of the platted lots, and the applicable current and prior Comprehensive Plan policies to the subject property.

A motion was made by Commissioner Fernandez, and seconded by Commissioner Cantero to recommend approval of the requested R-1 zoning. The motion carried on a 9-0 vote.

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

RZ-19-10-045



 Subject Property



 Subject Property

Future Land Use Map

FLUM: Low-Medium Density Residential (LMDR)

APPLICANT: Edward Durruthy,
 Castle & Cooke Real Estate Services

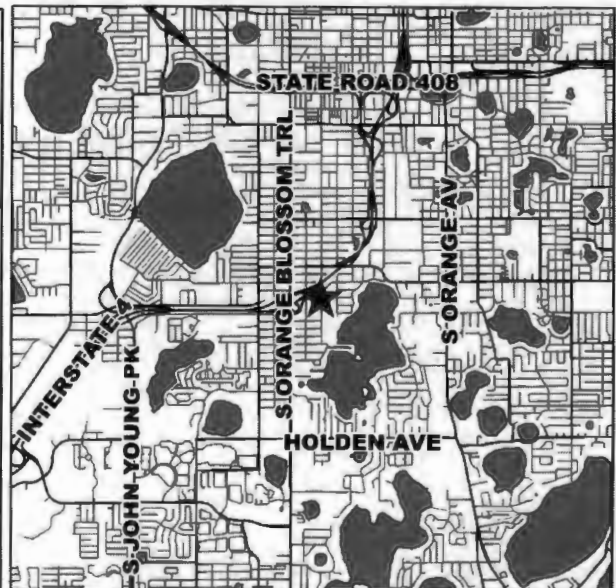
LOCATION: Generally located on the northeast corner
 of 29th Street and Lee Street

TRACT SIZE: 0.32-gross acre

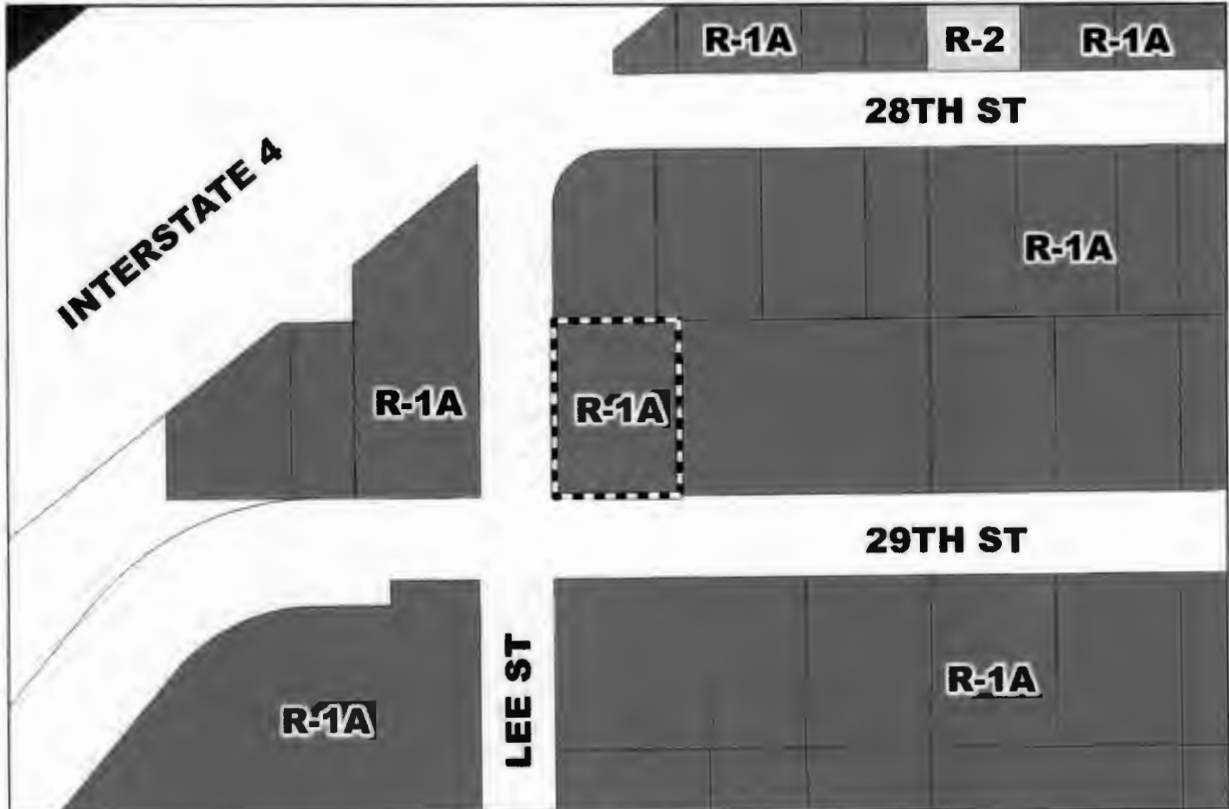
DISTRICT: # 3

S/T/R: 03/23/29

1 inch = 125 feet



RZ-19-10-045



 Subject Property



★ Subject Property

Zoning Map

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

APPLICANT: Edward Durruthy,
Castle & Cooke Real Estate Services

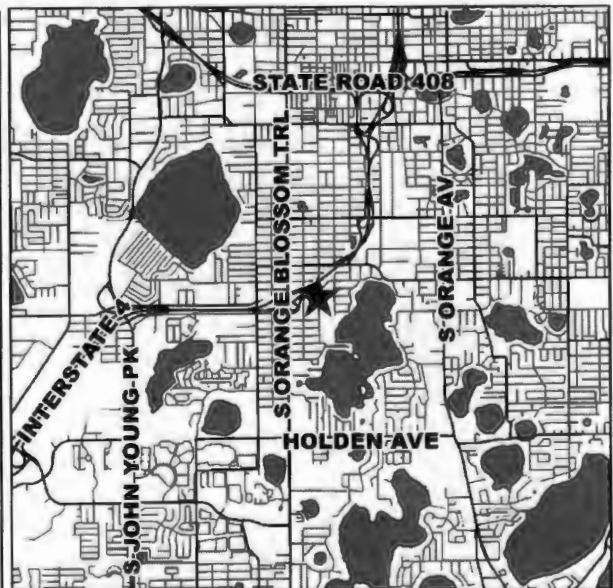
LOCATION: Generally located on the northeast corner of 29th Street and Lee Street

TRACT SIZE: 0.32-gross acre

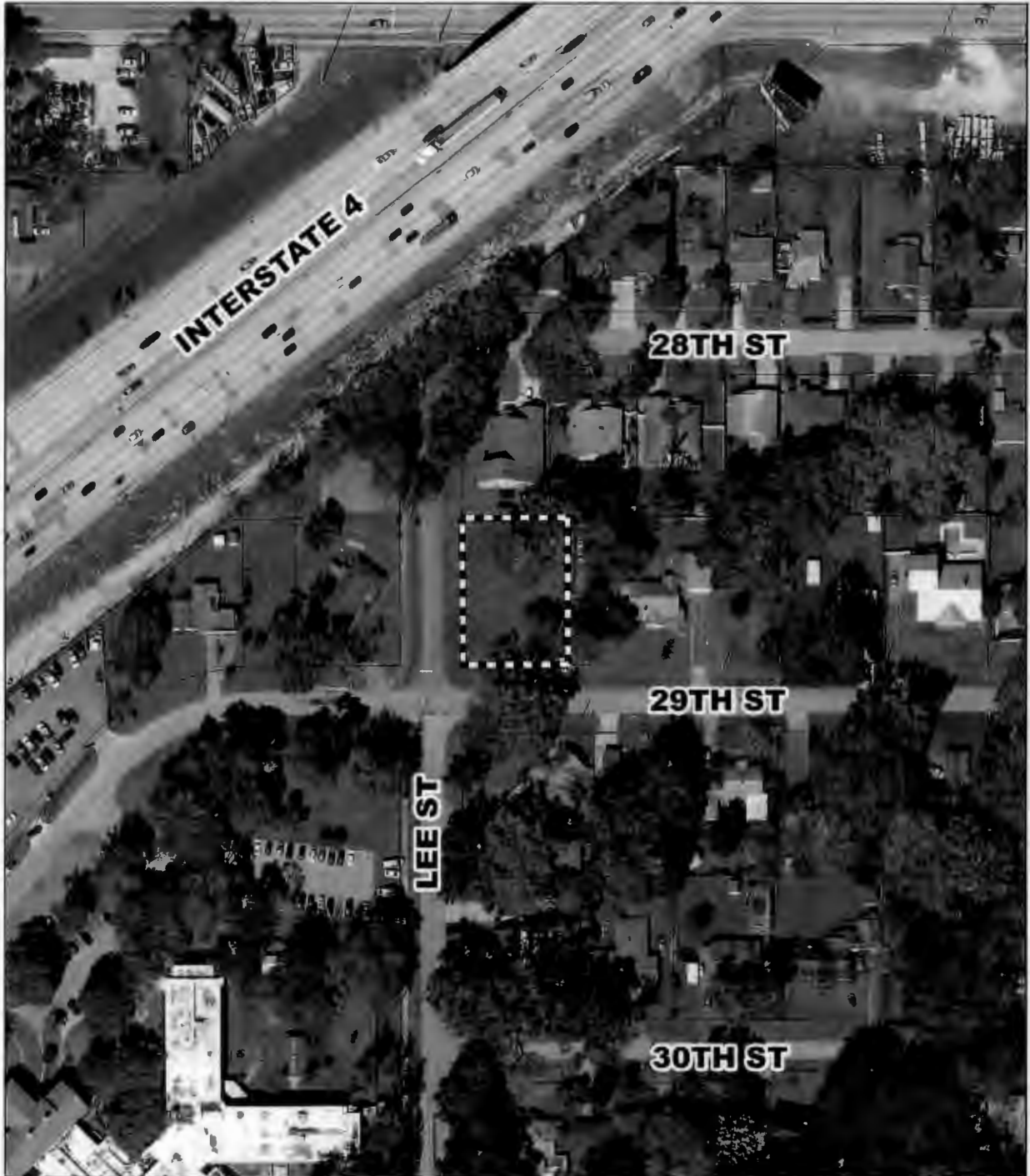
DISTRICT: # 3

S/T/R: 03/23/29

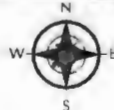
1 inch = 125 feet



RZ-19-10-045



 **Subject Property**



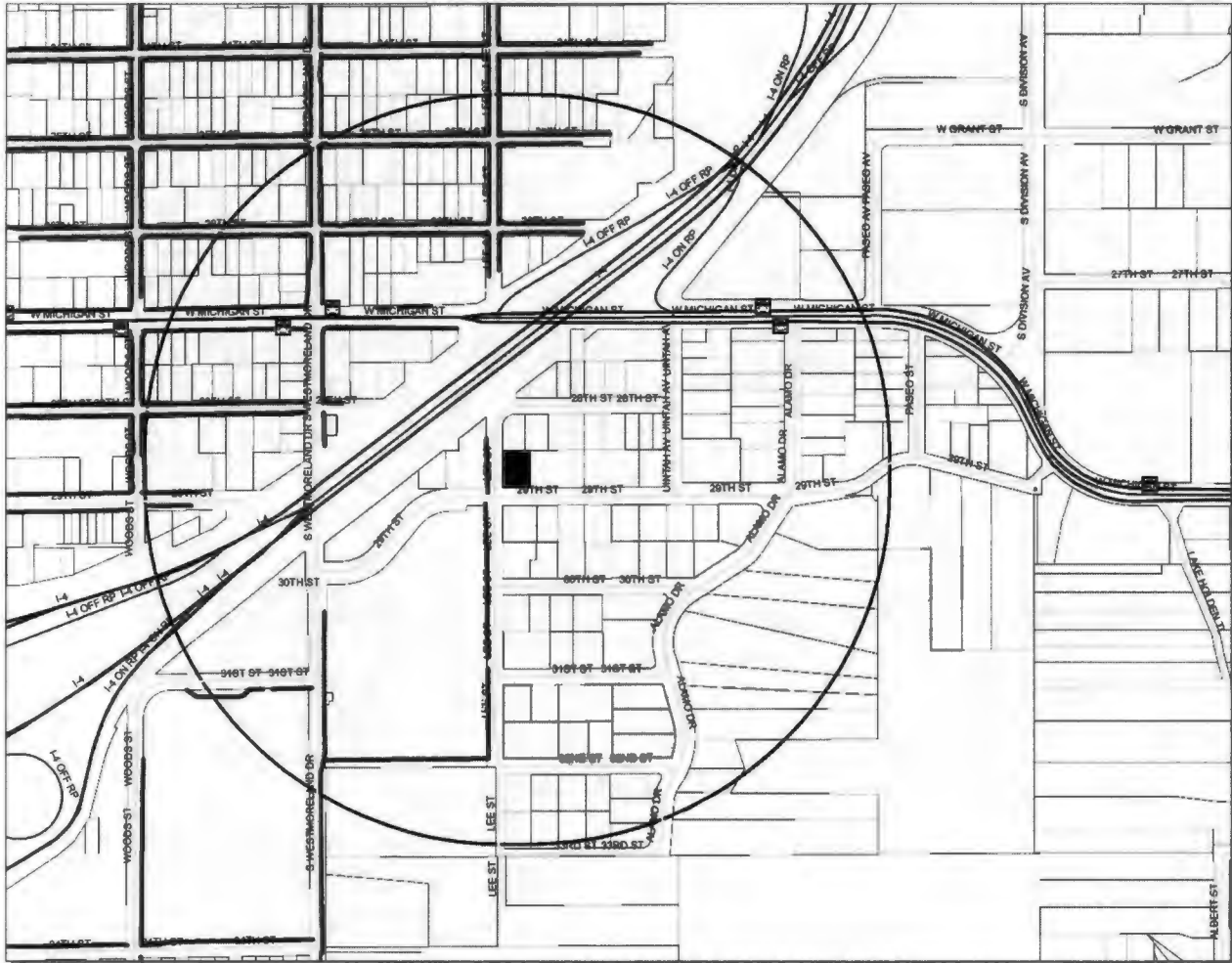
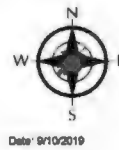
1 inch = 125 feet

Alternative Mobility Area Context Map

RZ-19-10-045
To rezone R-1A to R-1
in order to construct two
(2) single-family detached
dwelling units (pending
approved lot split).

Legend

- LYNX Bus Stops
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- LYNX Bus Route Schedule
- Major Streets
- Roads Base
- Segment_ID
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Major Streets
- Streets
- PA_PARCELS_Buffer207
- Horizon West Boundary
- County Boundary
- Parcels

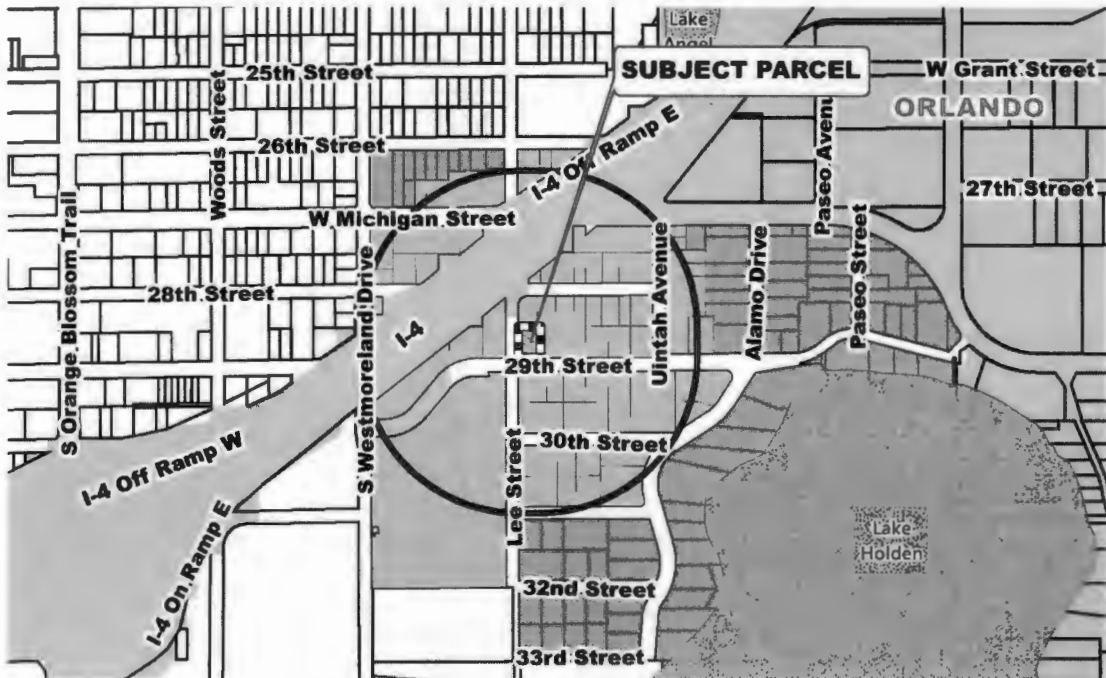


Document Path: U:\GIS\2016.mxd



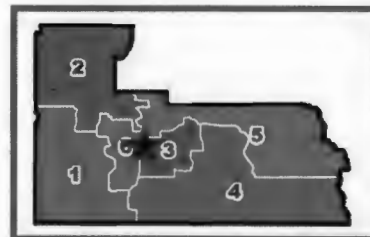
Public Notification Map

29TH STREET_RZ-19-10-045



- MAP LEGEND**
- SUBJECT
 - 700_FT_BUFFER
 - HYDROLOGY
 - NOTIFIED_PARCELS
 - COURTESY_PARCELS
 - PARCELS
 - Road Name

700 : FT BUFFER
173 : NOTICES
52 : RESIDENTIAL COUNT



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Notification Map

Case # RZ-19-10-045
 Orange County Planning Division
 PZC Hearing Date: November 21, 2019

CASE # RZ-19-11-051
Commission District: #3

GENERAL INFORMATION

APPLICANT	Solange Dao, PE, Dao Consultants, Inc.
OWNERS	Nineteen Eighty-Eight Acq, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-T-1 (Mobile Home Subdivision District) to R-2 (Residential District)
LOCATION	2898 Redditt Road; generally located on the west side of Redditt Road, approximately 225 feet north of Pompeii Road
PARCEL ID NUMBER	10-23-30-3032-00-775
TRACT SIZE	0.49 gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 700 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Five hundred forty (540) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Two (2) Duplexes (four total units)

STAFF RECOMMENDATION

PLANNING

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

IMPACT ANALYSIS

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.

Comprehensive Plan (CP) Consistency

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

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

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

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

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

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

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

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

SITE DATA

Existing Use

Mobile Home

Adjacent Zoning

N: R-T-2 (Combination Mobile Home and Single Family Dwelling District) (1957)

E: R-1 (Single-Family Dwelling District) (1976)

W: R-3 (Multiple-Family Dwelling District) (1986)*

*Restricted to ten (10) units per acre

S: R-T-1 (Mobile Home Subdivision District (1972)

Adjacent Land Uses

N: Mobile Home

E: Dry Retention Undeveloped Land

W: Multi-Family Residences

S: Canal / Manufactured Home

R-2 (Residential District) Development Standards:

One-Family Dwelling

Min. Lot Area: 4,500 sq. ft.

Min. Lot Width: 45 ft.

Max. Height: 35 ft.

Min. Living Area: 1,000 sq. ft.

Building Setbacks:

Front: 20 ft.

Rear: 20 ft.

Side: 5 ft.

Side Street: 15 ft.

Two Dwelling Units

Min. Lot Area: 8,000 sq. ft. / 9,000 sq. ft.

Min. Lot Width: 80 ft. / 90 ft.

Max. Height: 35 ft.

Min. Living Area: 500 sq. ft. / 1,000 sq. ft.

Building Setbacks:

Front: 20 ft.

Rear: 20 ft.

Side: 5 ft.

Side Street: 15 ft.

Three Dwelling Units

Min. Lot Area: 11,250 sq. ft.

Min. Lot Width: 85 ft. (attached units only)

Max. Height: 35 ft.

Min. Living Area: 500 sq. ft. per dwelling unit

Building Setbacks:

Front: 20 ft.

Rear: 30 ft.

Side: 10 ft.

Side Street: 15 ft.

Four or More Dwelling Units

Min. Lot Area: 15,000 sq. ft.

Min. Lot Width: 85 ft.

Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. per dwelling unit
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	30 ft.
<i>Side:</i>	10 ft. (30 ft. where adjacent to single-family)
<i>Side Street:</i>	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

Subject Property Analysis

The subject property is located at 2898 Redditt Road; generally located on the west side of Redditt Road, approximately 225 feet north of Pompeii Road. The property is currently developed with a mobile home. The surrounding area is developed with varying levels of residential including mobile homes, single-family dwelling units, and multi-family dwelling units.

Through this request, the applicant is seeking to rezone a 0.49 acre property from R-T-1 (Mobile Home Subdivision District) to R-2 (Residential District) to construct two (2) duplexes (four total units).

Comprehensive Plan (CP) Amendment

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Low-Medium Density Residential (LMDR) Future Land Use Map (FLUM) designation.

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.

Community Meeting Summary

A community meeting was not required for this application.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a Joint Planning Area.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is located within Airport Noise Zone D. Appropriate mitigation criteria will be required at the time of building permit submittal.

Environmental

Orange County Environmental Protection Division staff reviewed the rezoning request, but did not identify any issues or concerns.

Transportation / Access

This project is located within the Orange County Alternative Mobility Area (AMA) and is not subject to concurrency requirements. The following is a list of alternative options within the project area: Orange County maintained sidewalks along Redditt Road from Pershing Avenue to Rancho Street. LYNX bus link #3 Lake Margaret. There are (5) five bus stops within the project area.

Code Enforcement

There are no active Code Enforcement violations on the subject property.

Utilities

Water:	Orange County Utilities	An 8-inch watermain is located within the Redditt right-of-way
Wastewater:	Orange County Utilities	An 8-inch gravity main is located within an easement outside the eastern Redditt right-of-way, a 12-inch forcemain is located within Redditt right-of-way
Reclaim Water:	Orange County Utilities	Not currently available

Schools

Orange County Public Schools (OCPS) considers the impact to affected public schools to be "de minimis"; therefore a Capacity Enhancement Agreement (CEA) is not required.

Parks and Recreation

Orange County Parks and Recreation reviewed the request, but did not identify any issues or concerns.

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 – (November 21, 2019)

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

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

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

Staff indicated that five hundred forty (540) notices were sent to property owners extending beyond 700 feet surrounding the property, and that staff had received two (2) responses in favor, and one (1) response in opposition of the request, which cited a concern related to density. No members of the public were present to speak on this request.

A motion was made by Commissioner Fernandez, and seconded by Commissioner Nazario to recommend approval of the requested R-2 zoning. The motion carried on a 9-0 vote.

Motion / Second

Eddie Fernandez / Carlos Nazario

Voting in Favor

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

Voting in Opposition

None

Absent

None

RZ-19-11-051



Subject Property



Subject Property

Future Land Use Map

FLUM: Low-Medium Density Residential (LMDR)

APPLICANT: Solange Dao, PE, Dao Consultants, Inc.

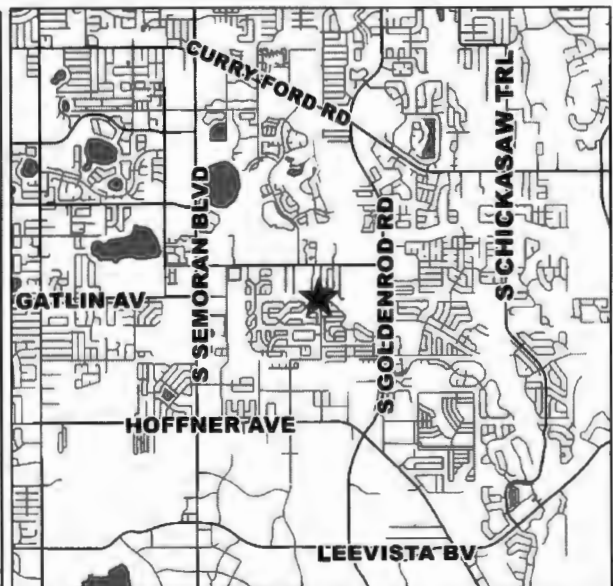
LOCATION: 2898 Redditt Road; generally located on the west side of Redditt Road, approximately 225 feet north of Pompeii Road.

TRACT SIZE: 0.49 gross acre

DISTRICT: # 3

S/T/R: 10/23/30

1 inch = 550 feet



RZ-19-11-051



Subject Property



Subject Property

Zoning Map

ZONING: R-T-1 (Mobile Home Subdivision District) to R-2 (Residential District)

APPLICANT: Solange Dao, PE, Dao Consultants, Inc.

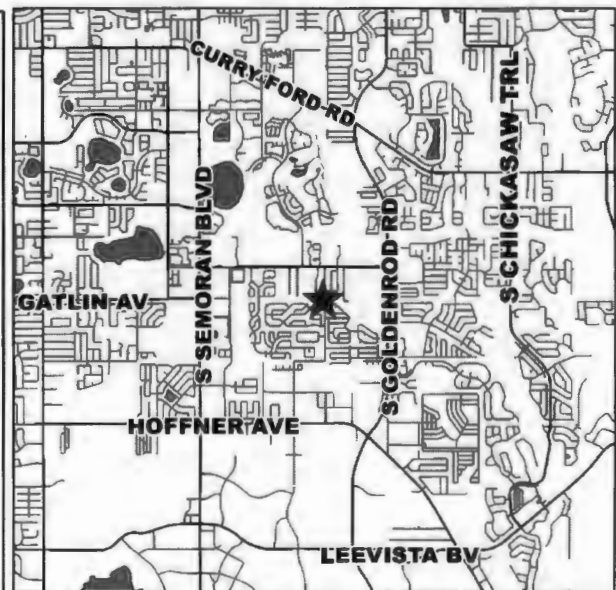
LOCATION: 2898 Redditt Road; generally located on the west side of Redditt Road, approximately 225 feet north of Pompeii Road.

TRACT SIZE: 0.49 gross acre

DISTRICT: # 3

S/T/R: 10/23/30

1 inch = 550 feet



RZ-19-11-051



 Subject Property

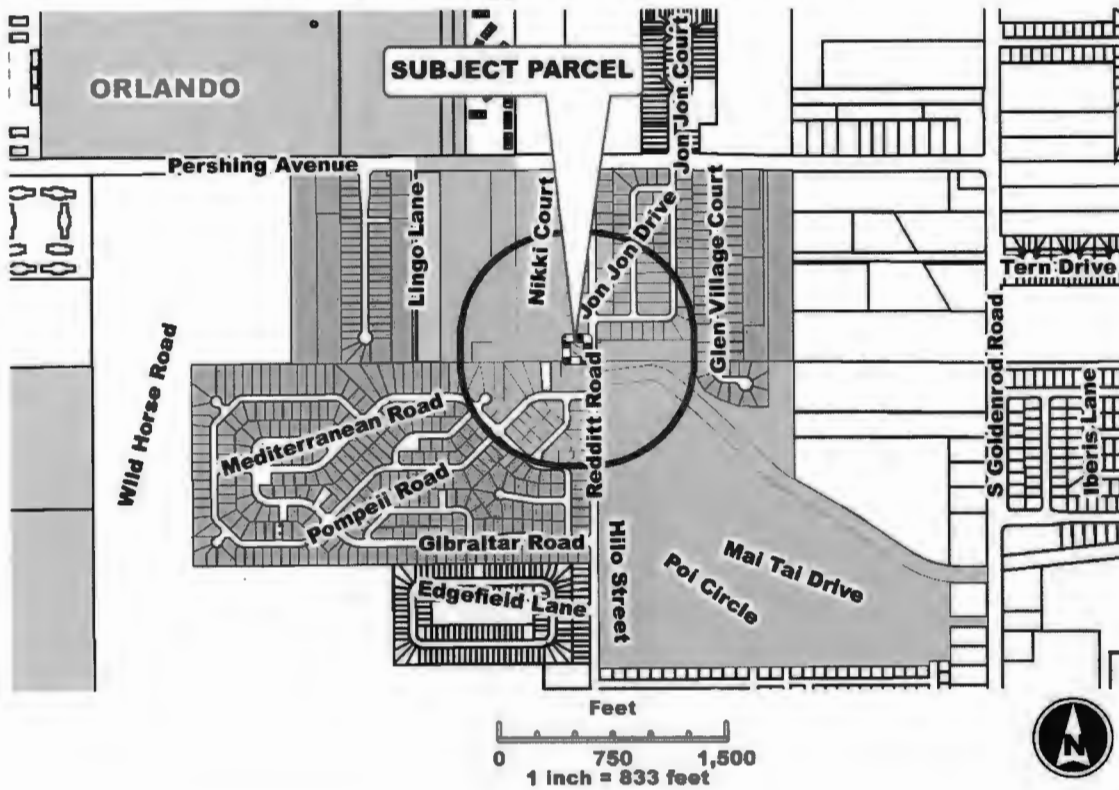


1 inch = 550 feet



Public Notification Map

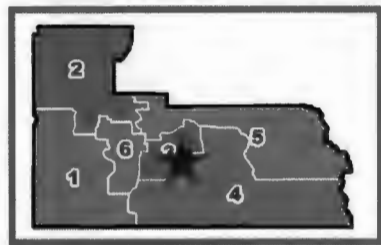
RZ-19-11-051_2898 Redditt Road



MAP LEGEND

- SUBJECT
- 700 FT BUFFER
- NOTIFIED PARCELS
- COURTESY PARCELS
- PARCELS

700 : FT BUFFER
 540 : NOTICES
 93 : RESIDENTIAL COUNT



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 10/30/2019 4:44:58 PM

Notification Map

Case # RZ-19-11-051
 Orange County Planning Division
 PZC Hearing Date: November 21, 2019

CASE # RZ-19-11-052

Commission District: #4

GENERAL INFORMATION

APPLICANT	Allison E. Turnbull, Esq., Yoakley Gunster
OWNERS	Distribution Funding II, Inc.
HEARING TYPE	Planning and Zoning Commission
REQUEST	C-3 (Wholesale Commercial District) to I-2 / I-3 (Industrial District)
LOCATION	9695 Delegates Drive; or generally located on the northeast corner of Delegates Drive and Principal Row
PARCEL ID NUMBER	03-24-29-6364-02-000
TRACT SIZE	4.40 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 1500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Eighty-seven (87) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	General Industrial uses

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-2/I-3 (Industrial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited;
- 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-2/I-3 uses.

IMPACT ANALYSIS

Land Use Compatibility

The I-2/I-3 (Industrial District) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Industrial (IND). The proposed I-2/I-3 (Industrial District) zoning is consistent with the Industrial FLUM designation and the following Comprehensive Plan provisions:

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

FLU1.4.16 states that the Future Land Use Map shall reflect appropriate locations for industrial use. Potentially incompatible land use designations, such as residential or neighborhood commercial, shall not be established adjacent to industrial land use designations. Proposed land use changes from industrial to residential or commercial shall be evaluated in the context of potential impacts to long-term viability of surrounding industrial uses. Proposed industrial changes shall be evaluated relative to the need to maintain adequate industrial sites to serve the projected market demand and corresponding needs for job creation and economic development. (Added 05/03, Ord. 03-03, Policy 4.1.10-r)

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

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

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

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

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

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

SITE DATA

Existing Use	Warehousing
Adjacent Zoning	N: C-3 (Wholesale Commercial District) (1985) E: I-2/I-3 (Industrial District) (1996) W: I-2/I-3 (Industrial District) (1985) S: I-2/I-3 (Industrial District) (1985) <i>*No restrictions apply to the above zoning districts</i>
Adjacent Land Uses	N: Office E: Distribution Center W: Distribution Center S: Distribution Center

I-2/I-3 (Industrial District) Development Standards

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

Building Setbacks

Front: 25 ft.
Rear: 10 ft.
Side: 15 ft.

Intent, Purpose, and Uses

The intent and purpose of the I-2/I-3 industrial district is to provide space for those industries which require locations near compatible neighbors, good transportation facilities and utilities, to establish and maintain regulations which will allow the continued development of certain existing industrially zoned property and certain lands adjacent thereto where there exist lots, structures and uses of land which were lawful before the adoption of this article but which may be prohibited by the requirements of the I-1A and I-1/I-5 industrial districts, to establish and maintain standards that will promote the development of a wide variety of general industrial and related activities which require a pleasant environment, compatible surroundings, and intensive use of land, and to establish and maintain standards which will protect adjacent residential and commercial developments.

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

Subject Property Analysis

The subject property is located at 9695 Delegates Drive, or generally located on the northeast corner of Delegates Drive and Principal Row. The Future Land Use Map (FLUM) designates the subject property as Industrial (IND), which allows for a 0.75 Floor Area Ratio (FAR).

The subject parcel was originally platted as a block C within Orlando Central Park Number Fifty-Six on January 13, 1986. The area surrounding the subject property is intended for industrial uses, and mostly consist of warehousing and commercial developments. Through this request the applicant is seeking to rezone from C-3 (Wholesale Commercial District) to I-2/I-3 (Industrial District) in order to bring the property into conformance with the underlying FLUM designation and allow for general industrial uses.

Comprehensive Plan (CP) Amendment

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Industrial (IND) Future Land Use Map (FLUM) designation.

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.

Community Meeting Summary

A community meeting was not required for this request.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a Joint Planning Area.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Environmental

Staff reviewed the rezoning request, but did not identify any issues or concerns.

Transportation / Access

Based on the concurrency database dated October 16, 2019, there are several failing roadway segments within the project area. Orange Blossom Trail from Taft Vineland Road to Landstreet Road and Taft Vineland Road from Orange Blossom Trail to General Boulevard.. A traffic study will be required for this project prior to permitting.

Code Enforcement

There are no active Code Enforcement violations on the subject property.

Utilities

Water: Orlando Utilities Commission

Wastewater: Orange County Utilities A 10-inch gravity main is located within Delegates right-of-way. A 8-inch gravity main is located with Principal Row right-of-way. A12- inch forcemain is located within Principal Row right-of-way

Reclaim Water: Orange County Utilities Not currently available

Schools

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

Orange County Parks and Recreation staff reviewed the rezoning request, but did not identify any issues or concerns.

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 – (November 21, 2019)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-2/I-3 (Industrial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited; and
- 2) For any new I-2/I-3 uses, the applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces).

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

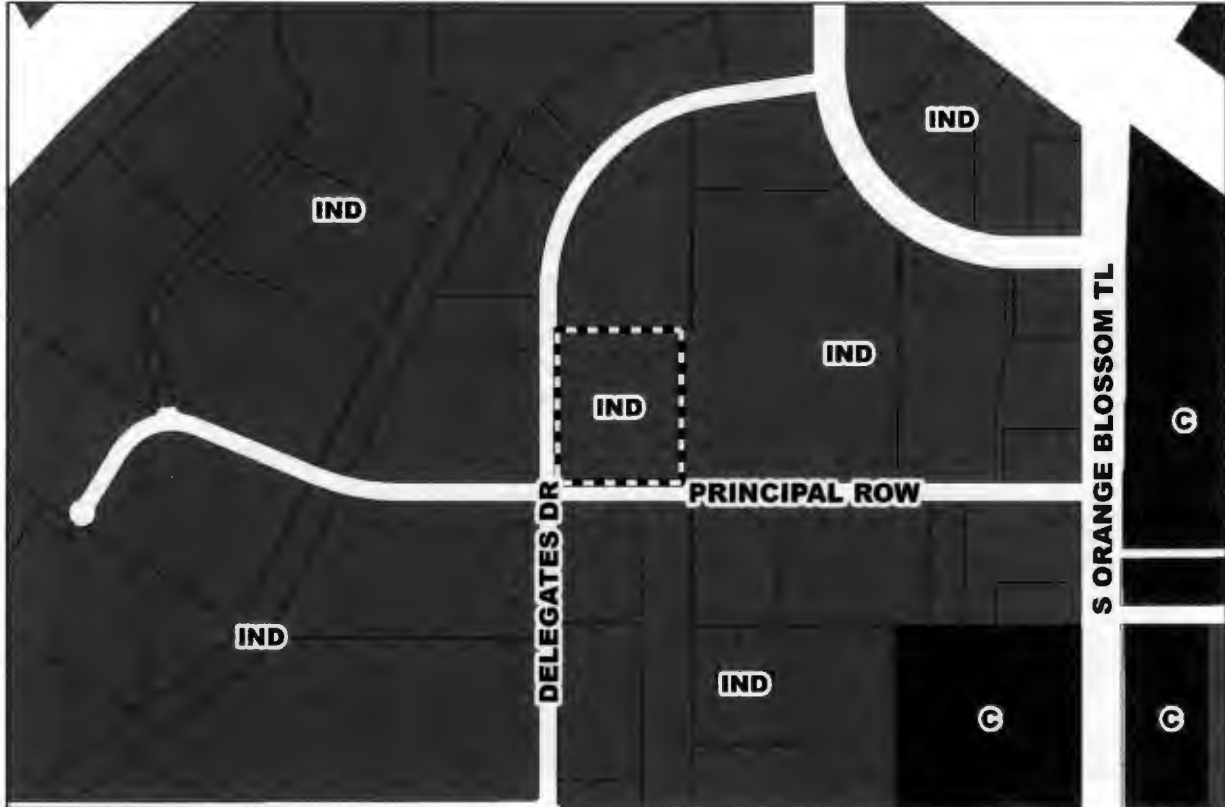
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-2 / I-3 (Industrial District), subject to two (2) restrictions. The applicant was present and agreed with the staff recommendation.

Staff indicated that eighty-seven (87) notices were mailed to the surrounding property owners within a buffer extending 1,500 feet from the subject property, with zero (0) responses in support of the rezoning and zero (0) in opposition. The applicant was present and agreed with the staff recommendation. No members of the public were present to speak on this request.

After a brief discussion, a motion was made by Commissioner Nazario and seconded by Commissioner Cantero to recommend approval of the requested I-2 / I-3 (Industrial District) zoning. The motion carried on a 8-0 vote.

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

RZ-19-11-052



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Industrial (IND)

APPLICANT: Allison E. Turnbull, Esq., Gunster, Yoakley

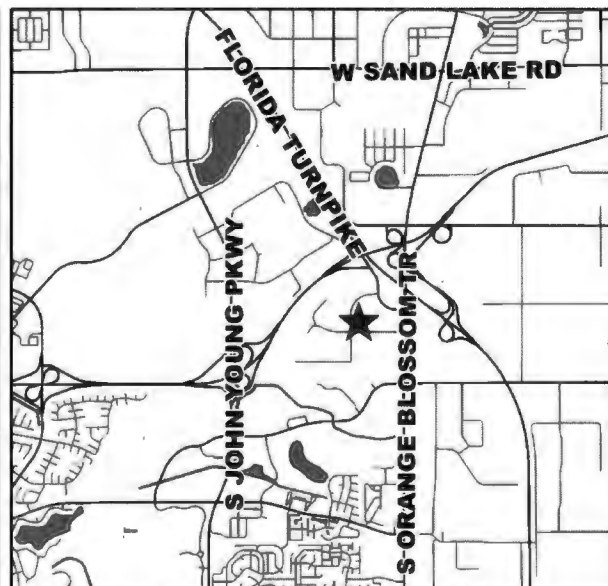
LOCATION: 9695 Delegates Drive; or generally located on the northeast corner of Delegates Drive and Principal Row

TRACT SIZE: 4.40-gross acre

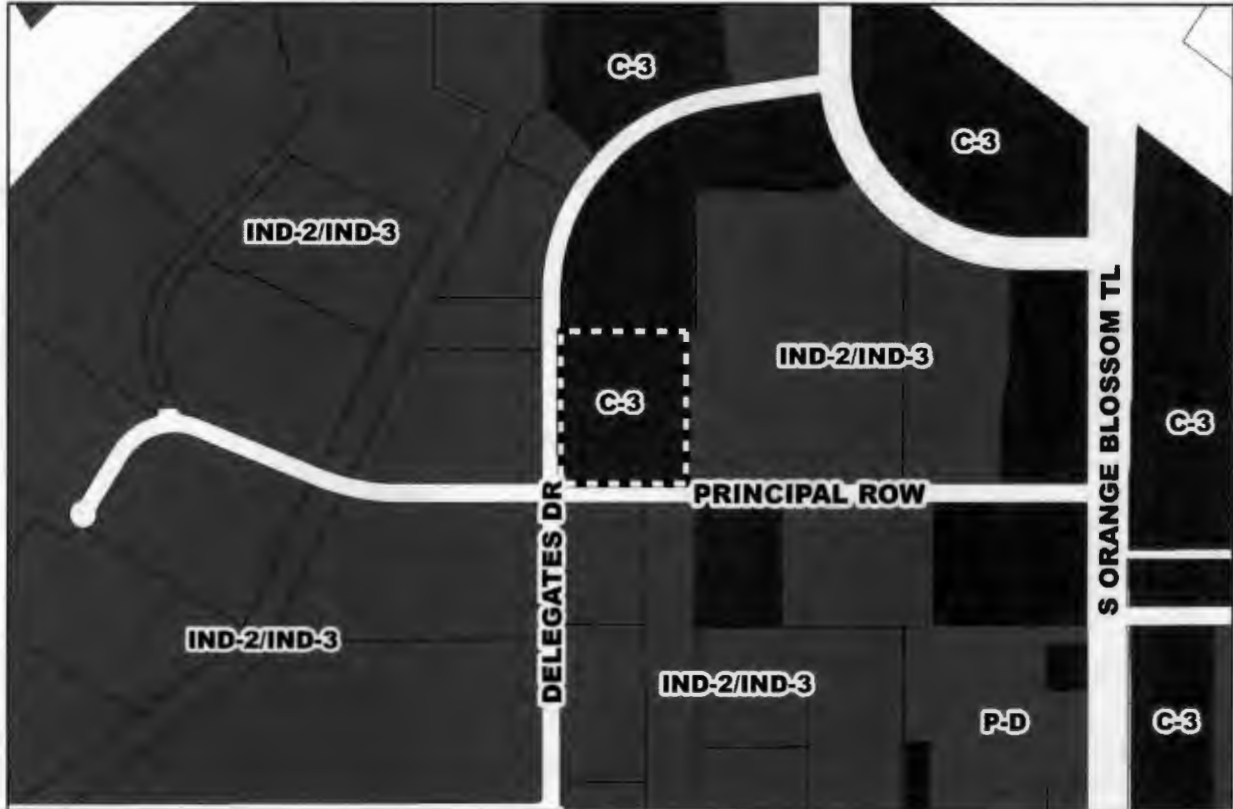
DISTRICT: # 4

S/T/R: 03/24/29

1 inch = 500 feet



RZ-19-11-052



 Subject Property



★ Subject Property

Zoning Map

ZONING: C-3 (Wholesale Commercial District) to I-2/I-3 (Industrial District)

APPLICANT: Allison E. Turnbull, Esq., Gunster, Yoakley

LOCATION: 9695 Delegates Drive; or generally located on the northeast corner of Delegates Drive and Principal Row

TRACT SIZE: 4.40-gross acre

DISTRICT: # 4

S/T/R: 03/24/29

1 inch = 500 feet



RZ-19-11-052



 Subject Property

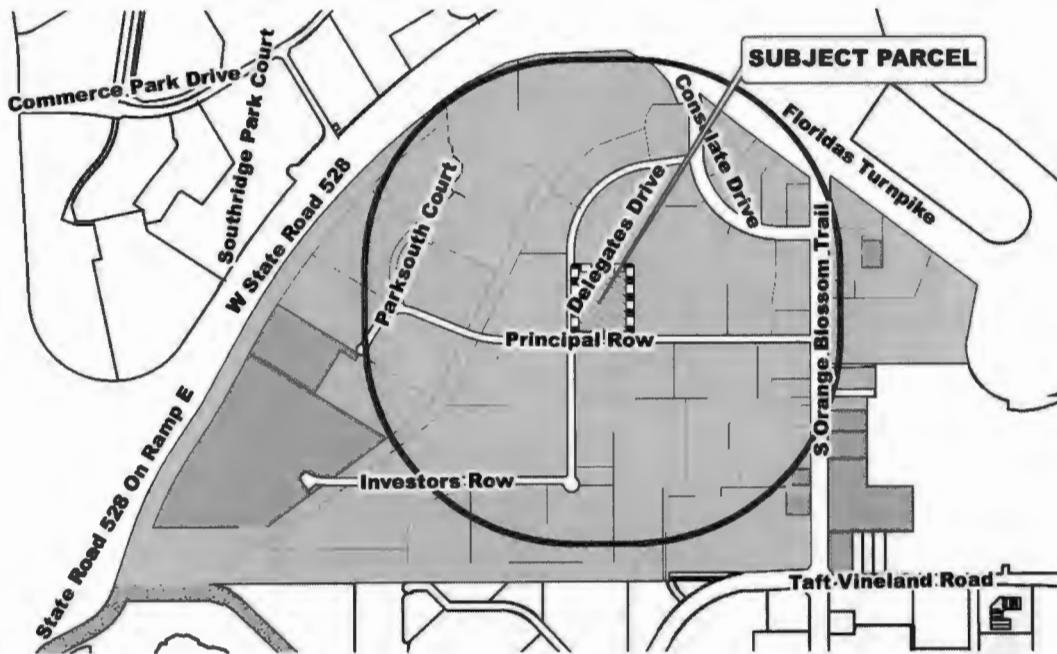


1 inch = 250 feet



Public Notification Map

RZ-19-11-052



Subject Site



MAP LEGEND

- SUBJECT
- 1500_FT_BUFFER
- HYDROLOGY
- NOTIFIED_PARCELS
- COURTESY NOTICES
- PARCELS

1500 : FT BUFFER

87 : NOTICES

21 : RESIDENTIAL COUNT



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Notification Map

Case # RZ-19-11-052
 Orange County Planning Division
 PZC Hearing Date: November 21, 2019

CASE # RZ-19-11-053

Commission District: #1

GENERAL INFORMATION

APPLICANT	Paulo Araujo, Hg2 Group, LLC
OWNERS	Hg2 Group, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-CE (Country Estate District) to R-1A (Single-Family Dwelling District)
LOCATION	4512 S. Hiawassee Road; or generally located on the west side of S. Hiawassee Road, approximately 815 feet north of Conroy Windermere Road
PARCEL ID NUMBER	11-23-28-0000-00-028
TRACT SIZE	4.28 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 700 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Five hundred forty-six (546) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Eight (8) Single-Family Residential Dwelling Units

STAFF RECOMMENDATION

PLANNING

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

- 1) The subject property shall be limited to a maximum of eight (8) lots with single-family detached residential dwelling units.

IMPACT ANALYSIS

Land Use Compatibility

The R-1A (Single-Family Residential District) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

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-1A (Single-Family Residential District) zoning is consistent with the Low Density Residential FLUM designation and the following Comprehensive Plan provisions:

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

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

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

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

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

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

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

SITE DATA

Existing Use	Single-Family Dwelling Unit
Adjacent Zoning	N: R-CE (Country Estate District) (1968) E: R-1AA (Single-Family Dwelling District) (1978)* *Restricted to minimum half (1/2) acre lots W: R-1A (Single-Family Dwelling District) (1976) S: R-CE (Country Estate District) (1968)
Adjacent Land Uses	N: Single-Family Residence E: Single Family Residence W: Single-Family Residence S: Dry Retention

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

Min. Lot Area:	7,500 sq. ft.
Min. Lot Width:	75 ft.
Max. Height:	35 ft.
Min. Floor Area:	1,200 sq. ft.

Building Setbacks

Front:	20 ft.
Rear:	25 ft.
Side:	7.5 ft.

Intent, Purpose, and Uses

The R-1A (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

Subject Property Analysis

The subject property is located at 4512 S. Hiawassee Road; or generally located on the west side of S. Hiawassee Road, approximately 815 feet north of Conroy Windermere Road and is currently developed with a single-family home. The immediate area is developed with varying levels of single-family residential development with some office uses on the north side of Conroy Windermere Road.

While the area to the north of the subject property has been rezoned to single-family zoning districts consisting of larger lot sizes such as the R-1AA and R-1AAA zoning districts, the development to the west of the subject property is currently zoned R-1A (Single-Dwelling District). Additionally, to the south along Conroy Windermere Road, there are P-O (Professional Office District) zoned properties. The R-1A zoning district is consistent with the character of the area and will allow for development that will act as a transition from these offices into the larger lot developments to the north.

Through this request, the applicant is seeking to rezone the 4.28 acre property from R-CE (Country Estate District) to R-1A (Single-Family Dwelling District) in order to construct eight (8) single-family dwelling units.

Comprehensive Plan (CP) Amendment

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Low Density Residential (LDR) Future Land Use Map (FLUM) designation.

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.

Community Meeting Summary

A community meeting was not required for this request.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a Joint Planning Area.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Environmental

Wetlands and surface waters (Phillips Ponds South) that extend offsite are located on this site. Prior to any Orange County development plan or permit approval, the Environmental Protection Division (EPD) will require a Conservation Area Determination (CAD) completed with a certified wetland boundary survey, in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas. If a prior determination exists, or if historical documents are located, then a

copy will need to be submitted to EPD. Approval of this request does not authorize any direct or indirect conservation area impacts.

Until wetland permitting is complete, the net developable area is uncertain. The net developable area is the gross land area less the wetlands and surface waters areas. The buildable area is the net developable area less protective buffer areas required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

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

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

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

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

Transportation / Access

Based on the concurrency database dated October 16, 2019, there is one failing roadway segment within the project area. Turkey Lake Rd from Vineland Rd to Conroy Windermere Rd. A traffic study will be required for this project.

Code Enforcement

There are no active Code Enforcement violations on the subject property.

Utilities

Water:	Orange County Utilities	A 12-inch watermain is located within Hiawassee right-of-way
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Wastewater:	Orange County Utilities	A 18-inch gravity main is located at Conroy Windermere Road and Dr. Phillips Boulevard
Reclaim Water:	Orange County Utilities	A 6-inch reclaimed watermain is located within Hiawassee right-of-way

Schools

Orange County Public Schools (OCPS) considers the impact to affected public schools to be “de minimis”; therefore a Capacity Enhancement Agreement (CEA) is not required.

Parks and Recreation

Orange County Parks and Recreation reviewed the request, but did not identify any issues or concerns.

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 – (November 21, 2019)

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

- 1) The subject property shall be limited to a maximum of eight (8) lots with single-family detached residential dwelling units.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) Zoning, subject to one (1) restriction. The applicant was present and agreed with the staff recommendation.

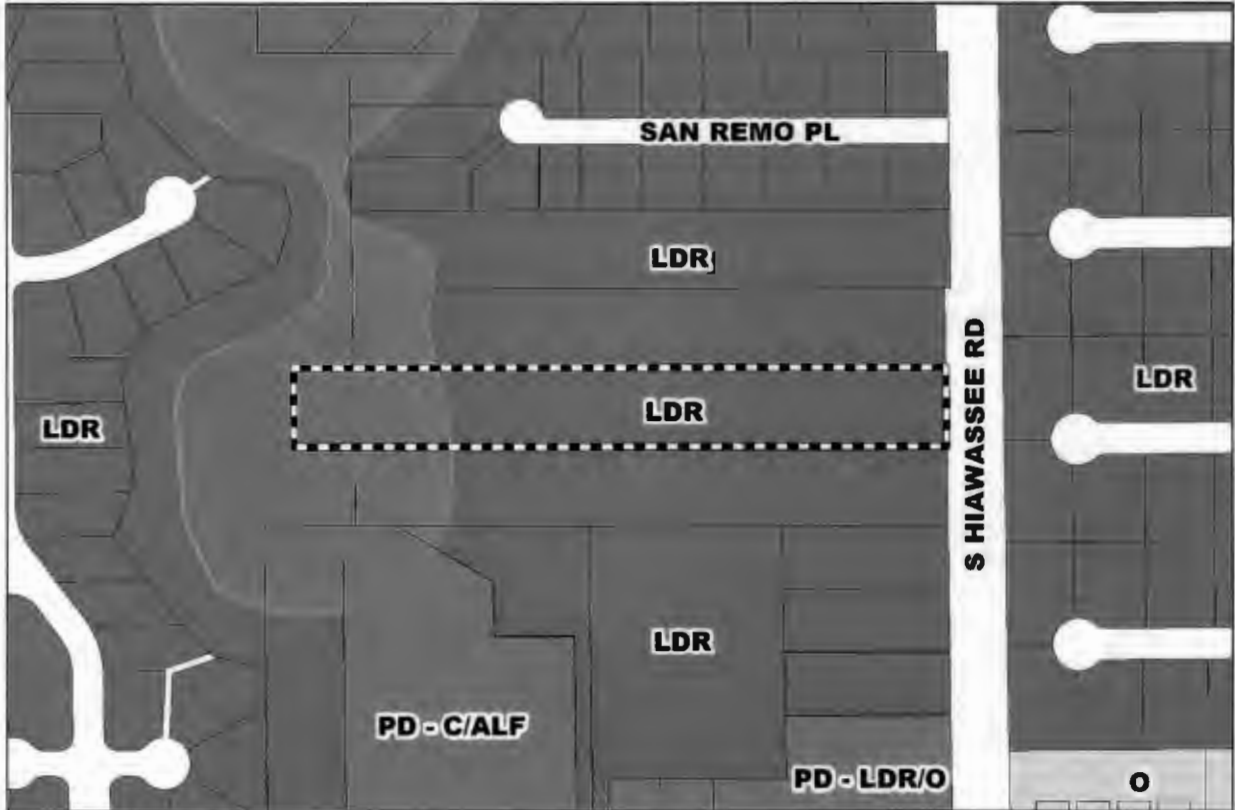
Staff indicated that five hundred forty-six (546) notices were sent to property owners extending beyond 700 feet surrounding the property, and that staff had received zero (0) responses in favor, and three (3) responses in opposition of the request. Those opposed noted concerns related to density, traffic, and compatibility.

After a brief discussion pertaining to the requirement of a deceleration lane at the time of Preliminary Subdivision Plan (PSP) and the amount of wetland acreage, a motion was

made by Commissioner Dunn, and seconded by Commissioner Cantero to recommend approval of the requested R-1A zoning. The motion carried on a 9-0 vote.

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

RZ-19-11-053



 Subject Property



 Subject Property

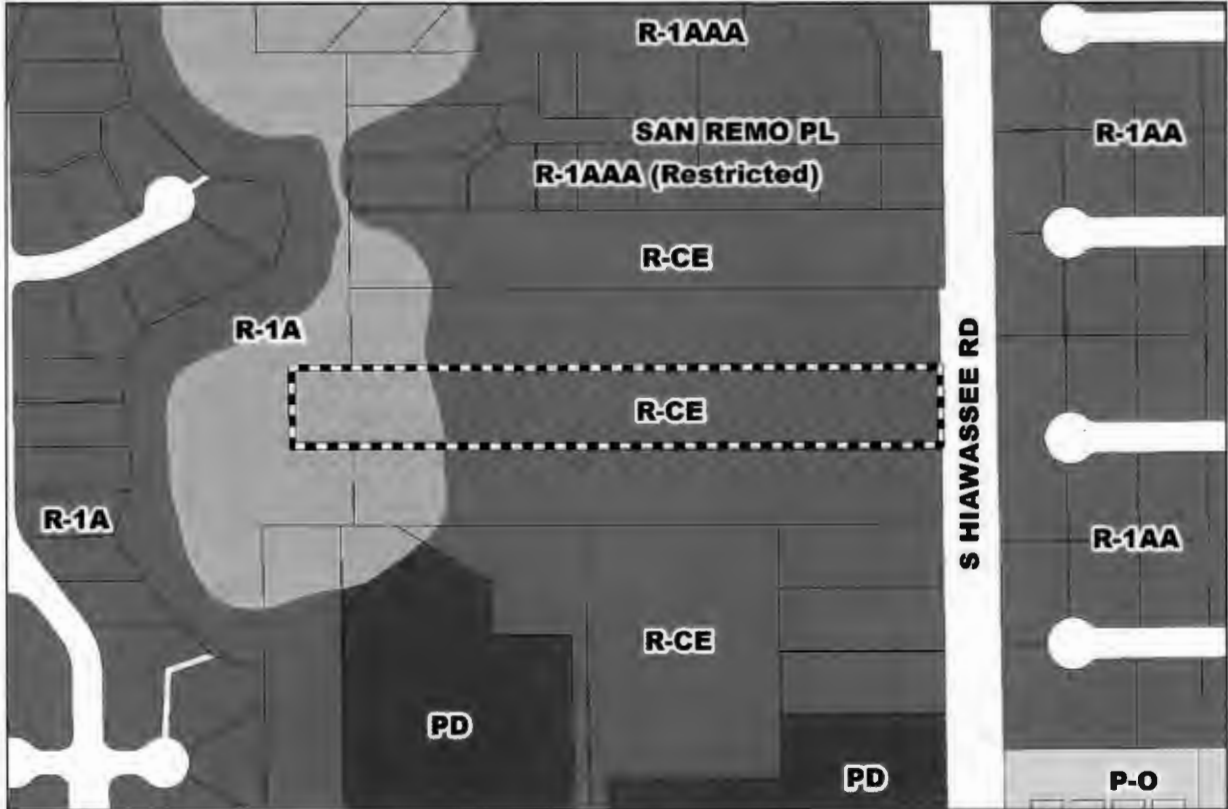
Future Land Use Map

FLUM: Low Density Residential (LDR)
APPLICANT: Paulo Araujo, Hg2 Group, LLC
LOCATION: 4512 S Hiwassee Road; or generally located on the west side of S Hiwassee Road, approximately 815 feet north of Conroy Windermere Road
TRACT SIZE: 4.28 gross acres
DISTRICT: # 1
S/T/R: 11/23/28

1 inch = 300 feet



RZ-19-11-053



Subject Property



Subject Property

Zoning Map

ZONING: R-CE (Country Estate District) to
 R-1A (Single-Family Dwelling District)

APPLICANT: Paulo Araujo, Hg2 Group, LLC

LOCATION: 4512 S Hiwassee Road; or generally
 located on the west side of S Hiwassee
 Road, approximately 815 feet north of
 Conroy Windermere Road

TRACT SIZE: 4.28 gross acres

DISTRICT: # 1

S/T/R: 11/23/28

1 inch = 300 feet



RZ-19-11-053



 Subject Property

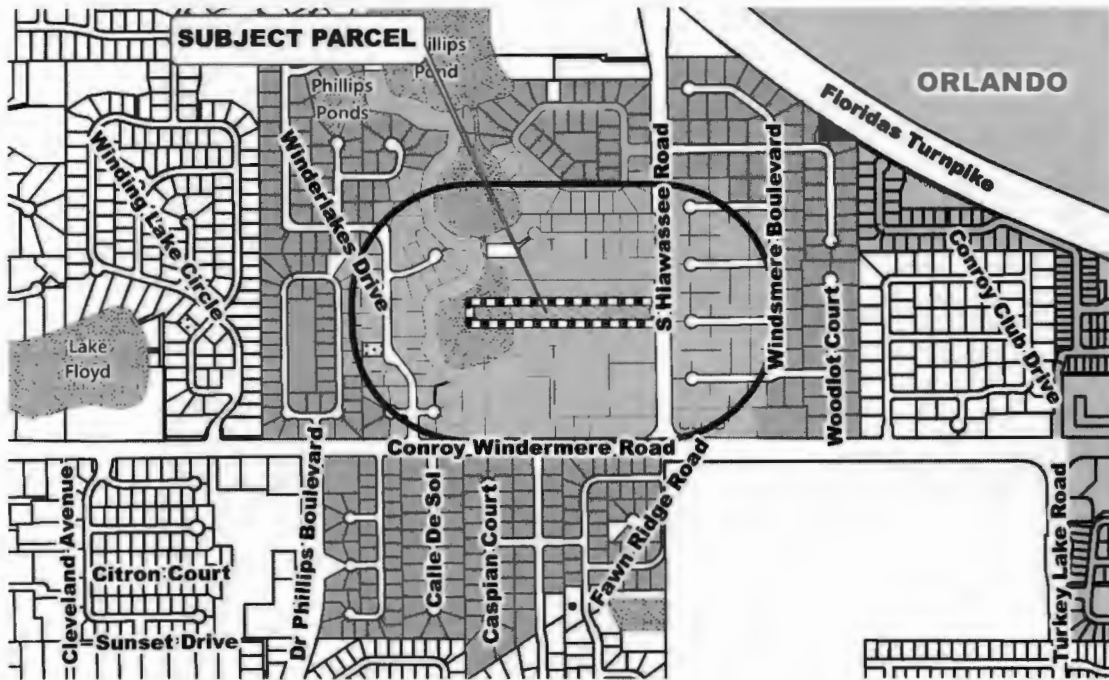


1 inch = 300 feet



Public Notification Map

RZ-19-11-053



Subject Site



MAP LEGEND

- SUBJECT
- 700_FT_BUFFER
- HYDROLOGY
- NOTIFIED_PARCELS
- COURTESY NOTICES
- PARCELS

700 : FT BUFFER
546 : NOTICES
135 : RESIDENTIAL COUNT



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Notification Map

PZC Hearing Date: November 21, 2019

Orange County Planning Division

Case # RZ-19-11-053

Case Planner:
Nathaniel Wicke

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: November 21, 2019

CASE # RZ-19-11-054

Commission District: #4

GENERAL INFORMATION

APPLICANT	Luis A. Rivas, Carlos A. Rivas
OWNERS	Luis A. Rivas, Carlos A. Rivas
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-2 (Residential District) to R-T-1 (Mobile Home Subdivision District)
LOCATION	318 Cypress Street; or generally located on the south side of Cypress Street, approximately 165 feet west of Avenue C
PARCEL ID NUMBER	36-23-29-8228-40-304
TRACT SIZE	0.16 gross-acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 700 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred eighty-four (184) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	To construct a double-wide mobile home.

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.

IMPACT ANALYSIS

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.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Medium Density Residential (LMDR). The proposed R-T-1 (Mobile Home Subdivision District) zoning is consistent with the Low Medium Density Residential 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.

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

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

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

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

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

SITE DATA

Existing Use	Vacant Residential Land
Adjacent Zoning	N: R-2 (Residential District) (1971) E: R-2 (Residential District) (1971) W: R-2 (Residential District) (1971) S: R-2 (Residential District) (1971) <i>*No restrictions apply to the above zoning districts</i>
Adjacent Land Uses	N: Single-Family Residences

E: Vacant Residential Land
W: Vacant Residential Land
S: Vacant Residential Land

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:	
<i>Front:</i>	25 / 20 ft.
<i>Rear:</i>	25 / 20 ft.
<i>Side:</i>	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.*

Permitted 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

Subject Property Analysis

The subject property is generally located at 318 Cypress Street, generally on the south side of Cypress Street, approximately 165 feet west of Avenue C. The property is currently undeveloped.

The subject property was originally platted as one 50 foot x 143 foot lot of the Spakler's Addition to Taft Prosper Colony plat recorded on September 20, 1910. Today, the surrounding neighborhood can be characterized as being developed with single-family detached and attached dwelling units and manufactured homes on lots ranging between 50 to 100 feet. There have been several rezonings in the surrounding area from R-2 (Residential District) to the R-T-1(Mobile Home Subdivision District) and R-T-2 (Combination Mobile Home and Single-Family Dwelling District) zoning districts. Through this request the applicant is seeking to rezone the subject property from R-2 (Residential District) to R-T-1 (Mobile Home Subdivision District) in order to place a manufactured home on the property.

Comprehensive Plan (CP) Amendment

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Low Medium Density Residential (LMDR). Future Land Use Map (FLUM) designation.

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.

Community Meeting Summary

A community meeting was not required for this application.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a Joint Planning Area.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Environmental

Environmental staff reviewed the rezoning request, but did not identify any issues or concerns.

Transportation / Access

Based on the concurrency database dated October 16, 2019, there is one failing roadway segment within the project area, which is Taft Vineland Road from General Drive to Orange Avenue. A traffic study will be required for this project prior to permitting.

Code Enforcement

There are no active Code Enforcement violations on the subject property.

Utilities

Water:	Taft Water Association	
Wastewater:	Orange County Utilities	Not currently available
Reclaim Water:	Orange County Utilities	Not currently available

Schools

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

Orange County Parks and Recreation staff reviewed the rezoning request, but did not identify any issues or concerns.

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 – (November 21, 2019)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL 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). The applicant was present and agreed with the staff recommendation.

Staff indicated that one hundred eighty-four (184) notices were mailed to the surrounding property owners within a buffer extending 700 feet from the subject property, with zero (0) responses in support of the rezoning and one (1) in opposition. Those in opposition expressed a preference for a single-family home on the site. The applicant was present and agreed with the staff recommendation. No members of the public were present to speak on this request.

After a brief discussion, a motion was made by Commissioner Nazario and seconded by Commissioner Spears to recommend approval of the requested R-T-1 (Mobile Home Subdivision District). The motion carried on a 9-0 vote.

Motion / Second

Carlos Nazario / Gordon Spears

Voting in Favor

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

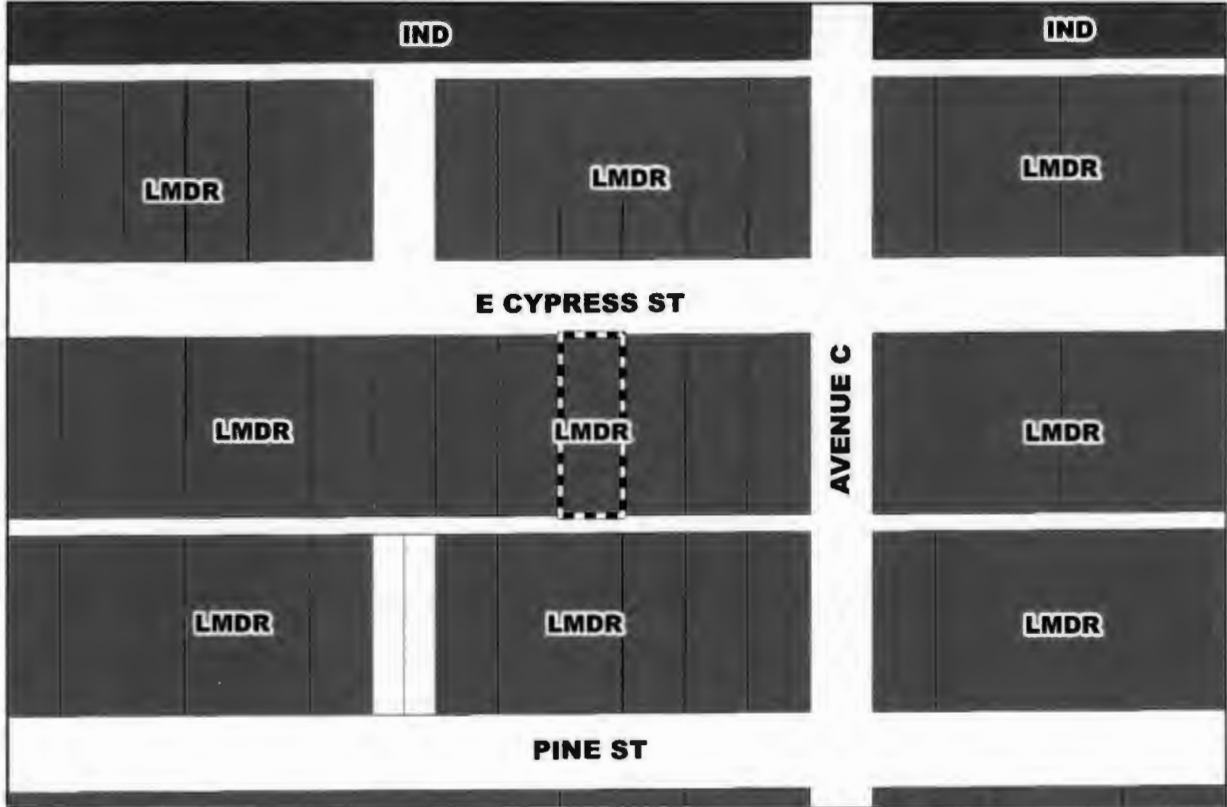
Voting in Opposition

None

Absent

None

RZ-19-11-054



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Low Medium Density Residential (LMDR)

APPLICANT: Luis A. Rivas, Carlos A. Rivas

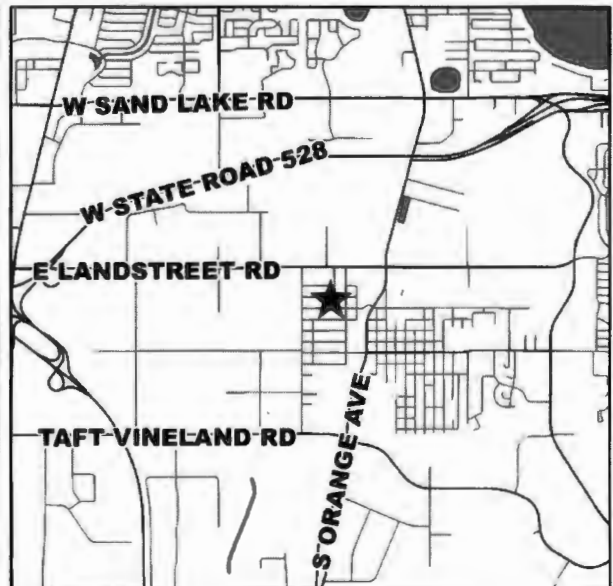
LOCATION: 318 Cypress Street; or generally located on the south side of Cypress Street, approximately 165 feet west of Avenue C

TRACT SIZE: 0.16-gross acre

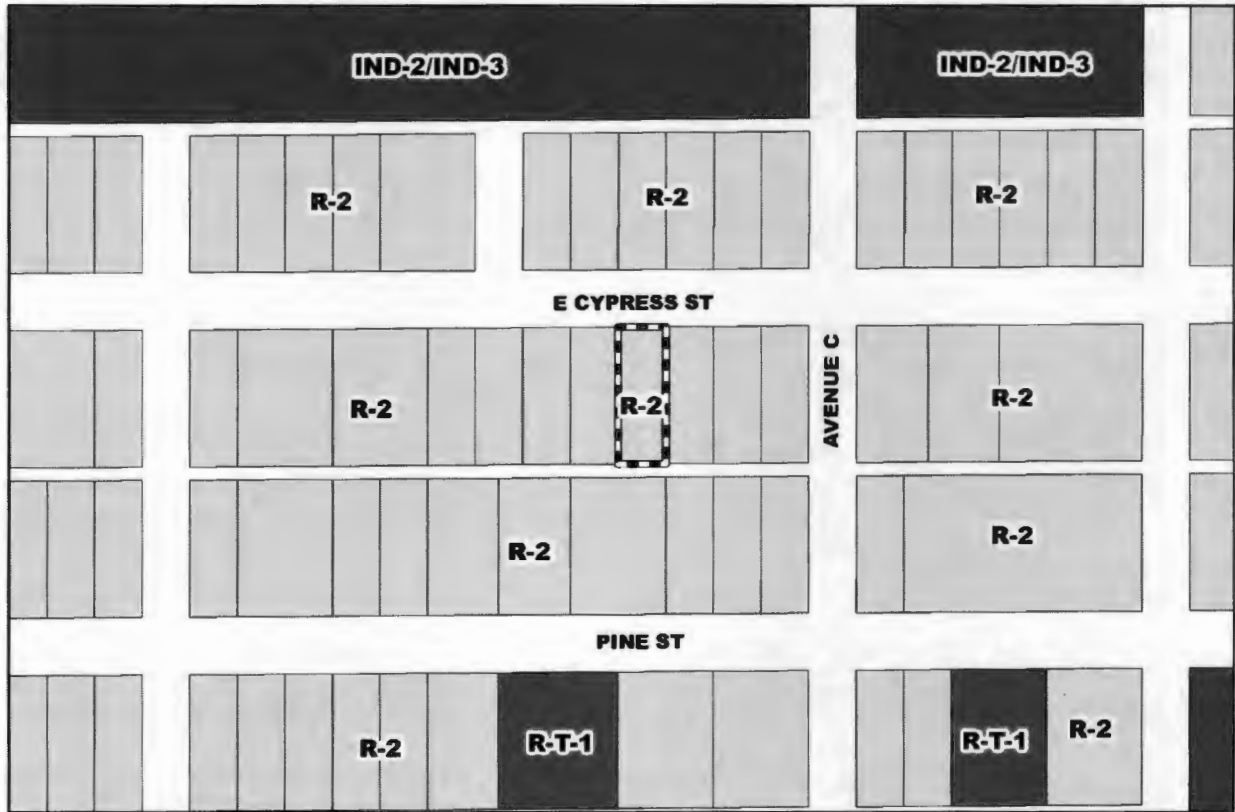
DISTRICT: # 4

S/I/R: 01/24/29

1 inch = 125 feet



RZ-19-11-054



 Subject Property



★ Subject Property

Zoning Map

ZONING: R-2 (Residential District) to R-T-1 (Mobile Home Subdivision District)

APPLICANT: Luis A. Rivas, Carlos A. Rivas

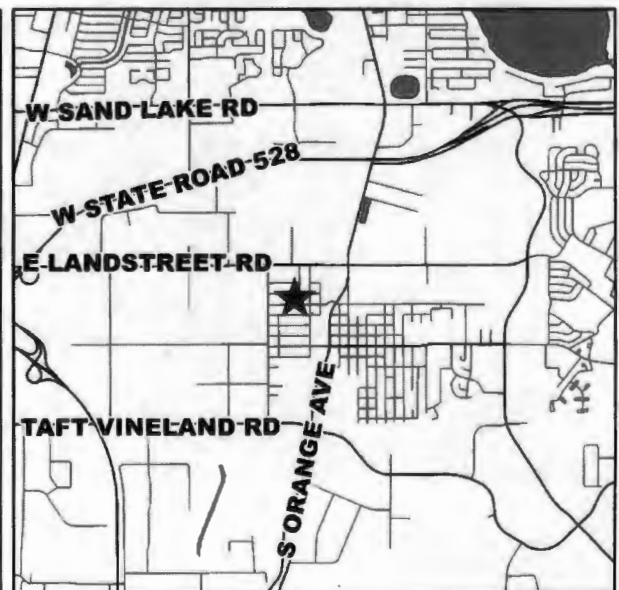
LOCATION: 318 Cypress Street; or generally located on the south side of Cypress Street, approximately 165 feet west of Avenue C

TRACT SIZE: 0.16-gross acre

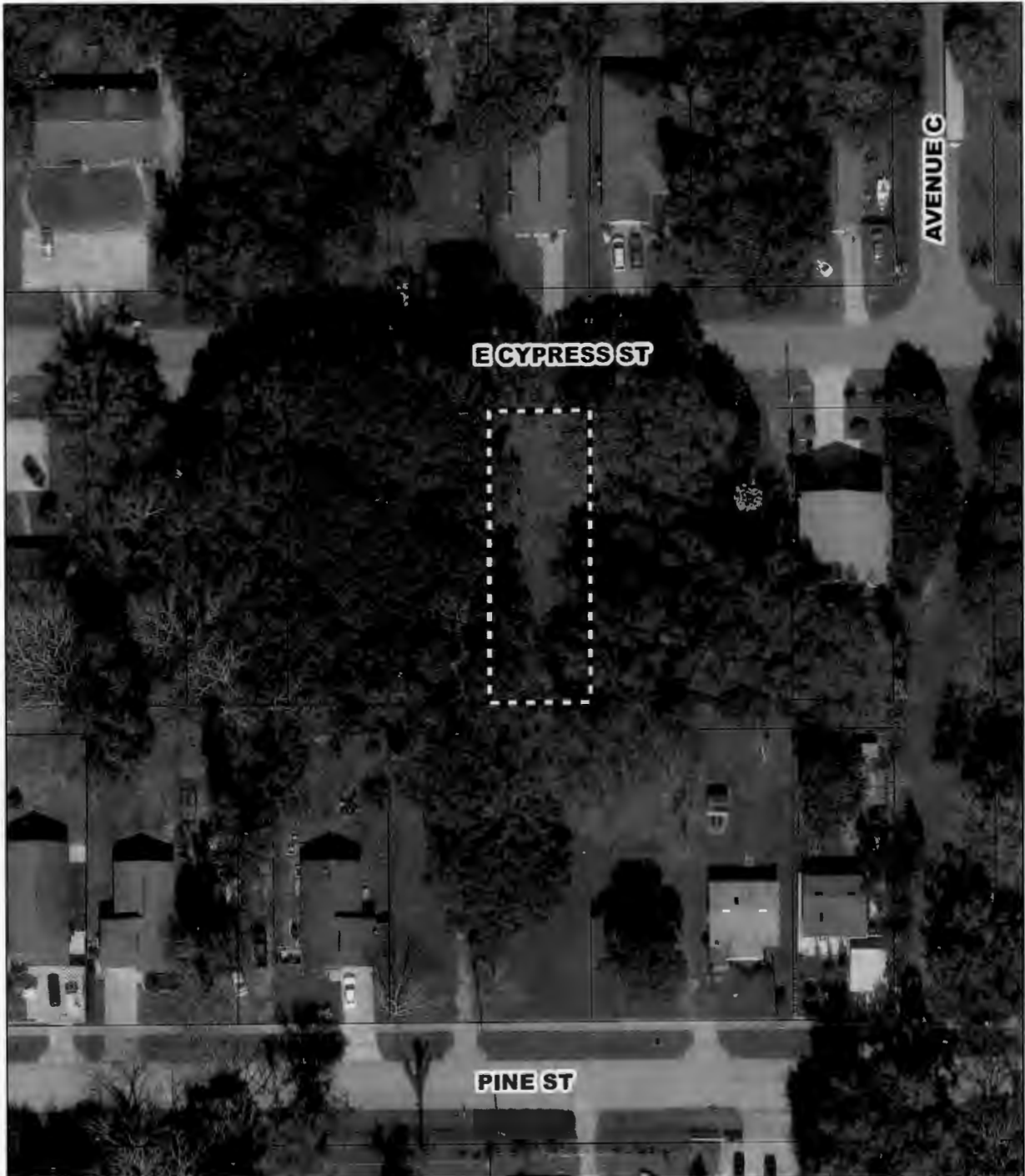
DISTRICT: # 4

S/T/R: 01/24/29

1 inch = 165 feet



RZ-19-11-054



 Subject Property

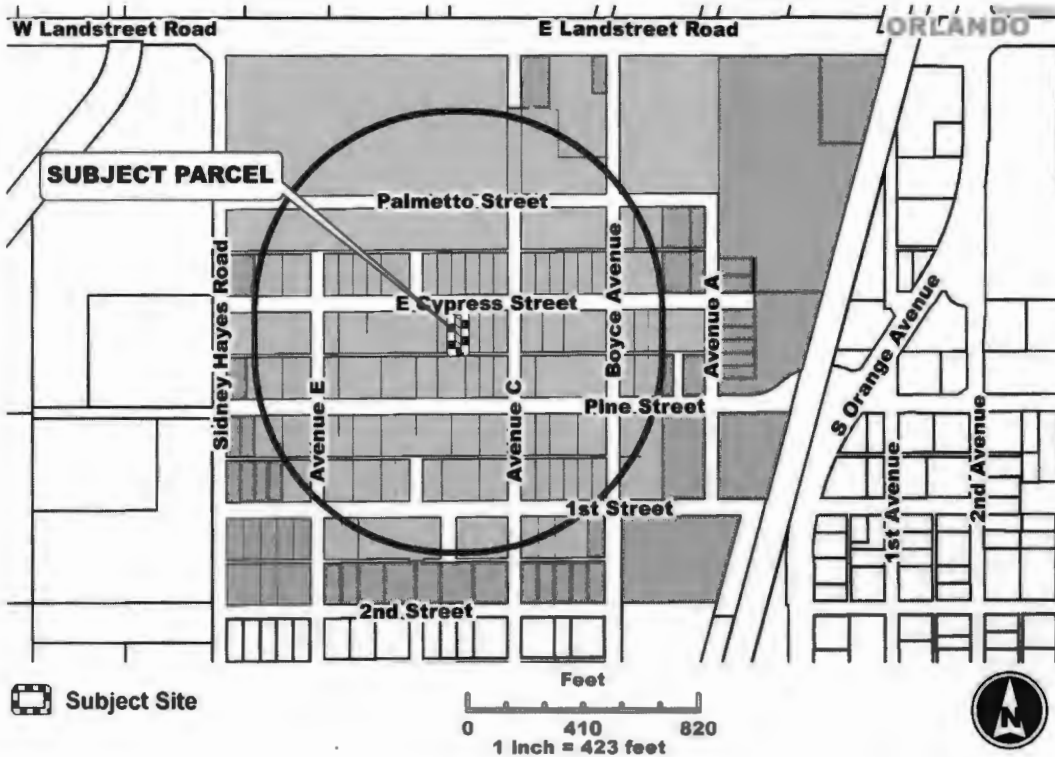


1 inch = 65 feet



Public Notification Map

RZ-19-11-054



MAP LEGEND

- SUBJECT
- 700_FT_BUFFER
- NOTIFIED_PARCELS
- COURTESY NOTICES
- PARCELS

700 : FT BUFFER
184 : NOTICES
68 : RESIDENTIAL COUNT



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Notification Map

Case # RZ-19-11-054
 Orange County Planning Division
 PZC Hearing Date: November 21, 2019

Case Planner:
Nicolas Thalmueller

**Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: November 21, 2019**
