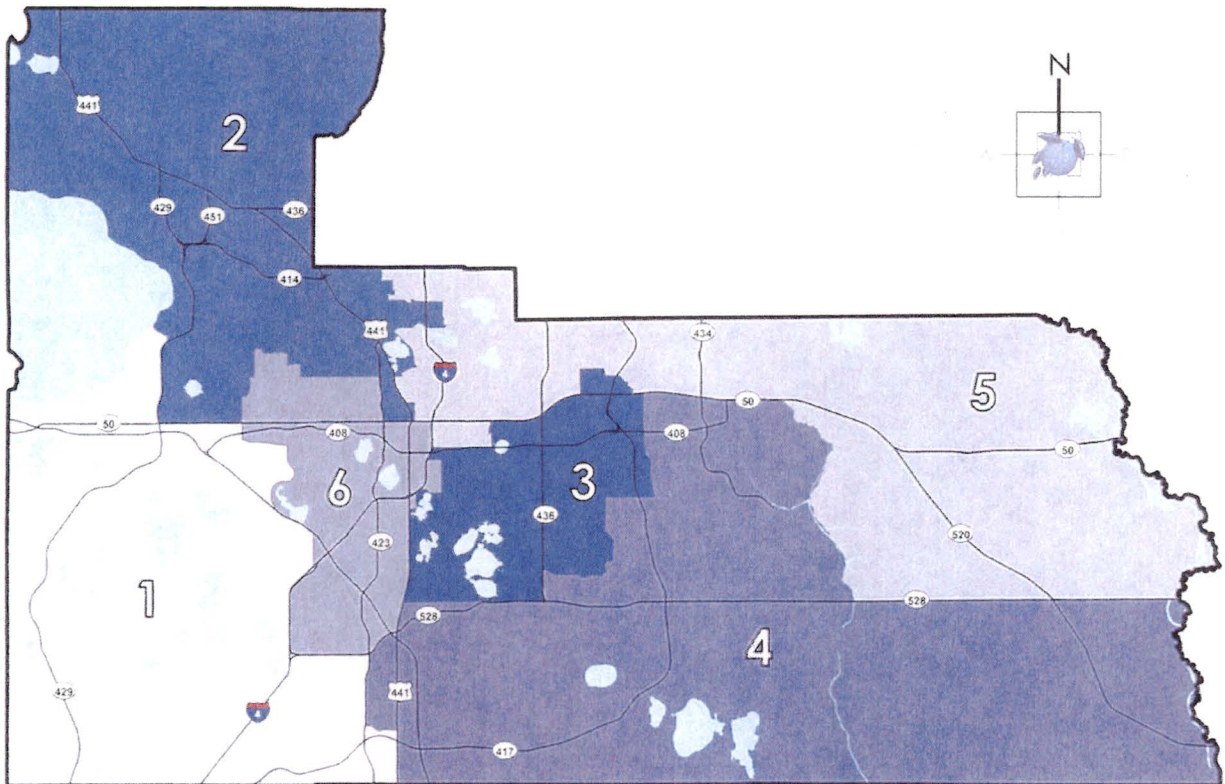




PLANNING AND ZONING COMMISSION
LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

AUGUST 17, 2023



PREPARED BY:

ORANGE COUNTY GOVERNMENT
PLANNING DIVISION | CURRENT PLANNING SECTION

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

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I. Conventional Rezoning Hearing					
RZ-22-06-054 Sandra Faye Woodson	<i>A-1 to R-1</i>	2	Approval	Approval	No
RZ-23-05-034 Abdul Alkadry	<i>R-1AA to R-1</i>	5	Continue to September 21, 2023	Continue to September 21, 2023	No
RZ-23-05-035 Willaim Joseph	<i>R-CE-C to R-CE</i>	1	Postpone to future hearing	Postpone to future hearing	No
RZ-23-07-057 Khan Huda Asif	<i>A-2 to R-2 Restricted</i>	3	Approval with one (1) restriction	Approval with one (1) restriction	No
RZ-23-08-060 Daljit Pabla	<i>R-1A & C-1 to C-2 Restricted</i>	6	Approval with two (2) restrictions	Approval with two (2) restrictions	No
RZ-23-08-062 Jesus Montero	<i>A-2 to R-1 Restricted</i>	5	Approval with two (2) restrictions	Denial	No
RZ-23-08-064 Jessica Santiago	<i>R-1A to R-1 w/ lot width variance</i>	5	Approval with one (1) variance	Approval with one (1) variance	No
RZ-23-08-066 Lucie Ghioto	<i>R-1A to R-1</i>	6	Approval	Approval	No
RZ-23-08-067 Leslie Artze	<i>R-1A to R-1</i>	5	Approval	Approval	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>o</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	A
	Mobile Home - 2 acres							
A-2	SFR - 21,780 (½ acre)	850	100	35	50	10	35	A
	Mobile Home - 2 acres							
A-R	108,900 (2½ acres)	1,000	270	35	50	25	35	A
R-CE	43,560 (1 acre)	1,500	130	35	50	10	35	A
R-CE-2	2 acres	1,200	250	45	50	30	35	A
R-CE-5	5 acres	1,200	185	50	50	45	35	A
R-1AAAA	21,780 (1/2 acre)	1,500	110	30	35	10	35	A
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	35	A
R-1AA	10,000	1,200	85	25 <i>h</i>	30 <i>h</i>	7.5	35	A
R-1A	7,500	1,200	75	20 <i>h</i>	25 <i>h</i>	7.5	35	A
R-1	5,000	1,000	50	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	A
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	A
	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	A
	Three DUs, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	A
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	A
R-3	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5	35	A
	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	A
	Three dwelling units, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	A
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	A
R-L-D	N/A	N/A	N/A	10 for side entry garage, 20 for front entry garage	15	0 to 10	35	A
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	A
R-T-1								
SFR	4,500 <i>c</i>	1,000	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	A
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	A
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	A

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.)
R-T-2 (after 1/29/73)	21,780 ½ acre	SFR 600	100	35	50	10	35	A
		Min. mobile home size 8 ft. x 35 ft.						
NR	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	A
	Two DUs, 8,000	500 per DU	80/90 <i>d</i>	20	20	5	35/3 stories <i>k</i>	A
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	A
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50/4 stories <i>k</i>	A
	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>	A
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>	A
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	A
	Two DUs, 11,250	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	A
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	A
	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>	A
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>	A	
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>	A
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	A
	Two DUs, 8,000	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	A
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	A
	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>	A
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>	A	
P-O	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 for each add. story	35	A

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.)
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	A
C-2	8,000	500	100 on major streets (see Art. XV); 80 for all other streets <i>f</i>	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	A
C-3	12,000	500	125 on major streets (see Art. XV); 100 for all other streets <i>g</i>	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	A

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

CASE # RZ-22-06-054

Commission District: #2

GENERAL INFORMATION

APPLICANT	Sandra F. Woodson
OWNER	Sandra F. Woodson
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-1 (Citrus Rural District) to R-1 (Single-Family Dwelling District)
LOCATION	1748 Clarcona Road; generally located south of E. Cleveland St, north of E. Keene Road, approximately 135ft west of Clarcona Road.
PARCEL ID NUMBER	22-21-28-0000-00-024
TRACT SIZE	0.23-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred thirty-one (131) notices were mailed to property owners and residents in the mailing area.
PROPOSED USE	One (1) Single-Family Residential Dwelling

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.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request the applicant is proposing to rezone the un-platted subject property in order to construct one single-family residential unit. Through the rezoning, the inconsistency between the parcel's zoning classification and its Low Density Residential (LDR) Future Land Use Map designation will be corrected. Additionally, the building setbacks under the R-1 zoning will allow for a single-family home to be built on the 0.23 acre parcel. The property owner is participating in Orange County's Housing Rehabilitation Assistance Program.

The substandard property currently has a Building Plan permit (B22003135) in review. The required A-1 development standards cannot be met. The required setbacks for the A-1 zoning district are 35' front yard, 50' for rear yard and 10' for sides. The 9,961 sq. ft (0.23-gross acre) lot area also does not meet the required 0.5-acre lot requirement. Rezoning is required prior to new development per Orange County code Sec.38-1401(b). The new development is proposed to meet the R-1 development standards. The proposed R-1 zoning district requires a minimum lot width of 50 feet. The lot is 100' x 100'.

Additionally, the new development requires access. Per Section 38-1502 (b) No dwelling shall be erected on a lot which does not abut on a street for a distance of at least fifteen (15) feet. Also, except to the extent that it may be inconsistent or conflict with a requirement of the subdivision regulations, any lot or parcel created through a division or split of land, shall have access to a roadway that is a minimum of twenty (20) feet in width of and exists in fee simple. Alternatively, assuming a lot or parcel meets all applicable code and statutory requirements for development, the county engineer may, upon good cause shown, permit access for safe and adequate ingress or egress via a recorded permanent easement of at least twenty (20) feet in width; such width may be reduced to fifteen (15) feet if such permanent easement was recorded prior to September 23, 2016. The County Engineer has signed off on the required access granting the parcel a 20-foot easement over the property so that Ms. Woodson can use the adjacent county-owned Park Avenue for her access to Clarcona Road. The County also adopted a Resolution in order to repurpose Park Avenue from drainage to drainage and access (it was originally acquired via eminent domain for drainage only) to allow the access by Ms. Woodson and her siblings via Park Avenue.

The construction of one (1) single-family dwelling unit will be reliant on septic. No gravity wastewater mains are located in the vicinity of the subject property. This property is located within the Wekiva Priority Focus Area, therefore advanced septic treatment system is required.

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.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	City of Apopka
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 Density Residential (LDR) which allows consideration of up to four (4) dwelling units per acre. The proposed R-1 Restricted (Single-Family Dwelling District) zoning is consistent with the LDR FLUM designation and the following Comprehensive Plan provisions:

FLU1.4.1 states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

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

GOAL FLU2 states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

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

FLU8.1.1 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.

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 Residential

Adjacent Zoning N: A-1 (Citrus Rural District) (1957)
 E: A-1 (Citrus Rural District) (1957)
 W: A-1 (Citrus Rural District) (1957)
 S: R-1 (Single-Family Dwelling) (2004)
**No zoning restrictions apply to the above*

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 feet
 Max. Height: 35 feet
 Min. Floor Area: 1,000 feet

Building Setbacks
 Front: 20 feet
 Rear: 20 feet
 Side: 5 feet

Intent, Purpose, and Uses

The R-1 (Single-Family Dwelling District) zoning district is composed of lands and structures used primarily for single-family residential areas with large lots and low population densities.

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

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See information below.
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The impact of the rezoning request to construct one (1) single-family dwelling unit is considered De Minimis.
Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Deminimus impact to OCPS. A capacity determination is not required.

Development Engineering	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Orange County Code 38-1502 requires 20' wide access; this can be reduced to 15' if approved by the County Engineer.
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* Wekiva Study Area - This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional environmental regulations may apply. Regulations include, but are not limited to: septic tank criteria, open space, stormwater treatment, conservation, and increased buffer widths.

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

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

This site is located within 411 feet of a closed landfill toward the southwest.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: City of Apopka
Waste Water: City of Apopka
Reclaim Water: City of Apopka

Detailed Utility Information:

This property is required to connect to the City of Apopka Water system.

Wastewater is considered not available. This property will be reliant on septic. This property is located within the Wekiva Priority Focus Area, therefore advanced septic treatment system is required.

Reclaimed water is considered not available.

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 – (August 17, 2023)

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. A representative from the Housing Rehabilitation Assistance Program was present and agreed with the staff recommendation. No members of the public appeared during public comment of the request.

Staff indicated that one hundred thirty-one (131) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received zero (0) response in favor, and one (1) response in opposition of the request.

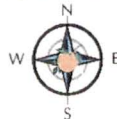
A motion was made by Commissioner Wiggins, and seconded by Commissioner Spears to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning. The motion carried unanimously.

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

RZ-22-06-054

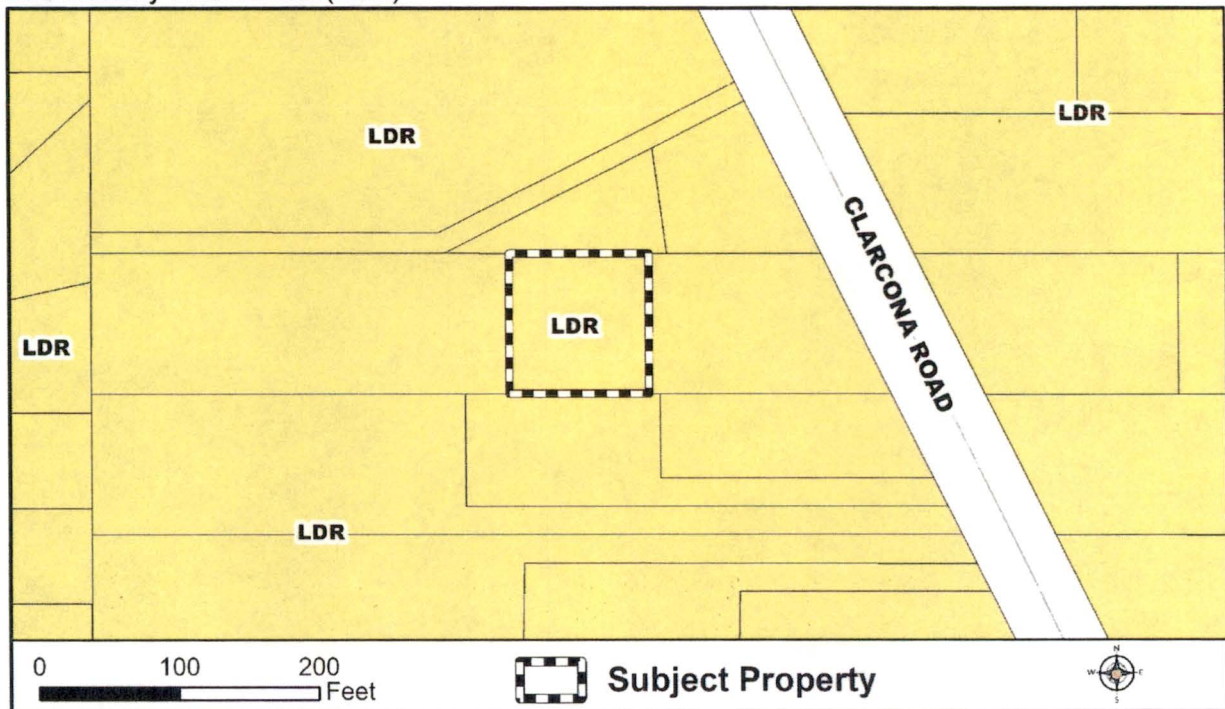


Subject Property

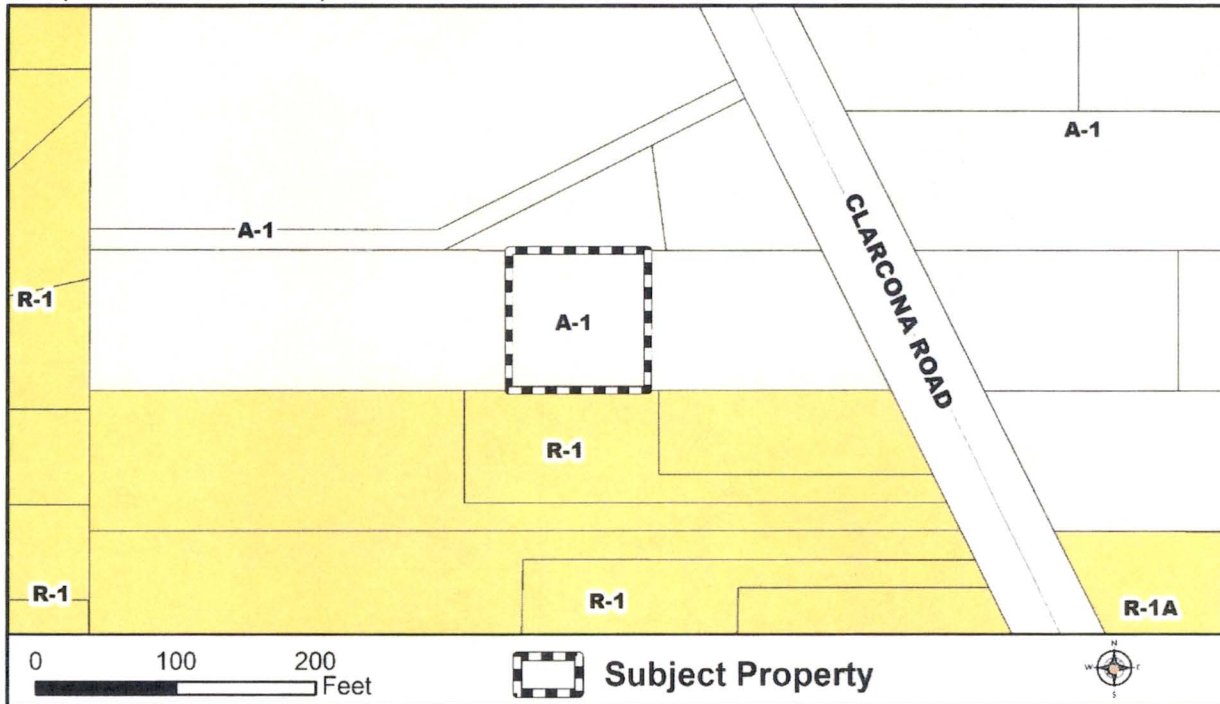


1 inch = 125 feet

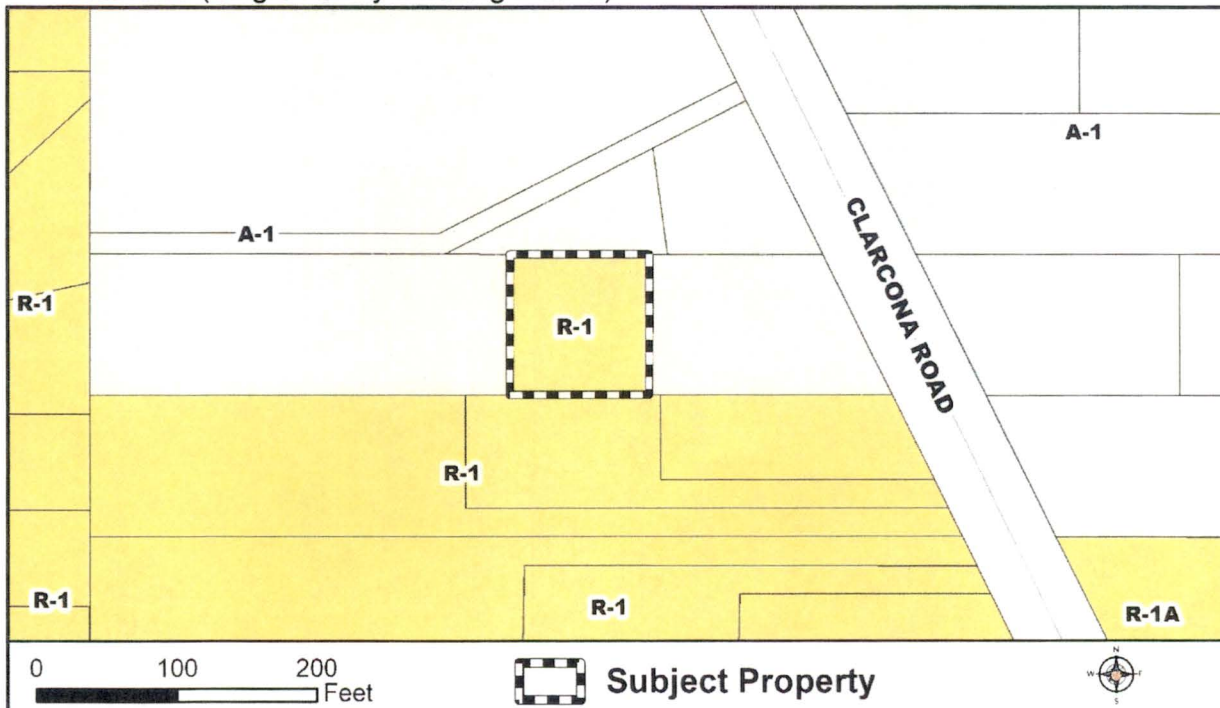
FUTURE LAND USE
Low Density Residential (LDR)



ZONING - CURRENT
A-1 (Citrus Rural District)



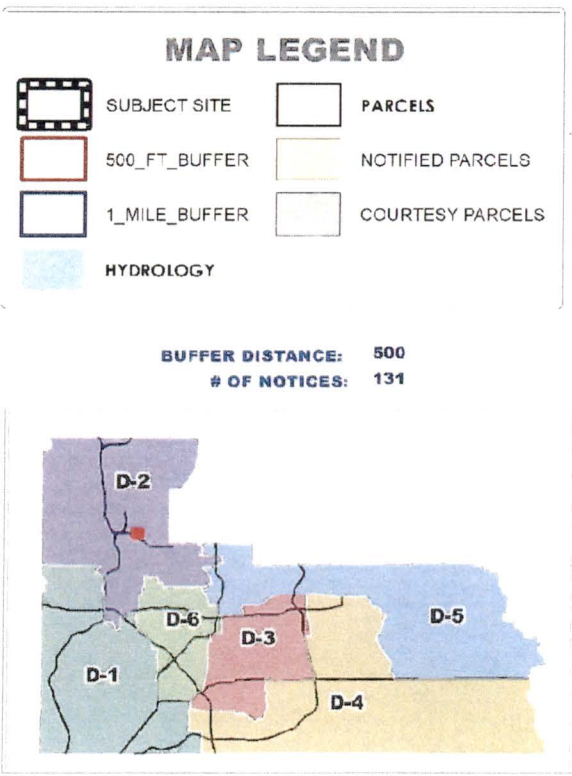
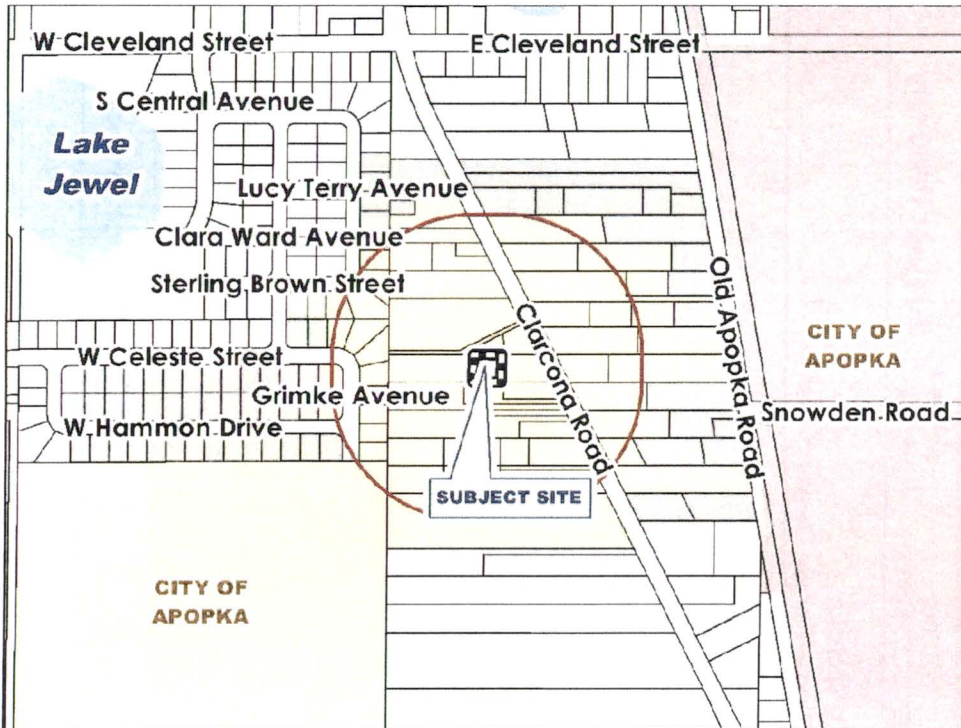
ZONING - PROPOSED
R-1 Restricted (Single-Family Dwelling District)





Public Notification Map

RZ-22-06-054



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Notification Map

Case # RZ-22-06-054
Orange County Planning Division
PZC Hearing Date: August 17, 2023

CASE # RZ-23-05-034

Commission District: #5

GENERAL INFORMATION

APPLICANT: Mr. Abdul Alkadry

OWNERS: Abdulkader Alkadry, Suha Alkadry

HEARING TYPE: Planning and Zoning Commission

REQUEST: **R-1AA** (Single-Family Dwelling District) **to**
R-1 (Single-Family Dwelling District)

LOCATION: 3658 N. Econlockhatchee Trl; located west of N. Econlockhatchee Trl, approximately 93 feet south of Fryland Rd, and 280 feet north of Lake Irma Pt.

PARCEL ID NUMBER: 01-22-30-4948-00-220

SIZE/ ACREAGE: 0.76-gross acre

PUBLIC NOTIFICATION: The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Eighty-one (81) notices were mailed to those property owners in the surrounding area.

COMMUNITY MEETING: A virtual community meeting was held on August 1, 2023.

PROPOSED USE: Two detached single-family dwelling units

STAFF RECOMMENDATION

PLANNING

Recommend continuance to the September 21, 2023, PZC public hearing to allow the applicant to amend the rezoning request.

CASE # RZ-23-05-035

Commission District: #1

GENERAL INFORMATION

APPLICANT: William Joseph

OWNER: Tonya Strickland

HEARING TYPE: Planning and Zoning Commission

REQUEST: **R-CE-C Restricted (Country Estate - Cluster District) to R-CE (Country Estate District)**

LOCATION: 9975 8th Street; generally located on the north side of 8th street, west of Hempel Ave, and south of Florida Turnpike.

PARCEL ID NUMBER: 33-22-28-3104-01-170

ACREAGE: 11.3-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]. Seventy-nine (79) notices were mailed to those property owners and residents in the surrounding area.

PROPOSED USE: To allow for the development of four (4) lots pending a lot split approval.

STAFF RECOMMENDATION

PLANNING

Postpone this item to a date uncertain, in order to allow the applicant time to conduct a Conservation Area Determination and obtain a Conservation Area Impact Permit.

CASE # RZ-23-07-057

Commission District: #3

GENERAL INFORMATION

APPLICANT: Asif Huda Khan, Land Markis, LLC

OWNERS: J & B Trust, Belkis & Jose Luis Guzman Trustee

HEARING TYPE: Planning and Zoning Commission

REQUEST: **A-2** (Farmland Rural District) **to**
R-2 Restricted (Residential District)

LOCATION: 1975 4th St; generally south of Pine street, west of Hoenstine
avenue and north of 4th street

PARCEL ID NUMBER: 06-24-30-7268-00-040

SIZE/ ACREAGE: 8.89-gross acres

PUBLIC NOTIFICATION: The notification area for this public hearing was 500 feet
[Chapter 30-40(c)(3a) of the Orange County Code requires 300
feet]. Four hundred twelve (412) notices were mailed to those
property owners in the surrounding area.

COMMUNITY MEETING: An in-person community meeting was held on July 27, 2023,
and is summarize further in this report.

PROPOSED USE: Eighty (80) single-family attached dwelling units (Townhomes)
Age Restricted

STAFF RECOMMENDATION

PLANNING

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

- 1) Because the project includes approval for senior housing, the developer shall restrict occupancy to senior adults that comply with the requirements of the Housing for Older Persons Act [42 U.S.C. §3607(b).] No permanent residency by school-aged children shall be generated as a result of any development on this property. Any proposed future conversion of the senior housing to unrestricted housing or any proposal to add permanent residency by school-aged children shall require a rezoning that must be approved by the BCC at a public hearing. If the rezoning is approved, school impact fees in effect at that time shall be paid and the project shall comply with any school capacity and school concurrency regulations in effect at that time.

SUBJECT PROPERTY ANALYSIS

Overview

The applicant is seeking to rezone the subject parcel from A-2 (Farmland Rural District) to R-2 Restricted (Residential District) with the intent to construct eighty (80) single-family attached dwelling units. The proposed development is intended to be age restricted, fifty-five plus (55+).

Through this rezoning, the development shall be a deed restricted fifty-five plus (55+) community. At the time of Preliminary Subdivision Plan (PSP) review, there will be an additional condition of approval which will require a restriction to 55+ in the CC&R's (Covenants and Restrictions) at the time of platting. If the restriction is proposed at any point to be removed, a rezoning would be required to remove the zoning restriction and an OCPS capacity determination would be required.

The subject property is partially developed with an abandoned single-family residence and is otherwise undeveloped. The area surrounding the subject property consists primarily of single-family residential developments to the east, south, and west. A religious use is also located to the west, and the industrial use to the north is within the City of Orlando. The Future Land Use Map (FLUM) designates the subject property as Low-Medium Density Residential (LMDR) and this rezoning request will bring the property into conformance with the underlying FLUM designation.

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

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Code Enforcement

Parcel ID: 06-24-30-7268-00-040

Inspector: Mark McSwain

Incident #: 618354 / Case #: CEB-2023-477357H

Description: Abatement (abandon home must be demolished/unhabitable)

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 ten (10) units per acre. The proposed R-2 Restricted (Residential District) zoning is consistent with the Low-Medium Density Residential (LMDR) FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

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

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

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

SITE DATA

Existing Use	Vacant Residential
Adjacent Zoning	N: City of Orlando E: R-1AA (Single-Family Dwelling District) A-2 (Farmland Rural District) W: R-1 (Single-Family Dwelling District) City of Orlando S: City of Orlando
Adjacent Land Uses	N: City of Orlando E: Single-Family Residence W: Church, Single-Family Residence S: City of Orlando

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.

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:
 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.

Permitted 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

Environmental

Binding Determination of Exemption (BDE) - EPD has no record of a Conservation Area Determination (CAD) for this site to verify the presence or absence of wetlands on site. The site contains portions of semi-hydric soils as a potential indicator of wetlands. It is recommended that the applicant submit a Binding Determination of Exemption to Orange County EPD to confirm if there are no wetlands on site.

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

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

and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

Demolition - 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 or AsbestosInquiriesOrangeCounty@ocfl.net. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A(1)

Erosion Control - Use caution to prevent erosion during construction along the boundary of the property, into surface waters, wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2 inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads and the affected storm drainage system shall be protected. This may require periodic street sweeping. Reference OC Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).

Transportation / Access

Based on the Concurrency Management database (CMS) dated 6/14/2023, capacity exists within the project's impact area. This information is dated and subject to change. Prior to building permit approval, a Concurrency Application through the Concurrency Management office will be required. A Traffic Study may be required at that time.

Schools

No school capacity determination is required as long as the project remains a 55+ community. If this community becomes unrestricted, a capacity determination will be required.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was held on July 27, 2023. Twenty-eight (28) members of the community attended. The residents expressed opposition to the proposed development stating concerns of incompatibility, lack of services in the area for seniors, flooding, and traffic. One resident was in favor of the proposed 80 townhomes development as it would be beneficial for veterans 55 plus who are looking for residence in close proximity to the VA hospital in Lake Nona.

Utilities

Water: Taft Water Association

Wastewater: City of Orlando

Reclaim Water: City of Orlando

Detailed Utility Information:

This property is within the Taft Water Association Water Service Area.

This property is within City of Orlando Wastewater and Reclaimed Water Service Area.

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 – (August 17, 2023)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the R-2 Restricted (Residential District) zoning, subject to restriction:

- 1) Because the project includes approval for senior housing, the developer shall restrict occupancy to senior adults that comply with the requirements of the Housing for Older Persons Act [42 U.S.C. §3607(b).] No permanent residency by school-aged children shall be generated as a result of any development on this property. Any proposed future conversion of the senior housing to unrestricted housing or any proposal to add permanent residency by school-aged children shall require a rezoning that must be approved by the BCC at a public hearing. If the rezoning is approved, school impact fees in effect at that time shall be paid and the project shall comply with any school capacity and school concurrency regulations in effect at that time.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented with the recommendation that the PZC make a finding of consistency with the Comprehensive Plan and recommend approval of the requested R-2 Restricted (Residential District) zoning. The applicant was present and agreed with the staff recommendation. Three members of the community spoke in opposition of the request during public comment and two spoke in favor of the proposed development.

Staff indicated that four hundred twelve (412) notices were mailed to those property owners in the mailing area extending 500 feet of the surrounding property, and that staff received twenty (20) commentaries in opposition to the request and one (1) in support. Some of the concerns mentioned were lack of services, traffic, loss of Florida wildlife, incommutability with surrounding neighborhood, homeless. During public comments two (2) members of the public were present and spoke in support of the request and five (5) members of the public were present to speak in opposition of the request, with concerns that there is no guarantee to keep the development 55+, flooding, homeless, drugs, traffic, stormwater retention, crime, and parking.

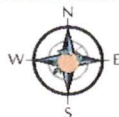
After discussion addressing parking spaces, flooding and wetlands, density, traffic impact, crime and drugs, buffers, stormwater ponds and compatibility with the surrounding area, a motion was made by Commissioner Fernandez, and seconded by Commissioner Evans to recommend approval of the requested R-2 Restricted (Residential District) zoning, subject to one (1) restriction. The motion carried on a 6-2 vote.

Motion / Second	<i>Eddie Fernandez / Camille Evans</i>
Voting in Favor	<i>Eddie Fernandez, Camille Evans, Gordon Spears, Nelson Pena, Evelyn Cardeans, Michael Arrington</i>
Voting in Opposition	<i>George Wiggins / David Boers</i>
Absent	<i>Walter Pavon</i>

RZ-23-07-057

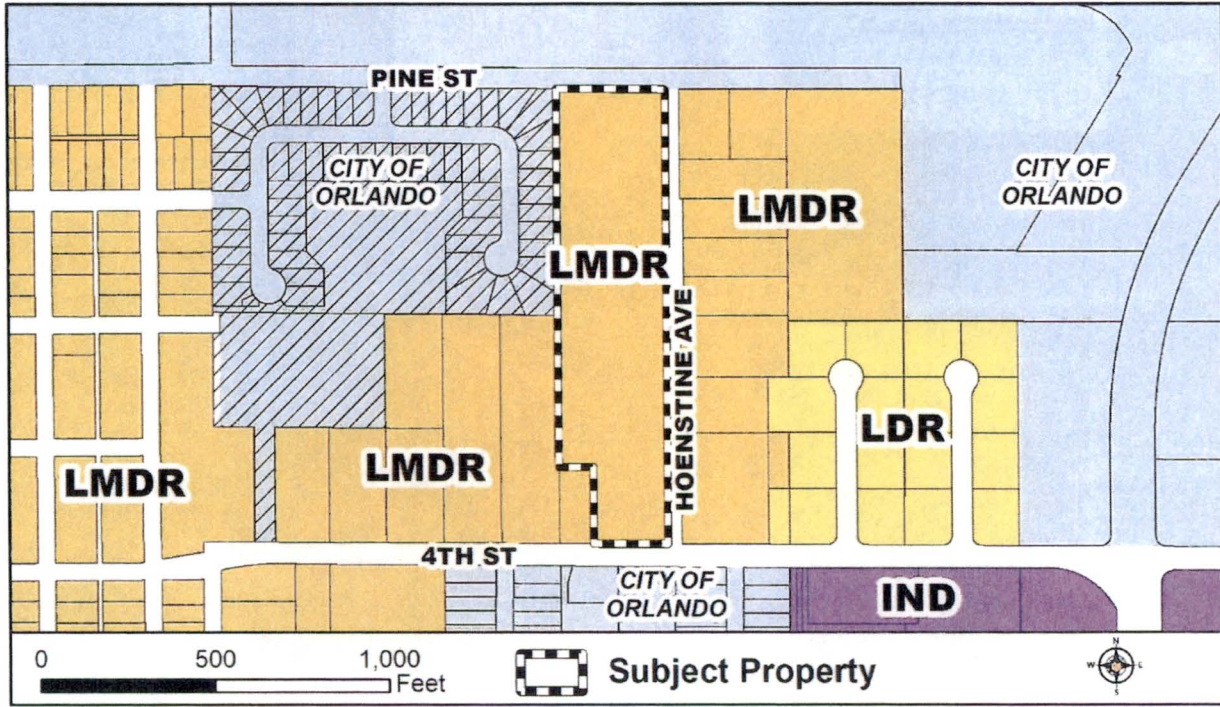


 Subject Property



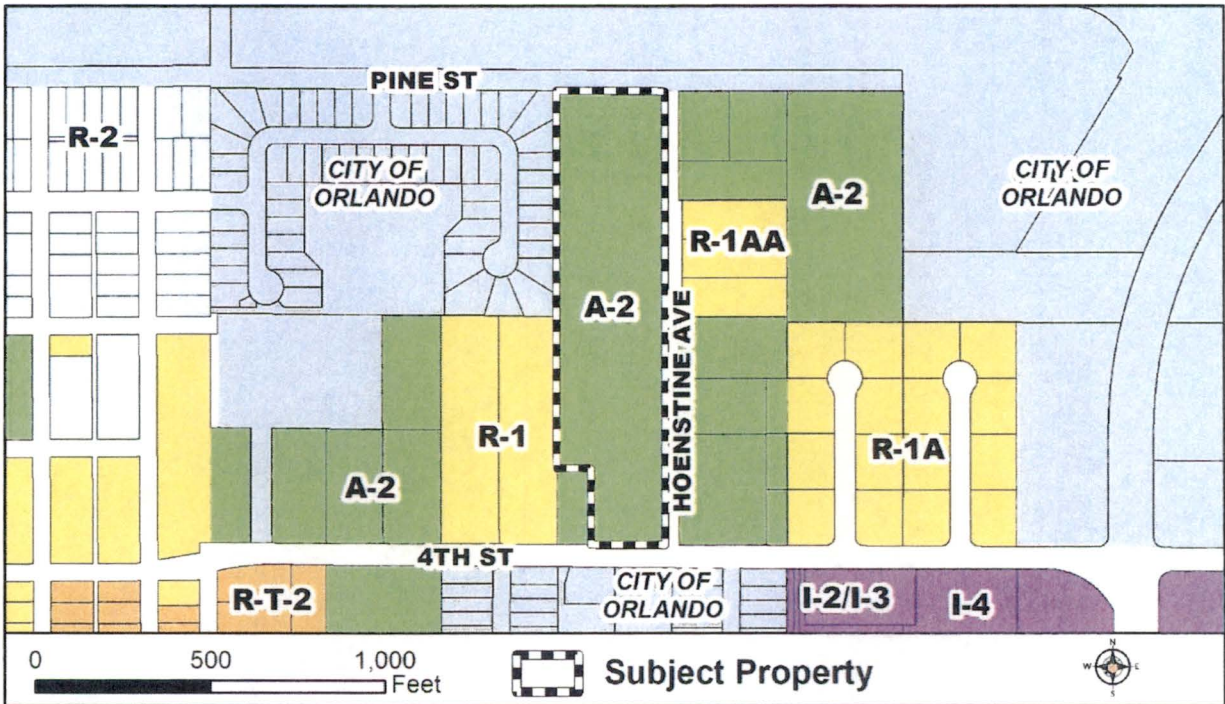
1 inch = 335 feet

FUTURE LAND USE – CURRENT
Low-Medium Density Residential (LMDR)



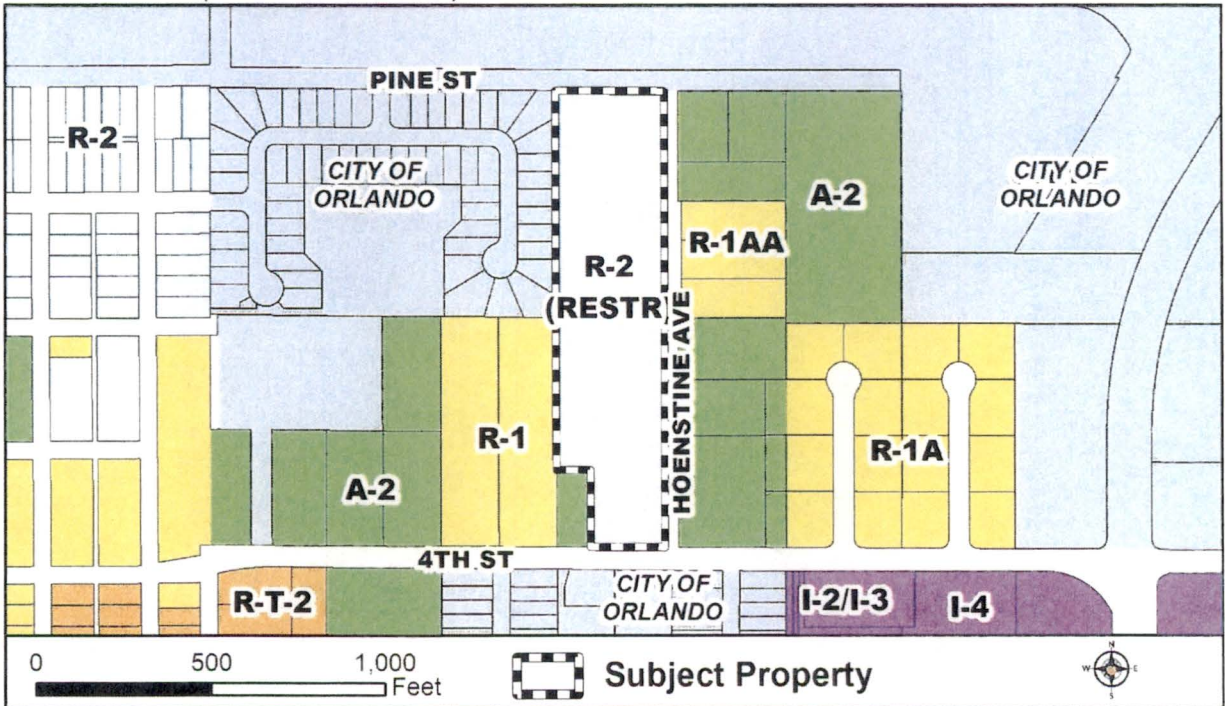
ZONING – CURRENT

A-2 (Farmland Rural)



ZONING – PROPOSED

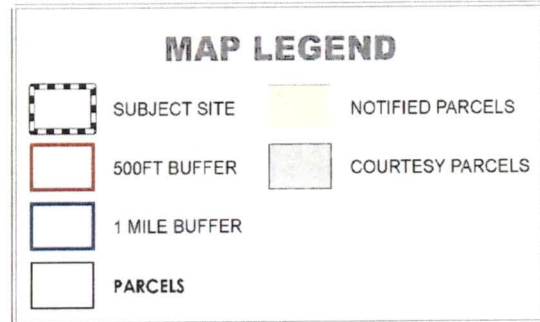
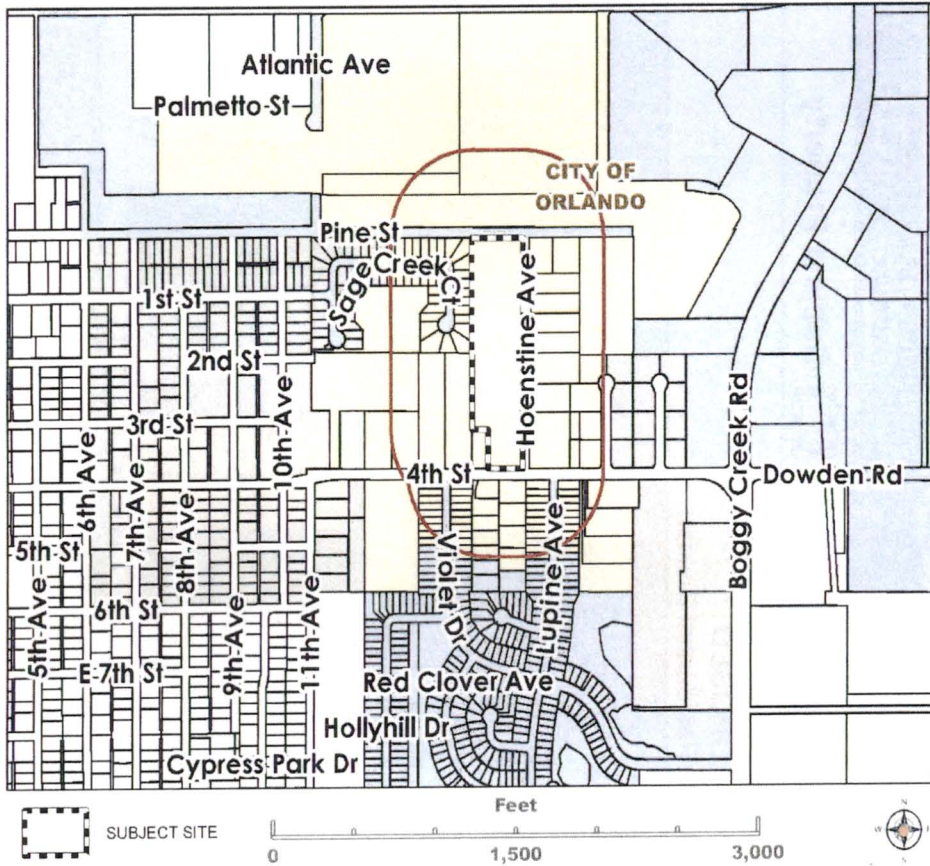
R-2 Restricted (Residential District)



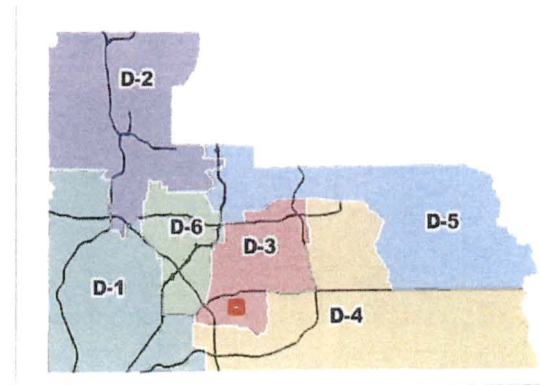


Public Notification Map

RZ-23-07-057



BUFFER DISTANCE: 500
OF NOTICES: 412



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NOTIFICATION MAP

Case # RZ-23-07-057
Orange County Planning Division
PZC Hearing Date: August 17, 2023

CASE # RZ-23-08-060

Commission District: #6

GENERAL INFORMATION

APPLICANT: Daljit Pabla; Kalotia Corporation

OWNER: Kalotia Corporation

HEARING TYPE: Planning and Zoning Commission

REQUEST: **R-1A** (Single-Family Dwelling District) and **C-1** (Retail Commercial District) **to** **C-2 Restricted** (General Commercial District)

LOCATION: 4950 S. Orange Blossom Trail; generally located north of Americana Blvd, south of Holden Avenue, on the west side of S. Orange Blossom Trail.

PARCEL ID NUMBER: 15-23-29-0000-00-024

SIZE/ ACREAGE: 5.69-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]. Three hundred sixty-nine (369) notices were mailed to those property owners and residents in the surrounding area.

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

PROPOSED USE: C-2 uses, which includes the sale of automobiles.

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend Approval of the requested C-2 Restricted (General Commercial District) zoning, subject to the following restrictions:

1. New 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 C-2 uses.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request the applicant is requesting to rezone a portion of 5.69 gross acres from R-1A (Single-Family Dwelling District) and C-1 (Retail Commercial District) to C-2 Restricted (General Commercial District) for allowance of C-2 uses as permitted in OC Code, which includes the sale of automobiles. The R-1A portion of the subject site is a waterbody that is undevelopable. The C-1 zoning district which makes up the northeast portion of the site was established in 1957. Through this request intent is to unify the parcels zoning district to C-2 (General Commercial District) to allow the sales of automobiles on the site.

Currently, the site is developed as a retail plaza with multiple structures. Uses include accounting office, barbershop, floor covering store, restaurants, and an auto mechanic shop. Some uses on the C-1 portion of the property are non-conforming, approval of this request may rectify outstanding use permit issues.

The surrounding area can be characterized as being heavily developed with commercial developments of varying intensity. The R-3 multi-family zoning district to the west was established in 1972. The request and proposed uses are compatible with the surrounding area.

Land Use Compatibility

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

Site Analysis

Rural Settlement

The subject property is not located in a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is located in the Orange Blossom Trail Overlay District. The request was shared with the OBT Development Board, no comments were received.

Airport Noise Zone

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

Code Enforcement

1. Parcel ID: 15-23-29-0000-00-024
Case #: SM-2019-411090Z / Incident #: 549545
Inspector: John Raznoff
Description: stage/fence no permits

2. Parcel ID: 15-23-29-0000-00-024
Case #: SM-2019-411091Z / Incident #: 541564

Inspector: John Raznoff
Description: Mr. tire and services/outdoor tire installation

3.Parcel ID: 15-23-29-0000-00-024
Case #: SM-2019-397803Z / Incident #: 524043
Inspector: John Raznoff
Description: Tony's Auto Sales/Use Permit

4. .Parcel ID: 15-23-29-0000-00-024
Case #: SM-2019-378083Z / Incident #: 508265
Inspector: Alex Rueda
Description: 2 canopies taken down no permits found

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Commercial. The proposed C-2 (General Commercial District) zoning is consistent with the Commercial FLUM designation, therefore a CP amendment is not necessary. The R-1A zoning portion of the site is classified as a waterbody. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

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

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

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

SITE DATA

Existing Use	Commercial Uses
Adjacent Zoning	N: C-3 (Wholesale Commercial District) (1957) E: C-1(Retail Commercial District (1957) and C-2 (General Commercial District) (1992) W: R-3 (Multi-Family Dwelling District) (1972) S: C-2 (General Commercial District) (1957) <i>*No zoning restrictions apply to the above</i>
Adjacent Land Uses	N: Restaurant E: Retail Commercial W: Apartments S: Retail Commercial

C-2 (General Commercial District) Development Standards

Min. Lot Area:	8,000 sq. ft.
Min. Lot Width:	100 ft. (on major streets, see Article XV) 80 ft. (on all other streets)
Max. Height:	50 ft. (35 ft. within 100 ft. of residential)
Min. Floor Area:	500 sq. ft.
Building Setbacks	
Front:	25 ft.
Rear:	15 ft. (20 ft. when abutting residential)
Side:	5 ft. (25 ft. when abutting residential)

Intent, Purpose, and Uses

The intent and purpose of the C-2 zoning district is to provide for the retailing of commodities and the furnishing of several major services, selected trade shops and automotive repairs. This district is encouraged at locations along minor arterial and major arterial roads where general commercial uses would be compatible with the surrounding neighborhood, yet not adjacent to residential uses. This district typically occupies an area larger than that of the retail commercial district, serves a considerably greater population, and offers a wider range of services. This district is only promoted within the urban service area where uses of this intensity have already been established.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code and include new and used automobile sales; car rental and leasing; auto painting and body shops; special trade contractors' offices (storage, equipment yards, and offices with outdoor storage); automobile parking lots and parking garages; outdoor storage and display of equipment, products, and merchandise; landscaping and irrigation businesses; commercial kennels; caterers; etc.

SPECIAL INFORMATION

Staff Comments

Environmental

Lake Tyler falls within the parcel boundary, a CAD will not be required for this request.

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

Transportation / Access

Based on the Concurrency Management database (CMS) dated 7/11/2023, there is a failing roadway segment within the project's impact area along Holden Ave, from Orange Blossom Trl., to Orange Ave. This information is dated and subject to change. Prior to building permit approval, a Concurrency Application through the Concurrency Management Office may be required. Please contact the Concurrency Management Office at 407-836-6110 for more information. A traffic study may be required at that time.

Schools

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

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: OUC

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within Orlando Utilities Commission Water Service Area.

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

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

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

State of Florida Notice

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – August 17, 2023

Make a finding of consistency with the Comprehensive Plan and recommend Approval of the requested C-2 Restricted (General Commercial District) zoning, subject to the following restrictions:

1. New 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 C-2 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 C-2 Restricted (General Commercial District) zoning, subject to two (2) restrictions. The Applicant was present and agreed with the staff recommendation. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated three hundred sixty-nine (369) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received zero (0) responses in favor, and zero (0) responses in opposition of the request.

A motion was made by Commissioner Evans and seconded by Commissioner Wiggins to recommend **APPROVAL** of the requested C-2 Restricted (General Commercial District) zoning, subject to the two (2) restrictions, The motion carried unanimously.

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

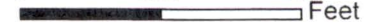
RZ-23-08-060



 Subject Property

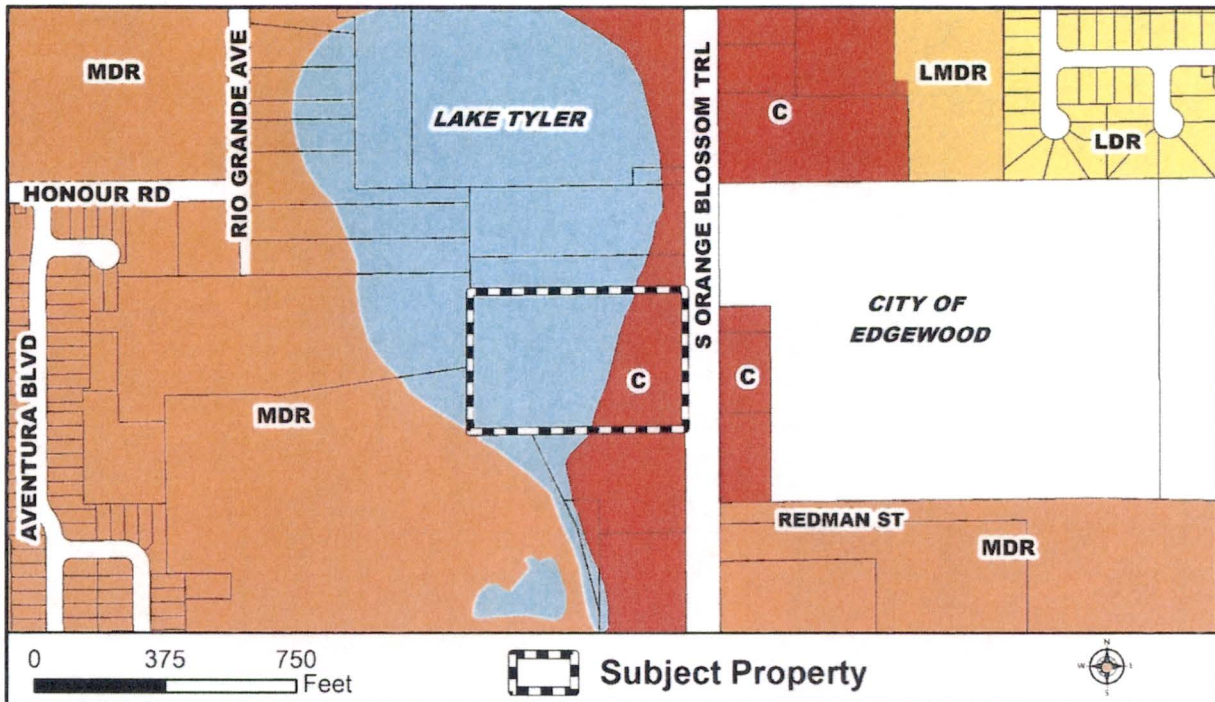


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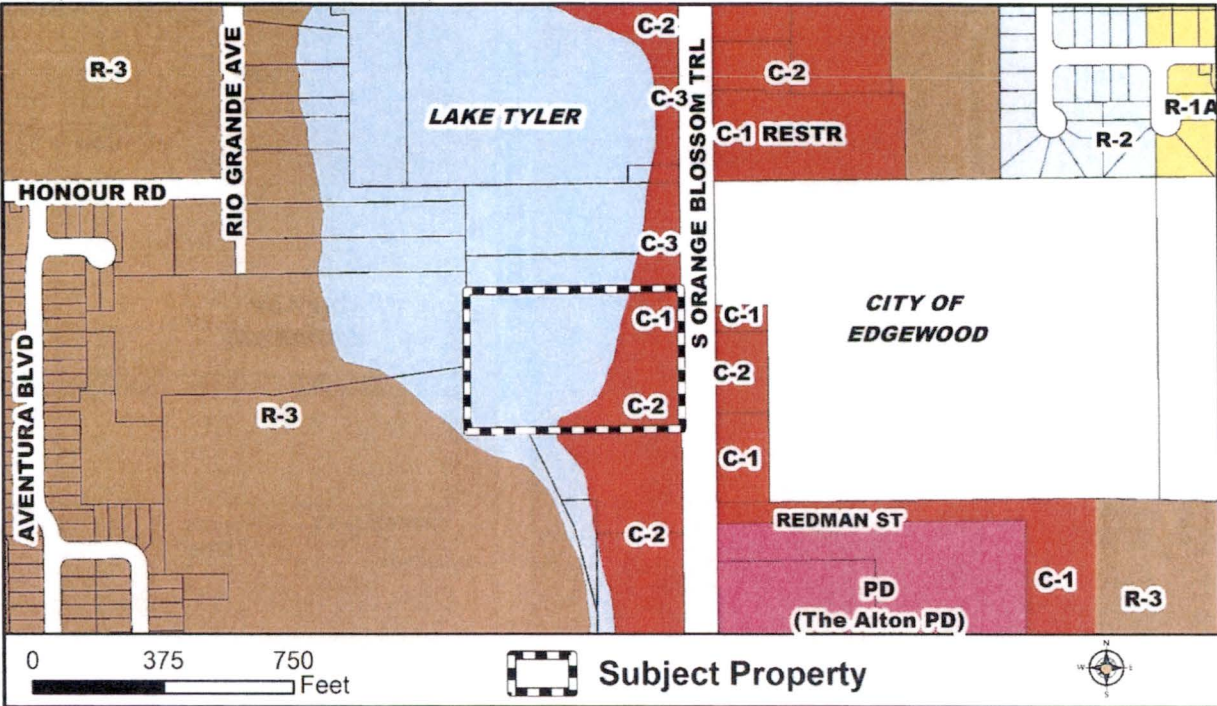
FUTURE LAND USE – CURRENT

Commercial (C)



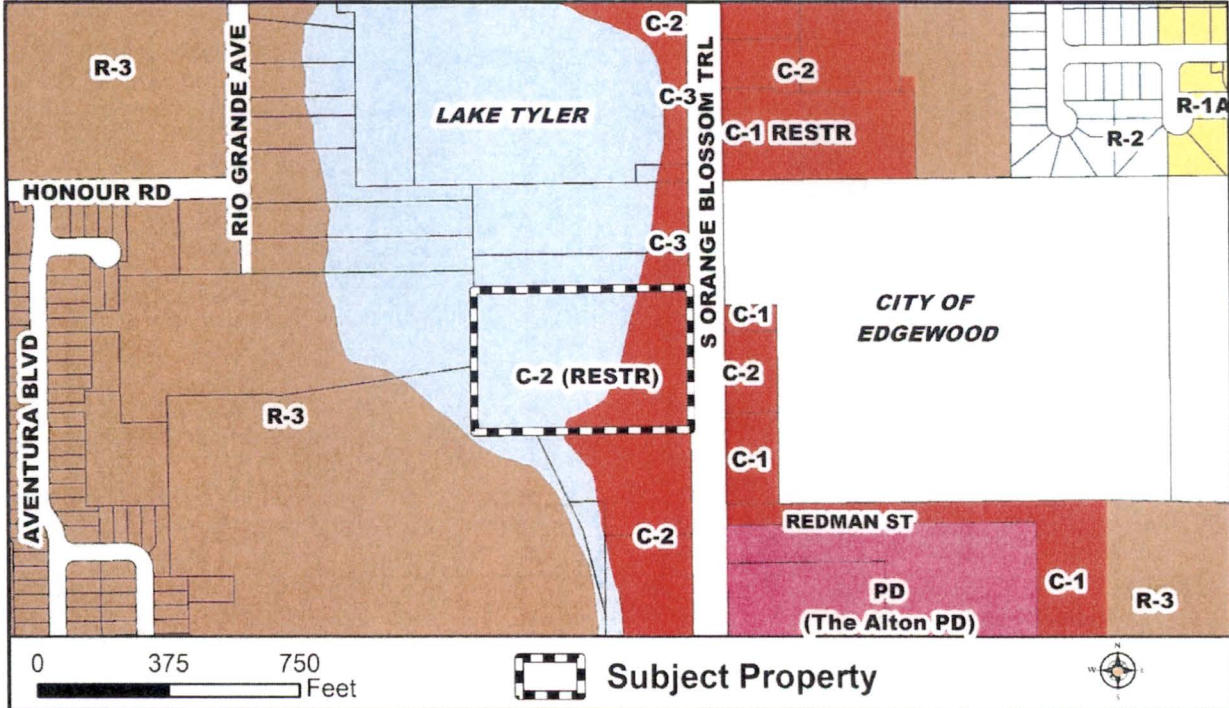
ZONING – CURRENT

R-1A (Single-Family Dwelling District)(waterbody), C-1 (Retail Commercial) and C-2 (General Commercial District)



ZONING – PROPOSED

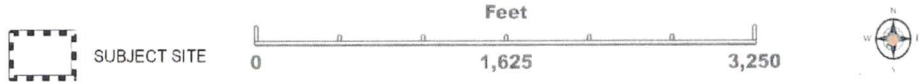
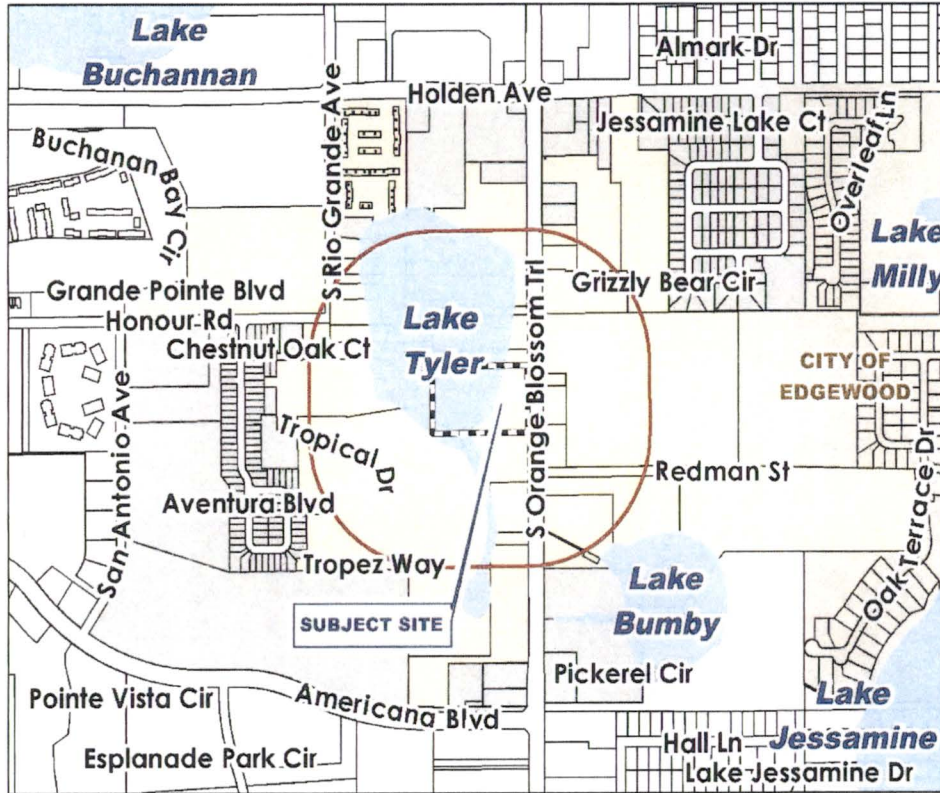
C-2 Restricted (General Commercial District)





Public Notification Map

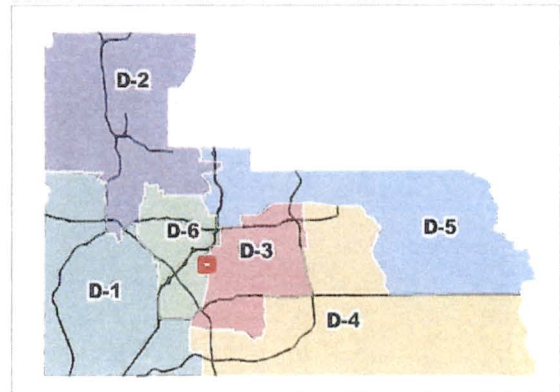
RZ-23-08-060



MAP LEGEND

	SUBJECT SITE		NOTIFIED PARCELS
	800 FT BUFFER		COURTESY PARCELS
	HYDROLOGY		
	PARCELS		

BUFFER DISTANCE: 800
OF NOTICES: 369



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NOTIFICATION MAP

Case # RZ-23-08-060
Orange County Planning Division
PZC Hearing Date: August 17, 2023

CASE # RZ-23-08-062

Commission District: #5

GENERAL INFORMATION

APPLICANT: Jesus Montero

OWNERS: Jesus A. Montero and Ana L. Montero

HEARING TYPE: Planning and Zoning Commission

REQUEST: **A-2** (Farmland Rural District) **to**
R-1 Restricted (Single-Family Dwelling District)

LOCATION: 3827 N. Tanner Rd; generally located east of N Tanner Rd, south of Stonebriar Way, and north of Josair Dr.

PARCEL ID NUMBER: 12-22-31-0000-00-071

SIZE/ ACREAGE: 1.58-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 eighteen (118) notices were mailed to those property owners in the surrounding area.

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

PROPOSED USE: Three detached single-family dwelling units, pending lot split approval.

STAFF RECOMMENDATION

PLANNING

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

1. Minimum lot size for each lot (up to a maximum of three lots) shall be one-third (1/3)-net developable acre (14,520 square feet); and
2. Minimum setback along the southern property line shall be 35-feet for each lot. All other setbacks shall comply with R-1 zoning standards.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the subject property from A-2 (Farmland Rural District) to R-1 Restricted (Single-Family Dwelling District) to construct 3 detached single-family homes. The applicant will request to split the lot through the Zoning Division which will be contingent upon the approval of this request.

The subject property containing 1.58-gross acre is unplatted, however zoning map records show this property as a legally created lot prior to 1991. The subject property currently has a single-family home, and the property owner intends to construct two additional single-family homes after a lot split is approved. The subject property is large enough to accommodate two additional dwelling units, allowing for approximately 0.44-gross acre for lot 1, 0.50-gross acre for lot 2, and 0.64-gross acre for lot 3. A conceptual site plan was provided by the applicant which has been attached to this staff report.

The surrounding area of the subject property is primarily detached single-family homes on 50 feet to 100 feet wide lots and an elementary school located to the east. The area consists of a variety of zoning districts – A-2 (Farmland Rural District), R-1 (Single-Family Dwelling District), R-1AA (Single-Family Dwelling District), R-1AAAA (Residential Urban District), R-CE (Rural Country Estate), and PD (Planned Development). This request to rezone to R-1 zoning would not negatively impact the surrounding area. To achieve compatibility with the surrounding area's current zoning standards, planning staff recommends two restrictions which will require a minimum one-third acre for each lot and a minimum 35-foot setback along the southern property line. These standards are aligned with R-1AAA lot size and rear setback requirements. Development on this property will be reliant on septic tanks for wastewater disposal.

Land Use Compatibility

The R-1 zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

Rural Settlement

The subject property is not located in a Rural Settlement.

Joint Planning Area (JPA)

The subject property is located in the City of UCF Study Area JPA. Residential development is considered deminimus.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Code Enforcement

No cases found.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is LDR. The proposed R-1 Restricted zoning is consistent with the LDR FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

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

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

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

FLU7.3.1

Orange County shall review the campus master plan, development proposals, and other development plans of the university to ensure compatibility with off campus surrounding uses and to determine the impacts of the development on Orange County residents.

FLU7.3.2

The university and the county shall work cooperatively to develop shared design and signage guidelines to ensure compatibility of on-campus development with the surrounding community.

FLU7.3.3

Where the acquisition of additional lands is necessary for the continued growth and expansion of university facilities, the county shall work cooperatively with UCF on any required amendments to the Comprehensive Plan.

FLU7.3.4

Orange County shall arrange an annual meeting to discuss and review updates related to campus development plans, infrastructure improvements and support facilities.

FLU7.3.5

Orange County shall work with UCF to establish additional opportunities for increased coordination as identified in the Campus Master Plan.

SITE DATA

Existing Use	Detached Single-Family Home
Adjacent Zoning	N: A-2 (Farmland Rural District) 1982 E: R-1AAAA (Single-Family Dwelling District) 1988 W: R-1 (Single-Family Dwelling District) 1957 S: R-1AAAA (Single-Family Dwelling District) 1988
Adjacent Land Uses	N: Residential E: Residential W: Residential S: Residential

R-1 Development Standards

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

Building Setbacks

Front:	20 feet
Rear:	20 feet
Side:	5 feet

* 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-1 (Single-Family Dwelling District) zoning district is composed of lands and structures used primarily for single-family residential areas with large lots and low population densities.

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

SPECIAL INFORMATION

Staff Comments

Environmental

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

Septic System Setbacks - Residential lots shall be configured to accommodate requirements of the Individual On-Site Sewage Disposal Ordinance regarding setbacks, lot size, soils, distance to potable water supply wells, and elevations. Reference OC Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal, Section 37-538.

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

Transportation / Access

Based on the Concurrency Management database (CMS) dated 7/11/2023, capacity exists within the project's impact area. This information is dated and subject to change. Three single family detached dwelling units are a de minimis impact to the roadways. For the purposes of transportation analysis, a project is considered de minimis if its impacts are less than a total p.m. peak of five (5) peak hour trips on the roadways within the area of influence. When evaluating for school concurrency, any residential development that creates an impact of less than one (1) student shall be considered de minimis.

Schools

Three homes is de-minimus.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

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

Detailed Utility Information:

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

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

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

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

State of Florida Notice

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – August 17, 2023

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested R-1 Restricted (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 inconsistency with the Comprehensive Plan and recommend DENIAL of the requested R-1 Restricted (Single-Family Dwelling District) zoning to allow three (3) detached single-family homes, pending a lot split approval. The applicant was present for the hearing and agreed with staff's recommendation to approve the R-1 Restricted with the two restrictions listed in the staff report. Two (2) residents appeared at the hearing to provide public comment. Each speaker stated concerns regarding compatibility with the surrounding development, water quality concerns, and septic reliance for each proposed lot.

Discussion further ensued with the PZC regarding the reliance of septic tanks for each proposed lot, additionally PZC commissioners stated that this request is incompatible with the surrounding area. The applicant disagreed and stated the restrictions imposed on the rezoning would ensure the each proposed lot would be compatible with the lot sizes and lot widths in the surrounding area, and the 35-foot southern property line setback in lieu of 5 foot setback would also ensure that the proposed single-family homes would not be built immediately adjacent to the single-family homes to the south of the subject property.

Staff indicated that one hundred eighteen (118) notices were sent to property owners within a 850-ft radius from the subject property, with zero (0) commentaries received in favor of the request and twenty-one (21) commentaries received in opposition to the request. The residents who are opposed to this request stated that this request is incompatible with the rural character of the area. One resident expressed concerns regarding stormwater runoff from the three proposed properties, sewage treatment, and drainage concerns.

A motion was made by Commissioner Spears, and seconded by Commissioner Wiggins to recommend DENIAL of the requested R-1 Restricted (Single-Family Dwelling District) zoning. The motion carried on a 7-1 vote with Commissioner Evans voting in opposition.

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

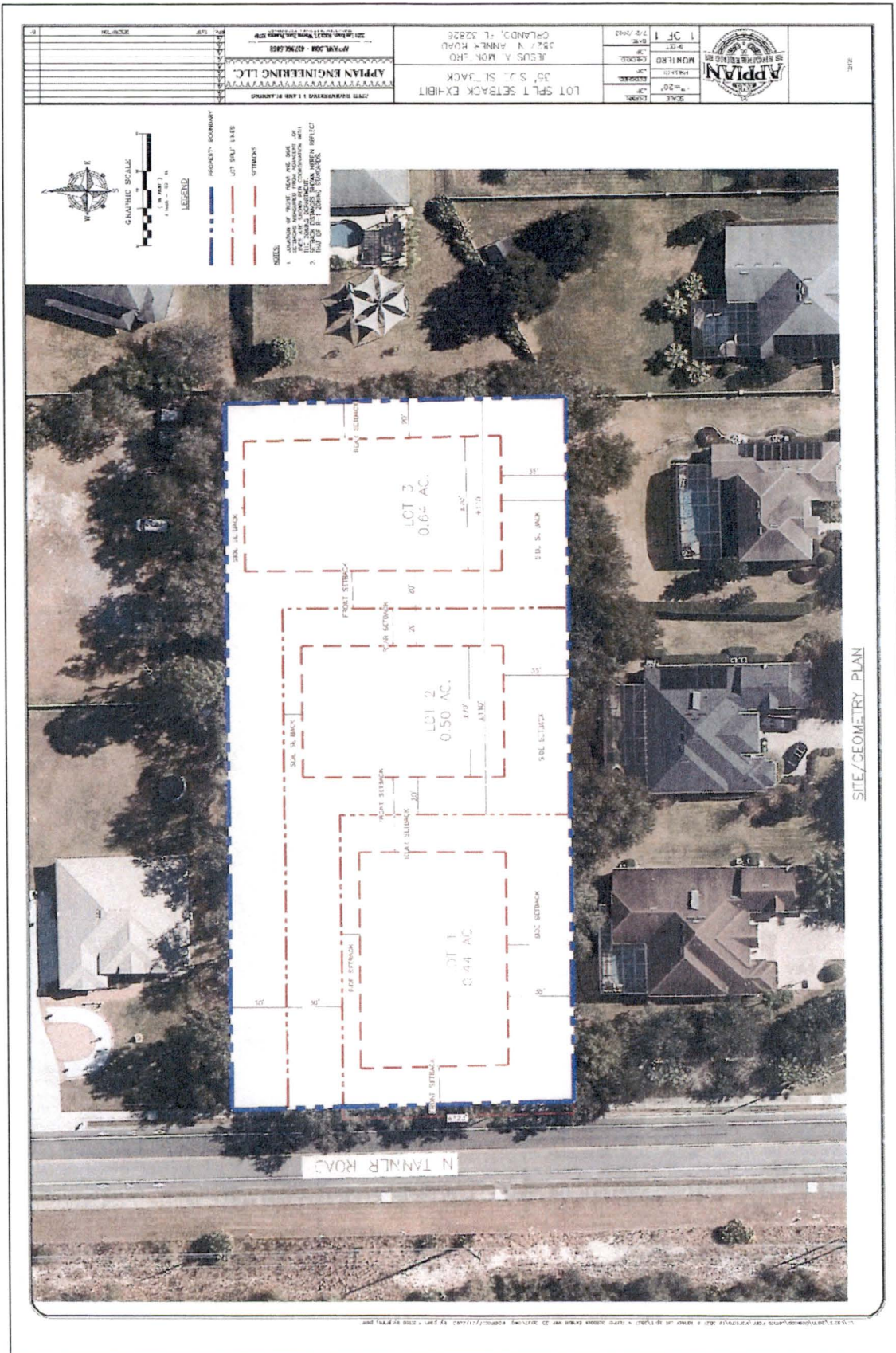
RZ-23-08-062



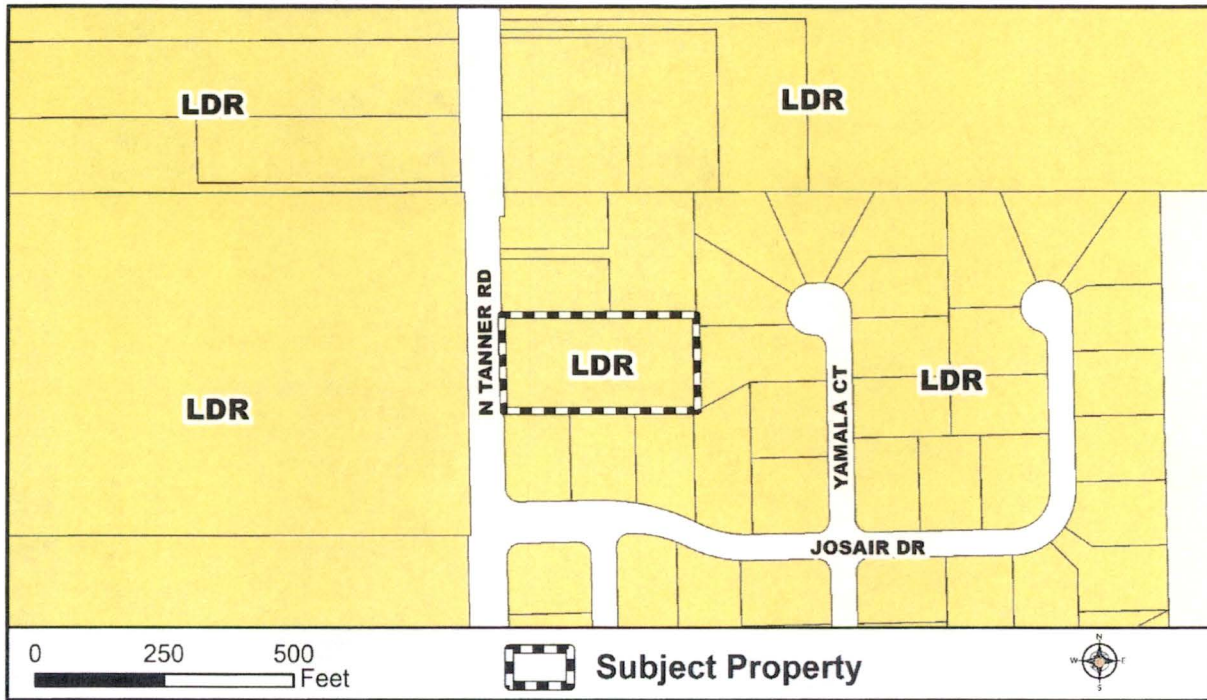
 Subject Property



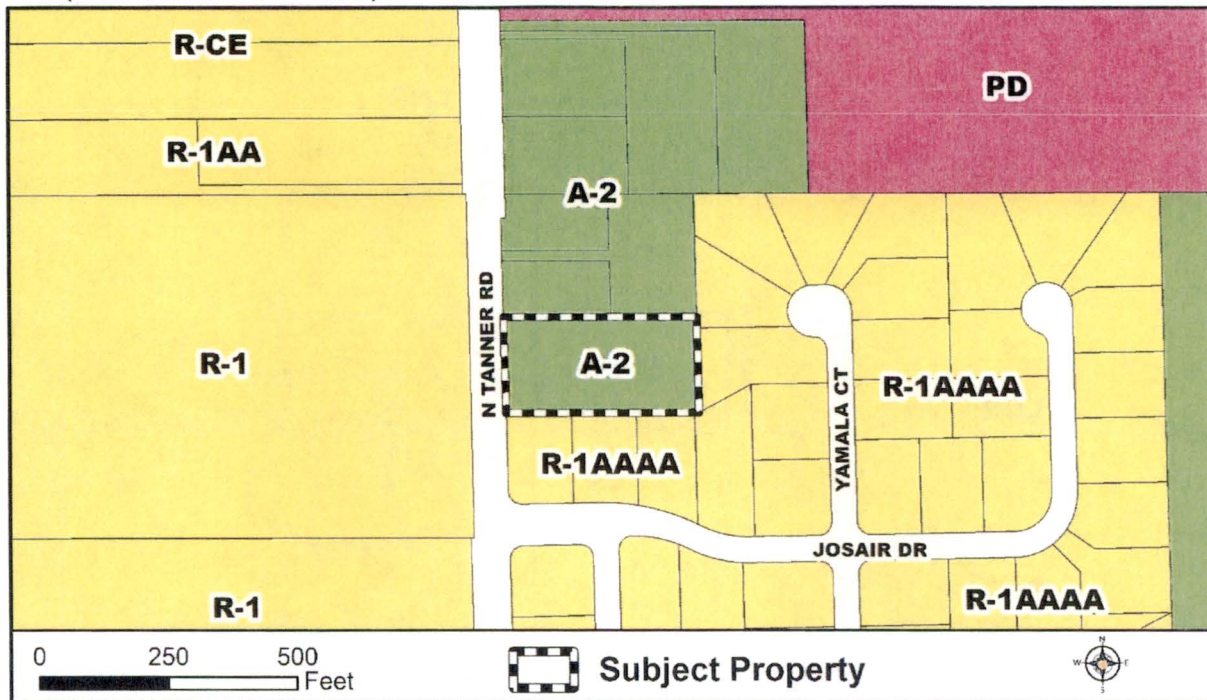
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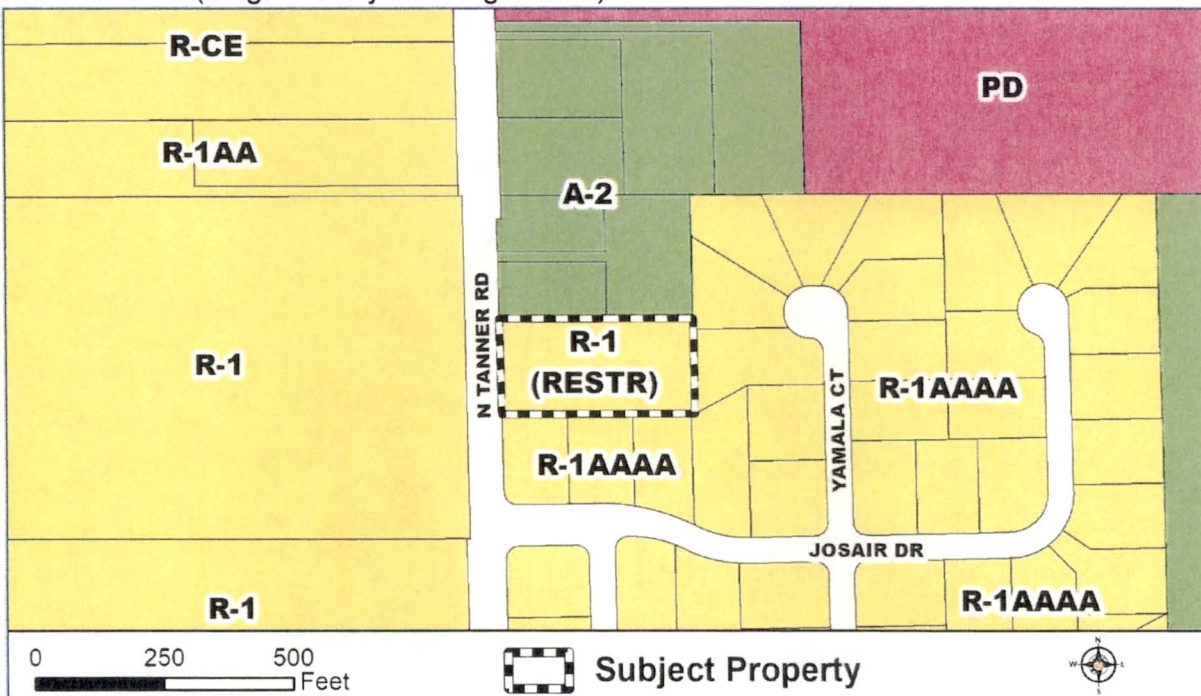
FUTURE LAND USE – CURRENT
Low Density Residential (LDR)



ZONING – CURRENT
A-2 (Farmland Rural District)



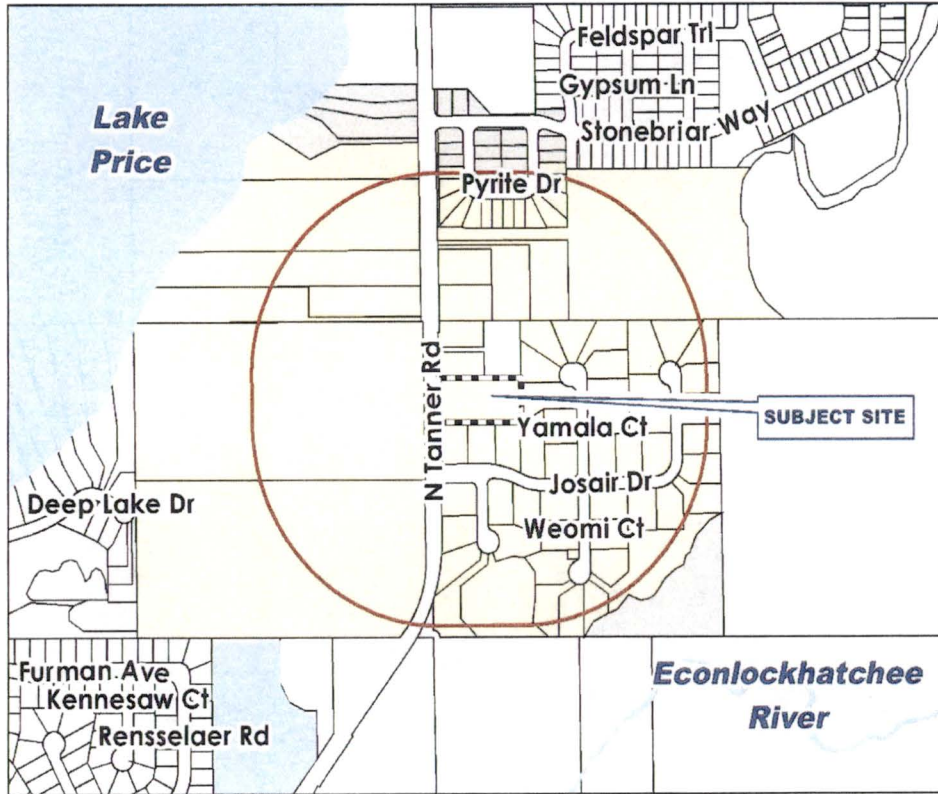
ZONING – PROPOSED
R-1 Restricted (Single-Family Dwelling District)





Public Notification Map

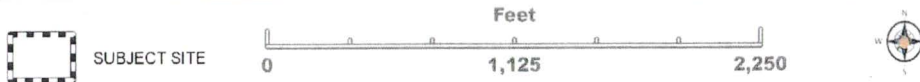
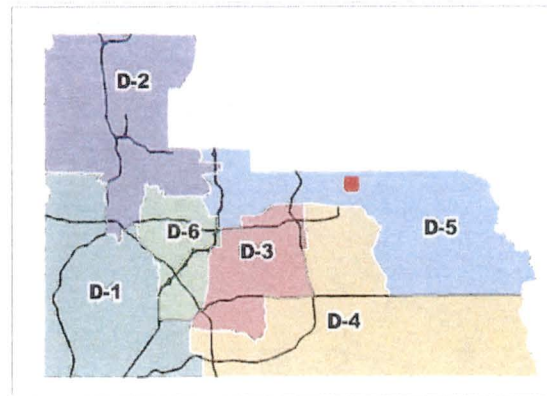
RZ-23-08-062



MAP LEGEND

	SUBJECT SITE		NOTIFIED PARCELS
	850 FT BUFFER		COURTESY PARCELS
	HYDROLOGY		
	PARCELS		

BUFFER DISTANCE: 850
OF NOTICES: 118



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NOTIFICATION MAP

Case # RZ-23-08-062
 Orange County Planning Division
 PZC Hearing Date: August 17, 2023

CASE # RZ-23-08-064

Commission District: #5

GENERAL INFORMATION

APPLICANT: Jessica Santiago

OWNER: 1114 Courtland 06012023 Trust

HEARING TYPE: Planning and Zoning Commission

REQUEST: **R-1A** (Single-Family Dwelling District) **to**
R-1 (Single-Family Dwelling District) with a lot width variance.

LOCATION: 1114 Courtland St; generally located south of Courtland St,
east of Fairview Ave, west of Adanson St, north of Neuse Ave

PARCEL ID NUMBER: 03-22-29-8476-01-170

SIZE/ ACREAGE: 0.29-gross acre

PUBLIC NOTIFICATION: The notification area for this public hearing was 500 feet
[Chapter 30-40(c)(3a) of the Orange County Code requires 300
feet]. One hundred two (102) notices were mailed to those
property owners in the surrounding area.

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

PROPOSED USE: Two (2) single-family homes, (pending lot split approval).

STAFF RECOMMENDATION

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

Variance:

1. Lot width of 45 ft shall be allowed in lieu of 50 ft.

SUBJECT PROPERTY ANALYSIS

Overview

The applicant is seeking to rezone the subject parcel from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District) with the intent to allow two (2) single-family attached dwelling units on 0.29-gross acre.

The subject property is currently developed with a single-family residence and has been platted as lots 17 and 18 in 1926 within the Sunshine Garden First Addition. The lot width of the subject property measures as 100 feet and the lot area is 12,833 square feet., which is sufficient to allow two (2) single-family detached units, pending lot split approval. The existing home is going to be remodeled or demolished as needed to create a new 45' wide lot with the requested lot width variance.

The subject property has a Future Land Use Map (FLUM) designation of Low Density Residential (LDR) which allows for consideration of up to four (4) units per one (1) net developable acre. On December 14, 2021, the Board of County Commissioners approved an amendment to Comprehensive Plan Policy FLU8.1.1 which allows for a property with historical underlying platted lots to revert to those underlying platted lots so long as the zoning district standards are met without the need for a FLUM designation increase to address the density issue. In this case, because the property meets the requirements of this policy, a FLUM amendment is not necessary, however a rezoning is required in order to meet the zoning district standards.

Development on this property will be reliant on septic tanks for wastewater disposal.

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.

Site Analysis

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Code Enforcement

1. Parcel ID: 03-22-29-8476-01-170

Case #: SM-2019-404072Z / Incident #: 533666

Inspector: Wanda Space

Description: There are several cars in the driveway and yard in various stages of disrepair, the cars are being dismantled and put back together, working on the vehicles at anytime, possible running a auto repair business.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is LDR (Low Density Residential). The proposed R-1 (Single-Family Dwelling District) zoning is consistent with the LDR (Low 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.

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

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

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

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

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

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

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

SITE DATA

Existing Use	Single-Family Residential
Adjacent Zoning	N: C-2 (General Commercial District) (1959)
	E: R-2 (Residential District) (1957)
	W: R-1A (Single-Family Dwelling District) (1957)
	S: R-1A (Single-Family Dwelling District) (1957)

Adjacent Land Uses N: Retail Commercial Plaza
 E: Vacant Residential
 W: Single-Family Residential
 S: Single-Family Residential

R-1 Development Standards

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

Building Setbacks

Front: 20 feet
Rear: 20 feet
Side: 5 feet

** 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-1 (Single-Family Dwelling District) zoning district is composed of lands and structures used primarily for single-family residential areas with large lots and low population densities.

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

SPECIAL INFORMATION

Staff Comments

Environmental

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

Wekiva Study Area - This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional environmental regulations apply, but are not limited to: septic tank criteria, open space, stormwater treatment and conservation, and increased buffer widths. Reference OC Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection.

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

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

Transportation / Access

Based on the Concurrency Management database (CMS) dated 7/11/2023, capacity exists within the project's impact area. This information is dated and subject to change. Two single family detached dwelling units are a de minimis impact to the roadways. For the purposes of transportation analysis, a project is considered de minimis if its impacts are less than a total p.m. peak of five (5) peak hour trips on the roadways within the area of influence. When evaluating for school concurrency, any residential development that creates an impact of less than one (1) student shall be considered de minimis.

Schools

Two homes is deminimus.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

- Water: Winter Park
- Wastewater: Winter Park
- Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within City of Winter Park Water and Wastewater Service Area.

Development on this property will be reliant on septic tanks for wastewater disposal.

This property is within Orange County Utilities Reclaimed Water Service Area. In accordance with Orange County Code Chapter 37:

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

State of Florida Notice

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (August 17, 2023)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the R-1 (Single-Family Dwelling District) zoning, with one variance:

- 1) Lot width of 45 feet shall be allowed in lieu of 50 feet.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented with the recommendation that the PZC 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. There were no speakers during public comment.

Staff indicated that one hundred and two (102) notices were mailed to those property owners in the mailing area extending 500 feet of the surrounding property, and that staff received zero commentaries regarding this request.

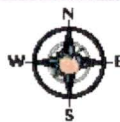
After discussion addressing how the property owner would split the subject property and the setbacks a motion was made by Commissioner Spears, and seconded by Commissioner Wiggins to recommend approval of the requested R-1 (Single-Family Dwelling District) zoning with one lot width variance. The motion carried on a 7-1 vote.

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

RZ-23-08-064



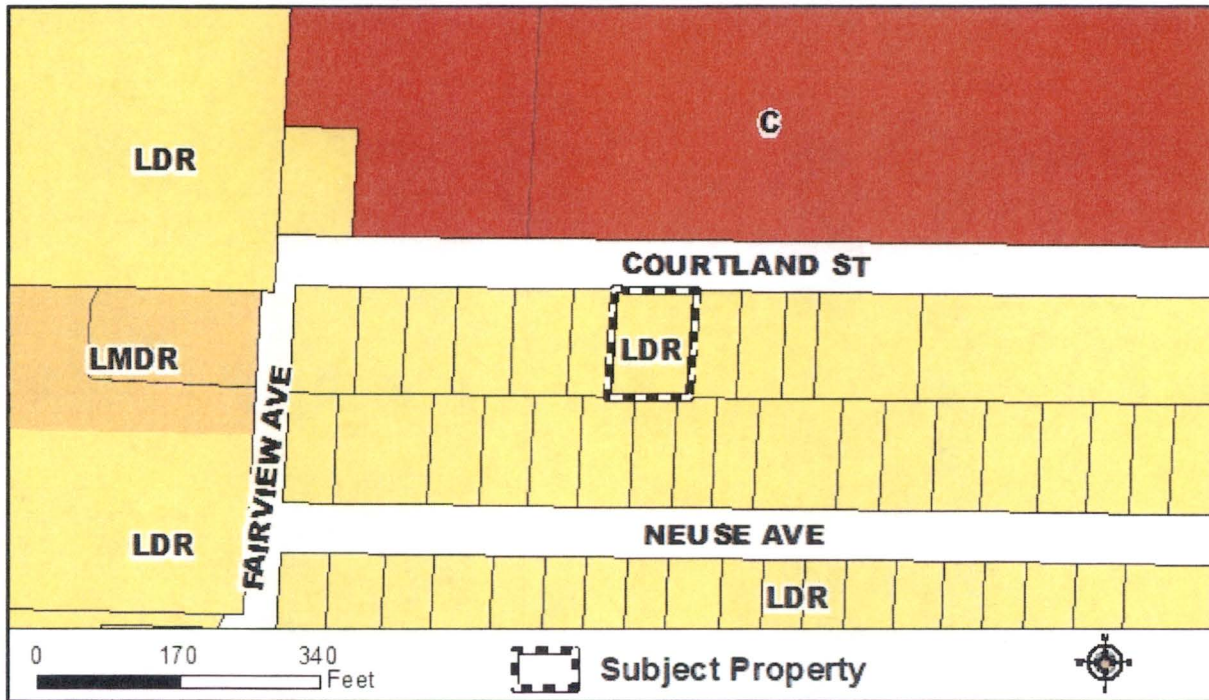
 Subject Property



1 inch = 125 feet

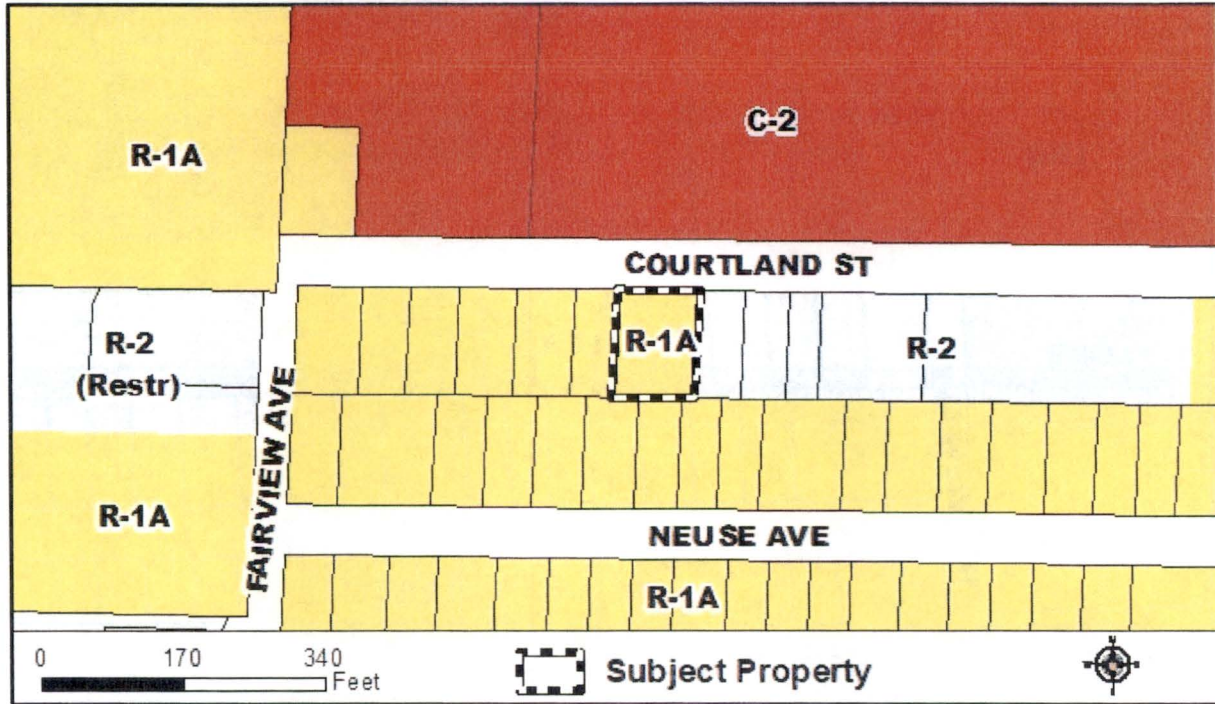
FUTURE LAND USE – CURRENT

LDR (Low Density Residential)



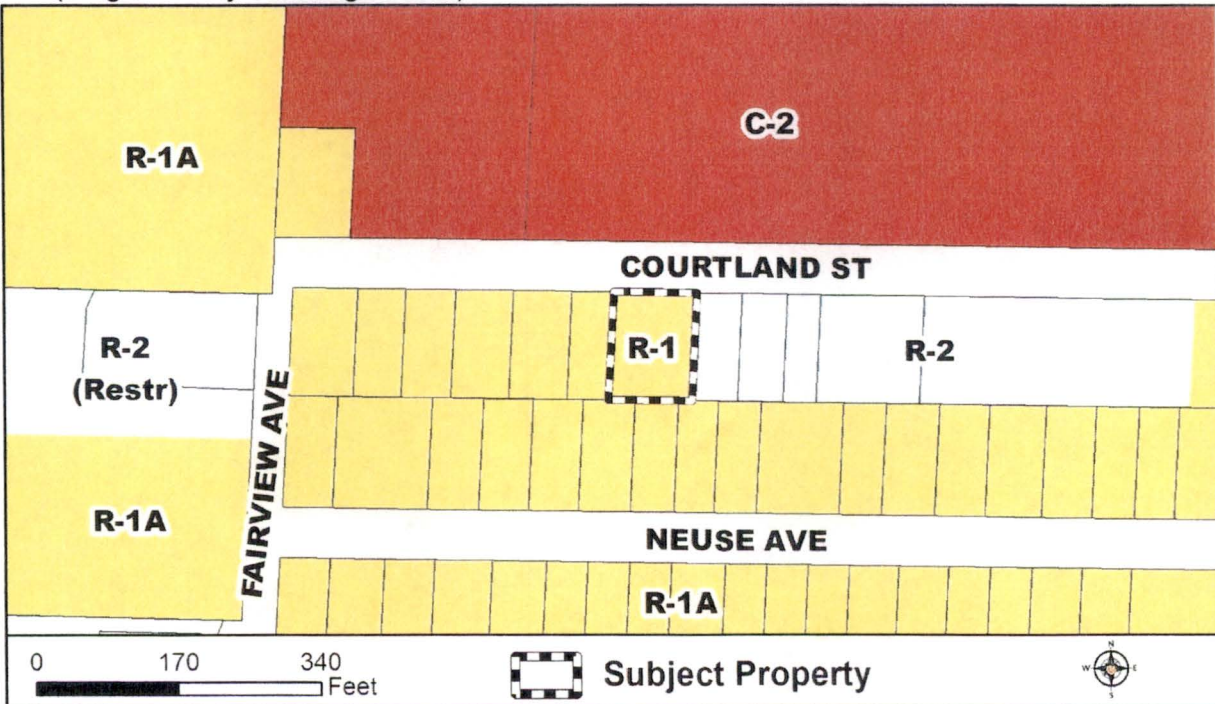
ZONING – CURRENT

R-1A (Single-Family Dwelling District)



ZONING – PROPOSED

R-1 (Single-Family Dwelling District)





Public Notification Map

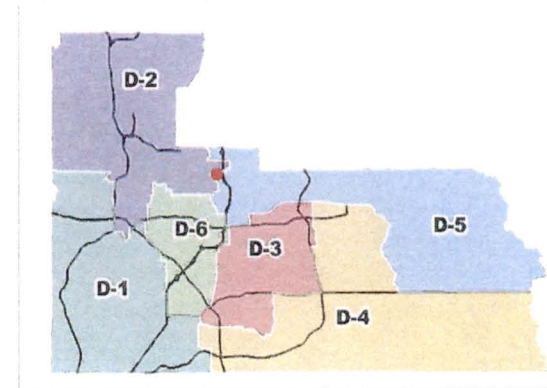
RZ-23-08-064



MAP LEGEND

	SUBJECT SITE		PARCELS
	500FT BUFFER		NOTIFIED PARCELS
	1 MILE BUFFER		COURTESY PARCELS
	HYDROLOGY		

BUFFER DISTANCE: 500
OF NOTICES: 102



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NOTIFICATION MAP

Case # RZ-23-08-064
Orange County Planning Division
PZC Hearing Date: August 17, 2023

CASE # RZ-23-08-066

Commission District: # 6

GENERAL INFORMATION

APPLICANT: Lucie Ghioto

OWNER: Habitat for Humanity of Greater Orlando and Osceola County, Inc.

HEARING TYPE: Planning and Zoning Commission

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

LOCATION: 1406 39th St; generally south of 39th St, west of S. Nashville St and east of S. Rio Grande Ave.

PARCEL ID NUMBER: 03-23-29-0183-18-030

SIZE/ ACREAGE: 0.31-gross acre

PUBLIC NOTIFICATION: The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred eighty-eight (188) notices were mailed to those property owners in the surrounding area.

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

PROPOSED USE: Two (2) single-family dwelling units, pending lot split approval.

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.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property containing 0.31-gross acres was platted in 1924 as Lots 3 and 4 of the Angebilt Addition Number 2. Lots 3 and 4 each measure 50 ft in width. The applicant intends to revert to the underlying platted lots. The current zoning district of R-1A requires 75 ft wide lots whereas the requested R-1 district only requires 50 ft wide lots. The area can be characterized as a mixture of lots ranging from 50 ft wide to 75 ft. wide.

The subject property has a Future Land Use Map (FLUM) designation of Low Density Residential (LDR) which allows for consideration of up to four (4) units per one (1) net developable acre. On December 14, 2021, the Board of County Commissioners approved an amendment to Comprehensive Plan Policy FLU8.1.1 which allows for a property with historical underlying platted lots to revert to those underlying platted lots so long as the zoning district standards are met without the need for a FLUM designation increase to address the density issue. In this case, because the property meets the requirements of this policy, a FLUM amendment is not necessary, however a rezoning is required in order to meet the R-1 zoning district standards.

Development on this property will be reliant on septic tanks for wastewater disposal.

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.

Site Analysis

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Code Enforcement

No cases found.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is LDR (Low Density Residential). The proposed R-1 (Single-Family Dwelling District) zoning is consistent with the LDR (Low 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.

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

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental

features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

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

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

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

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

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

SITE DATA

Existing Use	Vacant Residential
Adjacent Zoning	N: R-1A (Single-Family Dwelling District) (1957) R-2 (Residential District) (1982) E: R-1A (Single-Family Dwelling District) (1957) W: R-1 (Single-Family Dwelling District) (2006) S: R-1A (Single-Family Dwelling District) (1957)
Adjacent Land Uses	N: Single-Family Residential E: Single-Family Residential W: Single-Family Residential S: Single-Family Residential

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

Min. Lot Area:	5,000 sq. ft.
Min. Lot Width:	50 ft.

Max. Height: 35 ft.
Min. Living Area: 1,000 sq. ft.

Building Setbacks

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

Intent, Purpose, and Uses

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

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

SPECIAL INFORMATION

Staff Comments

Environmental

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

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

Transportation / Access

Based on the Concurrency Management database (CMS) dated 7/11/2023, capacity exists within the project's impact area. This information is dated and subject to change. Two single family detached dwelling units are a de minimis impact to the roadways. For the purposes of transportation analysis, a project is considered de minimis if its impacts are less than a total p.m. peak of five (5) peak hour trips on the roadways within the area of influence. When evaluating for school concurrency, any residential development that creates an impact of less than one (1) student shall be considered de minimis.

Schools

Two homes is de minimus.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: OUC

Wastewater: Orange County Utilities

Reclaim Water: City of Orlando

Detailed Utility Information:

This property is within Orlando Utilities Commission Water Service Area.

This property is within Orange County Utilities Wastewater Service Area. In accordance with Orange County Code Chapter 37:

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

This property is within City of Orlando Reclaimed Water Service Area.

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 – (August 17, 2023)

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

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented with the recommendation that the PZC 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. There were no speakers during public comment.

Staff indicated that one hundred eighty-eight (188) notices were mailed to those property owners in the mailing area extending 500 feet of the surrounding property, and that staff received zero commentaries regarding this request.

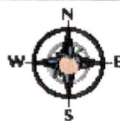
After discussion addressing the preservation of mature existing trees and, a motion was made by Commissioner Evans and seconded by Commissioner Arrington to recommend approval of the requested R-1 (Single-Family Dwelling District) zoning. The motion carried on a 6-1 vote.

Motion / Second	<i>Camille Evans / Michael Arrington</i>
Voting in Favor	<i>Camille Evans, George Wiggins, Michael Arrington, David Boers, Nelson Pena, Evelyn Cardenas</i>
Voting in Opposition	<i>Gordon Spears</i>
Absent	<i>Walter Pavon</i> <i>Eddie Fernandez conflict of interest</i>

RZ-23-08-066



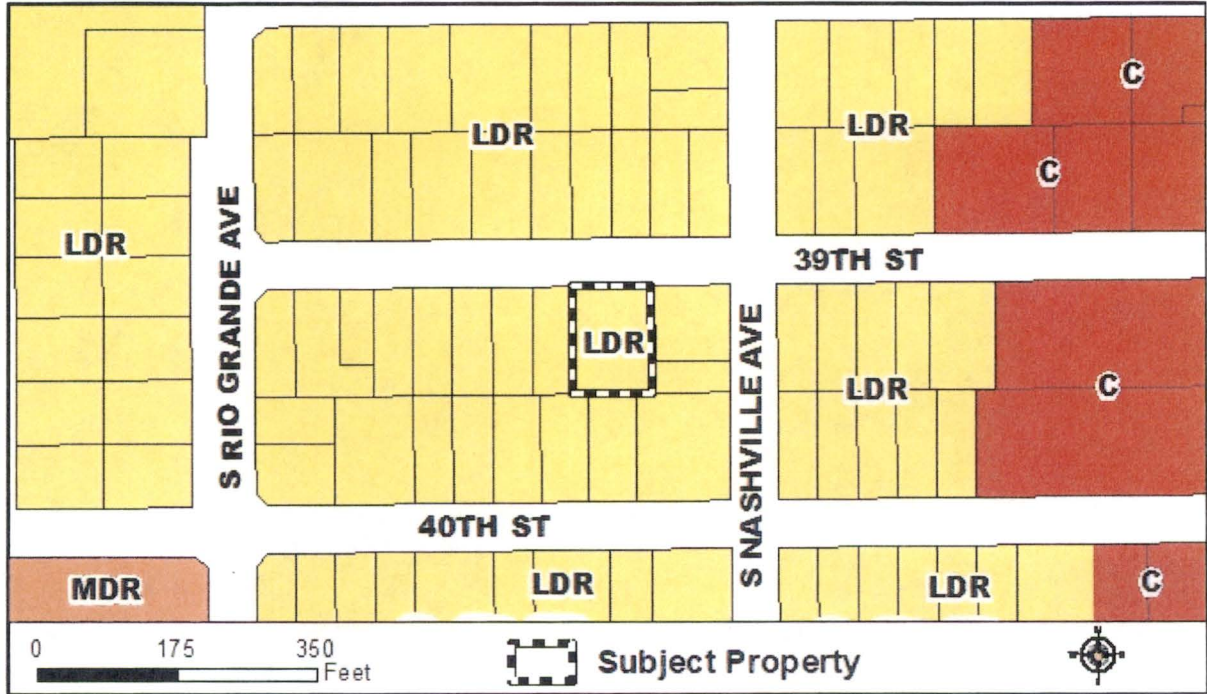
 Subject Property



1 inch = 125 feet

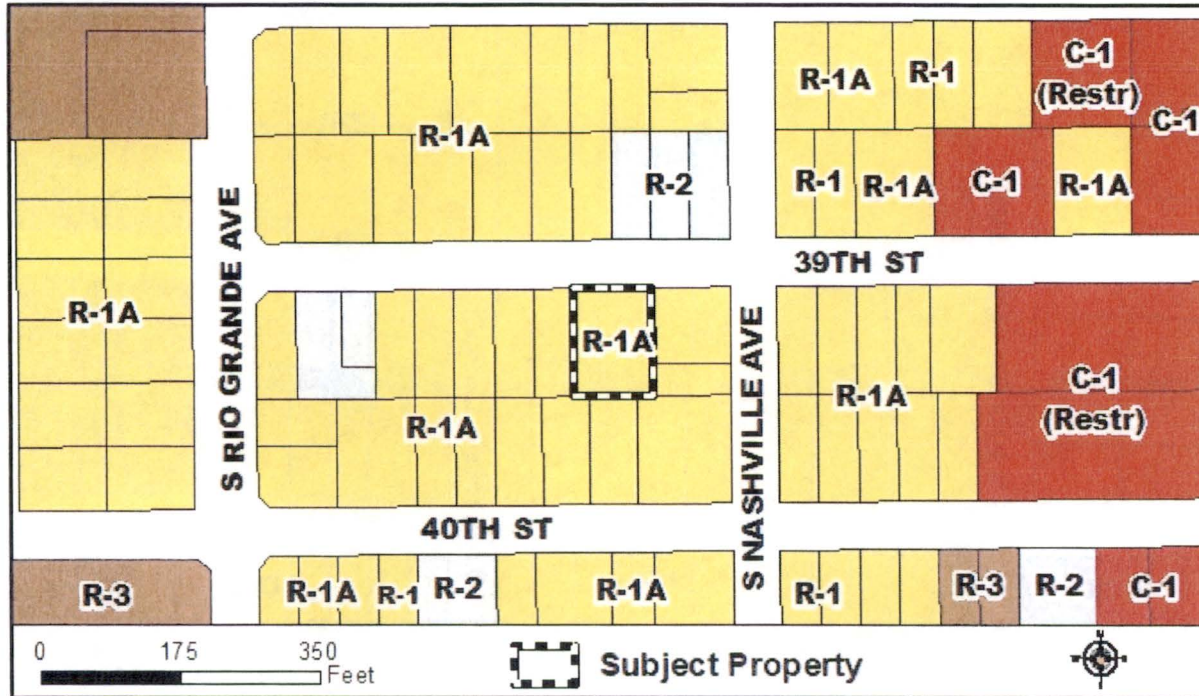
FUTURE LAND USE – CURRENT

LDR (Low Density Residential)



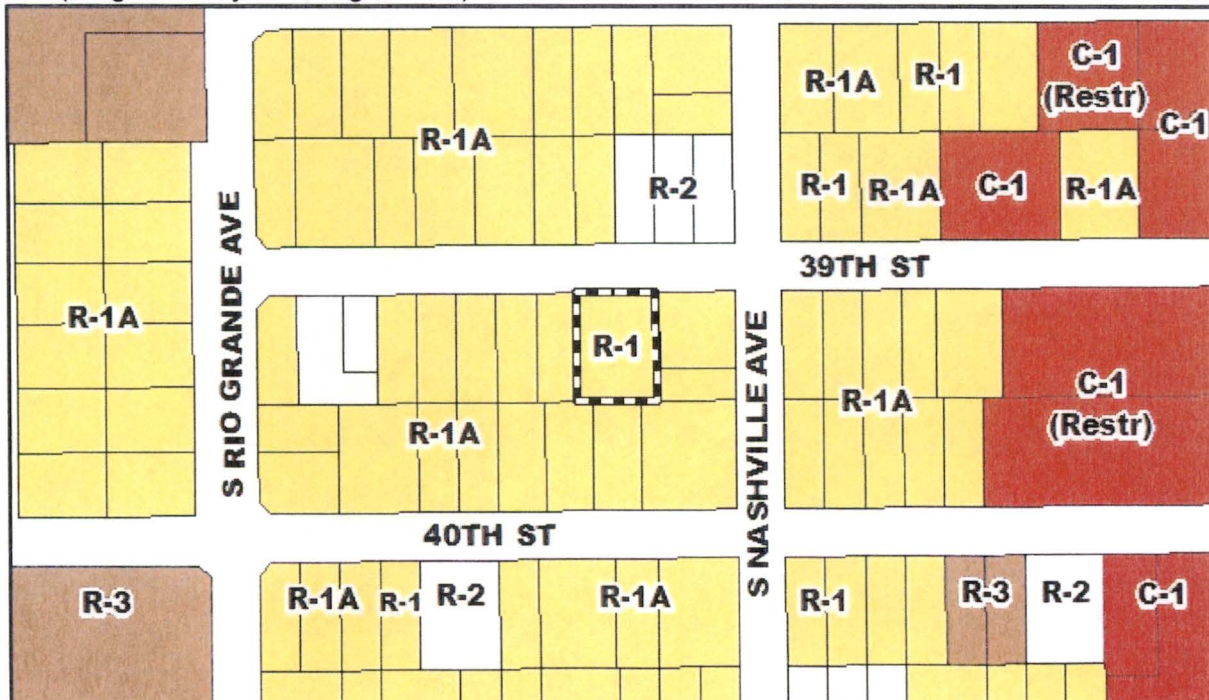
ZONING – CURRENT

R-1A (Single-Family Dwelling District)



ZONING – PROPOSED

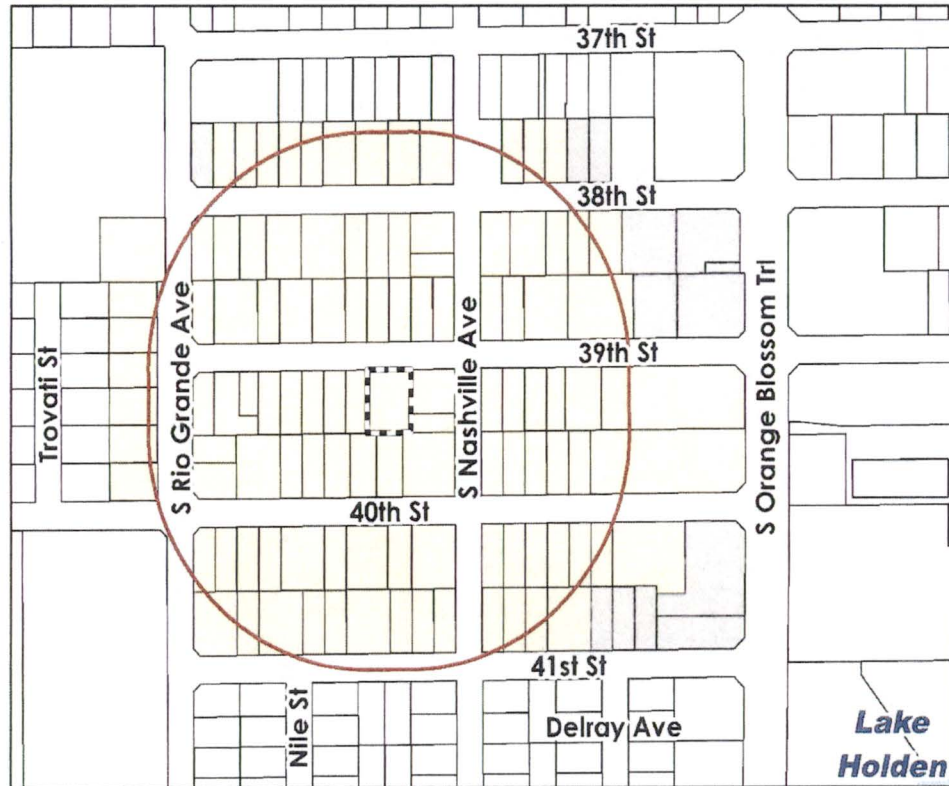
R-1 (Single-Family Dwelling District)



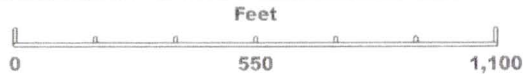


Public Notification Map

RZ-23-08-066



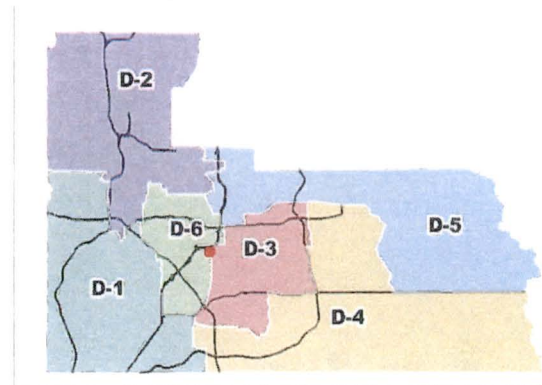
SUBJECT SITE



MAP LEGEND

	SUBJECT SITE		PARCELS
	500FT BUFFER		NOTIFIED PARCELS
	1 MILE BUFFER		COURTESY PARCELS
	HYDROLOGY		

BUFFER DISTANCE: 500
OF NOTICES: 188



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NOTIFICATION MAP

Case # RZ-23-08-066
Orange County Planning Division
PZC Hearing Date: August 17, 2023

CASE # RZ-23-08-067

Commission District: #5

GENERAL INFORMATION

APPLICANT: Leslie Artze Esq.

OWNER: Plus Properties, LLC

HEARING TYPE: Planning and Zoning Commission

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

LOCATION: 302 Granada Dr; generally south of Roxbury Rd and approximately 270 feet east of Interstate 4.

PARCEL ID NUMBER: 11-22-29-2618-03-010

SIZE/ ACREAGE: 0.38-gross acre

PUBLIC NOTIFICATION: The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred (100) notices were mailed to those property owners in the surrounding area.

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

PROPOSED USE: Two (2) detached single-family dwelling units (pending lot split approval)

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.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property containing 0.38-gross acres was platted in 1926 as Lots 1, 2 and 3 of the Fairview Heights Replat. Lots 1, 2 and 3 each measure 42 ft in width. The applicant intends to reconfigure the underlying platted lots by creating 2 lots. The current zoning district of R-1A requires 75' wide lots whereas the requested R-1 district only requires 50' wide lots. The area can be characterized as a mixture of lots ranging from 50' wide to 75' wide.

The subject property has a Future Land Use Map (FLUM) designation of Low Density Residential (LDR) which allows for consideration of up to four (4) units per one (1) net developable acre. On December 14, 2021, the Board of County Commissioners approved an amendment to Comprehensive Plan Policy FLU8.1.1 which allows for a property with historical underlying platted lots to revert to those underlying platted lots so long as the zoning district standards are met without the need for a FLUM designation increase to address the density issue. In this case, because the property meets the requirements of this policy, a FLUM amendment is not necessary, however a rezoning is required in order to meet the R-1 zoning district standards.

Development on this property will be reliant on septic tanks for wastewater disposal.

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.

Site Analysis

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Code Enforcement

No cases found.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is LDR (Low Density Residential). The proposed R-1 (Single-Family Dwelling District) zoning is consistent with the LDR (Low 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.

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

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental

features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

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

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

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

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

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

SITE DATA

Existing Use	Single-Family Residential
Adjacent Zoning	N: R-1A (Single-Family Dwelling District) (1957) E: R-1A (Single-Family Dwelling District) (1957) W: R-1A (Single-Family Dwelling District) (1957) S: R-1A (Single-Family Dwelling District) (1957)
Adjacent Land Uses	N: Single-Family Residential E: Orange County Public School W: Single-Family Residential S: Single-Family Residential

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

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

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

Building Setbacks

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

Intent, Purpose, and Uses

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

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

SPECIAL INFORMATION

Staff Comments

Environmental

Lot Size Requirement for Septic Systems - Residential lots shall be configured to accommodate requirements of the Individual On-Site Sewage Disposal Systems (OSDS) Ordinance regarding setbacks, lot size, soils, distance to potable water supply wells, and elevations. For OSDS with central water, reference OC Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal, Section 37-538. Note that single-family and duplex residential structures with private potable wells shall be a minimum of one-half (0.5) acre according to OC Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal, Section 37-539. Exemption: Residential lots exclusive of lakefront lots, (i) in subdivisions platted prior to January 1, 1972, or (ii) existing as lots of record prior to January 1, 1972.

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

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

Transportation / Access

Based on the Concurrency Management database (CMS) dated 7/11/2023, capacity exists within the project's impact area. This information is dated and subject to change. Two single-family detached dwelling units are a de minimis impact to the roadways. For the purposes of transportation analysis, a project is considered de minimis if its impacts are less than a total p.m. peak of five (5) peak hour trips on the roadways within the area of influence. When evaluating for school concurrency, any residential development that creates an impact of less than one (1) student shall be considered de minimis.

Schools

Two homes is de minimus.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: Winter Park
Wastewater: Winter Park
Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within City of Winter Park Water and Wastewater Service Areas.

Development on this property will be reliant on septic tanks for wastewater disposal.

This property is within Orange County Utilities Reclaimed Water Service Area. In accordance with Orange County Code Chapter 37:

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

State of Florida Notice

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (August 17, 2023)

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

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented with the recommendation that the PZC 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. There were no speakers during public comment.

Staff indicated that one hundred (100) notices were mailed to those property owners in the mailing area extending 500 feet of the surrounding property, and that staff received zero commentaries regarding this request.

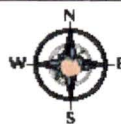
After discussion addressing how the property would be split and compatibility of with the surrounding area, a motion was made by Commissioner Spears and seconded by Commissioner Wiggins to recommend approval of the requested R-1 (Single-Family Dwelling District) zoning. The motion carried on a 7-0 vote.

Motion / Second	<i>Gordon Spears / George Wiggins</i>
Voting in Favor	<i>Gordon Spears, Evelyn Cardenas, Camille Evans, Nelson Pena, Michael Arrington, David Boers, George Wiggins</i>
Voting in Opposition	<i>None</i>
Absent	<i>Walter Pavon</i> <i>Eddie Fernandez conflict of interest</i>

RZ-23-08-067



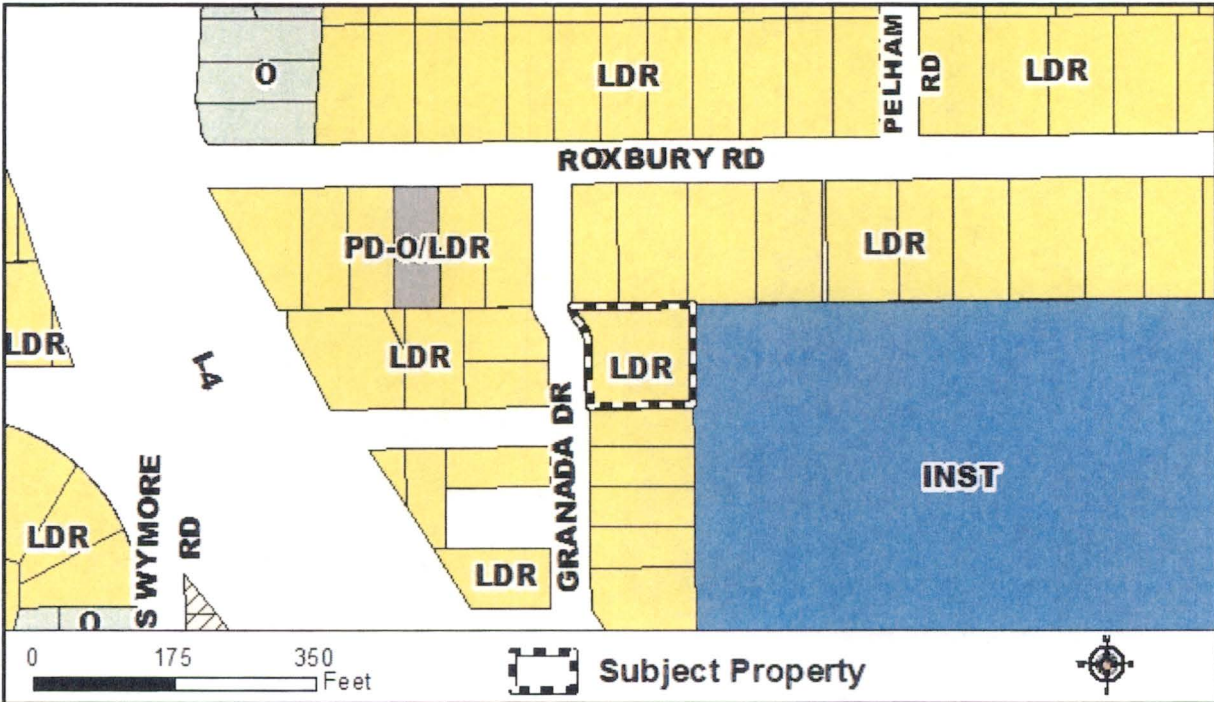
 Subject Property



1 inch = 125 feet

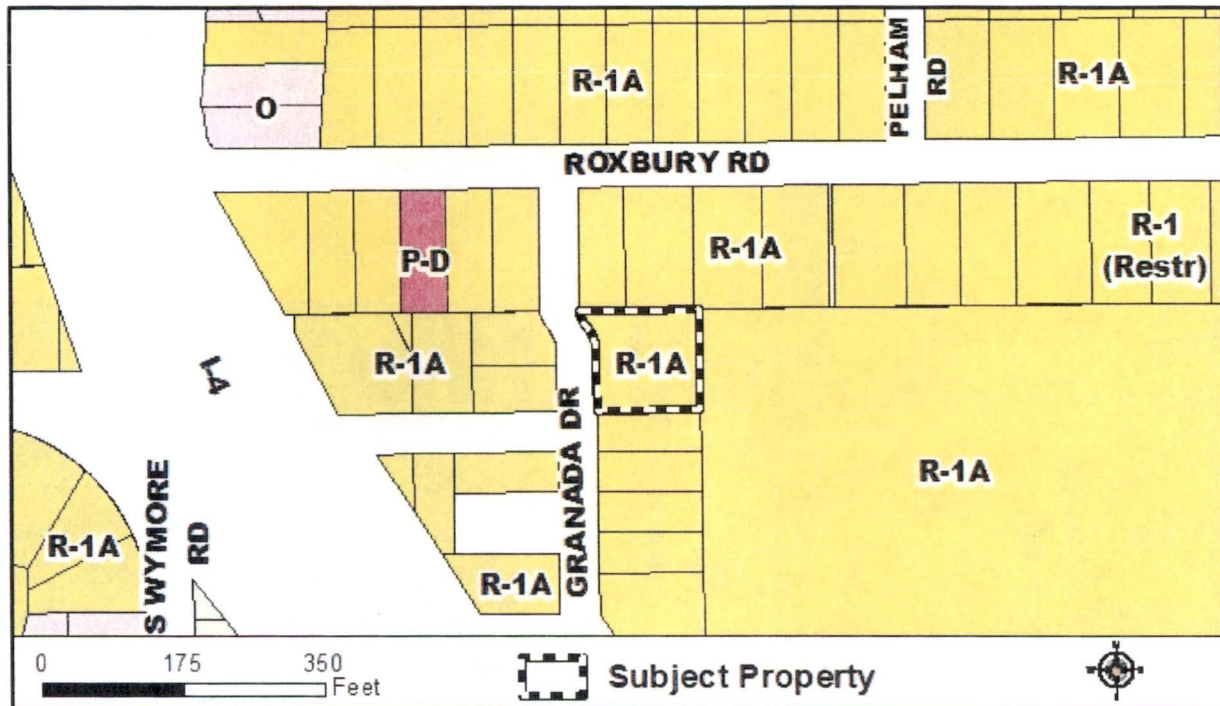
FUTURE LAND USE – CURRENT

LDR (Low Density Residential)



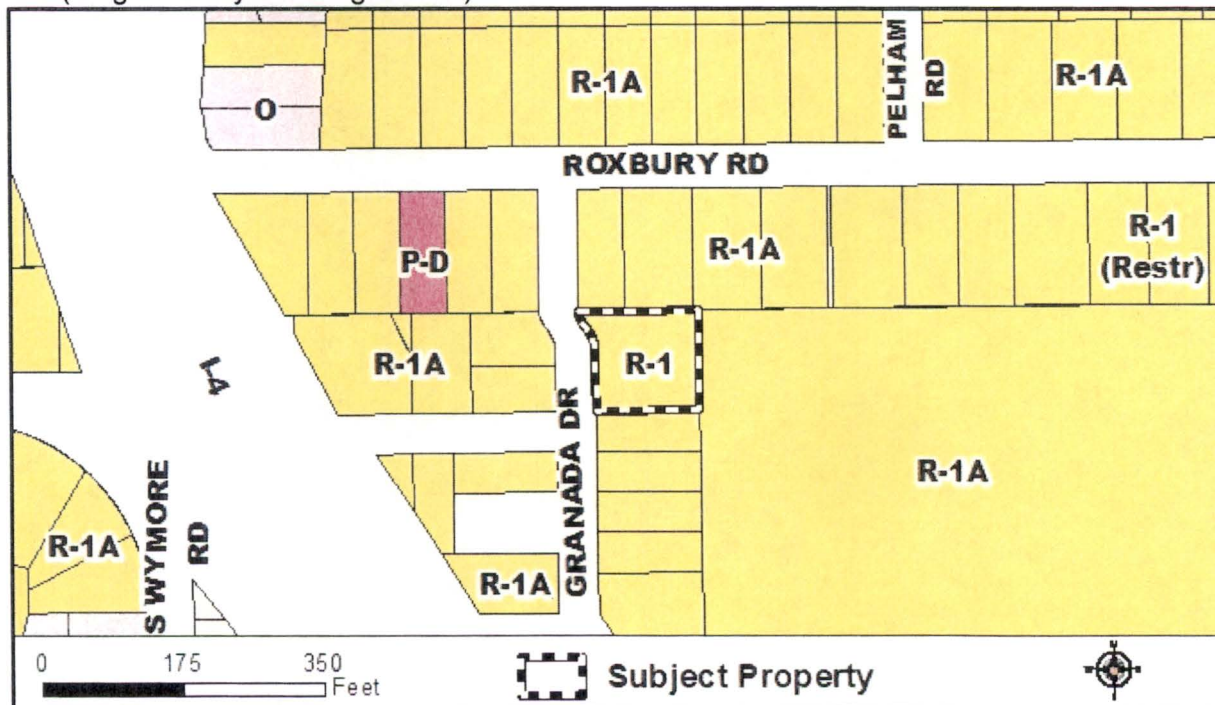
ZONING – CURRENT

R-1A (Single-Family Dwelling District)



ZONING – PROPOSED

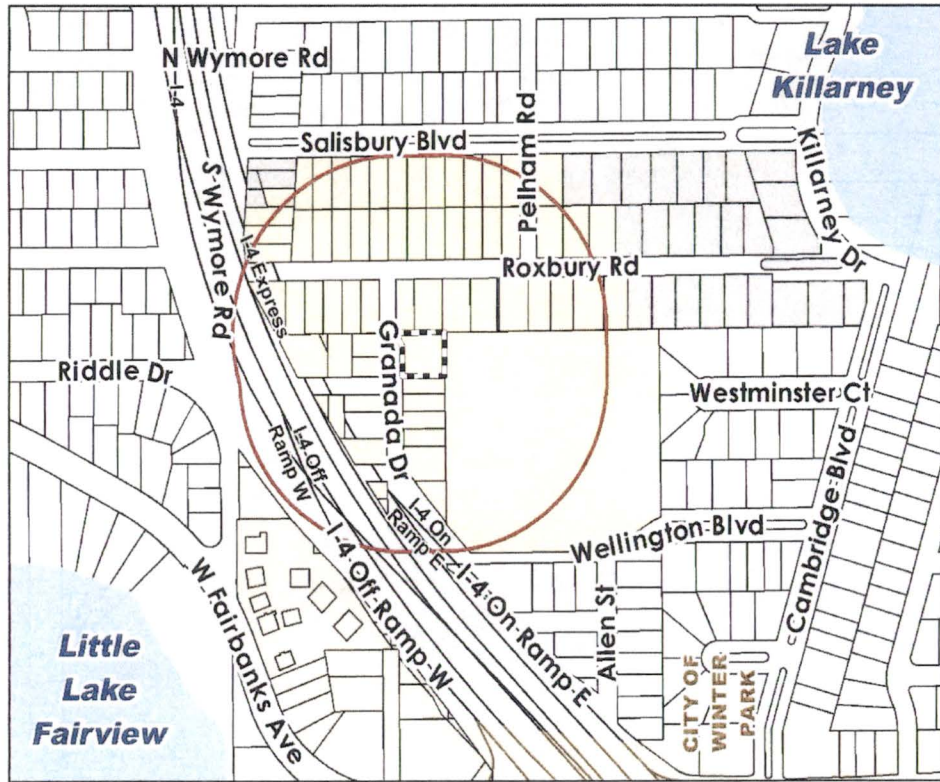
R-1 (Single-Family Dwelling District)



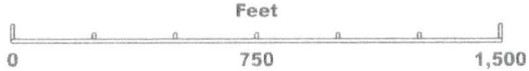


Public Notification Map

RZ-23-08-067



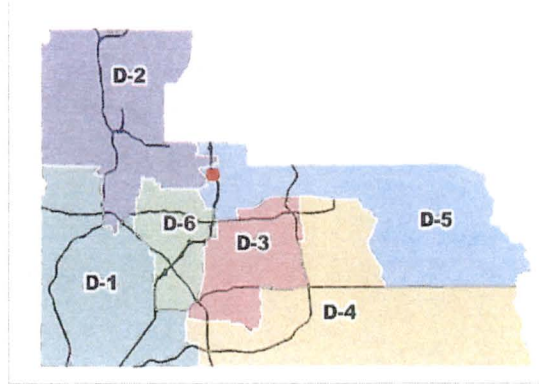
SUBJECT SITE



MAP LEGEND

	SUBJECT SITE		PARCELS
	500FT BUFFER		NOTIFIED PARCELS
	1 MILE BUFFER		COURTESY PARCELS
	HYDROLOGY		

BUFFER DISTANCE: 500
OF NOTICES: 100



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NOTIFICATION MAP

Case # RZ-23-08-067
Orange County Planning Division
PZC Hearing Date: August 17, 2023

