

## **Interoffice Memorandum**

**DATE:** April 21, 2025

**TO:** Mayor Jerry L. Demings and County Commissioners

**THROUGH:** N/A

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



**CONTACT:** Nicolas Thalmueller, AICP, DRC Chairman

**PHONE:** (407) 836-5523

**DIVISION:** Development Review Committee

### **ACTION REQUESTED:**

Make a finding of consistency with the Comprehensive Plan and approve the Share the Care Land Use Plan (LUP) / Planned Development (PD) (LUP / PD) received March 21, 2025, subject to the conditions listed under the Planning & Zoning Commission (PZC) Recommendation in the Staff Report. District 5.

**PROJECT:** Share the Care Planned Development (PD) (LUP-24-12-293)

**PURPOSE:** The subject property is located on the east side of N. Wymore Road and west of Lake Killarney and consists of 0.71 acres in size. Comprised of three tax parcels and designated with Office (O) Future Land Use and P-O (Professional Office District) Zoning.

Through this request the applicant is proposing to rezone the subject property from P-O (Professional Office District) to PD (Planned Development District) with a proposed development program of up to 7,713 square feet of office and an adult day care uses. Four (4) waivers from Code are also requested to allow a reduced PD perimeter boundary setback of 8 feet along the western property line in lieu of 25 feet, a reduced PD perimeter boundary setback of 8 feet along the southern property line in lieu of 25 feet, reduced PD perimeter boundary setback of 16 feet along the northern property line in lieu of 25 feet, and a reduced building perimeter landscaping of 5 feet along the east side of the building in lieu of 8 feet.

A concept plan submitted with this request shows the subject property being redeveloped into one building located at the corner of Wymore and Euston Roads, with 2,269 square feet dedicated to office uses and 3,3581 square feet being dedicated to

**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

---

**CASE # LUP-24-12-293**

Commission District: #5

**GENERAL INFORMATION**

<b>APPLICANT</b>	Mary Philbin
<b>OWNER</b>	Share the Care, Inc.
<b>PROJECT NAME</b>	Share the Care Planned Development (PD)
<b>PARCEL ID NUMBER</b>	02-22-29-2996-07-010, 02-22-29-2996-07-021, 02-22-29-2996-07-040
<b>TRACT SIZE</b>	0.71 acre
<b>LOCATION</b>	118, 112 & 108 North Wymore Road; South of Euston Road / East of N. Wymore Road
<b>REQUEST</b>	<p>To rezone three (3) parcels containing 0.71 gross acres from P-O to PD, in order to construct up to 7,713 square feet of office and adult day care uses.</p> <p>The request also includes the following waivers from Orange County Code:</p> <ol style="list-style-type: none"><li>1. A waiver from Section 38-1254(a)(1) PD perimeter boundary setback to allow an 8-foot setback along the west property line in lieu of 25 feet.  <i><b>Applicant Justification:</b> The request is being made since the property is shallow and full building setbacks would prohibit a viable development on the property. This also allows the proposed building to be constructed similar to the proposed Orange Code requirements that are anticipated to be approved for Orange County next year.</i></li><li>2. A waiver from Section 38-1254(a)(1) PD perimeter boundary setback to allow a 16-foot setback along the north property line in lieu of 25 feet.  <i><b>Applicant Justification:</b> The request is being made since the property is shallow and full building setbacks would prohibit a viable development on the property. This also allows the proposed building to be constructed similar to the proposed Orange Code</i></li></ol>

**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

---

*requirements that are anticipated to be approved for Orange County next year.*

3. A waiver from Section 38-1254(a)(1) PD perimeter boundary setback to allow 8-foot setback along the south property line in lieu of 25 feet.

***Applicant Justification:*** *The request is being made since the building located along the south property line is existing and is proposed to remain. The existing location of the building is 8 feet off of the property line.*

4. A waiver from Section 24-4(d) building perimeter landscaping to allow 5 feet of building perimeter landscaping along the east side of the proposed building in lieu of 8 feet.

***Applicant Justification:*** *The request is being made since the property is shallow and full width of the building perimeter landscape on the east side of the building would impact the development of the site and the vehicular circulation around the site.*

**PUBLIC NOTIFICATION**

The notification area for this public hearing was 700 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred and seventy-seven (177) notices were mailed to those property owners in the surrounding area. A community meeting was held on February 13, 2025. Additional details can be found in the summary below.

---

---

**IMPACT ANALYSIS**

**Project Overview**

The subject property is located on the east side of N. Wymore Road and west of Lake Killarney. The property is comprised of three tax parcels and designated with Office (O) Future Land Use and P-O (Professional Office District) zoning. Office and adult day care uses are currently permitted by-right on the property, which is currently developed with three small office buildings. Other office uses are located along N. Wymore Road while single-family lots extend east from the property.

Through this request the applicant is proposing to rezone the 0.73-acre property from P-O (Professional Office District) to PD (Planned Development District) with a proposed development program of up to 7,713 square feet of office and adult day care uses. Four waivers from Code are also requested: to allow a reduced PD boundary setback along the west and south property lines of 8 feet; a reduced PD boundary setback along the north property line of 16 feet; and a reduced building perimeter landscaping width of 5 feet. A concept plan submitted with this request shows the subject property being redeveloped into one building located at the corner of Wymore and Euston Roads, with 2,269 square feet dedicated to office uses and 3,3581 square feet being dedicated to adult day care uses.

**SITE DATA**

<b>Existing Use</b>	Offices
<b>Adjacent Zoning</b>	N: P-O (Professional Office District) E: R-1A (Single-Family Dwelling District) W: P-O (Professional Office District) S: P-O (Professional Office District)
<b>Adjacent Land Uses</b>	N: Office E: Single-Family Residences W: Interstate 4 S: Office

**APPLICABLE PD DEVELOPMENT STANDARDS**

PD Perimeter Setback:	Modified per waivers – see min. building setbacks below
Maximum Building Height:	35 feet
Minimum Living Area:	500 square feet (under HVAC)

**Minimum Building Setbacks**

Front (West) Setback:	8 feet	Minimum Open Space:	25%
Rear (East) Setback:	25 feet		
Side (North) Setback:	16 feet		
Side (South) Setback:	8 feet		

**Land Use Compatibility**

The applicant is seeking to rezone 0.719-acre from P-O (Professional Office) to PD (Planned Development) to allow 7,372 square feet of P-O uses. The intent is to construct an adult day care facility and associated office/administrative space on the site. The applicant is also seeking approval of four (4) waivers to allow an 8 foot front setback along the west property line in lieu of 25 feet; to allow a 16 foot front setback along the north property line in lieu of 25 feet; to allow an 8 foot front setback along the south property line in lieu of 25 feet; and to allow 5 feet building perimeter landscaping along the east side of the building in lieu of 8 feet.

The proposed development program is compatible with existing development in the area and would not adversely impact any adjacent properties.

**Comprehensive Plan (CP) Consistency**

The subject property has a Future Land Use Map (FLUM) designation of Office (O) on the Future Land Use Map. The proposed PD zoning district and development program is consistent with the Office (O) FLUM designation; therefore a CP amendment is not necessary. Additionally, the request is consistent with the following CP provisions:

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

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

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

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

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

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

**Overlay Ordinance**

The subject property is not located within an Overland Ordinance.

**Rural Settlement**

The subject property is not located within a Rural Settlement.

**Joint Planning Area (JPA)**

The subject property is located within the Apopka Joint Planning Area.

**Environmental**

Environmental Protection Division (EPD) staff has reviewed the proposed request but did not identify any issues or concerns.

**Transportation Planning**

Existing / Valid transportation capacity entitlements not found. This development may require transportation capacity via a Capacity Encumbrance Letter (CEL) Application. Should this project be located near failing roadways then a traffic study may be required with the CEL application.

Based on the Concurrency Management database (CMS) dated 12/20/2024, there is a failing roadway segment within the project's impact area along Lee Rd, from Wymore Rd to Orlando Ave. This information is dated and subject to change.

**Community Meeting Summary**

A community meeting was held Thursday, February 13, 2025, from 6:00 - 7:00 p.m. at Killarney Elementary School in Winter Park for this project. A total of 177 notices were sent to a 700-foot buffer surrounding the proposed project area. There were approximately five (5) residents in attendance, excluding Orange County staff, representatives from District 5, and the applicant team. There were some questions asked about the type of uses that were proposed on the site and if there was any residential component to it, which there is not. There were no other concerns expressed with the proposal.

**Utilities**

Water: City of Winter Park

Wastewater: City of Winter Park (Septic)

**Schools**

Orange County Public Schools (OCPS) staff has reviewed the proposed request but did not identify any issues or concerns.

**Parks and Recreation**

Parks and Recreation Staff have reviewed the request and did not identify any issues or concerns.

**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

**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

---

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 Forms**

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

**Action Requested**

**Development Review Committee – (March 19, 2025)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Share the Care Planned Development / Land Use Plan (PD/LUP), dated "Received March 21, 2025", subject to the following conditions:**

1. Development shall conform to the Share the Care Land Use Plan (LUP) dated "Received March 21, 2025," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received March 21, 2025," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a

**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

---

"promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, as may be amended, 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, or any other development order, 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.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. If applicable, an Acknowledgement of contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, as may be amended, must be executed and recorded in the Public Records of Orange County, Florida, prior to issuance of any permits associated with this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.



**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

---

7. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
8. Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion.
9. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
10. Outdoor sales, storage, and display shall be prohibited.
11. The building setback waiver must not obstruct sightline visibility for drivers or pedestrians. Sightline distances for Wymore Road and Euston Road must be shown on the site and landscape plans, considering horizontal and vertical alignments, and noted on the plans. The applicant must comply with FDM Section 212, maintaining clear sight distances at project entrances, free of obstructions such as signs, buildings, columns, or landscaping.
12. All facades facing a public street, not including the primary entrance, shall feature awnings over windows and doors projecting at least 3' from the façade wall and cover at least 50% of the linear footage of the façade. In addition, each of these facades facing streets shall feature significant differentiation of façade materials on at least 40% of the façade.
13. A minimum of 20% ground floor transparency shall be provided on the proposed building on each of the east, west, and north building facades. Transparency must be provided between 2 and 12 feet above finished floor elevation.
14. An entry door that leads to habitable space must be provided along the west building façade, and a pedestrian connection from this door to the sidewalk along Wymore Rd. must be provided.

**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

15. The following waivers from Orange County Code are granted:

- a. A waiver from Section 38-1254(a)(1) PD perimeter boundary setback to allow 8-feet setback along the west property line in lieu of 25-feet.
- b. A waiver from Section 38-1254(a)(1) PD perimeter boundary setback to allow 16- feet setback along the north property line in lieu of 25-feet.
- c. A waiver from Section 38-1254(a)(1) PD perimeter boundary setback to allow 8- feet setback along the south property line in lieu of 25-feet.
- d. A waiver from Section 24-4(d) building perimeter landscaping to allow 5-feet building perimeter landscaping along the east side of the proposed building in lieu of 8-feet.

**PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS**

**Commented [NT1]:** This section is a placeholder and will be filled in after the PZC hearing

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 PD (Planned Development District) zoning. The applicant was present and agreed with the staff recommendation. No members of the public were present to speak during public comment.

Staff indicated that three hundred forty-six (346) notices were sent to property owners and residents extending beyond 1,500 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 Spears and seconded by Commissioner Fernandez to recommend APPROVAL of the requested PD (Planned Development District) zoning subject to twenty-five (25) conditions listed in the staff report including five (5) from Orange County Code. The motion carried 4 to 1.

**Motion / Second**                      *Gordon Spears / Eddie Fernandez*

**Voting in Favor**                      *Gordon Spears, Eddie Fernandez, George Wiggins and Evelyn Cardenas*

**Voting in Opposition**              *David Boers*

**Absent**                                      *Walter Pavon, Camille Evans, Nelson Pena, and Michael Arrington*

**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

---

**Planning and Zoning Commission (PZC) Recommendation – (April 24, 2025)**

---

**Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the Share the Care Planned Development / Land Use Plan (PD/LUP), dated "Received March 21, 2025", subject to the following conditions:**

1. Development shall conform to the Share the Care Land Use Plan (LUP) dated "Received March 21, 2025," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received March 21, 2025," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, as may be amended, 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, or any other development order, 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.

**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

---

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. If applicable, an Acknowledgement of contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, as may be amended, must be executed and recorded in the Public Records of Orange County, Florida, prior to issuance of any permits associated with this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.

**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

---

8. Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion.
9. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
10. Outdoor sales, storage, and display shall be prohibited.
11. The building setback waiver must not obstruct sightline visibility for drivers or pedestrians. Sightline distances for Wymore Road and Euston Road must be shown on the site and landscape plans, considering horizontal and vertical alignments, and noted on the plans. The applicant must comply with FDM Section 212, maintaining clear sight distances at project entrances, free of obstructions such as signs, buildings, columns, or landscaping.
12. All facades facing a public street, not including the primary entrance, shall feature awnings over windows and doors projecting at least 3' from the façade wall and cover at least 50% of the linear footage of the façade. In addition, each of these facades facing streets shall feature significant differentiation of façade materials on at least 40% of the façade.
13. A minimum of 20% ground floor transparency shall be provided on the proposed building on each of the east, west, and north building facades. Transparency must be provided between 2 and 12 feet above finished floor elevation.
14. An entry door that leads to habitable space must be provided along the west building façade, and a pedestrian connection from this door to the sidewalk along Wymore Rd. must be provided.
15. The following waivers from Orange County Code are granted:
  - a. A waiver from Section 38-1254(a)(1) PD perimeter boundary setback to allow 8-feet setback along the west property line in lieu of 25-feet.
  - b. A waiver from Section 38-1254(a)(1) PD perimeter boundary setback to allow 16- feet setback along the north property line in lieu of 25-feet.

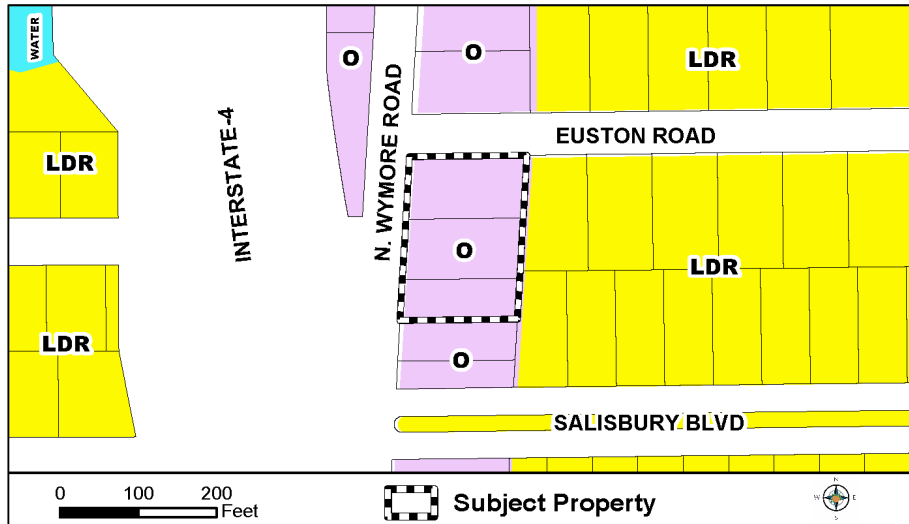
**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

---

- c. A waiver from Section 38-1254(a)(1) PD perimeter boundary setback to allow 8- foot setback along the south property line in lieu of 25-feet.
- d. A waiver from Section 24-4(d) building perimeter landscaping to allow 5-feet building perimeter landscaping along the east side of the proposed building in lieu of 8-feet.

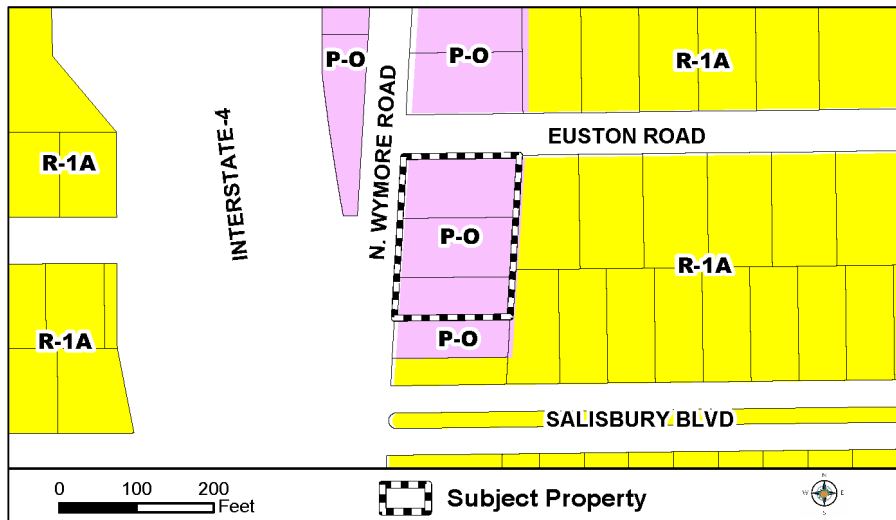
**FUTURE LAND USE - CURRENT**

Office (O)



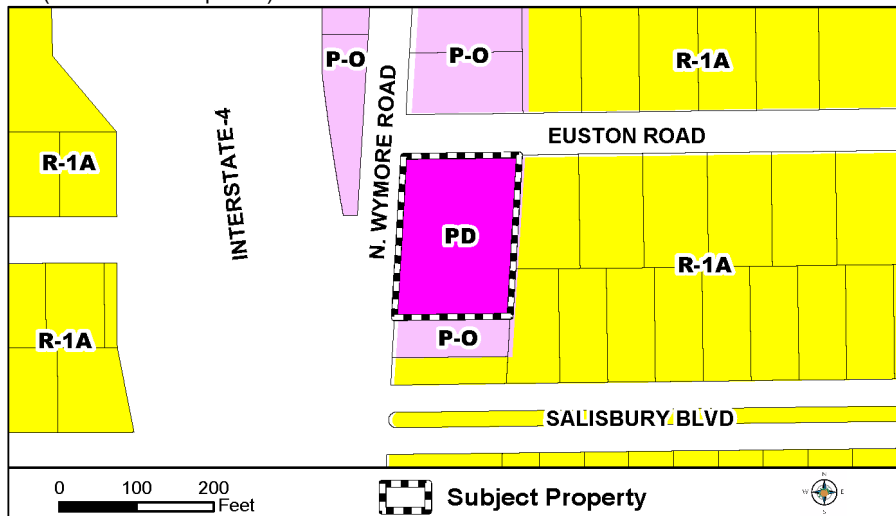
**ZONING – CURRENT**

P-O (Professional Office)



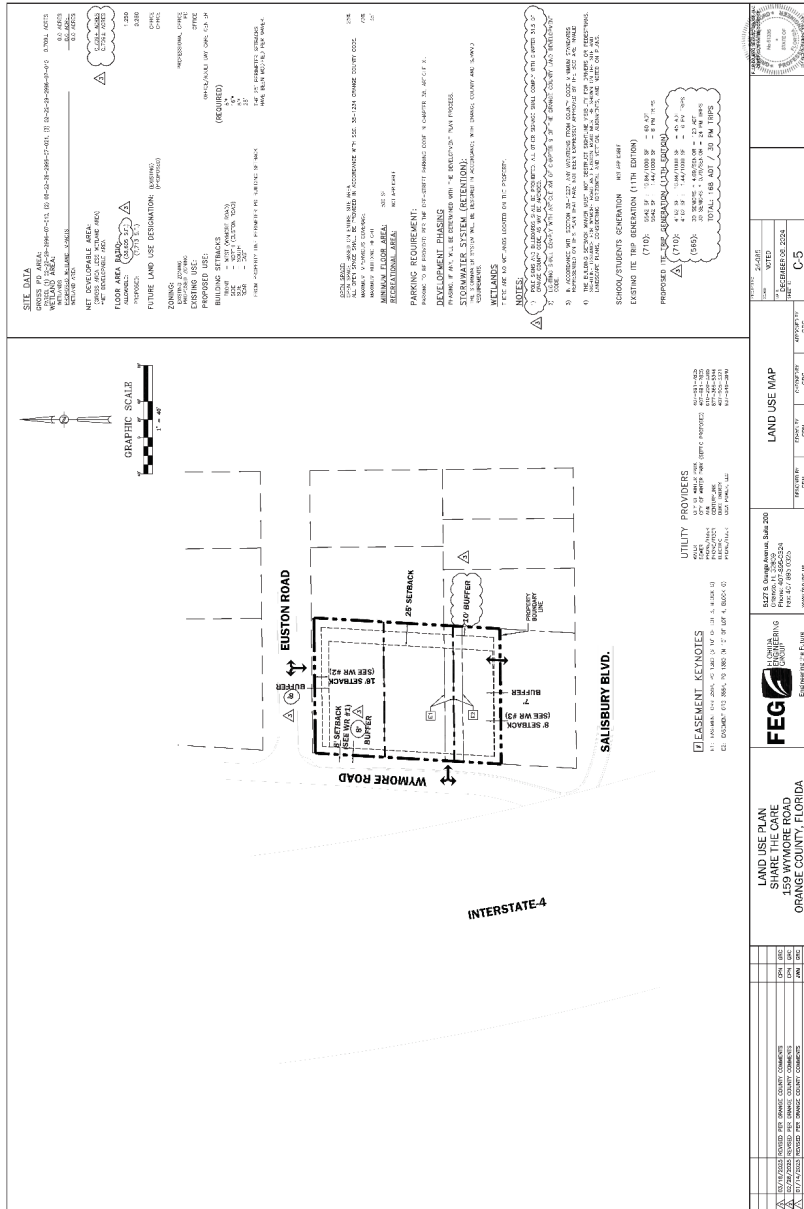
**ZONING – PROPOSED**

PD (Planned Development)





# Site Plan Sheet



## Notification Map

