



Interoffice Memorandum

04-05-19P04:30 RCVD

04-05-19P03:45 RCVD

DATE: April 5, 2019 05-19P04:30 RCVD

TO: Katie A. Smith, Deputy Clerk of the Board of County Commissioners, County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor, Agenda Development Office

FROM: Alberto A. Vargas, MArch., Manager, Planning Division

CONTACT PERSON: **Eric Raasch, Interim DRC Chairman**
Development Review Committee
Planning Division
(407) 836-5523 or Eric.RaaschJr@ocfl.net

SUBJECT: Request for Board of County Commissioners (BCC) Public Hearing

Applicant: Michael D. Harding, MHarding Enterprises, Inc.

Appellant: Michael D. Harding, MHarding Enterprises, Inc.

Case Information: Conventional Rezoning Case # RZ-19-01-061;
 Planning and Zoning Commission (PZC) Meeting
 Date: March 21, 2019

Type of Hearing: Planning and Zoning Commission (PZC) Appeal

Commission District: 5

General Location: 7309 E. Colonial Drive; or generally located on the north side of E. Colonial Drive, the west side of Dorris Drive, approximately 1,100 feet east of N. Forsyth Road

LEGISLATIVE FILE # 19-580

May 21, 2019 @ 2 PM

BCC Public Hearing
Required by:

Orange County Code, Chapter 30

Clerk's Advertising
Requirements:

(1) At least 15 days before the BCC public hearing date, publish an advertisement in the Legal Notices section of *The Orlando Sentinel* describing the particular request, the general location of the subject property, and the date, time, and place when the BCC public hearing will be held;

and

(2) At least 10 days before the BCC public hearing date, send notices of BCC public hearing by U.S. mail to owners of property within 300 feet of the subject property and beyond.

Spanish Contact Person:

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION: Front Desk, 407-836-8181

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PUBLICA CON RESPECTO A UNA AUDENCIA PUBLICA SOBRE PROPIEDAD EN SU AREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISIÓN DE PLANIFICACION, AL NUMERO, 407-836-8181

Advertising Language:

This request is to consider the rezoning and appeal of the March 21, 2019 Planning and Zoning Commission (PZC) Recommendation of Denial for Rezoning Case # RZ-19-01-061, in the name of Michael.D. Harding, MHarding Enterprises, Inc., to rezone 0.83 gross acres from C-1 (Retail Commercial District) to C-2 (General Commercial District), in order to allow for outdoor storage and display of merchandise and overnight vehicle parking.

Material Provided:

- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*);
- (2) Location map (*to be mailed to property owners*); and

- (3) Copy of appellant's notice of appeal (*to be mailed to property owners*).

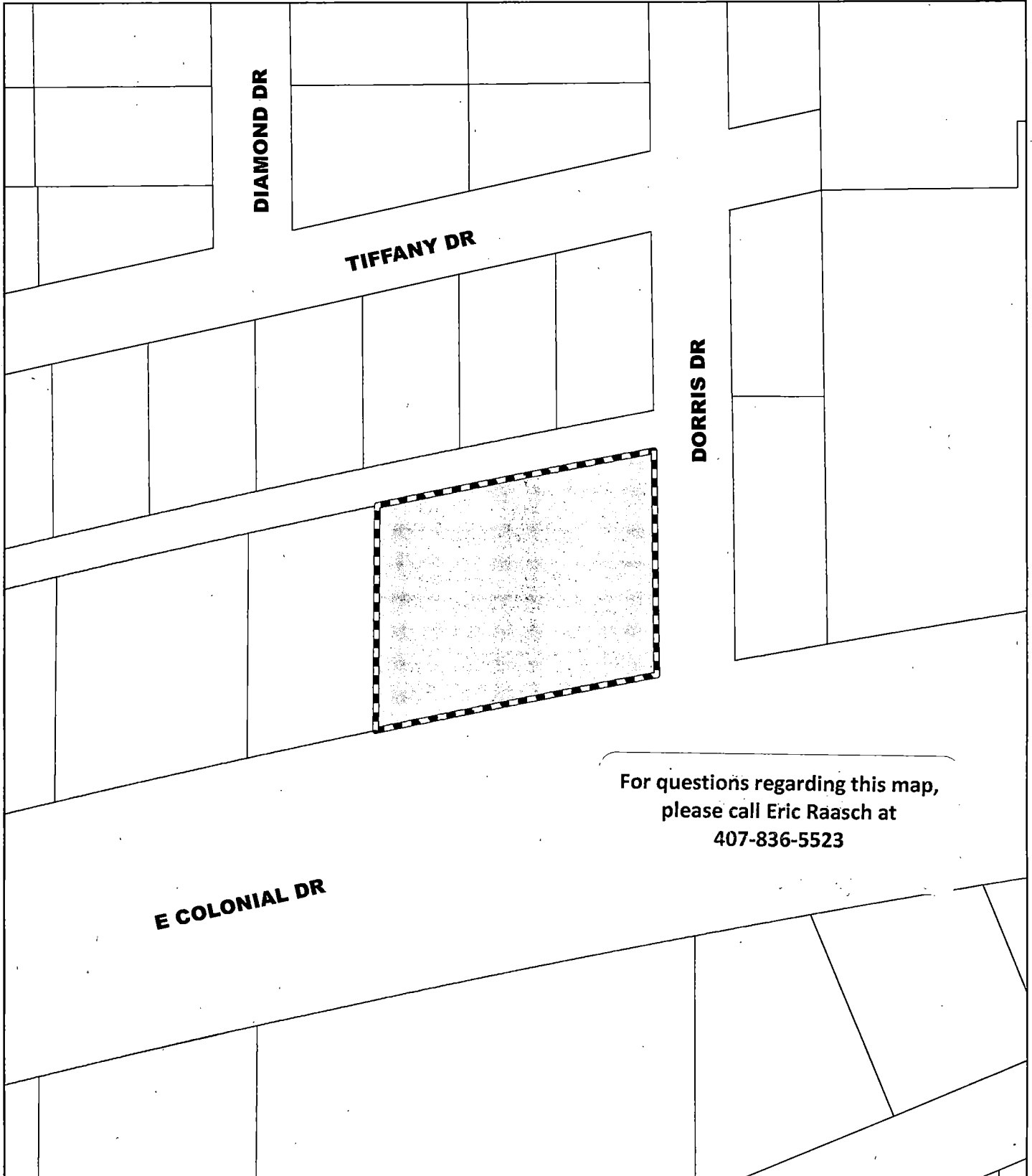
Special Instructions to the Clerk:

- (1) The BCC public hearing must be held within 45 days after April 4, 2019, which was the date the notice of appeal was filed, or as soon thereafter as the BCC's calendar reasonably permits. Staff requests that this public hearing be scheduled on the **first available BCC agenda**.
- (2) Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Attachments: (location map, appellant's notice of appeal)

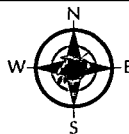
c: Chris R. Testerman, AICP, Assistant County Administrator
Jon V. Weiss, Director, Community Environmental Development Services
Department

RZ-19-01-061



For questions regarding this map,
please call Eric Raasch at
407-836-5523

 **Subject Property**



1 inch = 100 feet



PLANNING & ZONING COMMISSION REZONING APPEAL APPLICATION

Orange County Planning Division
201 South Rosalind Avenue, 2nd Floor,
Post Office Box 1393
Orlando, Florida 32802-1393

Main Line: (407) 836-5600
P&ZC Secretary: (407) 836-5632

RECEIVED

APR 04 2019

Planning Division

Date: 4-1-2019

Appellant: Michael D. Harding, P.E.
(Print or type name)

Representing: Yogi Carpet and Tile Inc.
(Print or type company, group, or organization name)

Address: 7309 E. Colonial Dr.
Orlando, Fl. 32807

Telephone: 407.342.8386 Fax: _____ E-mail: michael@mhardingenterprises.com

Respectfully request an appeal of the decision regarding rezoning number RZ - 1 9 - 0 1 - 0 6 1,
the Applicant being Michael D. Harding, rendered by the Orange
(Print or type Applicant name)
County Planning & Zoning Commission on 21 March 2019

Reason for appeal (provide a brief summary or attach additional documentation if necessary):	
The commission heard testimony from an individual related to the property adjacent to this property to the west,	
7229 E. Colonial Drive. This individual provided photographs and descriptions of the alley being blocked by this	
owner, these complaints are not related to the specific zoning change request. Furthermore; these photographs and	
information is more than 2 years old and are no longer relevant to the case. The owner of the property at 7229 E.	
Colonial has insufficient parking for their restaurant business and had an agreement with the owner of the parcel	
being heard, 7309 E. Colonial, to provide the additional parking. That agreement has broken down and has caused	
discord between owners. I feel as though the denial was emotional on the part of the commission and not based on	
merit.	
Signature <u>M.D.H.</u>	Date <u>4-3-19</u>

FEE: \$483.00 Planning & Zoning Commission appeals. Make check payable to the Orange County Board of County Commissioners

NOTE: The Clerk of the Board will notify you of the date of your appeal.