



Interoffice Memorandum

DATE: October 8, 2021

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

THROUGH: Cheryl Gillespie, Supervisor, Agenda Development Office

FROM: Lisette M. Egipciaco, Development Coordinator *Jme*  
Planning Division

**CONTACT PERSON(S): Lisette M. Egipciaco  
Development Coordinator  
Planning Division 407-836-5684  
[lisette.egipciaco@ocfl.net](mailto:lisette.egipciaco@ocfl.net)**

SUBJECT: Request for Board of County Commissioners Public Hearing

Project Name: 2728 Raeford Road Lot Split Appeal  
Case # DRCA-21-08-261

Type of Hearing: Development Review Committee (DRC) Appeal

Appellant: Brent A. Walters  
Walters Construction Corporation  
419 North Causeway  
New Smyrna Beach, Florida 32169

Commission District: 3

General Location: South of East Michigan Street, East of South Bumby Avenue

Parcel ID #(s) 07-23-30-0000-00-005

# of Posters: 0

Use: R-1A (Single-Family Dwelling District)

Size / Acreage: 1.48 gross acres

BCC Public Hearing  
Required by: Orange County Code Sec. 34-29(b)

Clerk's Advertising  
Requirements: No advertising required for appeals

Spanish Contact Person: Para más información referente a esta vista pública, favor de comunicarse con la División de Planificación (Planning Division) al número 407-836-8181.

**Advertising Language:**

This request is an appeal of the September 8, 2021 decision of the Development Review Committee (DRC), to uphold the Zoning Manager's decision to deny a lot split (LS-21-07-040).

**Material(s) Provided:**

- (1) Appeal Letter
- (2) Development Review Committee (DRC) approved meeting minutes dated September 8, 2021
- (3) Location Map
- (4) Site Plan Sheet

**Special Instructions to Clerk (if any):**

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.

Please notify Lisette Egipciano of the scheduled date and time. The Planning Division will notify the applicant.

Attachments (appeal letter, meeting minutes, location map, and site plan sheet)

## Appeal Letter

September 14, 2021

Eric Raasch, AICP  
Planning Administrator  
Orange County Planning Division  
201 S. Rosalind Ave  
Orlando FL 32801

Re: Raeford Rd Lot Split

Mr. Raasch,

I'd like to thank you and the entire DRC for your time last Wednesday to hear our appeal to the lot split denial. As discussed in the meeting we would like to appeal this decision to the Board of County Commissioners for review.

We understand the county staff is not able to approve lot splits creating more than three total parcels. This appears logical as larger splits typically require additional engineering, roads and other infrastructure, these larger splits are required to go through the counties formal subdivision process.

The 5 lots proposed by our lot split application are unique in that each will each have 75 feet of frontage on existing streets, each lot will require no additional county or private infrastructure, each lot will meet all current zoning regulations and setbacks and will require no variances. These unique and specific parcel criteria are the basis for our appeal to the Board of County Commissioners, for Lot Split approval.

Sincerely,

Brent Walters

## DRC Minutes

7. DRCA-21-08-261 - DISTRICT 3  
BRENT A. WALTERS

Present for discussion was Brent Walters. Nicolas Thalmueller presented this case to the DRC.

This request is an appeal of Zoning Manager's decision to deny a Lot Split (LS-21-07-040).

This lot split proposes to create five (5) lots from a 1.48-acre parent parcel. The Zoning Division has denied this lot split, determining that this constitutes a subdivision. The Orange County Zoning Division Lot Split Policy, in accordance with Florida Statutes, allows for a maximum of three (3) lots to be created from a parent parcel through the lot split process. Any split resulting in more than three (3) lots constitutes a subdivision (and must comply with Chapter 34 of the Orange County Code). The applicant is appealing this determination.

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### APPROVED MEETING MINUTES SEPTEMBER 8, 2021

The 1.48 gross acre subject property parcel is currently undeveloped, and is zoned R-1A (Single-Family Dwelling District). The R-1A zoning district requires a minimum lot area of 7,500 sq. ft. and a minimum lot width of 75 ft. All lots proposed with this lot split meet both lot area and lot width requirements (see Lot Split Survey).

A lot split request for this property (LS-21-01-003) was previously denied by the Zoning Division Manager, and appealed to the DRC (DRCA-21-02-052). At the March 2, 2021, DRC meeting, it was the consensus of the DRC to agree with the Zoning Manager's determination and require a subdivision in order to ensure a connection to sewer. That applicant subsequently withdrew the request. The current lot split request (LS-21-07-040) has been submitted by a new applicant, but is identical to the previous request.

After some discussion, it was the consensus of the DRC to uphold the Zoning Manager's decision.

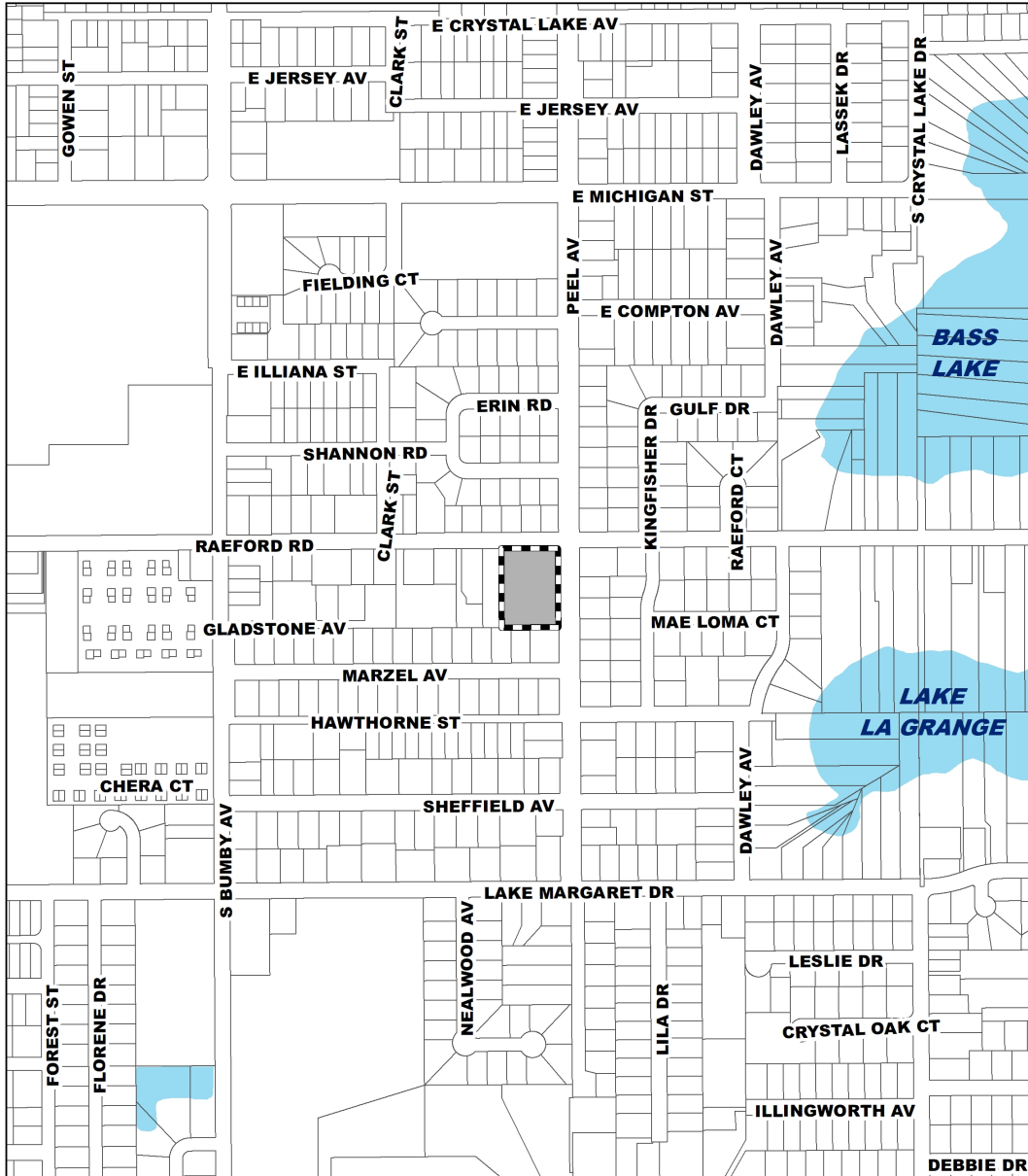
***MOTION by Jennifer Moreau, seconded by Diana Almodovar, TO UPHOLD THE ZONING MANAGER'S DECISION AND DENY THIS REQUEST.***

***MOTION CARRIED.***

If you have any questions regarding this map, please call the planning Division at 407-836-5600

### Location Map

DRCA-21-08-261



 Subject Property



1 inch = 500 feet

