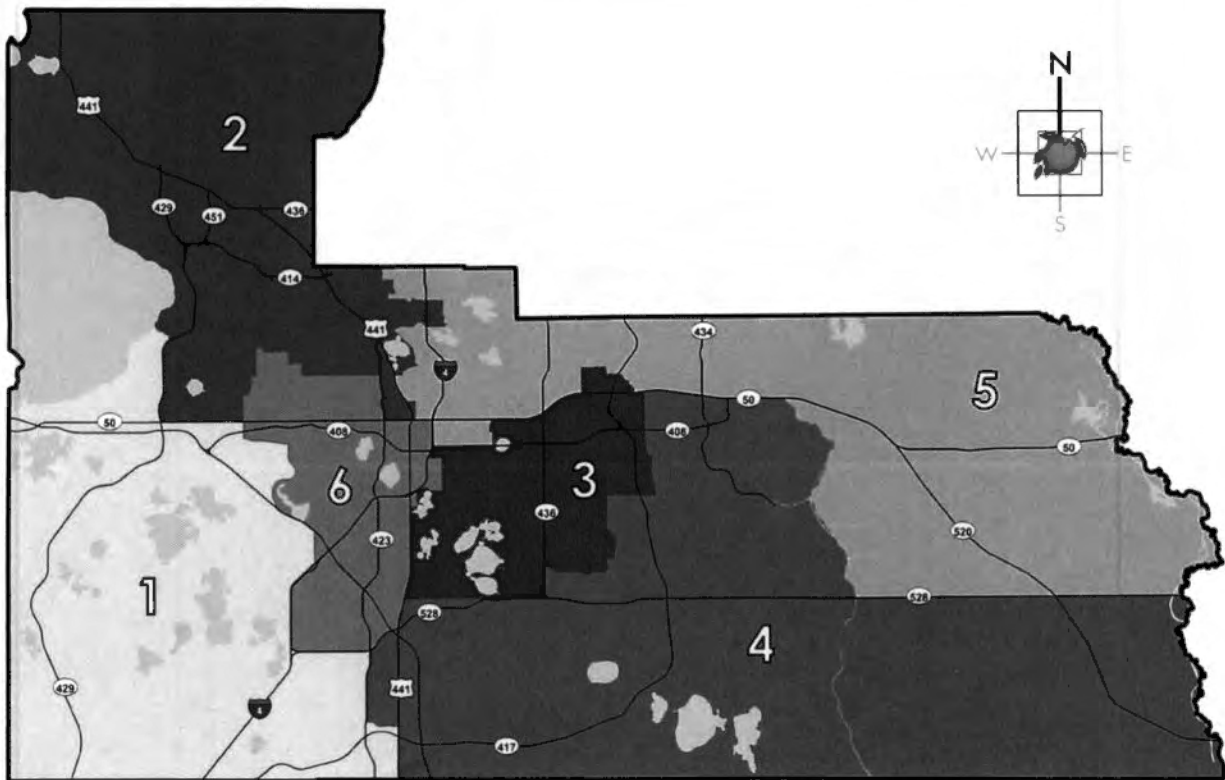




PLANNING AND ZONING COMMISSION
LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

JANUARY 21, 2021



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

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

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I. REZONING PUBLIC HEARINGS					
RZ-21-01-083 Lance Jackson	<i>A-1 to</i> <i>R-1 Restricted</i>	2	Approval w/ five (5) restrictions	Approval w/ five (5) restrictions	No
RZ-21-01-085 Julian Ray Coto	<i>R-T-2 to</i> <i>R-1 Restricted</i>	2	Approval w/ one (1) restriction	Approval w/ one (1) restriction	No
RZ-21-01-086 Dunia M. Discua Borjas	<i>R-1A to</i> <i>R-T-1</i>	4	Approval	Approval	No

SITE and BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Requirements

District	Min. lot area (sq. ft.) ^m	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) ^a	Min. rear yard (ft.) ^a	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
A-1	SFR - 21,780 (¼ acre)	850	100	35	50	10	35	a
	Mobile Home - 2 acres							
A-2	SFR - 21,780 (¼ 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 h	30 h	7.5	35	a
R-1A	7,500	1,200	75	20 h	25 h	7.5	35	a
R-1	5,000	1,000	50	20 h	20 h	5 h	35	a
R-2	One-family dwelling, 4,500	1,000	45 c	20 h	20 h	5 h	35	a
	Two dwelling units (DUs), 8,000/9,000	500/1,000 per DU	80/90 d	20 h	30	5 h	35	a
	Three DUs, 11,250	500 per DU	85 j	20 h	30	10	35	a
	Four or more DUs, 15,000	500 per DU	85 j	20 h	30	10 b	35	a
R-3	One-family dwelling, 4,500	1,000	45 c	20 h	20 h	5	35	a
	Two DUs, 8,000/ 9,000	500/1,000 per DU	80/90 d	20 h	20 h	5 h	35	a
	Three dwelling units, 11,250	500 per DU	85 j	20 h	30	10	35	a
	Four or more DUs, 15,000	500 per DU	85 j	20 h	30	10 b	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 c	1,000	45	25/20 k	25/20 k	5	35	a
Mobile home	4,500 c	Min. mobile home size 8 ft. x 35 ft.	45	25/20 k	25/20 k	5	35	a
R-T-2 (prior to 1/29/73)	6,000	SFR 500	60	25	25	6	35	a
		Min. mobile home size 8 ft. x 35 ft.						
R-T-2 (after 1/29/73)	21,780 ¼ acre	SFR 600	100	35	50	10	35	a
		Min. mobile home size 8 ft. x 35 ft.						

District	Min. lot area (sq. ft.) ^m	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) ^o	Min. rear yard (ft.) ^o	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
NR	One-family dwelling, 4,500	1,000	45 c	20	20	5	35/3 stories k	a
	Two DUs, 8,000	500 per DU	80/90 d	20	20	5	35/3 stories k	a
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories k	a
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50/4 stories k	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 k	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 k	a
	One-family dwelling, 4,500	1,000	45 c	20	20	5	35/3 stories k	a
	Two DUs, 11,250	500 per DU	80 d	20	20	5	35/3 stories k	a
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories k	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 k	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 k	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 k	a
	One-family dwelling, 4,500	1,000	45 c	20	20	5	35/3 stories k	a
	Two DUs, 8,000	500 per DU	80 d	20	20	5	35/3 stories k	a
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories k	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 k	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 k	a
P-D	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 for each add. story	35	a
C-1	6,000	500	80 on major streets (see Art. XV); 60 for all other streets e; 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

District	Min. lot area (sq. ft.) ^m	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) ^a	Min. rear yard (ft.) ^a	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
C-2	8,000	500	100 on major streets (see Art. XV); 80 for all other streets ^f	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	50; or 35 within 100 feet of all residential districts	^a
C-3	12,000	500	125 on major streets (see Art. XV); 100 for all other streets ^g	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	75; or 35 within 100 feet of all residential districts	^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 design or construction.

CASE # RZ-21-01-083

Commission District: #2

GENERAL INFORMATION

APPLICANT	Lance Jackson, Lennar Corporation
OWNERS	Stacey Fisher, Lawrence Fisher
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-1 (Citrus Rural District) to R-1 Restricted (Single-Family Dwelling District - Restricted)
LOCATION	1615 Schopke Lester Road, generally south of W. Lester Road, and west of Schopke Lester Road.
PARCEL ID NUMBER	31-20-28-0000-00-023, 31-20-28-0000-00-031, 31-20-28-0000-00-004, and 31-20-28-0000-00-025
TRACT SIZE	45.23 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]. Two hundred ninety-nine (299) notices were mailed to those property owners in the surrounding area. A community meeting was required for this application.
PROPOSED USE	One Hundred Twenty (120) Single-Family Residential Units.

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 - Restricted) zoning, subject to the following restrictions:

- 1) Development shall be limited to one hundred twenty (120) single-family residential units; and
- 2) No less than three (3) access points shall be provided; and
- 3) Vehicular access gates shall be prohibited; and
- 4) Lots along the periphery of the site shall be a minimum of seventy-five feet (75') wide; and

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- 5) The required open space shall be oriented to the northern and northwestern portion of the site in order to preserve existing trees, unless the soil analysis required by Comprehensive Plan Policy OS1.3.6 indicates that a different area is a more effective recharge area. In such case, when the soil type best suited for aquifer recharge is situated elsewhere on the site, then the open space should be located there instead.

SUBJECT PROPERTY ANALYSIS

Overview

The applicant is seeking to rezone the subject property from A-1 (Citrus Rural District) to R-1 Restricted (Single-Family Dwelling District - Restricted) with the intent to construct a subdivision of one hundred twenty (120) single-family residential detached units.

The subject property consists of four (4) parcels with total acreage of 45.23 and has not been platted. It is located in the Urban Service Area (USA) within the City of Apopka Joint Planning Area (JPA) and as such, the proposed development is required to connect to utilities provided by the City of Apopka. The Future Land Use Map (FLUM) designates the subject property as Low Density Residential (LDR) and allows four (4) units per acre. With the total acreage of 45.23, the maximum yield is 180 units, however the proposed development is restricted to one hundred twenty (120) units, which is consistent with the applicant's request. The Formal School Capacity Determination letter provided by Orange County Public Schools states that school capacity for the development is not available.

The subject property is located in the Wekiva Study area which requires at least thirty-five (35) percent of the land area to be preserved as open space. Open space shall be primarily larger, contiguous parcels rather than in linear strips to encourage maintenance of rural views, lifestyles, and economies and shall be comprised mainly of existing undisturbed natural areas.

Comprehensive Plan Transportation Element Objective T3.2, Policy T3.2.1, Urban Design Element Policy UD1.6.5, and Code Section 34-280(a) promote neighborhood interconnectivity through connected vehicular, pedestrian, and bicycle networks which reduce vehicular overloading on adjacent collector and arterial streets, and provide transportation mode choices. New developments are required to establish multiple points of vehicular access to surrounding neighborhoods through cross-access easements, and access stub outs to adjacent parcels. A restriction is proposed to require sufficient cross connectivity.

A restriction is proposed to prohibit the subject property to become a gated community and allow for interconnectivity. As per Code Section 34-290, a gated subdivision is defined as a privilege that the Board of County Commissioners may grant. Further, Section 34-280(a) states that gated communities are only appropriate in cases where the development is a phase of a larger subdivision that is already gated, or if there are physical barriers such as wetlands, highways, or existing abutting development that make interconnectivity impossible.

Finally, a restriction regarding the preservation of trees is proposed. Comprehensive Plan Policy OS1.3.6 speaks to the preservation of sensitive natural habitats as well as recharge

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areas, both of which are of importance to the Wekiva Springshed and its natural resources. The requiring for open space for this project which is located within the Urban Service Area (USA) is 35% and must be clustered together instead of spread out in small areas across the site. Therefore, the best location for this open space at first analysis is in the northern portion of the site which appears to have a healthy tree canopy. The language in the proposed restriction is written in such a way as to also allow for the open space to be positioned over certain soils which provide the best aquifer recharge. At the time of Preliminary Subdivision Plan (PSP) submittal, a soil analysis will be 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 for consideration of up to four (4) dwelling units per acre. The proposed R-1 (Single-Family Dwelling District) zoning is consistent with the Low Density Residential FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

OBJ OS1.3 states that Orange County shall protect the Wekiva Springshed and its natural resources by maximizing preserved open space within the Wekiva Study Area.

OS1.3.2 states that Open space within the Wekiva Study Area (WSA) and Wekiva River Protection Ordinance area shall be defined as the land area that remains undeveloped or minimally developed, such as trails and boardwalks, as part of a natural resource preserve or passive recreation area and shall include land preserved for conservation purposes. Within a development site, the County shall require that a minimum quantity of developable area remain preserved, which shall represent the minimum open space requirement. The minimum required open space shall exclude water bodies, wetlands, residential lots, street rights-of-way, parking lots, impervious surfaces, and active recreation areas. Minimum required open space may include permeable stormwater management areas using Best Management Practices. Golf courses shall be generally excluded with the exception that areas of a golf course outside of the regularly maintained

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fairways that are naturally vegetated and not subject to chemical application may be credited toward the minimum open space requirement

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

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

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

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

FLU8.2.2 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	Undeveloped Land
Adjacent Zoning	N: City of Apopka
	E: A-1 (Citrus Rural District) (1957) City of Apopka
	W: City of Apopka R-1A (Single-Family Dwelling District) (2003) A-1 (Citrus Rural District) (1957)

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S: City of Apopka

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

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See below
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are several failing roadways within the impact area. A traffic study and proportionate share agreement will be required for this development.
Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A formal capacity determination letter has been provided with no availability for this development. Although all three schools (elementary, middle and high) are currently failing, the elementary school (Wolf Lake) and middle school (Wolf Lake) are scheduled for relief in 2022. Apopka High School will remain as failing for capacity purposes. The current utilization for Apopka High is 106%. With encumbered and reserved capacity taken into

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			account, the adjusted utilization if this project is approved would be 108% with 15.196 students generated.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

* Current aerial photographs, soils, land cover and flood maps do not show conclusive indicators of wetlands or surface waters onsite. For an official determination, the applicant should submit an application to Petition for Binding Determination of Exemption (BDE), in accordance with Orange County Code Chapter 15 - Environmental Control, Article X - Wetland Conservation Areas, Section 15-381(a).

This project site is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 Florida Statutes (F.S.), and within the Wekiwa Springs and Rock Springs Basin Management Action Plan (BMAP) Priority Focus Area (PFA), as established by the Florida Springs and Aquifer Protection Act, Section 373.801, et. seq. F.S. Special area regulations apply.

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

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

Any existing septic tanks or wells shall be properly abandoned prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the Department of Health (DOH) for any septic systems; and the Water Management District, as well as the DOH, for wells.

This project site may have a prior agricultural land use that resulted in soil and/or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to Orange County to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations. If an Environmental Site Assessment (ESA) has been completed, please submit a copy with this application.

Community Meeting Summary

A community meeting was required for this request. It was held virtually on Tuesday, January 19th, 2021 at 7pm with attendance of 12 residents. Residents stated safety concerns about unsafe exit to Schopke Lester road from Country side drive and potential entrance to proposed development, and whether residents would rely on street parking. School capacity failed for all three schools (elementary, middle, high), there is a relief school opening for elementary-middle school next year and no relief in a ten year plan for Apopka High School. Concerns about traffic and impact from additional traffic at the interserction of W. Lester road and Schopke Lester road. Depths of the lots on exterior of the site is about 110 feet, proposed buffer around the site is 25-30 feet, which does not

Case Planner:
Irina Pasinina

Orange County Planning Division
PZC Hearing Date: January 21, 2021

follow Wekiva Study Area Policies. The entrance of W. Lester is at the bottom of a hill and not safe, W. Lester road is already busy with lots of accidents. How would the traffic congestion be resolved, widening or may be new roads would be provided? Main concern is the woods that would be lost, these woods is a home to a lot of wildlife and there is a bear that lives there. Buffering between communities and flooding concerns due to pools and increased water run off, a six (6) feet masonry wall might be a solution. Property value concerns and taxes.

Utilities

Water: City of Apopka

Wastewater: City of Apopka

Reclaim Water: City of Apopka

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 – (January 21, 2020)

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

- 1) Development shall be limited to one hundred twenty (120) single-family residential units; and
- 2) No less than three (3) access points shall be provided; and
- 3) Vehicular access gates shall be prohibited; and
- 4) Lots along the periphery of the site shall be a minimum of seventy-five feet (75') wide; and
- 5) The required open space shall be oriented to the northern and northwestern portion of the site in order to preserve existing trees, unless the soil analysis required by Comprehensive Plan Policy OS1.3.6 indicates that a different area is a more

Case Planner:
Irina Pasinina

Orange County Planning Division
PZC Hearing Date: January 21, 2021

effective recharge area. In such case, when the soil type best suited for aquifer recharge is situated elsewhere on the site, then the open space should be located there instead.

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 Restricted (Single-Family Dwelling District - Restricted) zoning. The applicant was present and agreed with the staff recommendation and restrictions.

Staff has provided a summary of a virtual community meeting that was held on Tuesday, January 19th, 2021 with attendance of 12 residents. The residents asked questions and raised safety concerns about traffic, access ingress and egress safety onto Schopke Lester Road, school overcrowding, flooding of nearby areas, compatibility to adjacent subdivisions, wildlife, and preservation of natural areas.

Staff indicated that one hundred ninety-nine (199) notices were sent to property owners within 500-foot area surrounding the subject property, and that staff had received (67) responses in opposition and zero (0) in support of the request. Those opposed had concerns relating to increased traffic, preservation of natural areas, access points and traffic safety, overdevelopment in the area, impacts to wildlife, overcrowded schools, small lot sizes, and compatibility with the surrounding area.

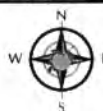
One (1) member of the public was present to speak on this request and expressed concerns regarding access safety to Schopke Lester Road. After discussion addressing the proposed development of the property, a motion was made by Commissioner McQuade and seconded by Commissioner Spears to recommend APPROVAL of the requested R-1 Restricted (Single-Family Dwelling District - Restricted) zoning, subject to five (5) restrictions. The motion carried on a 5-0 vote.

Motion / Second	<i>Sean McQuade / Gordon Spears</i>
Voting in Favor	<i>Sean McQuade, Gordon Spears, Trevor Sorbo, JaJa Wade, and Eddie Fernandez</i>
Voting in Opposition	<i>None</i>
Absent	<i>Nelson Pena, Carlos Nazario, and Evelyn Cardenas</i> <i>Mohammed Abdallah voting of conflict of interest</i>

RZ-21-01-083

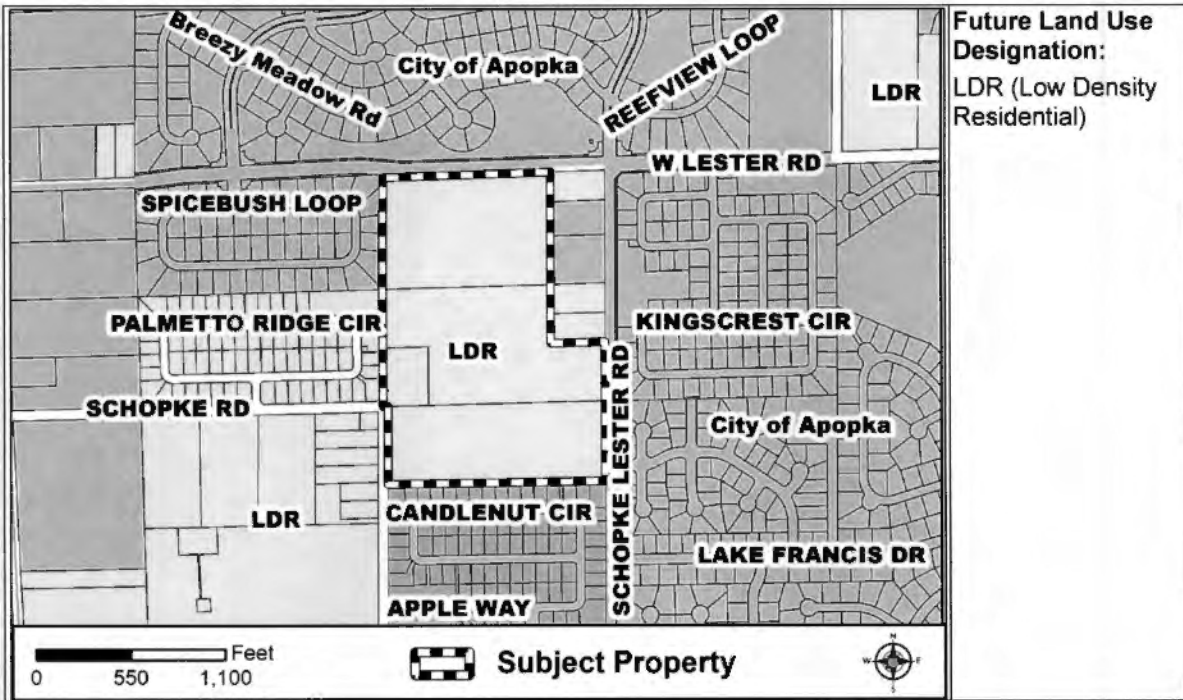


 Subject Property

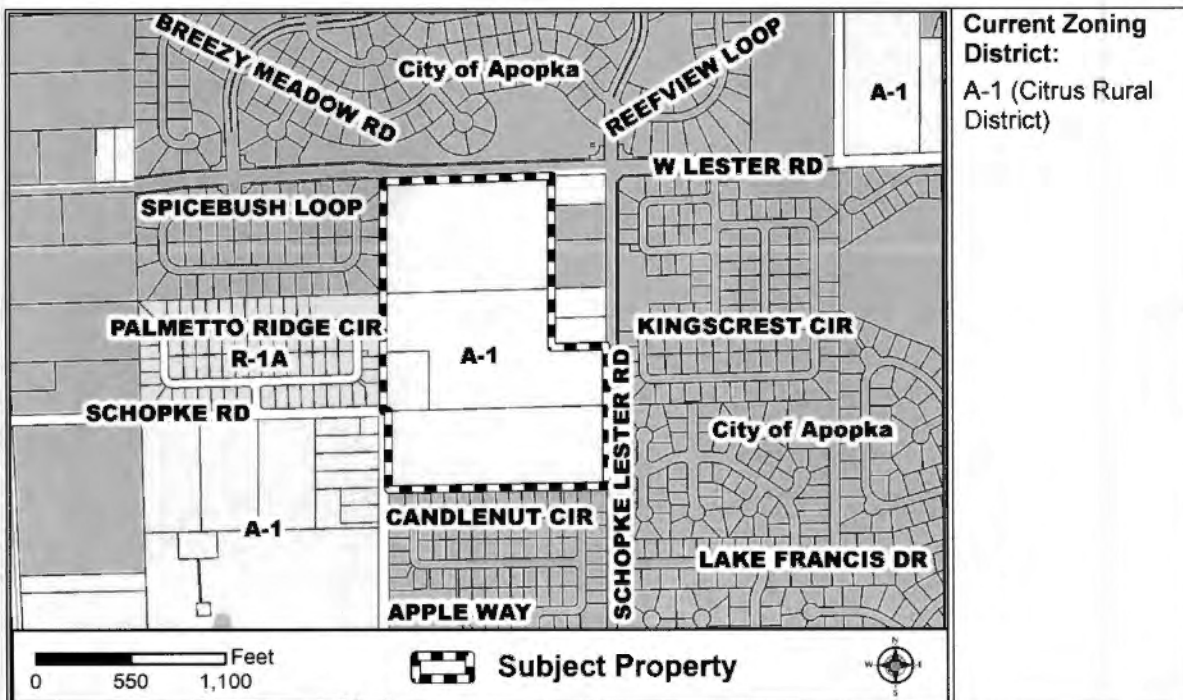


1 inch = 500 feet

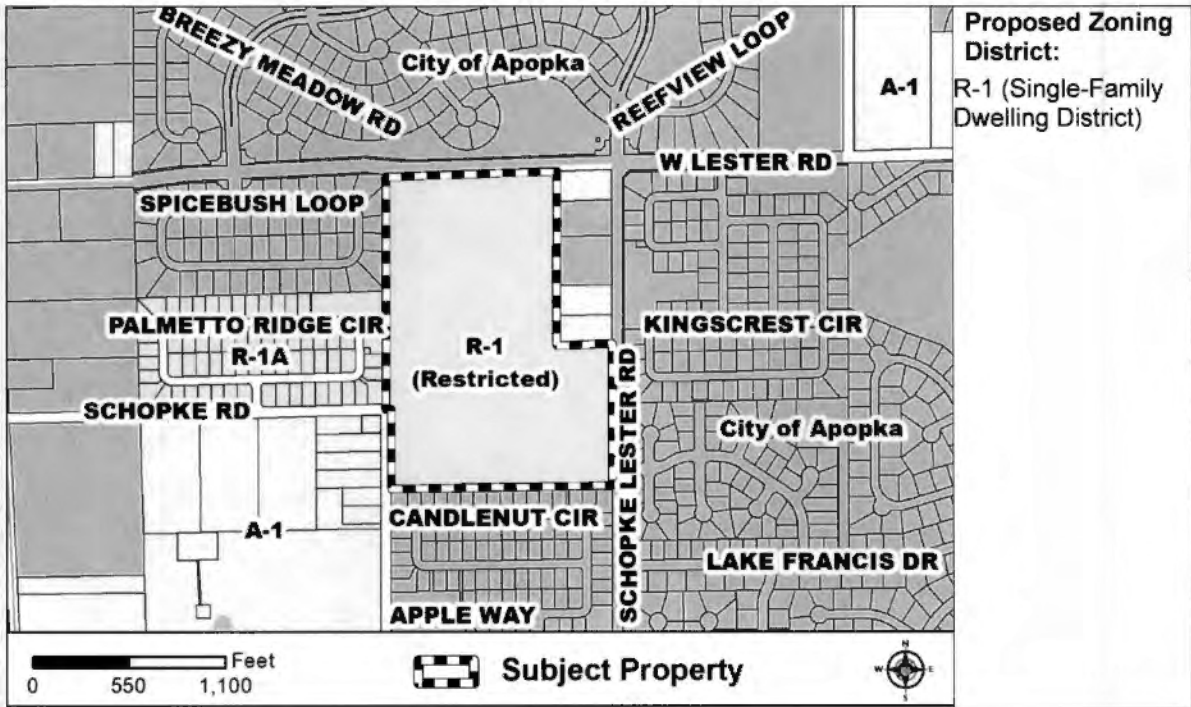
FUTURE LAND USE – CURRENT



ZONING - CURRENT



ZONING - PROPOSED



Case Planner:
Irina Pasinina

Case # RZ-21-01-083
Orange County Planning Division
PZC Hearing Date: January 21, 2021

School Capacity Determination



6501 Magic Way · Building 200 · Orlando, Florida 32809 · (407) 317-3700 · www.ocps.net

FORMAL SCHOOL CAPACITY DETERMINATION CAPACITY LETTER

January 7, 2021

VIA E-MAIL: LANCE.JACKSON@LENNAR.COM

Lance Jackson
Lennar Homes
6750 Forum Drive, Suite 310
Orlando, FL 32821

Application: OC-21-001 Rhett's Ridge

This letter serves as the official certification by Orange County Public Schools that school capacity for the following development is **NOT AVAILABLE**:

Type of Development Application Development Application #: Project Name: OCPS Completed Application Date: Parcel #(s): Requested New Units (#): Vested Unit(s): Total Project Units: School Board District:	<input type="checkbox"/> FLUM <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Amendment or Extension RZ-21-01-083 Rhett's Ridge January 5, 2021 31-20-28-0000-00-004; -023; -025; -031 SF: 116 MF: 0 TH: 0 SF: 4 MF: 0 TH: 0 120 # 7
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In accordance with Section 10 of the First Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency ("Interlocal Agreement"), a detailed Capacity Analysis is provided in **Attachment A**.

In accordance with Section 704(B) of the Orange County Charter and Section 30-742 of the Orange County Code, an analysis of significantly affected local governments impacted by the proposed development can be found below:

	Wolf Lake ES	Wolf Lake MS	Apopka HS
Jurisdictional Analysis	N/A	N/A	Apopka – 62.6%, Orange County - 37.4%

Case Planner:
Irina Pasinina

Orange County Planning Division
PZC Hearing Date: January 21, 2021

Given the above analysis, this project meets the minimum criteria established by the Orange County Charter and Code to proceed through the joint approval process with the identified significantly affected local government(s). Additional information on the joint approval process can be obtained from Orange County.

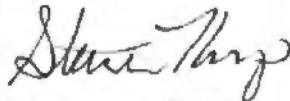
This determination expires on **July 6, 2021**. OCPS is not required to extend the expiration date of this determination letter. In the event this project does not possess Development Application approval from Orange County by the expiration date, but still intends to move forward in the development process, the applicant must resubmit the application and application fee to be reevaluated by OCPS. In addition, should the scope of the project change (e.g., modification of unit count and/or unit type), a new determination will be required.

Unless otherwise vested, the Development is still required to submit for concurrency review and, if necessary, enter into a Concurrency Mitigation Agreement. Please submit school concurrency applications directly to Orange County Government.

This determination is governed by the Interlocal Agreement, the provisions of Orange County's adopted Comprehensive Plan, and the Orange County Charter and Code.

Please contact me at (407) 317-3700 ext. 2022139 or e-mail me at steven.thorp@ocps.net with any questions.

Sincerely,



Steven Thorp, AICP
Sr. Administrator, Facilities Planning

VJ/st

Attachments -- Attachment A: Detailed Capacity Analysis

CC: Sue Watson, Orange County (via e-mail)
Irina Pashinina, Orange County (via e-mail)
Bobby Howell, City of Apopka (via e-mail)
Thomas Moore, OCPS (via e-mail)
Project File

Case Planner:
Irina Pasinina

Orange County Planning Division
PZC Hearing Date: January 21, 2021



Facilities Planning
Orange County Public Schools

School Capacity Determination

User ID #: 106591 January 7, 2021 11:11:55

Project ID: CEA - OC - 21 - 001

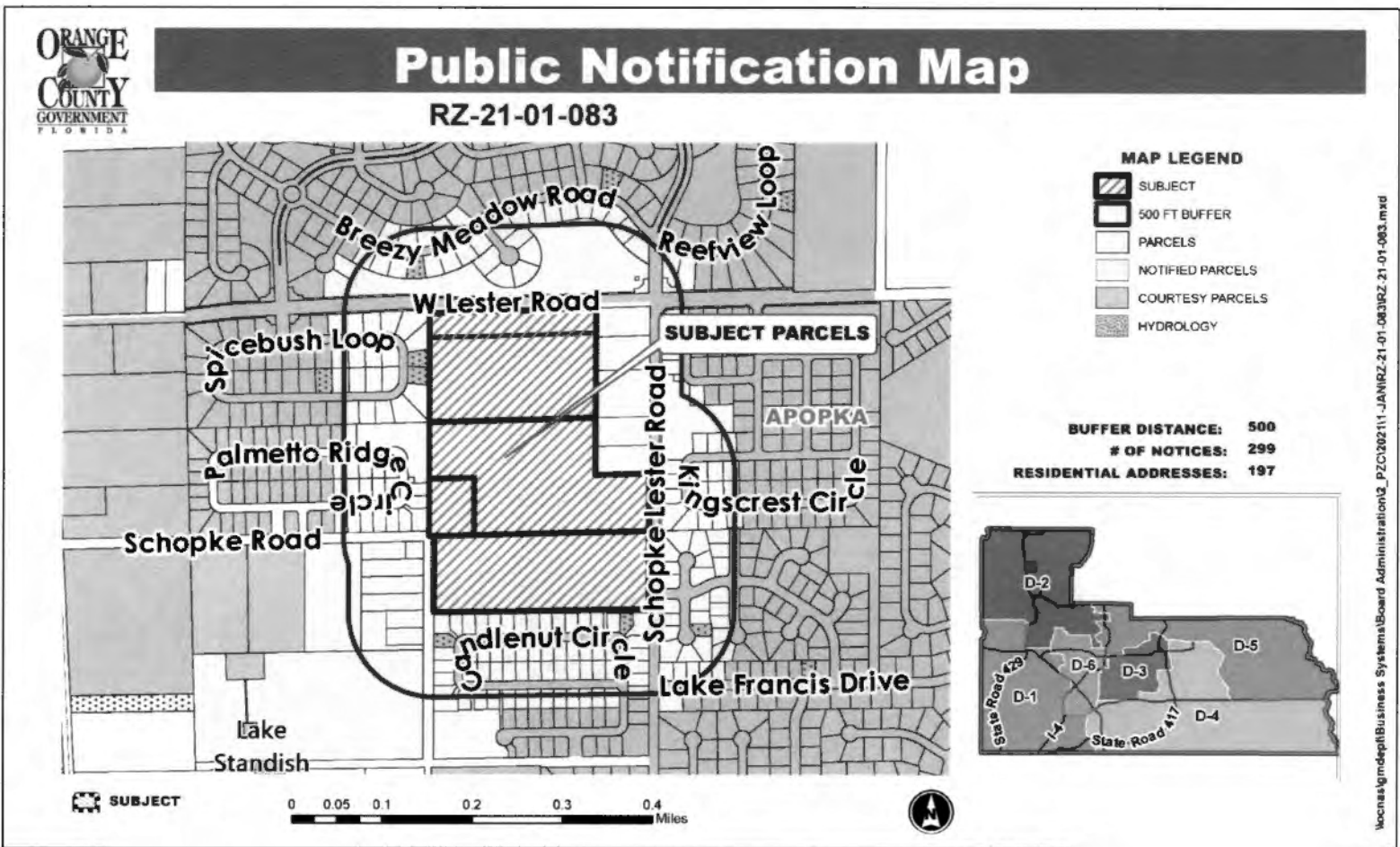
Valid Until: July 6, 2021

Project Name:		RHETT'S RIDGE	
Unvested Units	Single Family Units:	116	Vested Units
	Multi Family Units:	0	
	Town Homes Units:	0	
	Single Family Units:	4	
	Multi Family Units:	0	
	Town Homes Units:	0	

Capacity Enhancement	School Level	Elementary	Middle	High
	CSA:	DD		
	School:	WOLF LAKE ES	WOLF LAKE MS	APOPKA HS
	Analysis of Existing Conditions			
	School Capacity (2019-2020)	828	1,150	3,232
	Enrollment (2019-2020)	1,069	1,451	3,422
	Utilization (2019-2020)	129.0%	126.0%	106.0%
	LOS Standard	110.0%	100.0%	100.0%
	Available Seats	0	0	0
	Analysis of Reserved Capacity			
	School Level	Elementary	Middle	
	Encumbered Capacity	74	132	36
	Reserved Capacity	9	65	18
	Adjusted Utilization	139.1%	143.3%	107.5%
	Adjusted Available Seats	0	0	0
Analysis of Proposed Development				
Students Generated	22,156	11,020	15,196	
Adjusted Utilization	141.8%	144.3%	108.0%	
PASS/FAIL	FAIL *	FAIL *	FAIL	
Number of Seats to Mitigate	22,156	11,020	15,196	

WOLF LAKE ES	*PASS - SCHEDULED FOR RELIEF IN 2022
WOLF LAKE MS	*PASS - SCHEDULED FOR RELIEF IN 2022
APOPKA HS	ADJUSTED FISH REFLECTS CORE CAPACITY

Notification Map



Case Planner:
Sapho Vatel

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: January 21, 2021

CASE # RZ-21-01-085

Commission District: #2

GENERAL INFORMATION

APPLICANT	Julian Ray Coto, Excel Engineering Consultants, LLC
OWNER	Rovira Group, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-T-2 (Combination Mobile Home and Single-Family Dwelling District) to R-1 Restricted (Single-Family Dwelling District - Restricted)
LOCATION	1608 Gayle Ridge Drive; generally located south of Gayle Ridge Drive, approximately 1,010 feet west of S. Lake Pleasant Road.
PARCEL ID NUMBER	11-21-28-3290-00-100
TRACT SIZE	1.08 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]. Two hundred seventy-one (271) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Three (3) Single-Family Residential 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 - Restricted) zoning with the following restriction:

- 1) A maximum of three (3) lots is permitted.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the subject property from R-T-2 (Combination Mobile Home and Single-Family Dwelling District) to R-1 Restricted (Single-Family Dwelling District - Restricted), in order to create three lots and construct three (3) single-family homes on each resulting lot, pending lot split approval. The subject property has been a lot of record within the Hamlin Heights subdivision since 1959.

This project site is located within the Wekiva Study Area and is part of the Apopka Joint Planning Area. However, the Wekiva Study Area open space requirements would not apply to a project of this size and a Preliminary Subdivision Plan (PSP) would not be required.

The immediate area is developed with a combination of single-family detached dwelling units on varying lot sizes, as well as mobile homes. The residential enclave mostly consists of R-1 (Single-Family Dwelling District) and A-1 (Citrus Rural District) zoning with some R-T-2 (Single-Family and Mobile Home District) zoning, making the proposed project compatible with the surrounding area. The same 3-lot configuration that would result if this request is approved, exists to the west of the subject property and across the street. The proposed restriction to limit development to three lots is for consistency with the existing pattern and density of development in the area.

With regards to utilities, according to Orange County Utilities this development will be reliant upon septic tanks for wastewater disposal.

Land Use Compatibility

The R-1 Restricted (Single-Family Dwelling District - Restricted) 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"/>	Apopka Joint Planning Area
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 for consideration of up to four (4) units per

acre. 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:

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

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.

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.

OS1.3.6 states residential land uses in the Urban Service Area, development with an overall size less than or equal to 100 acres – open space shall be 35% or greater.

SITE DATA

Existing Use	Mobile home
Adjacent Zoning	N: R-T-2 (Combination Mobile Home and Single-Family Dwelling District) (1973) / R-1 (Single-Family Dwelling District) (1995)

- E: R-T-2 (Combination Mobile Home and Single-Family Dwelling District) (1980)
 - W: R-1 (Single-Family Dwelling District) (1984)
 - S: R-L-D (Residential Low-Density District) (1993)
- *No restrictions apply to the above zoning districts*

- Adjacent Land Uses**
- N: Mobile Homes
 - E: Mobile Homes
 - W: Single-Family Residence
 - S: Single-Family Residence

R-1 (SINGLE-FAMILY DWELLING DISTRICT) DEVELOPMENT STANDARDS*

- Min. Lot Area: 5,000 sq. ft.
- Min. Lot Width: 50 ft.
- Max. Height: 35 ft.
- Min. Floor Area: 1,000 sq. ft.
- Building Setbacks:
 - Front:* 20 ft.
 - Rear:* 20 ft.
 - Side:* 5 ft.

** These regulations may not reflect the actual requirements for all situations; see the Orange County Zoning Code for actual regulations for site requirements for this zoning district.*

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

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See Note Below Table
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency database dated 12/16/20, there is a failing roadway segment within the project area: Wekiwa Springs Road from Canter Club Trail to Orchard Drive.

			However, the project is considered deminimis and a traffic study will not be required.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

* This site is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 Florida Statutes (F.S.), and within the Wekiwa Springs and Rock Springs Basin Management Action Plan (BMAP) Priority Focus Area (PFA), as established by the Florida Springs and Aquifer Protection Act, Section 373.801, et. seq. F.S. Special area regulations may apply.

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.

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.

Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:	Orange County Utilities	8-inch watermain within Gayle Ridge Drive right-of-way
Wastewater:	Orange County Utilities	Not Currently Available. These lots will be reliant on septic
Reclaim Water:	Orange County Utilities	Not Currently 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 – (January 21, 2021)

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

- 1) A maximum of three (3) lots is permitted.

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 Restricted (Single-Family Dwelling District - Restricted) zoning. The applicant was present and agreed with the staff recommendation. No members of the public were present to speak during public comment on this request.


Staff indicated that two hundred seventy-one (271) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff had received one (1) response in favor, and zero (0) response in opposition of the request.

Discussion ensued regarding wastewater availability for the proposed three single-family residential dwelling units. A motion was made by Commissioner McQuade, and seconded by Commissioner Abdallah to recommend APPROVAL of the requested R-1 Restricted (Single-Family Dwelling District - Restricted) zoning, subject to one restriction. The motion carried on a 5 to 1 vote.

Motion / Second	<i>Sean McQuade / Mohammed Abdallah</i>
Voting in Favor	<i>Sean McQuade, Mohammed Abdallah, Eddie Fernandez, Trevor Sorbo and JaJa Wade</i>
Voting in Opposition	<i>Gordon Spears</i>
Absent	<i>Nelson Pena, Carlos Nazario, and Evelyn Cardeans</i>

RZ-21-01-085

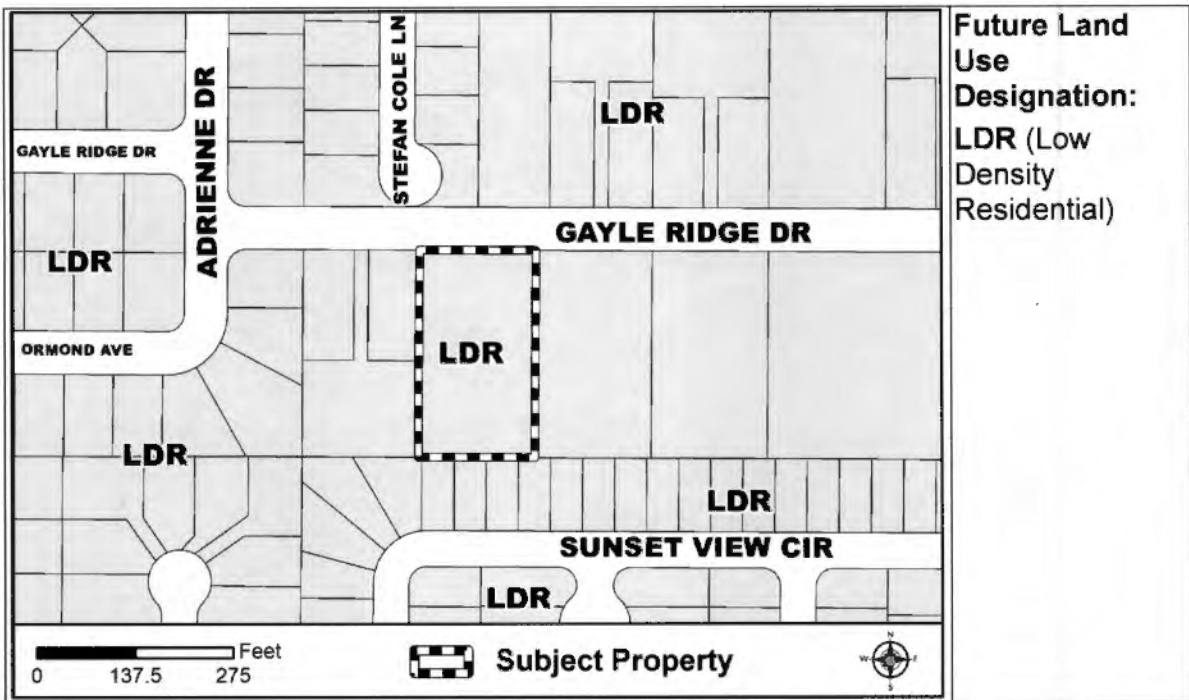


 Subject Property

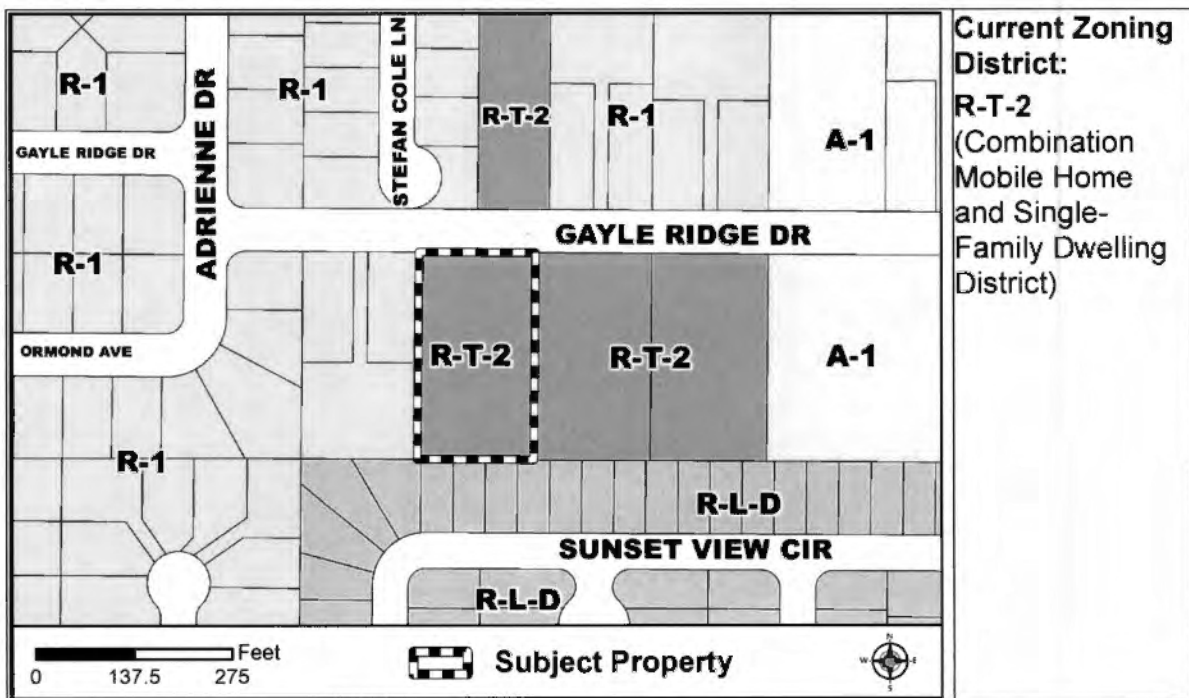


1 inch = 205 feet

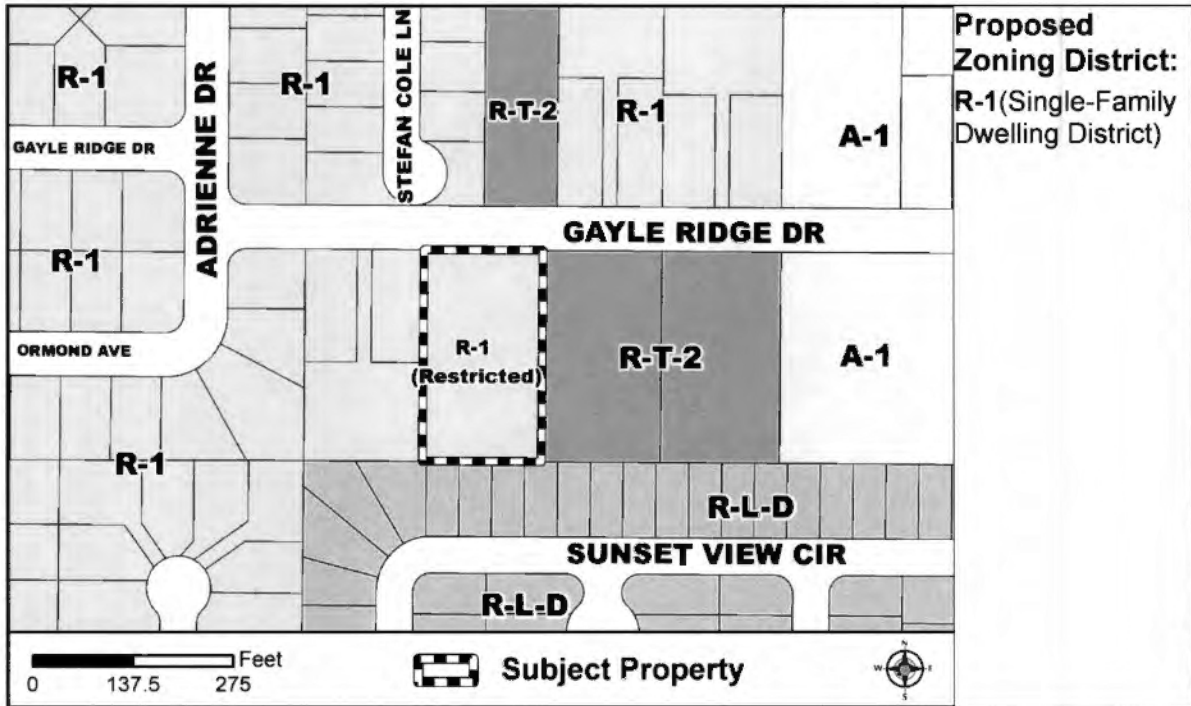
FUTURE LAND USE – CURRENT



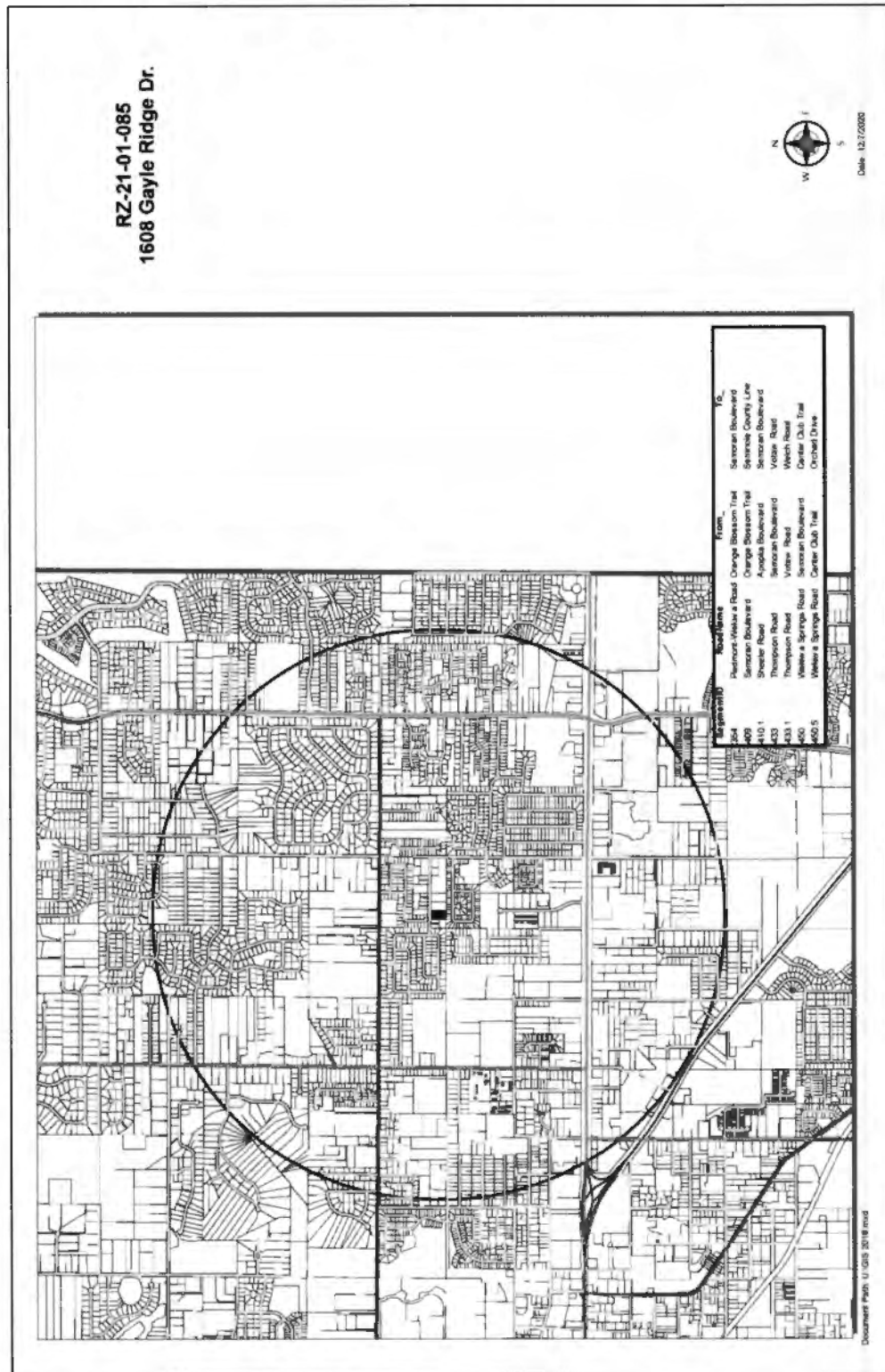
ZONING - CURRENT



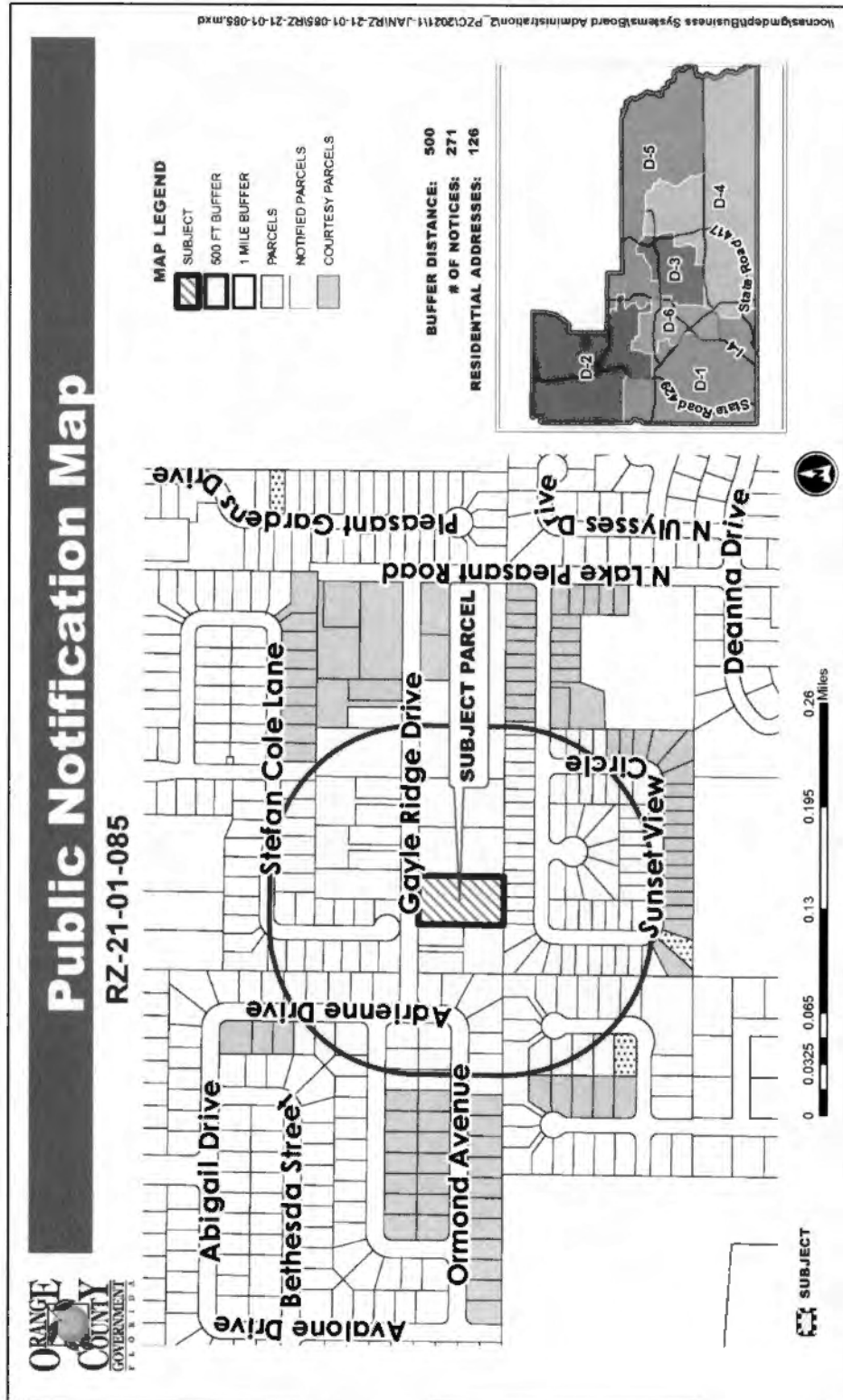
ZONING - PROPOSED



Alternative Mobilty Area Context Map



Notification Map



Case Planner:
Sapho Vatel

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: January 21, 2021

CASE # RZ-21-01-086

Commission District: #4

GENERAL INFORMATION

APPLICANT	Dunia M. Discua Borjas
OWNERS	Dunia M. Discua Borjas, and Reyes Oscar
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-T-1 (Mobile Home Subdivision District)
LOCATION	9605 5th Avenue; generally located east of S. Orange Avenue, west of 11th Avenue and approximately 365 feet south of 4th Street.
PARCEL ID NUMBER	01-24-29-8516-51-201
TRACT SIZE	0.35-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 six (106) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Mobile Home and Single-Family Residential (2 lots pending lot split approval)

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested **R-T-1 (Mobile Home Subdivision District)** zoning.

SUBJECT PROPERTY ANALYSIS

Overview

This subject property is a 15,098 square foot lot (0.35 acres) and is currently undeveloped. According to the Orange County Property Appraiser website, the subject property was originally platted as Lot 1 and Lot 2 in 1970.

Through this request, the applicant is seeking to rezone the subject property from R-1A (Single-Family Dwelling District) to R-T-1 (Mobile Home Subdivision District) in order to place a mobile home on 0.35-gross acre. The applicant has stated in the future they intend to apply for a lot split in order to create two 60-foot wide lots and construct a single-family dwelling on the new lot. The proposed 60-foot wide lots are consistent with lot widths in the area.

The surrounding area is developed with a mixture of single-family detached dwelling units and mobile homes on varying lot sizes. The residential neighborhood mostly consists of R-1A (Single-Family Dwelling District) and R-T-1 (Mobile Home Subdivision District) zoning, making the proposed project compatible with the surrounding area.

According to Orange County Utilities, this development will be reliant upon septic for wastewater disposal.

Land Use Compatibility

The R-T-1 (Mobile Home Subdivision District) zoning would allow for development that is compatible with the character of the surrounding area, and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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 Medium Density Residential (LMDR) which allows for consideration of up to ten (10) units per acre. The proposed R-T-1 zoning is consistent with the LMDR FLUM designation; therefore, a CP amendment is not necessary. The proposed request is consistent with 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.

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.

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.

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

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

SITE DATA

Existing Use	Undeveloped
Adjacent Zoning	N: R-T-1 (Mobile Home Subdivision District) (1973) E: R-1A (Single-Family Dwelling District) (1957) W: R-1A (Single-Family Dwelling District) (1957) S: R-T-1 (Mobile Home Subdivision District) (1978) <i>*No restrictions apply to the above zoning districts</i>
Adjacent Land Uses	N: Mobile Homes E: Mobile Homes W: Public Park S: Single-Family Residence

R-T-1 (Mobile Home Subdivision District) Development Standards*

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

Min. Lot Width:	45 ft.
Max. Height:	35 ft.
Min. Living Area:	8 ft. x 35 ft. (minimum mobile home size)
Min. Living Area:	1,000 sq. ft. (minimum SFR size)
Building Setbacks:	
Front:	25 / 20 ft.
Rear:	25 / 20 ft.
Side:	5 ft.

* These regulations may not reflect the actual requirements for all situations; see the Orange County Zoning Code for actual regulations for site requirements for this zoning district.

Intent, Purpose, and Uses

Per Section 38-580 of the Orange County Code, the intent and purpose of the R-T-1 (Mobile Home Subdivision District) zoning district is composed of lands and structures where it is desirable to attain a low-medium density residential area consisting of mobile homes and single-family dwellings on single lots under individual ownership.

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

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information. 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.
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed 1 mobile home generate 1 net p.m. peak trips, the trip generation of the

			proposed project does not exceed one (1) percent of the Maximum volume at the adopted Level of service on affected transportation facilities. This proposed use will have no additional impact on the roadway network within the impact area.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: Taft Water Association

Wastewater: Orange County Utilities Not Currently Available.
The propose residential development will be reliant on septic.

Reclaim Water: Orange County Utilities Not Currently 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 – (January 21, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-T-1 (Mobile Home Subdivision District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-T-1 (Mobile Home Subdivision District). The applicant was present and with assistance of a translator agreed with the staff recommendation. No member of the public was present to speak during public comment on this request.

Staff indicated that one hundred and six (106) notices were sent to property owners extending beyond 500 feet surrounding the property. Staff received zero (0) response in favor, and zero (0) response in opposition of the request.

Discussion ensued regarding wastewater availability for the proposed development. A motion was made by Commissioner Abdallah, and seconded by Commissioner McQuade to recommend APPROVAL of the requested R-T-1 (Mobile Home Subdivision District) zoning; Commissioner Spears voted in the negative. The motion carried on a 5 to 1 vote.

Motion / Second	<i>Mohammed Abdallah / Sean McQuade</i>
Voting in Favor	Mohammed Abdallah, Sean McQuade, Eddie Fernandez, JaJa Wade, and Trevor Sorbo
Voting In Opposition	<i>Gordon Spears</i>
Absent	<i>Nelson Pena, Carlos Nazario, and Evelyn Cardenas</i>

RZ-21-01-086

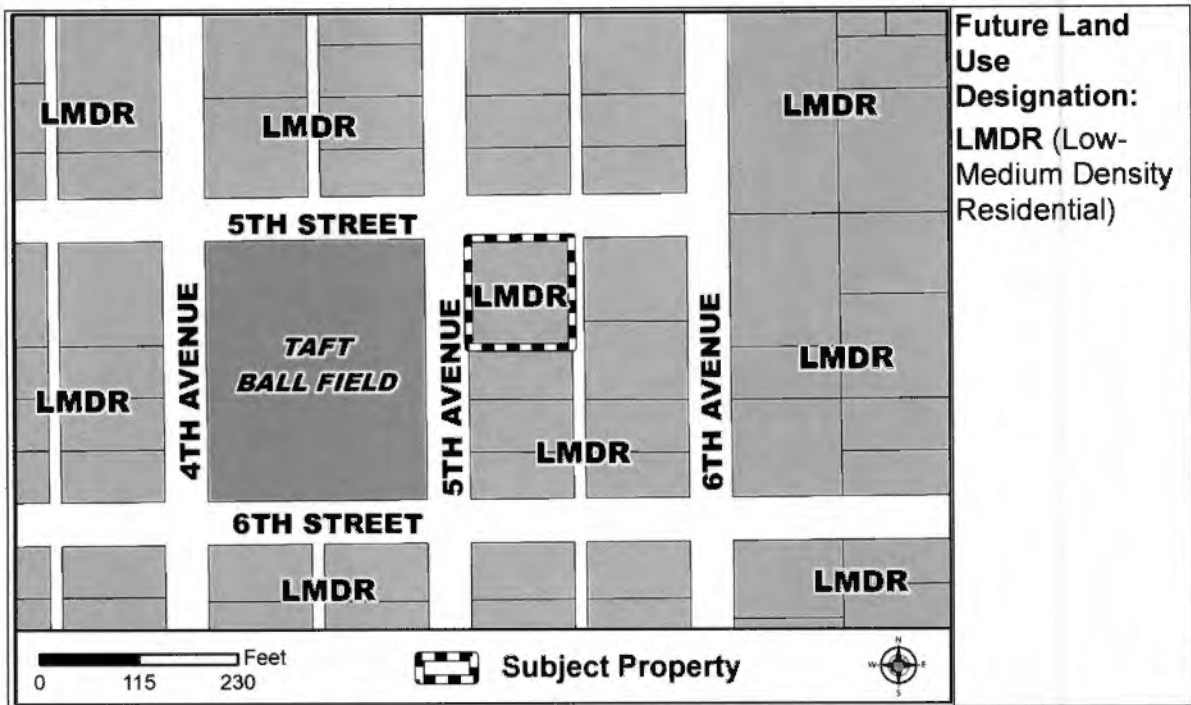


 Subject Property

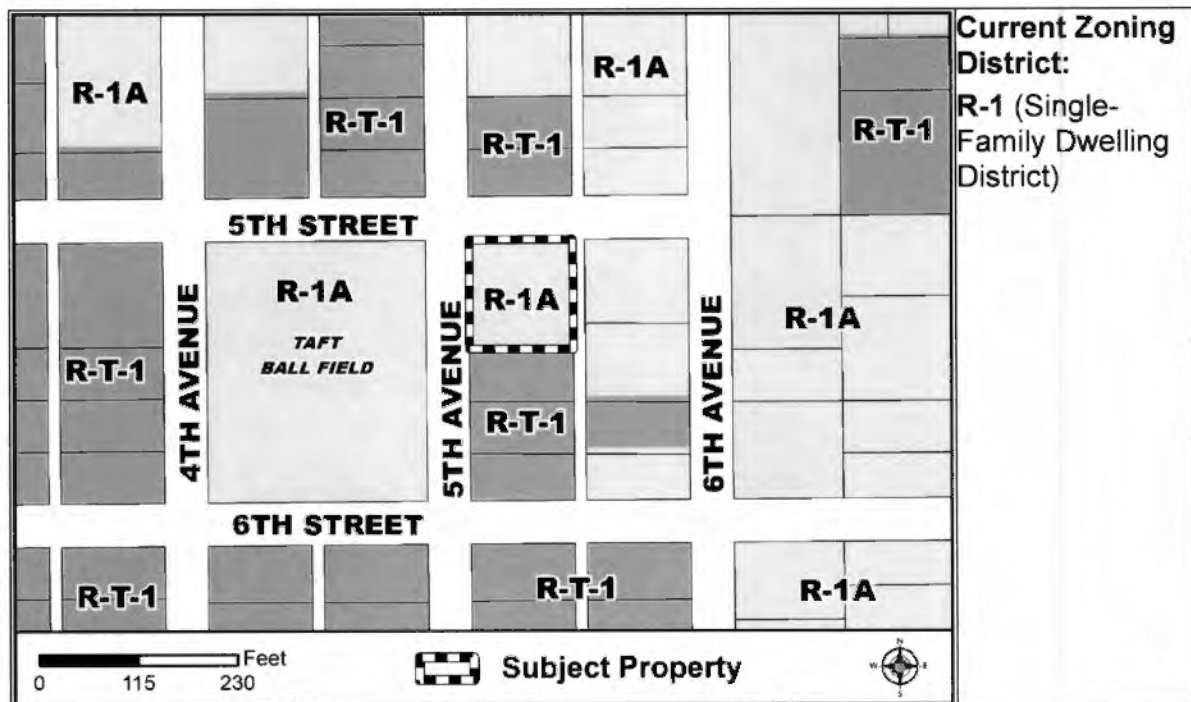


1 inch = 125 feet

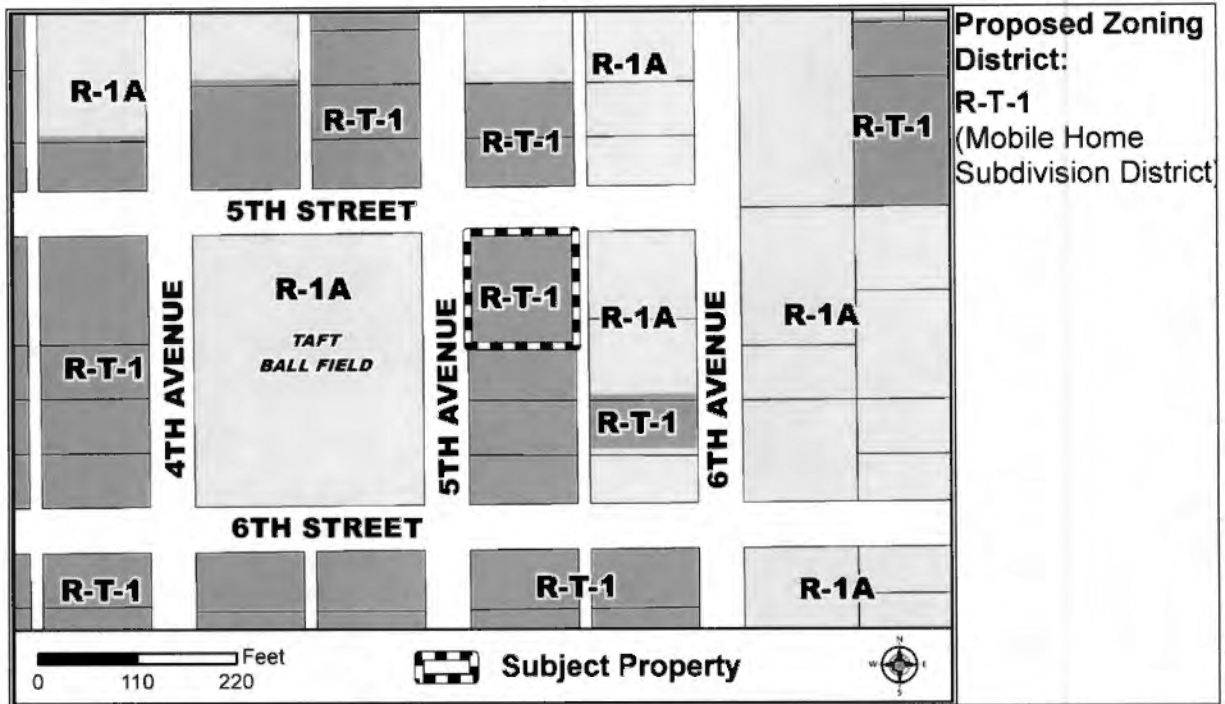
FUTURE LAND USE – CURRENT



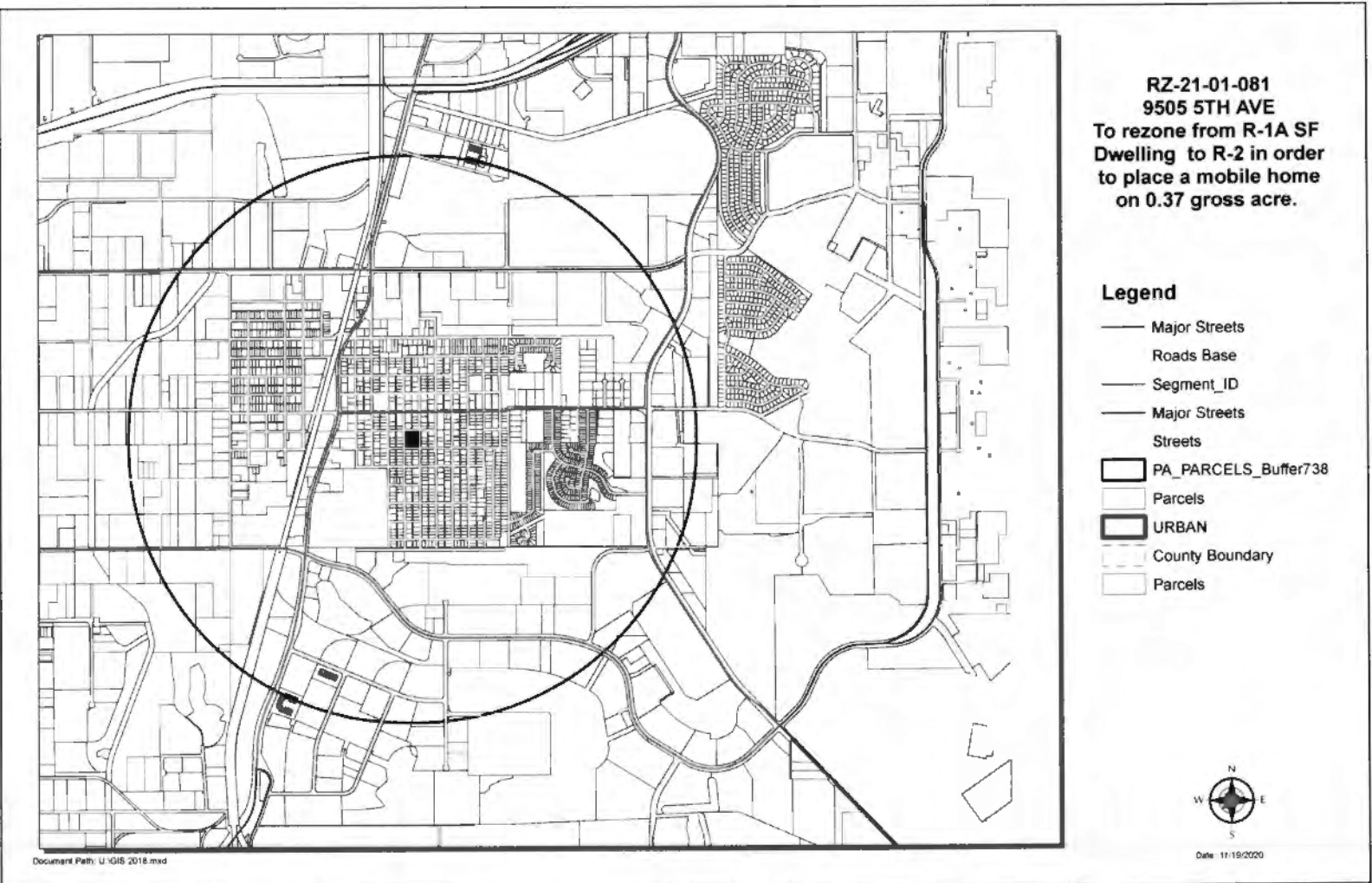
ZONING - CURRENT



ZONING - PROPOSED



Alternative Mobility Area Context Map



Notification Map

