



PLANNING AND ZONING COMMISSION  
LOCAL PLANNING AGENCY

# REZONING RECOMMENDATIONS

NOVEMBER 19, 2020



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

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

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**November 19, 2020**

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**CONVENTIONAL REZONING PUBLIC HEARINGS**

RZ-20-10-066  
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**Planning and Zoning Commission**  
**November 19, 2020**

<u>Case #</u> <u>Applicant</u>	<u>Request</u>	<u>Commission</u> <u>District</u>	<u>Recommendations</u> <u>Staff</u>	<u>Recommendations</u> <u>PZC</u>	<u>BCC Hearing</u> <u>Required</u>
<b>I. REZONING PUBLIC HEARINGS</b>					
RZ-20-10-066 Allison Turnbull	<i>C-2 (Restricted) to C-3 (Restricted)</i>	2	Approval with nine (9) restrictions	Approval with nine (9) restrictions	No

# SITE and BUILDING REQUIREMENTS

## Orange County Code Section 38-1501. Basic Requirements

District	Min. lot area (sq. ft.) <sup>m</sup>	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) <sup>a</sup>	Min. rear yard (ft.) <sup>a</sup>	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
A-1	SFR - 21,780 (½ acre) Mobile Home - 2 acres	850	100	35	50	10	35	a
A-2	SFR - 21,780 (½ acre) Mobile Home - 2 acres	850	100	35	50	10	35	a
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 Min. mobile home size 8 ft. x 35 ft.	60	25	25	6	35	a
R-T-2 (after 1/29/73)	21,780 ½ acre	SFR 600 Min. mobile home size 8 ft. x 35 ft.	100	35	50	10	35	a

District	Min. lot area (sq. ft.) <i>m</i>	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) <i>a</i>	Min. rear yard (ft.) <i>a</i>	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
NR	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 8,000	500 per DU	80/90 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50/4 stories <i>k</i>	<i>a</i>
	Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories <i>k</i>	<i>a</i>
NAC	Non-residential and mixed use development, 6,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	50 feet <i>k</i>	<i>a</i>
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 11,250	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50 feet/4 stories, 65 feet with ground floor retail <i>k</i>	<i>a</i>
Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories <i>k</i>	<i>a</i>	
NC	Non-residential and mixed use development, 8,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	65 feet <i>k</i>	<i>a</i>
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 8,000	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	65 feet, 80 feet with ground floor retail <i>k</i>	<i>a</i>
Townhouse	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories <i>k</i>	<i>a</i>	
P-O	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 for each add. story	35	<i>a</i>
C-1	6,000	500	80 on major streets (see Art. XV); 60 for all other streets <i>e</i> ; 100 ft. for corner lots on major streets (see Art. XV)	25	20	0; or 15 ft. when abutting residential district; side street, 15 ft.	50; or 35 within 100 ft. of all residential districts	<i>a</i>

District	Min. lot area (sq. ft.) <sup>m</sup>	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) <sup>a</sup>	Min. rear yard (ft.) <sup>a</sup>	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 <sup>f</sup>	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	<sup>a</sup>
C-3	12,000	500	125 on major streets (see Art. XV); 100 for all other streets <sup>g</sup>	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	<sup>a</sup>

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**

- <sup>a</sup> 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.
- <sup>b</sup> Side setback is 30 feet where adjacent to single-family district.
- <sup>c</sup> 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.
- <sup>d</sup> 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.
- <sup>e</sup> Corner lots shall be 100 [feet] on major streets (see Art. XV), 80 [feet] for all other streets.
- <sup>f</sup> Corner lots shall be 125 [feet] on major streets (see Art. XV), 100 [feet] for all other streets.
- <sup>g</sup> Corner lots shall be 150 [feet] on major streets (see Art. XV), 125 [feet] for all other streets.
- <sup>h</sup> 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.
- <sup>j</sup> 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.
- <sup>k</sup> 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%.
- <sup>m</sup> 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

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## 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-20-10-066**

Commission District: #2

**GENERAL INFORMATION**

<b>APPLICANT</b>	Allison E. Turnbull, Esq., Winderweedle, Haines, Ward & Woodman, P.A
<b>OWNERS</b>	Connexion Point Church of Nazarene, Inc.
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	C-2 (General Commercial District - Restricted) to C-3 (Wholesale Commercial District - Restricted)
<b>LOCATION</b>	1551 Lee Road; generally northeast of the Lee Road and Davisson Avenue intersection.
<b>PARCEL ID NUMBER</b>	03-22-29-2628-17-160
<b>TRACT SIZE</b>	0.98-gross acre
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 800 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred forty-seven (247) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
<b>PROPOSED USE</b>	To allow an office for exterminating and pest control service, pest control supplies, disinfecting service, fumigating service plus outdoor and overnight parking, including dual rear wheel vehicles, in addition to all C-1 uses.

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-3 (Wholesale Commercial District - Restricted) zoning, subject to the following restrictions:**

1. Billboards and pole signs shall be prohibited. The existing pole sign adjacent to Lee Road shall be removed.

2. Development shall be limited to C-1 uses with the addition of the C-3 use of exterminating and pest control service with outdoor and overnight parking of related business vehicles and dual rear wheel vehicles; provided that business vehicles must be parked overnight within a gated area but are prohibited along the western property line along Davisson Avenue, and a maximum of three (3) dual rear wheel vehicles with a single rear axle may be permitted on-site but shall only be permitted to park along the eastern boundary of the site behind the front building facade fronting Lee Road.
3. Outdoor storage shall be prohibited, except for overnight vehicles associated with the pest control business as set forth in restriction number 2.
4. A block wall measuring six (6) feet in height shall be constructed along the northern boundary line of the property.
5. The block step wall on the western property line along Davisson Avenue shall be pressure washed and painted.
6. Irrigation and a hedge row shall be installed to County standards adjacent to the Davisson Avenue right-of-way.
7. The site may be gated provided any gate must consist of a wrought iron (or wrought iron in appearance) fence with clear view into the storage area from the right-of-way. The fence should not block an entry or exit from the site and must not be located forward of the building along Lee Road.
8. Canopy trees, meeting County standards, shall be planted in the existing landscape islands (one tree per island) along Davisson Avenue and Lee Road. Where canopy tree plantings are not viable due to overhead wires, understory trees, meeting County standards, may be planted in the same locations.
9. The bollards along Lee Road shall be removed.

## **SUBJECT PROPERTY ANALYSIS**

### **Overview**

Through this rezoning request the applicant is seeking to change the use of the property and allow an office for exterminating and pest control service, pest control supplies, disinfecting service, fumigating service with outdoor and overnight parking, including dual rear wheel vehicles, in addition to all C-1 uses.

The subject property was previously rezoned in January 2014 from C-1 (Retail Commercial District) to C-2 (General Commercial District - Restricted) in order to operate a general automotive repair shop. The restrictions placed on the property allowed C-1 uses only with the addition of the C-2 use of general automotive repair with all outdoor storage prohibited and required an enclosed structure for all paint, body, automotive and mechanical repairs. The subject property is adjacent to single-family uses to the north so the restrictions were placed on the rezoning for compatibility purposes.

The current rezoning request would eliminate the use of general automotive repair and add the exterminating pest control service with the overnight parking, including dual rear wheel vehicles, plus all C-1 uses. The subject property is developed with 3,855 square foot building and is currently abandoned. The current owner of the subject property has contracted to sell the property to Home Paramount Pest Control Company, who intends to use the subject property primarily as an office facility. The new owner is also committed to improving the subject property by providing landscaping, remodeling the building and improving the parking lot.

The purpose of rezoning to C-3 zoning district is to allow the parking of dual rear wheel vehicles with a single rear axle on-site. This would be the only C-3 use allowed on the property, as the C-2 zoning district permits the use of exterminating and pest control services.

The immediate area surrounding the subject property consists of single-family residential uses to the north, and partially to the west. The adjacent residentially zoned parcel to the north is currently vacant. There is also a medical office use to the west along with a vacant retail property for sale, and another office use to the east.

**Land Use Compatibility**

The C-3 (Wholesale Commercial 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 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 Commercial (C). The proposed C-3 (Wholesale Commercial District - Restricted) zoning is consistent with the Commercial FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

**FLU8.2.11** 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**

<b>Existing Use</b>	Vacant Commercial
<b>Adjacent Zoning</b>	N: R-2 (Residential District) (1957) E: C-1 (Retail Commercial District) (1971) (1981) W: P-O (Professional Office District) (1981) R-3 (Multiple-Family Dwelling District) (1969) S: C-1 (Retail Commercial District) (1965)
<b>Adjacent Land Uses</b>	N: Vacant Single-Family Residential E: Restaurant, Office W: Office, Single-Family Residential S: Office

**C-3 (General Commercial District) Development Standards**

Min. Lot Area:	12,000 sq. ft.
Min. Lot Width:	125 ft. (on major streets, see Article XV) 80 ft. (on all other streets)
Max. Height:	75 ft. (35 ft. within 100 ft. of residential)

Min. Floor Area: 500 sq. ft.

Building Setbacks

Front: 25 ft.  
 Rear: 15 ft. (20 ft. when abutting residential)  
 Side: 5 ft. (25 ft. when abutting residential)

**Intent, Purpose, and Uses**

The intent and purpose of the C-3 district is to implement and be consistent with the commercial land use designation of the future land use map. The C-3 district is composed of land and structures where more intense commercial activity is located. This district must be located away from residential districts because it allows uses that are not compatible with residential districts.

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"/>	<p>This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional environmental regulations may apply.</p> <p>Prior to demolition or construction activities associated with existing structures, a Notice of Asbestos Renovation or Demolition form should be submitted to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, the applicant should contact the EPD Air Quality Management staff at 407-836-1400.</p> <p>Any miscellaneous garbage, hazardous waste, yard waste and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. The applicant should call the Orange County Solid Waste Hotline at 407-836-6601 for information.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>This project is located within the Orange County Alternative Mobility Area (AMA). The following is a list of alternative mobility options within the project area: There are existing State maintained sidewalks adjacent to the property along Lee Road from Edgewater Drive to N. Wymore Road and along Edgewater Drive from W. Fairbanks Avenue to Forest</p>

			City Road. LYNX bus link number 443 Lee Road Crosstown; number 23 Winter Park/Spring Village. There are eight (8) bus stops within the project 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: City of Winter Park

Wastewater: City of Winter Park

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 – (November 19, 2020)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-3 (Wholesale Commercial District - Restricted) zoning, subject to the following restrictions:**

- 1) Billboards and pole signs shall be prohibited. The existing pole sign adjacent to Lee Road shall be removed.
- 2) Development shall be limited to C-1 uses with the addition of the C-3 use of exterminating and pest control service with outdoor and overnight parking of related business vehicles and dual rear wheel vehicles; provided that business vehicles must be parked overnight within a gated area but are prohibited along the western property line along Davisson Avenue, and a maximum of three (3) dual rear wheel vehicles with a single rear axle may be permitted on-site but shall only be permitted to park along the eastern boundary of the site behind the front building facade fronting Lee Road.
- 3) Outdoor storage shall be prohibited, except for overnight vehicles associated with the pest control business as set forth in restriction number 2.
- 4) A block wall measuring six (6) feet in height shall be constructed along the northern boundary line of the property.
- 5) The block step wall on the western property line along Davisson Avenue shall be pressure washed and painted.
- 6) Irrigation and a hedge row shall be installed to County standards adjacent to the Davisson Avenue right-of-way.
- 7) The site may be gated provided any gate must consist of a wrought iron (or wrought iron in appearance) fence with clear view into the storage area from the right-of-way. The fence should not block an entry or exit from the site and must not be located forward of the building along Lee Road.
- 8) Canopy trees, meeting County standards, shall be planted in the existing landscape islands (one tree per island) along Davisson Avenue and Lee Road. Where canopy tree plantings are not viable due to overhead wires, understory trees, meeting County standards, may be planted in the same locations.
- 9) The bollards along Lee Road shall be removed.

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

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-3 (Wholesale Commercial District - Restricted) zoning. The applicant was present and agreed with the staff recommendation and restrictions.

Staff indicated that two hundred forty-seven (247) notices were sent to property owners extending beyond 800 feet surrounding the property, and that staff had received one (1) response in opposition to the request and one in favor. The resident in opposition stated a concern about having a pest control service in a largely residential area and the chemicals stored on site.

After the public hearing portion closed with no speakers, a motion was made by Commissioner McQuade and seconded by Commissioner Dunn to recommend APPROVAL of the requested C-3 (Wholesale Commercial District - Restricted) zoning, subject to restrictions. The motion carried on a 8-0 vote.

<b>Motion / Second</b>	<i>Sean McQuade / Jimmy Dunn</i>
<b>Voting in Favor</b>	<i>Sean McQuade, Jimmy Dunn, Gordon Spears, Evelyn Cardenas, Eddie Fernandez, Nelson Pena, JaJa Wade and Carlos Nazario</i>
<b>Voting in Opposition</b>	<i>None</i>
<b>Absent</b>	<i>Mohammed Abdallah</i>



RZ-20-10-066

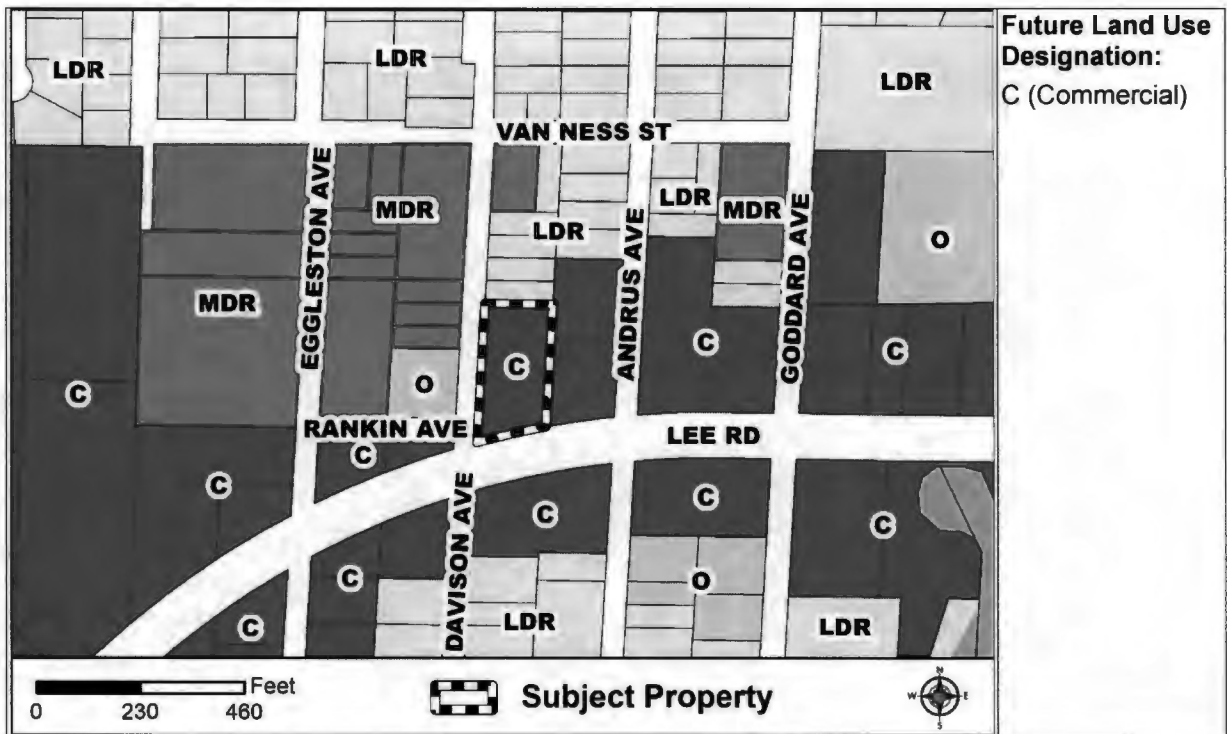


 Subject Property

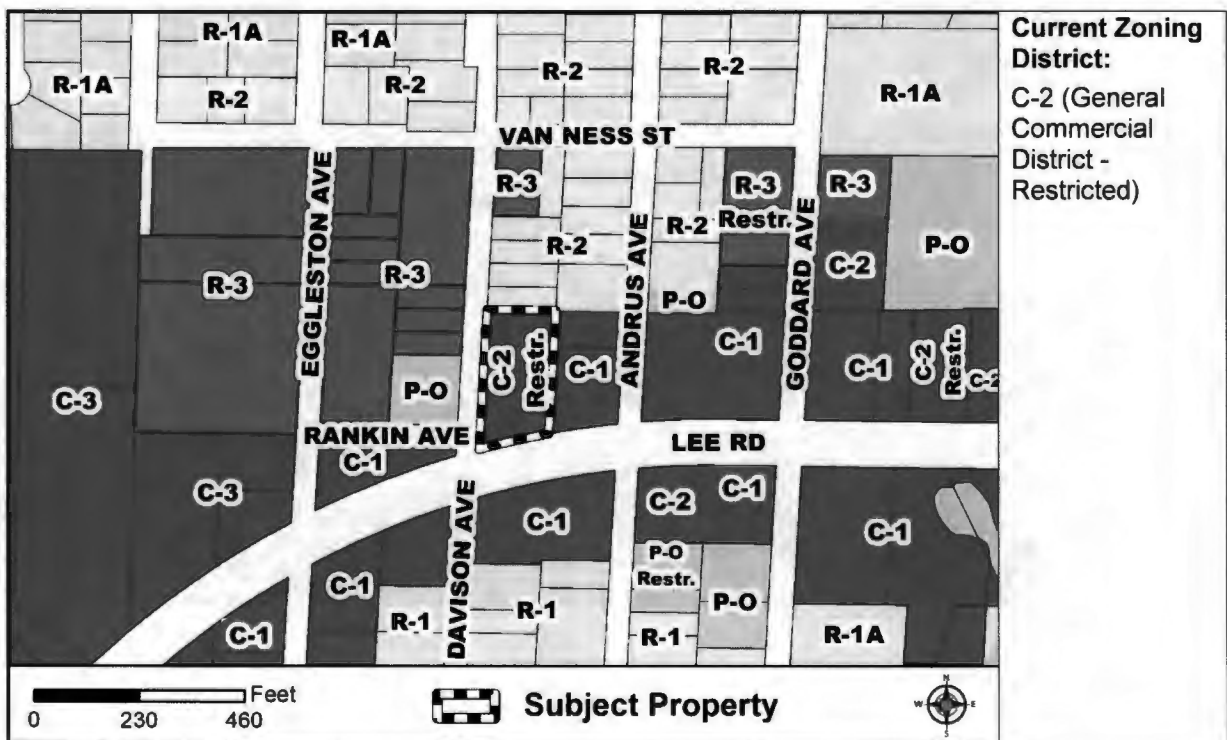


1 inch = 250 feet

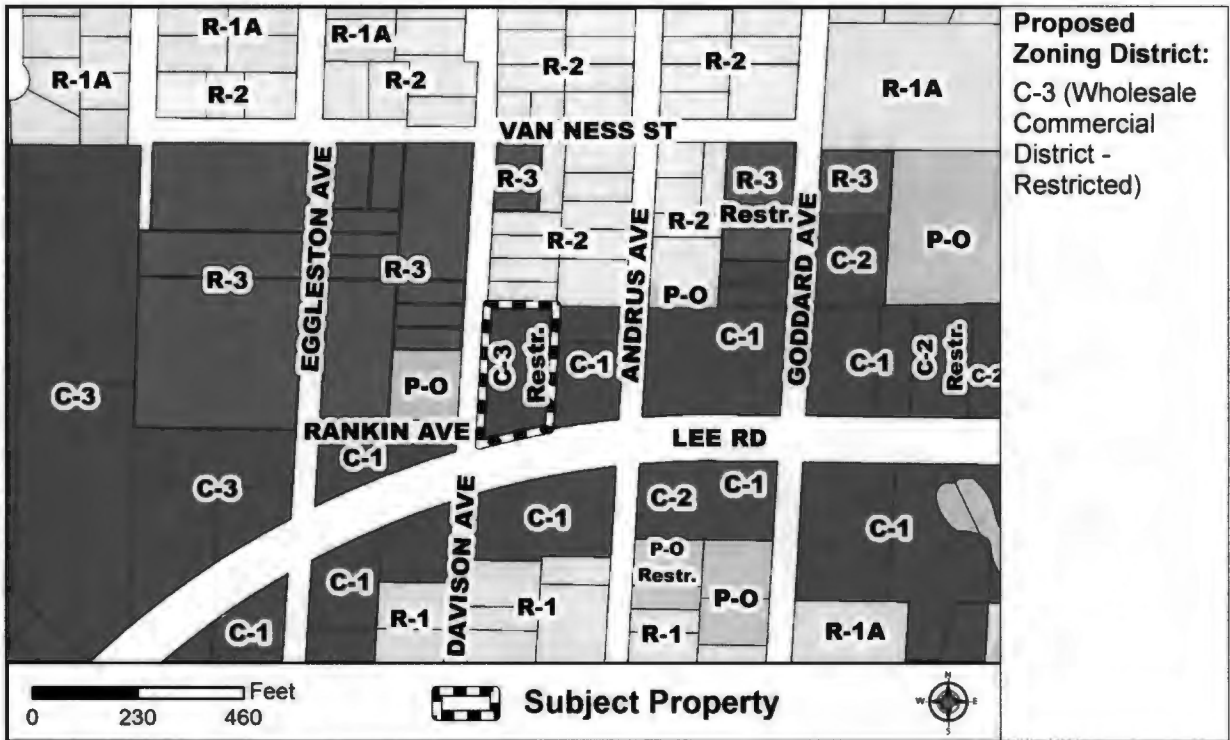
**FUTURE LAND USE**



**ZONING - CURRENT**



ZONING - PROPOSED

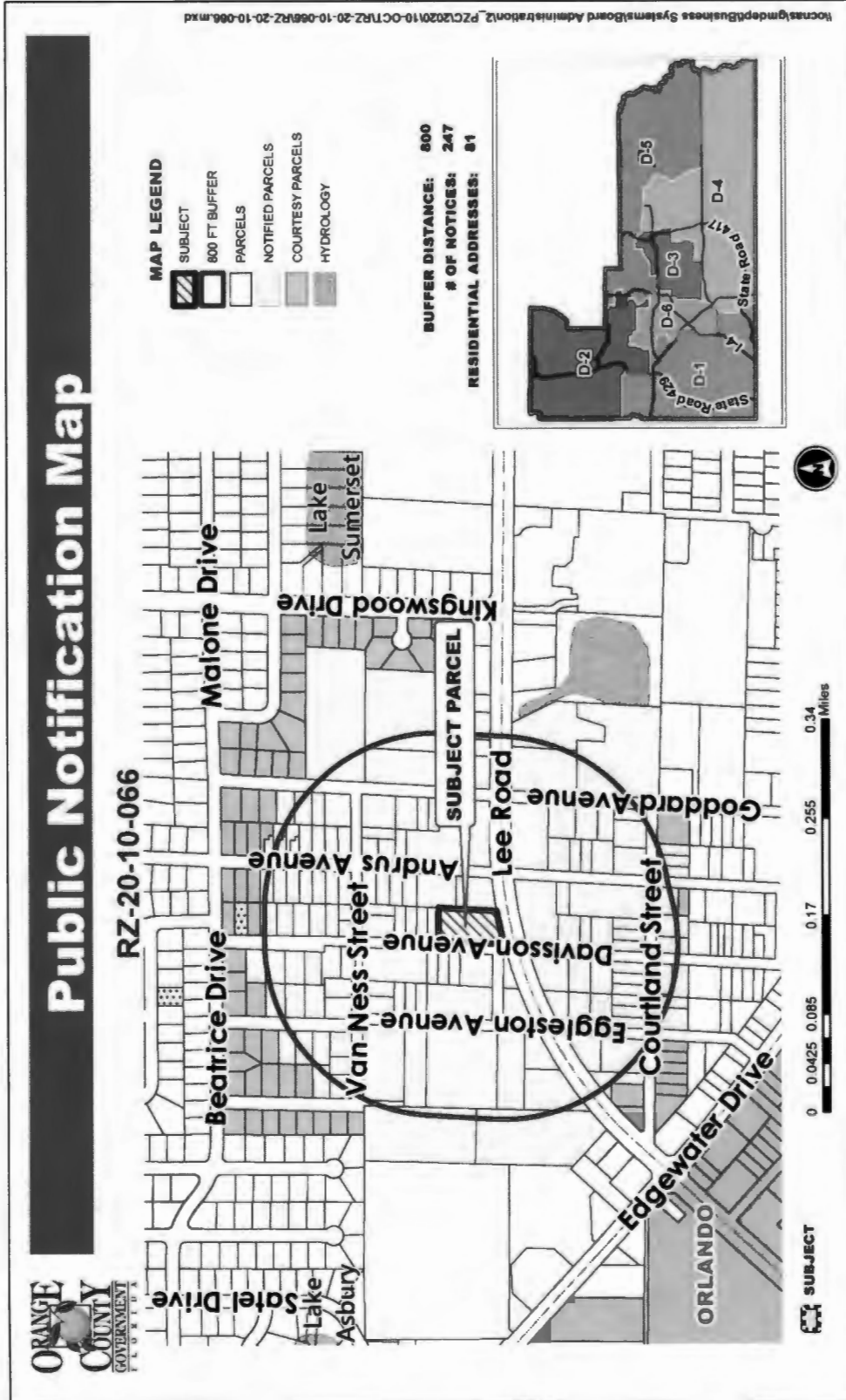


Proposed Zoning District:  
 C-3 (Wholesale Commercial District - Restricted)

**Alternative Mobility Area Context Map**



# Notification Map



*Case Planner:*  
Nathaniel Wicke

**Rezoning Staff Report**  
**Orange County Planning Division**  
**PZC Hearing Date: November 19, 2020**

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