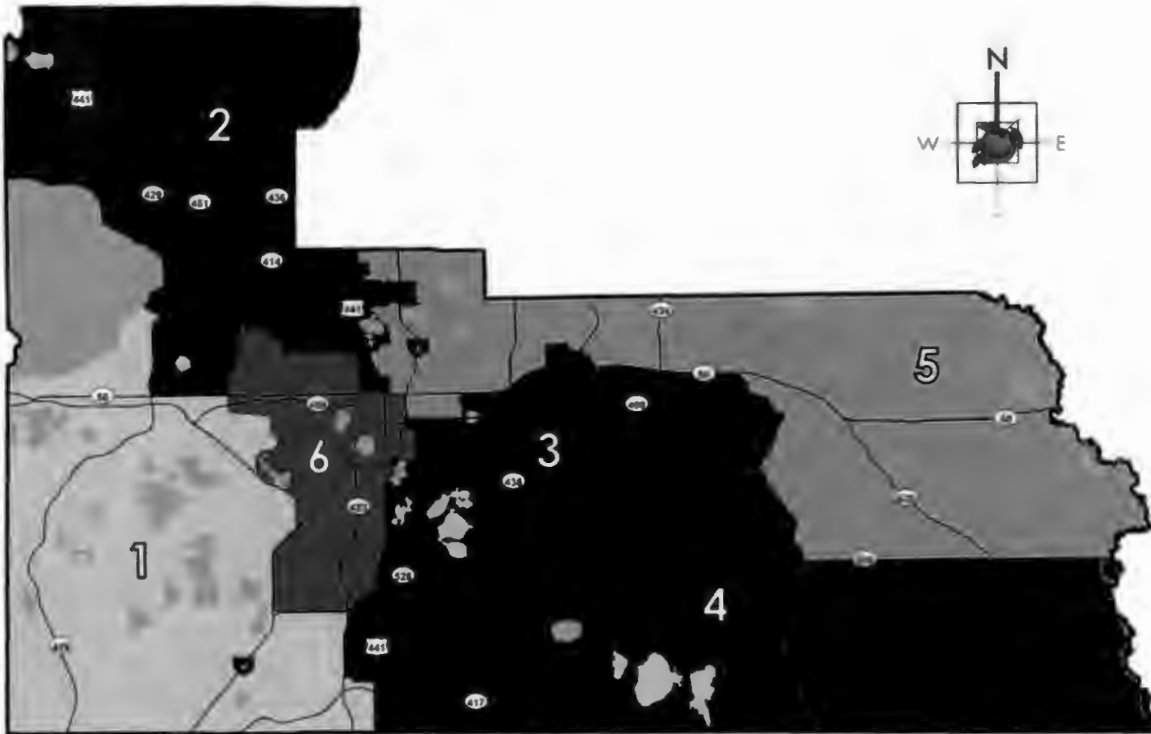




PLANNING AND ZONING COMMISSION
LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

FEBRUARY 20, 2020



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

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

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Diane Velazquez District #2

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Mohammed Abdallah At Large

Evelyn Cardenas At Large

Vacant At Large

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February 20, 2020

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<u>Case #</u> <u>Applicant</u>	<u>Request</u>	<u>Commission</u> <u>District</u>	<u>Recommendations</u> <u>Staff</u>	<u>PZC</u>	<u>BCC Hearing</u> <u>Required</u>
I. REZONING PUBLIC HEARINGS					
RZ-19-11-055 Kathy Hattaway	<i>R-CE-C to R-CE-C</i>	5	Approval with six (6) restrictions	Approval with seven (7) restrictions	No
RZ-20-02-001 Dustin Rockfeller	<i>R-CE-2 to R-1A</i>	2	Approval	Approval	No
RZ-20-02-002 Mohamed A Abdou	<i>R-2 to NR</i>	6	Approval with one (1) variance	Approval with one (1) variance	No
RZ-20-02-003 Mohamed A Abdou	<i>R-2 to NC</i>	6	Approval	Approval	No
RZ-20-02-082 George E Foote, Jr.	<i>C-1 to C-1</i>	6	Denial	Denial	No
RZ-20-02-083 Dan Creighton	<i>C-1 to C-2</i>	6	Denial with two (2) variances	Denial with two (2) variances	No
ARZ-20-02-006 Housing, Mitchell Glasser	<i>R-3 to R-2</i>	2	Approval with one (1) restriction	Approval with one (1) restriction	No
ARZ-20-02-008 Housing, Mitchell Glasser	<i>R-3 to R-2</i>	2	Approval with one (1) restriction	Approval with one (1) restriction	No
ARZ-20-02-009 Housing, Mitchell Glasser	<i>R-3 to R-2</i>	2	Approval with one (1) restriction	Approval with one (1) restriction	No
ARZ-20-02-010 Housing, Mitchell Glasser	<i>R-3 to R-2</i>	2	Approval with one (1) restriction	Approval with one (1) restriction	No

ARZ-20-02-011 Housing, Mitchell Glass	<i>R-3 to R-2</i>	2	Approval with one (1) restriction	Approval with one (1) restriction	No
ARZ-20-02-014 Housing, Mitchell Glasser	<i>R-3 to R-2</i>	2	Approval with one (1) restriction	Approval with one (1) restricton	No
ARZ-20-02-012 Housing, Mitchell Glasser	<i>R-3 to R-2</i>	3	Approval	Approval	No
ARZ-20-02-013 Housing, Mitchell Glasser	<i>A-2 to R-1A</i>	2	Approval	Approval	No
ARZ-20-02-015 Housing, Mitchell Glasser	<i>R-1 to R-1</i>	2	Approval with one (1) variance	Approval with one (1) variance	No
ARZ-20-02-016 Housing, Mitchell Glasser	<i>R-1A to R-1</i>	6	Approval	Approval	No
ARZ-20-02-017 Housing, Mitchell Glasser	<i>R-1A to R-1</i>	6	Approval	Approval	No
ARZ-20-02-018 Housing, Mitchell Glasser	<i>R-1A to R-1</i>	6	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	6,000	SFR 500	60	25	25	6	35	a
(prior to 1/29/73)		Min. mobile home size 8 ft. x 35 ft.						
R-T-2 (after 1/29/73)	21,780 ½ acre	SFR 600	100	35	50	10	35	a
		Min. mobile home size 8 ft. x 35 ft.						

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.) ^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-19-11-055

Commission District: #5

GENERAL INFORMATION

APPLICANT Kathy Hattaway, Poulos & Bennett, LLC

OWNERS Evans Groves, Inc., Lake Pickett Properties, Inc., Pulte Home Company, Inc., and Benjamin F. Wheeler, III

HEARING TYPE Planning and Zoning Commission

REQUEST **R-CE-C** (Country Estate Cluster District) **to**
R-CE-C (Country Estate Cluster District)

LOCATION Generally located on the west side of TV Tower Road, north of Lake Pickett Road, and southwest of North Fort Christmas Road

PARCEL ID NUMBERS 03-22-32-0000-00-020*, 03-22-32-0000-00-002*
03-22-32-0000-00-006*, 03-22-32-0000-00-017*
03-22-32-0000-00-021*, 03-22-32-0000-00-010*
03-22-32-0000-00-004*, 03-22-32-0000-00-012*
03-22-32-0000-00-018*, 10-22-32-0000-00-017
03-22-32-7898-00-010, 03-22-32-7898-00-020
03-22-32-7898-00-030, 03-22-32-7898-00-040
03-22-32-7898-00-050, 03-22-32-7898-00-060
03-22-32-7898-00-070, 03-22-32-7898-00-080
03-22-32-7898-00-090, 03-22-32-7898-00-100
03-22-32-7898-00-110, 03-22-32-7898-00-120
03-22-32-7898-00-130, 03-22-32-7898-00-140
03-22-32-7898-00-150, 03-22-32-7898-00-160
03-22-32-7898-00-170, 03-22-32-7898-00-180
03-22-32-7898-00-190, 03-22-32-7898-00-200
03-22-32-7898-00-210, 03-22-32-7898-00-220
03-22-32-7898-00-230, 03-22-32-7898-00-240
03-22-32-7898-00-250, 03-22-32-7898-00-260
03-22-32-7898-00-270, 03-22-32-7898-00-280
03-22-32-7898-00-290, 03-22-32-7898-00-300
03-22-32-7898-00-310, 03-22-32-7898-00-320
03-22-32-7898-00-330, 03-22-32-7898-00-340
03-22-32-7898-00-350, 03-22-32-7898-00-360
03-22-32-7898-00-370, 03-22-32-7898-00-380
03-22-32-7898-00-390, 03-22-32-7898-00-400
03-22-32-7898-00-410, 03-22-32-7898-12-001
03-22-32-7898-12-002, 03-22-32-7898-12-003
03-22-32-7898-18-001, 03-22-32-7898-18-004
03-22-32-7898-19-001, 03-22-32-7898-19-002

03-22-32-7898-19-003, 03-22-32-7898-03-001
03-22-32-0000-00-016, 03-22-32-0000-00-019
(*Parcels included within phases 2, 3, 5, and 6)

TRACT SIZE 292.79 gross acres (overall rezoning)
253.26 net developable acres (overall rezoning)
278.55 gross acres (parcels within phases 2, 3, 5, and 6)

PUBLIC NOTIFICATION The notification area for this public hearing was 1,500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Four hundred ninety-two (492) notices were mailed to those property owners in the surrounding area. A community meeting was held on December 9, 2019 at Columbia Elementary School and is summarized further in this report.

PROPOSED USE To amend the Lake Pickett Cluster Plan to allow non-lakefront lots sizes to be a minimum one-third acre within Phases 2, 3, 5, and 6.

STAFF RECOMMENDATION

Development Review Committee – (January 22, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-CE (Country Estate Cluster District) zoning, subject to the following restrictions:

- 1) Development shall conform to the Lake Pickett Cluster Plan dated "Received December 2, 2019";
- 2) Excluding natural waterbodies, the minimum residential lot size shall be 21,780 square feet (1/2 acre), or 43,560 square feet (1 acre) when adjacent to Lake Pickett in Phases 1 and 4;
- 3) Excluding natural waterbodies, the minimum residential lot size shall be 14,520 square feet (1/3 acre), or 43,560 square feet (1 acre) when adjacent to Lake Pickett in Phases 2, 3, 5, and 6;
- 4) Residential development shall be limited to a maximum of 253 single family lots;
- 5) The location of adjacent telecommunication towers shall be addressed at Preliminary Subdivision Plan (PSP) review; and
- 6) The developer shall obtain water service from Orange County.

SUBJECT PROPERTY ANALYSIS

Overview

The Lake Pickett Cluster Plan was originally approved in 1991 for 325 single-family dwelling units, which was consistent with the R-CE-C (Country Estate Cluster District) development standards at the time. The 1991 development standards required a maximum density of 0.85 unit per developable acre. In 1997, the R-CE-C (Country Estate Cluster District) development standards were amended to allow a maximum density of one (1) unit per developable acre through Ordinance #97-03. In 2014, the undeveloped portions of the Lake Pickett Cluster Plan were rezoned from R-CE-C (Country Estate Cluster District) to R-CE-C (Country Estate Cluster District) to utilize the additional density permitted by Ordinance #97-03. This resulted in an increase from 325 single-family units to 383 single-family dwelling units, a net increase of 58 units.

Through this request, the applicant is requesting to rezone the remaining undeveloped portion of the Lake Pickett Cluster Plan totaling 253 net developable acres from R-CE-C (Country Estate Cluster District) to R-CE-C (Country Estate Cluster District) to amend the previous restrictions to allow non-lakefront lots sizes to be a minimum one-third acre within Phases 2, 3, 5 & 6.

Land Use Compatibility

The R-CE-C (Country Estate Cluster 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 checked="" type="checkbox"/>	<input type="checkbox"/>	The subject properties are located within the Lake Pickett Rural Settlement.
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 Rural Settlement 1/1 (RS 1/1). The proposed R-CE-C (Country Estate Cluster District) zoning is consistent with the Rural Settlement 1/1 FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

OBJ FLU6.2 states Rural Settlements provide for a rural residential lifestyle. In some instances, Rural Settlements allow a transition of rural areas adjacent to the Urban Service Area while avoiding development in active agricultural areas. Rural Settlements

were intended to recognize and preserve existing development patterns at the time the CP was adopted in 1991. The creation of Rural Settlements recognized the need to maintain agricultural areas and rural uses in the rural services area while providing for rural communities.

FLU6.2.1 states that Rural Settlements were implemented to recognize communities that existed at the time of the 1991 CPP adoption. This policy change is being implemented as part of this update's strategy to focus development within the County's USA and discourage the proliferation of extended Rural Settlement boundaries. In addition this policy will allow time for vacant and committed lands within existing Rural Settlements to develop as a means of satisfying this style of living.

FLU6.2.5 states that the permitted densities and intensities of land use within the Rural Settlements shall maintain their rural character. Factors to be considered shall include lot size, open space and views, tree canopy, building location and orientation, and compatibility with existing land uses. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C).

FLU6.2.6 The Future Land Use Map shall reflect the permitted densities of development within the Rural Settlements. Clustering of units with dedicated open space shall be allowed so long as the overall density does not exceed that specified on the Future Land Use Map. Density and Floor Area Ratio (FAR) calculations shall be defined as the language specified in the Future Land Use Element Policy FLU1.1.2(C).

Clustering shall be supported to maintain the rural character through preservation of open space and lot layout and design. Generally recognized and accepted conservation subdivisions can be used where they minimize impacts on areas with rural character provided their use is consistent with the overall intent of Rural Settlement boundaries.

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

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. Density shall be calculated by the total number of units divided by developable land. (Nature lakes and designated Conservation Areas are excluded from the gross land area.)

FLU8.2.1 states that land use changes shall be required to be compatible with the 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.

GOAL OS1 It is a goal of Orange County to protect and preserve valuable open space resources.

SITE DATA

Existing Use	Undeveloped Land
Adjacent Zoning	N: A-1 (Agriculture) (Seminole County) E: A-2 (Farmland Rural District) (1957) W: R-CE-C (Country Estate Cluster District) (1981) S: A-2 (Farmland Rural District) (1957) PD (Planned Development District) (Hartwood PD) (2016)
Adjacent Land Uses	N: Single-Family Residences / Undeveloped Land (Seminole County) E: Single-Family Residences / Undeveloped Land / Communications Tower W: Single-Family Residences / Lake Pickett S: Single-Family Residences / Undeveloped Land

R-CE-C (Country Estate Cluster District) Development Standards

Min. Lot Area:	1/3 acre (14,520 sq. ft.)*
Min. Lot Width:	100 ft.
Max. Height:	2-story / 35 ft.
Min. Living Area:	
Max. Lot Coverage:	1,500 sq. ft. / 2,000 sq. ft. (as proposed)
60%	

*If central water service is provided.

Building Setbacks:	
Front:	30 ft.
Rear:	25 ft.
Side:	10 ft.
Side Street:	15 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

The intent and purpose of the R-CE-C zoning district is to provide an alternative approach to residential development under specified residential zoning districts. The R-CE-C district enhances the living environment through the creation of permanent open space and provides flexibility in lot size, housing styles and building placement for a variety in development design compatible with abutting development. The district maintains gross densities compatible with and equal to those possible under the conventional zoning.

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 October 16, 2019, there is one failing roadway segment within the project area. Chuluota Road from Lake Pickett Rd to the Seminole County Line. A traffic study will be required for this project.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

* Conservation Area Determination CAD-15-07-090 and Impact Permit CAI-16-10-043 modified by CAI-18-12-060 were completed for Lake Pickett Cluster Parcels 1, 2 & 3. This request shall comply with all related permit conditions of approval. The EPD comments and conditions approved with the previous rezoning and PSP reviews also apply (RZ-14-12-031, PSP-16-08-289, CDR-18-02-062).

This request proposes to allow internal non-lakefront lots sizes to be one-third acre in Parcels 1, 2 & 3 - Phases 2, 3, 5 & 6 only. The regulations in Orange County Code Chapter 37 - Water and Wastewater, Article XVII - Individual On-Site Sewage Disposal, Section 37-540 - Design and Permit Standards, also apply to lots adjacent to the wetlands and surface waters on site other than Lake Pickett, including but not limited to:

- c) OSDS and drainfield expansion areas shall be located at least one hundred fifty (150) feet from the normal high water elevation (N.H.W.E.) of surface water bodies and canals connected to surface water bodies.
- d) OSDS shall be located no less than seventy-five (75) feet from:

1. The design high water level of normally wet open drainage systems and stormwater retention areas; and
2. Jurisdictional wetland areas; and
3. Underdrains.
This requirement does not apply to swales.

Community Meeting Summary

A community meeting was held on December 9, 2019 at Columbia Elementary School. Eighty-four (84) residents were in attendance and the community response was negative. Residents expressed concerns related to compatibility with existing development, water quality, septic, drainage, home value depreciation, environmental effects on Lake Pickett, increased cost of living, impacts on the amount of open space the development is able to accommodate, and the development setting a precedent in the area.

Utilities

Water:	Orange County Utilities	8-inch watermain constructed with Lake Pickett Cluster Parcels Phase 1-3 Phase 1
Wastewater:	Orange County Utilities	Not currently available
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 – (February 20, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-CE (Country Estate Cluster District) zoning, subject to the following restrictions:

- 1) Development shall conform to the Lake Pickett Cluster Plan dated "Received December 2, 2019"; and
- 2) Excluding natural waterbodies, the minimum residential lot size shall be 21,780 square feet (1/2 acre), or 43,560 square feet (1 acre) when adjacent to Lake Pickett in Phases 1 and 4; and
- 3) Excluding natural waterbodies, the minimum residential lot size shall be 14,520 square feet (1/3 acre), or 43,560 square feet (1 acre) when adjacent to Lake Pickett in Phases 2, 3, 5, and 6; and
- 4) Residential development shall be limited to a maximum of 253 single family lots; and
- 5) The location of adjacent telecommunication towers shall be addressed at Preliminary Subdivision Plan (PSP) review; and
- 6) The developer shall obtain water service from Orange County; and
- 7) In the event the Development includes any 1/3 acre lots, then:
 - a. The Development shall include a minimum 25' contiguous native vegetative landscaping buffer along the north and east boundary of the revised area (Phases 2, 3, 5, and 6) to allow for a wildlife corridor; and
 - b. The Development shall include a minimum 100 foot lot buffer along the eastern boundary of the revised area (Phases 2, 3, 5, and 6), which buffer may also serve as the wildlife corridor buffer referenced above for the eastern boundary.

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-CE-C (Country Estate Cluster District) Zoning. The applicant was present and agreed with the staff recommendation.

Staff indicated that four hundred ninety-two (492) notices were sent to property owners extending beyond 1,500 feet surrounding the property, and that staff had received zero (2)

commentaries in favor of the request and thirty-four (34) in opposition. Seven (7) members of the public were present to speak on this request.

After discussion related to the proposed buffer, the location of the additional open space, and the proximity of residential units to the existing communications tower, motion was made by Commissioner Spears, and seconded by Commissioner Fernandez to recommend APPROVAL of the requested R-CE-C zoning, subject to restrictions. The motion carried on a 7-1 vote.

Motion / Second

Gordon Spears / Eddie Fernandez

Voting in Favor

Gordon Spears, Eddie Fernandez, Evelyn Cardenas, Mohammed Abdallah, Jimmy Dunn, JaJa Wade, and Carlos Nazario

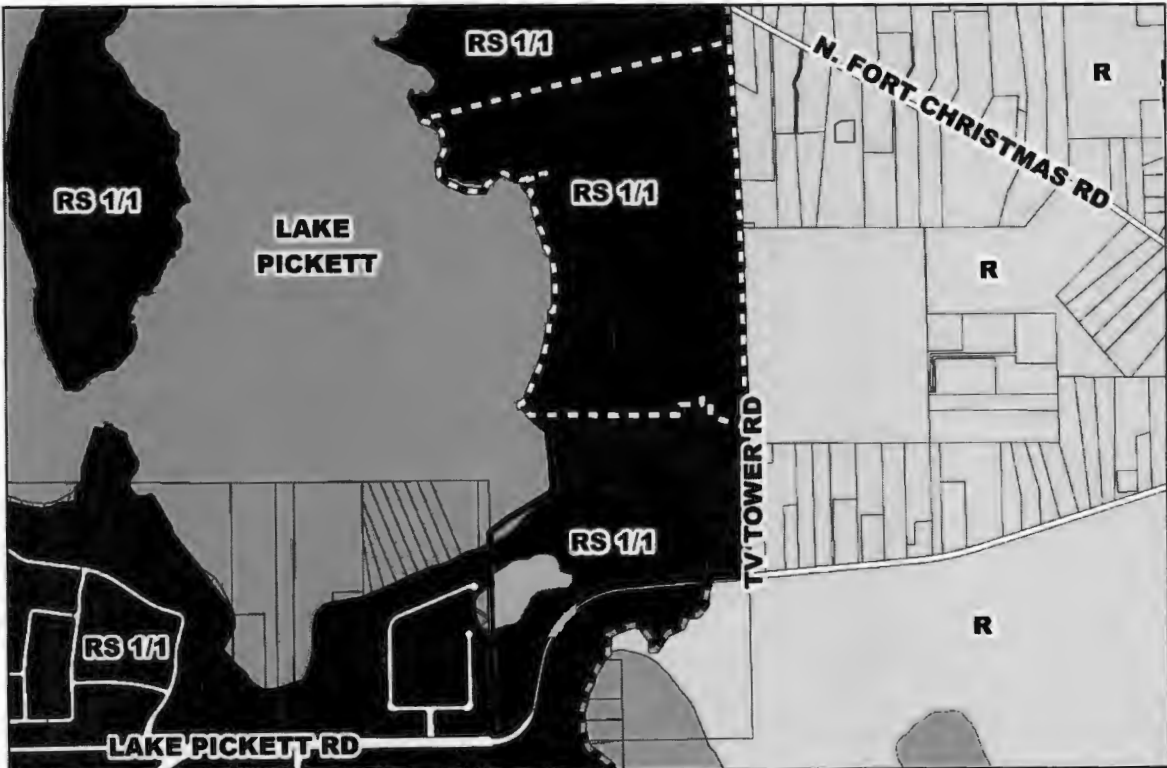
Voting in Opposition


Diane Velazquez

Absent

None

RZ-19-11-055



-  Affected Phases
-  Lake Pickett Cluster Plan
-  Lake Pickett Rural Settlement



★ Subject Property

Future Land Use Map

FLUM: Rural Settlement 1/1 (RS 1/1)

APPLICANT: Kathy Hattaway, Poulos & Bennett, LLC

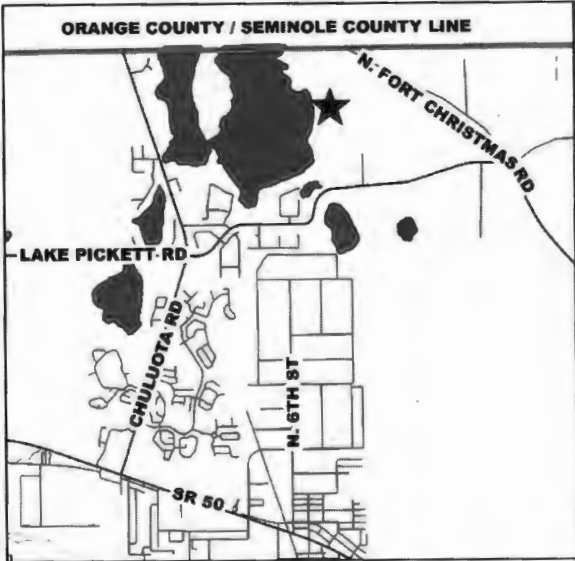
LOCATION: Generally located on the west side of TV Tower Road, north of Lake Pickett Road, and southwest of North Fort Christmas Road

TRACT SIZE: 292.79 gross acres (overall rezoning)
 253.26 net developable acres (overall rezoning)
 278.55 gross acres (parcels within phases 2, 3, 5, and 6)

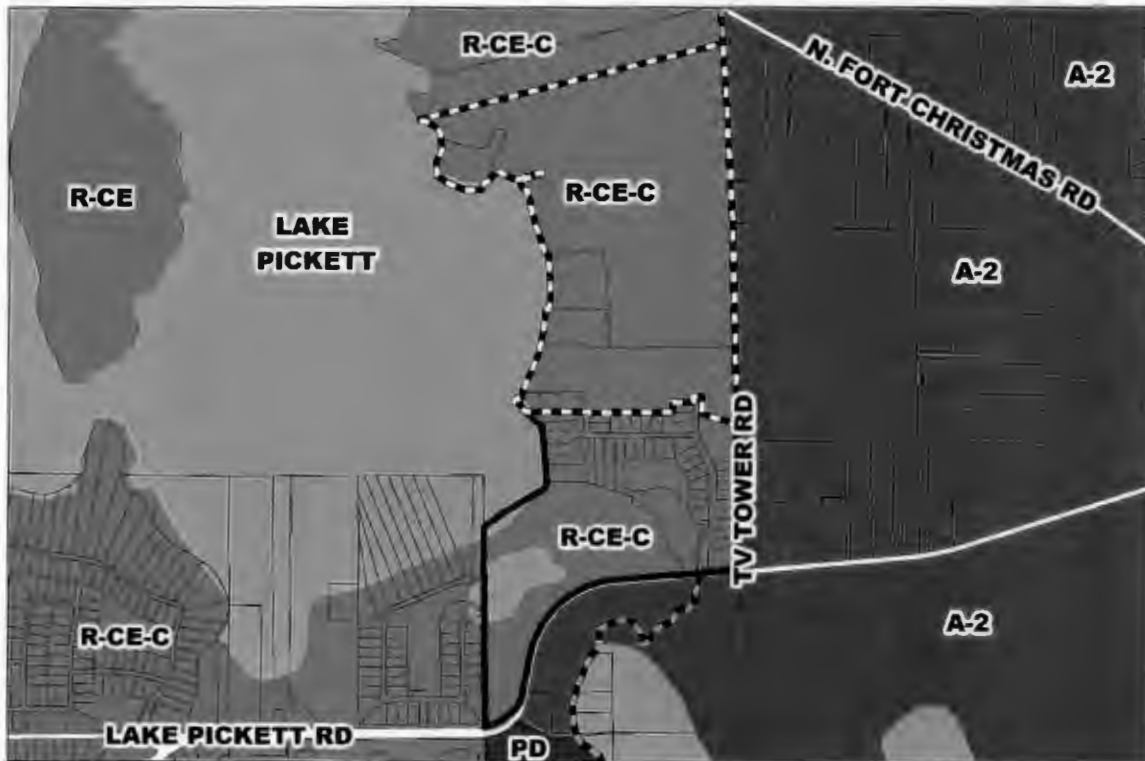
DISTRICT: # 5

S/T/R: 02/22/32

1 inch = 1,525 feet



RZ-19-11-055



- Affected Phases
- Lake Pickett Cluster Plan
- Lake Pickett Rural Settlement



★ Subject Property

Zoning Map

ZONING: R-CE-C (Country Estate Cluster District) to R-CE-C (Country Estate Cluster District)

APPLICANT: Kathy Hattaway, Poulos & Bennett, LLC

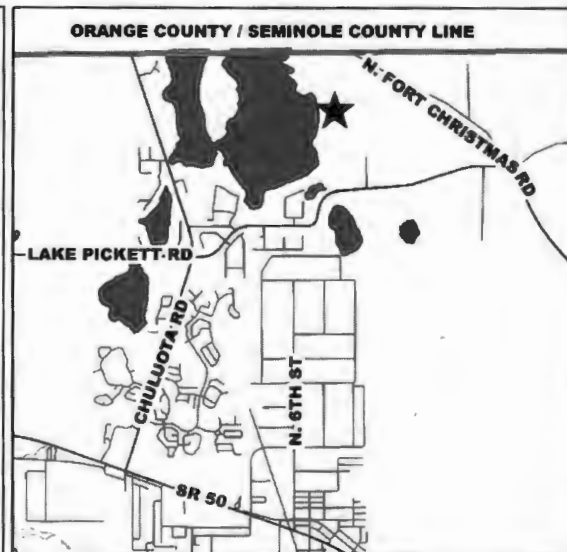
LOCATION: Generally located on the west side of TV Tower Road, north of Lake Pickett Road, and southwest of North Fort Christmas Road

TRACT SIZE: 292.79 gross acres (overall rezoning)
 253.26 net developable acres (overall rezoning)
 278.55 gross acres (parcels within phases 2, 3, 5, and 6)

DISTRICT: # 5

S/T/R: 02/22/32

1 inch = 1,525 feet



RZ-19-11-055

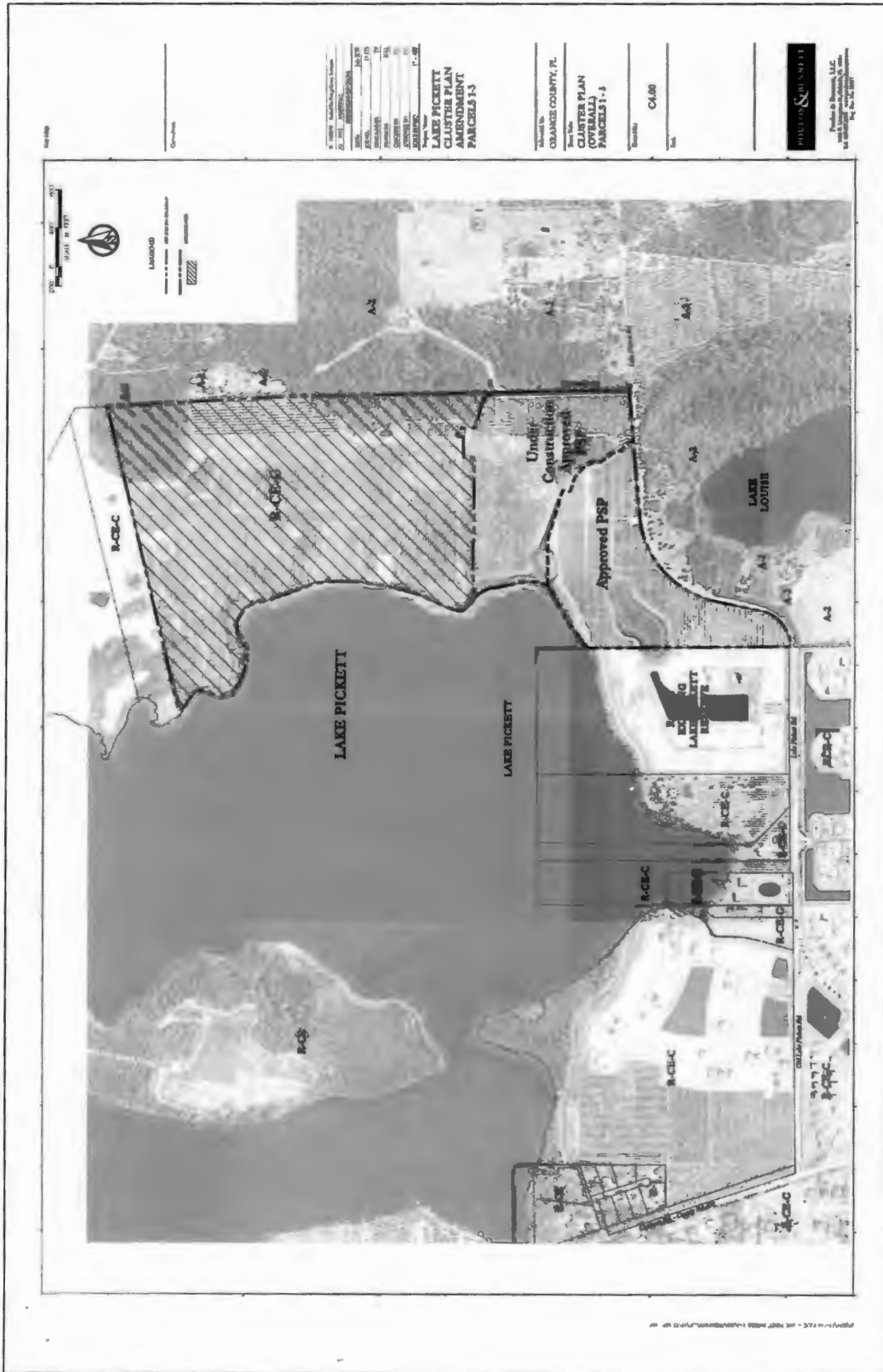


-  Affected Phases
-  Lake Pickett Cluster Plan
-  Lake Pickett Rural Settlement



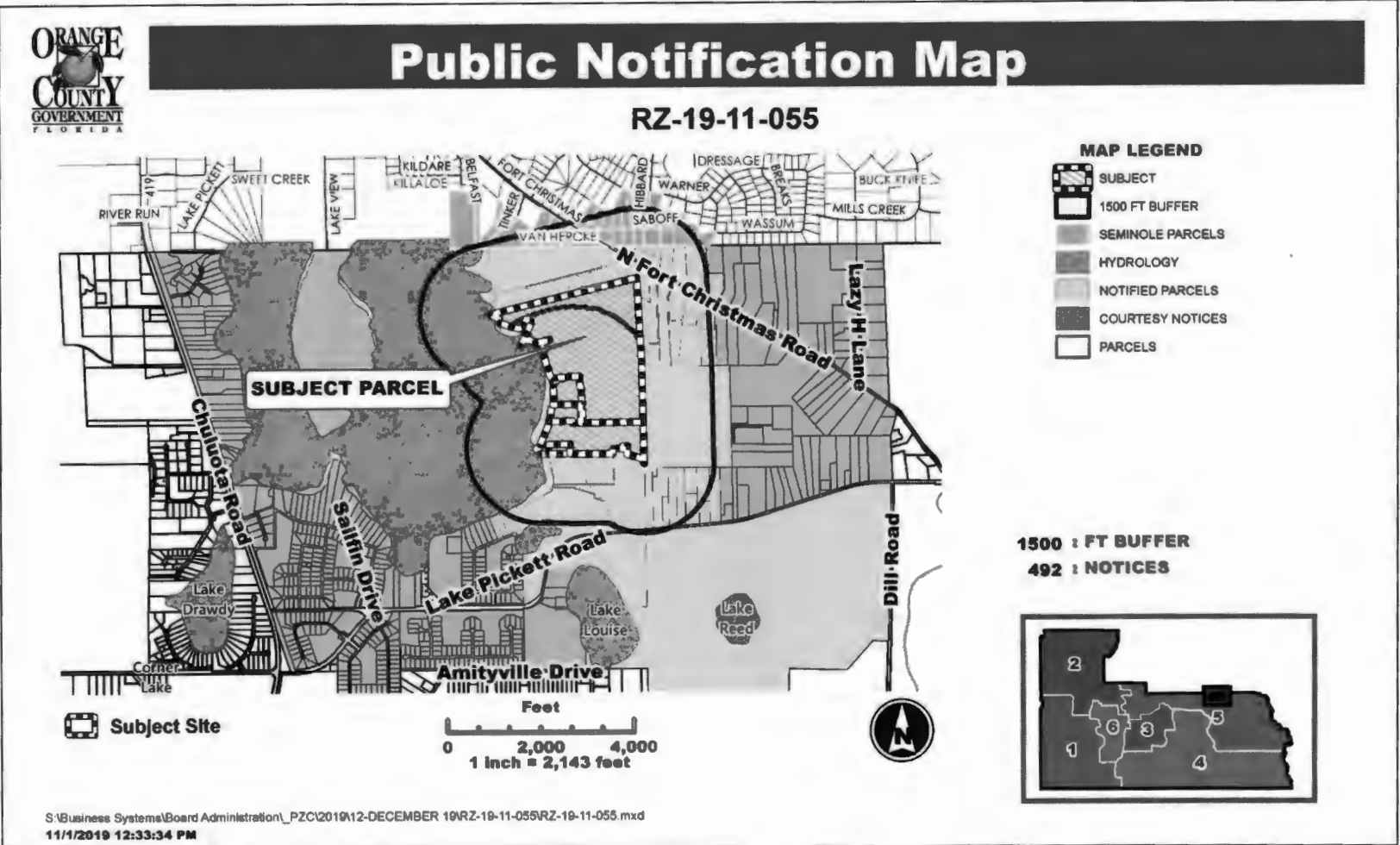
1 inch = 1,050 feet

Lake Pickett Cluster Plan



Notification Map

Case # RZ-19-11-055
 Orange County Planning Division
 PZC Hearing Date: February 20, 2020



Public Notification Map

RZ-19-11-055

CASE # RZ-20-02-001

Commission District: #2

GENERAL INFORMATION

APPLICANT	Dustin Rockefeller, Baird Homes
OWNERS	Lily Community Investments, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-CE-2 (Rural Residential District) to R-1A (Single-Family Dwelling District)
LOCATION	3605 Cilia Street; or generally north of Willow Street and approximately 435 feet west of Day Care Center Road.
PARCEL ID NUMBER	21-20-27-0000-00-087
TRACT SIZE	0.21-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]. Forty-four (44) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	One (1) single-family dwelling unit

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the 0.21-acre property from R-CE-2 (Rural Residential District) to R-1A (Single-Family Dwelling District) in order to construct one (1) single-family dwelling unit.

The subject property has direct access to both Willow Street to the south and a private non-maintained access easement known as "Cilia Street" to the west. The surrounding

area is developed with single-family dwelling units on lots ranging in width from one-hundred (100) feet to two-hundred fifteen (215) feet. The adjacent property to the east was previously rezoned from R-CE-2 (Rural Residential District) to R-1A (Single-Family Dwelling District) in 2005.

Land Use Compatibility

The R-1A (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 checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within Otter Lake Rural Settlement
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 subject property is located within the Otter Lake Rural Settlement and has an underlying Future Land Use Map (FLUM) designation of Low Density Residential (LDR). The proposed R-1A (Single-Family Dwelling District) zoning is consistent with the Low Density Residential Rural Settlement FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following CP provisions:

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

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

Existing Use	Undeveloped Land
Adjacent Zoning	N: R-CE-2 (Rural Residential District) (1982) E: R-1A (Single-Family Dwelling District) (2005) W: R-CE-2 (Rural Residential District) (1982) S: A-2 (Farmland Rural District) (1982) <i>*No restrictions apply to the above zoning districts</i>
Adjacent Land Uses	N: Single-Family Dwelling E: Single-Family Dwelling W: Single-Family Dwelling S: Single-Family Dwelling

R-1A (Single-Family Dwelling District) Development Standards:

Min. Lot Area:	7,500 sq. ft.
Min. Lot Width:	75 ft.
Max. Height:	35 ft.
Min. Floor Area:	1,200 sq. ft.

Building Setbacks

Front:	20 ft.
Rear:	25 ft.
Side:	7.5 ft.

Intent, Purpose, and Uses

The R-1A (Single-Family Dwelling District) zoning district is composed of lands and structures used primarily for single-family residential areas with large lots and low population densities.

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>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.</p> <p>Any existing septic tanks or wells shall be properly abandoned prior to earthwork or construction, and permits shall be applied for and issued by the appropriate agencies.</p> <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>The adjacent land use within 0.5 miles includes publicly managed property. These practices include, but not be limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency database dated 1/10/20, the roadway segment of Orange Blossom Trail between Sadler Road and the Lake County Line is failing; therefore, any new development within the subject sit will require a traffic study.
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 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 – (February 20, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling 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-1A (Single-Family Dwelling District) zoning. The applicant was present and agreed with the staff recommendation.

Staff indicated that forty-four (44) notices were mailed to surrounding property owners within a buffer of 500 feet from the subject property, with no commentaries received in favor or in opposition to the request. No members of the public were present to speak on this request.

After a brief discussion, a motion was made by Commissioner Velazquez and seconded by Commissioner Nazario to recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning. The motion carried on a 8-0 vote.

Motion / Second

Diane Velazquez / Carlos Nazario

Voting in Favor

Diane Velazquez, Carlos Nazario, Evelyn Cardenas, Gordon Spears, Mohammed Abdallah, Jimmy Dunn, JaJa Wade, and Eddie Fernandez

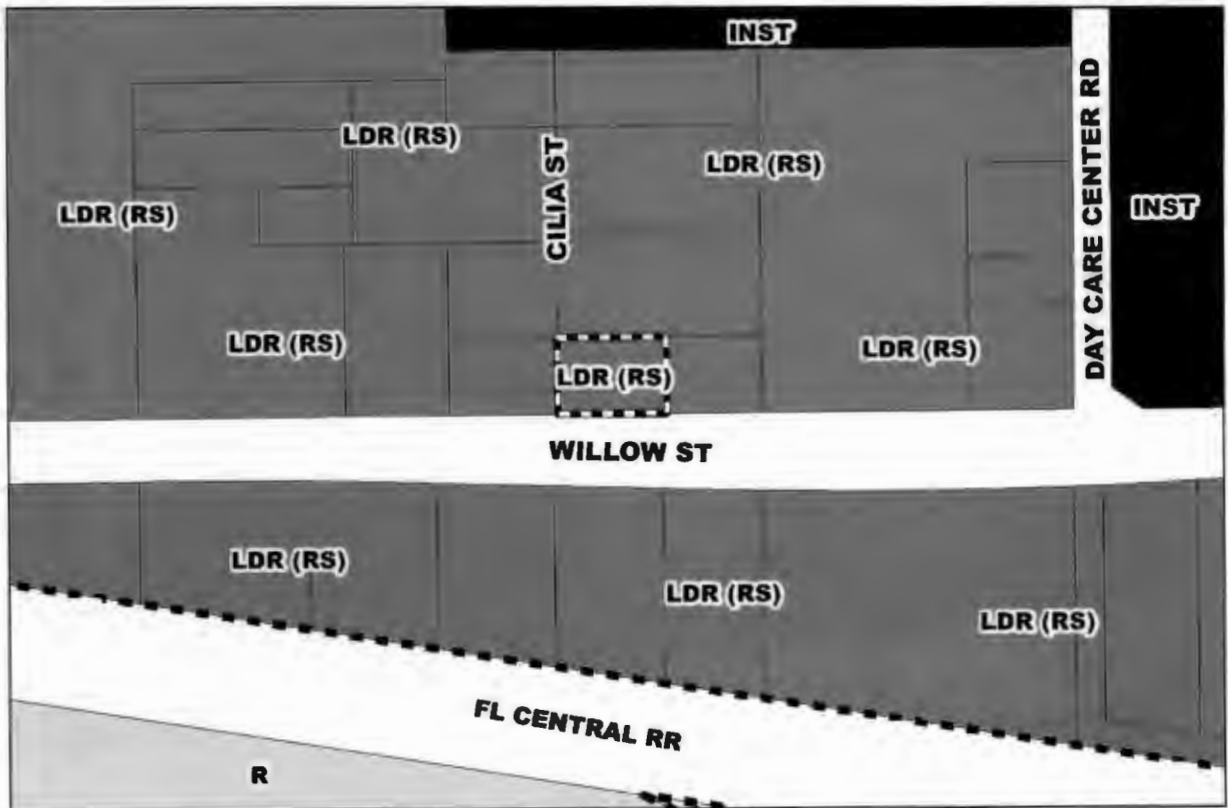
Voting in Opposition

None

Absent

None

RZ-20-02-001



Subject Property



★ Subject Property

Future Land Use Map

FLUM: Low Density Residential Rural Settlement (LDR (RS))

APPLICANT: Dustin Rockefeller, Baird Homes

LOCATION: 3605 Cilia Street; generally north of Willow Street approximately 435 feet west of Day Care Center Road.

TRACT SIZE: 0.21-gross acre

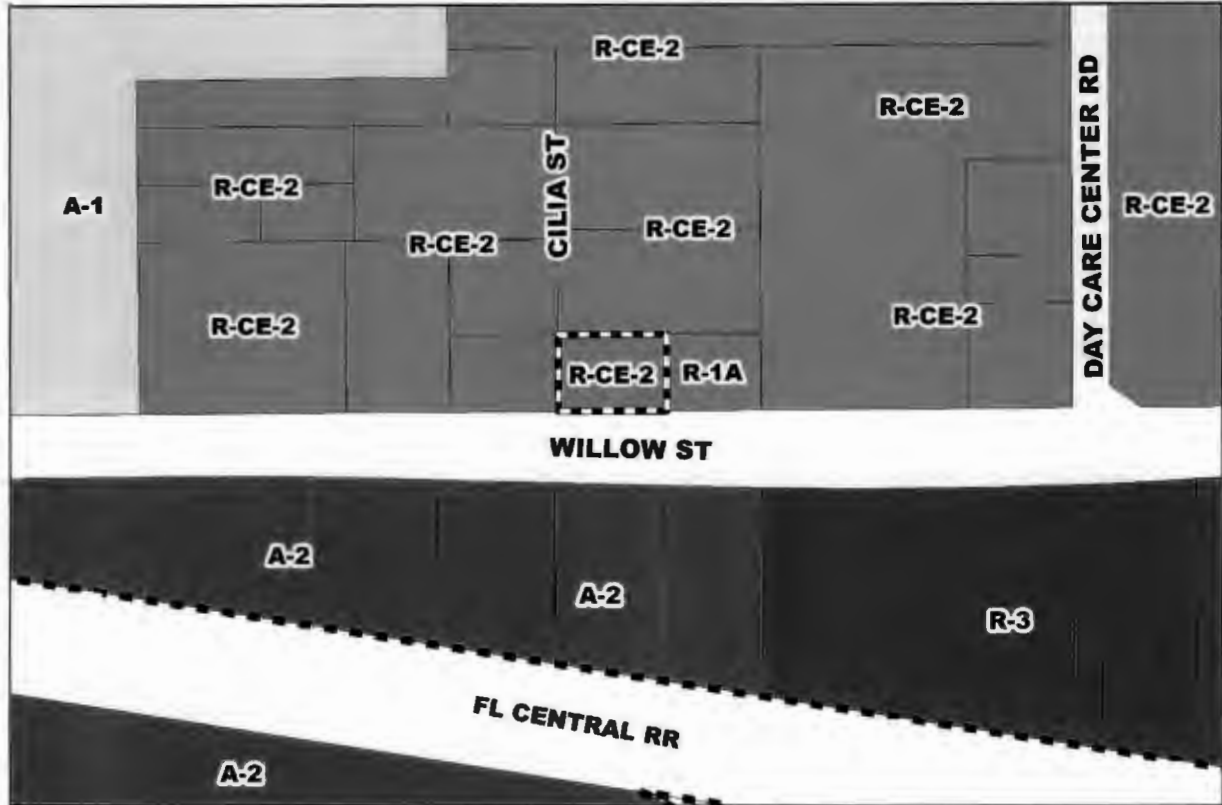
DISTRICT: #2

S/T/R: 27/20/21

1 inch = 165 feet



RZ-20-02-001



 Subject Property



★ Subject Property

Zoning Map

ZONING: R-CE-2 (Rural Residential District) to R-1A (Single-Family Dwelling District)

APPLICANT: Dustin Rockefeller, Baird Homes

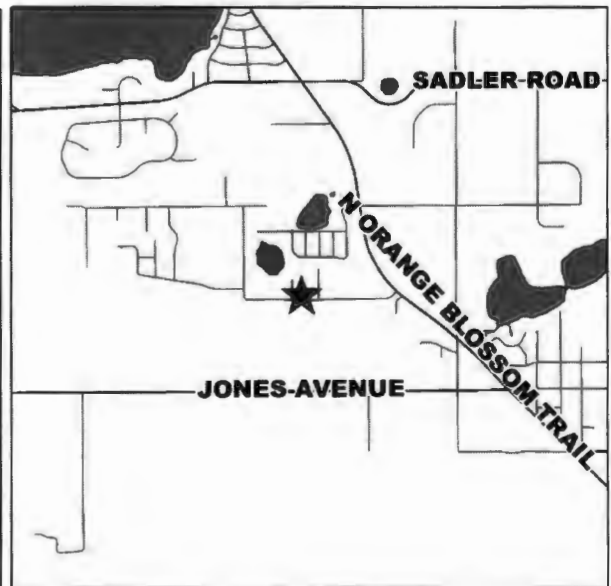
LOCATION: 3605 Cilia Street; generally north of Willow Street approximately 435 feet west of Day Care Center Road.

TRACT SIZE: 0.21-gross acre

DISTRICT: #2

S/T/R: 27/20/21

1 inch = 165 feet



RZ-20-02-001



 Subject Property

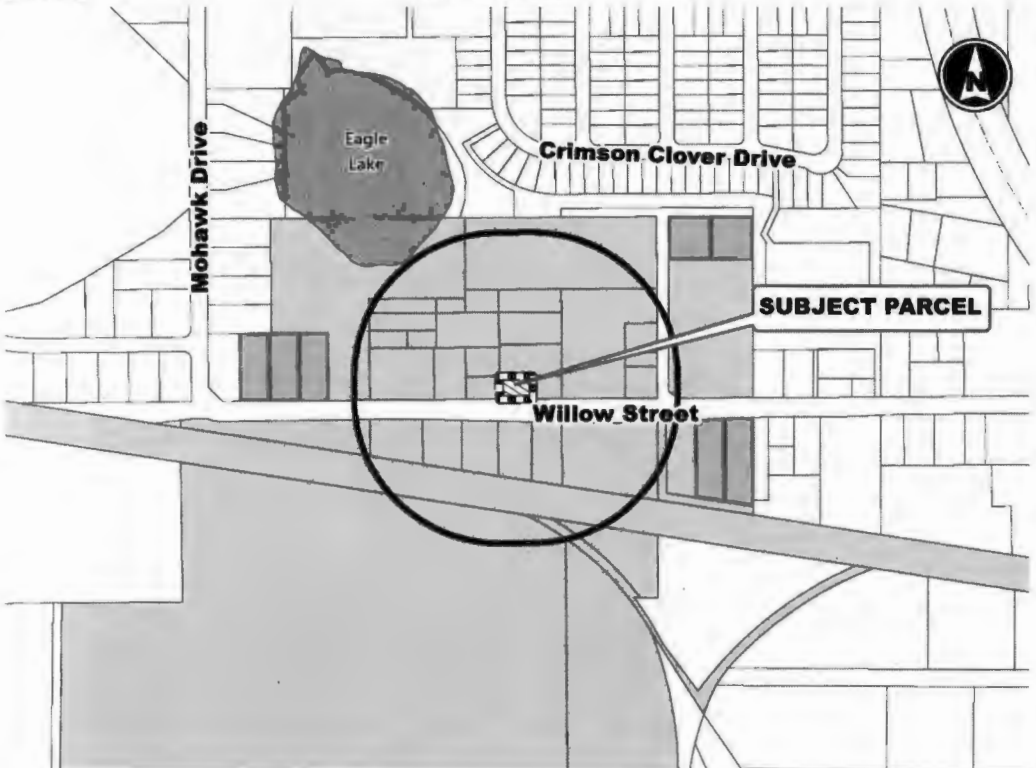


1 inch = 125 feet



Public Notification Map

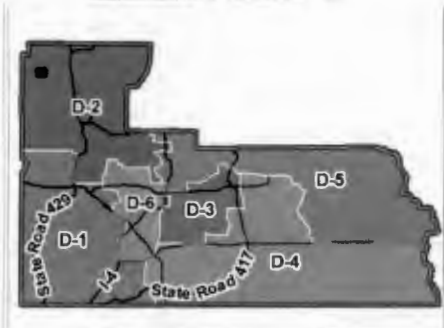
RZ-20-02-001



MAP LEGEND

- SUBJECT
- 500_FT_BUFFER
- PARCELS
- HYDROLOGY
- NOTIFIED_PARCELS
- COURTESY_PARCELS

BUFFER DISTANCE: 500
OF NOTICES: 44
RESIDENTIAL COUNT: 14



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Notification Map

Case # RZ-20-02-001
 Orange County Planning Division
 PZC Hearing Date: February 20, 2020

CASE # RZ-20-02-002

Commission District: #6

GENERAL INFORMATION

APPLICANT	Mohamed A. Abdou
OWNERS	Mohamed A. Abdou
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-2 (Residential District) to NR (Neighborhood Residential)
LOCATION	1333 19th Street; or generally located north of 19th street, and approximately 425 feet west of S. Orange Blossom Trail.
PARCEL ID NUMBER	03-23-29-1402-04-290
TRACT SIZE	0.23-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 nineteen (119) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Duplex (Two (2) attached residential dwelling units)

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NR (Neighborhood Residential) zoning, and the following variance:

- 1) A variance from Orange County Code Section 38-1501 to allow for a minimum lot width of 75 feet, in lieu of the required 80 foot lot width in the Neighborhood Residential zoning district.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is currently undeveloped and the immediate area is developed with a combination of single-family detached dwelling units on varying lot sizes. The subject property is located in the Holden Heights Overlay District. The applicant is seeking to rezone the subject property from R-2 (Residential District) to NR (Neighborhood Residential), and request a variance for lot width from the required 80 feet to 75 feet. Through this rezoning, the Zoning District would become consistent with the Future Land Use Map (FLUM) designation of Neighborhood Residential.

The FLUM designation on the subject property and surrounding properties is the result of a 1999 special area study and subsequent Comprehensive Plan amendment, which adopted and assigned new area-specific FLUM designations to properties within the Holden Heights Overlay District. This District was created to provide the opportunity to increase densities in the area while following specific zoning standards. Prior to development, properties with the Neighborhood Center, Neighborhood Activity Corridor, or Neighborhood Residential FLUM designations are required to rezone to the corresponding zoning district, with certain exceptions for properties developed prior to the adoption of the overlay.

Land Use Compatibility

The NR (Neighborhood Residential), 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 checked="" type="checkbox"/>	<input type="checkbox"/>	This subject property is located within the Holden Heights Overlay District
Airport Noise Zone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This Subject property is located within Airport Noise Zone "E". Any required noise mitigation will be required at permitting.
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 Neighborhood Residential (NR). The proposed NR zoning is consistent with the Neighborhood Residential FLUM designation and 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.

FLU8.2.5.1 states rezoning may not be required for properties with inconsistent zoning and Future Land Use Map (FLUM) designations under the following circumstances:

- A. For non-residential uses when the proposed use is permitted in the existing zoning district, and the same use is permitted in each of the zoning districts that are consistent with the adopted FLUM designation; or
- B. For non-residential and residential uses when the proposed use is permitted in the existing zoning district, but the use would require a special exception if the property is rezoned to be consistent with the adopted FLUM designation. In this case, however, the same use must be permitted or allowed by special exception in each of the zoning districts that are consistent with the adopted FLUM designation.

Any development of such properties shall meet the minimum site and building requirements of the existing zoning district. Subsequent requests for expansions and changes in the permitted uses on the property must conform to this policy. Requests not

conforming to this policy shall be subject to a rezoning, special exception, or FLUM amendment.

SITE DATA

Existing Use	Undeveloped
Adjacent Zoning	N: R-2 (Residential District) (1957) E: R-2 (Residential District) (1957) W: R-2 (Residential District) (1957) S: R-2 (Residential District) (1957)
Adjacent Land Uses	N: Detached Multi-Family Residences E: Vacant W: Single-Family Residence S: Single-Family Residence

**No zoning restrictions apply to the above.*

[NR (Neighborhood Residential District)] Development Standards

Min. Lot Area:	4,500 sq. ft.
Min. Lot Width:	45 ft.
Max. Height:	35 ft. / 3-stories
Min. Living Area:	1,000 sq. ft.

Building Setbacks

Front:	20 ft.
Rear:	20 ft.
Side:	5 ft.

Intent, Purpose, and Uses

The purpose of the NR neighborhood residential district is to provide a transition from mixed-use areas to lower-density residential areas to promote the redevelopment of urban communities. The NR district will provide a diversity of housing types at densities higher than surrounding neighborhoods, complemented by parks, recreation areas and civic uses essential to community gathering. The district will be pedestrian in nature, with sidewalk-lined, tree-shaded streets naturally claimed by on-street parking and an active environment. This intent and purpose are consistent with Future Land Use Element Policy FLU8.3.1 of the Orange County Comprehensive Plan. These NR neighborhood residential district regulations shall be administered by the county zoning division, except that any non-zoning aspects of these regulations shall be administered by the appropriate department or division.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area (AMA). The following is a list of alternative modes within the project area: Orange County maintained sidewalks exist along property frontage from S. Orange Blossom to S. Rio Grande Av and along S. Rio Grande Av from Grand St to W. Michigan St. State maintained sidewalks exist along S. Orange Blossom Trl. from W. Miller Av to Kaley Av. LYNX bus link #304-LYNX 3D: Rio Grande/Vistana; link#36 Lake Richmond; link#107 Downtown Orlando/Florida Mall; Link#8 W. Oak Ridge Road/International Drive. There are (9) nine bus stops within the project area. A mobility analysis may be required for this project.
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	Orlando Utilities Commission	
Waste Water	Orange County Utilities	8-inch gravity main within 19th Street right-of-way
Reclaim Water:	City of Orlando	

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 – (February 20, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NR (Neighborhood Residential) zoning, and the following variance:

- 1) A variance from Orange County Code Section 38-1501 to allow for a minimum lot width of 75 feet, in lieu of the required 80 foot lot width in the Neighborhood Residential zoning district.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

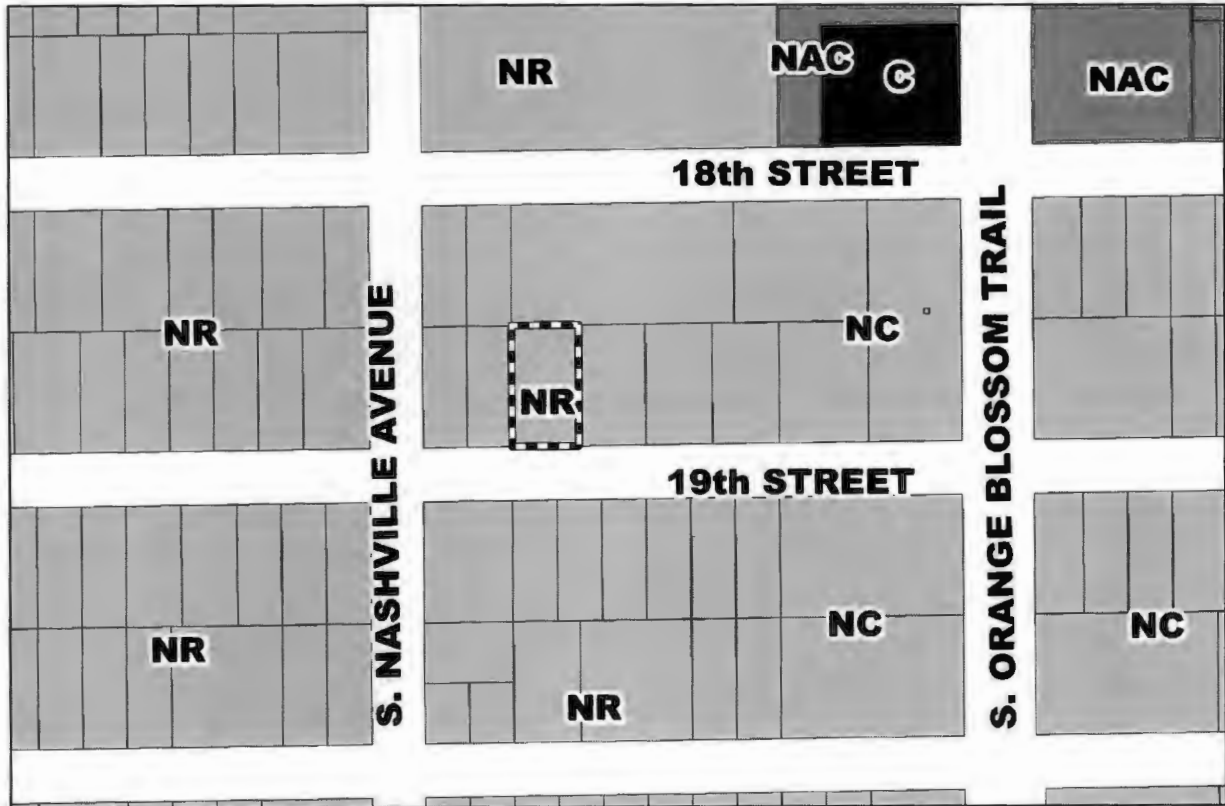
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NR (Neighborhood Residential) The applicant was present and agreed with the staff recommendation. No members of the public were present to speak on this request.

Staff indicated that one hundred nineteen (119) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff had received zero (0) responses in favor, and zero (0) response in opposition of the request.

There was no discussion on the proposed two (2) attached residential dwelling units (Duplex). A motion was made by Commissioner Wade, and seconded by Commissioner Velazquez to recommend APPROVAL of the requested NR (Neighborhood Residential) zoning. The motion carried on a 8-0 vote.

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

RZ-20-02-002



 Subject Property

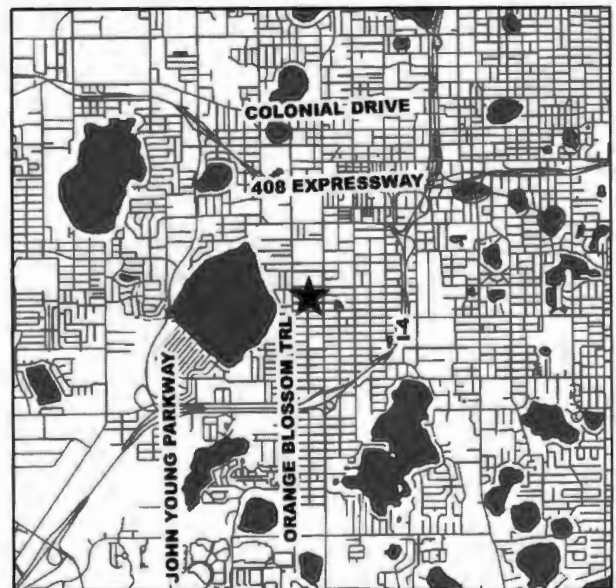


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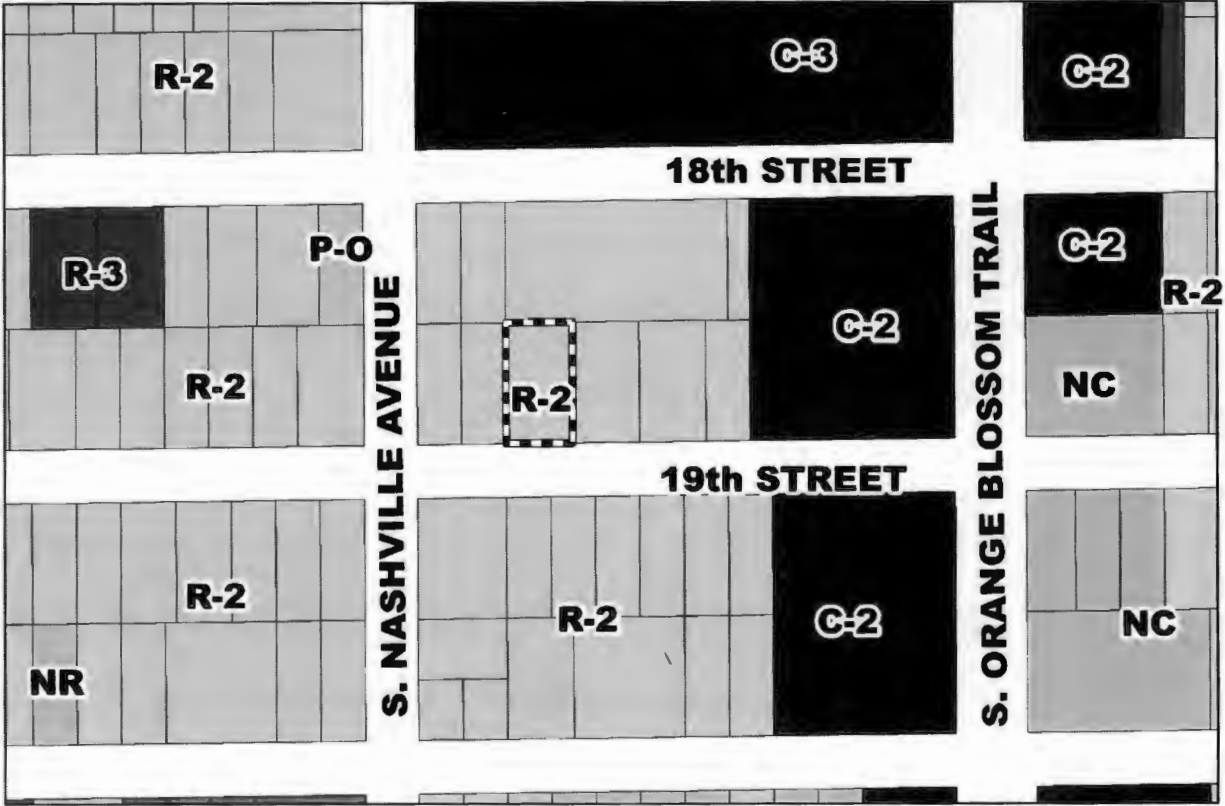
Future Land Use Map

FLUM: NR (Neighborhood Residential)
APPLICANT: Mohamed A. Abdou
LOCATION: 1333 19th Street; or generally located north of 19th street, and approximately 425 feet west of S. Orange Blossom Trl.
TRACT SIZE: 0.23-gross acre
DISTRICT: 6
S/I/R: 03/23/29

1 inch = 175 feet



RZ-20-02-002



Subject Property

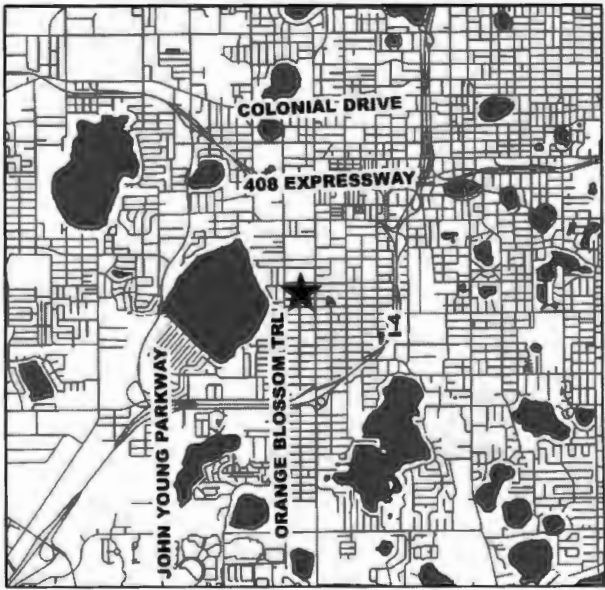


Subject Property

Zoning Map

Zoning: R-2 (Residential District)
 APPLICANT: Mohamed A. Abdou
 LOCATION: 1333 19th Street; or generally located north of 19th street, and approximately 425 feet west of S. Orange Blossom Trl.
 TRACT SIZE: 0.23-gross acre
 DISTRICT: 6
 S/T/R: 03/23/29

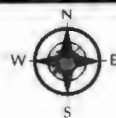
1 inch = 175 feet



RZ-20-02-002



 Subject Property



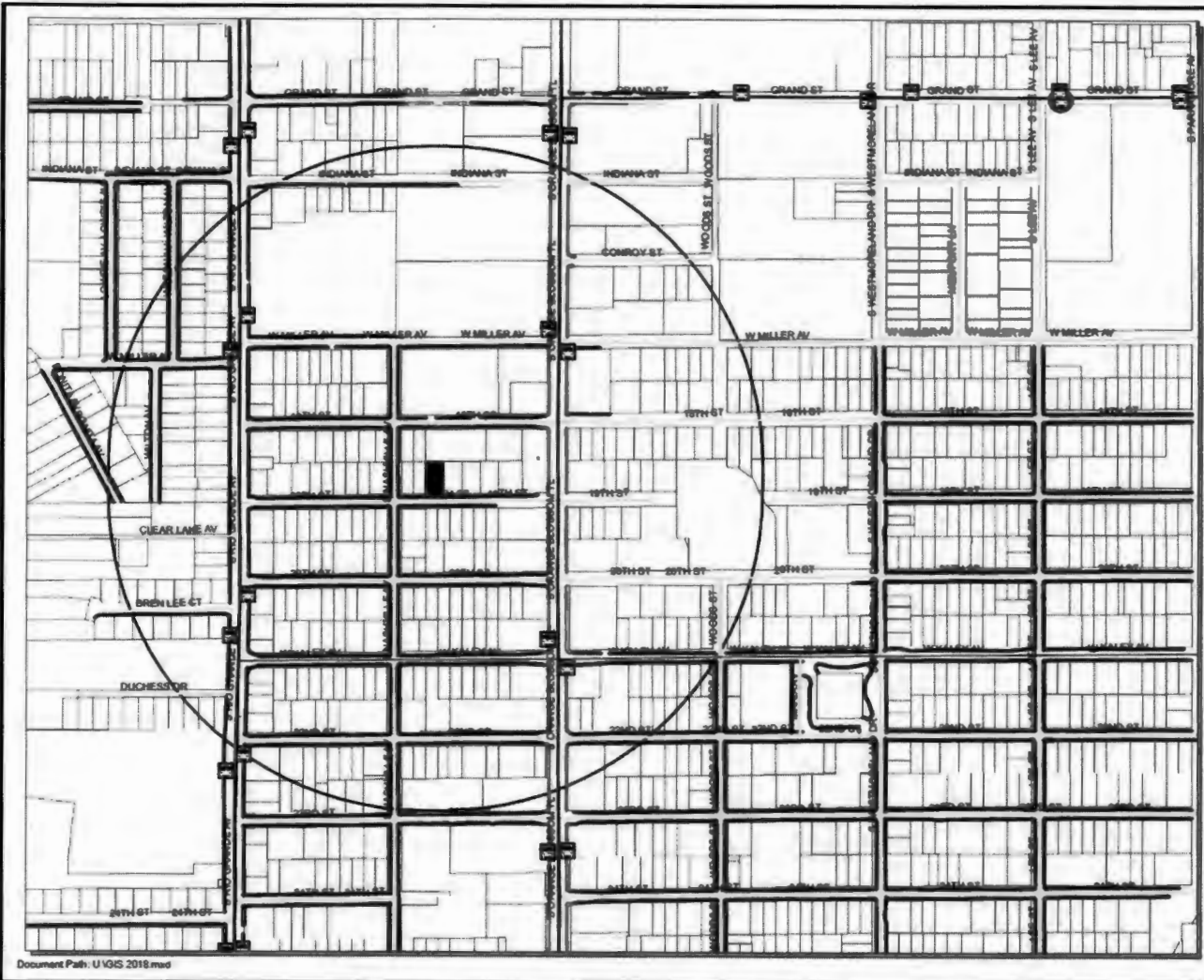
1 inch = 125 feet

Alternative Mobility Area Context Map

RZ-20-02-002

Legend

- LYNX Bus Stops
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- LYNX Bus Route Schedule
- Major Streets
- Roads Base
- Segment_ID
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Major Streets
- Streets
- PA_PARCELS_Buffer429
- Horizon West Boundary
- County Boundary
- Parcels

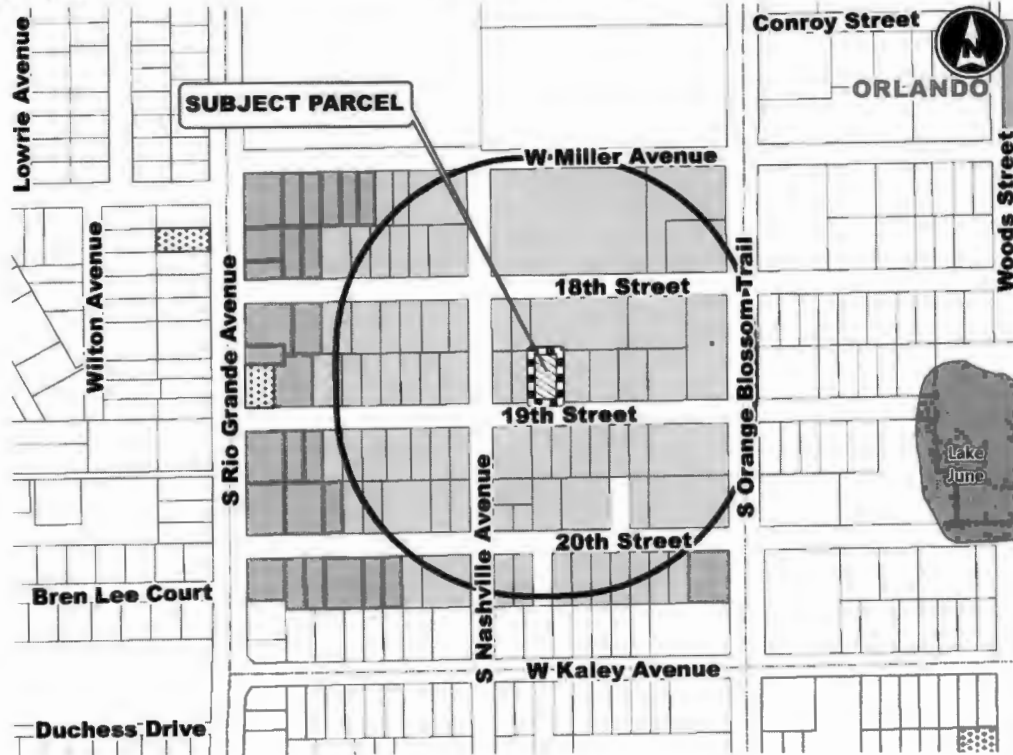


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Public Notification Map

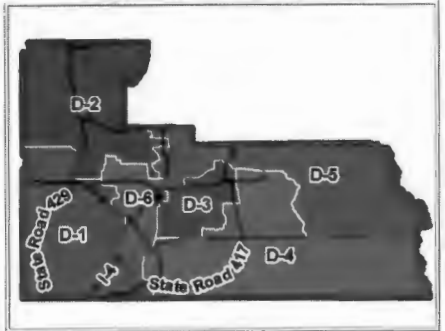
RZ-20-02-002



MAP LEGEND

- SUBJECT
- 500_FT_BUFFER
- PARCELS
- NOTIFIED_PARCELS
- COURTESY PARCELS
- HYDROLOGY

BUFFER DISTANCE: 500
OF NOTICES: 119
RESIDENTIAL COUNT: 41



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Notification Map

Case # RZ-20-02-002
 Orange County Planning Division
 PZC Hearing Date: February 20, 2020

CASE # RZ-20-02-003

Commission District: #6

GENERAL INFORMATION

APPLICANT	Mohamed A. Abdou
OWNERS	Mohamed A. Abdou
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-2 (Residential District) to NC (Neighborhood Center)
LOCATION	19th Street; or generally located north of 19th street, approximately 300 feet east of Orange Blossom Trail.
PARCEL ID NUMBER	03-23-29-0180-07-190
TRACT SIZE	0.15-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]. Eighty-eight notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Single-Family Residential Dwelling Unit

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NC (Neighborhood Center) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

The applicant is seeking to rezone the subject property from R-2 (Residential District) to NC (Neighborhood Center). This subject property is located in the Holden Heights Overlay District. Through this rezoning, the Future Land Use designation and Zoning would become consistent.

The NC designation on the subject property and surrounding properties is the result of a 1999 special area study and subsequent Comprehensive Plan amendment, which

adopted and assigned new area specific FLUM designations to properties within the Holden Heights community. The Holden Heights zoning overlay ordinance established the Holden Heights Overlay District, created consistent zoning districts, and provided specific zoning standards to implement the three Holden Heights specific FLUM designations. Prior to development, properties with the Neighborhood Center, Neighborhood Activity Corridor, or Neighborhood Residential FLUM designations are required to rezone to the corresponding zoning district, with certain exceptions for properties developed prior to the adoption of the overlay.

The subject property is currently undeveloped, and the immediate area is developed with a combination of single-family detached dwelling units on varying lot sizes. The subject property and the surrounding adjacent properties have retained the R-2 zoning since 1957.

Land Use Compatibility

The NC (Neighborhood Center), 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 checked="" type="checkbox"/>	<input type="checkbox"/>	This subject property is located within the Holden Heights Overlay District
Airport Noise Zone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This Subject property is located within Airport Noise Zone "E". Any required noise mitigation will be required at permitting.
Code Enforcement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Incident#: 560749 Inspector: Joe Lebron Description: Fence in disrepair

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Neighborhood Center (NC). The proposed NC zoning is consistent with the Neighborhood Center FLUM designation and 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.

SITE DATA

Existing Use	Undeveloped
Adjacent Zoning	N: R-2 (Residential District) (1957) E: R-2 (Residential District) (1957) W: R-2 (Residential District) (1957) S: R-2 (Residential District) (1957)
Adjacent Land Uses	N: Single-Family Residence E: Single-Family Residence W: Single-Family Residence S: Community Center

**No zoning restrictions apply to the above.*

[NC (Neighborhood Center)] Development Standards

Min. Lot Area:	4,500 sq. ft.
Min. Lot Width:	45 ft.
Max. Height:	35 ft. / 3-stories
Min. Living Area:	1,000 sq. ft.

Building Setbacks

Front: 20 ft.
 Rear: 20 ft.
 Side: 5 ft.

Intent, Purpose, and Uses

The NC neighborhood district is intended to provide a neighborhood-serving, mixed-use, and pedestrian-scale environment where residents of urban communities in need of redevelopment can comfortably shop for their daily needs. A mixture of retail shops, restaurants, offices, civic uses, and residential units will characterize the NC district, complemented by an active and pleasant streetscape, tree-shaded sidewalks, and other pedestrian amenities. This intent and purpose are consistent with Future Land Use Element Policy FLU8.3.1 of the Orange County 2010-2030 Comprehensive Policy Plan. These NC neighborhood district regulations shall be administered by the county zoning division, except that any non-zoning aspects of these regulations shall be administered by the appropriate department or division.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>Any existing septic tanks or wells (potable or irrigation water supply wells) onsite shall be properly abandoned prior to earthwork or construction. Contact the Department of Health (DOH) for the septic system and both DOH and the Water Management District for wells.</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 modes within the project area: State maintained sidewalks are existing along S. Orange Blossom Trail from Grand Street to 30th Street. LYNX Bus link #107 Downtown Orlando / Florida Mall; #8 W. Oak Ridge Road / International Drive. There are four (4) bus stops within the project area. A mobility analysis may be required for this project.</p>
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water	Orlando Utilities Commission	
Waste Water	Orange County Utilities	8-inch gravity main within 19th Street right-of-way
Reclaim Water:	City of Orlando	

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 – (February 20, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NC (Neighborhood Center) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

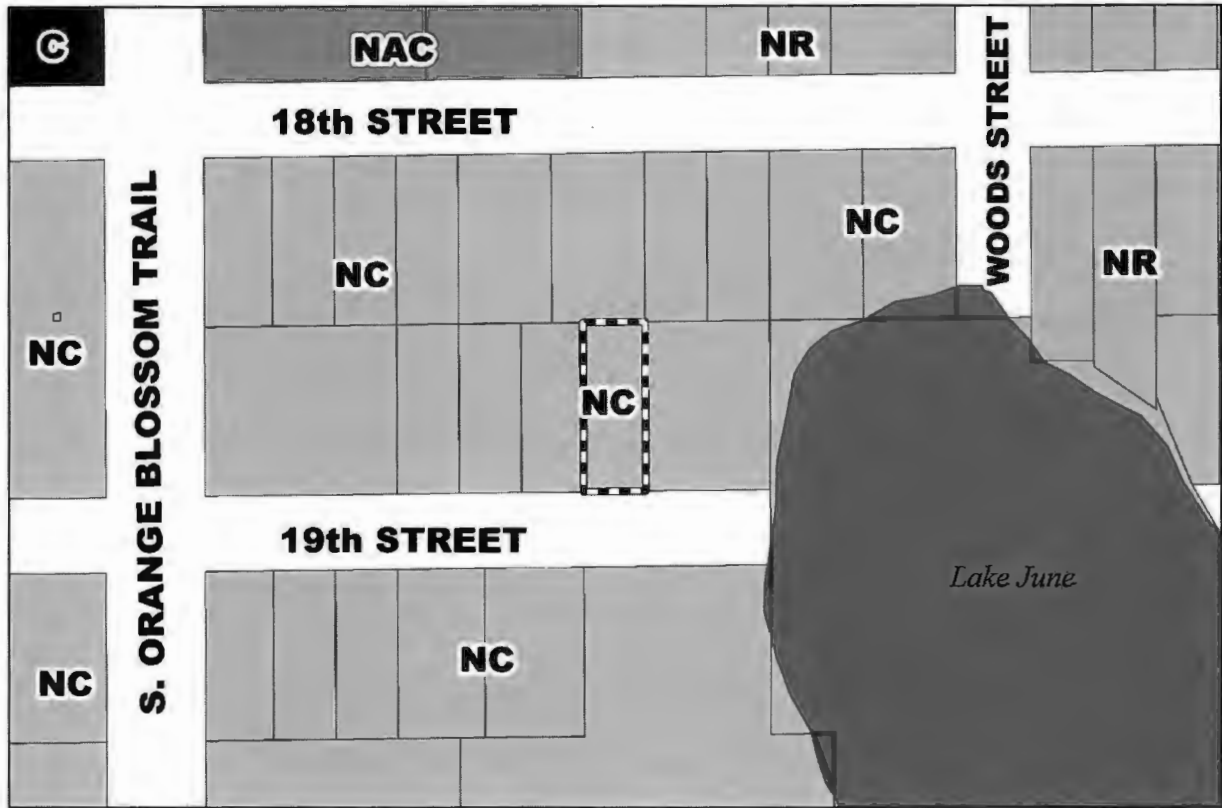
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NC (Neighborhood Center) The applicant was present and agreed with the staff recommendation. No members of the public were present to speak on this request.

Staff indicated that eighty-eight (88) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff had received zero (0) responses in favor, and zero (0) response in opposition of the request.

There was no discussion on the proposed single-family residential dwelling unit. A motion was made by Commissioner Wade, and seconded by Commissioner Nazario to recommend APPROVAL of the requested NC (Neighborhood Center) zoning. The motion carried on a 8-0 vote.

Motion / Second	<i>JaJa Wade / Carlos Nazario</i>
Voting in Favor	<i>JaJa Wade, Carlos Nazario, Mohammed Abdallah, Jimmy Dunn, Jimmy Dunn, Evelyn Cardenas, Gordon Spears, and Diane Velazquez</i>
Voting in Opposition	<i>None</i>
Absent	<i>None</i>

RZ-20-02-003



 Subject Property

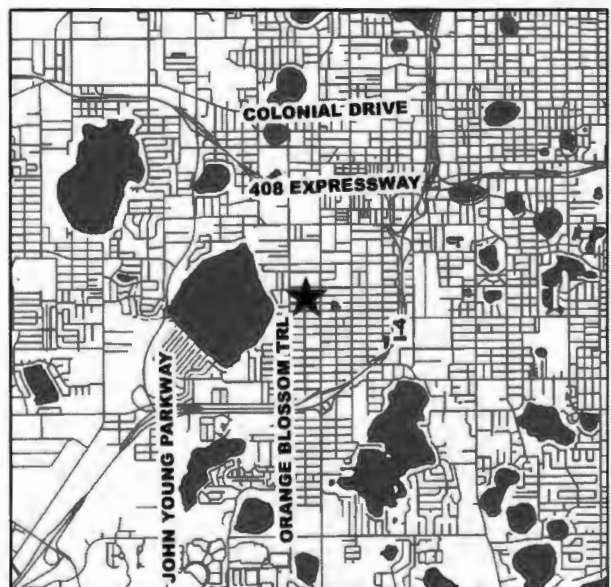


 Subject Property

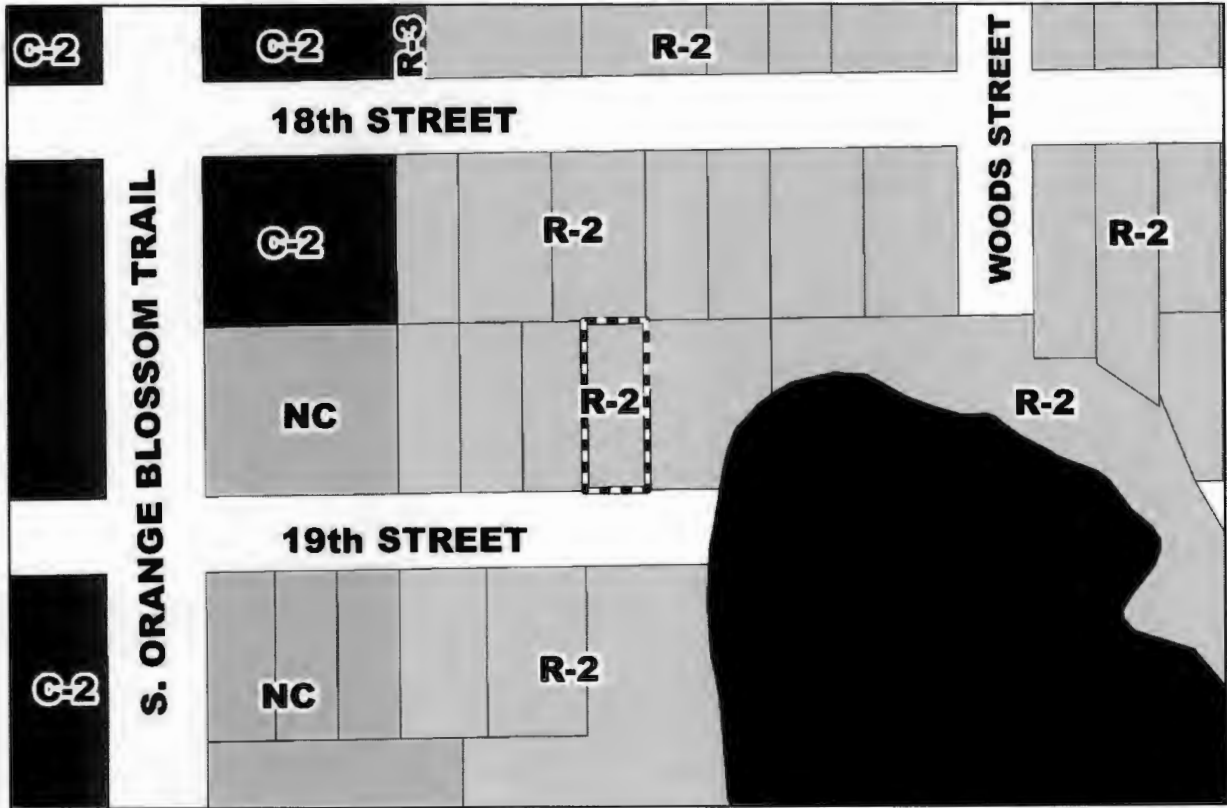
Future Land Use Map

FLUM: NC (Neighborhood Center)
APPLICANT: Mohamed A. Abdou
LOCATION: 19th Street; or generally located north of 19th street, approximately 300 feet east of Orange Blossom Trl.
TRACT SIZE: 0.15-gross acre
DISTRICT: 6
S/I/R: 03/23/29

1 inch = 125 feet



RZ-20-02-003



Subject Property



Subject Property

Zoning Map

ZONING: R-2 (Residential District) to NC (Neighborhood Center)

APPLICANT: Mohamed A. Abdou

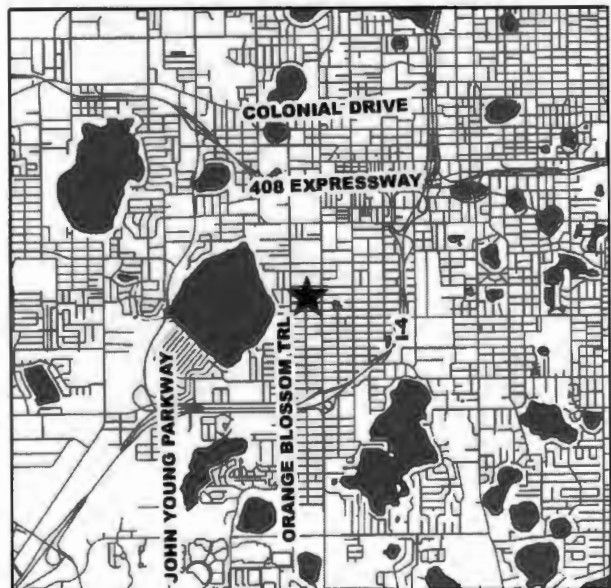
LOCATION: 19th Street; or generally located north of 19th street, approximately 300 feet east of Orange Blossom Trl.

TRACT SIZE: 0.15-gross acre

DISTRICT: 6

S/T/R: 03/23/29

1 inch = 125 feet



RZ-20-02-003



 Subject Property



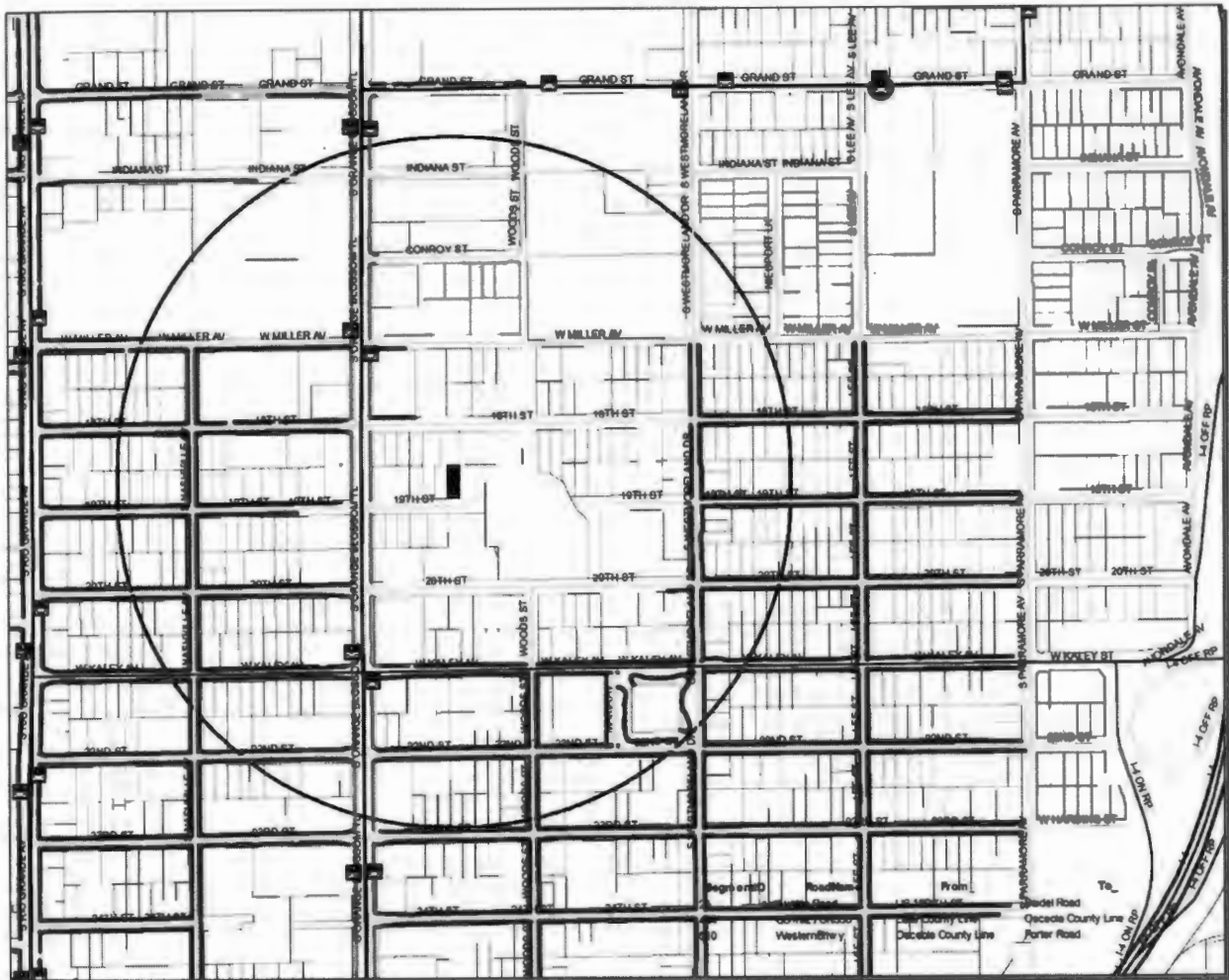
1 inch = 125 feet

Alternative Mobility Area Context Map

RZ-20-02-003
 19th STREET, ORLANDO

Legend

- LYNX Bus Stops
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- LYNX Bus Route Schedule
- Major Streets
- Roads Base
- Segment_ID
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Major Streets
- Streets
- PA_PARCELS_Buffer431
- Horizon West Boundary
- County Boundary
- Parcels

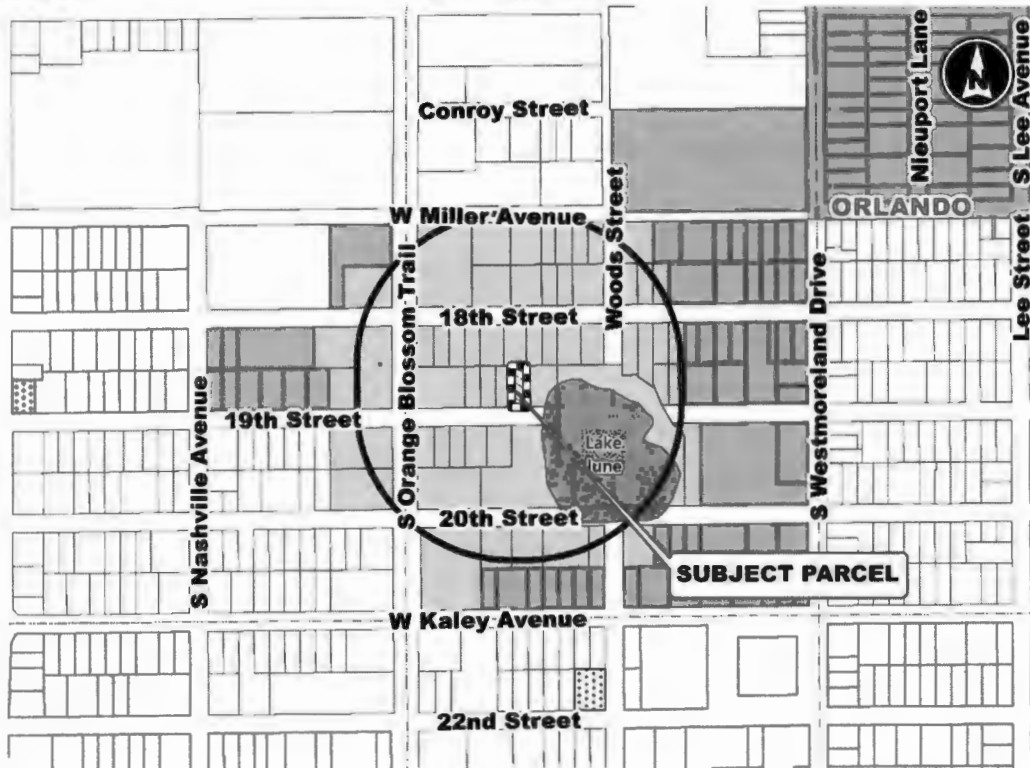


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Public Notification Map

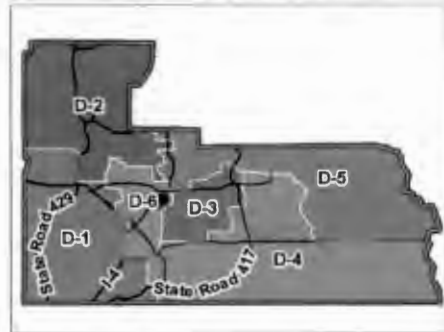
RZ-20-02-003



MAP LEGEND

- SUBJECT
- 500_FT_BUFFER
- PARCELS
- HYDROLOGY
- NOTIFIED_PARCELS
- COURTESY PARCELS

BUFFER DISTANCE: 500
OF NOTICES: 88
RESIDENTIAL COUNT: 59



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Notification Map

Orange County Planning Division
PZC Hearing Date: February 20, 2020

Case # RZ-20-02-003

CASE # RZ-20-02-082

Commission District: #6

GENERAL INFORMATION

APPLICANT	George E. Foote, Jr.
OWNERS	George E. Foote, Jr. and Agnes Youngblood Foote
HEARING TYPE	Planning and Zoning Commission
REQUEST	C-1 (Retail Commercial District) to C-1 (Retail Commercial District)
LOCATION	132 S. Normandale Avenue; generally located west of S. Normandale Avenue, approximately 120 feet north of Old Winter Garden Road.
PARCEL ID NUMBERS	25-22-28-6424-04-160
TRACT SIZE	0.16-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred twenty-nine (129) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Auto Sales Parking

STAFF RECOMMENDATION

PLANNING

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-1 (Retail Commercial District) zoning that would amend a previously approved C-1 zoning restriction.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the subject 0.16-acre parcel from C-1 (Retail Commercial District) to C-1 (Retail Commercial District) by amending a previously approved zoning restriction requiring the construction of a six (6) foot high masonry wall along the entirety of the northern property line adjacent to residential uses. In lieu of that requirement, the applicant is seeking the ability to construct the masonry

wall only along the portion of the northern property line where no wall or fence currently exists, and an abutting 6-foot high chain-link fence along the balance of the northern property line where a 6-foot high vinyl fence has already been constructed along the perimeter of the adjacent residential lot.

The subject parcel was rezoned from R-3 (Multiple Family Dwelling District) to C-1 (Retail Commercial District) on October 8, 2019 through application #RZ-19-09-033, along with the rezoning of two adjacent parcels to the south from C-1 (Retail Commercial District) to C-2 (General Commercial District). With that approval, more intense commercial activities are now permitted within the two adjacent C-2 parcels (which have now been aggregated) located at the northwest intersection of Old Winter Garden Road and N. Kirkman Road, and less intense C-1 uses (including parking) are permitted within the subject parcel. Last year's approval also included 2 variances for reduced lot widths, and the following restrictions, with #4 being the subject of the current request:

- 1) *New billboards and pole signs shall be prohibited;*
- 2) *The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of any non-residential uses;*
- 3) *Parcels 25-22-28-6424-04-230 and 25-22-28-6424-04-220 shall be aggregated into one (1) lot prior to the issuance of any use permit; and*
- 4) *A six (6) foot masonry wall shall be constructed along the north property line adjacent to residential uses.*

Orange County Code Section 24-5 allows for a "Type C" buffer between retail commercial C-1 uses from all residential uses. The Type C buffers classification shall be completely opaque from the ground up to a height of at least six (6) feet with a minimum width of fifteen (15) feet wide.

The area surrounding the subject property can be characterized as having a variety of commercial uses along Old Winter Garden Road, transitioning to a single-family residential neighborhood to the north along Kirkman Road. More specifically, commercial uses in the area include a garage door sales shop, a printing and design shop, a meat and produce market, and other general retail uses.

Although Code doesn't preclude consideration of the applicant's request to modify existing restriction #4 to allow for a combination of a new 6-foot high masonry wall and new abutting 6-foot high chain-link fence along northern property line where a 6-foot high vinyl fence already exists, staff is recommending that the restriction as approved by the Board in 2019 remain. A new masonry wall along the full extent of the northern property line was agreed to by the applicant in 2019 and would establish a more visually consistent and durable fence line along the northern property boundary.

Land Use Compatibility

The C-1 (Retail Commercial District) zoning allows for development that is compatible with the character of the surrounding area.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	Incident #: 543912 Case: SM-2020-409075Z Inspector: Daniel Long Description: High grass and weeds on the vacant lot; fence in disrepair; visible from the street; and no gate.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Commercial (C). The proposed C-1 (Retail Commercial District) zoning is consistent with the Commercial FLUM designation and 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.

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.

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** Auto Sales Parking
- Adjacent Zoning** N: R-3 (Multiple-Family Dwelling District) (1957)
- E: P-O (Professional Office District) (1957)
- W: C-2 (General Commercial District) (1987)
 **Outdoor storage is prohibited*
 C-2 ((General Commercial District) (2010)
 ** A six (6) foot masonry wall or PVC (vinyl) fence is
 required adjacent to residential properties.*
- S: C-2 (General Commercial District (2019)
-
- Adjacent Land Uses** N: Single-Family Residence
- E: Garage Door Sales
- W: Printing and Design Shop
- S: Auto Sales and Storage

C-1 (Retail Commercial District) Development Standards

- Min. Lot Area: 6,000 sq. ft.
- Min. Lot Width: 80 ft. (on major streets, see Article XV)
 60 ft. (on all other streets)
- Max. Height: 50 ft. (35 ft. within 100 ft. of residential)
- Min. Floor Area: 500 sq. ft.

Building Setbacks

- Front: 25 ft.
- Rear: 20 ft. (20 ft. when abutting residential)
- Side: 0 ft. (15 ft. when abutting residential)

Intent, Purpose, and Uses

The intent and purpose of this C-1 retail commercial district are as follows: this district is composed of lands and structures used primarily for the furnishing of selected commodities and services at retail. This district is encouraged:

- (1) At intersections of collectors and/or arterials;
- (2) Where it will not direct commercial traffic through residential districts;
- (3) Where adequate public facilities and services are available, as defined in the comprehensive policy plan;
- (4) Where compatible with adjacent areas or where buffers can be provided to ensure compatibility; and
- (5) To a limited extent in rural settlements throughout the county to meet the needs of an identified community, or in growth centers as defined in the comprehensive policy plan.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	
Transportation / Access	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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:	Orlando Utilities Commission	
Wastewater:	Orange County Utilities	8-inch gravity main within Hudson right-of-way
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 – (February 20, 2020)

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-1 (Retail Commercial District) zoning that would amend a previously approved C-1 zoning restriction.

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 inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-1 (Retail Commercial District) Zoning to amend a BCC approved restriction requiring a wall be constructed along the entirety portion of the northern property line. . The applicant was present for the hearing and objected to staff's recommendation. The applicant presented the commission with the alternative options to either plant vegetative Graceful Bamboo hedges along the entire 140 feet northern property line or construct a six foot masonry wall where no wall or fence currently exist (40') and subsequently plant vegetative bamboo along the entire, northern property line. No members of the public were present to speak on this request.

Discussion further ensued regarding cost of the concrete wall, the code requirement for a Type C buffer and type of vegetation acceptable for a Type C buffer.

Staff indicated that one hundred twenty-nine (129) notices were sent to property owners extending beyond 600 feet surrounding the property, with zero (0) commentaries received in favor of the request and zero (0) commentaries received in opposition to the request.

A motion was made by Commissioner Wade, and seconded by Commissioner Abdallah to recommend DENIAL of the requested C-1 (Retail Commercial District) zoning that would amend a previously approved C-1 zoning restriction. The motion carried on a 6-2 vote with Commissioners Fernandez and Dunn voting in opposition.

Motion / Second

JaJa Wade / Mohammed Abdallah

Voting in Favor

*JaJa Wade, Mohammed Abdallah, Gordon Spears,
Evelyn Cardenas, Carlos Nazario, and Diane Velazquez*

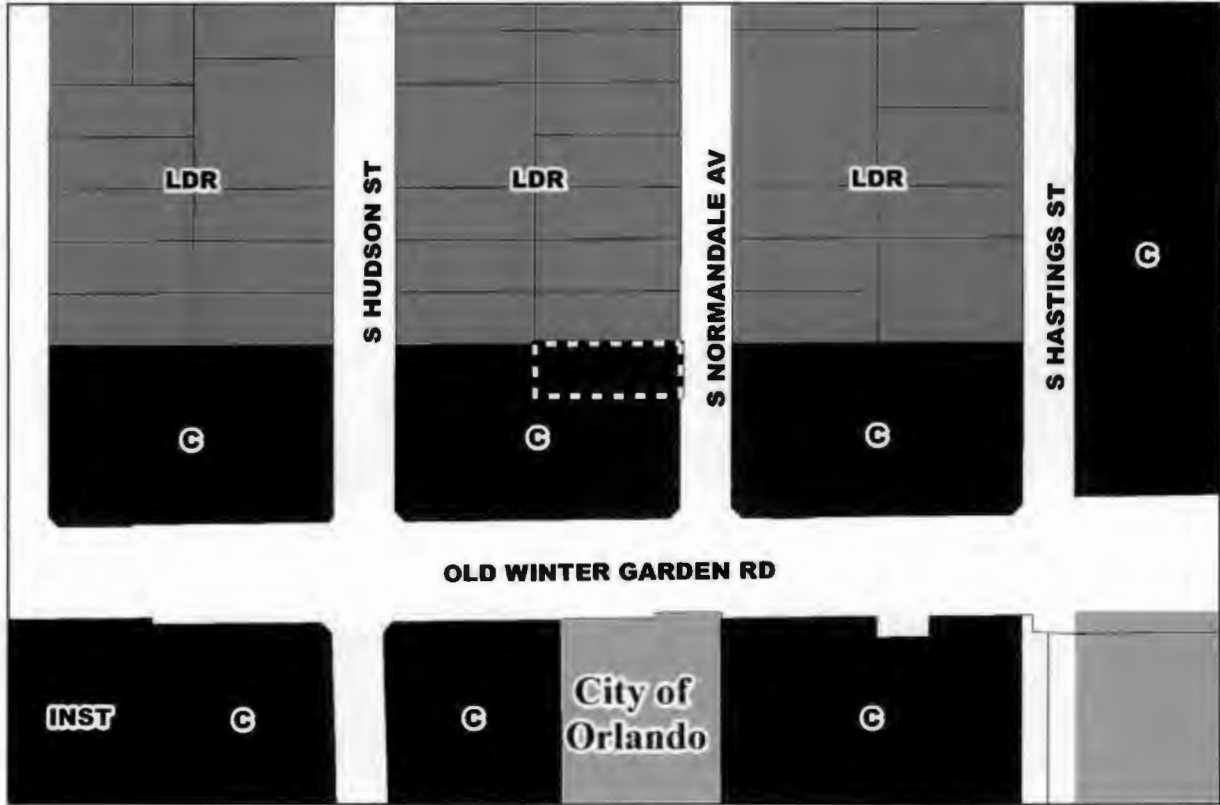
Voting in Opposition

Jimmy Dunn and Eddie Fernandez

Absent

None

RZ-20-02-082



Subject Property



Subject Property

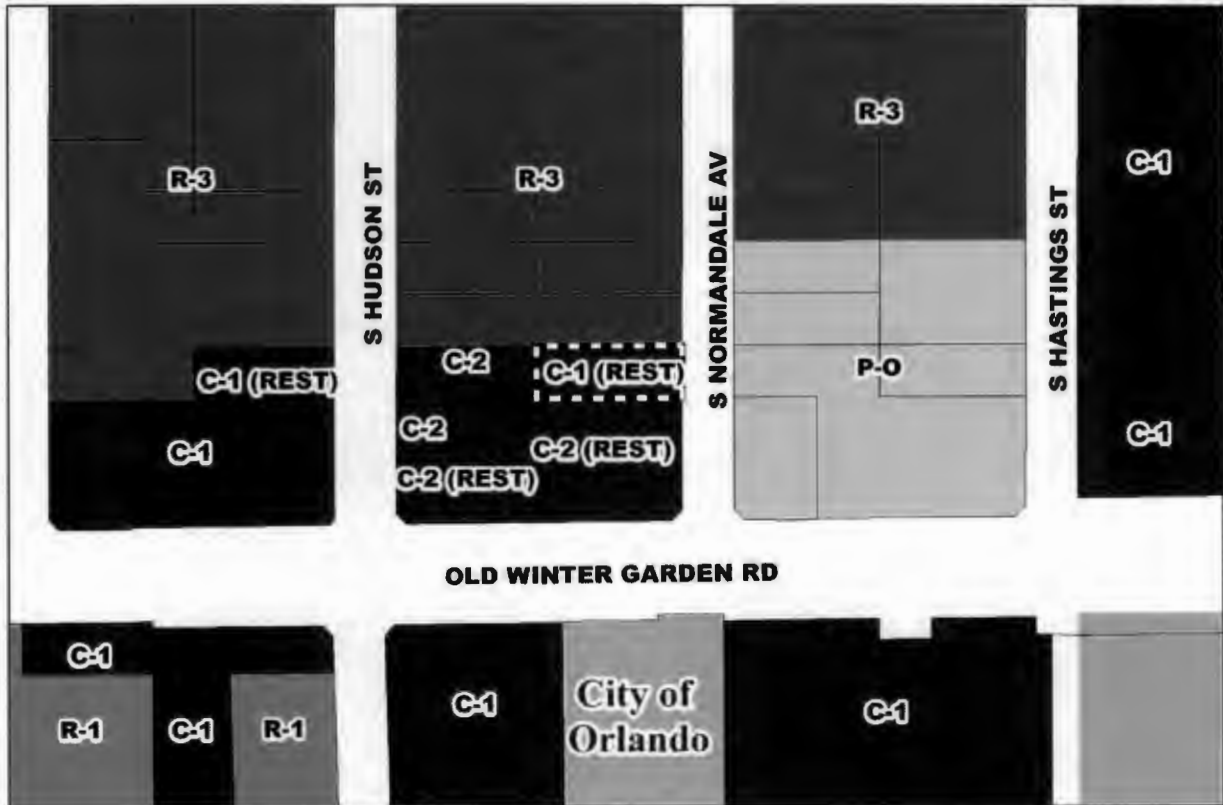
Future Land Use Map

FLUM: Commercial (C)
 APPLICANT: George E. Foote, Jr.
 LOCATION: 132 S. Normandale Avenue; generally located west of S. Normandale Avenue, approximately 120 feet north of Old Winter Garden Road.
 TRACT SIZE: 0.16-gross acre
 DISTRICT: # 6
 S/T/R: 25/22/28

1 inch = 150 feet



RZ-20-02-082



 Subject Property



★ Subject Property

Zoning Map

ZONING: C-1 (Retail Commercial District) to C-1 (Retail Commercial District)

APPLICANT: George E. Foote, Jr.

LOCATION: 132 S. Normandale Avenue; generally located west of S. Normandale Avenue, approximately 120 feet north of Old Winter Garden Road.

TRACT SIZE: 0.16-gross acre

DISTRICT: # 6

S/T/R: 25/22/28
1 inch = 150 feet



RZ-20-02-082



 Subject Property



1 inch = 125 feet



Public Notification Map

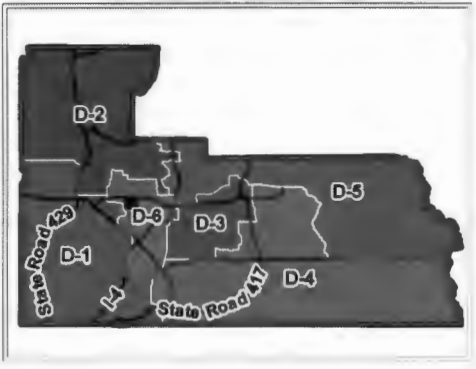
RZ-20-02-082



MAP LEGEND

- SUBJECT
- 600_FT_BUFFER
- PARCELS
- HYDROLOGY
- NOTIFIED_PARCELS
- COURTESY_NOTICES

BUFFER DISTANCE: 600
OF NOTICES: 129
RESIDENTIAL COUNT: 39



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Case # RZ-20-02-082
Orange County Planning Division
PZC Hearing Date: February 20, 2020

CASE # RZ-20-02-083
Commission District: #6

GENERAL INFORMATION

APPLICANT	Pierre Dorgeat
OWNERS	Guy Dorgeat Properties, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	C-1 (Retail Commercial District) to C-2 (General Commercial District)
LOCATION	5903 Old Winter Garden Road; or generally at the northwest intersection of Old Winter Garden Road and S. Hudson Street
PARCEL ID NUMBER	25-22-28-6424-03-230
TRACT SIZE	0.10-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 800 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred fifty-one (151) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Auto dealership

STAFF RECOMMENDATION

PLANNING

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-2 (General Commercial District) zoning, including the following variances:

- 1) A variance from Orange County Code Section 38-1501 to allow for a minimum lot width of 35 feet, in lieu of the required 100-foot lot width in the C-2 zoning district; and
- 2) A variance from Orange County Code Section 38-1501 to allow for a minimum lot area of 4187.74 square feet, in lieu of the required 8,000 square foot lot area in the C-2 zoning district.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the subject 0.10-acre parcel from C-1 (Retail Commercial District) to C-2 (General Commercial District) in order to operate an auto dealership. The subject property is currently developed with a vacant 1,066 sq. ft. building that was previously used for commercial purposes and is accessed via N. Hudson Ave. Due to an existing lot width of 35 feet and a total lot area of 4,187 sq. ft., the applicant is also seeking variances from the required C-2 lot width and lot area requirements (100 ft. / 8,000 sq. ft.)

Although the surrounding area can be characterized as having a mixture of commercial and residential uses along Old Winder Garden Road, staff has determined that the more intense C-2 uses at this location would adversely impact the predominately single-family residential neighborhood to the north. This determination is furthered supported by the existing lot width and lot size which are not conducive for C-2 type activities, including the applicant's desired use of an auto dealership.

Land Use Compatibility

The C-2 (General Commercial District) zoning would allow for development that is incompatible with the single-family character to the north of the subject property.

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 Future Land Use Map (FLUM) designation of the subject property is Commercial (C). Although the proposed C-2 (General Commercial District) zoning is consistent with the Commercial FLUM designation, it is inconsistent 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.

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

Existing Use	Office
Adjacent Zoning	N: C-1 (Retail Commercial District) (2006) <i>*A six (6) foot masonry wall shall be constructed along the north property line. A six (6) foot PVC (vinyl) fence shall be constructed along the west property line. Billboards and pole signs shall be prohibited.</i>
	E: C-2 (General Commercial District) (1987) & (2010) <i>*No outdoor storage</i>
	W: C-1 (Retail Commercial District) (1957)
	S: C-1 (Retail Commercial District) (1957)
Adjacent Land Uses	N: Vacant Commercial
	E: Grocery Store, Office
	W: Vacant Commercial
	S: Vacant Commercial

C-2 (General Commercial District) Development Standards

Min. Lot Area: 8,000 sq. ft.

Min. Lot Width: 100 ft. (on major streets, see Article XV)
 80 ft. (on all other streets)
 Max. Height: 50 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-2 zoning district is to provide for the retailing of commodities and the furnishing of several major services, selected trade shops and automotive repairs. This district is encouraged at locations along minor arterial and major arterial roads where general commercial uses would be compatible with the surrounding neighborhood, yet not adjacent to residential uses. This district typically occupies an area larger than that of the retail commercial district, serves a considerably greater population, and offers a wider range of services. This district is only promoted within the urban service area where uses of this intensity have already been established.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code and include new and used automobile sales; car rental and leasing; auto painting and body shops; special trade contractors' offices (storage, equipment yards, and offices with outdoor storage); automobile parking lots and parking garages; outdoor storage and display of equipment, products, and merchandise; landscaping and irrigation businesses; commercial kennels; caterers; etc.

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. 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).
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area. The alternative modes of transportation within the project area include a sidewalk along Old Winter Garden Road from N. Mission Road to S. Hiawasse Road; an existing sidewalk / bike path along S. Kirkman Road from Westgate Drive to W. Colonial Drive; a LYNX bus stop for link #54 along Old Winter Garden Rd; and

			LYNX bus top for link #301 for 3D route Pine Hills/Animal Kingdom. Finally, a mobility plan may be required prior to any new on-site development.
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: Orlando Utilities Commission

Wastewater: Orange County Utilities 8-inch gravity main is located within Hudson right-of-way

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 – (February 20, 2020)

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-2 (General Commercial District) zoning, including the following variances:

- 1) A variance from Orange County Code Section 38-1501 to allow for a minimum lot width of 35 feet, in lieu of the required 100-foot lot width in the C-2 zoning district; and
- 2) A variance from Orange County Code Section 38-1501 to allow for a minimum lot area of 4187.74 square feet, in lieu of the required 8,000 square foot lot area in the C-2 zoning district.

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 inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-2 (General Commercial District).

Staff indicated that one hundred fifty-one (151) notices were mailed to the surrounding property owners within a buffer extending 800 feet from the subject property, with two (2) responses in opposition to the request and zero (0) in favor. Those opposed stated concerns related to many cars parked at the corner of Old Winter Garden road and S. Hudson Street, and unwanted traffic through residential community on the North.

After a brief discussion, a motion was made by Commissioner Wade to make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-2 (General Commercial District) zoning, including two (2) variances. Commissioner Velazquez seconded the motion. The motion carried on a 7-0 vote.

Motion / Second

JaJa Wade/ Diane Velazquez

Voting in Favor

JaJa Wade, Diane Velazquez, Jimmy Dunn, Gordon Spears, Carlos Nazario, Evelyn Cardenas, and Eddie Fernandez

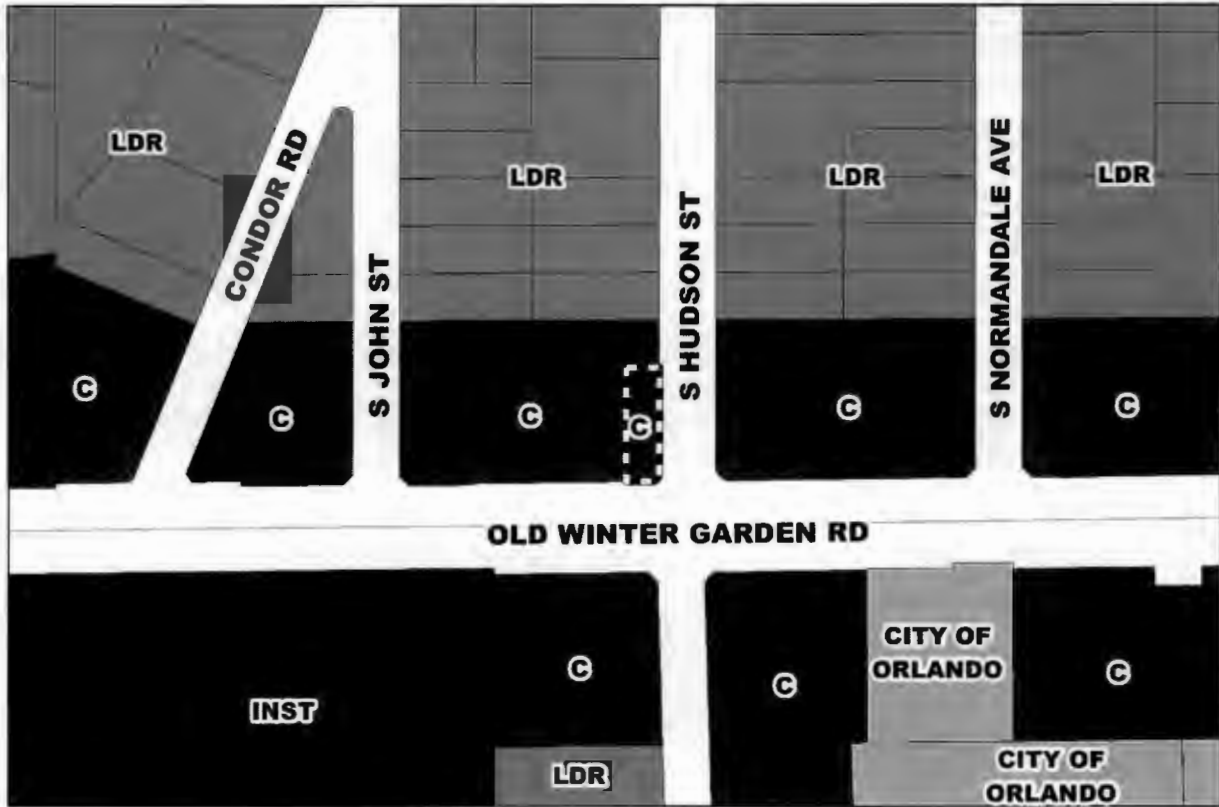
Voting In Opposition

None

Absent

Mohammed Abdallah

RZ-20-02-083



Subject Property



★ Subject Property

Future Land Use Map

FLUM: Commercial (C)

APPLICANT: Pierre Dorgeat

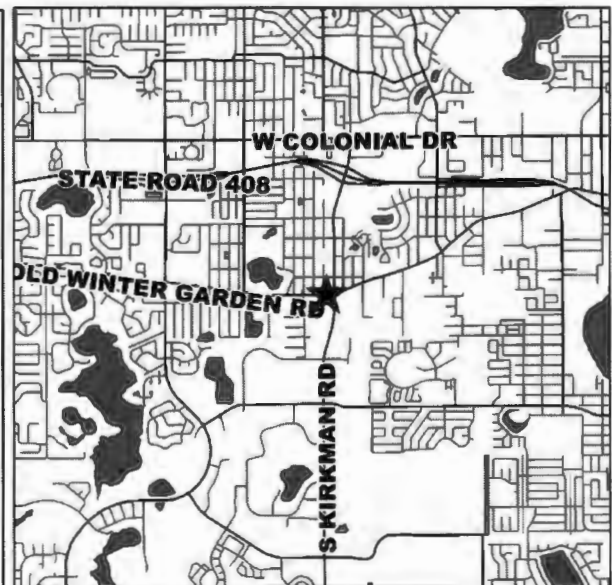
LOCATION: 5903 Old Winter Garden Road; generally northwest of the Old Winter Garden Road and N. Hudson Street intersection.

TRACT SIZE: 0.1-gross acre

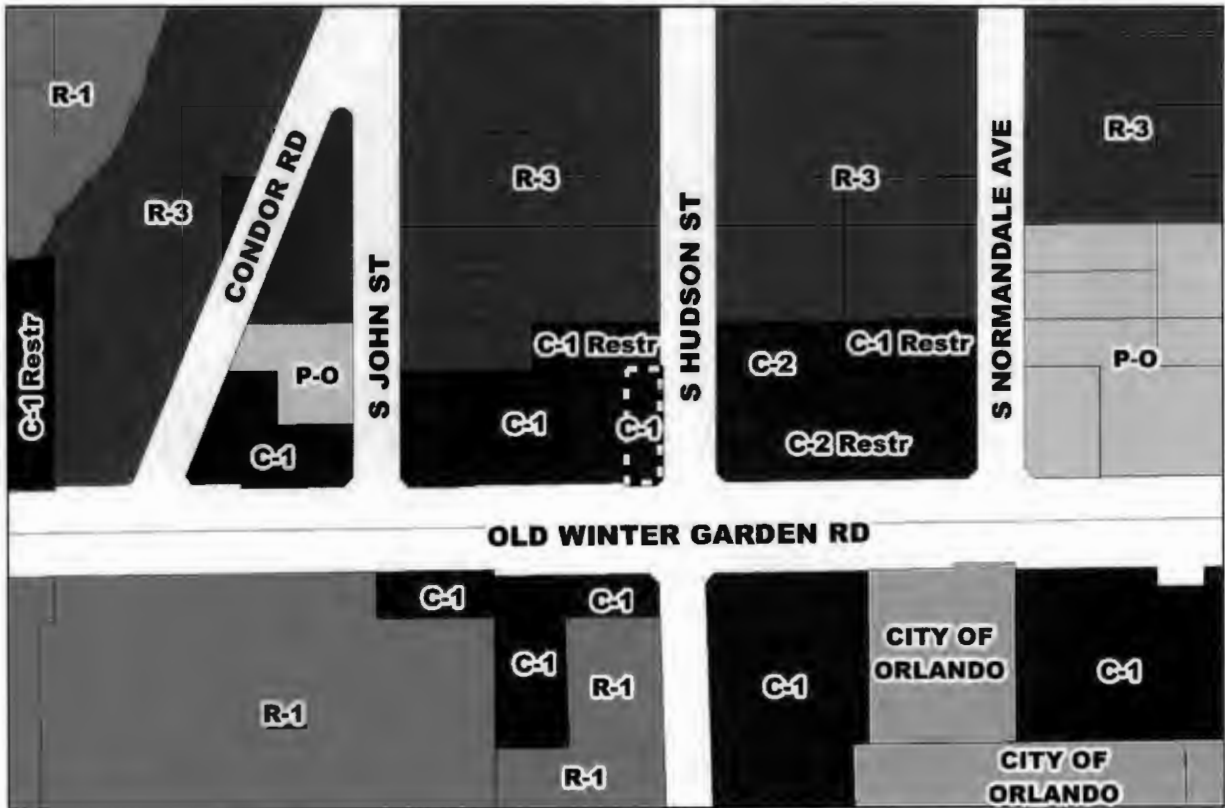
DISTRICT: #6

S/T/R: 28/22/25

1 inch = 165 feet



RZ-20-02-083



Subject Property



Subject Property

Zoning Map

ZONING: C-1 (Retail Commercial District) to C-2 (General Commercial District)

APPLICANT: Pierre Dorgeat

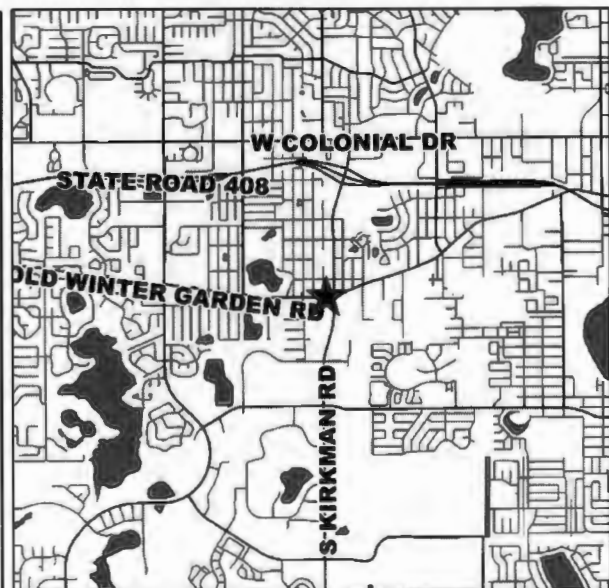
LOCATION: 5903 Old Winter Garden Road; generally northwest of the Old Winter Garden Road and N. Hudson Street intersection.

TRACT SIZE: 0.1-gross acre

DISTRICT: #6

S/T/R: 28/22/25

1 inch = 165 feet



RZ-20-02-083



 Subject Property


















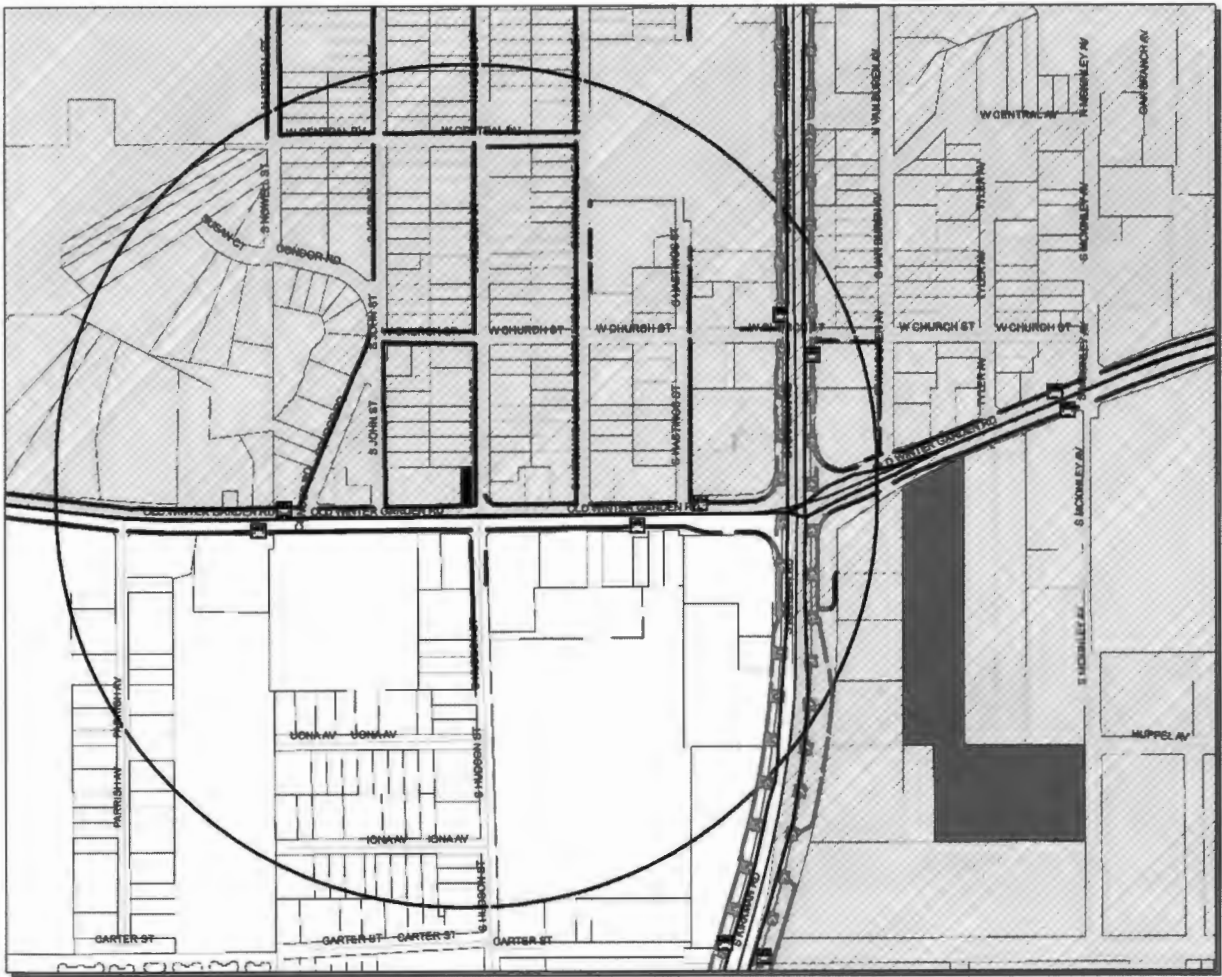
1 inch = 85 feet

Alternative Mobility Area Context Map

RZ-20-02-083

Legend

-  LYNX Bus Stops
-  LYNX Bus Stop Shelters
-  LYNX Park And Ride
-  LYNX Bus Route Schedule
-  Major Streets
-  Roads Base
-  Segment_ID
-  City Sidewalk
-  County Sidewalk
-  Private Sidewalk
-  State Sidewalk
-  Major Streets
-  Streets
-  PA_PARCELS_Buffer423
-  Horizon West Boundary
-  County Boundary
-  Parcels

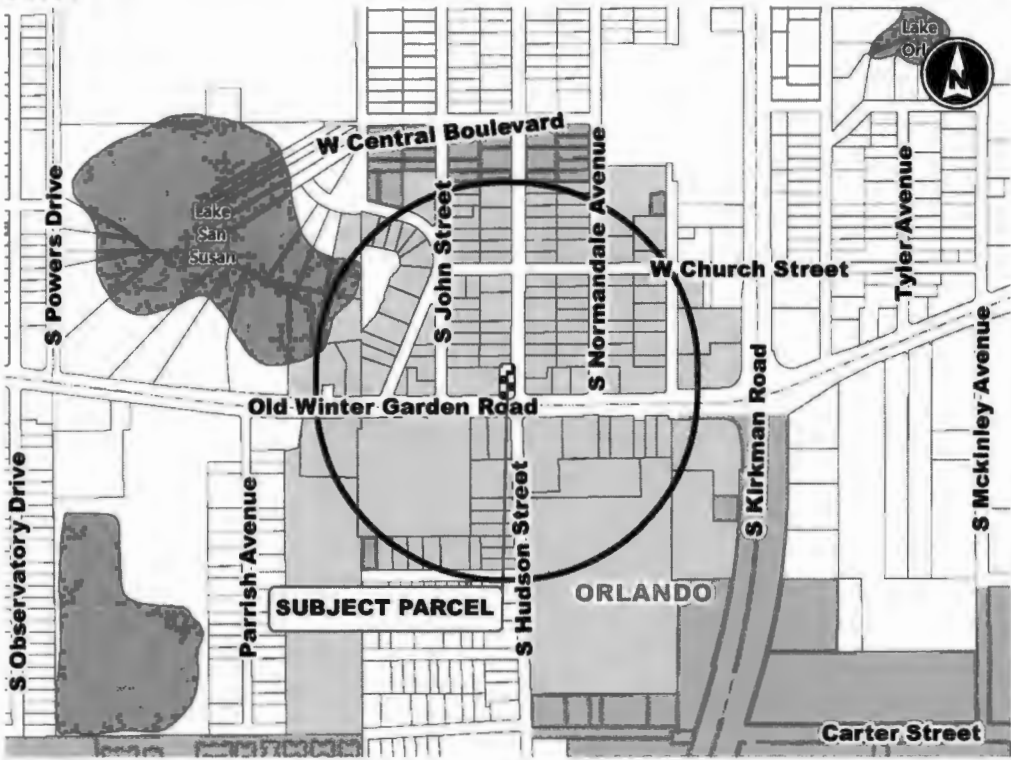


Document Path: U:\GIS 2018.mxd



Public Notification Map

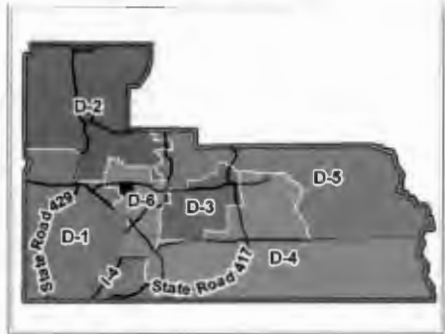
RZ-20-02-083



MAP LEGEND

- SUBJECT
- 600 FT BUFFER
- PARCELS
- HYDROLOGY
- NOTIFIED PARCELS
- COURTESY PARCELS

BUFFER DISTANCE: 800
OF NOTICES: 151
RESIDENTIAL ADDRESSES: 41



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Notification Map

Cases: RZ-20-02-083
 Orange County Planning Division
 PZC Hearing Date: February 20, 2020

CASE # ARZ-20-02-013

Commission District: #2

GENERAL INFORMATION

APPLICANT	Mitchell Glasser, Orange County Housing and Community Development Division
OWNERS	Orange County BCC
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-2 (Farmland Rural District) to R-1A (Single-Family Dwelling District)
LOCATION	7290 Holly Street; or generally south of Holly Street, approximately 475 feet west of George Martin Road
PARCEL ID NUMBER	20-20-27-0000-00-021
TRACT SIZE	1.14-gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred thirty-two (132) 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 lots (pending lot split approval).

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

In 2006, Florida Legislature passed House Bill 1363 creating Section 125.379, Florida Statutes, to provide for the disposition of county-owned properties for affordable housing (the "Act"). The Act requires each County to prepare an inventory list of County-owned properties appropriate for affordable housing, and it provides several options for disposition of property, with one of the options being to donate the properties to non-

profit housing organizations for construction of permanent affordable housing. Orange County Housing and Community Development (HCD) Division currently partners with local non-profit entities to transfer county-owned properties for the purpose of affordable housing.

Furthermore, a Housing for All Task Force, which was initiated by Mayor Demings to help address the affordable housing crisis, made a number of recommendations to jumpstart production of affordable and attainable housing units. Those recommendations list “active land banking for affordable housing” as one of the strategies. This strategy includes a regular assessment of County-owned properties and making them available for construction of affordable housing units.

In compliance with the Act and recommendations of the Housing for All Task Force, the Real Estate Management Division and HCD Division prepared an inventory list for review by the Board of County Commissioners (BCC). The list was reviewed during the December 17, 2019 BCC meeting, and an updated resolution was adopted by the Board. Approximately thirty (30) properties were identified during the review process, with some properties having an inconsistent Future Land Use and Zoning designations as well as lot widths or lot sizes that were not adequate for development in their current Zoning Districts.

On January 30, 2020, Orange County, through its HCD Division issued a Request for Application (RFA) for non-profit agencies, inviting them to construct affordable housing on surplus County properties. Homes to be built on the lots will be owner-occupied dwellings targeted to low- and moderate-income households. To ensure that properties included as part of the RFA are development-ready and could be properly utilized for their intended purpose of providing new owner-occupied affordable housing units, Orange County is in the process of administratively rezoning a number of these properties.

The subject property is currently undeveloped and has not been platted. The immediate area is developed with single-family dwelling units on lots varying from seventy (70) feet to one hundred (100) feet in width. The subject property is located within the Otter Lake Rural Settlement and has a Low Density Residential (LDR) Future Land Use Map (FLUM) designation.

The purpose of this request is to rezone the 1.14 acres property from A-2 (Farmland Rural District) to R-1A (Single-Family Dwelling District) in order to address the inconsistency between the Future Land Use Map (FLUM) designation and the Zoning district and create 3 lots for construction of three (3) single-family dwelling units.

Land Use Compatibility

The R-1A (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 checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within Otter Lakes Rural Settlement
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 Density Residential Rural Settlement (LDR (RS)). The proposed R-1A (Single-Family Dwelling District) zoning is consistent with the Low Density Residential Rural Settlement 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

Existing Use Undeveloped Land

Adjacent Zoning N: R-1AAAA (Residential Urban District) (1987)
 E: A-2 (Farmland Rural District) (1957)
 W: A-2 (Farmland Rural District) (1957)
 S: A-2 (Farmland Rural District) (1957)
 **No restrictions apply to the above zoning districts*

Adjacent Land Uses N: Single-Family Residential
 E: Undeveloped Land
 W: Undeveloped Land
 S: Undeveloped Land

R-1A (Single-Family Dwelling District) Development Standards:

Min. Lot Area: 7,500 sq. ft.
 Min. Lot Width: 75 ft.
 Max. Height: 35 ft.
 Min. Floor Area: 1,200 sq. ft.

Building Setbacks

Front: 20 ft.
 Rear: 25 ft.
 Side: 7.5 ft.

Intent, Purpose, and Uses

The R-1A (Single-Family Dwelling District) zoning district is composed of lands and structures used primarily for single-family residential areas with large lots and low population densities.

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 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)

			<p>for the septic system and both DOH and the Water Management District for wells.</p> <p>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.</p> <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>Proximity to Lake Apopka Restoration Area. The property will require the use of resource management practices that may result in periodic temporary conditions that may limit outdoor activities. These practices may include, but not be limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.</p> <p>Proximity to mushroom plant, Shelley's, waste management facilities and other sites that may produce odors.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency database dated 1/24/20, there is one failing roadway segment within the project area. Orange Blossom Trail from Sadler Road to Lake County Line. A traffic study will be required for this project.
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 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 – (February 20, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling 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-1A (Single-Family Dwelling District) zoning.

Staff indicated that one hundred thirty-two (132) notices were mailed to the surrounding area property owners within a buffer extending 600 feet from the subject property. Staff has received zero (0) responses in opposition to the request and one (1) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Velazquez and seconded by Commissioner Narazio to recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning. The motion carried on a 7-0 vote.

Motion / Second

Diane Velazquez / Carlos Narazio

Voting in Favor

Diane Velazquez, Carlos Nazario, Eddie Fernandez, Gordon Spears, Jaja Wade, Jimmy Dunn, and Evelyn Cardenas

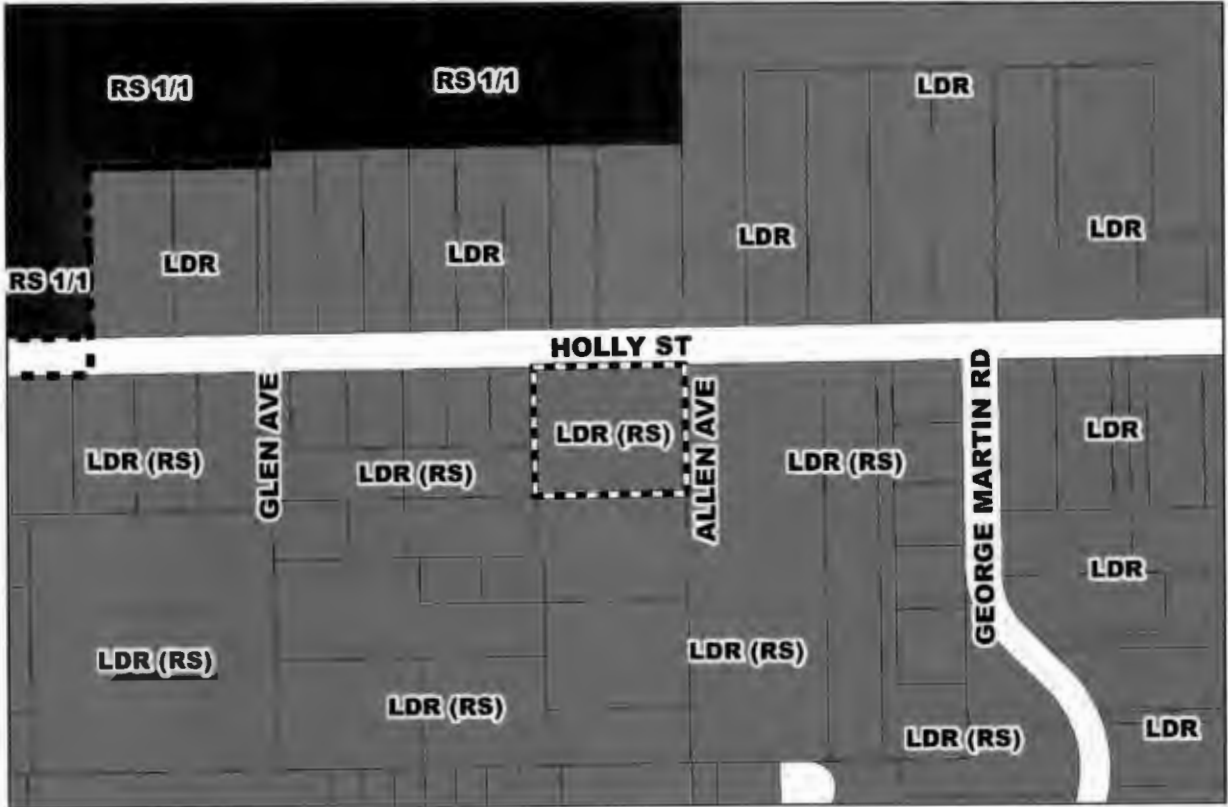
Voting in Opposition

None

Absent

Mohammed Abdallah

ARZ-20-02-013

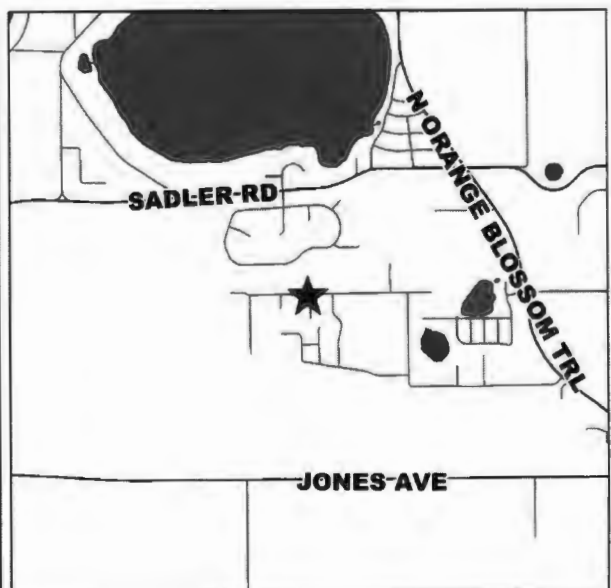


 Subject Property

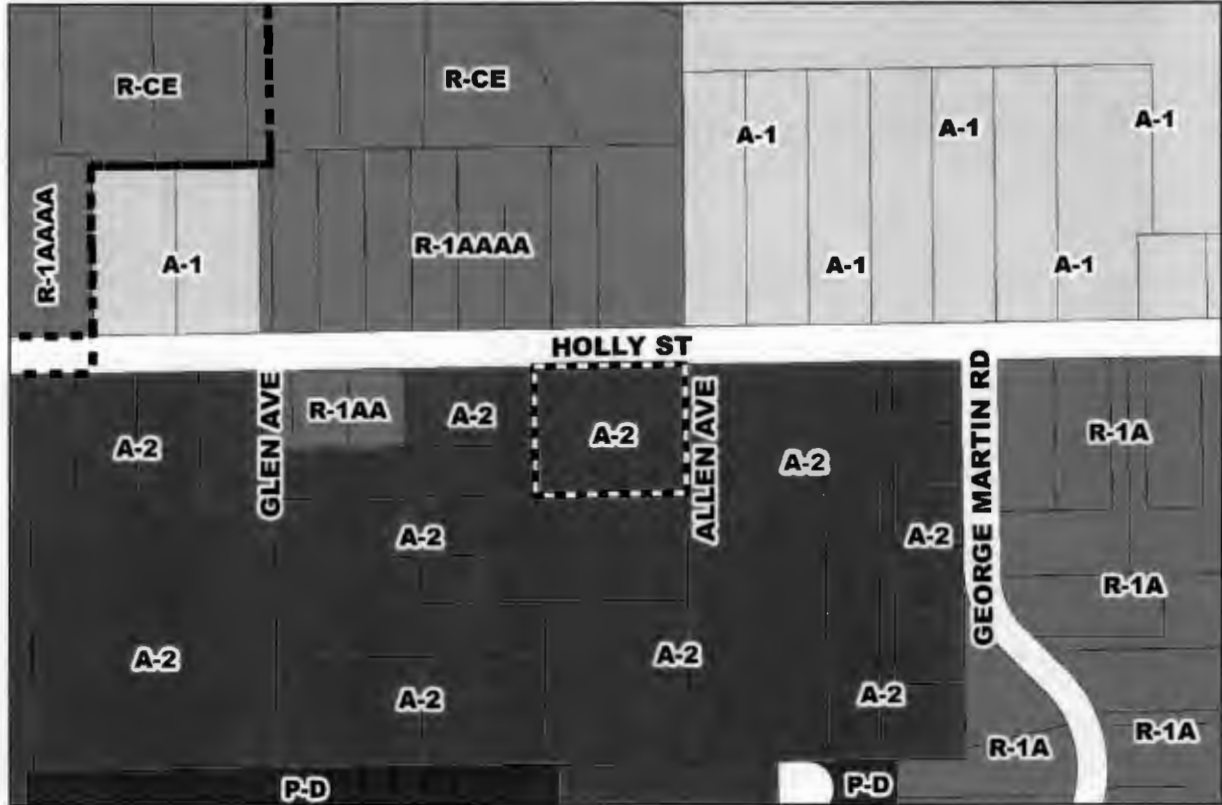


★ Subject Property

Future Land Use Map	
FLUM:	Low Density Residential Rural Settlement (LDR(RS))
APPLICANT:	Mitchell Glasser Orange County Housing and Community Development Department
LOCATION:	7290 Holly Street; generally south of Holly Street, approximately 475 feet west of George Martin Road
TRACT SIZE:	1.14-gross acres
DISTRICT:	#2
S/T/R:	27/20/20
1 inch = 250 feet	



ARZ-20-02-013



Subject Property



★ Subject Property

Zoning Map

ZONING: A-2 (Farmland Rural District) to R-1A (Single-Family Dwelling District)

APPLICANT: Mitchell Glasser
 Orange County Housing and Community Development Department

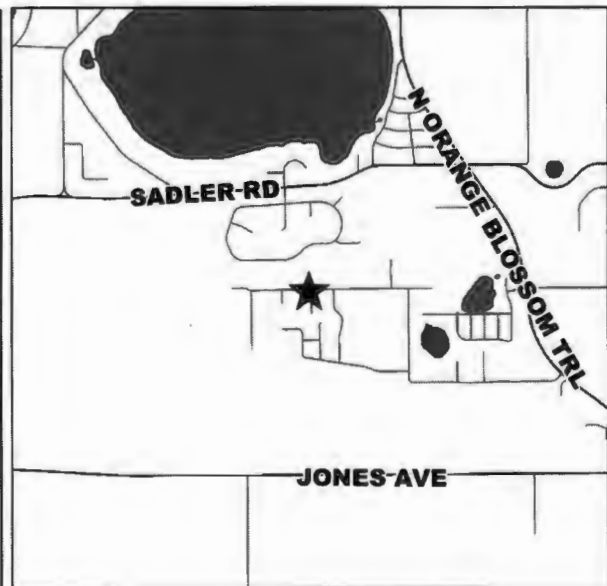
LOCATION: 7290 Holly Street; generally south of Holly Street, approximately 475 feet west of George Martin Road

TRACT SIZE: 1.14-gross acres

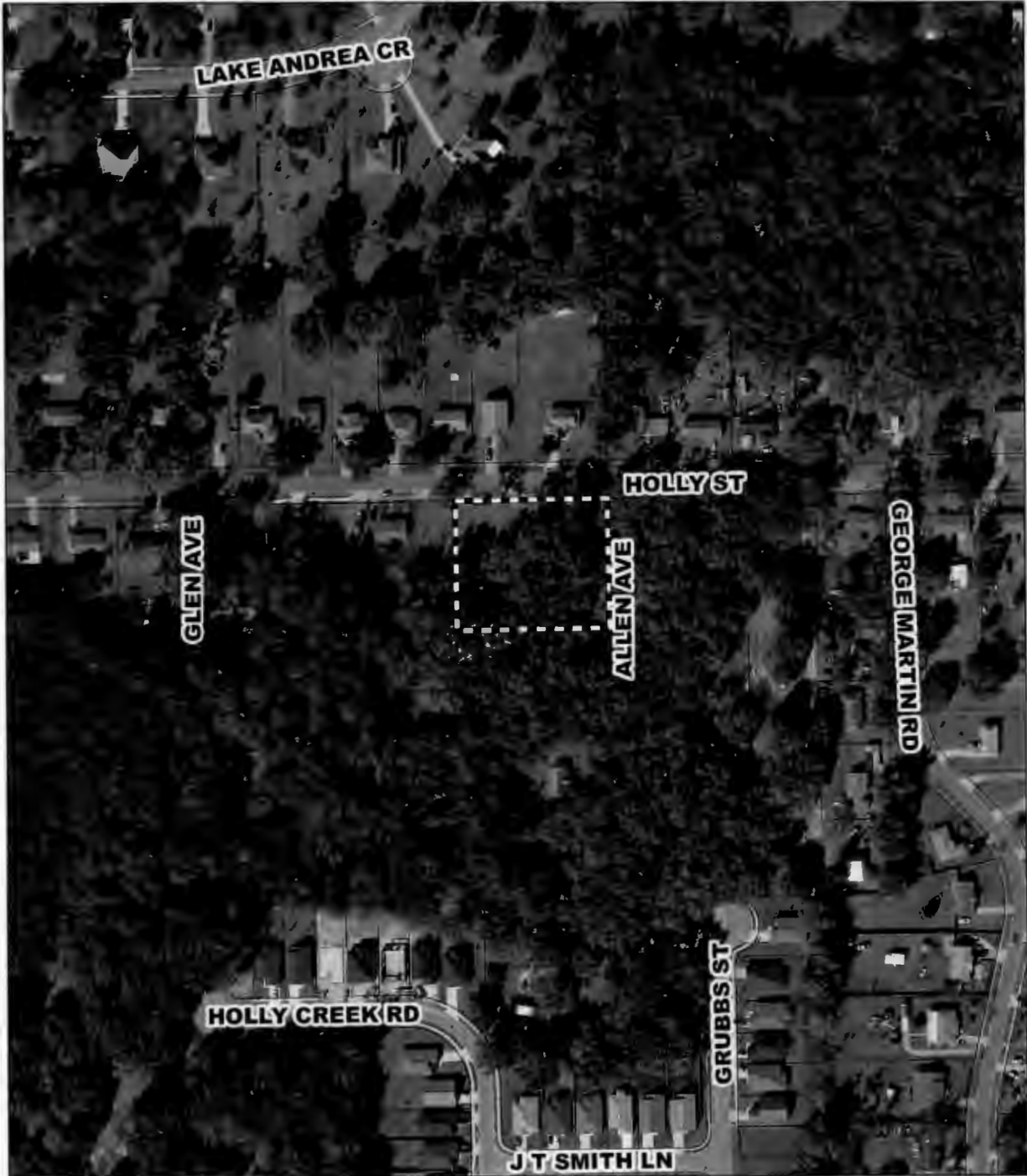
DISTRICT: #2

S/T/R: 27/20/20

1 inch = 250 feet



ARZ-20-02-013

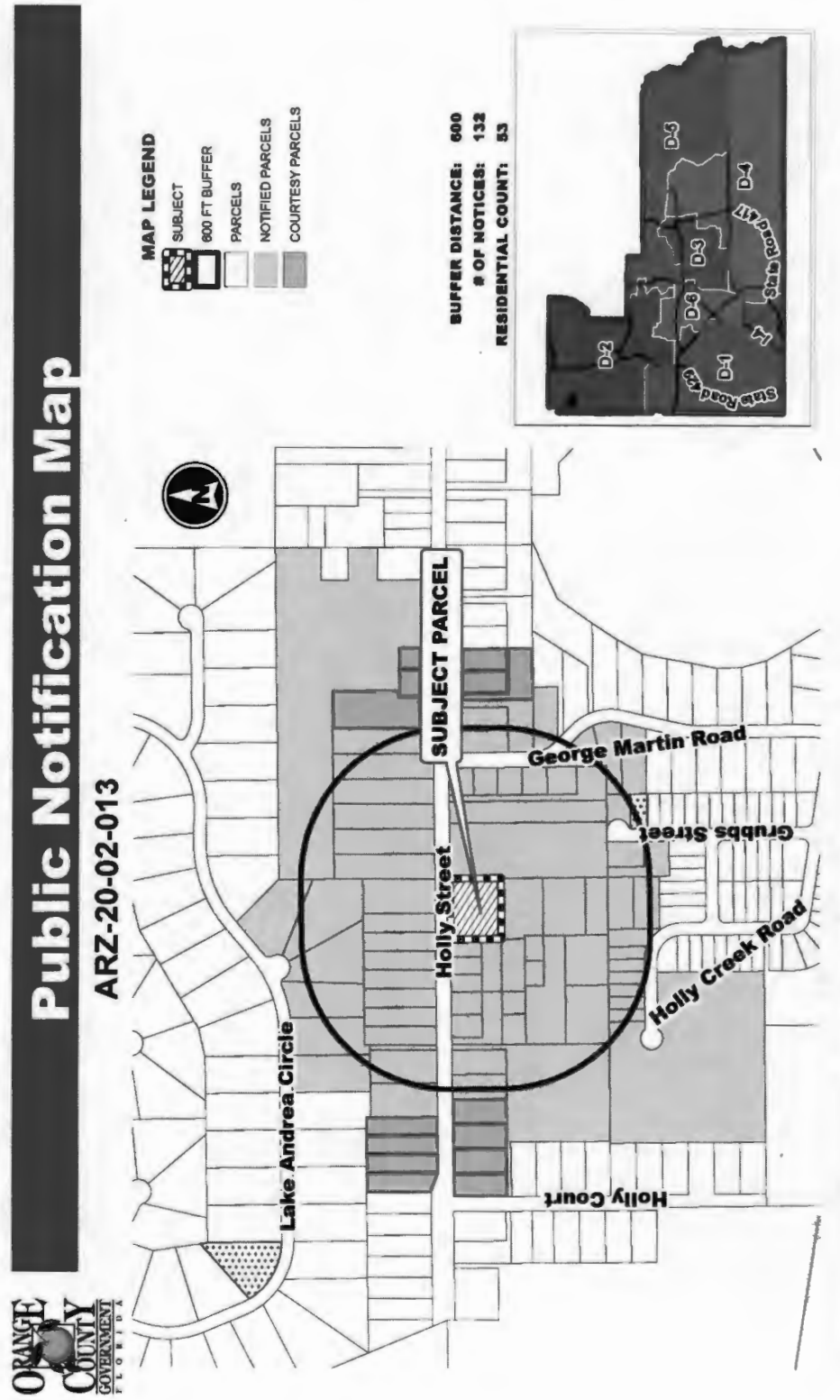


 Subject Property



1 inch = 208 feet

Notification Map



Public Notification Map

ARZ-20-02-013



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CASES: ARZ-20-02-010, ARZ-20-02-011, ARZ-20-02-014

Commission District: #2

GENERAL INFORMATION

APPLICANT	Mitchell Glasser, Orange County Housing and Community Development Division
OWNER	Orange County BCC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-3 (Multiple-Family Dwelling District) to R-2 (Single-Family Residential District)
LOCATION	ARZ-20-02-010: 1529 Clarcona Road; or generally northeast of the Hunt Street and Clarcona Road intersection. ARZ-20-02-011: 16 W. Ella J Gilmore Street; or generally south of W. Ella J Gilmore Street, approximately 285 feet west of S. Central Avenue. ARZ-20-02-014: 1367 S. Central Avenue; or generally east of S. Central Avenue, approximately 315 feet north of E. 18th Street.
PARCEL ID NUMBERS & ACREAGE	ARZ-20-02-010: 15-21-28-0760-00-080 0.13 acre ARZ-20-02-011: 16-21-28-6040-03-250; 0.16 acre ARZ-20-02-014: 16-21-28-0000-00-060; 1.19 acres
PUBLIC NOTIFICATION	The notification area for these public hearings was 500 feet each [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Notices were mailed to property owners in the surrounding areas as listed below. Community meetings were not required for these applications. ARZ-20-02-010: 105 notices mailed ARZ-20-02-011: 138 notices mailed ARZ-20-02-014: 143 notices mailed
PROPOSED USE	Single-Family Residential (one dwelling on each lot)*

*Case ARZ-20-02-014 is proposing three (3) units pending approval of a lot split into three (3) lots.

STAFF RECOMMENDATIONS

ARZ-20-02-010:

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Development shall be limited to one (1) single-family dwelling unit.

ARZ-20-02-011:

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Development shall be limited to one (1) single-family dwelling unit.

ARZ-20-02-014:

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Development shall be limited to three (3) single-family dwelling units

SUBJECT PROPERTY ANALYSIS

Overview

In 2006, Florida Legislature passed House Bill 1363 creating Section 125.379, Florida Statutes, to provide for the disposition of county-owned properties for affordable housing (the "Act"). The Act requires each County to prepare an inventory list of County-owned properties appropriate for affordable housing, and it provides several options for disposition of property, with one of the options being to donate the properties to non-profit housing organizations for construction of permanent affordable housing. Orange County Housing and Community Development (HCD) Division currently partners with local non-profit entities to transfer county-owned properties for the purpose of affordable housing.

Furthermore, a Housing for All Task Force, which was initiated by Mayor Demings to help address the affordable housing crisis, made a number of recommendations to

jumpstart production of affordable and attainable housing units. Those recommendations list “active land banking for affordable housing” as one of the strategies. This strategy includes a regular assessment of County-owned properties and making them available for construction of affordable housing units.

In compliance with the Act and recommendations of the Housing for All Task Force, the Real Estate Management Division and HCD Division prepared an inventory list for review by the Board of County Commissioners (BCC). The list was reviewed during the December 17, 2019 BCC meeting, and an updated resolution was adopted by the Board. Approximately thirty (30) properties were identified during the review process, with some properties having an inconsistent Future Land Use and Zoning designations as well as lot widths or lot sizes that were not adequate for development in their current Zoning Districts.

On January 30, 2020, Orange County, through its HCD Division issued a Request for Application (RFA) for non-profit agencies, inviting them to construct affordable housing on surplus County properties. Homes to be built on the lots will be owner-occupied dwellings targeted to low- and moderate-income households. To ensure that properties included as part of the RFA are development-ready and could be properly utilized for their intended purpose of providing new owner-occupied affordable housing units, Orange County is in the process of administratively rezoning a number of these properties.

The properties included in this staff report are grouped into three rezoning cases, requiring a motion for each one. The purpose of these requests is to rezone from R-3 (Multiple-Family Dwelling District) to R-2 (Single-Family Residential District) in order to address the inconsistencies between the Future Land Use Map (FLUM) designations and the Zoning districts. The proposed R-2 zoning is consistent with both the LDR and LMDR FLUM designations, whereas the current R-3 zoning district is not. The lot size and lot widths meet the minimum requirements for the proposed R-2 zoning district as shown below.

Case #	Parcel #	Current Lot Sizes (SF)	Required Lot Sizes in the R-2 District (SF)	Current Lot Widths	Required Lot Widths in the R-2 District (SF)
ARZ-20-02-010	15-21-28-0760-00-080	6,031	4,500	48 Feet	45 Feet
ARZ-20-02-011	16-21-28-6040-03-250	7,204	4,500	53 Feet	45 Feet
ARZ-20-02-014	16-21-28-0000-00-060	52,203*	4,500	195 Feet	45 Feet

*This parcel is proposed to be split into three lots, with one (1) dwelling unit built on each lot.

Land Use Compatibility

The proposed R-2 (Residential 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 properties is Low-Medium Density Residential (LMDR) (Parcel ID #116-21-28-0000-00-060) and Low Density Residential (LDR) (Parcel IDs #15-21-28-0760-00-080 & 16-21-28-6040-03-250). The proposed R-2 (Residential District) zoning is consistent with both the LMDR and LDR FLUM designations, therefore a CP amendment is not necessary. The proposed requests are 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

ARZ-20-02-010:

Existing Use Undeveloped

Adjacent Zoning N: R-3 (Multiple-Family District) (1957)
 E: R-3 (Multiple-Family District) (1957)
 W: R-3 (Multiple-Family District) (1957)
 S: R-3 (Multiple-Family District) (1957)

**No restrictions apply to the above zoning districts*

Adjacent Land Uses N: Undeveloped Residential
 E: Undeveloped Residential
 W: Single-Family Residential
 S: Vacant Residential

ARZ-20-02-011:

Existing Use Undeveloped

Adjacent Zoning N: R-3 (Multiple-Family District) (1957)
 E: R-3 (Multiple-Family District) (1957)
 W: R-3 (Multiple-Family District) (1957)
 S: R-3 (Multiple-Family District) (1957)

**No restrictions apply to the above zoning districts*

Adjacent Land Uses N: Single-Family Residential
 E: Vacant Residential
 W: Single-Family Residential
 S: Single-Family Residential

ARZ-20-02-014:

Existing Use Undeveloped

Adjacent Zoning N: R-3 (Multiple-Family District) (1957)
 E: R-3 (Multiple-Family District) (1957)
 W: R-3 (Multiple-Family District) (1957)

S: R-3 (Multiple-Family District) (1957)

**No restrictions apply to the above zoning districts*

Adjacent Land Uses

N:	Undeveloped Residential
E:	Single-Family Residential
W:	Single-Family Residential
S:	Vacant Residential

R-2 (Residential District) Development Standards

One-Family Dwelling

Min. Lot Area:	4,500 sq. ft.
Min. Lot Width:	45 ft.
Max. Height:	35 ft.
Min. Living Area:	1,000 sq. ft.
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	5 ft.
<i>Side Street:</i>	15 ft.

Two Dwelling Units

Min. Lot Area:	8,000 sq. ft. / 9,000 sq. ft.
Min. Lot Width:	80 ft. / 90 ft.
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. / 1,000 sq. ft.
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	5 ft.
<i>Side Street:</i>	15 ft.

Three Dwelling Units

Min. Lot Area:	11,250 sq. ft.
Min. Lot Width:	85 ft. (attached units only)
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. per dwelling unit
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	30 ft.
<i>Side:</i>	10 ft.
<i>Side Street:</i>	15 ft.

Four or More Dwelling Units

Min. Lot Area:	15,000 sq. ft.
Min. Lot Width:	85 ft.
Max. Height:	35 ft.

Min. Living Area:	500 sq. ft. per dwelling unit
Building Setbacks:	
Front:	20 ft.
Rear:	30 ft.
Side:	10 ft. (30 ft. where adjacent to single-family)
Side Street:	15 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.

Permitted Uses

The R-2 (Residential District) zoning district is composed of lands and structures used primarily for the construction of detached and attached single-family dwelling units, containing a maximum of four (4) units per building and associated residential uses.

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>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 the septic system and both DOH and the Water Management District for wells.</p> <p>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.</p> <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>Within proximity to City of Apopka's Water Treatment Plant as well as waste management facilities which may produce odor.</p>

**Case # ARZ-20-02-010, ARZ-20-02-011, ARZ-20-02-014
 Orange County Planning Division
 PZC Hearing Date: February 20, 2020**

Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ARZ-20-02-010: Based on the concurrency database dated 1/24/20, there is available capacity to be encumbered for this project. This information is dated and subject to change. ARZ-20-02-011 and -014: Based on the concurrency database dated 1/24/20, there is one failing roadway segment within the project area. Orange Blossom Trail from Semoran Blvd to Park Ave. A traffic study will be required for this project at the time of permitting.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

Community meetings were not required for these requests.

Utilities

Water: City of Apopka

Wastewater: City of Apopka

Reclaim Water: Not 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 – (February 20, 2020)

ARZ-20-02-010:

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Development shall be limited to one (1) single-family dwelling unit.

ARZ-20-02-011:

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Development shall be limited to one (1) single-family dwelling unit.

ARZ-20-02-014:

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Development shall be no less than three (3) single-family dwelling units.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

ARZ-20-02-010:

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-2 (Single-Family Residential District) zoning, subject to the following restriction: development shall be limited to one (1) single-family dwelling unit.

One hundred five (105) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Velazquez and seconded by Commissioner Dunn to recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to one restriction. The motion carried on a 6-0 vote.

Case # ARZ-20-02-010, ARZ-20-02-011, ARZ-20-02-014
Orange County Planning Division
PZC Hearing Date: February 20, 2020

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

ARZ-20-02-011:

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-2 (Single-Family Residential District) zoning, subject to the following restriction: development shall be limited to one (1) single-family dwelling unit.

One thirty-eight (138) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Velazquez and seconded by Commissioner Dunn to recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to one restriction. The motion carried on a 6-0 vote.

Motion / Second:	<i>Diane Velazquez / Jimmy Dunn</i>
Voting in Favor:	<i>Diane Velazquez, Jimmy Dunn, JaJa Wade, Gordon Spears, Evelyn Cardenas, and Carlos Nazario</i>
Voting in Opposition	<i>None</i>
Absent:	<i>Eddie Fernandez and Mohammed Abdallah</i>

ARZ-20-02-014:

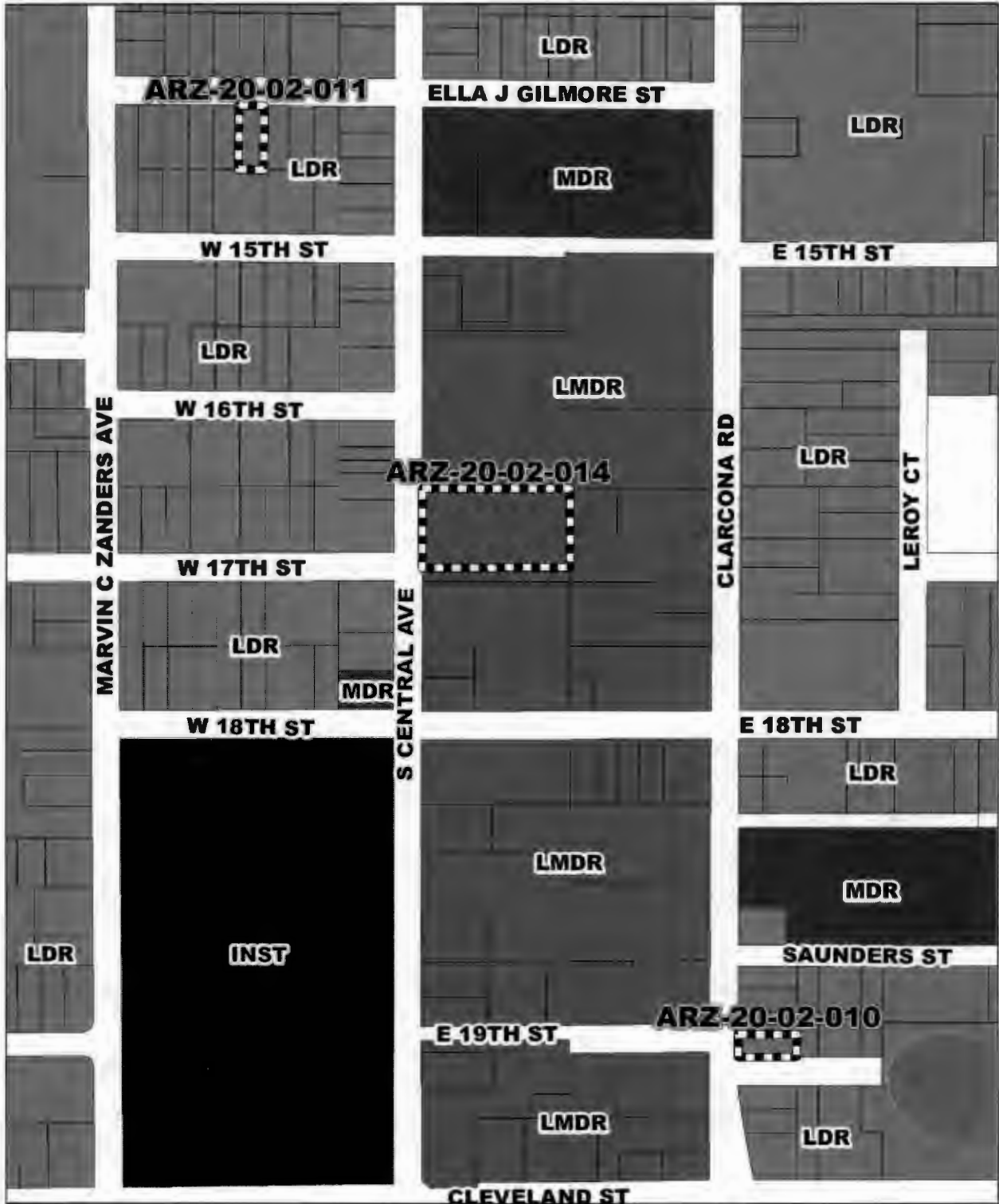
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction: development shall be no less than three (3) single-family dwelling units.

One forty-three (143) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Velazquez and seconded by Commissioner Nazario to recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to one restriction. The motion carried on a 7-0 vote.

Motion / Second:	<i>Diane Velazquez / Carlos Nazario</i>
Voting in Favor:	<i>Diane Velazquez, Carlos Nazario, JaJa Wade, Evelyn Cardenas, Gordon Spears, Jimmy Dunn, and Eddie Fernandez</i>
Voting in Opposition	<i>None</i>
Absent	<i>Mohammed Abdallah</i>

FUTURE LAND USE MAP

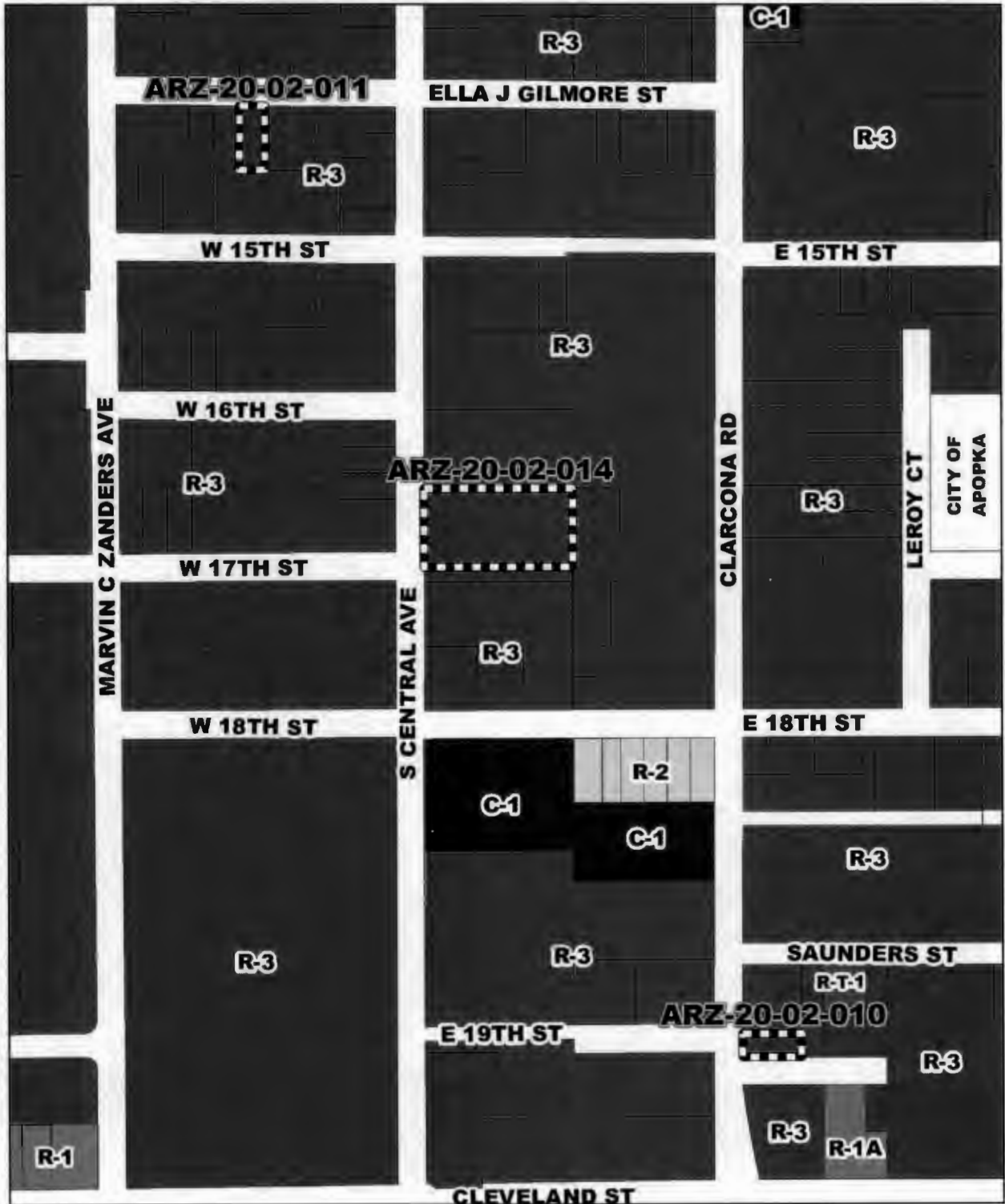


 Subject Property



1 inch = 270 feet

ZONING MAP



 Subject Property



1 inch = 270 feet

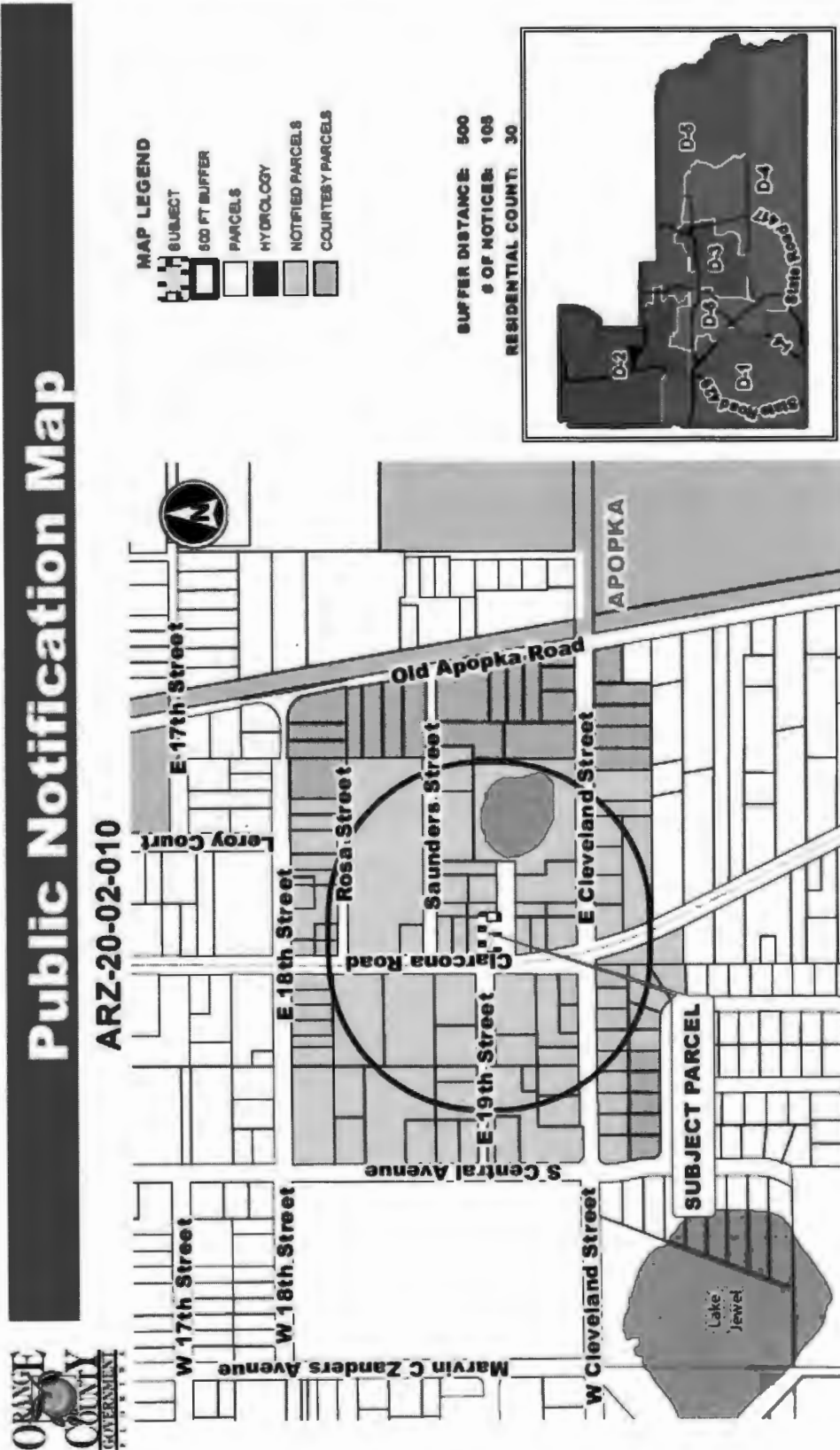


 Subject Property

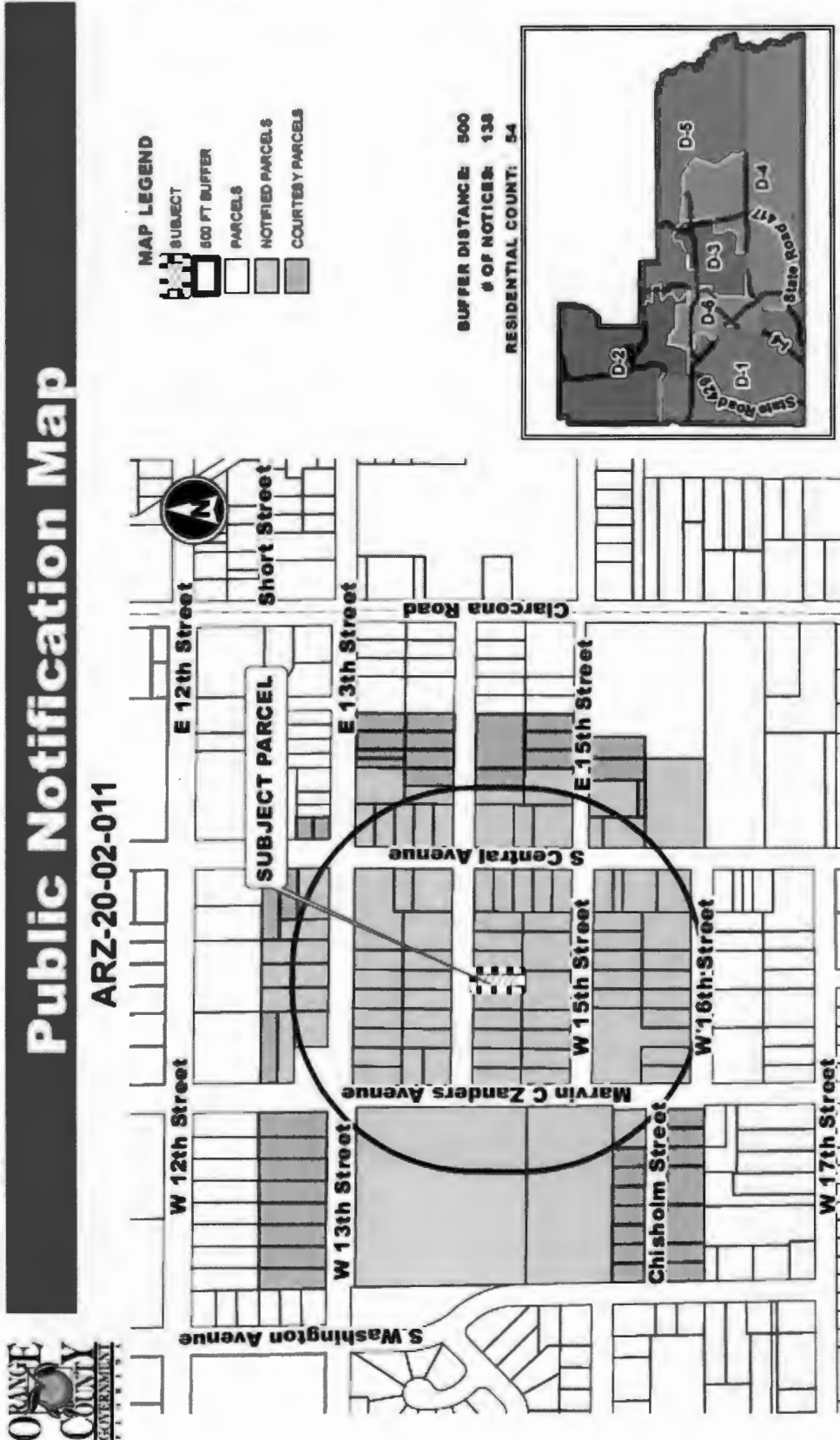


1 inch = 270 feet

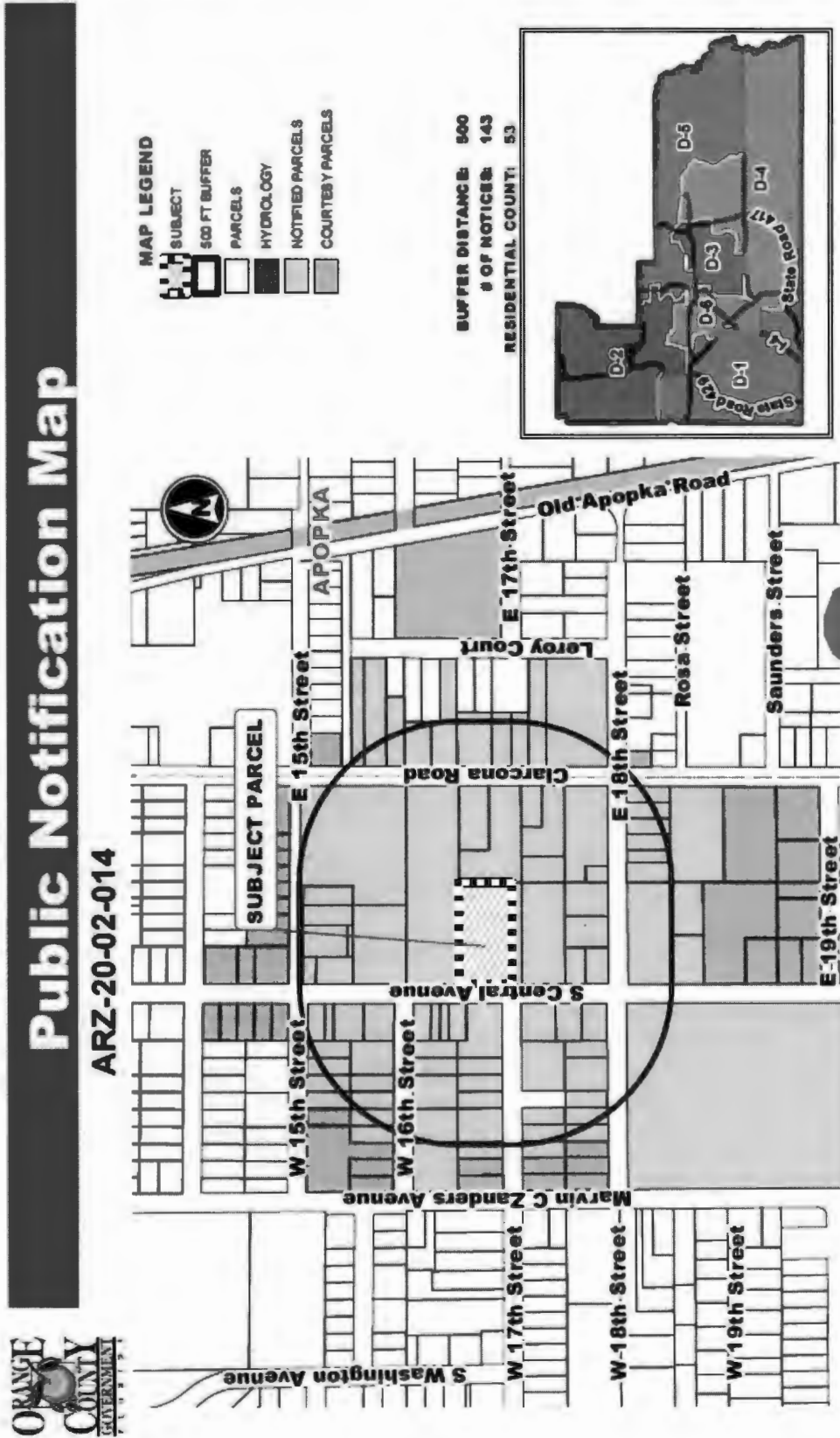
NOTIFICATION MAP: ARZ-20-02-010



NOTIFICATION MAP: ARZ-20-02-011



NOTIFICATION MAP: ARZ-20-02-014



CASES: ARZ-20-02-006, ARZ-20-02-008, ARZ-20-02-009

Commission District: #2

GENERAL INFORMATION

APPLICANT Mitchell Glasser, Orange County Housing and Community Development Division

OWNER Orange County BCC

HEARING TYPE Planning and Zoning Commission

REQUEST **R-3 (Multiple-Family Dwelling District) to R-2 (Single-Family Residential District)**

LOCATION **ARZ-20-02-006:** 126 E. 12th Street and 132 E. 12th Street; generally southeast of the Old Apopka Road and E. 12 Street intersection.

ARZ-20-02-008: 123 Short Street; or generally north of Short Street, approximately 215 feet east of Clarcona Road.

ARZ-20-02-009: 167 E. 15th Street; or generally north of E. 15th Street, approximately 75 feet west of Old Apopka Road.

PARCEL ID NUMBERS & ACREAGE

ARZ-20-02-006: 15-21-28-1364-00-300; 0.07 acres*
15-21-28-3164-00-290; 0.05 acres*

ARZ-20-02-008: 15-21-28-1364-00-630; 0.10 acres

ARZ-20-02-009: 15-21-28-0000-00-202; 0.13 acres

*These two parcels are proposed to be aggregated.

PUBLIC NOTIFICATION

The notification area for these public hearings was 500 feet each [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Notices were mailed to property owners in the surrounding areas. Community meetings were not required for these applications.

ARZ-20-02-006: 135 notices mailed

ARZ-20-02-008: 92 notices mailed

ARZ-20-02-009: 82 notices mailed

PROPOSED USE

Single-Family Residential (one dwelling on each lot)*

*Parcels associated with ARZ-20-02-006 will be combined

STAFF RECOMMENDATIONS

ARZ-20-02-006:

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Parcels 15-21-28-1364-00-300 and 15-28-3164-00-290 shall be aggregated into one (1) lot prior to the issuance of any building permit.

ARZ-20-02-008:

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Development shall be limited to one (1) single-family dwelling unit.

ARZ-20-02-009:

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning.

- 1) Development shall be limited to one (1) single-family dwelling unit.

SUBJECT PROPERTY ANALYSIS

Overview

In 2006, Florida Legislature passed House Bill 1363 creating Section 125.379, Florida Statutes, to provide for the disposition of county-owned properties for affordable housing (the "Act"). The Act requires each County to prepare an inventory list of County-owned properties appropriate for affordable housing, and it provides several options for disposition of property, with one of the options being to donate the properties to non-profit housing organizations for construction of permanent affordable housing. Orange County Housing and Community Development (HCD) Division currently partners with local non-profit entities to transfer county-owned properties for the purpose of affordable housing.

Furthermore, a Housing for All Task Force, which was initiated by Mayor Demings to help address the affordable housing crisis, made a number of recommendations to

Cases: ARZ-20-02-006, ARZ-20-02-008, ARZ-20-02-009
Orange County Planning Division
PZC Hearing Date: February 20, 2020

jumpstart production of affordable and attainable housing units. Those recommendations list “active land banking for affordable housing” as one of the strategies. This strategy includes a regular assessment of County-owned properties and making them available for construction of affordable housing units.

In compliance with the Act and recommendations of the Housing for All Task Force, the Real Estate Management Division and HCD Division prepared an inventory list for review by the Board of County Commissioners (BCC). The list was reviewed during the December 17, 2019 BCC meeting, and an updated resolution was adopted by the Board. Approximately thirty (30) properties were identified during the review process, with some properties having an inconsistent Future Land Use and Zoning designations as well as lot widths or lot sizes that were not adequate for development in their current Zoning Districts.

On January 30, 2020, Orange County, through its HCD Division issued a Request for Application (RFA) for non-profit agencies, inviting them to construct affordable housing on surplus County properties. Homes to be built on the lots will be owner-occupied dwellings targeted to low- and moderate-income households. To ensure that properties included as part of the RFA are development-ready and could be properly utilized for their intended purpose of providing new owner-occupied affordable housing units, Orange County is in the process of administratively rezoning a number of these properties.

The properties included in this staff report are grouped into three rezoning cases, requiring a recommended action for each. The purpose of these requests is to rezone from R-3 (Multiple-Family Dwelling District) to R-2 (Single-Family Residential District) in order to address the inconsistencies between the Future Land Use Map (FLUM) designations and the Zoning districts. The proposed R-2 zoning is consistent with both the LDR and LMDR FLUM designations, whereas the current R-3 zoning district is not. The lot size and lot widths meet the minimum requirements for the proposed R-2 zoning district as shown below.

Case #	Parcel #	Current Lot Sizes (SF)	Required Lot Sizes in the R-2 District (SF)	Current Lot Widths	Required Lot Widths in the R-2 District (SF)
ARZ-20-02-006	15-21-28-1364-00-290	3,126*	4,500	65 Feet	45 Feet
	15-21-28-1364-00-300	2,267*	4,500	25 Feet	45 Feet
ARZ-20-02-008	15-21-28-1364-00-630	4,507	4,500	50 Feet	45 Feet
ARZ-20-02-009	15-21-28-0000-00-202	6,000	4,500	60 Feet	45 Feet

*These two parcels are proposed to be combined for the construction of one (1) dwelling unit. The resulting size would be 5,394 square feet.

Land Use Compatibility

The proposed R-2 (Residential 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 properties is Low-Medium Density Residential (LMDR) (Parcel IDs #15-21-28-1364-00-290 & 15-21-28-1364-00-300) and Low Density Residential (LDR) (Parcel IDs #15-21-28-1364-00-630 & 15-21-28-0000-00-202). The proposed R-2 (Residential District) zoning is consistent with both the LMDR and LDR FLUM designations, therefore a CP amendment is not necessary. The proposed requests are 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

ARZ-20-02-006:

Existing Use Undeveloped

Adjacent Zoning N: R-3 (Multiple-Family Dwelling District) (1957)
E: R-3 (Multiple-Family Dwelling District) (1957)
W: R-3 (Multiple-Family Dwelling District) (1957)
S: R-3 (Multiple-Family Dwelling District) (1957)
**No restrictions apply to the above zoning districts*

Adjacent Land Uses N: Single-Family Residential
Unopened, unimproved right-of-way
E: Single-Family Residential
W: Single-Family Residential
S: Vacant Residential

ARZ-20-02-008:

Existing Use Undeveloped

Adjacent Zoning N: R-3 (Multiple-Family Dwelling District) (1957)
E: R-3 (Multiple-Family Dwelling District) (1957)
W: R-3 (Multiple-Family Dwelling District) (1957)
S: R-3 (Multiple-Family Dwelling District) (1957)
**No restrictions apply to the above zoning districts*

Adjacent Land Uses N: Single-Family Residential
E: Single-Family Residential
W: Single-Family Residential
S: Vacant Residential

ARZ-20-02-009:

Existing Use Undeveloped

Adjacent Zoning

N: R-3 (Multiple-Family Dwelling District) (1957)
 E: R-3 (Multiple-Family Dwelling District) (1957)
 W: R-3 (Multiple-Family Dwelling District) (1957)
 S: R-3 (Multiple-Family Dwelling District) (1957)

**No restrictions apply to the above zoning districts*

Adjacent Land Uses

N: Single-Family Residential
 E: Vacant Residential
 W: Multifamily-Residential
 S: Vacant Residential

R-2 (Residential District) Development Standards

One-Family Dwelling

Min. Lot Area: 4,500 sq. ft.
 Min. Lot Width: 45 ft.
 Max. Height: 35 ft.
 Min. Living Area: 1,000 sq. ft.
 Building Setbacks:
 Front: 20 ft.
 Rear: 20 ft.
 Side: 5 ft.
 Side Street: 15 ft.

Two Dwelling Units

Min. Lot Area: 8,000 sq. ft. / 9,000 sq. ft.
 Min. Lot Width: 80 ft. / 90 ft.
 Max. Height: 35 ft.
 Min. Living Area: 500 sq. ft. / 1,000 sq. ft.
 Building Setbacks:
 Front: 20 ft.
 Rear: 20 ft.
 Side: 5 ft.
 Side Street: 15 ft.

Three Dwelling Units

Min. Lot Area: 11,250 sq. ft.
 Min. Lot Width: 85 ft. (attached units only)
 Max. Height: 35 ft.
 Min. Living Area: 500 sq. ft. per dwelling unit
 Building Setbacks:
 Front: 20 ft.
 Rear: 30 ft.
 Side: 10 ft.
 Side Street: 15 ft.

Four or More Dwelling Units

Min. Lot Area:	15,000 sq. ft.
Min. Lot Width:	85 ft.
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. per dwelling unit
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	30 ft.
<i>Side:</i>	10 ft. (30 ft. where adjacent to single-family)
<i>Side Street:</i>	15 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.*

Permitted Uses

The R-2 (Residential District) zoning district is composed of lands and structures used primarily for the construction of detached and attached single-family dwelling units, containing a maximum of four (4) units per building and associated residential uses.

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>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 the septic system and both DOH and the Water Management District for wells.</p> <p>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.</p> <p>Within proximity to City of Apopka's Water Treatment Plant as well as waste management facilities which may produce odor.</p> <p>This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection</p>

			Act, Section 369.316 F.S. Additional environmental regulations may apply.
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency database dated 1/27/20, there is one failing roadway segment. Orange Blossom Trail from Semoran Blvd to Park Ave. This information is dated and is subject to change. A traffic study will be required for this project at the time of permitting.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

Community meetings were not required for these requests.

Utilities

Water: City of Apopka
Wastewater: City of Apopka
Reclaim Water: Not 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 – (February 20, 2020)

ARZ-20-02-006:

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Parcels 15-21-28-1364-00-300 and 15-28-3164-00-290 shall be aggregated into one (1) lot prior to the issuance of any building permit.

ARZ-20-02-008:

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to the following restriction:

- 1) Development shall be limited to one (1) single-family dwelling unit.

ARZ-20-02-009:

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning.

- 1) Development shall be limited to one (1) single-family dwelling unit.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

ARZ-20-02-006:

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-2 (Single-Family Residential District) zoning, subject to the following restriction: parcels 15-21-28-1364-00-300 and 15-28-3164-00-290 shall be aggregated into one (1) lot prior to the issuance of any building permit.

One hundred thirty-five (135) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Velazquez and seconded by Commissioner Dunn to recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to one (1) restriction. The motion carried on a 8-0 vote.

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

ARZ-20-02-008:

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-2 (Single-Family Residential District) zoning, subject to the following restriction: Development shall be limited to one (1) single-family dwelling unit.

Ninety-two (92) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Velazquez and seconded by Commissioner Wade to recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to one (1) restriction. The motion carried on a 8-0 vote.

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

ARZ-20-02-009:

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-2 (Single-Family Residential District) zoning, subject to the following restriction: Development shall be limited to one (1) single-family dwelling unit.

Eighty-two (82) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses

Cases: ARZ-20-02-006, ARZ-20-02-008, ARZ-20-02-009
Orange County Planning Division
PZC Hearing Date: February 20, 2020

in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Velazquez and seconded by Commissioner Dunn to recommend APPROVAL of the requested R-2 (Single-Family Residential District) zoning, subject to one (1) restriction. The motion carried on a 8-0 vote.

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

FUTURE LAND USE MAP

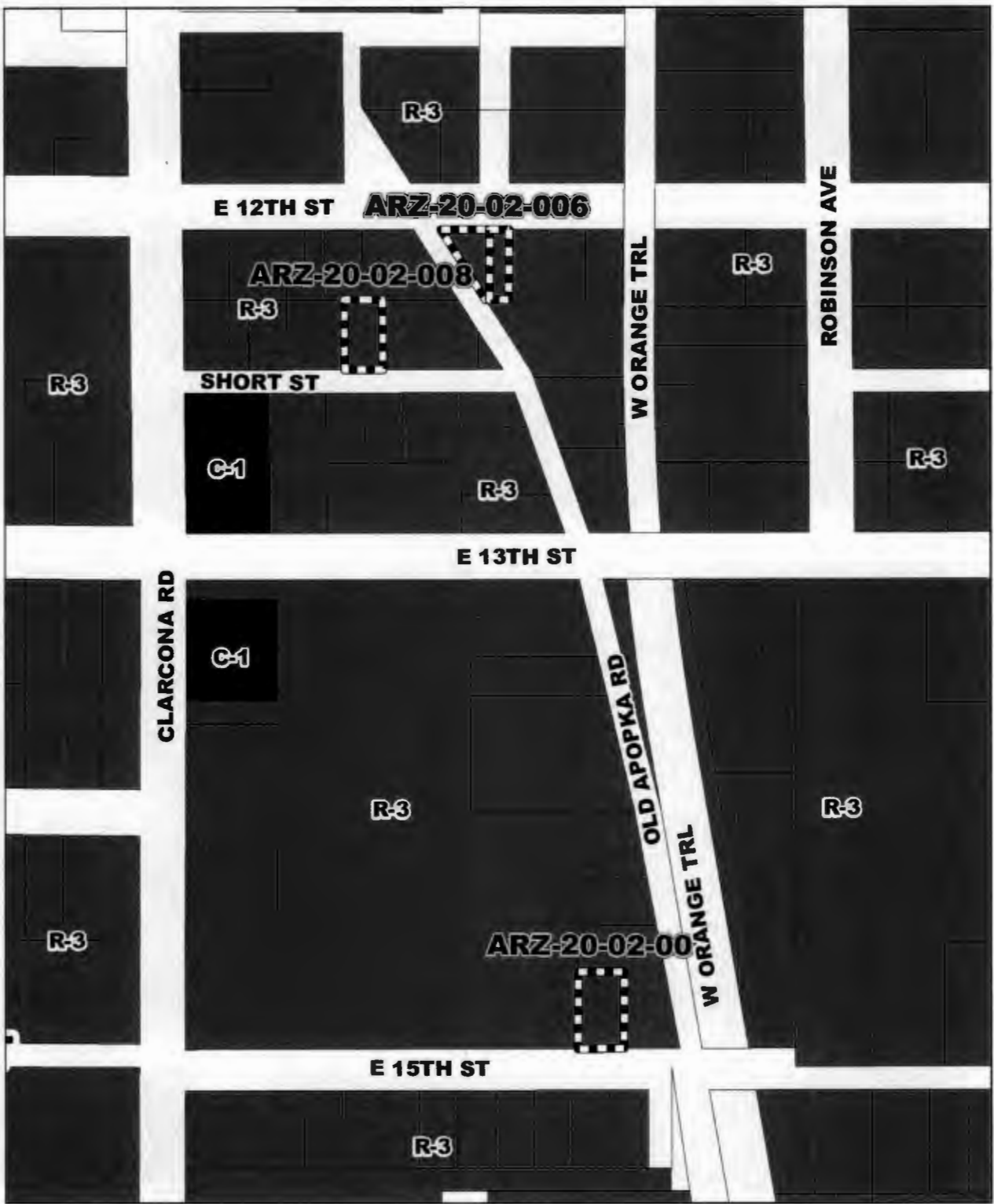


 Subject Property



1 inch = 165 feet

ZONING MAP



 Subject Property



1 inch = 165 feet

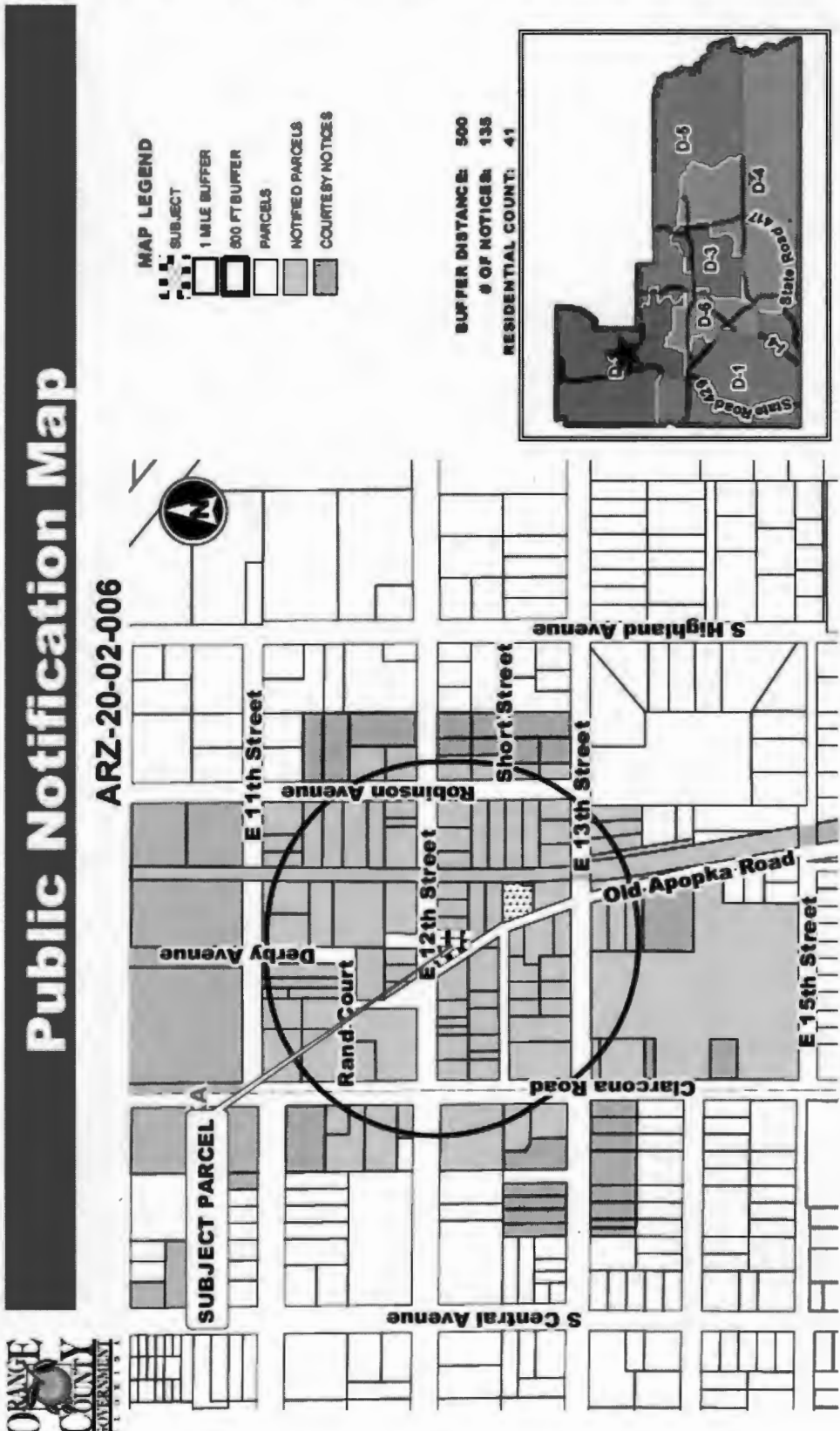


 Subject Property



1 inch = 165 feet

NOTIFICATION MAP: ARZ-20-02-006



Public Notification Map

ARZ-20-02-006



NOTIFICATION MAP: ARZ-20-02-008

Public Notification Map

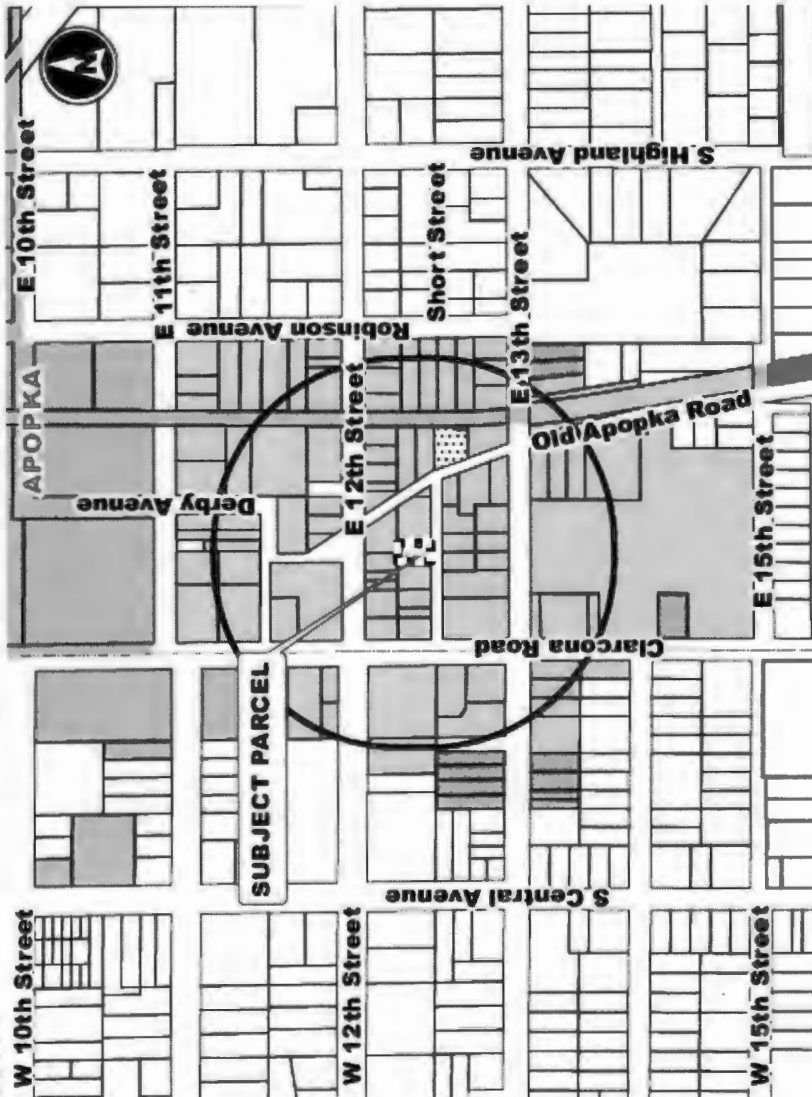
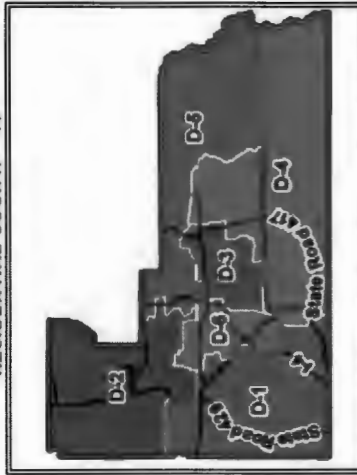
ARZ-20-02-008



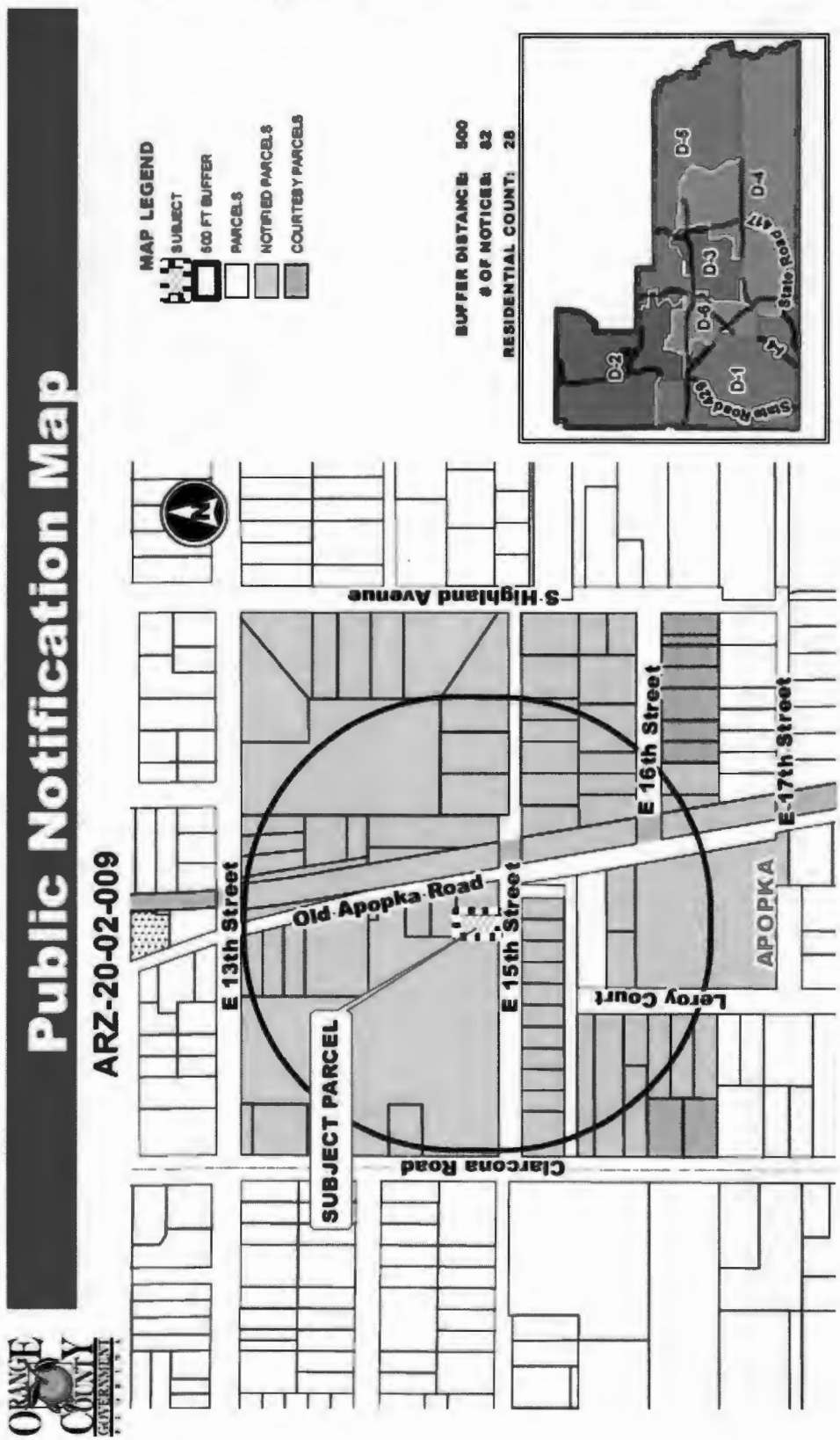
MAP LEGEND

- SUBJECT
- 500 FT BUFFER
- PARCELS
- NOTIFIED PARCELS
- COURTESY PARCELS

BUFFER DISTANCE: 500
OF NOTICES: 92
RESIDENTIAL COUNT: 41



NOTIFICATION MAP: ARZ-20-02-009



CASE # ARZ-20-02-012

Commission District: #3

GENERAL INFORMATION

APPLICANT	Mitchell Glasser, Orange County Housing and Community Development Division
OWNERS	Orange County BCC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-3 (Multiple-Family Dwelling District) to R-2 (Residential District)
LOCATION	203 E. Fillmore Avenue; or generally northeast of the E. Fillmore Avenue and Dumont Street intersection.
PARCEL ID NUMBER	24-23-29-0192-10-050
TRACT SIZE	0.23-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 fifty-three (153) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	One (1) single-family dwelling unit

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

In 2006, Florida Legislature passed House Bill 1363 creating Section 125.379, Florida Statutes, to provide for the disposition of county-owned properties for affordable housing (the "Act"). The Act requires each County to prepare an inventory list of County-owned properties appropriate for affordable housing, and it provides several options for disposition of property, with one of the options being to donate the properties to non-

profit housing organizations for construction of permanent affordable housing. Orange County Housing and Community Development (HCD) Division currently partners with local non-profit entities to transfer county-owned properties for the purpose of affordable housing.

Furthermore, a Housing for All Task Force, which was initiated by Mayor Demings to help address the affordable housing crisis, made a number of recommendations to jumpstart production of affordable and attainable housing units. Those recommendations list "active land banking for affordable housing" as one of the strategies. This strategy includes a regular assessment of County-owned properties and making them available for construction of affordable housing units.

In compliance with the Act and recommendations of the Housing for All Task Force, the Real Estate Management Division and HCD Division prepared an inventory list for review by the Board of County Commissioners (BCC). The list was reviewed during the December 17, 2019 BCC meeting, and an updated resolution was adopted by the Board. Approximately thirty (30) properties were identified during the review process, with some properties having an inconsistent Future Land Use and Zoning designations as well as lot widths or lot sizes that were not adequate for development in their current Zoning Districts.

On January 30, 2020, Orange County, through its HCD Division issued a Request for Application (RFA) for non-profit agencies, inviting them to construct affordable housing on surplus County properties. Homes to be built on the lots will be owner-occupied dwellings targeted to low- and moderate-income households. To ensure that properties included as part of the RFA are development-ready and could be properly utilized for their intended purpose of providing new owner-occupied affordable housing units, Orange County is in the process of administratively rezoning a number of these properties.

The subject property is currently undeveloped. It was originally platted as one 70' x 143.05' lot within the Anno's Addition to Pine Castle. The plat for the Anno's Addition to Pine Castle was recorded on January 10, 1913. Today, the neighborhood can be characterized as single-family detached residential dwelling units on 70' wide lots or larger, as well as duplexes, triplexes and apartments.

The purpose of this request is to rezone from R-3 (Multiple-Family Dwelling District) to R-2 (Single-Family Residential District) in order to address the inconsistency between the Future Land Use Map (FLUM) designation and the Zoning district. The proposed R-2 zoning is consistent with LDR designation, whereas the current R-3 zoning district is not.

Land Use Compatibility

R-2 (Residential 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 Density Residential (LDR). The proposed R-2 (Residential 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:

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

Existing Use	Vacant Residential
Adjacent Zoning	N: R-3 (Multiple –Family Dwelling District) (1957) E: R-3 (Multiple –Family Dwelling District) (1957) W: R-3 (Multiple –Family Dwelling District) (1957) S: R-3 (Multiple –Family Dwelling District) (1957)
Adjacent Land Uses	N: Single-Family Dwelling E: Single-Family Dwelling W: Single-Family Dwelling S: Single-Family Dwelling

R-2 (Residential District) Development Standards

One-Family Dwelling

Min. Lot Area:	4,500 sq. ft.
Min. Lot Width:	45 ft.
Max. Height:	35 ft.
Min. Living Area:	1,000 sq. ft.
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	5 ft.
<i>Side Street:</i>	15 ft.

Two Dwelling Units

Min. Lot Area:	8,000 sq. ft. / 9,000 sq. ft.
Min. Lot Width:	80 ft. / 90 ft.
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. / 1,000 sq. ft.
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	5 ft.
<i>Side Street:</i>	15 ft.

Three Dwelling Units

Min. Lot Area:	11,250 sq. ft.
Min. Lot Width:	85 ft. (attached units only)
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. per dwelling unit
Building Setbacks:	
<i>Front:</i>	20 ft.

Rear: 30 ft.
Side: 10 ft.
Side Street: 15 ft.

Four or More Dwelling Units

Min. Lot Area: 15,000 sq. ft.
Min. Lot Width: 85 ft.
Max. Height: 35 ft.
Min. Living Area: 500 sq. ft. per dwelling unit
Building Setbacks:
 Front: 20 ft.
 Rear: 30 ft.
 Side: 10 ft. (30 ft. where adjacent to single-family)
 Side Street: 15 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.*

Permitted Uses

The R-2 (Residential District) zoning district is composed of lands and structures used primarily for the construction of detached and attached single-family dwelling units, containing a maximum of four (4) units per building and associated residential uses.

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 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 the septic system and both DOH and the Water Management District for wells. 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.
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: Orlando Utilities Commission

Wastewater: Orange County Utilities 8-inch gravity main is located within E. Filmore right-of-way

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 – (February 20, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

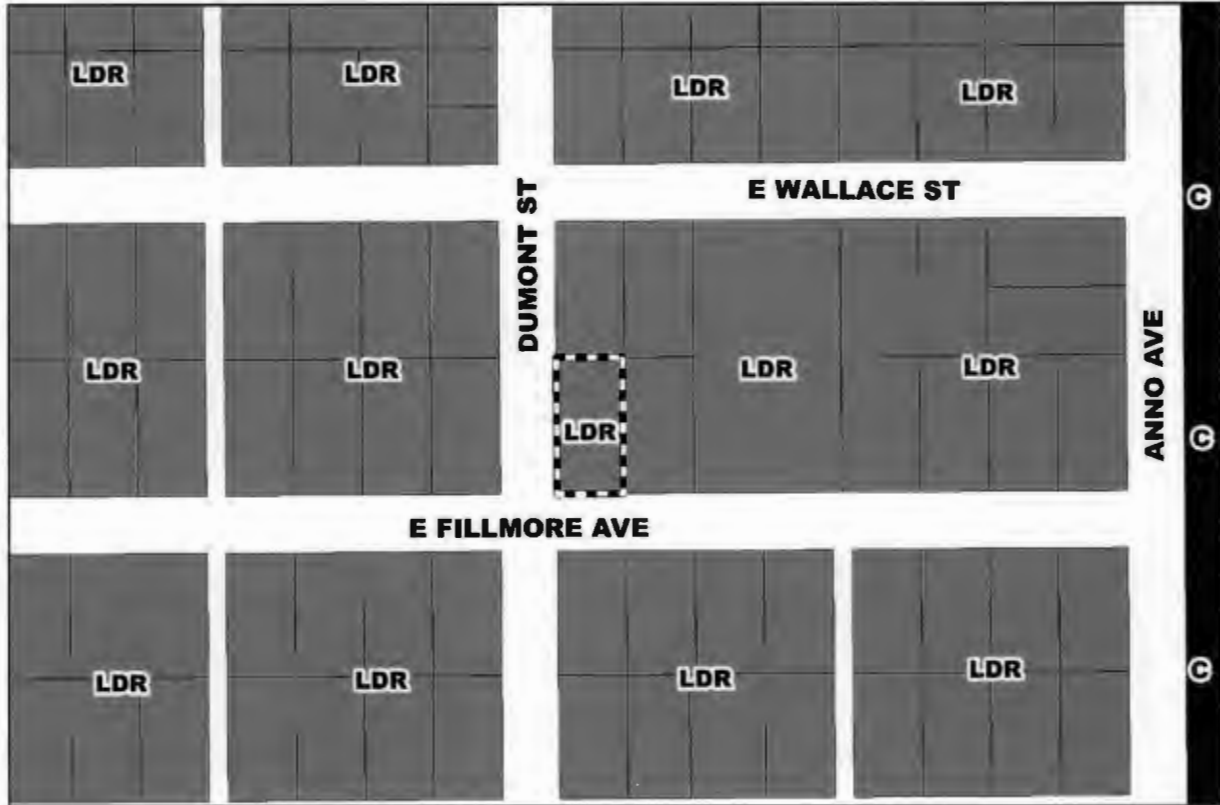
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) zoning.

Staff indicated that one hundred fifty-three (153) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Fernandez and seconded by Commissioner Velazquez to recommend APPROVAL of the requested R-2 (Residential District) rezoning. The motion carried on a 7-0 vote.

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

ARZ-20-02-012



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Low Density Residential (LDR)

APPLICANT: Mitchell Glasser
 Orange County Housing and Community
 Development Department

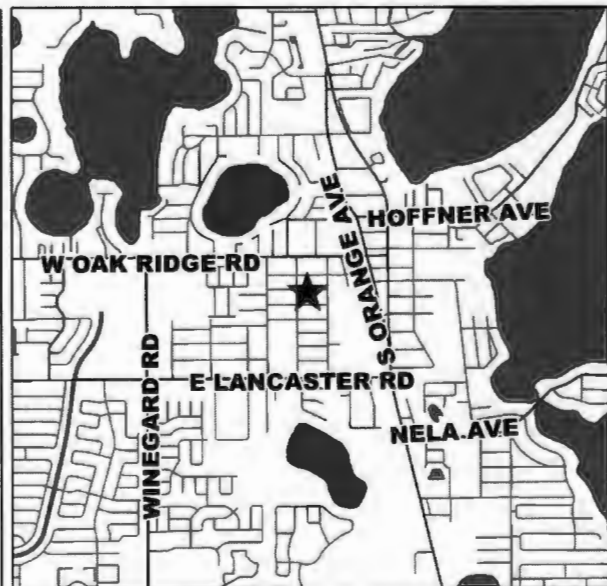
LOCATION: 203 E. Fillmore Avenue; generally
 northeast of the E. Fillmore Avenue
 and Dumont Street intersection.

TRACT SIZE: 0.23-gross acre

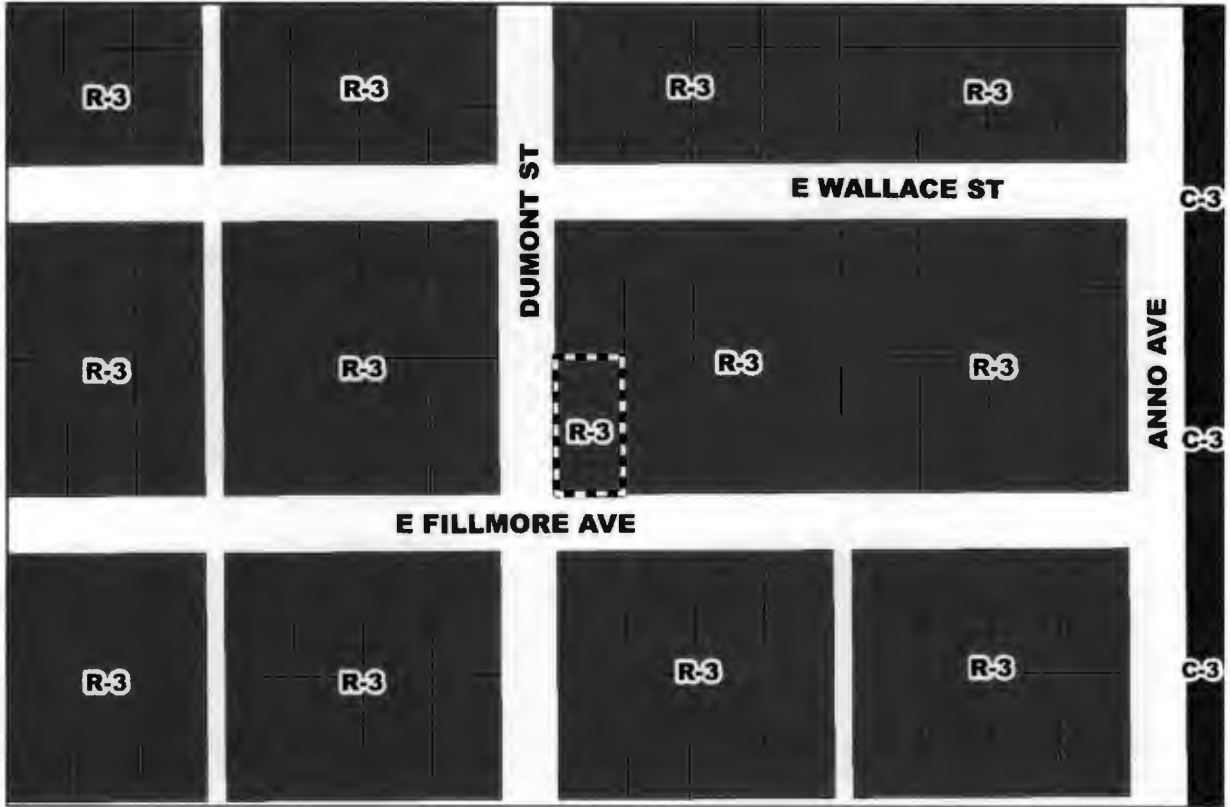
DISTRICT: #3

S/T/R: 29/23/24

1 inch = 165 feet



ARZ-20-02-012



 Subject Property



★ Subject Property

Zoning Map

ZONING: R-3 (Multiple-Family Dwelling District) to R-2 (Residential District)

APPLICANT: Mitchell Glasser
 Orange County Housing and Community Development Department

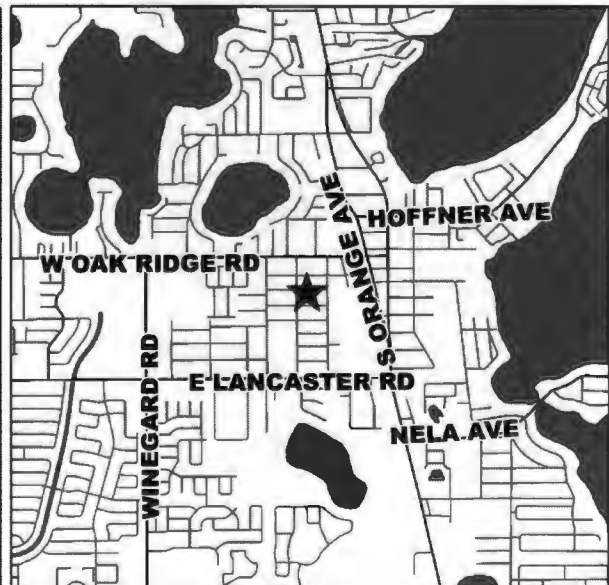
LOCATION: 203 E. Fillmore Avenue; generally northeast of the E. Fillmore Avenue and Dumont Street intersection.

TRACT SIZE: 0.23-gross acre

DISTRICT: #3

S/T/R: 29/23/24

1 inch = 165 feet



ARZ-20-02-012



 Subject Property



1 inch = 125 feet

Alternative Mobility Area Context Map

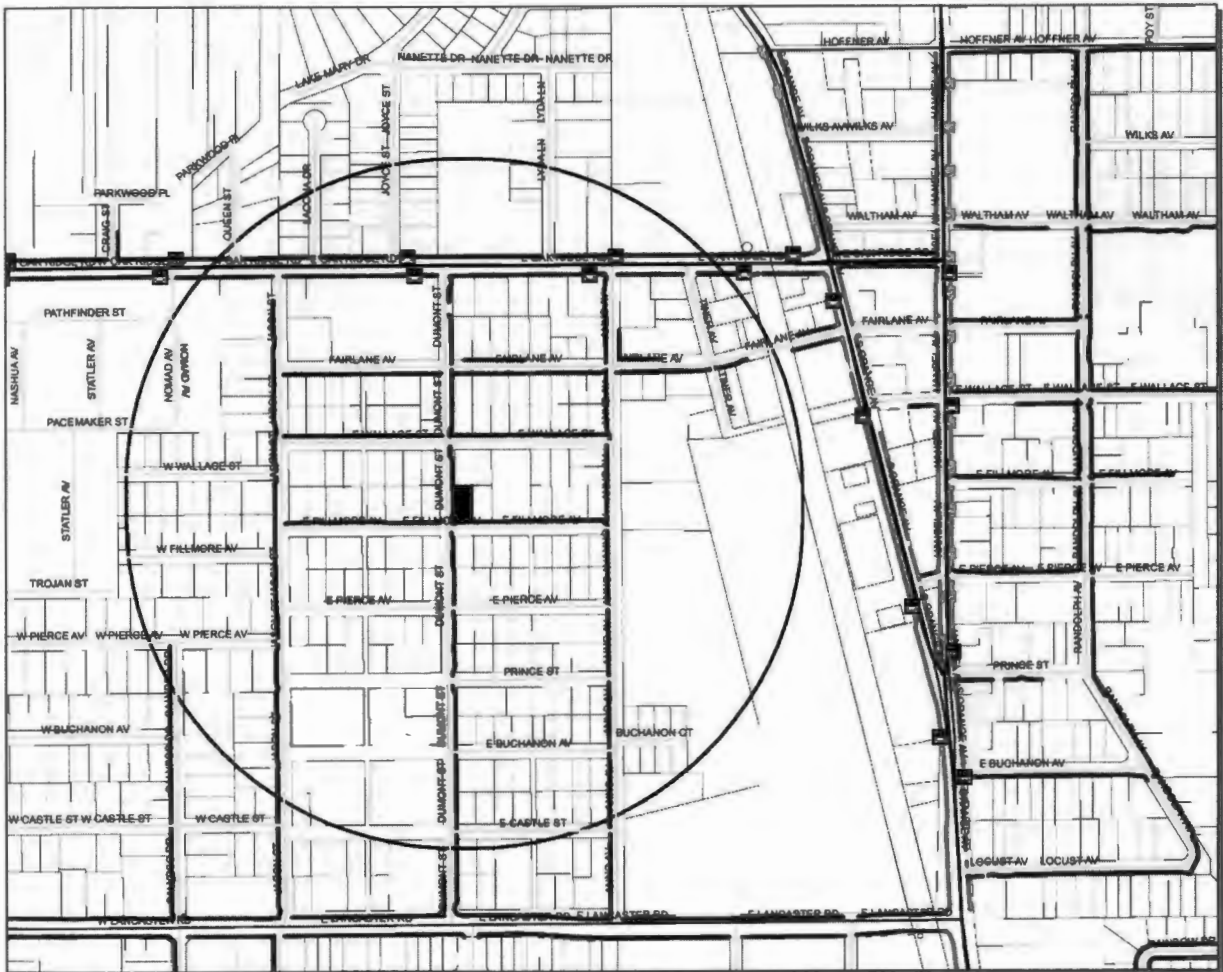
ARZ-20-02-012
 203 E. FILLMORE AV

Legend

- LYNX Bus Stops
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- LYNX Bus Route Schedule
- Major Streets
- Roads Base
- Segment_ID
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Major Streets
- Streets
- PA_PARCELS_Buffer436
- Horizon West Boundary
- County Boundary
- Parcels



Date: 1/17/2020

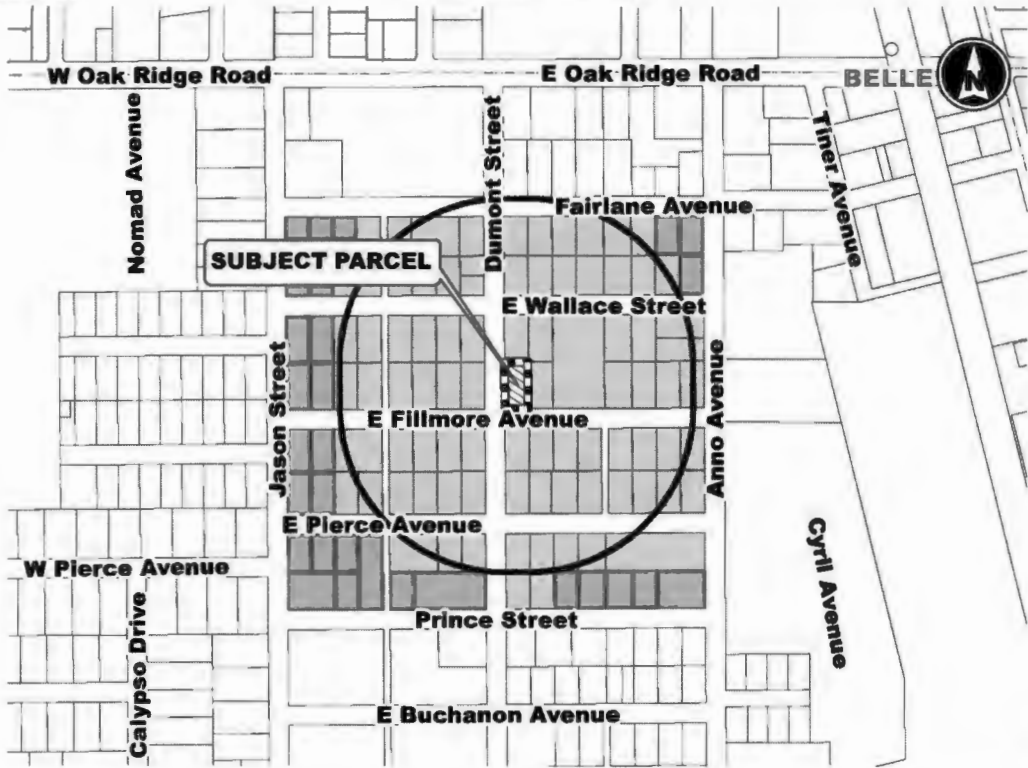


Document Path: U:\GIS 2018.mxd



Public Notification Map

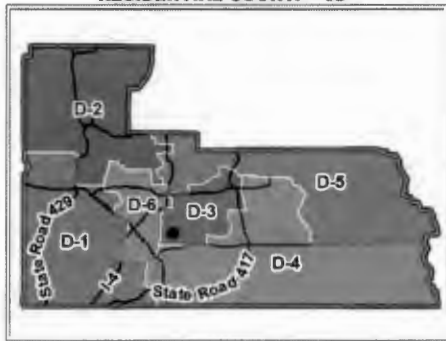
ARZ-20-02-012



MAP LEGEND

	SUBJECT
	500 FT BUFFER
	PARCELS
	NOTIFIED PARCELS
	COURTESY PARCELS

BUFFER DISTANCE: 500
OF NOTICES: 153
RESIDENTIAL COUNT: 65



S:\Business Systems\Board Administration\2_PZC\2020\2-FEBRUARY\ARZ-20-02-012\ARZ-20-02-012.mxd

Notification Map

Cases: ARZ-20-02-012
 Orange County Planning Division
 PZC Hearing Date: February 20, 2020

CASE # ARZ-20-02-015

Commission District: #2

GENERAL INFORMATION

APPLICANT	Mitchell Glasser, Orange County Housing and Community Development Division
OWNERS	Orange County BCC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1 (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District) for a lot-width variance to allow a 45-foot wide lot in lieu of a 50-foot wide lot
LOCATION	251 N. Maine Avenue; or generally southeast of the Connecticut Avenue and N. Maine Avenue intersection.
PARCEL ID NUMBER	09-21-28-5908-03-191
TRACT SIZE	0.14-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 twenty-one (121) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	One (1) single-family dwelling unit

STAFF RECOMMENDATION

PLANNING

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

- 1) A variance to allow a 45-foot wide lot in lieu of a 50-foot wide lot.

SUBJECT PROPERTY ANALYSIS

Overview

In 2006, Florida Legislature passed House Bill 1363 creating Section 125.379, Florida Statutes, to provide for the disposition of county-owned properties for affordable housing (the "Act"). The Act requires each County to prepare an inventory list of County-owned properties appropriate for affordable housing, and it provides several options for disposition of property, with one of the options being to donate the properties to non-profit housing organizations for construction of permanent affordable housing. Orange County Housing and Community Development (HCD) Division currently partners with local non-profit entities to transfer county-owned properties for the purpose of affordable housing.

Furthermore, a Housing for All Task Force, which was initiated by Mayor Demings to help address the affordable housing crisis, made a number of recommendations to jumpstart production of affordable and attainable housing units. Those recommendations list "active land banking for affordable housing" as one of the strategies. This strategy includes a regular assessment of County-owned properties and making them available for construction of affordable housing units.

In compliance with the Act and recommendations of the Housing for All Task Force, the Real Estate Management Division and HCD Division prepared an inventory list for review by the Board of County Commissioners (BCC). The list was reviewed during the December 17, 2019 BCC meeting, and an updated resolution was adopted by the Board. Approximately thirty (30) properties were identified during the review process, with some properties having an inconsistent Future Land Use and Zoning designations as well as lot widths or lot sizes that were not adequate for development in their current Zoning Districts.

On January 30, 2020, Orange County, through its HCD Division issued a Request for Application (RFA) for non-profit agencies, inviting them to construct affordable housing on surplus County properties. Homes to be built on the lots will be owner-occupied dwellings targeted to low- and moderate-income households. To ensure that properties included as part of the RFA are development-ready and could be properly utilized for their intended purpose of providing new owner-occupied affordable housing units, Orange County is in the process of administratively rezoning a number of these properties.

The subject property is currently a vacant lot. It was originally platted as one 50' x 140.95' within the New England Heights. The plat for the New England Heights was recorded on October 25, 1931. Currently the subject property has only 45' width and requires a variance.

The purpose of this request is to allow a 45-foot wide lot in lieu of a 50-foot wide lot in order to construct one (1) single-family dwelling unit.

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"/>	The subject property is located within 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 Medium Density Residential (LMDR). The proposed R-1 (Single-Family Dwelling District) zoning is consistent with the Low Medium Density Residential 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

Existing Use	Vacant Residential
Adjacent Zoning	N: R-1 (Single-Family Dwelling District) (1957) E: R-1 (Single-Family Dwelling District) (1957) W: R-1 (Single-Family Dwelling District) (1957) S: R-1 (Single-Family Dwelling District) (1957)
Adjacent Land Uses	N: Single-Family Dwelling E: Single-Family Dwelling W: Single-Family Dwelling S: Single-Family Dwelling

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"/>	<p>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 the septic system and both DOH and the Water Management District for wells.</p> <p>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.</p> <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>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency database dated 1/24/20, there is one failing roadway segment within the project area. Orange Blossom Trail from Park Ave to Western Beltway. A traffic study will be required for this project.
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 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 – (February 20, 2020)

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

- 1) A variance to allow a 45-foot wide lot in lieu of a 50-foot wide lot.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

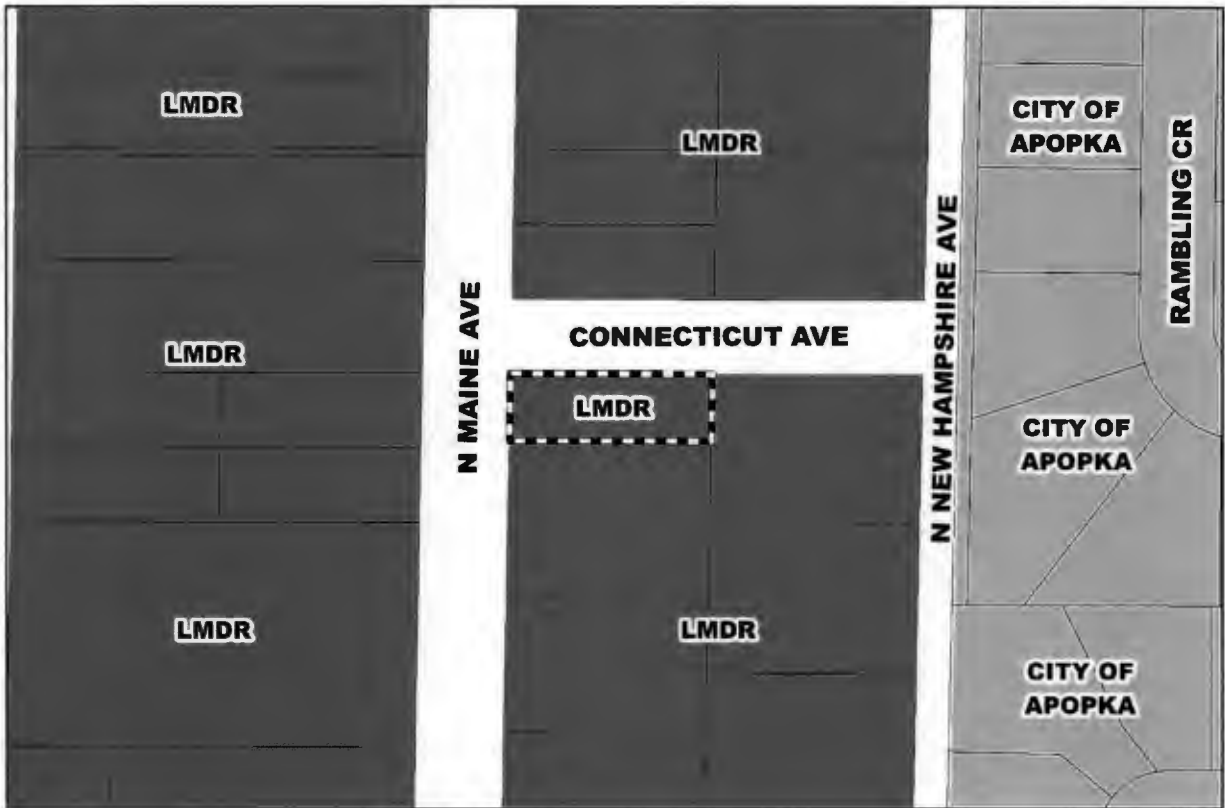
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning.

Staff indicated that one hundred twenty-one (121) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Velazquez and seconded by Commissioner Dunn to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning, subject to one (1) variance. The motion carried on a 8-0 vote.

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

ARZ-20-02-015



Subject Property



★ Subject Property

Future Land Use Map

FLUM: Low Medium Density Residential (LMDR)

APPLICANT: Mitchell Glasser
 Orange County Housing and Community
 Development Department

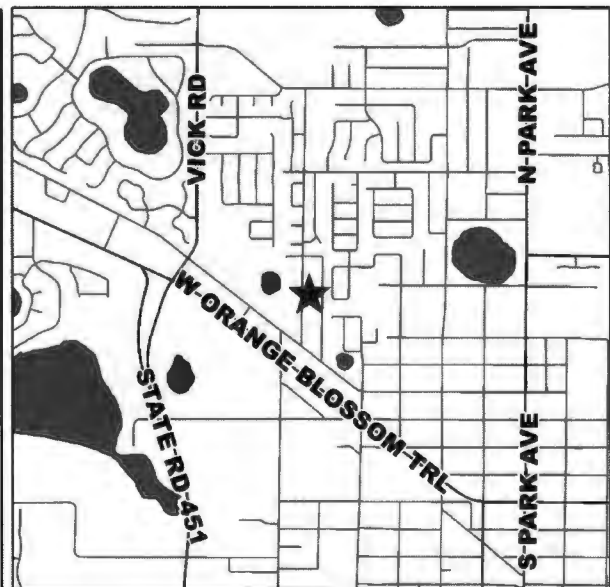
LOCATION: 251 N. Maine Avenue; generally
 southeast of the Connecticut Avenue and
 N. Maine Avenue intersection.

TRACT SIZE: 0.14-gross acre

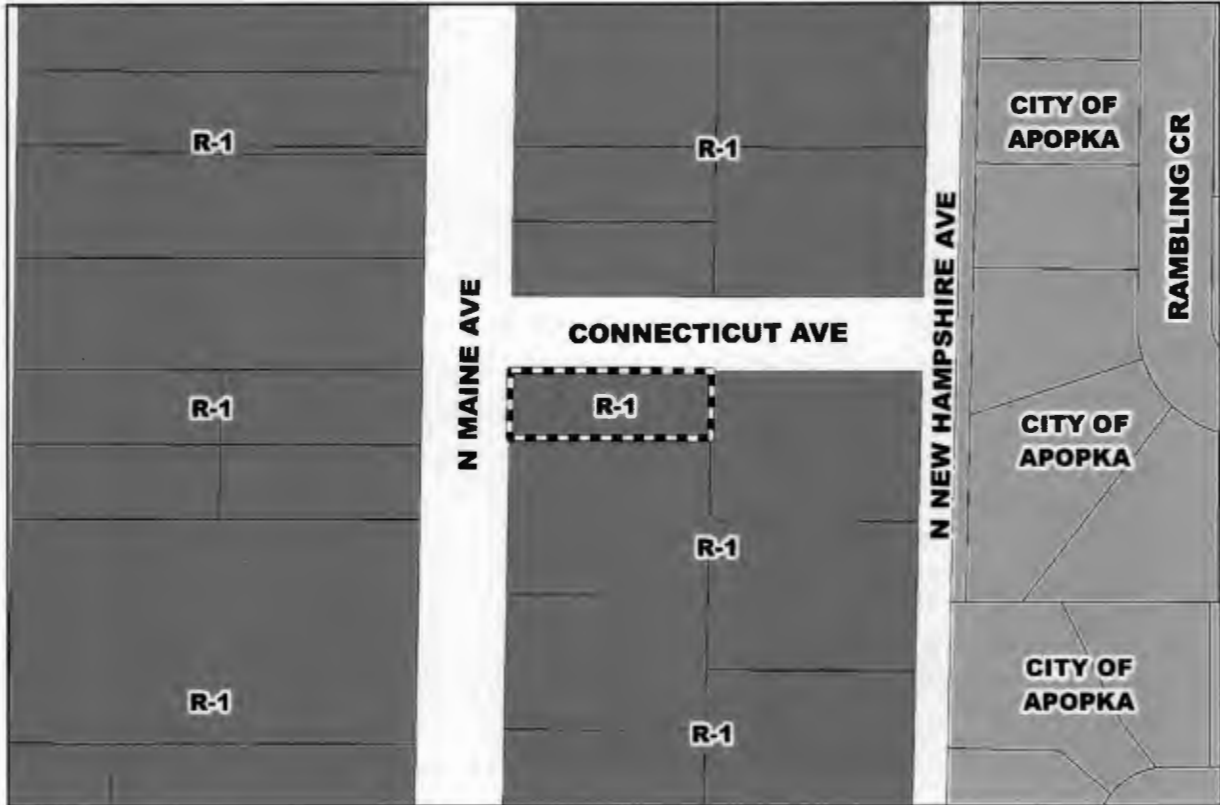
DISTRICT: #2

S/I/R: 28/21/09

1 inch = 105 feet



ARZ-20-02-015



 Subject Property



★ Subject Property

Zoning Map

ZONING: R-1 (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District) for a lot width variance to allow a 45 foot lot in lieu of a 50 foot lot

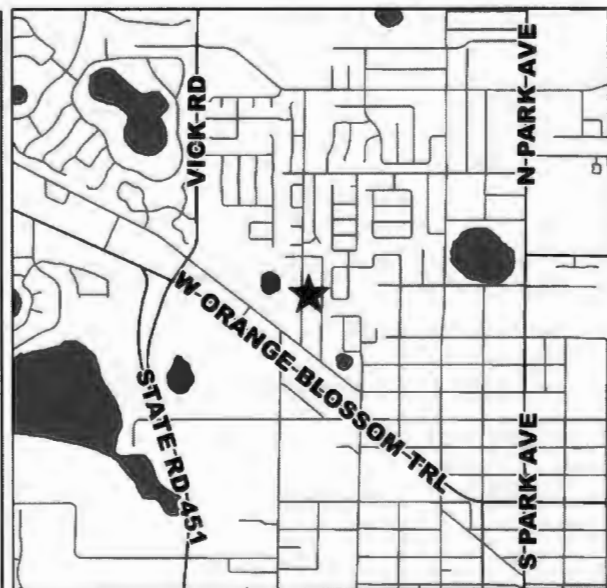
APPLICANT: Mitchell Glasser
 Orange County Housing and Community Development Department

LOCATION: 251 N. Maine Avenue; generally southeast of the Connecticut Avenue and N. Maine Avenue intersection.

TRACT SIZE: 0.14-gross acre

DISTRICT: #2

S/T/R: 28/21/09
 1 inch = 105 feet



ARZ-20-02-015

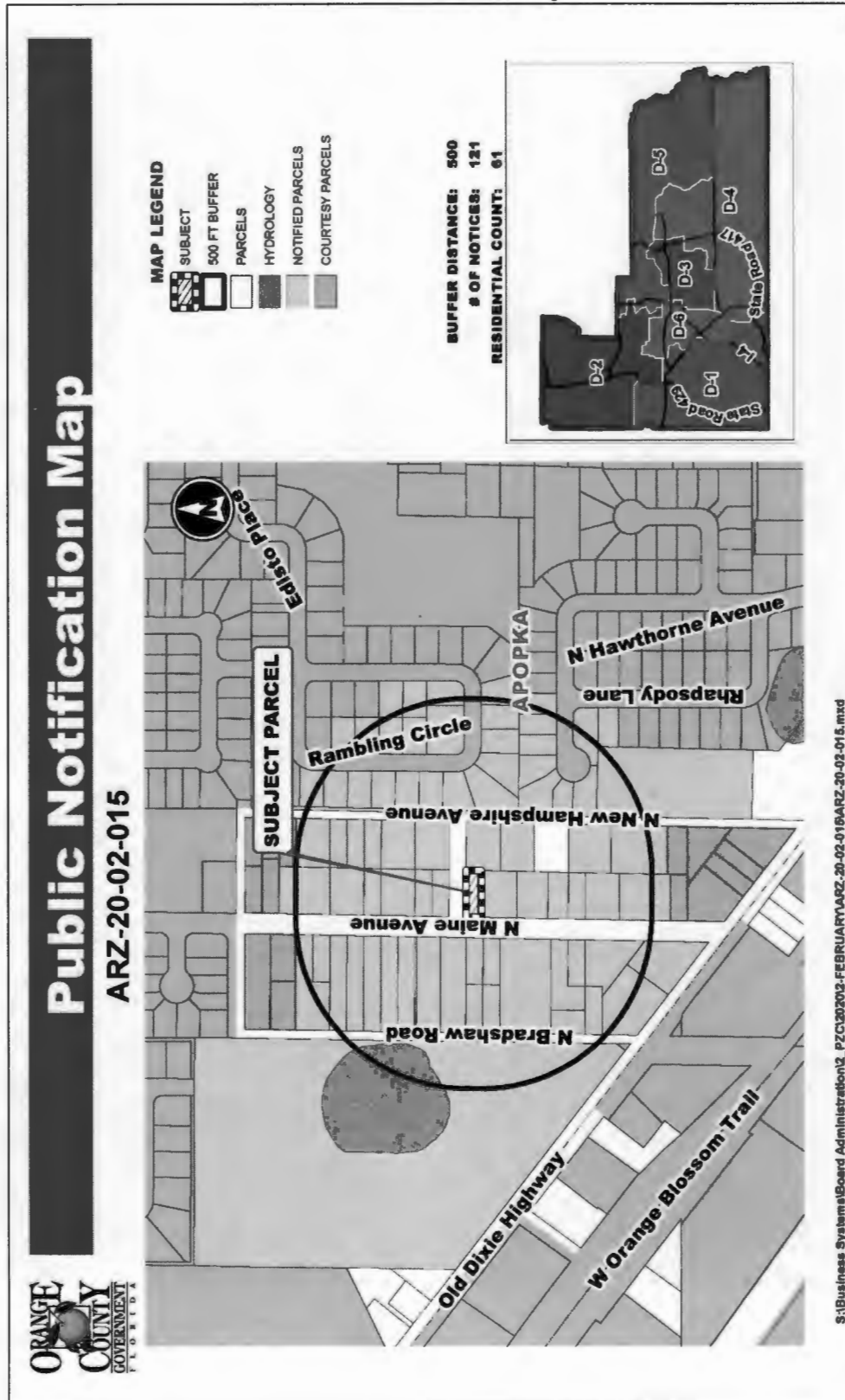


 Subject Property



1 inch = 125 feet

Notification Map



CASES: ARZ-20-02-016, ARZ-20-02-017, ARZ-20-02-018
Commission District: #6

GENERAL INFORMATION

APPLICANT	Mitchell Glasser, Orange County Housing and Community Development Division
OWNER	Orange County BCC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Residential District) to R-1 (Single-Family Residential District)
LOCATION	<p>ARZ-20-02-016: 1416 40th Street; or generally south of 40th Street, 150 feet east of S. Rio Grande Avenue.</p> <p>ARZ-20-02-017: 1320 40th Street, 1336 40th Street and 40th Street; or generally south of 40th Street and east of S. Nashville Avenue.</p> <p>ARZ-20-02-018: 1408 35th Street; or generally south of 35th Street, approximately 350 feet east of S. Rio Grande Avenue.</p>
PARCEL ID NUMBERS & ACREAGE	<p>ARZ-20-02-016: 03-23-29-0183-19-090; 0.15 acres</p> <p>ARZ-20-02-017: 03-23-29-0183-20-090; 0.15 acres 03-23-29-0183-20-110; 0.15 acres 03-23-29-0183-20-120; 0.15 acres</p> <p>ARZ-20-02-018: 03-23-29-0182-93-050; 0.15 acres</p>
PUBLIC NOTIFICATION	<p>The notification area for these public hearings was 500 feet each [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Notices were mailed to property owners in the surrounding areas as listed below. Community meetings were not required for these applications.</p> <p>ARZ-20-02-016: 177 notices mailed ARZ-20-02-017: 181 notices mailed ARZ-20-02-018: 164 notices mailed</p>
PROPOSED USE	Single-Family Residential (one dwelling on each lot)

STAFF RECOMMENDATIONS

ARZ-20-02-016:

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Residential District) zoning.

ARZ-20-02-017:

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Residential District) zoning.

ARZ-20-02-018:

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Residential District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

In 2006, Florida Legislature passed House Bill 1363 creating Section 125.379, Florida Statutes, to provide for the disposition of county-owned properties for affordable housing (the "Act"). The Act requires each County to prepare an inventory list of County-owned properties appropriate for affordable housing, and it provides several options for disposition of property, with one of the options being to donate the properties to non-profit housing organizations for construction of permanent affordable housing. Orange County Housing and Community Development (HCD) Division currently partners with local non-profit entities to transfer county-owned properties for the purpose of affordable housing.

Furthermore, a Housing for All Task Force, which was initiated by Mayor Demings to help address the affordable housing crisis, made a number of recommendations to jumpstart production of affordable and attainable housing units. Those recommendations list "active land banking for affordable housing" as one of the strategies. This strategy includes a regular assessment of County-owned properties and making them available for construction of affordable housing units.

In compliance with the Act and recommendations of the Housing for All Task Force, the Real Estate Management Division and HCD Division prepared an inventory list for review by the Board of County Commissioners (BCC). The list was reviewed during the

December 17, 2019 BCC meeting, and an updated resolution was adopted by the Board. Approximately thirty (30) properties were identified during the review process, with some properties having an inconsistent Future Land Use and Zoning designations as well as lot widths or lot sizes that were not adequate for development in their current Zoning Districts.

On January 30, 2020, Orange County, through its HCD Division issued a Request for Application (RFA) for non-profit agencies, inviting them to construct affordable housing on surplus County properties. Homes to be built on the lots will be owner-occupied dwellings targeted to low- and moderate-income households. To ensure that properties included as part of the RFA are development-ready and could be properly utilized for their intended purpose of providing new owner-occupied affordable housing units, Orange County is in the process of administratively rezoning a number of these properties.

The properties included in this staff report are grouped into three rezoning cases, requiring a motion for each one. The purpose of these requests is to rezone from R-1A (Single-Family Residential District) to R-1 (Single-Family Residential District) in order to address the current lot widths and sizes which are either too narrow or too small for the current zoning district. The table below shows the current requirements in relation to the current lot widths and sizes. The proposed R-1 zoning allows for smaller 5,000 square foot lots and more narrow 50 foot lots, which would allow for these properties to be developed with one single-family home.

Case #	Parcel #	Current Lot Sizes (SF)	Required Lot Sizes in the R-1A District (SF)	Current Lot Widths	Required Lot Widths in the R-1A District (SF)
ARZ-20-02-016	03-23-29-0183-19-090	6,747	7,500	50 Feet	75 Feet
ARZ-20-02-017	03-23-29-0183-20-090	6,749	7,500	50 Feet	75 Feet
	03-23-29-0183-20-110	6,749	7,500	50 Feet	75 Feet
	03-23-29-0183-20-120	6,749	7,500	50 Feet	75 Feet
ARZ-20-02-018	03-23-29-0182-93-050	6,751	7,500	50 Feet	75 Feet

Land Use Compatibility

The R-1 (Single-Family Residential District) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties. Several properties in the area have been rezoned to R-1 (Single-Family Residential District) as well as R-2 (Residential District). Most of the properties in the area are fifty (50) feet wide including those that are zoned R-1A.

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"/>	
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Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Density Residential (LDR). The R-1 (Single-Family Dwelling District) zoning is consistent with the Low Density Residential FLUM designation and 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.

SITE DATA

ARZ-20-02-016:

Existing Use Undeveloped

Adjacent Zoning N: R-1A (Single-Family Dwelling District) (1957)

Cases: ARZ-20-02-016, ARZ-20-02-017, ARZ-20-02-018
Orange County Planning Division
PZC Hearing Date: February 20, 2020

E: R-2 (Residential District) (1984)
W: R-1A (Single-Family Dwelling District) (1957)
S: R-1A (Single-Family Dwelling District) (1957)
**No restrictions apply to the above zoning districts*

Adjacent Land Uses N: Single-Family Residential
E: Single-Family Residential
W: Single-Family Residential
S: Single-Family Residential

ARZ-20-02-017:

Existing Use Undeveloped

Adjacent Zoning N: R-1A (Single-Family Dwelling District) (1957)
E: R-1A (Single-Family Dwelling District) (1957)
R-3 (Multiple-Family Dwelling District) (1980)
W: R-1A (Single-Family Dwelling District) (1957)
S: R-2 (Residential District) (1981)
**No restrictions apply to the above zoning districts*

Adjacent Land Uses N: Single-Family Residential
E: Single-Family Residential
W: Single-Family Residential
S: Single-Family Residential

ARZ-20-02-018:

Existing Use Undeveloped

Adjacent Zoning N: R-1A (Single-Family Dwelling District) (1957)
E: R-1A (Single-Family Dwelling District) (1957)
W: R-1A (Single-Family Dwelling District) (1957)
S: R-1A (Single-Family Dwelling District) (1957)
**No restrictions apply to the above zoning districts*

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. Floor Area:	1,000 sq. ft.
Building Setbacks:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	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 to 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"/>	<p>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.</p> <p>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 the septic system and both DOH and the Water Management District for wells.</p>

			Proximity to multiple DEP petroleum cleanup sites located east of these properties.
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See comments below table*
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

***ARZ-20-02-016 & ARZ-20-02-017:** These projects are located within the Orange County Alternative Mobility Area (AMA). The following is a list of alternative mobility options within the project area: Orange County maintained sidewalks exist along S. Rio Grande Ave from 45th Street to 33rd Street. State maintained sidewalks exist along S. Orange Blossom Trl from 45th Street to 35th Street. LYNX bus link #304 Lynx 3D: Rio Grande Vistana Resort; #40 Americana Blvd Universal Orlando; #107 Downtown Orlando Florida Mall; #8 W. Oak Ridge Road International Drive; #441 Fastlynx. There are (14) fourteen bus stops ((8) eight are sheltered stops). A mobility analysis may be required for these projects.

ARZ-20-02-018: This project is located within the Orange County Alternative Mobility Area (AMA). The following is a list of alternative mobility modes within the project area: Orange County maintained sidewalks exist along 35th Street from S. Rio Grande Avenue to S. Orange Blossom Trail and along S. Rio Grande Ave from 33rd Street to 40th Street. LYNX Bus Link# 36 Lake Richmond; LYNX 3D Downtown Orlando/Hotel Plaza #38 Downtown Orlando/International Drive; #50 Downtown Orlando/Magic Kingdom; #300 LYNX 3D Downtown Orlando/Hotel Plaza; #304 LYNX 3D Rio Grande/Vistana Resort; #40 Americana Blvd/ Universal Orlando; #441 Fastlynx 441; #107 Downtown Orlando/Florida Mall; #8 W. Oak Ridge Road/International Drive. There are (10) ten bus stops, of which (2) two are sheltered stops within the project area.

Community Meeting Summary

Community meetings were not required for these requests.

Utilities

ARZ-20-02-016 & ARZ-20-02-018

Water: Orlando Utilities Commission

Wastewater: Orange County Not Currently Available

Reclaim Water: City of Orlando

ARZ-20-02-017

Water: Orlando Utilities Commission

Wastewater: Orange County 8-inch gravity main is located within 40th Street right-of-way

Reclaim Water: City of Orlando

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 – (February 20, 2020)

ARZ-20-02-016:

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Residential District) zoning.

ARZ-20-02-017:

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Residential District) zoning.

ARZ-20-02-018:

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Residential District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

ARZ-20-02-016:

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 (Single-Family Residential District) zoning.

Staff has indicated that one hundred seventy-seven (177) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

Cases: ARZ-20-02-016, ARZ-20-02-017, ARZ-20-02-018
Orange County Planning Division
PZC Hearing Date: February 20, 2020

A motion was made by Commissioner Wade and seconded by Commissioner Velazquez recommend APPROVAL of the requested R-1 (Single-Family Residential District) zoning. The motion carried on a 8-0 vote.

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

ARZ-20-02-017:

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 (Single-Family Residential District) zoning.

Staff has indicated that one hundred eighty-one (181) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Wade and seconded by Commissioner Fernandez to recommend APPROVAL of the requested R-1 (Single-Family Residential District) zoning. The motion carried on a 8-0 vote.

Motion / Second	<i>JaJa Wade/ Eddie Fernandez</i>
Voting in Favor	<i>JaJa Wade, Eddie Fernandez, Carlos Nazario, Diane Velazquez, Gordon Spears, Evelyn Cardenas, JaJa Wade, and Mohammed Abdallah</i>
Voting in Opposition	<i>None</i>
Absent	<i>None</i>

ARZ-20-02-018:

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 (Single-Family Residential District) zoning.

Staff has indicated that one hundred sixty-four (164) notices were mailed to the surrounding area property owners within a buffer extending 500 feet from the subject

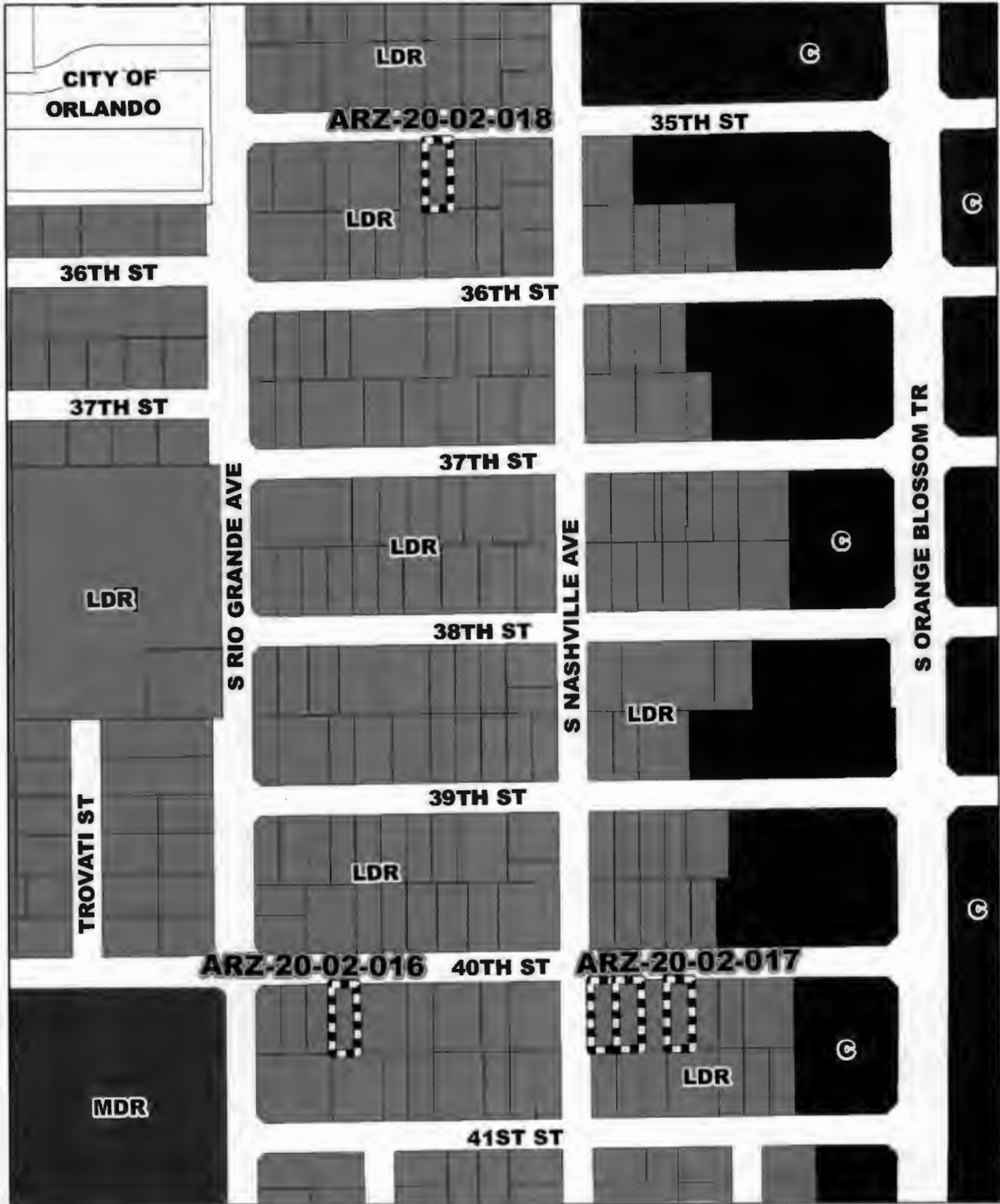
Cases: ARZ-20-02-016, ARZ-20-02-017, ARZ-20-02-018
Orange County Planning Division
PZC Hearing Date: February 20, 2020

property. Staff has received zero (0) responses in opposition to the request and zero (0) in favor. Zero (0) members of the public were present to speak on this request.

A motion was made by Commissioner Wade and seconded by Commissioner Dunn to recommend APPROVAL of the requested R-1 (Single-Family Residential District) zoning. The motion carried on a 8-0 vote.

Motion / Second	<i>JaJa Wade/ Jimmy Dunn</i>
Voting in Favor	<i>JaJa Wade, Jimmy Dunn, Gordon Spears, Mohammed Abdallah, Evely Cardenas, Carlos Nazario, Diane Velazquez, and Eddie Fernandez</i>
Voting in Opposition	<i>None</i>
Absent	<i>None</i>

FUTURE LAND USE MAP

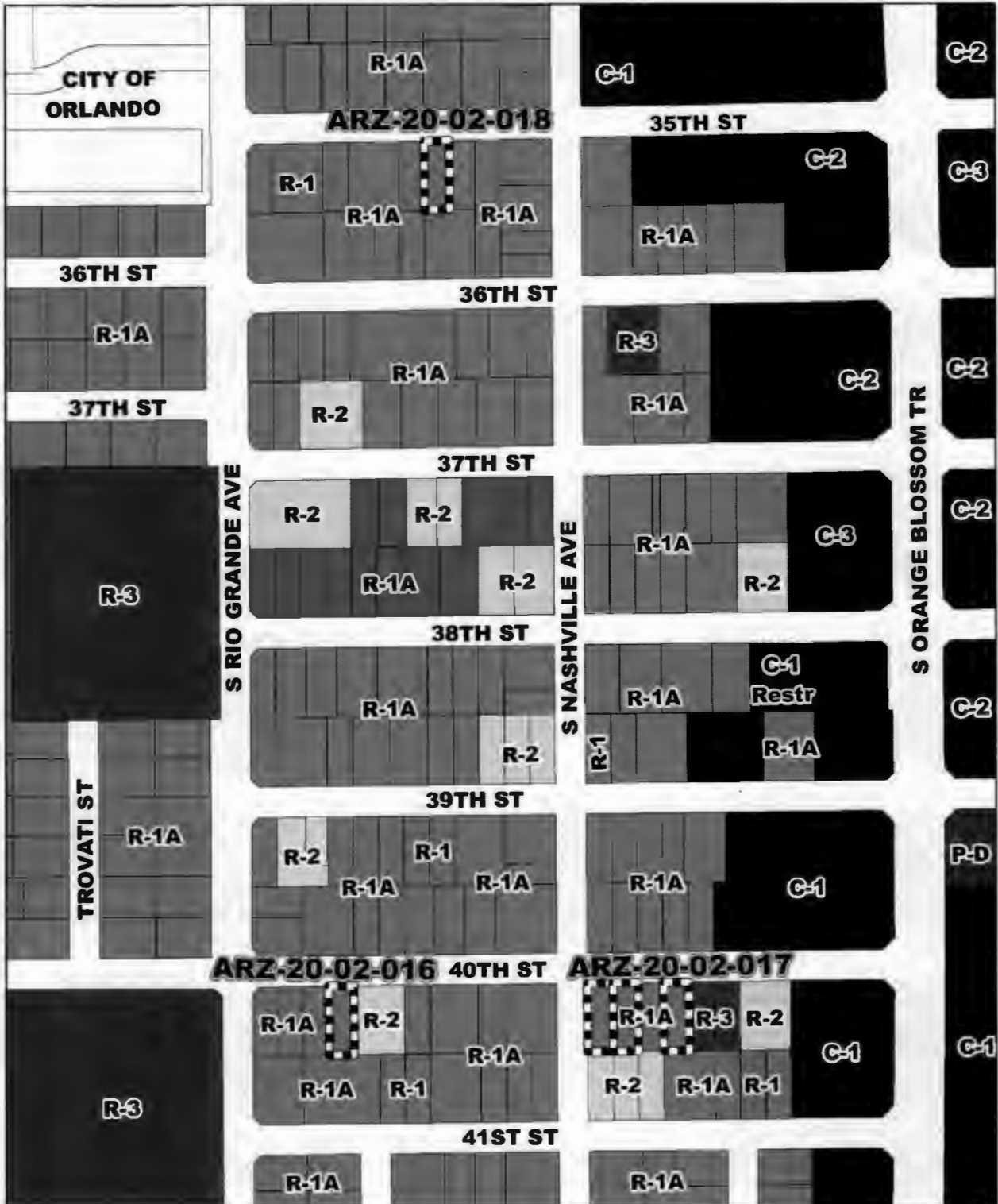


 Subject Property

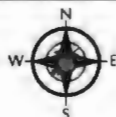


1 inch = 250 feet

ZONING MAP



 Subject Property



1 inch = 250 feet



Subject Property



1 inch = 250 feet

Alternative Mobilty Area Context Maps

ARZ-20-02-016


















Legend

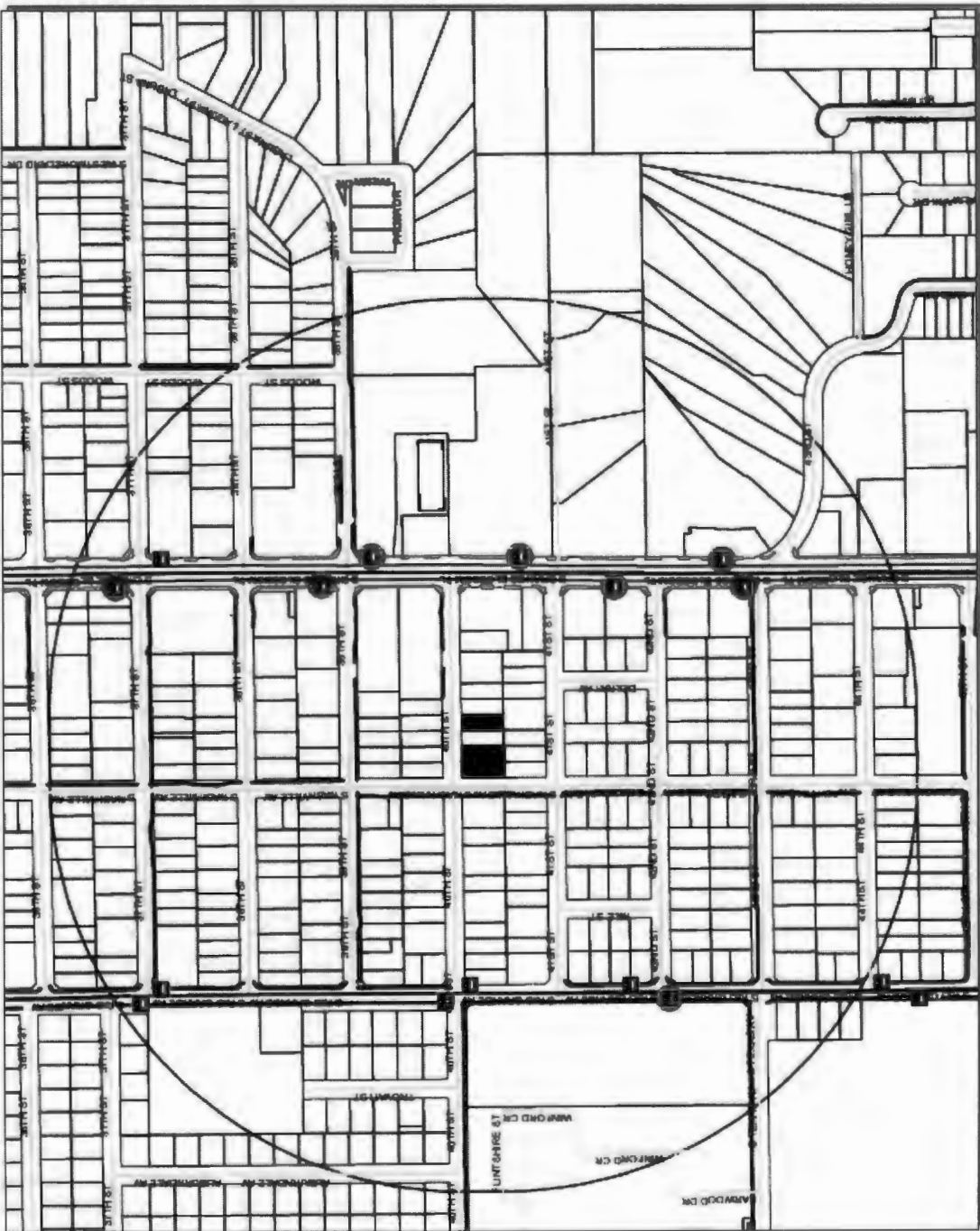
- ☐ LYNX Bus Stops
- LYNX Bus Stop Shelters
- ⊞ LYNX Park And Ride
- LYNX Bus Route Schedule
- Major Streets
- Roads Base
- Segment_ID
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Major Streets
- Streets
- ☐ PA_PARCELS_Buffer463
- ☐ Horizon West Boundary
- ☐ County Boundary
- ☐ Parcels

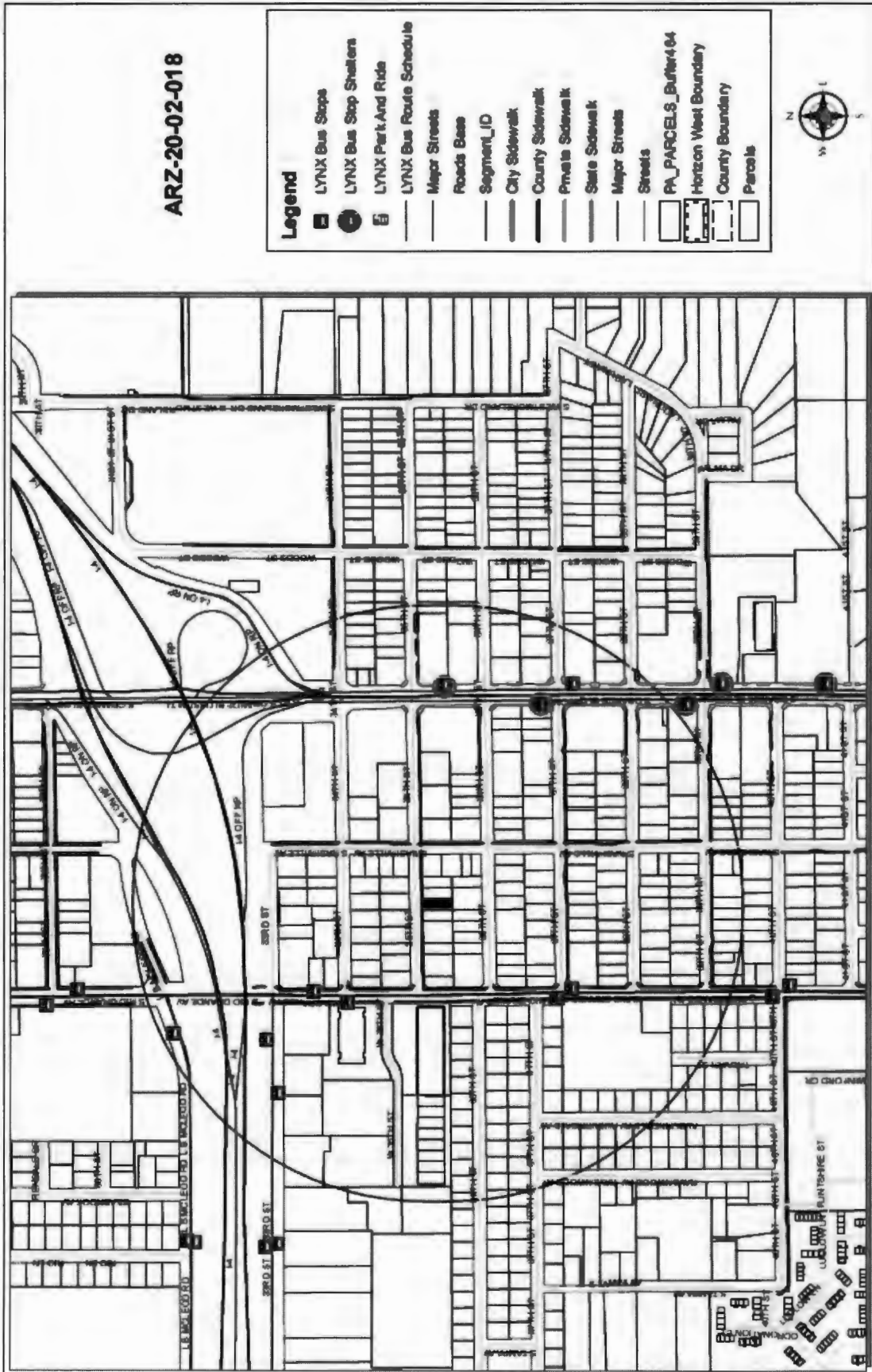


ARZ-20-02-017

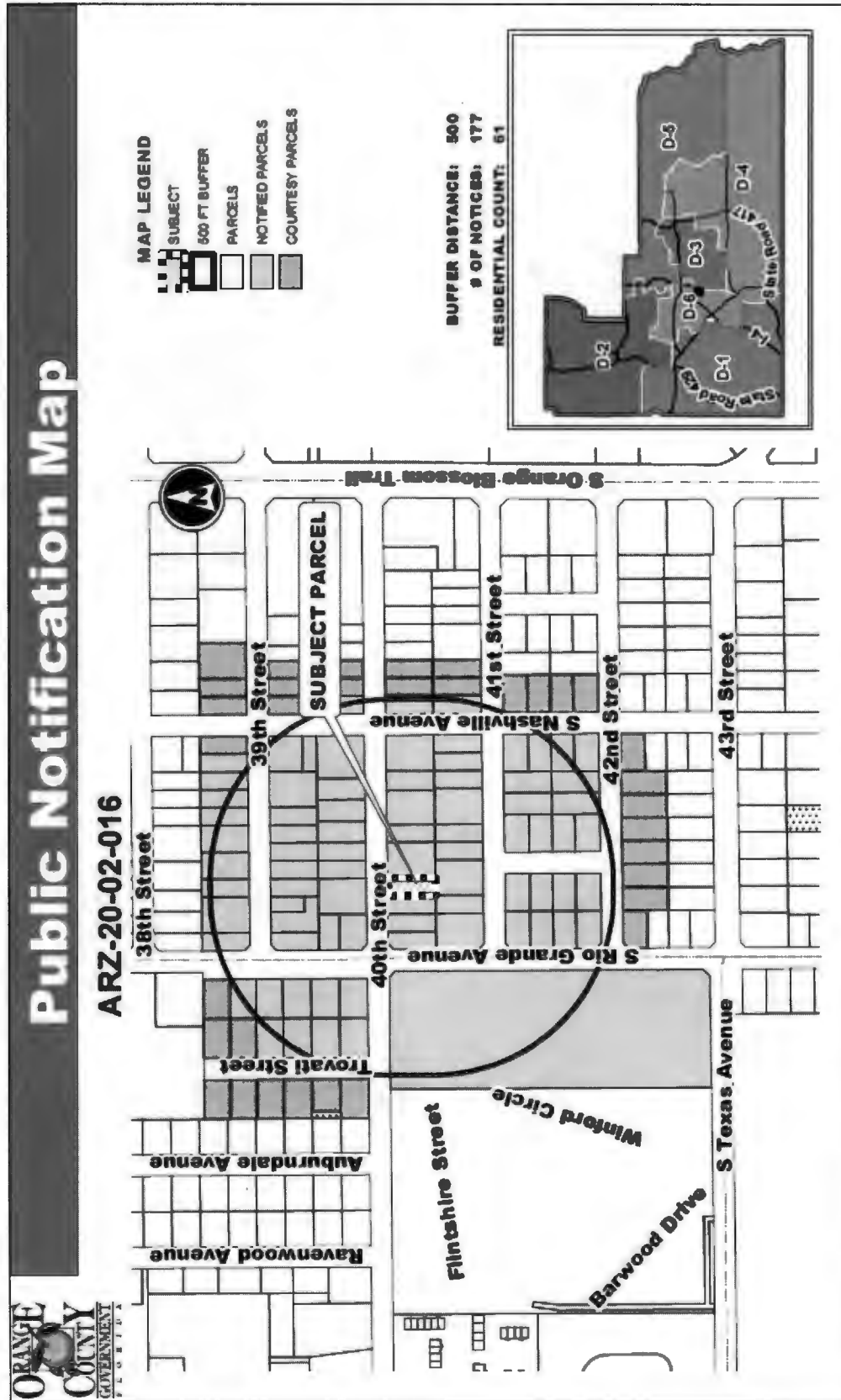
Legend

-  LYNX Bus Stops
-  LYNX Bus Stop Shelters
-  LYNX Park And Ride
-  LYNX Bus Route Schedule
-  Major Streets
-  Roads Base
-  Segment_ID
-  City Sidewalk
-  County Sidewalk
-  Private Sidewalk
-  State Sidewalk
-  Major Streets
-  Streets
-  PA_PARCELS_Buffer462
-  Horizon West Boundary
-  County Boundary
-  Parcels

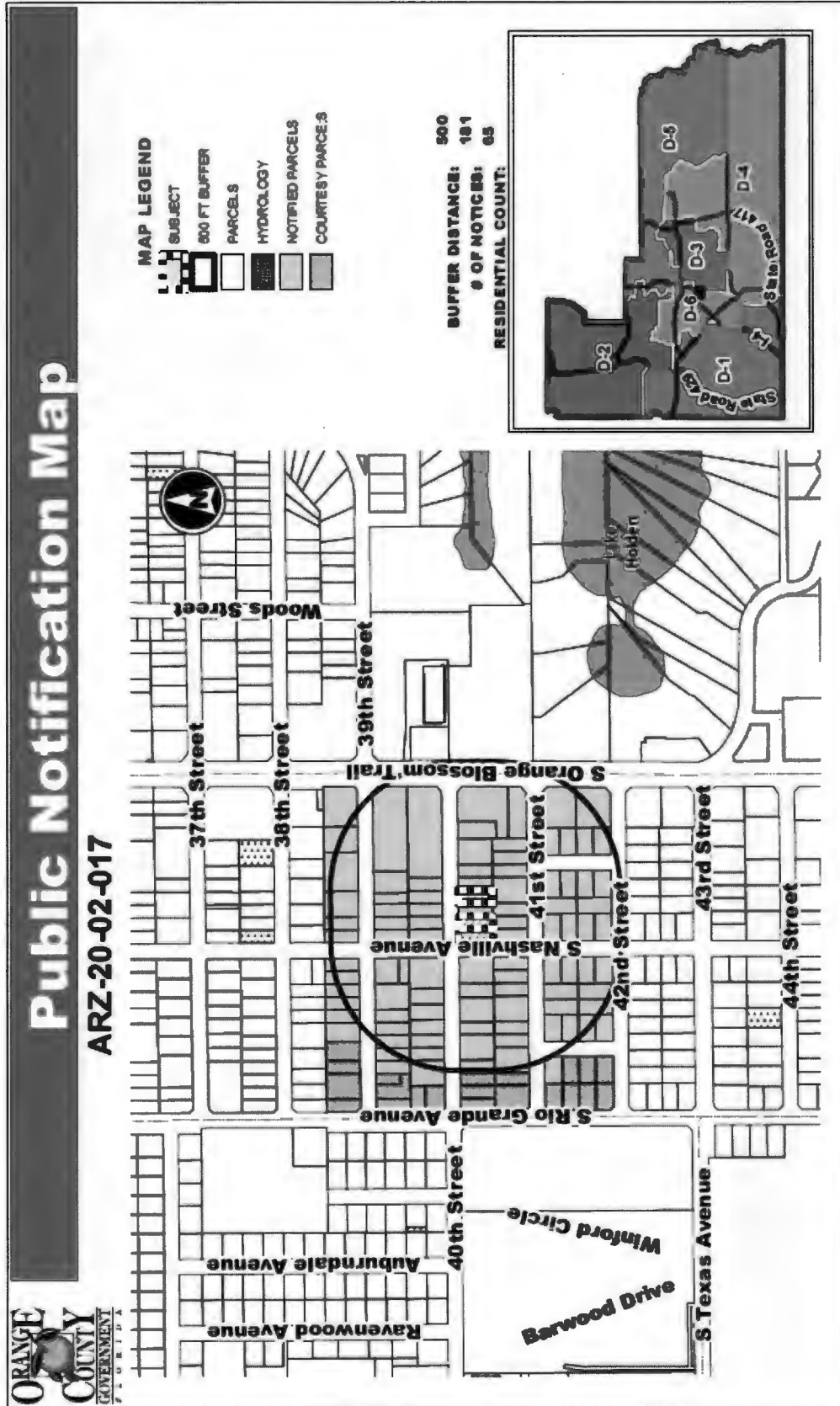




NOTIFICATION MAP: ARZ-20-02-016



NOTIFICATION MAP: ARZ-20-02-017



Public Notification Map
ARZ-20-02-017



NOTIFICATION MAP: ARZ-20-02-018

