

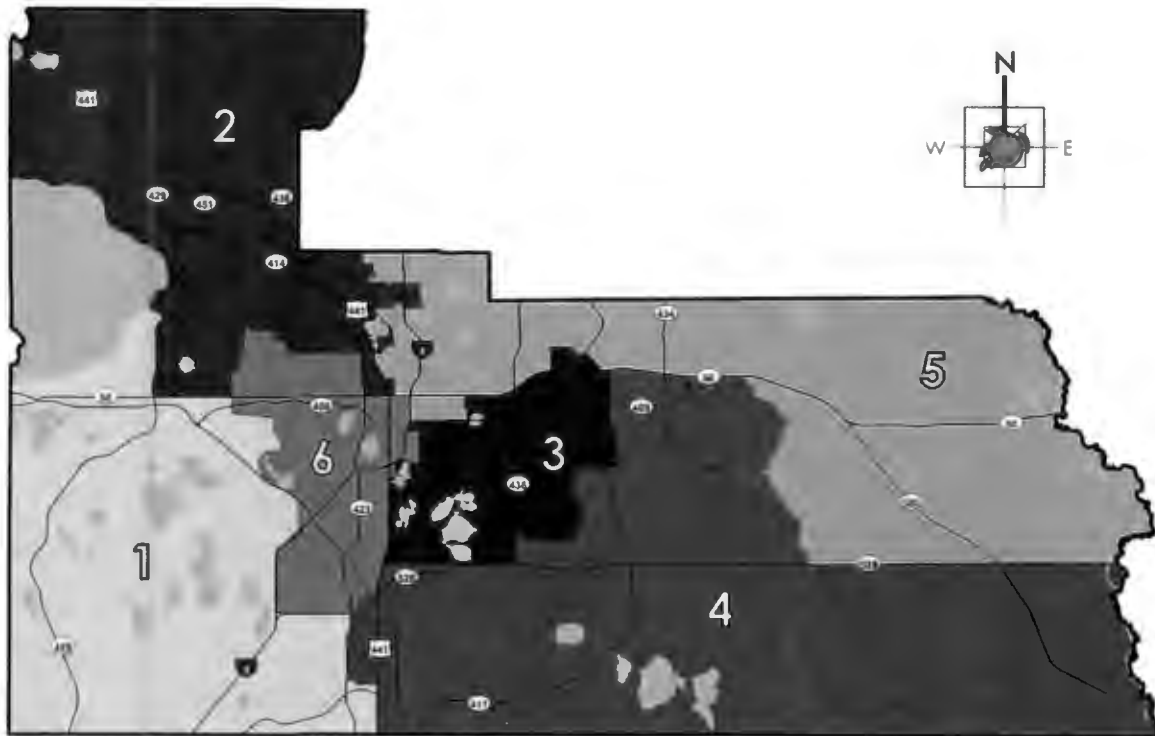


PLANNING AND ZONING COMMISSION

LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

APRIL 15, 2021



PREPARED BY:

ORANGE COUNTY GOVERNMENT
PLANNING DIVISION | CURRENT PLANNING SECTION

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



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Sean McQuade	District #2
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J. Gordon Spears	District #5
JaJa J. Wade	District #6
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Evelyn Cardenas	At Large
Nelson Pena	At Large

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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. Planned Development Rezoning Hearing					
LUP-20-09-248 Stephen Allen, Buena Vista Family Dentistry PD	<i>R-1A to PD</i>	1	Approval with twelve (12) conditions	Approved with thirteen (13) conditions	Yes
RZ-21-04-012 Brandon Marcus	<i>R-1A to R-T-1 (Restricted)</i>	4	Approval with one (1) restriction	Approved with one (1) restriction	No
RZ-21-04-019 Christine Rosenhaim	<i>A-1 to R-1A</i>	2	Approval	Approved	No
RZ-21-04-020 Breck L. Johnson	<i>C-1 to C-2 (Restricted)</i>	2	Approval with four (4) restrictions	Approved with four (4) restrictions	No
RZ-21-04-021 Darcy Unroe	<i>I-2/I-3 & C-3 to C-3 (Restricted)</i>	6	Approval with three (3) restrictions	Approved with three (3) restrictions	No
RZ-21-04-022 Scott Baker	<i>R-3 (Restricted) to R-3 (Restricted)</i>	6	Approval with three (3) restrictions	Approved with three (3) restrictions	No

SITE and BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Requirements

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.)
A-1	SFR - 21,780 (½ acre) Mobile Home - 2 acres	850	100	35	50	10	35	A
A-2	SFR - 21,780 (½ acre) Mobile Home - 2 acres	850	100	35	50	10	35	A
A-R	108,900 (2½ acres)	1,000	270	35	50	25	35	A
R-CE	43,560 (1 acre)	1,500	130	35	50	10	35	A
R-CE-2	2 acres	1,200	250	45	50	30	35	A
R-CE-5	5 acres	1,200	185	50	50	45	35	A
R-1AAAA	21,780 (1/2 acre)	1,500	110	30	35	10	35	A
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	35	A
R-1AA	10,000	1,200	85	25 <i>h</i>	30 <i>h</i>	7.5	35	A
R-1A	7,500	1,200	75	20 <i>h</i>	25 <i>h</i>	7.5	35	A
R-1	5,000	1,000	50	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	A
R-2	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	A
	Two dwelling units (DUs), 8,000/9,000	500/1,000 per DU	80/90 <i>d</i>	20 <i>h</i>	30	5 <i>h</i>	35	A
	Three DUs, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	A
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	A
R-3	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5	35	A
	Two DUs, 8,000/ 9,000	500/1,000 per DU	80/90 <i>d</i>	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	A
	Three dwelling units, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	A
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	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 <i>c</i>	1,000	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	A
Mobile home	4,500 <i>c</i>	Min. mobile home size 8 ft. x 35 ft.	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	A
R-T-2 (prior to 1/29/73)	6,000	SFR 500 Min. mobile home size 8 ft. x 35 ft.	60	25	25	6	35	A
R-T-2 (after 1/29/73)	21,780 ½ acre	SFR 600 Min. mobile home size 8 ft. x 35 ft.	100	35	50	10	35	A

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

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

District	Min. front yard (feet)	Min. rear yard (feet)	Min. side yard (feet)	Max. building height (feet)
I-1A	35	25	25	50, or 35 within 100 ft. of any residential use or district
I-1 / I-5	35	25	25	50, or 35 within 100 ft. of any residential use or district
I-2 / I-3	25	10	15	50, or 35 within 100 ft. of any residential use or district
I-4	35	10	25	50, or 35 within 100 ft. of any residential use or district

NOTE: These requirements pertain to zoning regulations only. The lot areas and lot widths noted are based on connection to central water and wastewater. If septic tanks and/or wells are used, greater lot areas may be required. Contact the Health Department at 407-836-2600 for lot size and area requirements for use of septic tanks and/or wells.

FOOTNOTES

- a* Setbacks shall be a minimum of 50 feet from the normal high water elevation contour on any adjacent natural surface water body and any natural or artificial extension of such water body, for any building or other principal structure. Subject to the lakeshore protection ordinance and the conservation ordinance, the minimum setbacks from the normal high water elevation contour on any adjacent natural surface water body, and any natural or artificial extension of such water body, for an accessory building, a swimming pool, swimming pool deck, a covered patio, a wood deck attached to the principal structure or accessory structure, a parking lot, or any other accessory use, shall be the same distance as the setbacks which are used per the respective zoning district requirements as measured from the normal high water elevation contour.
- b* Side setback is 30 feet where adjacent to single-family district.
- c* For lots platted between 4/27/93 and 3/3/97 that are less than 45 feet wide or contain less than 4,500 sq. ft. of lot area, or contain less than 1,000 square feet of living area shall be vested pursuant to Article III of this chapter and shall be considered to be conforming lots for width and/or size and/or living area.
- d* For attached units (common fire wall and zero separation between units) the minimum duplex lot width is 80 feet and the duplex lot size is 8,000 square feet. For detached units the minimum duplex lot width is 90 feet and the duplex lot size is 9,000 square feet with a minimum separation between units of 10 feet. Fee simple interest in each half of a duplex lot may be sold, devised or transferred independently from the other half. For duplex lots that:
 - (i) are either platted or lots of record existing prior to 3/3/97, and
 - (ii) are 75 feet in width or greater, but are less than 90 feet, and
 - (iii) have a lot size of 7,500 square feet or greater, but less than 9,000 square feet are deemed to be vested and shall be considered as conforming lots for width and/or size.
- e* Corner lots shall be 100 [feet] on major streets (see Art. XV), 80 [feet] for all other streets.
- f* Corner lots shall be 125 [feet] on major streets (see Art. XV), 100 [feet] for all other streets.
- g* Corner lots shall be 150 [feet] on major streets (see Art. XV), 125 [feet] for all other streets.
- h* For lots platted on or after 3/3/97, or unplatted parcels. For lots platted prior to 3/3/97, the following setbacks shall apply: R-1AA, 30 feet, front, 35 feet rear, R-1A, 25 feet, front, 30 feet rear, R-1, 25 feet, front, 25 feet rear, 6 feet side; R-2, 25 feet, front, 25 feet rear, 6 feet side for one (1) and two (2) dwelling units; R-3, 25 feet, front, 25 feet, rear, 6 feet side for two (2) dwelling units. Setbacks not listed in this footnote shall apply as listed in the main text of this section.
- j* Attached units only. If units are detached, each unit shall be placed on the equivalent of a lot 45 feet in width and each unit must contain at least 1,000 square feet of living area. Each detached unit must have a separation from any other unit on site of at least 10 feet.
- k* Maximum impervious surface ratio shall be 70%, except for townhouses, nonresidential, and mixed use development, which shall have a maximum impervious surface ratio of 80%.
- m* Based on gross square feet.

These requirements are intended for reference only; actual requirements should be verified in the Zoning Division prior to design or construction.

BUFFER YARD REQUIREMENTS

Orange County Code Section 24-5.

Buffer yards prescribed are intended to reduce, both visually and physically, any negative impacts associated with abutting uses. Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the parcel boundary. Buffer yards shall not be located on any portion of an existing or dedicated public or private street or right-of-way.

(a) *Buffer classifications:*

- (1) **Type A, opaque buffer:** This buffer classification shall be used to separate heavy industrial (I-4 and M-1) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least eight (8) feet and shall be a minimum of fifty (50) feet wide. The type A buffer shall utilize a masonry wall.
- (2) **Type B, opaque buffer:** This buffer classification shall be used to separate commercial (general and wholesale) (C-2 and C-3) and industrial (general and light) (I-2/I-3 and I-1/I-5) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of twenty-five (25) feet wide. The type B buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be four (4) feet high and seventy (70) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (3) **Type C, opaque buffer.** This buffer classification shall be used to separate neighborhood retail commercial (C-1) and industrial-restricted (I-1A) from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of fifteen (15) feet wide. The type C buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (4) **Type D, opaque buffer:** This buffer classification shall be used to separate professional office (P-O) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of ten (10) feet wide. The type D buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (5) **Type E, mobile home and RV park buffer:** This buffer classification shall be used to separate mobile home and RV parks from all abutting uses. This buffer shall be twenty-five (25) feet wide. Where the park abuts an arterial highway, the buffer shall be fifty (50) feet wide. This buffer shall not be considered to be part of an abutting mobile home space, nor shall such buffer be used as part of the required recreation area or drainage system (ditch or canal). This buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof. This buffer must be at least five (5) feet in height and fifty (50) percent opaque within eighteen (18) months after installation.
- (6) **Type F, residential subdivision buffer:** See subdivision regulations (Chapter 34, Orange County Code).

These requirements are intended for reference only; actual requirements should be verified in the Zoning Division prior to design or construction

CASE # RZ-21-04-012

Commission District: #4

GENERAL INFORMATION

APPLICANT	Brandon G. Marcus, Law Office of John L. Di Masi, P.A
OWNERS	Timothy and Kathy Phinney
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-T-1 Restricted (Mobile Home Subdivision District)
LOCATION	9607 6th Avenue; generally located east of S. Orange Avenue, west of 11th Avenue and approximately 365 feet south of 4th Street.
PARCEL ID NUMBER	01-24-29-8516-51-301
TRACT SIZE	0.45-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 and forty-seven (147) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Mobile Home Unit and Single-Family Home (pending a lot split approval)

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-T-1 Restricted (Mobile Home Subdivision District) zoning, subject to the following restriction:

1. Minimum lot width shall be sixty (60) feet wide.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is a 19,391 square foot lot (0.45 acres) and is currently undeveloped. According to the Orange County Property Appraiser website, the subject property was originally platted as Lot 1 and Lot 2 in 1970.

Through this request, the applicant is seeking to rezone 0.45-gross acre from R-1A (Single-Family Dwelling District) to R-T-1 Restricted (Mobile Home Subdivision District) in order to create two (2) lots pending a lot split approval. The proposed lots are projected to yield a 60-foot lot and an 85-foot wide lot, which are consistent with lot widths in the area. The Planning and Zoning Commission (PZC) recommended approval of the same request in January 2020, for an adjacent parcel. The proposed restriction requiring a minimum 60' lot width is to ensure only two lots are possible from the lot split since the Low-Medium Density Residential (LMDR) Future Land Use designation would allow up to three lots at 45' lot widths.

The surrounding area is developed with a mixture of single-family detached dwelling units and mobile homes on varying lot sizes. Many of the lots in the area are 60' wide. The residential neighborhood mostly consists of R-1A (Single-Family Dwelling District) and R-T-1 (Mobile Home Subdivision District) zoning, making the proposed project compatible with the surrounding area.

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

Land Use Compatibility

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

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Medium Density Residential (LMDR) which allows for consideration of up to ten (10) units per acre. The proposed R-T-1 zoning is consistent with the LMDR FLUM designation; therefore, a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

GOAL FLU2 states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

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

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

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

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

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

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

SITE DATA

Existing Use	Undeveloped
Adjacent Zoning	N: R-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)
	<i>*No restrictions apply to the above zoning districts</i>

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

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

Min. Lot Area: 4,500 sq. ft.
 Min. Lot Width: 45 ft.
 Max. Height: 35 ft.
 Min. Living Area: 8 ft. x 35 ft. (minimum mobile home size)
 Min. Living Area: 1,000 sq. ft. (minimum SFR size)
 Building Setbacks:
 Front: 25 / 20 ft.
 Rear: 25 / 20 ft.
 Side: 5 ft.

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

Intent, Purpose, and Uses

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

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

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Proposed project is de minimus.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed project is de minimus.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: Taft Water Association

Wastewater: Orange County Utilities Not Currently Available.

Reclaim Water: Orange County Utilities Not Currently Available

Detailed Utility Information:

This property is within Taft Water Association's Water Service Area.

This property is within Orange County Utilities Wastewater and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37:

- Wastewater: There are no gravity wastewater mains in the vicinity of this property and wastewater is considered not available. Single-family development on this property will be reliant on septic tanks for wastewater disposal.
- Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

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 – (April 15, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-T-1 Restricted (Mobile Home Subdivision District) zoning, subject to the following restriction:

1. Minimum lot width shall be sixty (60) feet wide.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-T-1 Restricted (Mobile Home Subdivision District). The applicant was present and agreed with the staff recommendation. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that one hundred and forty-seven (147) notices were sent to property owners extending beyond 500 feet surrounding the property, and that staff had received six (6) responses in favor, and one (1) response in opposition of the request with no stated reasons for the opposition.

Discussion ensued regarding wastewater utilities for the property. A motion was made by Commissioner Nazario, and seconded by Commissioner Pena to recommend APPROVAL of the requested R-T-1 Restricted (Mobile Home Subdivision District) zoning subject to the restriction that the lot width shall be sixty feet wide. The motion carried on a 7 - 1 vote with Commissioner Spears voting in opposition.

Motion / Second *Carlos Nazario / Nelson Pena*

Voting in Favor *Carlos Nazario, Nelson Pena, Evelyn Cardenas, JaJa Wade, Trevor Sorbo, Sean McQuade, and Mohammed Abdallah*

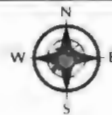
Voting in Opposition *Gordon Spears*

Absent *Eddie Fernandez*

RZ-21-04-012

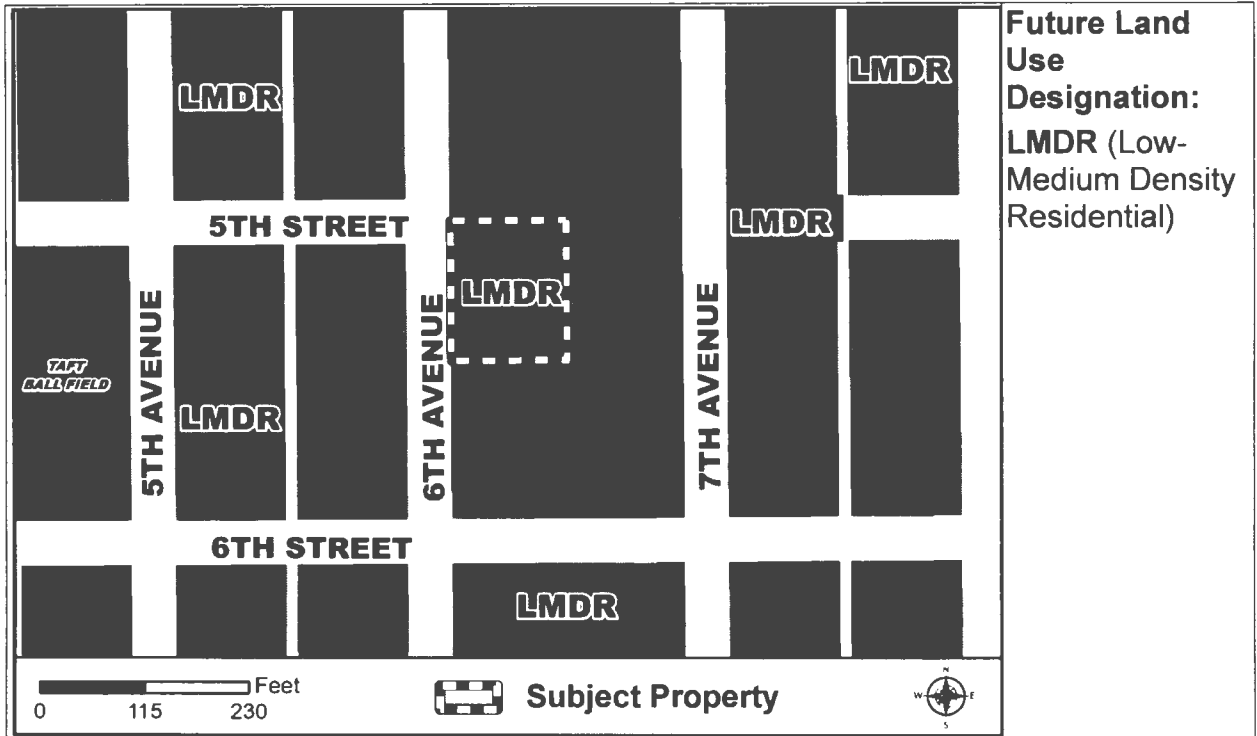


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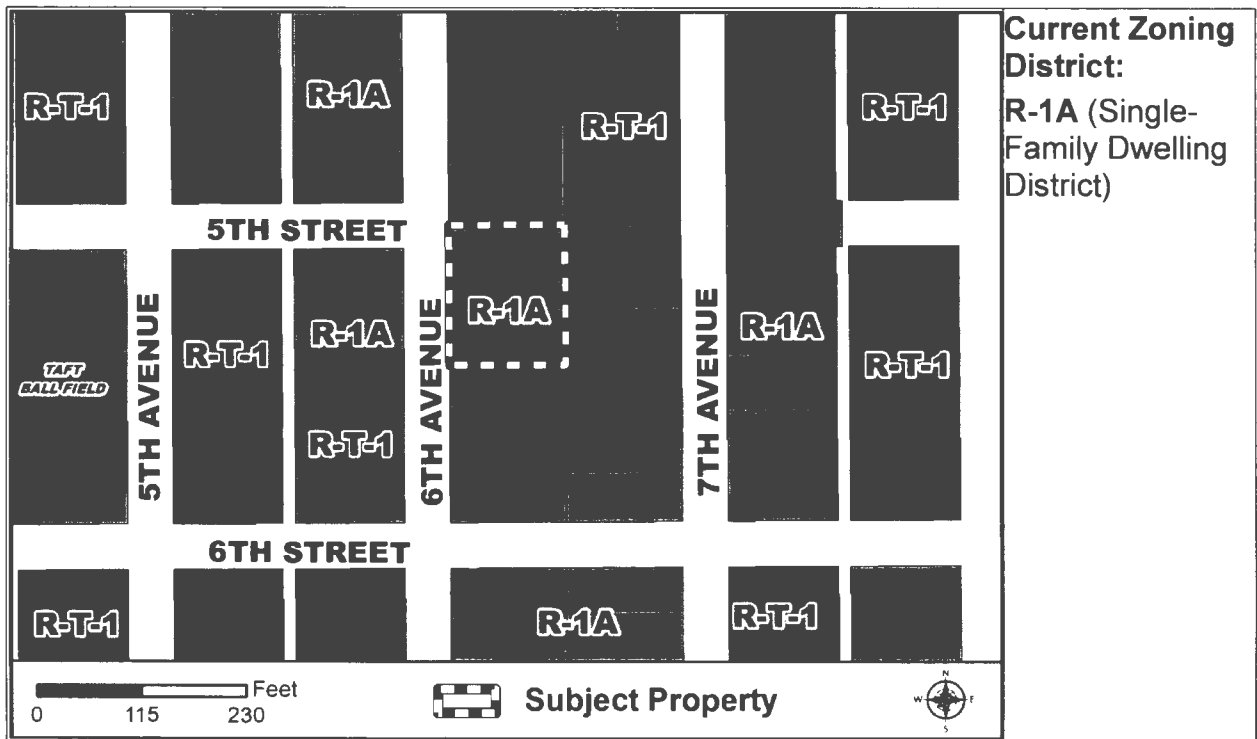


1 inch = 135 feet

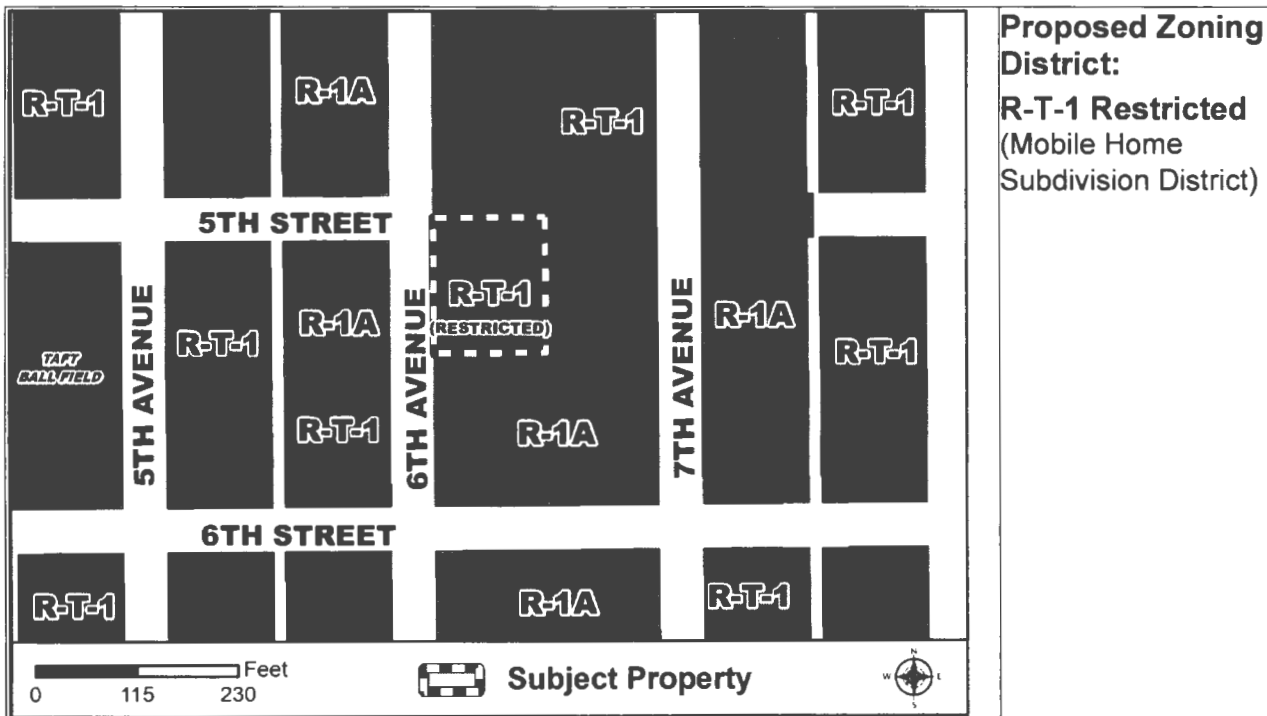
FUTURE LAND USE – CURRENT

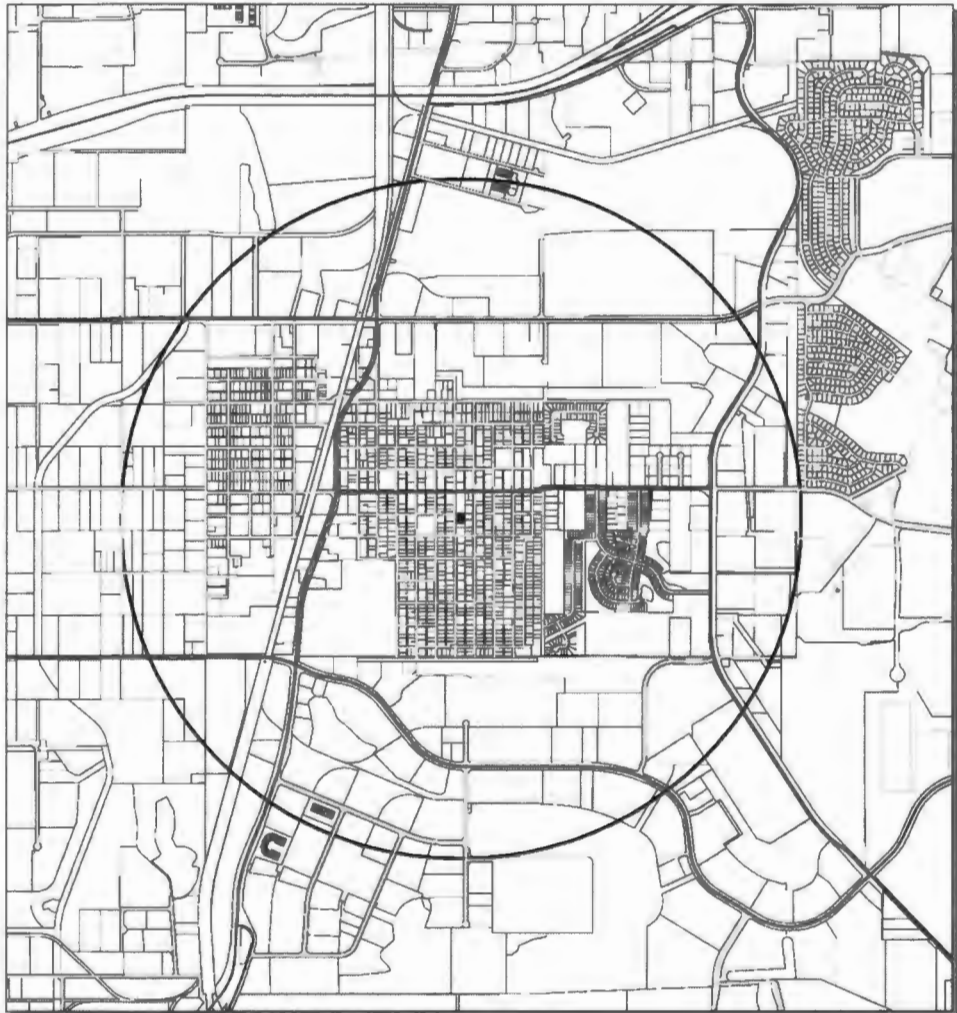


ZONING - CURRENT



ZONING - PROPOSED





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**RZ-21-04-012
9607 6TH AVE**

**To rezone from R-1A (Single-Family)
to R-T-1 (Mobile Home District) in order
to place a mobile home and single-family
dwelling unit on 0.45-gross acre.**

SegmentID	RoadName	From_	To_
40.9	Boggy Creek Road	Jelport Drive	Fourth Avenue
41	Boggy Creek Road	Fourth Avenue	Tradeport Drive
106	Dor den Road (4th St)	Boggy Creek Road	Orange Avenue
250	Landsstreet Road	Bachman Road	Orange Avenue
328	Orange Avenue	Wetherbee Road	Taft-Vineland Road
328.1	Orange Avenue	Taft-Vineland Road	Landsstreet Road
329	Orange Avenue	Landsstreet Road	Sand Lake Road
426.1	Taft-Vineland Road	General Drive	Orange Avenue
436	Tradeport Drive	Orange Avenue	Ringhaver drive
436.1	Tradeport Drive	Ringhaver Drive	Boggy Creek Road

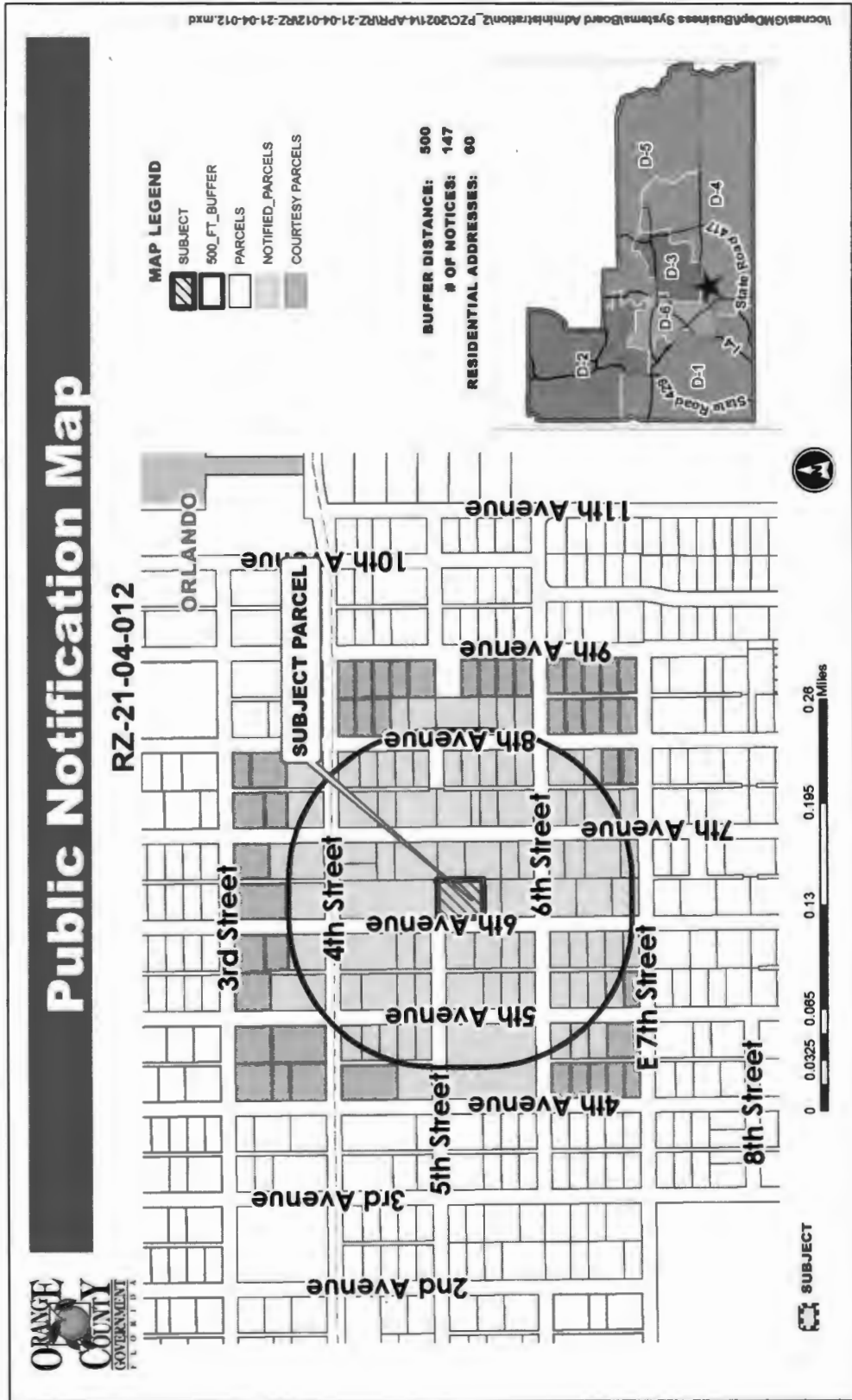


Date 3/5/2021

Alternative Mobility Area Context Map

**Case # RZ-21-04-012
Orange County Planning Division
PZC Hearing Date: April 15, 2021**

Notification Map



CASE # RZ-21-04-019

Commission District: #2

GENERAL INFORMATION

APPLICANT	Cristine Rosenhaim
OWNERS	Julian Garcia
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-1 (Citrus Rural District) to R-1A (Single-Family Dwelling District)
LOCATION	1730 Old Apopka Road; generally west of Old Apopka Road, east of Clarcona Road and approximately 920 feet south of E. Cleveland Street.
PARCEL ID NUMBER	22-21-28-0000-00-184
TRACT SIZE	0.36-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]. Ninety-two (92) 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 Residential Dwelling

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

The subject property is located on the west side of Old Apopka Road, across from the Apopka water treatment plant to the east. Currently, the 0.36-acre lot is undeveloped. Through this request the applicant is proposing to construct one (1) single-family dwelling unit. This request was shared with the City of Apopka as part of the Joint Planning Agreement (JPA) and the City has no comment or concerns regarding the request.

The property's Future Land Use Map (FLUM) designation is Low Density Residential (LDR) which allows consideration of up to 4 units per acre. The zoning is A-1, which is inconsistent with the LDR FLUM designation. In order to allow for the construction of a single-family home, the Zoning and FLUM designation must be consistent.

The immediate area can be characterized as undeveloped in nature. The adjacent developed properties consist of a mixture of single-family detached dwelling units on varying lot sizes. The immediate area predominately consists of A-1 (Citrus Rural District) zoning, which allows for 100-foot-wide lots; the subject site has a 90-foot lot width. The requested R-1A requires a minimum of 75 feet.

According to the City of Apopka the site is outside of the city limits and therefore would not be required to connect to public services. The construction of one (1) single-family dwelling unit will be reliant on septic. The property is located within the Wekiva Priority Focus Area and septic tanks will soon be required to meet nitrogen treatment standards (advanced treatment) by the middle of May or in June once the court ordered "stay" has been lifted, according to the Department of Health.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Apopka Joint Planning Area
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

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

FLU6.6.10 states that development and redevelopment within the Wekiva Study Area shall provide as much open space as possible. All new residential subdivisions or developments that may be located entirely or partially within the Wekiva Study Area shall cluster to the maximum extent to preserve open space. Such clustering is density neutral and lot sizes may be reduced to accommodate the preserved open space.

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: A-1 (Citrus Rural District) (1957) E: City of Apopka W: A-1 (Citrus Rural District) (1957) S: A-1 (Citrus Rural District) (1957)
Adjacent Land Uses	N: Single-Family Residence E: City of Apopka Public Service Department W: Undeveloped S: Single-Family Residence

**No zoning restrictions apply to the above.*

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

Min. Lot Area: 10,000 sq. ft.
 Min. Lot Width: 85 feet
 Max. Height: 35 feet
 Min. Floor Area: 1,200 feet

Building Setbacks

Front: 25 feet
 Rear: 30 feet
 Side: 7.5 feet

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"/>	See note below table*
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	One single-family dwelling is considered a de minimus impact.
Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	De minimus impact to OCPS. A capacity determination is not required.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

*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 apply. The applicant is advised to follow related legislation in order to assure compliance with regulations. Changes to regulations include, but are not limited to: septic tank criteria, open space requirements, stormwater treatment and conservation.

If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

Proximity to the Apopka water treatment plant to the East. Proximity to the former Keene Road disposal and recycle landfill to the Southwest.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: City of Apopka

Waste Water: City of Apopka This property is within the Wekiva Priority Focus Area and nitrogen treatment standards must be met for on-site septic treatment systems once the court ordered “stay” has lifted.

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 – (April 15, 2021)

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). The applicant was present and agreed with the staff recommendation. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that ninety-two (92) 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.

A motion was made by Commissioner McQuade, and seconded by Commissioner Sorbo to recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning. The motion carried unanimously.

Motion / Second

Sean McQuade / Trevor Sorbo

Voting in Favor

Sean McQuade, Trevor Sorbo, Mohammed Abdallah, Evelyn Cardenas, Gordon Spears, JaJa Wade, Nelson Pena, and Carlos Nazario

Voting in Opposition

None

Absent

Eddie Fernandez

RZ-21-04-019

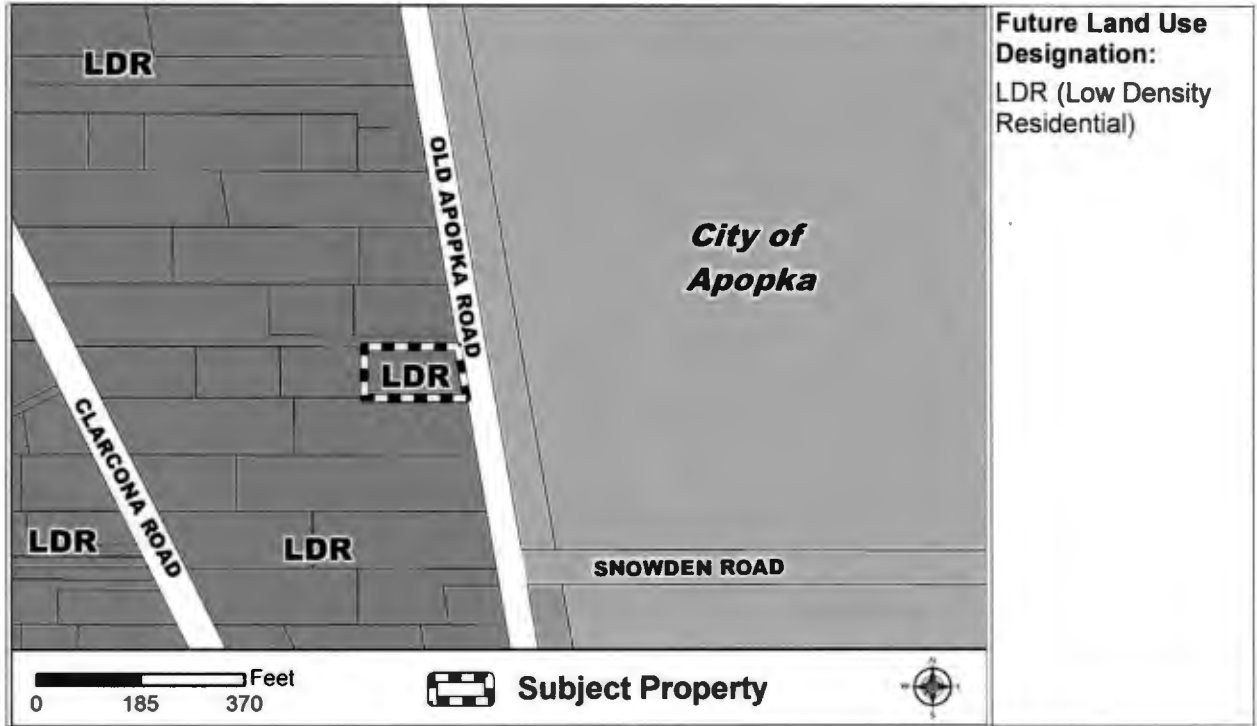


 Subject Property

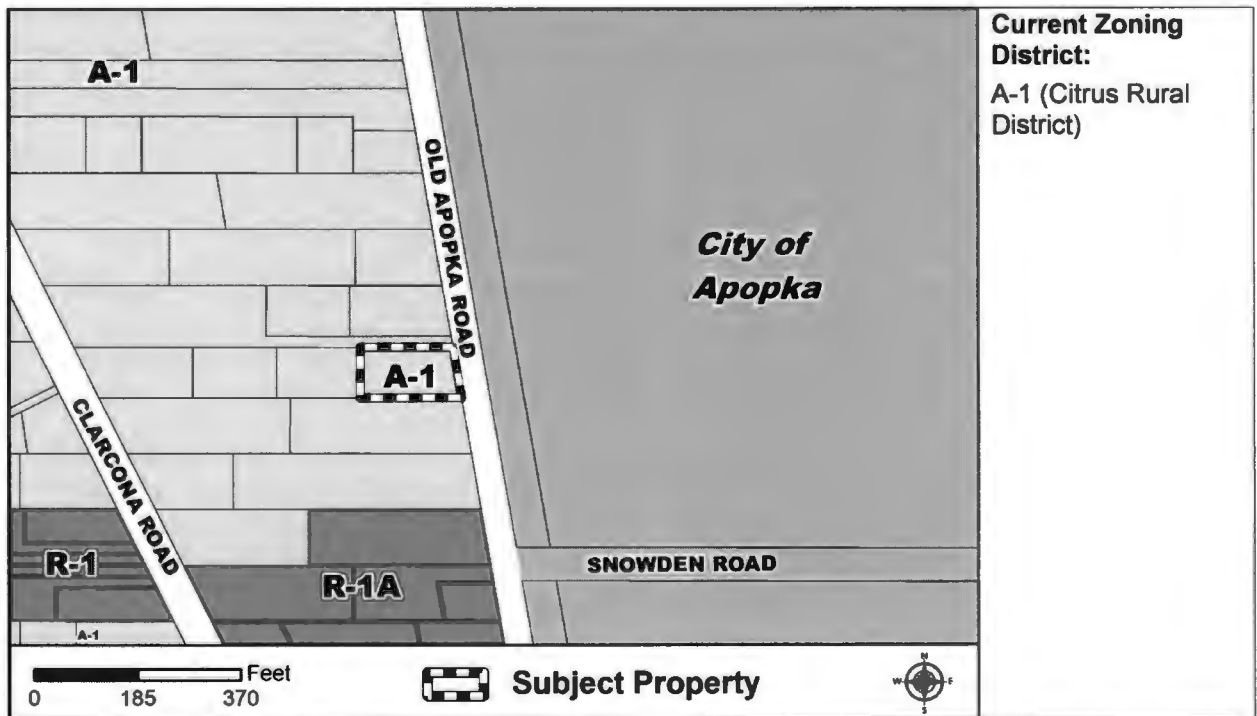


1 inch = 125 feet

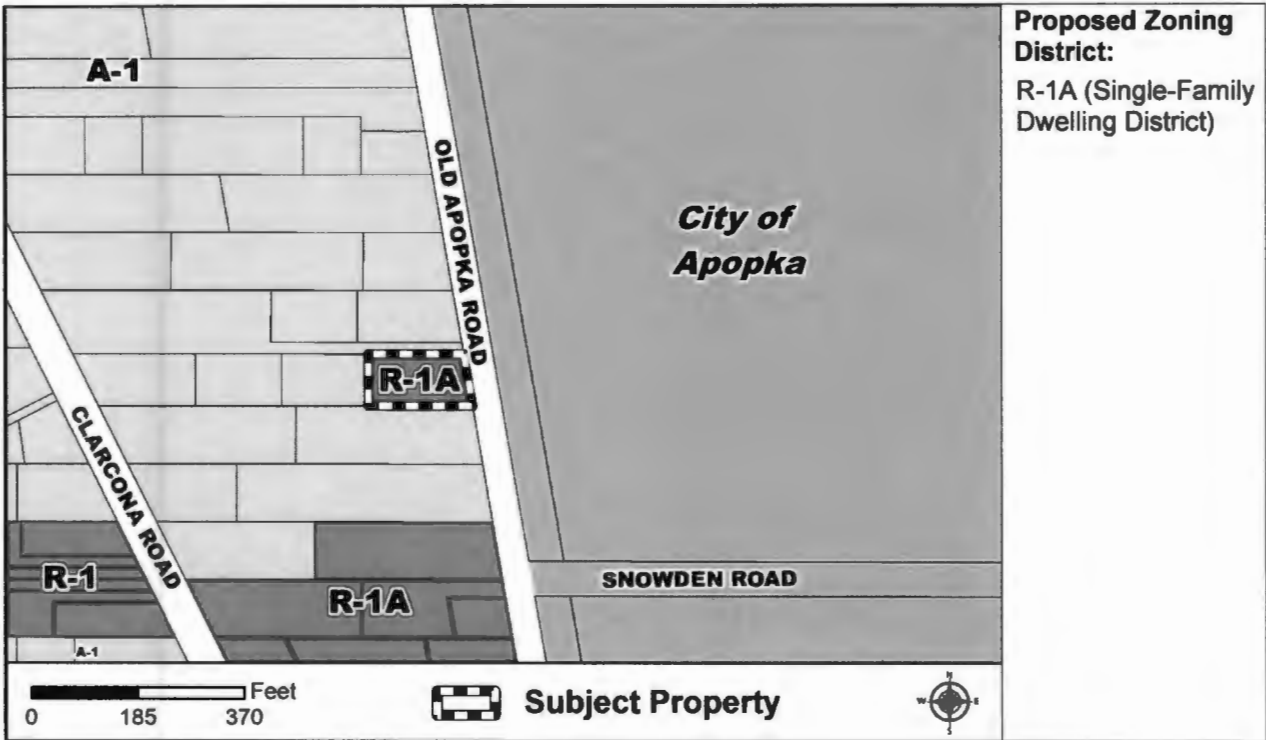
FUTURE LAND USE



ZONING - CURRENT

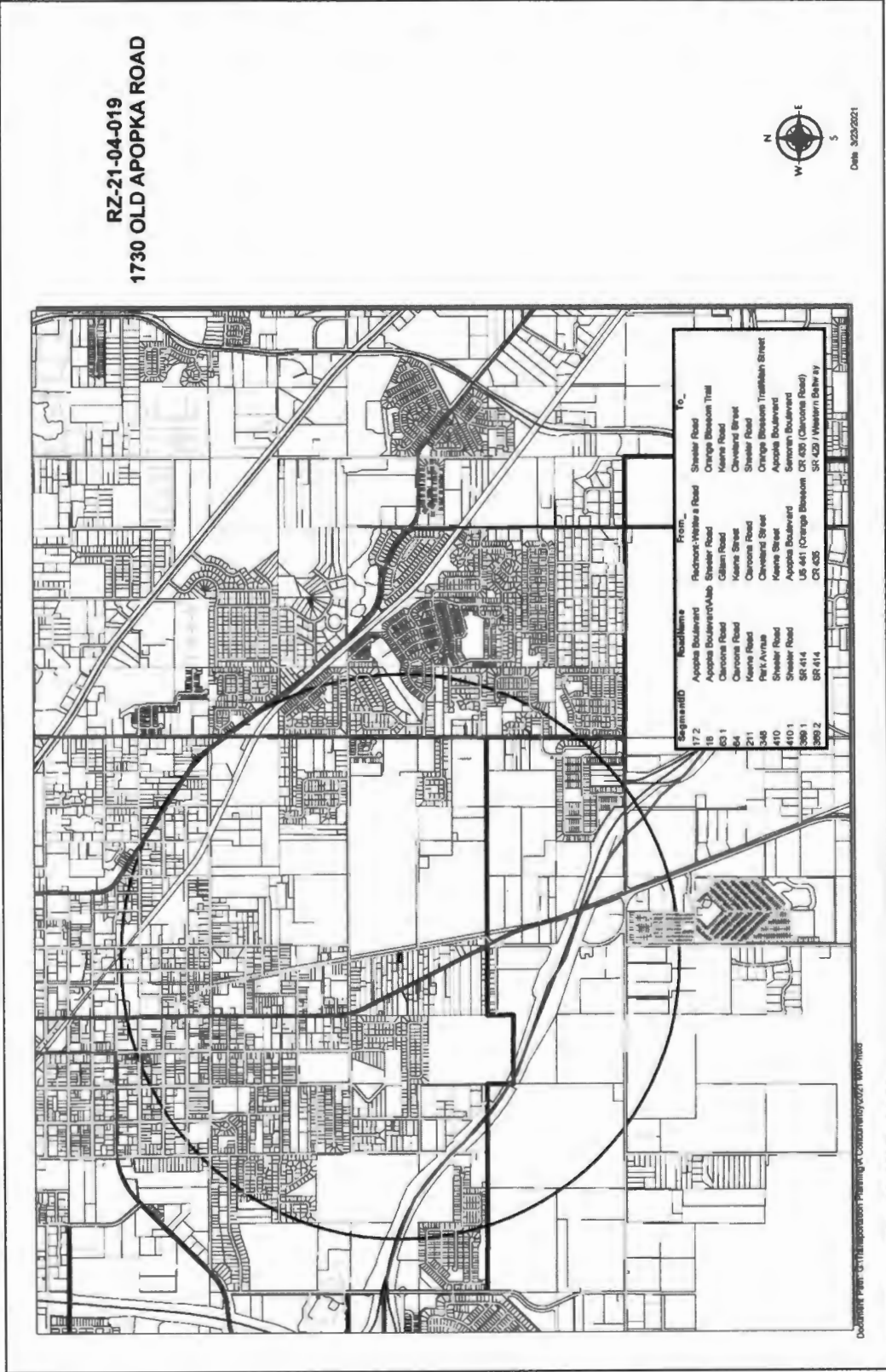


ZONING - PROPOSED



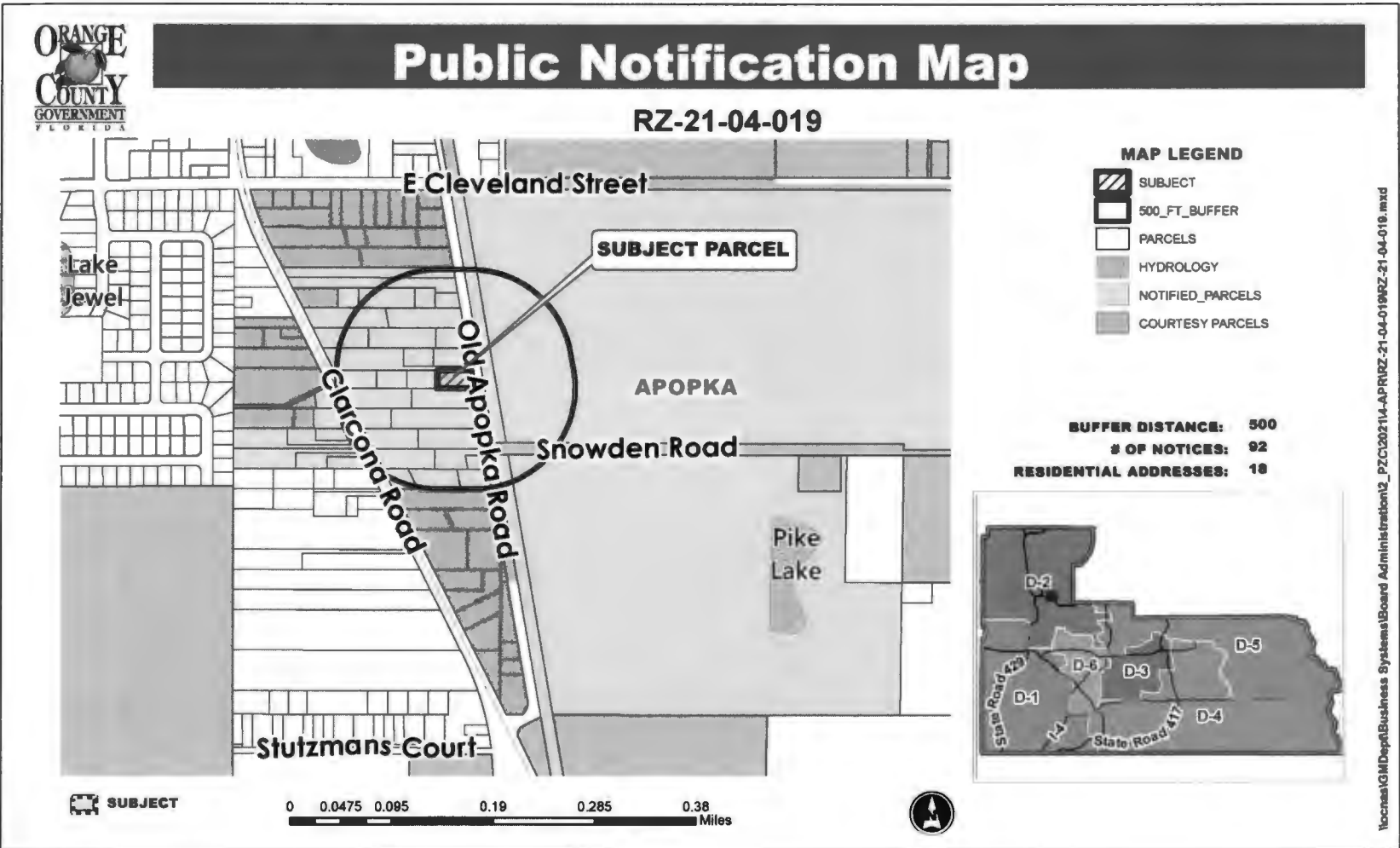
Alternative Mobilty Area Context Map

RZ-21-04-019
 1730 OLD APOPKA ROAD



Notification Map

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CASE # RZ-21-04-020

Commission District: #2

GENERAL INFORMATION

APPLICANT	Breck L. Johnson
OWNER	LB Land Holdings, Inc.
HEARING TYPE	Planning and Zoning Commission
REQUEST	C-1 (Retail Commercial District) to C-2 Restricted (General Commercial District)
LOCATION	1220 E. Semoran Boulevard, generally south east corner of S. Thompson Road and E. Semoran Boulevard, west of Sand Avenue.
PARCEL ID NUMBER	11-21-28-0000-00-277
TRACT SIZE	0.55-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]. Two hundred thirty-two (232) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	General Commercial Uses (i.e. - mechanical shop, car sales lot, lawn mower shop, etc.).

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-2 Restricted (General Commercial District) zoning, subject to the following restrictions:

- 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 C-2 uses;

- 3) Outdoor storage, except for operable cars for sale, shall be screened and not visible from the public right of way; and
- 4) For any use other than a gas station, the gas pump canopy must be removed prior to the commencement of a new use.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is requesting to rezone the subject property from C-1 (Retail Commercial District) to C-2 Restricted (General Commercial District) to allow for uses such as a mechanical shop, car sales lot, or a lawn mower shop.

The subject property is developed with a gas station which is not in operation and currently vacant. The area surrounding the subject property is intended for commercial uses and identified as a commercial corridor along E. Semoran Boulevard. The neighboring zoning districts to the south, east and west are C-2 and therefore the rezoning request is compatible with the area.

The property is in the City of Apopka Utility service area and connection to wastewater is available.

Land Use Compatibility

The C-2 Restricted (General Commercial 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"/>	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 Commercial (C). The proposed C-2 Restricted (General Commercial District) zoning is consistent with the Commercial FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

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

SITE DATA

Existing Use	Abandoned Gas Station
Adjacent Zoning	N: C-1 (Retail Commercial District) 1984
	E: C-2 Restricted* (General Commercial District) 2005
	<i>*Restrictions: 1) The ingress/egress being determined by the County Engineer; 2) A six (6) ft. masonry wall shall be constructed along the most southerly property line;</i>
	W: C-2 Restricted* (General Commercial District) 1989
	<i>*Restrictions: 1) A six (6) ft. high masonry/block wall adjacent to residentially zoned property; 2) Access to be provided as determined by the County Engineering Department.</i>
	S: C-2 Restricted* (General Commercial District) 2005

**Restrictions: 1) The ingress/egress being determined by the County Engineer. 2) A six (6) ft. masonry wall shall be constructed along the most southerly property line.*

Adjacent Land Uses

N: Retail Store
Orange County Library

E: Animal Hospital

W: Vehicle Repair

S: Commercial Vacant Land

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"/>	*See below

Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency database dated 3/23/21, 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 prior to building permit approval.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

*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 apply.

This property is located in the Wekiva Priority Focus Area. If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

DEP cleanup site located to the southwest associated with Palace Dry Cleaners. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

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

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: City of Apopka

Wastewater: City of Apopka Connection is available.

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 – (April 15, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-2 Restricted (General Commercial District) zoning, subject to the following restrictions:

- 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 C-2 uses; and
- 3) Outdoor storage, except for operable cars for sale, shall be screened and not visible from the public right of way.
- 4) For any use other than a gas station, the gas pump canopy must be removed prior to the commencement of a new use

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-2 Restricted (General Commercial District) zoning. The applicant was present and agreed with the staff recommendation.

Staff indicated that two hundred thirty-two (232) notices were sent to property owners within 500-foot area surrounding the subject property, and that staff has received two (2) responses in opposition and one (1) in support regarding this request. Those in opposition stated concerns of impacts to the neighborhood. After discussion addressing restrictions from adjacent properties and the proposed development of the property, a motion was made by Commissioner McQuade and seconded by Commissioner Wade to recommend APPROVAL of the requested C-2 Restricted (General Commercial District) zoning, subject to restrictions. The motion carried on an 8-0 vote.

- | | |
|--------------------------|--|
| Motion / Second | <i>Sean McQuade / JaJa Wade</i> |
| Voting in Favor | <i>Sean McQuade, JaJa Wade, Evelyn Cardenas, Carlos Nazario, Nelson Pena, Mohammed Abdallah, Gordon Spears, and Trevor Sorbo</i> |
| Voting in Opposed | <i>None</i> |
| Absent | <i>Eddie Fernandez</i> |

RZ-21-04-020

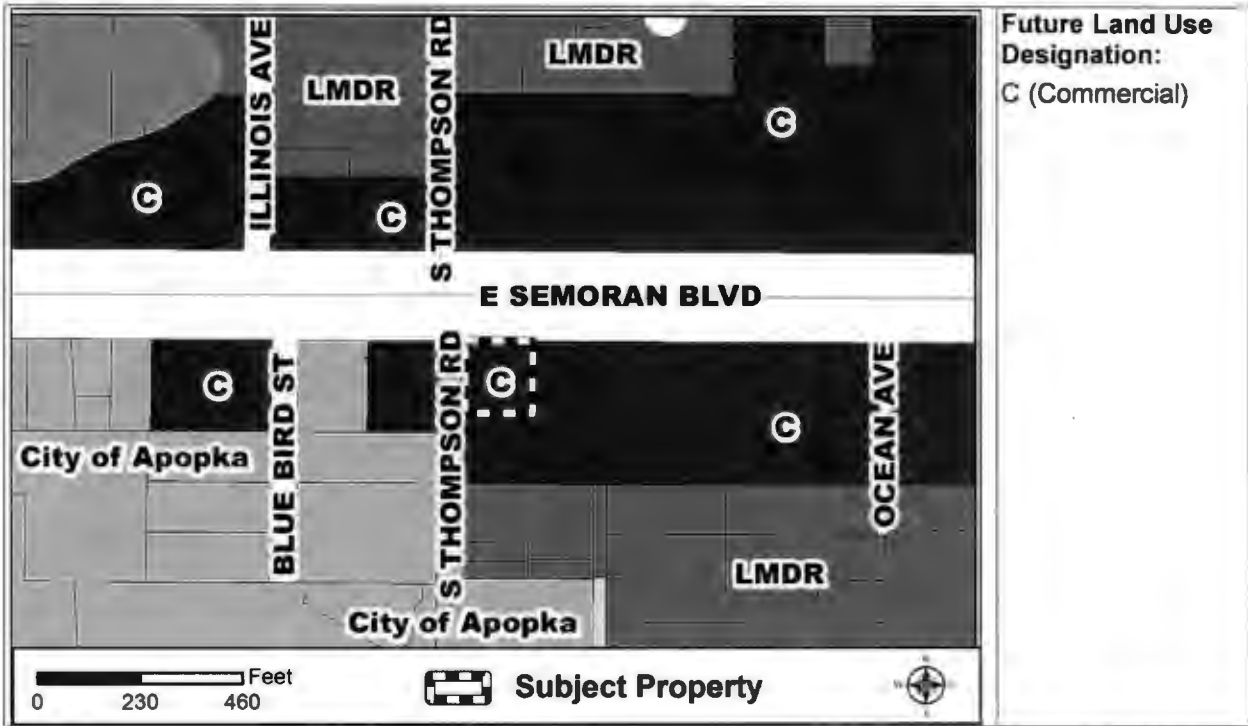


 Subject Property

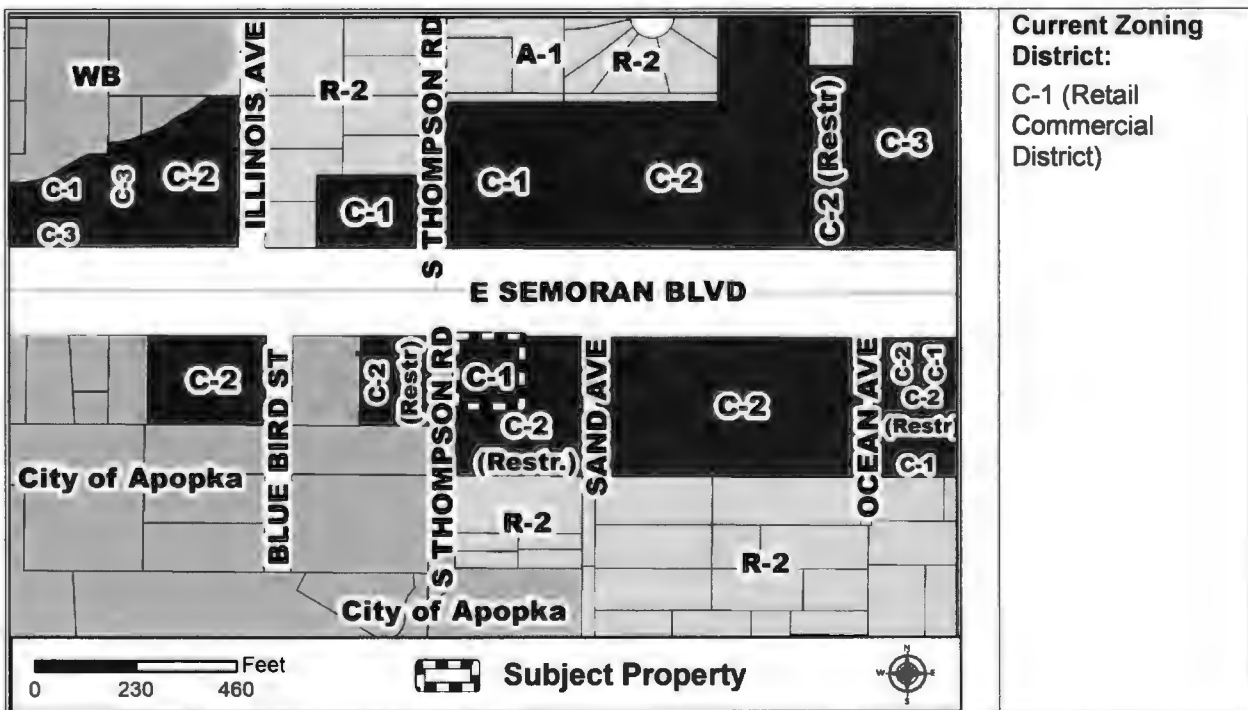


1 inch = 167 feet

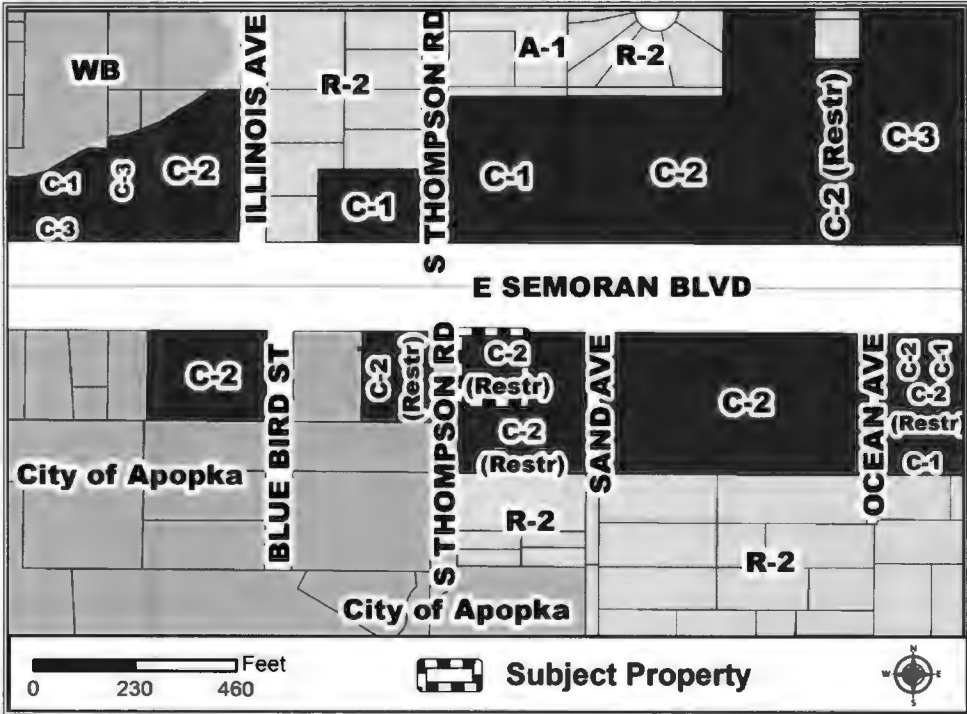
FUTURE LAND USE – CURRENT



ZONING - CURRENT



ZONING - PROPOSED

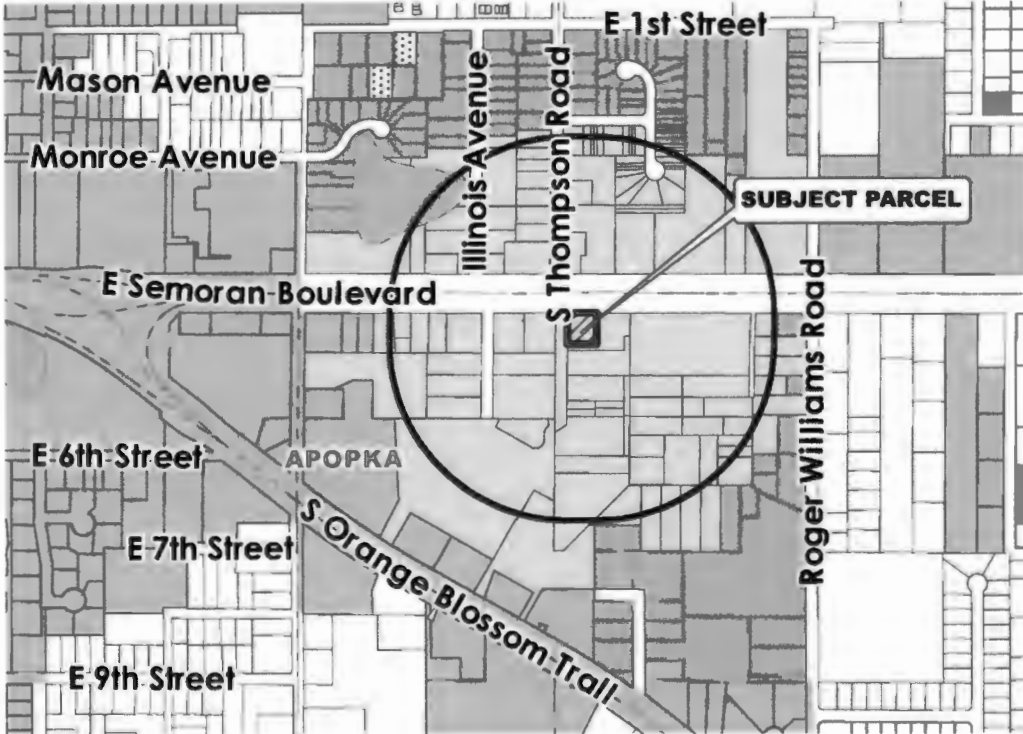


Proposed Zoning District:
 C-2 Restricted
 (General Commercial District Restricted)



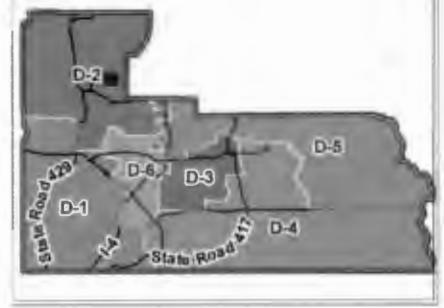
Public Notification Map

RZ-21-04-020



	SUBJECT
	900_FT_BUFFER
	HYDROLOGY
	PARCELS
	NOTIFIED_PARCELS
	COURTESY PARCELS

BUFFER DISTANCE: 900
OF NOTICES: 232
RESIDENTIAL ADDRESSES: 58



SUBJECT



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Notification Map

Case # RZ-21-04-020
Orange County Planning Division
PZC Hearing Date: April 15, 2021

CASE # RZ-21-04-021
Commission District: #6

GENERAL INFORMATION

APPLICANT	Darcy Unroe, Unroe Engineering
OWNERS	JGW Holding, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	I-2/I-3 (Industrial District) and C-3 (Wholesale Commercial District) to C-3 Restricted (Wholesale Commercial District)
LOCATION	3960 Silver Star Road; or generally at the southeast corner of Silver Road and Mercy Drive.
PARCEL ID NUMBER	17-22-29-5844-00-363
TRACT SIZE	0.66-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 1,000 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Forty-nine (49) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Full-Service Automotive Repair Shop

STAFF RECOMMENDATION

PLANNING

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

- 1) New billboards and pole signs shall be prohibited; and
- 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 C-2 uses.
- 3) Outdoor storage areas shall be identified on the site plan and screened from the public rights-of-way.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is requesting to rezone the subject property from I-2 / I-3 (Industrial District - General) and C-3 (Wholesale Commercial District) to C-3 Restricted (Wholesale Commercial District) to construct a 3,000 square foot building for automotive repair use.

Currently the subject property contains a split zoning of C-3 (Wholesale Commercial District) on the western portion of the lot and I-2 / I-3 (Industrial District) on the eastern portion. The subject property is currently developed with two (2) buildings that will be demolished.

The new development will include an automotive repair shop, parking, and storage of operable vehicles waiting for service. A restriction requiring outdoor storage to be screened from public rights-of-way is proposed.

The area surrounding the subject property mostly consists of warehousing and commercial developments. In October 2020, the property to the south of the subject site was rezoned from I-2 / I-3 to C-3 Restricted to allow a warehouse distribution center and was approved with one (1) restriction prohibiting billboards and pole signs.

Land Use Compatibility

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

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

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

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

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

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

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

SITE DATA

Existing Use	Vacant Church
Adjacent Zoning	N: City of Orlando E: I-2/I-3 (General Industrial District) 1968 W: R-1A (Single-Family Dwelling District) 1961 S: C-3 Restricted* (Wholesale Commercial District) 2020 <i>*Restriction: Billboards and pole signs shall be prohibited.</i>
Adjacent Land Uses	N: Religious Facility E: Office W: Orange County Public School S: Warehouse

C-3 (Wholesale Commercial District) Development Standards

Min. Lot Area: 12,000 sq. ft.

Min. Lot Width: 100 ft. (125 ft. on major streets)

Max. Height: 75 ft. (35 ft. within 100 ft. of residential)
 Min. Floor Area: 500 sq. ft.

Building Setbacks

Front: 25 ft. (except on major streets as provided in Art. XV)
 Rear: 15 ft. (20 ft. when abutting residential)
 Side: 5 ft. (25 ft. when abutting residential)

Intent, Purpose, and Uses

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

Specific uses shall be identified by the letter "P" in the use table set forth in section 38-77 of the Orange County Code and include storage yards for operable automobiles, trucks, boats, and commercial vehicles (regardless if for sale, lease, or not), new and used automobile sales, recreational and commercial vehicle sales and storage, auto part and tire dealers, outside storage, lumber and building material yards, and the wholesale distribution of goods including industrial machinery equipment, electronics, farm and garden equipment, and furniture.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional environmental regulations may apply.</p> <p>Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.</p> <p>Any miscellaneous garbage, hazardous waste, yard waste, and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.</p>

			<p>Notice, known DEP Cleanup sites across Silver Star Rd. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County.</p> <p>If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area. A mobility analysis may 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

A community meeting was not required for this request.

Utilities

Water: Orlando Utilities Commission

Wastewater: City of Orlando Existing City wastewater lines are located along Silverstar Rd and Mercy Dr that are available to connect.

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 – (April 15, 2021)

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

- 1) New billboards and pole signs shall be prohibited; and
- 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 C-2 uses.
- 3) Outdoor storage areas shall be identified on the site plan and screened from the public rights-of-way.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

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

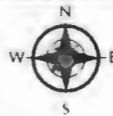
Staff indicated that forty-nine (49) notices were sent to property owners extending beyond 500-foot area surrounding the subject property, and that staff has received two (2) responses in support and zero (0) in opposition to this request. One member of the public was present and stated a concern about the southern boundary of the subject property. After the discussion addressing the boundary with adjacent property to the south and the proposed development of the property, a motion was made by Commissioner Wade and seconded by Commissioner McQuade to recommend APPROVAL of the requested C-3 Restricted (Wholesale Commercial District) zoning, subject to restrictions. The motion carried on an 8-0 vote.

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

RZ-21-04-021

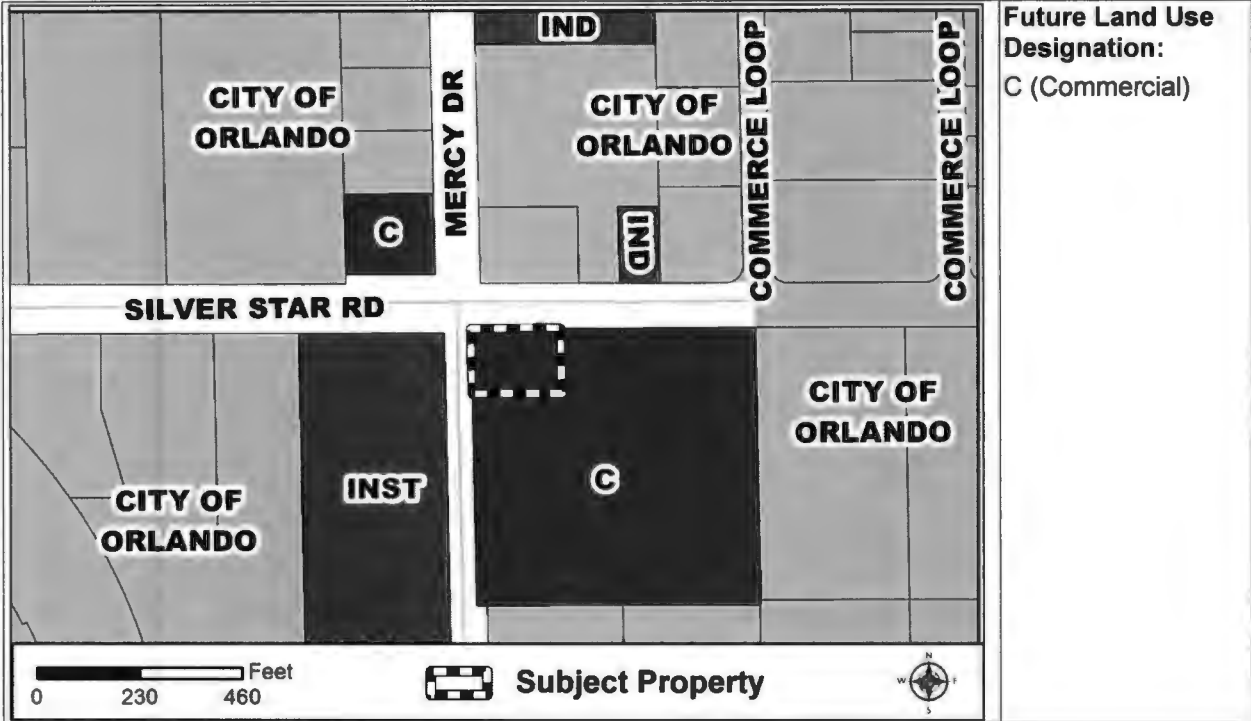


 Subject Property

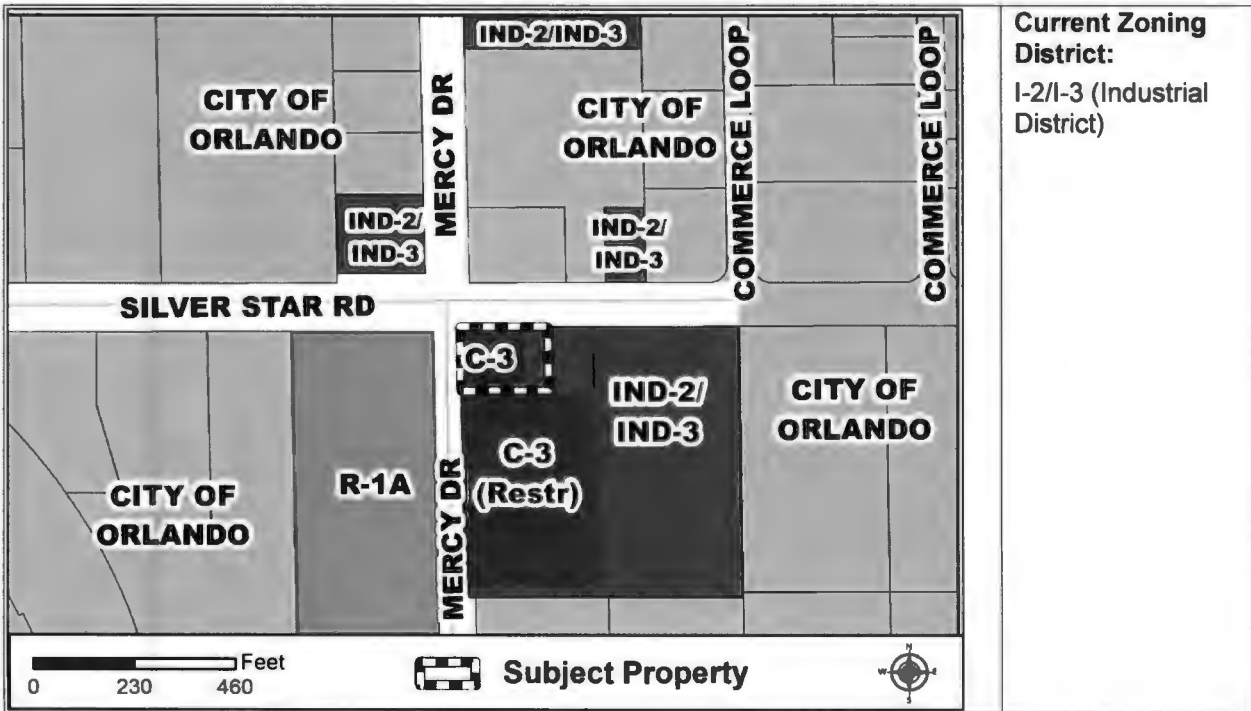


1 inch = 167 feet

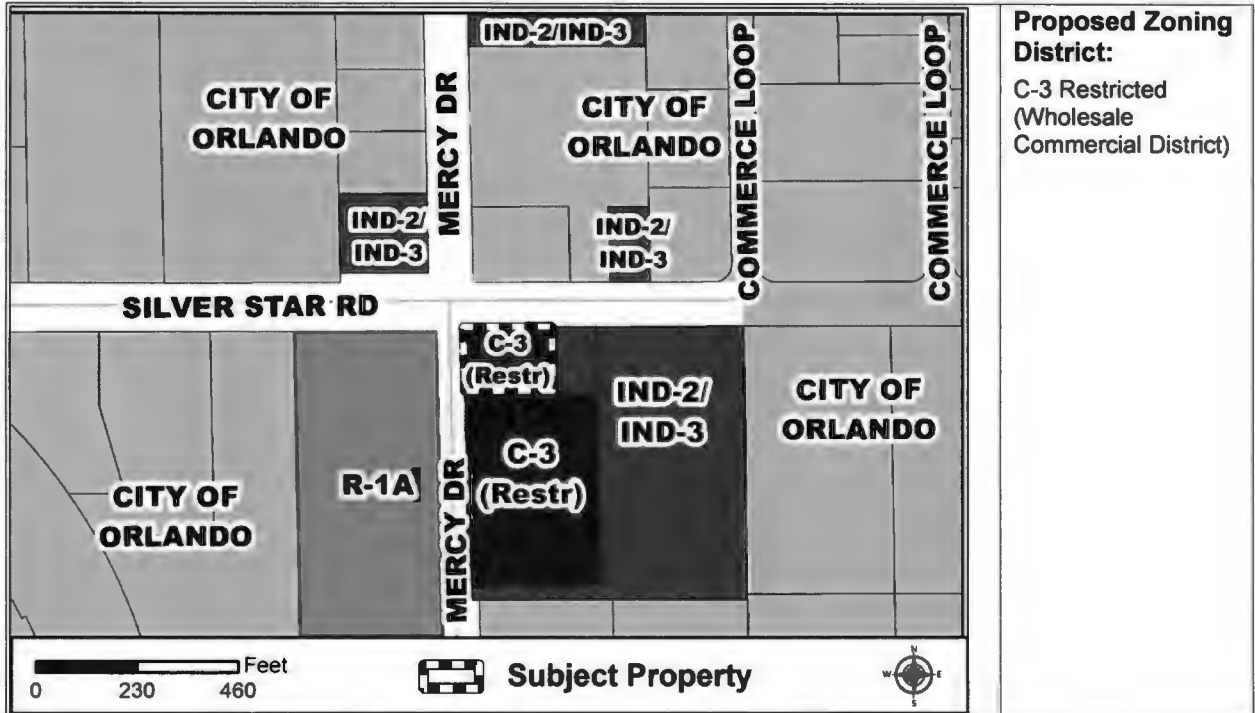
FUTURE LAND USE – CURRENT



ZONING - CURRENT



ZONING - PROPOSED



Alternative Mobility Area Context Map

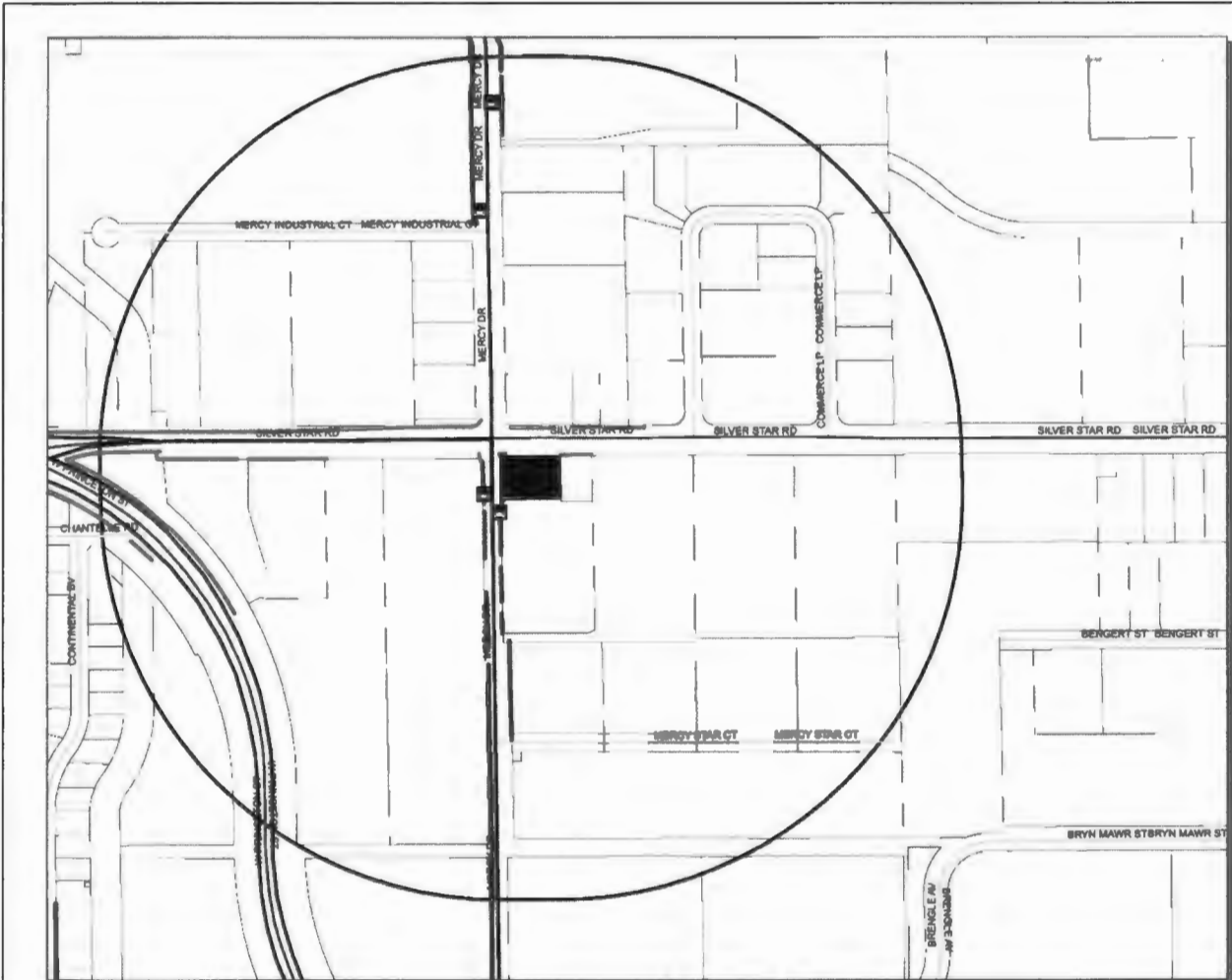
RZ-21-04-021
3960 SILVER STAR ROAD

Legend

-  LYNX Bus Stops
-  LYNX Bus Stop Shelters
-  LYNX Park And Ride
-  LYNX Bus Route Schedule
-  Major Streets
-  Roads Base
-  Segment_ID
-  City Bike Path
-  County Bike Path
-  Private Bike Path
-  State Bike Path
-  City Sidewalk
-  County Sidewalk
-  Private Sidewalk
-  State Sidewalk
-  Major Streets
-  Streets
-  PA_PARCELS_Buffer928
-  Parcels
-  URBAN
-  County Boundary
-  Parcels

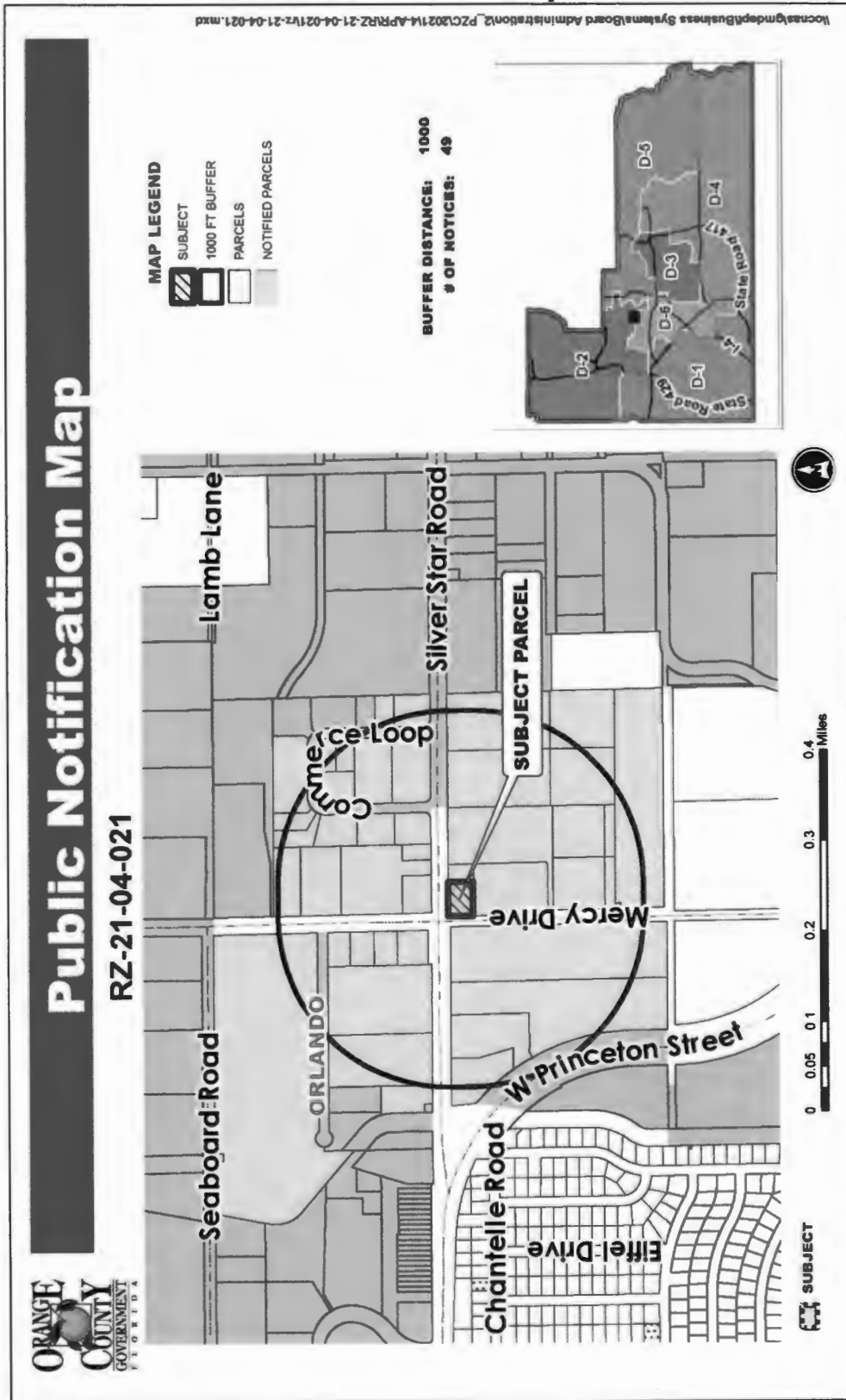


Date 3/25/2021



Document Path: G:\Transportation Planning\A Concurrency\2021 MAP.mxd

Notification Map



CASE # RZ-21-04-022

Commission District: #6

GENERAL INFORMATION

APPLICANT	Scott Baker, Zimmerman Kiser Sutcliffe P.A.
OWNERS	Rio Grande 01 LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-3 Restricted (Multiple Family Dwelling District – Restricted) to R-3 Restricted (Multiple Family Dwelling District – Restricted)
LOCATION	S. Rio Grande Avenue; generally west of Rio Grande Avenue, south of Wakulla Way and approximately 430 feet north of W. Oak Ridge Road.
PARCEL ID NUMBER	22-23-29-7268-57-001
TRACT SIZE	1.92 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred fifty-three (253) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Remove the restriction that states the subject property is limited to 196 dwelling units in order to allow 10 additional units for Phase II.

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-3 Restricted (Multiple Family Dwelling District – Restricted) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited;
- 2) No permanent residency by school-aged children shall be generated as a result of any development within the subject parcel, and any proposed future conversion of the age-restricted housing to unrestricted housing or any proposal to add

permanent residency by school-aged children shall constitute a rezoning approved by Orange County at a public hearing. If a rezoning is approved, school impact fees in effect at the time shall be paid and project shall comply with any school capacity and school concurrency regulations in effect at that time; and

- 3) The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate R-3 uses.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is requesting to amend the restriction from rezoning case number RZ-16-10-026 to allow 10 additional units to be built in Phase II. The restriction states that the subject property shall be limited to a maximum of 196 dwelling units.

In 2016, the subject property went through the Comprehensive Plan Amendment and concurrent rezoning to allow Senior Housing, which was approved with four (4) restrictions. At the time of submittal, the development program outlined 196 age-restricted multi-family units, that would be an affordable, age-restricted apartment complex, consisting of two buildings to be built in two (2) separate phases. The Future Land Use Map (FLUM) designation is High Density Residential (HDR) that allows a density of up to 50 units per acre. The current restriction allows only 36 units per acre.

Phase I is currently under construction with 110 units on 3.48 acres, or 31 units per acre. With the current restriction of 196 units, this leaves a maximum of 86 units on 1.92 acres remaining available for Phase II development, equating to a density of 44 units per acre. The proposed additional 10 units would bring the Phase II density to 50 units per acre and the overall density across Phase I and Phase II would be 38 units per acre.

It is important to note that the construction of the Phase I Development included all the stormwater retention, pool and outdoor amenities for both phases. Additionally, the other restrictions placed in 2016 from the case number RZ-16-10-026 are proposed to remain.

Land Use Compatibility

The R-3 Restricted (Multiple Family Dwelling District – Restricted) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input 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 High Density Residential (HDR). The proposed R-3 Restricted (Multiple Family Dwelling District – Restricted) zoning is consistent with the High 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.

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

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

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

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

H1.3.8 states that in order to stabilize and improve existing neighborhoods, Orange County shall continue to support compatible infill development in existing neighborhoods where infrastructure already exists.

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

SITE DATA

Existing Use	Undeveloped Land
Adjacent Zoning	N: R-3 (Multiple –Family Dwelling District) E: R-3 (Multiple –Family Dwelling District) W: IND-2 /IND-3 (Industrial District) S: IND-2 /IND-3 (Industrial District)
Adjacent Land Uses	N: Multi-Family Residential E: Multi-Family Residential W: Self Storage S: Multi-Tenant Retail

R-3 (Multiple-Family Dwelling 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. 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.

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.

Side: 10 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)

** 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 areas included in R-3 multiple-family dwelling districts are primarily residential in character. Residential uses are permitted at high population densities.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>This site has the associated Orange County EPD permits, CAD-20-01-013 and CAI-20-03-023. This plan will comply with all related permit conditions of approval.</p> <p>Notice, known DEP Cleanup sites across S. Rio Grande Avenue. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area. A mobility analysis may 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

A community meeting was not required for this request.

Utilities

Water: Orlando Utilities Commission

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within Orlando Utilities Commission's Water Service Area.

This property is within Orange County Utilities Wastewater and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37:

- Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.
- Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

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 – (April 15, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-3 Restricted (Multiple Family Dwelling District – Restricted) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited;
- 2) No permanent residency by school-aged children shall be generated as a result of any development within the subject parcel, and any proposed future conversion of the age-restricted housing to unrestricted housing or any proposal to add permanent residency by school-aged children shall constitute a rezoning approved by Orange County at a public hearing. If a rezoning is approved, school impact fees in effect at the time shall be paid and project shall comply with any school capacity and school concurrency regulations in effect at that time; and
- 3) The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate R-3 uses.

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-3 Restricted (Multiple Family Dwelling District – Restricted) zoning. The applicant was present and agreed with the staff recommendation. Staff indicated that notices were sent to two hundred fifty-three (253) property owners within 500-foot area surrounding the subject property, and that staff has not received any responses in support or opposition.

After discussion addressing the proposed development of the property, a motion was made by Commissioner Wade and seconded by Commissioner McQuade to recommend APPROVAL of the requested R-3 Restricted (Multiple Family Dwelling District – Restricted) zoning. The motion carried on an 8-0 vote with Commissioner

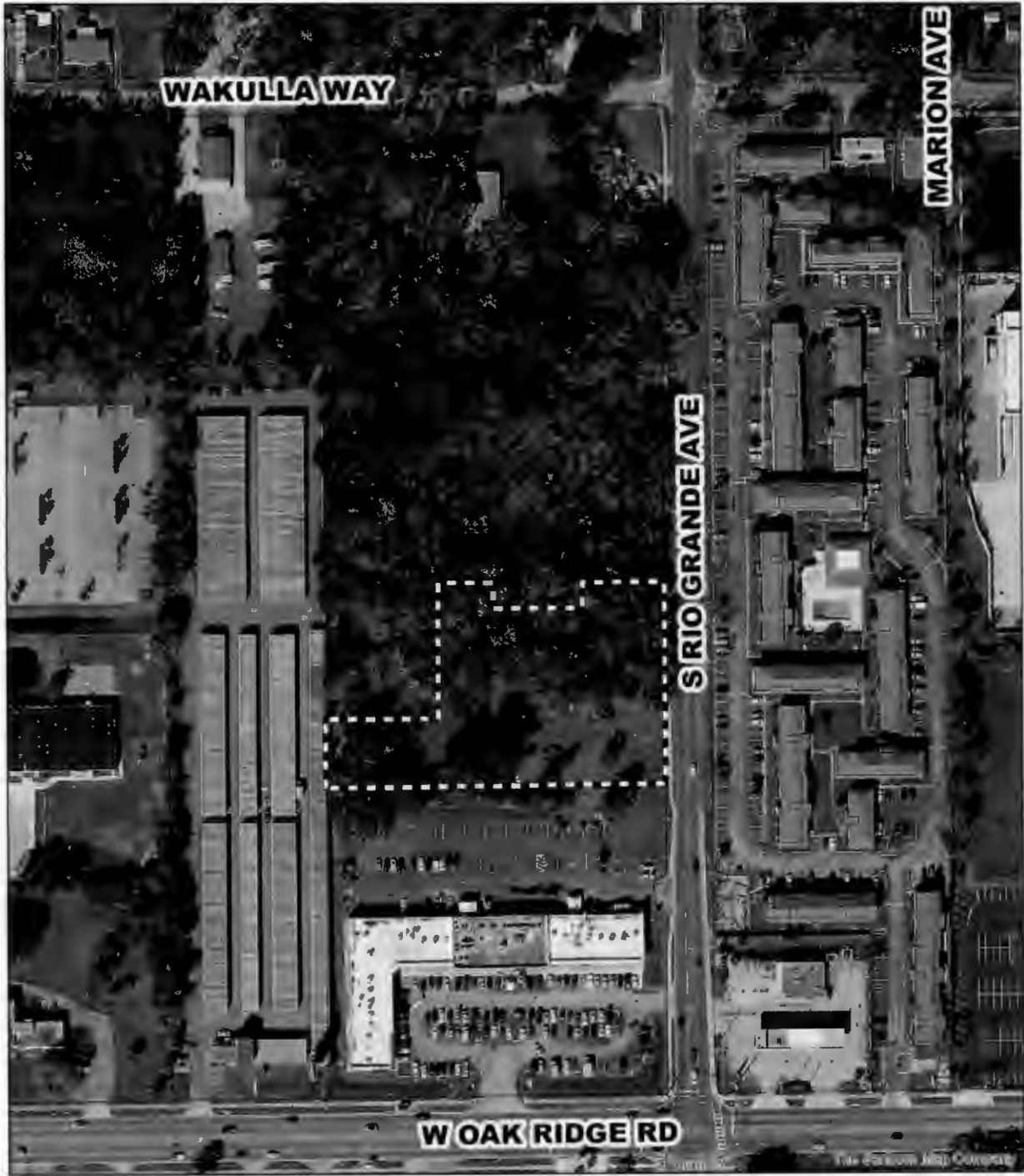
Motion / Second *JaJa Wade / Sean McQuade*

Voting in Favor *JaJa Wade, Sean McQuade, Evelyn Cardenas, Mohammed Abdallah, Gordon Spears, Trevor Sorbo, Nelson Pena, and Carlos Nazario*

Voting in Opposition *None*

Absent *Eddie Fernandez*

RZ-21-04-022

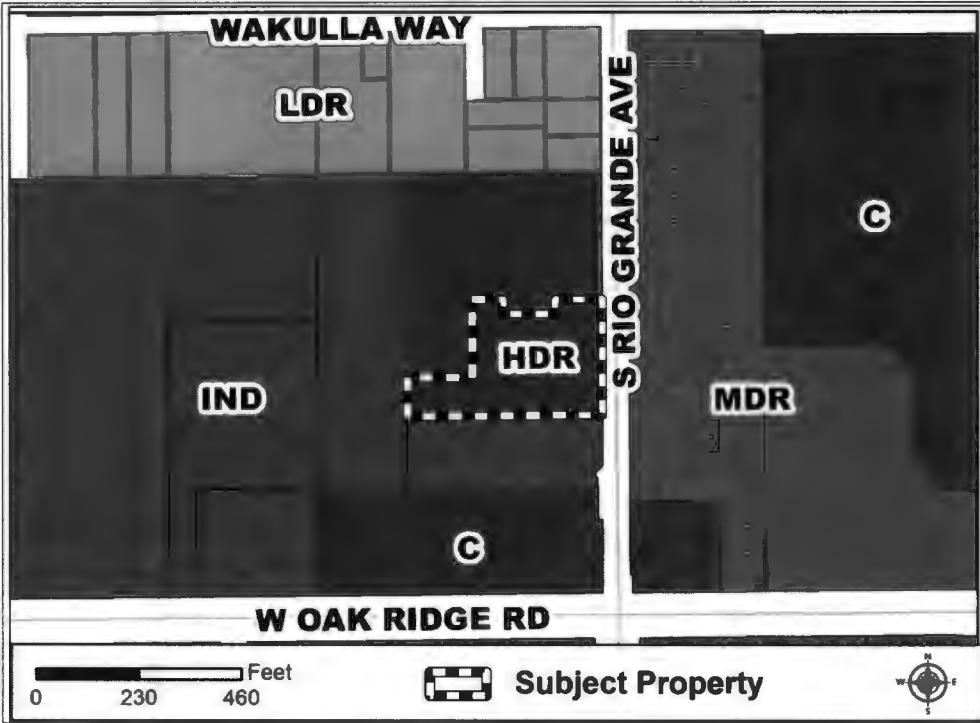


 Subject Property



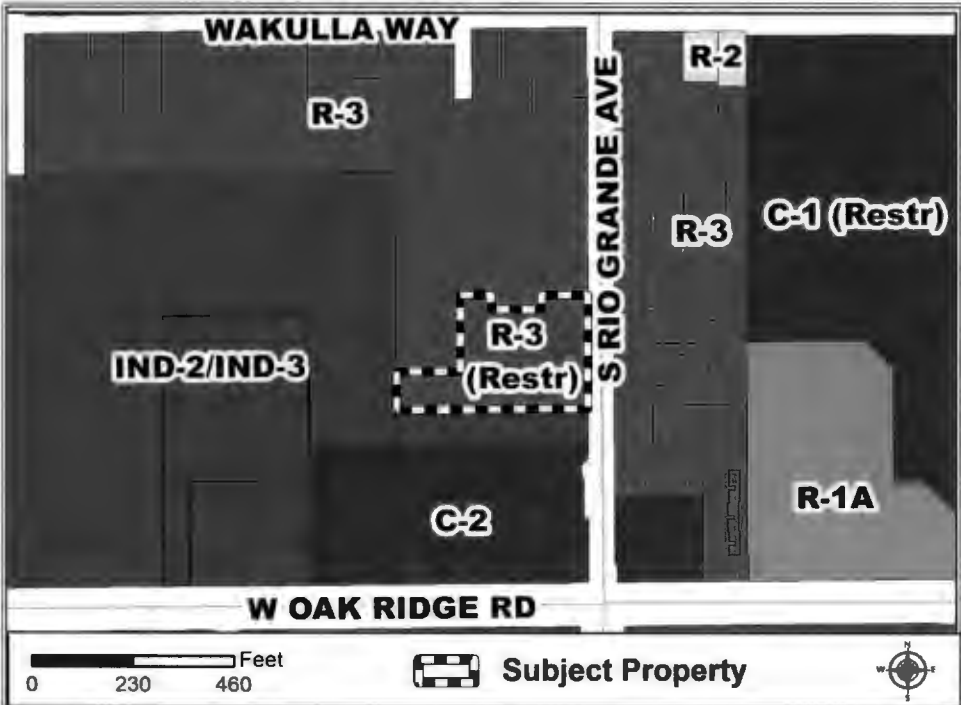
1 inch = 167 feet

FUTURE LAND USE – CURRENT



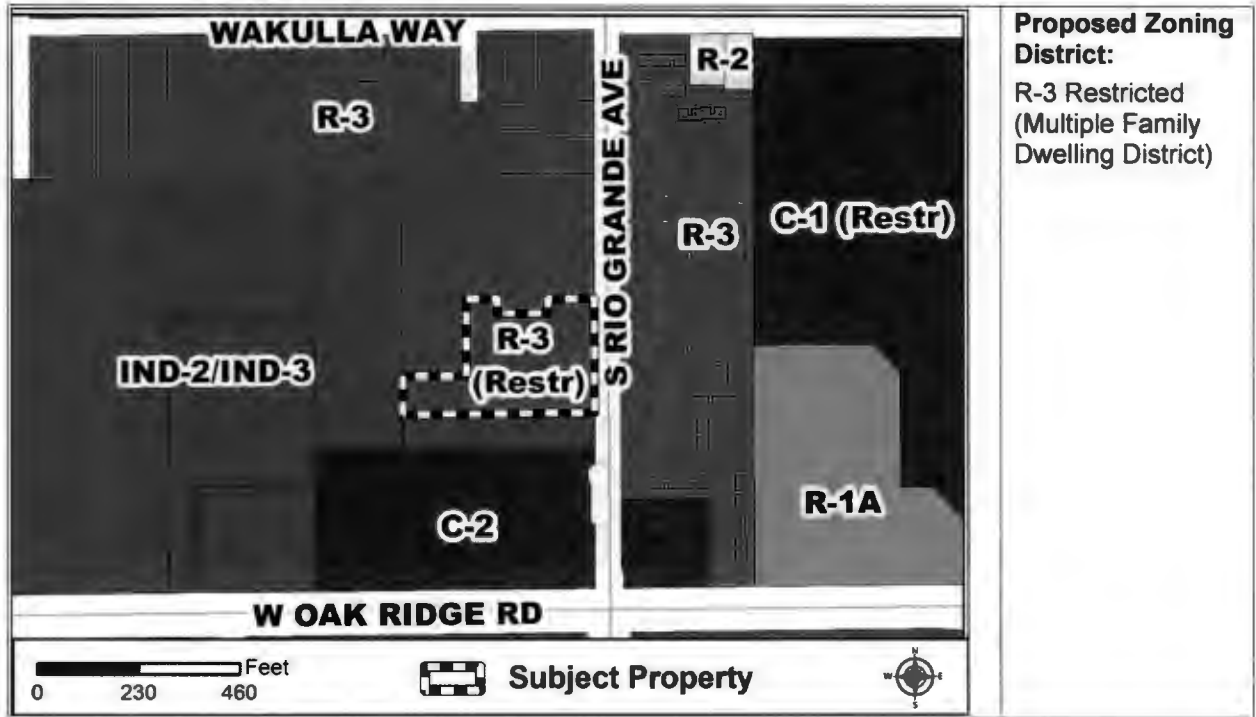
Future Land Use Designation:
 HDR (High Density Residential)

ZONING - CURRENT

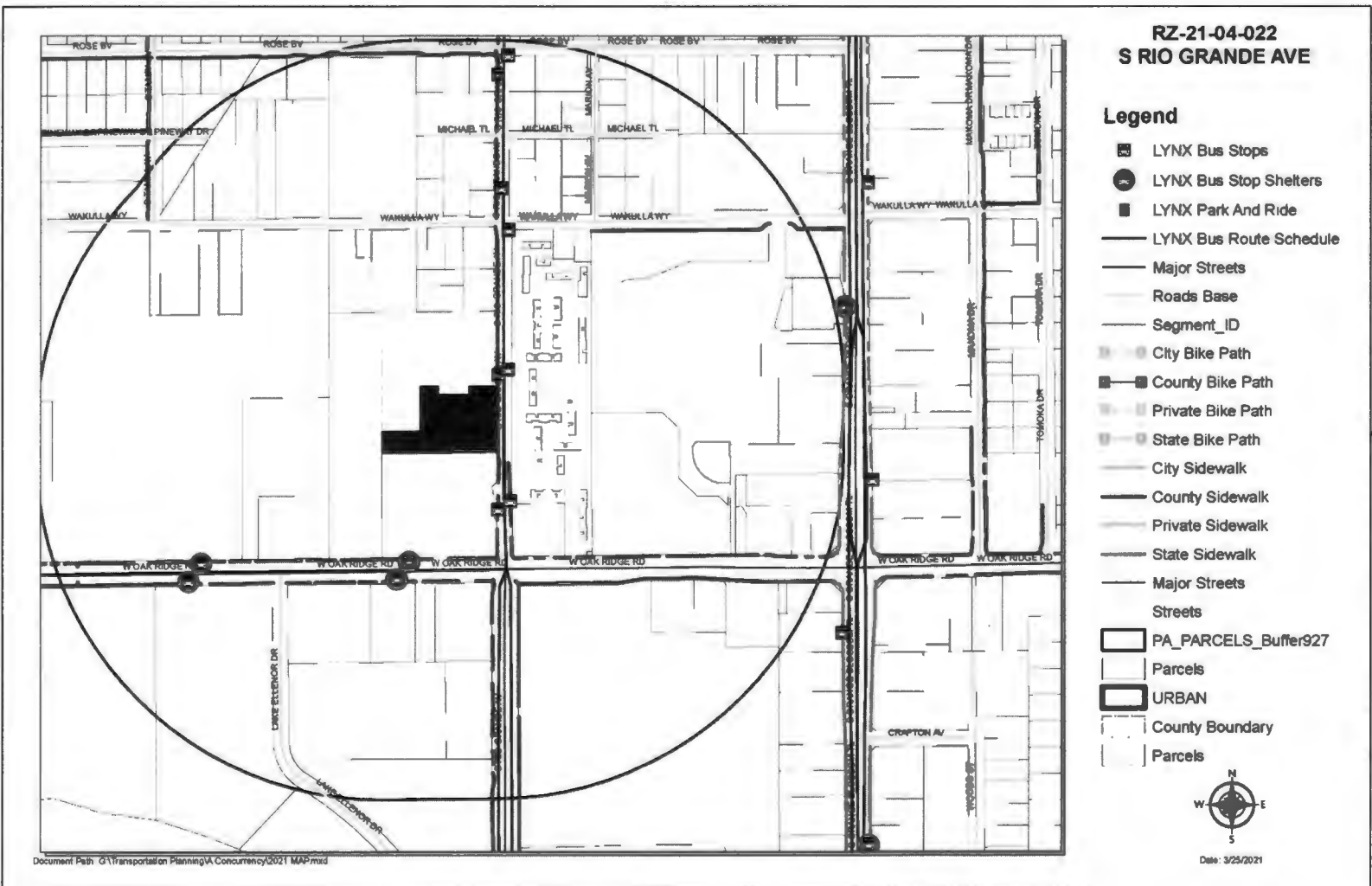


Current Zoning District:
 R-3 Restricted (Multiple-Family Dwelling District)

ZONING - PROPOSED



Alternative Mobility Area Context Map



Notification Map

